

CITY OF SAN MATEO  
ORDINANCE NO. 2010-8

AMENDING VARIOUS PROVISIONS OF THE  
SAN MATEO MUNICIPAL CODE  
REGARDING SIGNS

The City Council of the City of San Mateo, California, ordains that:

**Section 1.** Title 25 “Signs” of the San Mateo Municipal Code is hereby amended to read as set forth in Exhibit A attached to this Ordinance and incorporated herein.

**Section 2.** Subsection (h) of San Mateo Municipal Code Section 27.16.040 is hereby amended to read as follows:

(h) Dwelling appearance. The home occupation shall not be conducted in a manner that changes the exterior character and appearance of the dwelling unit in which it is conducted.

**Section 3. PUBLICATION.** This Ordinance shall be published in summary in the Examiner Peninsula Edition, posted in the City Clerk’s Office, and posted on the City’s website, all in accord with Section 2.15 of the Charter.

**Section 4. CEQA.** This project is exempt from CEQA requirements in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment per Guidelines Section 15061(b)(3).

I hereby certify this to be a correct copy of Ordinance 2010-8 of the City of San Mateo, California, introduced on May 27, 2010 and adopted on June 7, 2010 by the following vote of the Council:

AYES: Council Members LIM, MATTHEWS, GROTTTE, ROSS and LEE

NOES: NONE

ABSENT: NONE

(SEAL) /s/ NORMA GOMEZ, City Clerk

## TITLE 25

### SIGNS

#### Chapters:

- 25.02 General Provisions.**
- 25.04 Signs on Public Property.**
- 25.06 Signs on Private Property.**
- 25.08 Prohibited, Illegal and Non-Conforming Signs.**

#### CHAPTER 25.02

##### GENERAL PROVISIONS

- 25.02.010 Purpose.**
- 25.02.020 Administration.**
- 25.02.030 Definitions.**
- 25.02.040 Message Substitution.**
- 25.02.050 Severability.**

**25.02.010 PURPOSE.** The intent of this Title is to provide standards for the regulation of signs in order to:

- a. Protect and enhance the visual and aesthetic character of residential neighborhoods, business areas, and all zoning districts by prohibiting the visual clutter of obtrusive and incompatible signs;
- b. Allow for reasonable and equitable identification of businesses and properties; and
- c. Protect free speech rights in accordance with the First Amendment to the United States Constitution.

**25.02.020 ADMINISTRATION.** The Community Development Director or their designee enforces all provisions of this Title.

#### **25.02.030 DEFINITIONS.**

- a. **Awning Sign.** A sign attached to, painted upon, appearing upon, incorporated in, or supported by an awning or hood.
- b. **Banner.** A sign, including pennants and flags, which uses cloth, paper, plastic or other non-rigid material as the sign surface.
- c. **Business.** Professions, trades, occupations, and all and every kind of calling (including nonprofit organizations) carried on for profit, livelihood, or fund-raising.

- d. **Construction Sign.** A sign displayed on the site of a construction development project, during the time of actual construction.
- e. **Electric Sign.** A sign containing an electrical system, but not including signs illuminated by an exterior light source.
- f. **Exterior Lighting.** The illumination of a sign by a light source that is not a component of the sign itself.
- g. **Face Sign.** A sign painted on a wall or structure, or constructed as an integral unit or as individual words, letters, or figures, and located approximately parallel with (not more than 18 inches away from) the face of a building or structure.
- h. **Flashing Sign.** An illuminated sign on which the electrical light is not maintained stationary or constant in intensity and color at all times.
- i. **Freestanding Sign.** A sign which is self-supporting in a fixed location and not attached to or projecting over any building.
- j. **Hanging Sign.** A sign which hangs below an awning.
- k. **High Rise Building.** Means any building which is more than fifty feet in height as measured from average grade.
- l. **Illuminated Sign.** A sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes on, within, or attached to the sign, or by an unattached light source.
- m. **Internally Illuminated Sign.** The illumination of a sign by a light source that is fully incorporated into the sign itself.
- n. **Internal Reverse Illuminated Sign.** The illumination of individual letters, numbers or graphics by the use of internal, reverse illumination, where the light source is not directly visible.
- o. **Logo.** A graphic representation or symbol of a company name, trademark, or abbreviation of the name of the business occupying the building or property.
- p. **Marquee Sign.** A sign attached to or supported by a marquee. A marquee means a permanent roofed structure attached to and supported by a building.
- q. **Mural.** A large picture painted or affixed directly on a wall or ceiling. A mural is not considered a sign as defined by this Title.
- r. **Non-Conforming Sign.** A sign, other than a portable sign, which does not conform to each and every applicable provision of this Title but was:
  1. Lawfully in existence and complied with all Municipal Code and other laws at the time of its erection and in use in the City prior to and at the time the provisions of this Title with which it does not conform became effective; or
  2. Lawfully in existence and in use on property outside the City at the time of annexation of such property to the City.
- s. **Nonresidential Use.** A church; community service building, including but not limited to, libraries, parks, playgrounds and community centers; public and private educational facilities; day care centers when located in a public or quasi-public structure such as a school, recreation center, church, temple or similar facility; philanthropic uses; and public utility facilities. Except as to uses specifically included in this section, nonresidential use does not include commercial uses.
- t. **Off-Site Advertising Sign.** A sign which directs attention to activity including a business, commodity, real property, service, or attraction or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is located.
- u. **Permanent Sign.** A sign located on a structure for more than 90 days.
- v. **Portable Sign.** A portable sign capable of standing without support or attachment

w. **Projecting Sign.** A sign which projects more than eighteen inches from the building face, and is supported by a wall, so that the sign face is perpendicular to the building face or wall, but does not exceed the height of the roof or parapet.

x. **Public Property.** Property owned by the City, but excluding Public Right of Way.

y. **Public Right-of-Way.** That area or those areas dedicated to public use for public street purposes including, but not limited to, roadways, parkways, alleys, and sidewalks.

a. **Roof Sign.** A sign which exceeds the height of the top of the building parapet, plate line of a pitched roof or top of a mansard roof, or projects more than 18 inches from a mansard roof.

aa. **Shopping Center.** A cluster of retail and general commercial uses which share common parking facilities.

1. Community shopping center. "Community shopping center" means a shopping center between 20,000 and 100,000 square feet of gross floor area, capable of supporting two or more retail or commercial businesses.

2. Regional shopping center. "Regional shopping center" means a shopping center generally totaling more than 100,000 square feet of gross floor area, including one or more anchor department stores.

bb. **Sign.** Any structure, display, device, balloon or graphic placed on any land, building or structure, which is used to communicate any message, or which advertises or promotes any business, product, activity, person or interest. Signs include, but are not limited to, any writing, pictorial representation, logo, symbol, banner, or any other figure of similar character of whatever material which is used to identify, announce, direct attention to, advertise or communicate, which is not inside a building. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, stringing, or otherwise fastening, affixing, or making visible in any manner whatsoever. Notwithstanding the general scope of the foregoing, the following shall not be deemed to be signs for the purposes of this Title:

1. Automatic Teller Machines;

2. Architectural features that do not perform a communicative function;

3. Foundation and cornerstones;

4. Grave markers;

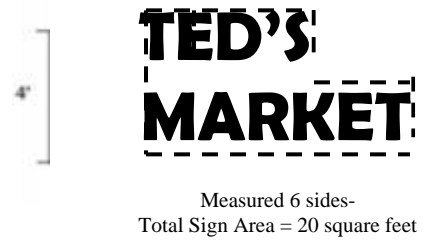
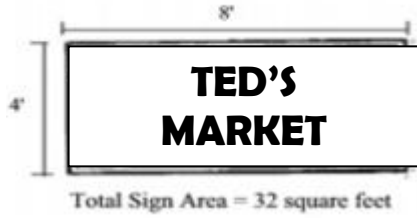
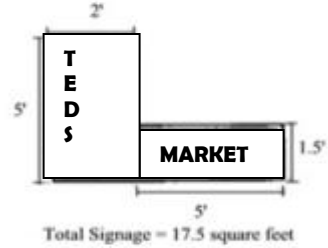
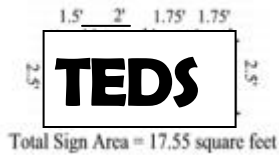
5. Inflatable gymnasium devices;

6. Newsracks;

7. License plates, license plate frames, and messages painted on street legal and operable vehicles; or

8. Vending machines and product dispensing devices which do not display commercial messages unrelated to the goods or services provided by the machine or device.

cc. **Sign Area.** The area in square feet within the smallest rectangle enclosing the total exterior surface of a sign or one face of a "double faced sign". Sign area for a multi-faced sign that has an angle between sides of the sign that exceeds 30 degrees shall be counted for all sides. Where the lettered or illustrated material of a sign consists of individual letters or if the message surface consists of noncontiguous segments or has an irregularly shaped perimeter, then the area of the sign shall be all of the area encompassed within a single continuous rectilinear-perimeter of not more than six straight lines, including any color, material or graphic which is integrated therein which differentiates the message from the background.



dd. **Street Frontage.** The side of a building abutting a street or parking lot on the same zoning plot, and that is measured by calculating either the width of the building or the width of the parcel, whichever is greater.

1. **Primary Street Frontage.** The street upon which a business's main entrance is located or upon which its address is located. In the case of multiple businesses on a zoning plot, there can only be one primary street frontage.
2. **Secondary Street Frontage.** A street frontage other than the primary street frontage

ee. **Temporary Sign.** A sign to be displayed only for a limited time as specified by this Chapter.

ff. **Window Sign.** A sign on the window or in the interior of a building within no less than 1 foot of a window.

gg. **Zoning Plot.** A plot of land consisting of one or more lots or parcels on which an improvement has been, or can be, authorized by this Title. A division of airspace for condominiums or stock for a cooperative shall not establish individual zoning plots for each divided space.

**25.02.040 MESSAGE SUBSTITUTION.** Subject to the property owner's consent, a noncommercial message of any type may be substituted, in whole or in part, for any commercial message or any other noncommercial message provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Title. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted. This provision applies to all chapters within this Title.

**25.02.050 SEVERABILITY.** In the event any section, clause or provision of this Title shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and

all other sections or portions hereof shall remain in full force and effect.

## Chapter 25.04

### SIGNS ON PUBLIC PROPERTY

- 25.04.010 Findings.**
- 25.04.020 Restrictions Applicable to Signs on Public Property.**
- 25.04.030 Exemptions.**

**25.04.010 FINDINGS.** In enacting this chapter the City Council finds:

(a) If carefully regulated, the placement of signs on city sidewalks by private individuals can provide a useful outlet for the expression of ideas and the communication of information related to beneficial commercial activity, including, but not limited to, the advertisement of real estate open house events.

(b) It is the desire of the City Council to enact standards that would allow for the regulated use of city sidewalks for these communication purposes.

(c) In enacting these regulations it is not the intention of the City Council to regulate the content of messages on signs to be placed on city sidewalks, but, instead, it is the City Council's intention to enact reasonable time, place and manner restrictions aimed at insuring the safety of those using the public sidewalks and those driving on adjacent streets, and to achieve the city's aesthetic interests by reducing visual clutter that would result from the unregulated posting of signs on sidewalks.

#### **25.04.020 RESTRICTIONS APPLICABLE TO SIGNS ON PUBLIC PROPERTY**

(a) Except as otherwise provided in this chapter it shall be unlawful for any person to place a sign on public property where such sign fails to comply with any of the restrictions stated in this section.

(b) Restrictions applicable to signs

(1) No sign shall exceed thirty-six inches in height.

(2) No sign shall exceed six square feet in area.

(3) All signs shall be constructed or anchored to prevent movement of the sign by the wind, except that an anchoring shall not be permanent and shall not damage the property on which the sign is placed.

(c) Restrictions applicable to the placement of signs

(1) No sign shall be placed during hours of darkness.

(2) No sign shall be placed within the median of any public street.

(3) No sign shall be attached to, or leaned against, any street furniture, utility facility (including poles and boxes), street light, building, fence, or any other sign.

(4) No sign shall be placed within 50 feet of any other sign placed under the provisions of this chapter, except that as many as 4 signs may be placed on sidewalks within 50 feet of the intersection of public streets on each corner of such intersections.

(5) No sign shall be placed in such a manner as to reduce the unobstructed path of travel on any sidewalk to less than 36 inches, and if the existing unobstructed path of travel of a sidewalk is 36 inches or less, no sign shall be placed on that sidewalk.

(6) No sign shall be placed within a curb cut or ramp installed to provide improved access to a sidewalk to the disabled.

(7) No sign shall be placed upon any public property other than a public sidewalk, except that signs may be placed in unimproved right-of-way with the consent of the owner of the adjoining property.

(8) No sign shall be placed upon public property within the areas bounded by Baldwin Avenue to the north, Railroad Avenue to the east, Fifth Avenue to the south, and El Camino Real to the west.

(d) No person shall display a sign that would otherwise be in violation of any of the standards provided in subsections (b) and (c), by placing upon, attaching to, or leaning such sign against, a vehicle parked within a public street. This prohibition shall not apply to vehicles upon which advertising or other messages are painted, or to signs that are placed within the interior of the vehicle.

**25.04.030 EXEMPTIONS.** Notwithstanding any other provisions of this chapter, the following signs are permitted:

(a) Signs being held by one or more persons on public property.

(b) Traffic safety signs placed on public property by private persons as directed by a public official as part of the authorization to perform work on public property, or in connection with an event taking place on public or private property.

(d) Signs placed by a public officer or employee acting in their official capacity, including such signs as traffic signs, public transit signs, public restroom signs, public parking signs, warning signs, or signs identifying the location of emergency centers, public facilities or places of public interest.

(e) Banners placed in the following manner in the following locations:

a. Banners announcing events or activities sponsored by the City or its Redevelopment Agency either alone or in concert with another organization may be placed on city light standards within the City's redevelopment project areas, or within any commercial area designated by council resolution.

i. No banner authorized under this subsection shall exceed 25 square feet in area, unless it is to be hung between light standards in which case it shall not exceed 90 square feet.

ii. No banner authorized under this subsection shall be placed for more than 30 days.

(f) Banners may be placed on the Central Parking Garage span across San Mateo Drive and Ellsworth Avenue by a private nonprofit organization exempt from tax under section 501(c)(3) or 501 (c)(6) of the Internal Revenue Code to announce events open to the public to be held by the organization within the City of San Mateo.

iii. No banner authorized under this subsection shall exceed 90 square feet.

iv. No banner authorized under this subsection shall be placed for more than 30 days in a twelve month period.



- v. No organization may place a banner in this location more than twice during a twelve month period.
- vi. Organizations shall deliver the banner to be placed to the Department of Public Works and the Department shall install the banner, unless it authorizes the organization to do so.
- vii. Organizations requesting the installation of a banner under this subsection shall pay a fee to be established in the City Fee Schedule.

## CHAPTER 25.06

### SIGNS ON PRIVATE PROPERTY

- 25.06.010 Permit Required.**
- 25.06.020 Permit Denial.**
- 25.06.030 Permit Application.**
- 25.06.040 Requirements for Permit Issuance.**
- 25.06.050 Signs Allowed.**
- 25.06.060 Signs Allowed Without Permit (Exempt Signs).**
- 25.06.070 Zoning Regulations Applicable to Signs on Private Property.**

**25.06.010 PERMIT REQUIRED.** Unless exempt, all signs require a sign permit issued by the City. Unless otherwise provided in this Title, no person shall install, erect, display, alter, move or replace any nonexempt sign without first obtaining a sign permit issued by the City in accordance with this Title. Signs requiring permits such as a building or electrical permit under the uniform construction codes shall obtain those permits prior to being erected; application for a building or other uniform construction code permit shall be filed concurrently with the sign application.

**25.06.020. PERMIT DENIAL.** An applicant who has been denied a permit under this title for a sign that is not a prohibited sign under Chapter 25.08 may seek judicial review of the denial in accordance with Code of Civil Procedure section 1094.8.

**25.06.030 PERMIT APPLICATION.** Application for a sign permit on private property shall be made to the Community Development Director or their designee in writing, upon forms furnished by the City. A sign permit application is complete only when it is accompanied by the appropriate application fee, in an amount set by resolution of the City Council, and provides the following information:

- a. Name, address and telephone number of the applicant and the name, address and telephone number and license number, if any, of the sign contractor;
- b. Address, zoning district, and use of the property where the sign is proposed to be displayed;
- c. Accurate and scaled site plan showing the location of property lines, buildings, parking areas, driveways, landscaped areas, utility poles and wires, fences, trees and other obstructions and all existing and proposed signs on the site;
- d. Accurate and scaled building elevations showing all existing and proposed signs;
- e. Accurate and scaled plans, including details showing the location, dimensions, materials illumination, method of attachments or support, colors, sign text, length of tenant frontage, length of building frontage and logo of each proposed sign;
- f. Existing and proposed sign area of each individual sign and the combined area of all signs (including those already existing or previously permitted) in relation to the maximum allowed sign area;
- g. The property owner's written consent to the proposed sign, which may be shown by signature on the application form;
- h. Photographs of the site as viewed from all street frontages and showing all existing signs;
- i. Plans and specifications shall be submitted as part of the permit application for each sign. The applicant shall be required to show that the sign shall be constructed in conformity with the building code. Plans shall be accompanied by structural plans and computations, except for face signs painted on the wall, for face signs less than 100 square feet, or for projecting signs less than 20 square feet.

**25.06.040 REQUIREMENTS FOR PERMIT ISSUANCE.**

- a. Signs must:
  - 1. Preserve the building's or storefront's character.
  - 2. Consist of construction materials that are appropriate to the building or storefront.
  - 3. Consist of paint colors related to the building's appearance.
  - 4. Conform to the scale of and proportion of the existing building or storefront with the new sign design.
  - 5. Maintain the configuration of the building or storefront (i.e., do not block or cover windows, entrances, architectural features with the signage).
  - 6. Be as simple as possible to minimize visual clutter on the building, storefront, or streetscape.
- b. Signs may not display obscene matter.

**25.06.050 SIGNS ALLOWED.** Only the following signs are allowed on private property:

a. Temporary Banners. Temporary banners may be maintained for a period of 30 consecutive days. The use of banners shall not exceed a total of 90 days per calendar year per business. One banner per street frontage, per zoning plot, shall be permitted with a maximum size of 50 square feet each. No banner shall exceed the height of the business's building parapet, plate line of a pitched roof, or top of a mansard roof. Temporary banners are allowed in addition to the number and size of permanent signs allowed for the zoning plot.

b. Permanent Signs. The following types of permanent signs are permitted:

- 1. Signs Approved as Part of Planned Signing District. A Planned Signing District shall be reviewed by the Zoning Administrator under Chapter 27.08 and shall be subject to appeal to the Planning Commission pursuant to Section 27.08.090. The Planned Signing District must conform to the following standards:
  - A. Be consistent with the applicable restrictions for the zoning district, type of use and zoning plot size.
  - B. Each sign shall be designed to be compatible with the architectural style of the main building on the zoning plot and with the predominant visual elements of the building, such as construction materials, color, or other design detail. Each sign located on a zoning plot with more than one building shall be designed to be compatible with the predominant visual elements common or similar to such buildings or the buildings occupied by the anchor tenants or principal uses such as construction materials, color, or other design detail. Signs located on commercial sites but in a predominantly residential area shall take into consideration the architectural style in the residential area.
- 2. Freestanding Signs Over 8 Feet in Height. Freestanding signs over 8 feet in height shall be reviewed by the Zoning Administrator under Chapter 27.08 and shall be subject to appeal to the Planning Commission pursuant to Section 27.08.090. The freestanding sign shall be subject to the following standards:
  - A. The applicable restrictions are based upon the zoning district, type of use and zoning plot size. Any freestanding sign over 8 feet in height shall be consistent with these regulations.
  - B. Each sign shall be designed to be compatible with the architectural style of the main building on the zoning plot and with the predominant visual elements of the building, such as construction materials, color, or other design detail. Each sign located on a zoning plot with more than one building shall be designed to be compatible with the

predominant visual elements common or similar to such buildings or the buildings occupied by the anchor tenants or principal uses such as construction materials, color, or other design detail. Signs located on commercial sites but in a predominantly residential area shall take into consideration the architectural style in the residential area.

- C. The height must be in scale with the surrounding neighborhood.
3. **Signs on High Rise Buildings.** High Rise Buildings within Commercial (C), Executive Office (E) and Transportation Oriented Development (TOD) Zoning Districts may have face signs located 40 feet above ground level. These signs are subject to the following restrictions:
  - A. Only open block letter signs shall be permitted. Such signs shall be an integral part of the design of the building; and
  - B. No method of illumination shall be permitted that either exposes the lighting tubes or bulbs. Signs must use internal reverse illumination, with low intensity lighting with tubing or bulbs concealed behind or within translucent or opaque letters, logos or similar signage. However, 20 percent of the sign area may be internally illuminated with a direct light source; and
  - C. The total area and number of all signs, including any signs above 40 feet, shall not exceed the maximum area and number permitted in the zoning district in which the building is located however they can be located on any side of the building and are not limited to the primary, secondary street frontage or parking frontage.
4. **Freeway Oriented Signs.** On zoning plots which are immediately adjacent to the freeway right-of-way, signs may be erected facing towards the freeway. A freeway sign is allowed in addition to signs authorized for the zoning district of the zoning plot. The additional sign area allowed for a freeway sign may not be combined with the sign area square footage otherwise allowed for the zoning plot in order to exceed the allowed square feet per sign on street frontages or to create larger signs. In addition, the sign area authorized for the zoning district of the zoning plot may not be used to create additional or larger freeway signs. Such signage shall be subject to the following restrictions:
  - A. Maximum letter height of 4 feet and a maximum length of 50 feet.
  - B. Maximum size of 150 square feet total.
  - C. Maximum number of 3 signs is permitted.
  - D. Face signs if placed on the building wall.
5. **Motor Vehicle Fuel Service Stations.** Motor vehicle fuel service stations shall be permitted to exceed the number of signs otherwise authorized by this chapter in order to erect those signs designated in Business and Professions Code sections 13400 and following for motor vehicle fuel prices and services.
6. Signs permitted in the applicable zoning district in accordance with Section 25.06.070.

#### **25.06.060 SIGNS ALLOWED WITHOUT PERMIT (EXEMPT SIGNS)**

- a. **Exempt Signs.** The following signs are exempt from the permit and fee requirements of this Title, but are subject to the other restrictions set forth in this Title. Signs allowed by this Section shall not be counted against the signage allowed in Section 25.06.070, but may not be added to that signage to create a larger sign.
  1. **Sign Size per Zoning District.** Signs up to 10 square feet in R1 and R2 districts and 16 square feet in all other districts. No sign may be larger than 6 square feet, except as allowed under Flags and Pennants below.

2. Window Signs. In addition to signs authorized by Section 25.06.070, each residential unit, nonresidential use or individual business may have the window signs listed below. The square footage may not be combined with that allowed for other residential units, nonresidential use or businesses to exceed the allowed square feet per residential unit, nonresidential use or per business or to create larger signs. Window signs shall not cover more than 25% of the window area of any window within a building.
  - A. Signs up to 4 square feet in size.
  - B. Ground Floor Retail businesses may have 50 square feet of windows signs per street frontage.
3. Address Signs. In addition to signs authorized by subsection Section 25.06.070 each building, unit, or property with an address may place a sign not to exceed 1 square foot limited to the street address for the building, unit, or property.
4. Parking Lots and Garages. Signs in parking lots and garages that direct vehicle traffic or state parking limitations.
5. Flags and Pennants. Two flags or any number of pennants totaling 30 square feet in addition to the square footage allowed by subsection Section 25.06.070.
6. Law. Signs required by law. The sign area of signs permitted under this subsection shall not be counted against any sign area limit provided for in this Title
7. Construction Signs.
  - A. The following construction signs are allowed on a zoning plot:
    - i. For zoning plots less than 1 acre in size, one sign is allowed per street frontage with a total maximum area of 32 square feet.
    - ii. For zoning plots 1 acre in size or more, one sign is allowed per lot frontage with a total maximum area of 64 square feet.
  - B. Limitations. Construction signs on each zoning plot are subject to the following limitations:
    - i. Maximum Height. 8 feet in height, measured at grade, sidewalk or street, whichever is lower.
    - ii. Permissible Display Time. Beginning with the grant of a building permit and ending with the earlier of notice of completion or certificate of occupancy for the subject development, or their functional equivalent.
    - iii. Private Property. If attached to a fence surrounding the zoning plot, the sign should be located on private property and not encroach in the right-of-way.
    - iv. Abandoned Construction Signs. Construction signs that remain following the issuance of a certificate of occupancy shall be deemed abandoned and may be abated by the City as a public nuisance.
8. Change in Sign Copy. Changes in sign copy to an existing permitted and legally erected sign without any accompanying change in square footage, height, and sign structure are exempt from the permit and fee requirements of this Title, provided that the change in sign copy complies with this Title.
9. Legal Nonconforming Signs. Any on-premises advertising display, as that term is defined in Business and Professions Code Sections 5490 and following, which lawfully exists on the effective date of this title, but which is not authorized by this title, is a legal nonconforming sign, and may continue as an exception to this title, and to any zoning provisions of this code. However, a legal nonconforming sign shall be removed or brought into conformance with the provisions of this title if such sign meets any of the criteria set forth in Business and Professions Code section 5497. For the purposes of applying Business and Professions Code section 5497,

an advertising display shall be considered “abandoned” if it has not displayed any message (either commercial or noncommercial) for a period of 90 consecutive days.

- b. **Limitations.** Exempt signs on each zoning plot are subject to the following limitations:
  - i. **Freestanding Signs** shall not exceed the maximum height of 6 feet above grade or the adjacent street or sidewalk whichever is lower.
  - ii. **Individual Signs** shall not exceed 6 square feet, except as allowed for flags and pennants.
  - iii. In a Residential Zoning District, signs shall be limited to face, pennants, flags, window and freestanding signs.
  - iv. Signs may not be internally illuminated.

**25.06.070 ZONING REGULATIONS APPLICABLE TO SIGNS ON PRIVATE PROPERTY.**

- a. **Residential Districts**  
(R1-A, R1-B, R1-C, R2, R3, R4, R5, R4-D, R5-D, R6-D)
  - 1. For single family residential uses and multiple family residential uses on zoning plots of less than 10,000 square feet, no signs other than those designated in this Title are authorized.
  - 2. For nonresidential uses, as defined in Section 25.02.030, and multiple family residential uses on zoning plots of 10,000 square feet or larger, the restrictions set forth in Table 25.06-2, Sign Restrictions in Residential (R) Districts for Multiple Family Residential Uses and Nonresidential Uses (Special Uses and Mixed Uses) on Zoning Plots 10,000 Square Feet or Larger, shall apply.
  - 3. For commercial uses, the restrictions set forth in Table 25.06-3, Sign Restrictions in Commercial Districts, shall apply.

**Table 25.06-1:  
Sign Restrictions in Residential (R) Districts for Residential Uses on Zoning Plots  
less than 10,000 Square Feet  
(R1-A, R1-B, R1-C, R2, R3, R4, R5, R4-D, R5-D, R6-D)**

<b>Total Sign Area Permitted</b>	Signs up to 10 square feet in R1 and R2 districts and 16 square feet in all other districts. No sign may be larger than 6 square feet, except as allowed as Flags and Pennants
<b>Number of Signs Permitted</b>	No restrictions other than those set forth in this Chapter.
<b>Types of Signs Permitted</b>	
<b>Face</b>	No neon.
<b>Freestanding</b>	No neon. Plus maximum height limit of 8 Ft.
<b>Projecting</b>	No internal neon.

No sign, regardless of type, shall be located above 40 feet above grade, except as provided for high-rise buildings in Section 25.06.050.

**Table 25.06-2:**

**Sign Restrictions in Residential (R) Districts for Multiple Family Residential Uses and Nonresidential Uses (Special Uses and Mixed Uses) on Zoning Plots 10,000 Square Feet or Larger (R1-A, R1-B, R1-C, R2, R3, R4, R5, R4-D, R5-D, R6-D)**

<b>Zoning Plot Size</b>	<b>10K – 15K Sq/Ft</b>	<b>15K – 30K Sq/Ft</b>	<b>30K – 50K Sq/Ft</b>	<b>50K Sq/Ft and Above</b>
<b>Total Sign Area Permitted ( 10 sq. ft. min for all plot sizes)</b>	.5 Sq/Ft per lineal ft of street frontage; maximum 20 Sq/Ft	.5 Sq/Ft per lineal ft of street frontage; maximum 25 Sq/Ft	.5 Sq/Ft per lineal ft of street frontage; maximum 50 Sq/Ft	.5 Sq/Ft per lineal ft. of street frontage; maximum 100 Sq/Ft
<b>Number of Signs</b>	Three signs, none exceeding 10 sq. ft. One may be freestanding.	Three signs, none exceeding 15 Sq/Ft. One may be freestanding.	Four signs, none exceeding 25 Sq/Ft. One may be freestanding.	Four signs, none exceeding 40 Sq/Ft. Two may be freestanding
<b>Types of Signs Permitted</b>				
<b>Face</b>	No neon.			
<b>Freestanding</b>	No neon. Plus maximum height limit of 8 Ft.			
<b>Projecting</b>	No neon.			
No sign, regardless of type, shall be located above 40 feet above grade, except as provided for high-rise buildings in Section 25.06.050.				

b. Regulations in all Commercial (C) Districts (C1, C2, C3, C4 and CBD Support). (Except CBD -Required Retail Frontage Area) The following restrictions shall apply in all commercial districts, except Central Business District (CBD)-Required Retail Frontage Area. Community or Regional shopping centers have other restrictions even though they are located in a commercial district:

1. For Commercial Uses, the restrictions set forth in Table 25.06-3, Sign Restrictions in Commercial Districts, shall apply.
2. For Single Family Residential Uses and Multiple Family Residential Uses on zoning plots of less than 10,000 square feet, the restrictions set forth in Table 25.06-1, Residential (R) Districts for Residential Uses on Zoning Plots less than 10,000 Square Feet, shall apply.
3. For nonresidential uses, as defined in Section 25.02.030, and multiple family residential uses on zoning plots of 10,000 square feet or larger, the restrictions set forth in Table 25.06-2, Sign

Restrictions in Residential (R) Districts for Multiple Family Residential Uses and Nonresidential Uses (Special Uses and Mixed Uses) on Zoning Plots 10,000 Square Feet or Larger, shall apply.

4. Existing Community and Regional Shopping Centers. All businesses or other allowed uses within existing community shopping centers that do not have an approved planned sign district shall be limited to a maximum of 25 square feet of individual sign area.

5. New Community and Regional Shopping Centers. All new community and regional shopping centers, and existing community and regional shopping centers undergoing substantial exterior remodeling pursuant to a Site Plan and Architectural Review (SPAR) under Title 27, shall require review and approval of a Planned Signing District concurrent with SPAR review. All signs shall conform to the provisions of the Planned Signing District.

6. Multiple Tenants. Where a building contains more than one tenant, the following regulations shall apply:

- A. **Sign Area**. Shall be calculated per the restrictions set forth in Table 25-06-3, Table 25-06-4, and Table 25-06-5, whichever is applicable.. The total area of signs shall not exceed that allowed for the zoning plot. When a building contains more than one tenant and has more than one street frontage, for the purposes of calculating maximum square footage, the primary street frontage for all the tenants shall be the street upon which the building’s main entrance is located, irrespective of the location or address of each individual tenant’s main address.
- B. **Number of Signs**. Shall be based on the number of ground floor tenants within the building (that have a street frontage). One sign per each ground floor tenant with street frontage shall be allowed. These signs may be used to advertise any tenant in the building. In addition, one freestanding sign for the entire building may be permitted.
- C. **Location of Signs**. Signs for all tenants must be located on the ground level.
- D. **Multiple Tenant buildings** can opt to conform to the restrictions for single tenant buildings set forth in Table 25-06-3, Table 25-06-4, and Table 25-06-5, whichever is applicable..

**Table 25.06-3:  
Sign Restrictions in Commercial (C) Districts (C1, C2, C3, C4 and CBD Support)  
(Except CBD -- Required Retail Frontage Area)**

<b>Total Sign Area Permitted</b>	<b>Primary Street Frontage:</b> 1.5 sq. ft./1 lineal foot of street frontage; maximum 300 square feet, minimum 50 square feet.	<b>Secondary Street Frontage:</b> 1.0 sq. ft./1 lineal foot of street frontage; maximum 100 square feet, minimum 25 square feet.	
<b>Number of Signs Permitted</b>	2 signs per street frontage per business. Only 1 sign per street frontage may be either a freestanding or projecting sign. For multi-tenant buildings see Section 25.06.070(b)(6).		
<b>Types of Permitted Signs</b>	<b>Maximum Size</b>	<b>Minimum and/or Maximum Height</b>	<b>Additional Requirements</b>



Awning	No specified limit other than the total sign area and number of permitted signs as specified above.	No specified limit other than the total sign area and number of permitted signs as specified above.	None other than the total sign area and number of permitted signs as specified above.
Face	No specified limit other than the total sign area and number of permitted signs as specified above.	Shall be at least 10 feet above the ground or sidewalk if sign projects more than 6 inches from building.  Shall not extend above the building roof line or parapet line.	None other than the total sign area and number of permitted signs as specified above.
Freestanding	For lots up to 50 feet in width, maximum size of 40 square feet.  For lots over 50 feet in width, an additional .35 sq. ft./1 ft. of frontage permitted up to a maximum size of 75 square feet.	For lots up to 50 feet in width, maximum height to top of sign of 15 feet.  For lots over 50 feet in width, an additional 0.1 ft. of height/1 ft. of frontage permitted up to a maximum height to top of sign of 25 feet.	Signs over 8 feet in height require approval by the Planning Commission.  The area below the sign shall be landscaped and enclosed by a 4-inch high curb.  Where area below the sign copy is not generally solid from the ground to the lower edge of the display area, a minimum height of 10 ft. to bottom of sign shall be provided.
Marquee	No specified limit other than the total sign area and number of permitted signs as specified above.	Shall be at least 10 feet above the ground or sidewalk.  Shall not extend above the building roof line or parapet line.	Shall not be more than 4 feet in vertical dimension.  Shall be approximately parallel with face of marquee.  Shall not project more than 6 inches beyond face of marquee nor be within 2 feet of perpendicular projection of curb line.
Projecting	No specified limit other than the total sign area and number of permitted signs as specified above.	Shall be at least 10 feet above the ground or sidewalk.  Shall not extend above the building roof line or parapet line.	Shall not project more than 4 feet from the face of building.  Shall not project within 2 feet of curb line.

No sign, regardless of type, shall be located above 40 feet above grade, except as provided for high-rise buildings in Section 25.06.050.

c. Sign Regulations in the Central Business District (CBD)-Required Retail Frontage Area.

1. For Commercial Uses, the restrictions set forth in Table 25.06-4, Sign Restrictions in the Central Business District (CBD)-Required Retail Frontage Area, shall apply.

2. For Single Family Residential Uses and Multiple Family Residential Uses on zoning plots of less than 10,000 square feet, the restrictions set forth in Table 25.06-1, Residential (R) Districts for Residential Uses on Zoning Plots less than 10,000 Square Feet, shall apply.

3. For nonresidential uses, as defined in Section 25.02.030, and multiple family residential uses on zoning plots of 10,000 square feet or larger, the restrictions set forth in Table 25.06-2, Sign Restrictions in Residential (R) Districts for Multiple Family Residential Uses and Nonresidential Uses (Special Uses and Mixed Uses) on Zoning Plots 10,000 Square Feet or Larger, shall apply.

4. Multiple Tenants. Where a building contains more than one tenant and individual signs are desired, the provisions of Section 25.06.050(b)(6) shall apply.

**Table 25.06-4:**

**Sign Restrictions in the Central Business District (CBD)-Required Retail Frontage Area**

<b>Total Sign Area Per</b>	<b>Primary Street Frontage:</b> 1 sq. ft./1 lineal foot of street frontage; maximum 100 square feet, minimum 35 square feet.		<b>Secondary Street Frontage:</b> 0.5 sq. ft./1 lineal foot of street frontage; maximum 50 square feet, minimum 25 square feet.
<b>Number of Signs Permitted</b>	2 signs per street frontage per business. Only 1 sign per street frontage may be a projecting sign. For multi-tenant buildings see Section 25.06.050(b)(6).		
<b>Types of Permitted Signs</b>	<b>Maximum Size</b>	<b>Minimum and/or Maximum Height</b>	<b>Additional Requirements</b>
Awning	No specified limit other than the total sign area and number of permitted signs as specified above.	No specified limit other than the total sign area and number of permitted signs as specified above.	No specified limit other than the total sign area and number of permitted signs as specified above.
Face	No specified limit other than the total sign area and number of permitted signs as specified	Maximum height of 20 feet.  Shall not extend above the building roof line or parapet line.	Illuminated face signs shall not project more than 12 inches from building face.  Un-illuminated face signs shall not project more than 6 inches from building face.

	above.	Illuminated or electric face signs shall be at least 8 feet above the sidewalk or ground.	
Marquee	No specified limit other than the total sign area and number of permitted signs as specified above.	<p>Shall be at least 10 feet above the ground or sidewalk.</p> <p>Shall not extend above the building roof line or parapet line.</p>	<p>Shall not be more than 4 feet in vertical dimension.</p> <p>Shall be approximately parallel with face of marquee.</p> <p>Shall not project more than 6 inches beyond face of marquee nor within 2 feet of curb line.</p>
Projecting	No specified limit other than the total sign area and number of permitted signs as specified above.	<p>Shall be at least 10 feet above the ground or sidewalk.</p> <p>Shall not extend above the building roof line or parapet line.</p>	<p>Shall not project more than 4 feet from the face of building.</p> <p>Shall not be more than 2-feet thick.</p>
No sign, regardless of type, shall be located above 40 feet above grade, except as provided for high-rise buildings in Section 25.06.050.			

d. Sign Regulations in Executive Office Districts (E1, E2)

1. For Commercial Uses, the restrictions set forth in Table 25.06-5, Sign Restrictions in Executive Office Districts, shall apply.

2. For Single Family Residential Uses and Multiple Family Residential Uses on zoning plots of less than 10,000 square feet, the restrictions set forth in Table 25.06-1, Residential (R) Districts for Residential Uses on Zoning Plots less than 10,000 Square Feet, shall apply.

3. For nonresidential uses, as defined in Section 25.02.030, and multiple family residential uses on zoning plots of 10,000 square feet or larger, the restrictions set forth in Table 25.06-2, Sign Restrictions in Residential (R) Districts for Multiple Family Residential Uses and Nonresidential Uses (Special Uses and Mixed Uses) on Zoning Plots 10,000 Square Feet or Larger, shall apply.

4. Multiple Tenants. Where a building contains more than one tenant and individual signs are desired, the provisions of Section 25.06.050(b)(6) shall apply.

**TABLE 25.06-5:**

**Sign Restrictions in Executive Office Districts (E1, E2)**

	<b>All E Districts, except San Mateo Drive Between Baldwin &amp; Villa Terrace</b>	<b>E Districts on San Mateo Drive Between Baldwin &amp; Villa Terrace</b>	
<b>Total Sign Area Permitted</b>	1.5 sq. ft./1 lineal foot of street frontage; maximum 300 square feet, minimum 50 square feet.	Maximum of 35 square feet.	
<b>Number of Signs Permitted</b>	2 signs per street frontage per business. Only 1 freestanding sign per zoning plot. For multi-tenant buildings see Section 25.06.050(b)(6).	One sign per building.	
<b>Types of Permitted Signs</b>	<b>Maximum Size</b>	<b>Minimum and/or Maximum Height</b>	<b>Additional Requirements</b>
Awning	No specified limit other than the total sign area and number of permitted signs as specified above.	No specified limit other than the total sign area and number of permitted signs as specified above.	No specified limit other than the total sign area and number of permitted signs as specified above.
Face	No specified limit other than the total sign area and number of permitted signs as specified above.	Shall be at least 10 feet above the ground if sign projects more than 6 inches from the building.  Shall not extend above the building roof line or parapet line.	No specified limit other than the total sign area and number of permitted signs as specified above.
Freestanding	For lots up to 50 feet in width, maximum size of 40 square feet.  For lots over 50 feet in width, an additional .35 sq. ft./1 ft. of frontage permitted up to a maximum size of 75 square feet.	Maximum of 8 feet in height.	The area below freestanding signs shall be landscaped & enclosed by a 6-inch high curb.
Marquee	No specified limit other than the total sign area and number of permitted signs as specified above.	Shall be at least 10 feet above the ground or sidewalk.	Shall not be more than 4 feet in vertical dimension.  Shall be approximately

		<p>Shall not extend above the building roof line or parapet line.</p>	<p>parallel with face of marquee.  Shall not project more than 6 inches beyond face of marquee nor be within 2 feet of curb line.</p>
<p>No sign, regardless of type, shall be located above 40 feet above grade, except as provided for high-rise buildings in Section 25.06.050.</p>			

e. Manufacturing District (M1)

1. For Commercial Uses, the restrictions set forth in Table 25.06-3, Sign Restrictions in Commercial Districts, shall apply.

2. Multiple Tenants. Where a building contains more than one ground floor tenant and individual signs are desired, the provisions of Section 25.06.050(b)(6) shall apply.

f. Sign Regulations in Transportation Oriented Development (TOD), Agricultural (A), Shoreline (S), Open Space (OS) and Other Districts and Overlay Districts. The following restrictions shall apply to all agricultural, shoreline, and other zoning districts not specifically designated in this chapter, as well as for any land or zoning plot with no zoning designation:

1. For Commercial Uses, the restrictions set forth in Table 25.06-3, Sign Restrictions in Commercial Districts, shall apply.

2. For Single Family Residential Uses and Multiple Family Residential Uses on zoning plots of less than 10,000 square feet, the restrictions set forth in Table 25.06-1, Residential (R) Districts for Residential Uses on Zoning Plots less than 10,000 Square Feet, shall apply.

3. For nonresidential uses, as defined in Section 25.02.030, and multiple family residential uses on zoning plots of 10,000 square feet or larger, the restrictions set forth in Table 25.06-2, Sign Restrictions in Residential (R) Districts for Multiple Family Residential Uses and Nonresidential Uses (Special Uses and Mixed Uses) on Zoning Plots 10,000 Square Feet or Larger, shall apply.

4. Multiple Tenants. Where a building contains more than one tenant and individual signs are desired, the provisions of Section 25.06.050(b)(6) shall apply.

## CHAPTER 25.08

### PROHIBITED, ILLEGAL AND NON-CONFORMING SIGNS.

#### 25.08.010 Prohibited Signs on Both Public and Private Property.

##### 25.08.010 PROHIBITED SIGNS ON BOTH PUBLIC AND PRIVATE PROPERTY.

a. Prohibited Signs. No person shall install or maintain any of the signs described below. Upon notice by the City, any prohibited sign shall be immediately removed by the property owner or person responsible for the installation or maintenance of the sign. The following signs are expressly prohibited:

1. Without Consent of Property Owner. Signs erected or maintained without the written consent of the owner of the real property or the person or entity in legal possession of the real property.
2. Banners, except as permitted by Sections 25.04.030 and 25.06.050(a) and there may be permanently displayed on each zoning plot 1 flag that is no larger than 6 feet by 4 feet in dimension, and there is no limit on the number of flags that may be displayed by public agencies on public property;
3. Rotating, animated, moving or flashing signs;
4. Roof Signs;
5. Off-Site Advertising Signs;, except that one six (6) square foot sign containing off-site advertising shall be permitted on each zoning plot.
6. Inflating Devices, including balloons and other lighter than air objects;
7. Signs not permitted by this Title.

b. Signs At Prohibited Locations: No person shall install or maintain any of the signs identified in this below. Upon notice by the City, any sign at a prohibited location shall be immediately abated by the property owner or person responsible for the installation and/or maintenance of the sign. The following locations are expressly prohibited:

1. Signs at Intersections. No sign shall be erected at or near the intersection of any street or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal device; or which makes use of the words "Stop," "Go," "Caution," "Look," "Danger," or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.
2. Intersection Visibility. No sign shall be erected at or near the intersection of any street so as to obstruct free and clear vision, or obstruct visibility within the triangular area of private property formed by the extension of intersection curb lines, or pavement edge where no curb exists, and the diagonal line connecting the point on each of the two streets at a distance 45 feet back from the intersection.

3. Ingress/Egress. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window, fire escape or fire equipment.

c. Illegal Signs - Nuisance. All illegal signs are expressly declared a nuisance. For purposes of this section, an illegal sign shall mean:

1. A sign erected and/or maintained without first complying with all ordinances and regulations.
2. A sign which is a danger to the public or is unsafe.
3. A prohibited sign as defined by this title.

d. Enforcement.

1. The placement of a sign on public or private property in violation of any provision of this Title may be enforced by any method provided by this Code. Each day that the violation continues shall be deemed to be a new violation. All violations are declared to be public nuisances.

2. Any sign placed on public property in violation of any provision of this Title may be removed and impounded without notice. Impounded signs will be held for at least 30 days. If possible, the City will make reasonable attempts to notify the owner of an impounded sign that the sign has been impounded. If after 10 days notice to reclaim the sign, the owner of the sign fails to retrieve the sign and pay the City's reasonable costs to impound and store the sign, the sign may be disposed of in any manner whatsoever at the City's discretion. The amount of the sign retrieval fee shall be established by City Council resolution.