



## CITY OF SAN JUAN BAUTISTA

P.O. Box 1420, 311 Second Street  
San Juan Bautista, Ca 95045

## PLANNING DEPARTMENT

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### APPLICATION REQUIREMENTS FOR PORTABLE FREESTANDING SIGNS

The Review Permit for a Portable Freestanding Sign is for those businesses that are proposing a new sign for a business that is located in the City's Mixed Use or Commercial Districts. The purpose of this Permit is to regulate the appearance of signs to ensure that the character of the Downtown Historic District, Mixed-Use and Commercial Districts are maintained. Portable Freestanding Signs must comply with the sign requirements described in the City's Zoning Ordinance (SJBMC Section 11.10.100.M).

#### APPLICATION REQUIREMENTS:

- Required processing fee of \$300.
- Planning Application Cover page.
- Property Owner's Authorization to apply for the sign permit.
- See attached portable freestanding sign process and conform to this. Your conforming will expedite your permit and sign installation

**Note:** All items must be included in the application in order for it to be deemed complete. Failure to include the requested items may result in a delay of the application process.

## **11.10.090.M Signs in Commercial Districts<sup>1</sup>**

### **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.

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<sup>1</sup> Note that signs in the Mixed Use District and Commercial Districts use the same rules. Therefore, if your property is in the Mixed-Use zoning district you are to follow the rules under SJBMC Section 10.11.090.

- 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.

### **11.10.090.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.

### **11.10.180 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.