

**ORDINANCE NO. 2007 -**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF SAN JUAN BAUTISTA ADMENDING SECTION 11.10 (“SIGNS”)  
OF TITLE 11 OF THE SAN JUAN BAUTISTA MUNICIPAL CODE**

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**WHEREAS**, there exists a need in the City to establish regulations, guidelines and circumstances for the use of signs; and

**WHEREAS**, public health, safety, and welfare dictate that all signs are located to minimize negative impacts and enhances the community benefits; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Chapter 11.10 of the San Juan Bautista Municipal Code, is hereby amended to read as follows:

**Chapter 11.10 Signs**

- 11.10.010 Intent
- 11.10.020 Prohibited Signs
- 11.10.030 General Regulations
- 11.10.040 Requirement for Permit; Exemptions
- 11.10.050 Application for Permit
- 11.10.060 Criteria for Review of Application
- 11.10.070 Signs in Residential Districts
- 11.10.080 Signs in Industrial Districts
- 11.10.090 Signs in Commercial Districts
- 11.10.100 Signs in the Mixed Use District
- 11.10.110 Temporary Subdivision Signs
- 11.10.120 Temporary Construction Signs
- 11.10.130 Public Interest Signs
- 11.10.140 Open House Signs in Residential Districts
- 11.10.150 Temporary Political Signs
- 11.10.160 Gasoline Price Signs
- 11.10.170 Comprehensive Sign Program
- 11.10.180 Special Permits from City Manager
- 11.10.190 Nonconforming Signs
- 11.10.200 Violations; Removal of Illegal Signs on Public Property
- 11.10.210 Exceptions from Standards
- 11.10.220 Indemnity and Insurance

**11.10.010 Intent**

Signs have an obvious impact on the character and quality of life in San Juan Bautista. As a prominent part of the scenery, they help attract or repel the viewing public and

affect the safety of vehicular or pedestrian traffic. Their suitability or appropriateness helps set the tone of the whole City.

The purpose of this chapter is to control signs in a manner which will maintain a high quality of development throughout the City, provide for the health, welfare and safety of the citizens, and to preserve and enhance the cultural and historical aspects of the City. Further, it is the intent of the City that its commercial and industrial development remains in harmony with the residential community and the historical nature of San Juan Bautista.

**11.10.020 Prohibited Signs.** The following signs are prohibited:

- A. Internally-illuminated signs, neon signs, fluorescent or phosphorescent colors used on signs, flashing signs or moving signs.<sup>1</sup>
- B. Portable signs, except for open house signs, political signs, signs in the commercial and mixed-use districts, and special event signs that comply with the regulations of this Chapter.
- C. Streamers, banners, balloons, flares, flags, pennants, twirlers and similar attention getting devices, with the exception of the following:
  - 1. One national, state and local government flag properly displayed upon flagpoles. Flags shall not project over the public walkway and public right-of-way such that it interferes with pedestrians or vehicles.
  - 2. Holiday decorations, in season.
  - 3. One corporate flag displayed upon a single flagpole.
  - 4. Grand opening and special event displays which comply with the regulations of this Chapter.
- D. Any sign affixed or attached to any vehicle or trailer, unless the vehicle or trailer is intended to be used in its normal business capacity and not for the primary purpose of advertising a use or event or attracting persons to a place of business.
- E. Signs or sign structures that by color, wording or location resemble or conflict with traffic control signs or devices.
- F. Signs that create a safety hazard by obstructing the clear view or safe movement of vehicular or pedestrian traffic.

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<sup>1</sup> Previous action by the City has exempted the following signs from regulation, thus they shall not be prohibited by Section 11.10.020A : (1) the neon bakery sign at the San Juan Bakery (319 Third); (2) the neon Mission Café sign (300 Third Street); (3) one neon beer advertisement sign for each Mom and Pop's bar and Daisy's Bar (205 and 213 Third Street, respectively); (4) one neon street sign at Neil's Market at 54 Muckelemi Street). These exemptions are only for the described signs existing as of November 1, 2007, at the described locations, and for no other new or replacement signs.

- G. Signs that obstruct any door, window, fire escape or other emergency exit of any building.
- H. Posters, placards, announcements, advertising and similar signs that are erected on any fence, pole, tree, pavement, wall, bus stop, bench, or any other object in or upon a public highway, public street or public right-of-way, excepting notices posted by a public officer in the performance of a public duty, or by any person for the purpose of giving legal notice, and warning or informational signs required or authorized by governmental regulations.
- I. Billboards.

#### **11.10.030 General Regulations**

- A. Compliance with Chapter. No sign shall be erected, installed, altered, or maintained in any zoning district in the City, including public and private streets therein, except in conformity with provisions of this Chapter.
- B. Compliance with District Regulations. All signs shall comply with the particular regulations of the district in which they are located.
- C. Compliance with the Design Guidelines. All signs shall conform with the Design Guidelines.
- D. Compatibility with Surroundings. The design, color, and location of each sign shall be compatible with the architecture of the buildings on the premises, and in harmony with the structures and other improvements on the property.
- E. Site Restriction. All signs shall be located on the same site as the use they identify or advertise, except temporary subdivision signs as described in Section 11.10.110, public interest signs as described in Section 11.10.130, open house signs, as described in Section 11.10.140, and temporary political signs as described in Section 11.10.150.
- F. Sign Projection. No sign shall extend above the ridgeline of a building, nor project more than thirty inches from the outside wall of a building, nor more than twelve inches over any street or alley. The projection is measured on a line perpendicular to the wall. All projecting signs over a walkway or public right-of-way shall have a clearance of seven feet above grade.
- G. Size of Letters. Unless otherwise prescribed in this Chapter, no sign shall have letters greater in size than eighteen inches in any dimension, except that in the Industrial district, letters of sixty inches may be permitted.
- H. Backs and Supports. The backs and supports of all signs shall be subdued.
- I. Construction Standards. All signs shall be constructed in such manner as to protect public safety. Construction standards shall be as set forth in the latest edition of the Uniform Building Code as adopted by the City.

- J. Freestanding Signs. Except as otherwise expressly provided in this Section, all signs shall be affixed to the building or structure, the use of which is being advertised or identified, and shall not be freestanding. Where freestanding signs are allowed, freestanding signs shall comply with the regulations of this chapter.
- K. Roof Signs. Roof signs must:
1. Be erected only on a roof whose pitch is at least one vertical to four horizontal.
  2. Have a face no more than two feet measured vertically.
  3. Be located so the face is parallel to the eave in front of the sign.
  4. Be set no more than eight inches above the roof.
  5. Be designed and erected so that no part of its face is higher than either the ridge line of the roof or an elevation five feet above the portion of the roof eave in front of the sign.
- L. Multiple Uses on Same Site. Where more than one use is lawfully being conducted upon the same site, the total signage for each separate use shall not exceed the sign area for such use as prescribed in this Chapter. No sign area may be increased by reason of there being no signage or reduced signage for another use upon the same site.
- M. Reduction of Sign Area. The regulations concerning sign area, as set forth in this Chapter, represent the maximum size that may be permitted but do not confer upon any person the right to erect, install, or maintain a sign or signs having such maximum area. As a condition for the granting of any sign permit hereunder, the approving authority may require that the size of the sign be reduced below the maximum sign area set forth herein, based upon a finding that such reduction is necessary to satisfy the criteria set forth in Section 11.10.060.
- N. Signs may hang or project over public walkways subject to the following condition: the lowest point of the sign must be at least 7 feet 6 inches above all portions of the walkway;
- O. All signs approved by resolution shall include a condition of approval to defend, indemnify and hold the City and its officers, officials, boards, commissions, employees, and volunteers harmless from and against any an all claims, demands, actions, expenses, or liability arising or resulting form the doing or refraining from doing any act permitted by approval of such sign, or the failure to comply with any terms or conditions or such approval, or arising or resulting in any manner from the erection, construction or maintenance of such encroachment over the public walkways;
- P. All signs approved administratively shall require a written agreement to defend, indemnify and hold the City and its officers, officials, boards, commissions, employees, an volunteers harmless from and against any an all claims, demands, actions, expenses, or liability arising or resulting form the doing or refraining from doing any act permitted by approval of such sign, or the failure to comply with any

terms or conditions or such approval, or arising or resulting in any manner from the erection, construction or maintenance of such encroachment over the public walkways;

- Q. For all hanging signs, signs that project over public walkways, and portable free-standing signs, the applicant shall be required to obtain public liability insurance in such form and amount as may be required by the City Manager to protect the City, its officers, officials, board, commission, employees, agents, and volunteers as additional insureds, from claims which may arise from applicant's operations under the approval.

**11.10.040 Requirement for Permit; Exemptions.** No person shall place, erect, install, or maintain any sign in the City without first obtaining a sign permit pursuant to this Chapter. However, with the exception of those signs subject to approval by the City under the terms of any sign program or as a condition of any building site approval, use permit, variance or other approval granted by the City, the following signs shall be exempted from the requirement of a permit:

A. Temporary Signs.

1. One national, state and local governmental flag properly displayed upon a single flagpole.
2. Holiday decorations, in season.
3. Open house signs that comply with the requirements of Section 11.10.140.
4. Political signs that comply with the requirements of Section 11.10.150.
5. One real estate sign, not exceeding six square feet in area. The sign may be freestanding, but in such event shall not exceed four feet in height.
6. Temporary signs of a directional nature when used for a period of less than 72 hours.
7. Temporary window signs when the total of their area does not exceed 50 percent of the total window space of a business. Examples of signs of this nature are "opening soon," "going out of business" or "fire sale." Use of these signs shall not exceed a 30-day period of time.
8. One bulletin board, not exceeding twenty square feet in area and not more than ten feet in height, on the site of a school or other institution, provided the content of the sign relates to an activity conducted at, or sponsored by, the school or institution.
9. Official traffic, fire, and police related signs, temporary traffic control signs used during construction, utility location and identification signs and markers required to protect such facilities, and any signs required by the City or any other public authority to be erected, installed or maintained.

10. Special exterior signs for public parades and events for a period not to exceed 30 days, provided the location and safety of such signs are approved by the building inspector.
11. Notices required to be posted by law.
12. "Grand Opening" signs (see section 11.10.090.L)

**B. Permanent Signs**

1. Street number signs not exceeding two per address and not exceeding one square foot per premises in commercial and industrial areas, nor 72 square inches in residential areas.
2. Directional signs within private property, of less than one square foot each, that are not visible from a public street.
3. "No Trespass" signs and directional signs of a public or quasi-public nature.
4. Existing signs with lettering carved, molded or otherwise engraved into any surface of any building.
5. Signs designating "manager" or "office" not exceeding 160 square inches in area.
6. Security and alarm device signs not to exceed a total of 160 square inches. Only one such sign shall be permitted per street frontage per business or premises.

**11.10.050 Application for Permit**

- A. Application for a sign permit shall be made to the City Manager or designee on such form as he/she may prescribe. Except as otherwise allowed per Section 11.10.090.M (portable freestanding signs in the commercial and mixed-use districts) and 11.10.090.N (banners and flags for short duration), the City Manager or designee shall refer all applications for a sign permit to the Historic Resources Board for recommendation to the Planning Commission for final decision.
- B. The application shall contain the following information:
  1. The location and size of any existing or proposed buildings and structures on the site.
  2. The location of off-street parking and loading spaces, including major points of entry and exit for motor vehicles, where on-site directional signs are proposed.
  3. The location of the proposed sign and its relationship on the site.
  4. A scale drawing showing the size, height, dimensions and content of the proposed sign or sign structure and also indicating the colors and materials thereof.
  5. Means of mounting sign, including size and material of standard, brackets, and/or hanging hardware.

6. The location and size of all other existing signs on the site and/or the sign being replaced.
7. Such other information as the City Manager or designee may require in order to determine whether the proposed sign will comply with the regulations and standards contained in this Chapter.

**11.10.060 Criteria for Review of Application.** The following criteria shall be applied in reviewing applications for sign permits hereunder:

- A. That the sign complies with the regulations of this Chapter and the regulations of the district in which it will be located;
- B. All signs shall comply with the City's adopted design guidelines for signs;
- C. That the size, shape, color, illumination, placement and material of the sign is compatible with the building it identifies and with the visual characteristics of the neighborhood and other lawful signs in the area;
- D. That the location and design of the sign does not obscure from view or unduly detract from existing adjacent signs; and
- E. That the location and design of a sign in close proximity to any residential district will not adversely affect the quality or character of such residential area.

**11.10.070 Signs in Residential Districts.** No sign of any character shall be permitted in an R1, R2 or R3 district except the following:

- A. An identification sign, not exceeding 12 square feet in area, on the site of a public building or grounds, a community facility, an institutional facility, or a multi-family dwelling. Such signs may be freestanding.
- B. A bulletin board, not exceeding 20 square feet in area and ten feet in height, on the site of a school or other institution, provided the content of the bulletin board relates to an activity conducted at, or sponsored by, the school or other institution. Such bulletin board may be freestanding.
- C. A name plate, not exceeding one square foot in area, pertaining to a home occupation.
- D. A real estate sign, not exceeding six square feet in area. The sign may be freestanding, but in such event shall not exceed four feet in height.
- E. A permanent sign, not exceeding 24 square feet in area, identifying a subdivision, located adjoining each entrance to a subdivision.
- F. Temporary subdivision signs, subject to the regulations prescribed in Section 11.10.110.
- G. Temporary construction signs, subject to the regulations prescribed in Section 11.10.120.

- H. Public interest signs, subject to the regulations prescribed in Section 11.10.130.
- I. Open house signs, subject to the regulations prescribed in Section 11.10.140.
- J. Temporary political signs, subject to the regulations prescribed in Section 11.10.150.
- K. An identification sign, not exceeding ten square feet in area, on the site of a day care facility.

**11.10.080 Signs in Industrial Districts.** No sign of any character shall be permitted in an I district, except the following:

- A. An identification sign, not exceeding six square feet in area, for each use upon the site of a building.
- B. On-site directional signs, each not exceeding three square feet in area and five feet in height. Such signs may be freestanding. If more than two directional signs are proposed, the number and location of such signs shall be subject to approval by the City Manager or designee.
- C. An identification sign, not exceeding 12 square feet in area, on the site of a public building or grounds, a community facility, an institutional facility. Such sign may be freestanding.
- D. Where multiple buildings are located upon a single site which is three acres or greater in size, either or both of the following signs may be allowed in addition to all other signs permitted under this Section:
  1. A freestanding site identification sign, not exceeding 30 square feet in area and four feet in height.
  2. An identification sign for each building on the site, indicating the location of a building and/or identifying the occupants thereof, each sign not exceeding six square feet in area. The signs may be freestanding, but in such event shall not exceed five feet in height. The Planning Commission shall have authority to modify the regulations contained in this subsection with respect to the number, size, and height of identification signs, through the granting of a use permit pursuant to Chapter 11.19 of this Title.
- E. A real estate sign, not exceeding 24 square feet in area. The sign may be freestanding, but in such event shall not exceed eight feet in height, as measured from the top of the curblines, or the pavement surface where no curb exists, of the nearest street adjacent to the sign.
- F. Temporary construction signs, subject to the regulations prescribed in Section 11.10.120.
- G. Public interest signs, subject to the regulations prescribed in Section 11.10.130.
- H. Temporary political signs, subject to the regulations prescribed in Section 11.10.150.

I. Gasoline price signs, subject to the regulations prescribed in Section 11.10.160.

**11.10.090 Signs in Commercial Districts.** No sign of any character shall be permitted in a Commercial or Mixed Use district except the following:

- A. Identification signs affixed to the exterior of the structure that comply with any one of the following standards:
1. For corner lots, one-half square foot of sign area for each foot of width of the front elevation of the building and side elevation of the street side; or
  2. One-fourth square foot of area for each foot of street frontage of the site; or
  3. One-half square foot of area for each foot of store frontage. The term "store frontage," as used herein, means that side or those sides of the building where the main entrance to each business establishment conducted therein is located. For the purposes of computing sign area hereunder, no single business establishment may have a main entrance on more than one side of the same building. In no event shall the aggregate area of all identification signs upon a site exceed 40 square feet for each use upon such site; or
  4. A sign painted on a building exterior wall in a style and format similar to those signs that existed in San Juan Bautista before World War II as documented in historic photos of San Juan Bautista; or
  5. A painted wooden non-illuminated sign on a building's exterior wall that is in a style, format and size as can be documented in historic photos of San Juan Bautista from before World War II.
  6. Any business opting for signs as defined in 11.10.090.A.4 or 5, the only additional sign allowed on another wall serving the same business is one sign as allowed under section 11.10.090.A.1 and 2 above.
- B. On-site directional signs, each not exceeding three square feet in area and five feet in height. Such signs may be freestanding. If more than two directional signs are proposed, the number and location of such signs shall be subject to approval by the City Manager or designee.
- C. A freestanding identification sign for a site containing five or more separate uses, not exceeding 40 square feet in area. Such sign may be in addition to all other signs permitted under this Section.
- D. A bulletin board, not exceeding 20 square feet in area and ten feet in height, on the site of an assembly use, provided the content of the bulletin board relates to an activity conducted at, or sponsored by, the assembly organization. Such bulletin boards may be freestanding.
- E. Motel and Hotel signs. An identification sign, not exceeding 16 square feet in area on the site of a motel or hotel. Such sign may be freestanding as defined in subsection M below. Signage for the uses referred to herein shall be regulated by this subsection and not subsection (a) of this Section.

- F. A nonilluminated real estate sign, not exceeding twenty-four square feet in area. The sign may be freestanding, but in such event shall not exceed four feet in height.
- G. Temporary construction signs, subject to the regulations prescribed in Section 11.10.120.
- H. Public interest signs, subject to the regulations prescribed in Section 11.10.130.
- I. Temporary signs, subject to the regulations prescribed in Section 11.10.150.
- J. Gasoline price signs, subject to the regulations prescribed in Section 11.10.160.
- K. Special event signs, not exceeding ten square feet in area, may be permitted, provided such signs are posted for not more than 30 days prior to the event and are removed within two days after such event.
- L. Temporary grand opening signs or banners, not exceeding 20 square feet in area, may be permitted to announce the commencement of a new business establishment. Such signs shall not be displayed more than 30 days in one year and shall not exceed a cumulative time of 30 days (except from the requirement of a permit per 11.10.040.A). Smaller banners are permitted without permit but still subject to City approval per SJBMC Section 11.10.090.N.
- M. Portable freestanding signs may be permitted subject to the following:

**1. Sign Permit Process**

The following is a check list of requirements for a sign permit application to be submitted to the City Planner for review and approval based on consistency with this chapter and the San Juan Bautista Design Guidelines:

- a. Planning Application Cover Page
- b. Property Owner's Authorization to apply for the sign permit
- c. Size and shape (font) of the lettering, logos, borders and other designs
- d. One full size mock-up or one scaled drawing of the freestanding sign shall be provided to the City Planner for review and approval that depicts size and shape of the sign; colors represented by actual samples (paint color samples or brochures). When clear information is provided, it takes approximately 1-2 weeks to get a Sign Permit.
- e. All portable freestanding signs are subject to the same fee as required for the City's Historic District Design Review Permit for New Signs (regardless if the sign will be located in the Historic District).

**2. General Requirements**

- a. One freestanding sign per business will be allowed. No banner or flag will be allowed if a freestanding sign is used.

- b. Portable signs can be displayed on City sidewalks only when the company is "open for business." Signs must be moved out of sight within the business property when the business is closed.
- c. That the sign complies with the City's adopted design guidelines for signs.

### **3. Location**

Portable signs shall meet the following standards:

- a. Sign clearance from the right-of-way where pedestrians (handicapped or otherwise) and vehicles move must be maintained clear and shall not hinder vehicle or pedestrian access or movement, thereby a 48-inch clearance must be maintained. Signs must not interfere with vehicle access whereby vehicle doors, if opened and closed, shall not touch the sign.
- b. No sign may be located within five feet of any driveway or curb cut access ramp

### **4. Materials**

A professional quality sign begins with professional quality materials. Common rough-cut plywood is generally not acceptable based on its tendency to split and peel. Products such as "Medex" and "Duraply" (smooth particle board and medium density overlay plywood) are smooth finished and specifically designed for receiving paint. These products are relatively inexpensive, and the sign's longevity will result in a good investment for the business owner.

- a. Signs shall be constructed of durable materials that are weather- and rust-resistant
- b. Signs may not be internally illuminated or have lights attached to them

### **5. Maintenance**

- a. Signs must be kept in a neat and clean condition.
- b. Signs may not have peeling paint, chipped corners, rust, mud, graffiti, broken parts and pieces, or other unsightly conditions.
- c. Signs may not be attached in any manner to any other structure on the sidewalk, such as trees, lampposts, utility poles, benches, or bicycle racks.
- d. Signs may not have balloons, streamers, flags, pennants, or other materials attached to them.

### **6. Size and Design**

- a. **Shape:** The shape of the sign need not be limited to square or rectangular. Creative shapes that reflect the theme of a business are encouraged. For example: An Ice Cream shop using a sign in the shape of an ice cream cone.
- b. **Limits to Message:** The written message on the sign should be kept to the minimum needed to communicate the name of a business or a special message of the

business (slogan, open, hours of operation, sale). Phone numbers and price listings are considered extra information that unnecessarily clutters a sign, and are prohibited.

**c. Overall Composition:** Simplicity in message and composition is key for a sign to be easily read and a good advertising tool. Trying to say too much may work against the intended message of the sign.

- (i) Maximum area per sign is six square feet. In the case of A-frame, hanging, or similar signs, only one side is counted when calculating sign area.
- (ii) Maximum size for rectangular signs is four feet in height and 18-inches in width. Rectangular signs are required to have an open base, either through wooden cut-outs or legs.
- (iii) Signs with shaped silhouettes may be up to five feet in height or up to two feet in width, provided the maximum sign area is not exceeded (i.e., do not exceed six square feet) and does not intrude upon the 48-inch wide pedestrian access corridor.
- (iv) Signs shall reflect the historic character of San Juan Bautista.
- (v) Sign lettering shall be consistent with the pedestrian orientation of the signs.
- (vi) Sign design shall be uncluttered, with a minimum of text. Logos and graphics are encouraged.
- (vii) The following sign materials are not allowed:
  - a. Laminated or unlaminated paper attached to a wooden or metal backing
  - b. Dry-erase board
  - c. Plastic, vinyl, or cloth banners mounted within a frame
  - d. PVC pipe frame
- (viii) The following sign materials are allowed
  - a. Wooden or metal signs suspended from a wire frame
  - b. Wooden A-frame signs with open bases
- (ix) Shaped silhouette signs. For these signs, it is anticipated that the focus of the sign will be upon the shape, and that text will be minimal.

## **7. Enforcement**

Signs which are located on the City sidewalk which do not meet the code requirements for placement, or which have not obtained or are not in compliance with sign permit approvals, or which have fallen into a state of disrepair, can be removed by the City. To avoid enforcement problems, obtain a permit before constructing and placing the sign, and keep that sign in good condition.

N. Banners and flags advertising special promotions or sales (not “grand openings”. Refer to section 11.10.090.L) may be permitted without a sign permit, but subject to approval by the City Manager or designee, as follows:

- 1) Does not exceed six square feet and does not intrude into the 48-inch wide pedestrian access corridor and does not otherwise hinder access to vehicles. (as

compared to bigger “grand opening” signs that are permitted per SJBMC section 11.10.090.L but for shorter duration)

- 2) When not used in combination with a portable freestanding sign.
- 3) Banners and flags can be displayed only when the company is "open for business." Banners and flags must be moved out of sight within the business property when the business is closed. Portable freestanding signs are not permitted if banners are used.
- 4) Banners may be in place not to exceed 90 days in one year and cannot exceed a cumulative time of 90 days.

**11.10.100 Signs in Mixed-Use District.** Signs in the mixed-use district are subject to the requirements of 11.10.090 - Signs in Commercial Districts. Also, refer to Prohibited Signs– 11.10.020.J.

**11.10.110 Temporary Subdivision Signs.** In the R1, R2 and R3 districts, temporary freestanding subdivision signs shall be permitted, provided they conform with the following regulations:

- A. On-tract signs. One sign, not exceeding 24 square feet in area, advertising a subdivision, may be erected or displayed adjoining each street on which the subdivision abuts and adjoining each entrance to the subdivision.
- B. Model home signs. One sign, not exceeding six square feet in area, advertising a model home, may be erected or displayed on the site of each model home in a subdivision.
- C. Off-tract directional signs. Not more than two directional signs, each facing a different direction and each not exceeding 18 inches by 30 inches in size, may be erected or displayed adjoining the intersections of streets leading to a subdivision.
- D. Issuance, duration, and renewal of sign permit. A sign permit for temporary subdivision signs may be issued at any time after recordation of the final subdivision map, and shall be for a term not exceeding one year. The signs shall then be removed unless, prior to the expiration of one year, renewal of the permit for a period of not more than one additional year shall be approved by the City Manager or designee.

**11.10.120 Temporary Construction Signs.** A temporary construction sign that advertises the construction of a project and contractor may be permitted in any district so long as it conforms to the following regulations:

- A. The sign shall be located on the same site as the construction project. A freestanding sign may be permitted.
- B. No more than one sign having an area not exceeding 15 square feet may be erected or displayed on the site. Where the development consists of a residential subdivision where a temporary subdivision sign is permitted, then no temporary construction sign shall be permitted.

- C. The sign permit may be issued at any time on or after issuance of the building permit for the building or structure in question. The sign permit shall expire six months following the date on which such permit was issued or upon completion of construction, whichever occurs first. The sign shall be removed on expiration of the permit unless prior to expiration the sign permit is renewed on approval of the City Manager or designee, which renewal shall in no event be for a period in excess of an additional six months. The sign permit shall not thereafter be further renewed.

#### **11.10.130 Public Interest Signs**

- A. Both on-site and off-site directional and identification signs shall be permitted in any zoning district to advertise, identify or direct persons to public and quasi-public areas, centers and institutions, and such other areas, whether natural or artificial, which, in the opinion of the Planning Commission, are points of general public interest.
- B. This Section shall apply to multiple signs on a single structure advertising service clubs and the chamber of commerce, but the same shall be limited to one such sign structure adjacent to an arterial street at each entrance to the City, and the total area of the sign structure shall not exceed 50 square feet.

**11.10.140 Open House Signs in Residential Districts.** Open house signs are permitted in any zoning district, subject to the following restrictions:

- A. There shall be no more than three open house sign per open house.
- B. The open house sign shall not exceed one square foot of area and four feet in height, and shall be fixed to a single pole of wood or metal material, or shall be an "A" frame, freestanding sign.
- C. Identification shall be printed upon or affixed to every open house sign indicating the name, real estate company affiliation, address, and telephone number of the sign owner.
- D. The open house sign shall be removed each day after the closing of the open house for that day.

**11.10.150 Temporary Political Signs.** A temporary political sign may be erected for no more than 60 days and shall be removed within ten days after the related event or will be subject to fines and removal by the City per Section 11.10.200.

**11.10.160 Gasoline Price Signs.** A single gasoline price sign, as required under Section 13531(a) of the State Business and Professions Code, shall be permitted on the site of a gasoline service station. Such sign may be freestanding, if necessary to comply with the requirements of Section 13531(a) concerning visibility from the street adjacent to the site. The gasoline price sign shall comply with the following requirements:

- A. The sign shall advertise not more than the major grades of motor vehicle fuel offered for sale.
- B. The area of the sign shall not exceed ten square feet unless that applicant demonstrates, to the satisfaction of the City Manager or designee, that a greater size

is needed to contain all of the numerals, words and figures required to be shown on the sign under the applicable provisions of Section 13532 of the State Business and Professions Code.

#### **11.10.170 Comprehensive Sign Program**

- A. A comprehensive signage program shall be prepared and submitted in conjunction with each use permit or application for a shopping center, business park, or other similar collection of related structures on a single site. The program submitted shall address all signs to be used, including but not limited to signs identified Sections 11.10.080 and 11.10.090. The comprehensive signage program shall conform to all provisions of this section. For all signs, the size, placements, materials, colors, illumination, and other design characteristics not specified in this section shall be determined at time of approval of the comprehensive signage program by the Planning Commission. The comprehensive signage program shall contain the following:
1. A site plan and building elevations identifying the location of all signs.
  2. Design drawings for each sign or type of sign, specifying the dimensions, materials, type of construction, illumination, size of sign copy, and details necessary to determine the appropriateness of the signage.
- B. Once a comprehensive signage program is approved, all signs in that center, complex, or project shall conform to the program.
- C. Specific dimensional limitations specified in this chapter may be waived upon determination by the City Manager or designee that the submitted sign(s) meet the intent of the standards and guidelines and result in a both a functionally and aesthetically superior design.

**11.10.180 Special Permits from the City Manager.** Nothing contained this Chapter shall prohibit the City Manager or designee from granting a temporary special permit or otherwise permitting, on such terms as it deems proper, signs, banners or other advertising pertaining to any civic, patriotic or special event of general public interest.

#### **11.10.190 Nonconforming signs**

- A. Intent. The intent of this section is to regulate the use and removal of nonconforming, unlawful, and abandoned signs.
- B. Modifications. The following modifications to nonconforming signs are allowed:
1. Changes in sign copy.
  2. Modifications that reduce the extent to which the sign does not comply with this chapter.
  3. No modification of a nonconforming sign shall have any effect on the length of the amortization period for the sign.

- C. Mailing of notices. The City Manager or designee shall mail a notice by certified return receipt mail to the occupant business, if known, and to the owner (as shown on the last equalized assessment roll) of the land where each nonconforming sign is located. The notice shall contain:
1. A description of the land where the sign is located and a description of the sign, both in terms reasonably sufficient for the owner to identify the sign.
  2. A statement that the sign is a nonconforming sign.
  3. The applicable date for removal of the sign under the provisions of Section 11.10.190.G.
- D. Information concerning more than one sign, and information concerning separate amortization dates for different characteristics of one or more single signs, separately stated, may be included in a single notice. If the City Manager or designee subsequently learns that for any reason notice has not been given in a timely manner, or that notice given is defective in any way, the City Manager or designee shall promptly mail a proper notice to the occupant and owner, even if the regular time for notification has expired. Notice mailed after the time required by this subsection meets the requirements of Section 11.10.190.D and is effective to start the time period provided in Section 11.10.190.G.
- E. Effect of Mailing of Notices. Notice mailed as provided in Section 11.17.020.B is deemed to be notice to the owners of nonconforming signs and to all persons having any right, title, or interest therein. The mailing of notices is intended as a convenience to sign owners. However, no failure to give notice shall invalidate any proceeding to enforce this chapter to abate any sign, or to punish any sign violation.
- F. Duration of Nonconforming Signs. A conforming sign that becomes nonconforming shall be a nonconforming sign for five years and then must be removed. Billboards that become nonconforming may be nonconforming for 15 years and then must be removed.
- G. Notification and Other Procedures Concerning Subsequent Nonconforming Signs. Within six months of the date when a sign becomes a nonconforming sign, the City Manager or designee shall add the sign to the list of nonconforming signs and mail notices in the manner specified in subsection D and such notices shall have the same effects as the notices provided for other nonconforming signs.
- H. Removal of Unlawful Signs. Any sign erected or maintained contrary to the provision of this Section or any other ordinance of the City including unlawfully erected signs, and formerly nonconforming signs whose nonconforming status has terminated, is in its entirety an unlawful sign.
- I. Abandoned Signs. The owner must have all copy removed from an abandoned sign and the sign shall remain blank until a new entity has occupied the premises. Further, if any sign has been abandoned for a period of one year the owner shall remove the sign and any appurtenant structures.

- J. Maintenance. All signs shall be maintained and kept in repair and shall be painted and repainted at reasonable intervals. If the owner fails to comply, after ten days' written notice by the City Manager or designee, or duly appointed deputy, to so maintain such signs, the City Manager or designee shall have the sign removed at the owner's expense.
- K. Exceptions. This section shall not apply to those self-illuminated signs at the San Juan Bakery, Mom & Pop's Saloon, Mission Café, and Daisy's Saloon existing as of November 15, 1994.

#### **11.10.200 Violations; Removal of Illegal Signs on Public Property**

- A. Intent. It is the intent of this policy to provide written guidelines for the removal of signs that are posted on public property in violation of San Juan Bautista Municipal Code Section 11-17-220(c). The further intent of this policy is to protect the public health, safety, and welfare of the citizens of San Juan Bautista and visitors to the City while respecting the First Amendment free speech rights of those persons using signs to communicate to the public at large.
- B. Signs Prohibited on Public Property. Pursuant to San Juan Bautista Municipal Code Section 11-17-220(c), no signs are allowed on public property except those authorized by the City of San Juan Bautista.
- C. Notice of Violation. For any sign(s) found to be illegally posted on public property, the City Manager shall cause the owner of the sign, if such can be identified, to be notified by telephone or by certified mail to remove the illegal sign no later than 24 hours after notification. Failure to remove the sign(s) within the required time frame shall be construed by the City to be an infraction and shall result in a City fine of \$25 per sign per day, or a fee as set by the City Council from time to time, plus any other costs to be collected by the City under provisions of SJBMC Section 13.1.440. The third infraction (cumulative and applicable to the person and/or address) shall be construed by the City as a misdemeanor under provisions of SJBMC Section 13.1.100.
- D. Removal of Signs After Notice. If the illegal sign has not been removed within 24 hours after notification, the City may proceed to remove the sign without further notice to the owner.
- E. Notice to Owner After Removal and Storage of Signs. The City Manager, following removal of the illegal sign, shall cause notice to be given to the owner by telephone or by certified mail that the illegal sign has been removed and the location at which the sign may be retrieved. The City Manager's notice shall give the sign owner no less than 24 hours in which to retrieve the sign. If the sign is not retrieved within the time frame specified by the City Manager, the City may dispose of the sign.
- F. Removal of Illegal Signs Where Owner Cannot Be Identified. If the owner of the sign cannot be ascertained from the sign itself, and the City has no further information as to who the owner of the sign may be, the City may proceed with removal of the sign without further notice. The City shall store the sign for a period of no less than 24 hours after removal. If no one claims the sign within 24 hours of removal, the City may dispose of the sign without further notice.

- G. Hazardous Signs. If the City determines that a sign posted on public property constitutes an immediate or imminent threat to the public health and safety due to its location, construction, or other circumstances, the City shall immediately and without further notice to the owner, remove the sign. If the owner of the sign can be identified, the City shall provide notice by telephone or by certified mail that the sign has been removed and the reasons therefore. The City shall store the sign for no less than 24 hours after removal and if the owner of the sign has not claimed the sign within that time period, the City may proceed to dispose of the sign. If circumstances permit, the City may, but shall not be required, to photographically document the circumstances that render the sign a threat to the public health and safety.
- H. A copy of this policy shall be provided to each individual who takes out papers to be a candidate for any elected City office and to any other person requesting information regarding the City's sign posting policies. This policy shall also be provided to the owner of any sign that is posted in violation of Section 11-17-220(c).
- I. The City Manager may adopt additional procedures to the extent necessary to implement this policy.
- J. This policy shall be implemented in such a manner as to provide the fullest protection to the First Amendment free speech rights of sign owners while at the same time recognizing the significant public health, safety, and welfare interests of the City in keeping its property free of illegal signs.

**11.10.210 Exceptions from Standards.**

- A. In order to prevent undue hardship or inequitable application of this chapter, the Planning Commission may grant an exception from any maximum standard of this chapter for a particular application. The intent of such exception is not to grant special privilege to any property owner, but rather to assure fair and equitable treatment of properties that have unusual location, configuration and graphic communication problems. Any exception request shall be specified in a sign permit application and shall be reviewed as part of that application.
- B. The ball field at Fourth and Muckelemi shall be exempt from this chapter whereby temporary sponsorship signs may be attached to fencing and not to exceed the height of the fencing and spaced at least 8 feet apart thereby allowing view through the fencing for security reasons. These temporary signs may be installed one week before the "sponsored season" and shall be removed not later than one week after the sponsored season.

**11.10.220 Indemnity and Insurance**

[Refer to Sections 11.10.030.N, 11.10.030.O, and 11.10.030.P](#)

**SECTION 2. Severability.** This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section, or part thereof, so

declared to be unconstitutional or invalid.

**SECTION 3. Effective Date.** This ordinance shall go into effect thirty (30) days after the date of its adoption.

**THE FOREGOING ORDINANCE** was first read at a regular meeting of the San Juan Bautista City County on the 16th day of October, 2007, and was adopted at a regular meeting of the San Juan Bautista City Council on the 20<sup>th</sup> day of November 2007, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Mayor**

**ATTEST:**

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**City Manager**

**APPROVED AS TO FORM:**

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**City Attorney**