

## ORDINANCE NO. 1852

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 22-03 TO REPEAL CHAPTER 15.40 (OUTDOOR ADVERTISING SIGNS AND STRUCTURES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION), ADD CHAPTER 18.23 (SIGN STANDARDS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, AMENDING VARIOUS SECTIONS OF TITLE 18 (ZONING) FOR CONSISTENCY WITH CHAPTER 18.23 AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES**

THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA HEREBY FINDS AND DECLARES AS FOLLOWS:

**WHEREAS**, the Community and Economic Development Department is tasked with recommending updates to and implementing Title 15 (Buildings and Construction) and Title 18 (Zoning) of the La Habra Municipal Code (LHMC);

**WHEREAS**, Chapter 15.40 (Outdoor Advertising Signs and Structures) of Title 15 (Buildings and Construction) contains outdated and/or obsolete section references to the California Building Code and has proven to be difficult to implement;

**WHEREAS**, the addition of new sign regulations under Chapter 18.23 (Sign Standards) in the LHMC along with the City's other design standards would be more appropriate;

**WHEREAS**, the City of La Habra's existing sign regulations require update to maintain compliance with Federal and State law;

**WHEREAS**, the City Council directed City staff, pursuant to Section 18.78.010 of the LHMC, to initiate City Zone Change 22-03 to allow for a comprehensive update to the City's sign regulations by repealing Chapter 15.40 (Outdoor Advertising Signs and Structures) in its entirety, adding Chapter 18.23 (Signs Standards) to Title 18 (Zoning) and amending various section of Title 18 (Zoning) for consistency with Chapter 18.23;

**WHEREAS**, the proposed amendments under Zone Change 22-03 are consistent with the City's General Plan and more specifically, supports the City's goal (Goal CI 3 Attractive Signage) of being a city characterized by its well-designed, high quality, and distinctive public and private signs that contributes to La Habra's appearance as an attractive place to live, work, and trade;

**WHEREAS**, the public necessity, convenience, general welfare and good zoning practices justify the proposed sign standards of Title 18 (Zoning) of the La Habra Municipal Code; and

**WHEREAS**, on January 17, 2023, the City Council directed City staff to initiate proceedings to update the City's Sign Code Ordinance; and

**WHEREAS**, on April 25, 2023, the City held a luncheon for the City's Top 25 businesses and informed all of the attendees of the City's intent to comprehensively update the sign code regulations;

**WHEREAS**, on June 28, 2023, the City welcomed all local businesses to a Sign Code Workshop and again, presented all of the workshop attendees with information on the City's plans to comprehensively update the sign code regulations;

**WHEREAS**, on August 28, 2023, the Planning Commission held a duly noticed public hearing to consider the proposed amendments to Title 15 and Title 18 of the La Habra Municipal Code ("Zoning Code") under Zone Change 22-03, at which time it considered all material and evidence presented, whether written or oral and approved a motion for a continuance to date uncertain and directed staff to research and provide alternatives for the use of electronic message signs; and

**WHEREAS**, on October 23, 2023, the Planning Commission held a duly noticed public hearing to consider the proposed amendments to Title 15 and Title 18 of the La Habra Municipal Code ("Zoning Code") under Zone Change 22-03, at which time it considered all material and evidence presented, whether written or oral, and recommended that the City Council approve the proposed code amendments; and

**WHEREAS**, on November 20, 2023, the City Council held a duly noticed public hearing to consider the proposed amendments to Title 15 and Title 18 of the La Habra Municipal Code ("Zoning Code") under Zone Change 22-03, at which time it considered all material and evidence presented, whether written or oral, including the Planning Commission's recommendation; and

**WHEREAS**, this Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Ordinance has been found to be exempt pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exception) because the Ordinance will not have a significant effect on the environment; and

**WHEREAS**, all legal requirements prior to the adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and are incorporate herein.

**SECTION 2. Repeal Chapter 15.40.** Chapter 15.40 (Outdoor Advertising Signs and Structures) of Title 15 (Buildings and Construction) is repealed in its entirety.

**SECTION 3. Repeal and Replace Section 18.04.030.** Section 18.04.030 (Terms Defined) of Chapter 18.04 (Definitions) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

## **Chapter 18.04 DEFINITIONS**

18.04.010 Rules of construction.

18.04.020 Generally.

18.04.030 Terms defined.

### **18.04.010 Rules of construction.**

In this chapter, when not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number and words in the plural number include the singular number and the masculine includes the feminine. The word “shall” is always mandatory and not merely directory. (Ord. 1719 § 1, 2010)

### **18.04.020 Generally.**

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this chapter. (Ord. 1719 § 1, 2010)

### **18.04.030 Terms defined.**

“Accessory building” means a detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use.

“Accessory dwelling unit” shall have the same meaning as in Government Code 65852.2 at that section may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following: an efficiency unit; and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

“Accessory use” means a use naturally and normally incidental to, subordinate to and devoted exclusively to the main use of the premises.

“Alley” means a public way not over twenty feet in width permanently reserved as a secondary means of access to abutting property.

“Apartment hotel” means a building or portion thereof designed for or containing both individual guestrooms or suites of rooms and dwelling units.

“Apartment house” means a building or portion thereof, designed for or occupied by three or more families living independently of each other.

“Automobile” means and includes passenger automobiles of every description, trucks, racing cars, off-road vehicles, dune buggies, horseless carriages, motorized golf carts, motor homes, motorbikes and recreational vehicles.

“Automobile service/repair” means a retail place of business serving vehicles. It provides services directly related to the operation and maintenance of the vehicle. All services must be performed entirely within a closed building and includes such services as follows: battery service, hand washing, waxing and polishing of automobiles, the sale and repair of tires (excluding recapping), cleaning and flushing of radiators, lubrication of automobiles, wheel balancing, testing, adjustment and replacement of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water hoses and wiring and brake service limited to servicing and replacement of brake cylinders and brake shoes. No machine work, body work or paint spraying is permitted outside of an enclosed building. Internal motor or drive train repairs may be performed only when they are incidental to other repairs being performed and they may not be done as a regular repair service.

“Automobile service station” means a retail place of business serving vehicles. It is primarily engaged in the sale of motor fuels and lubricants, but it also provides incidental services directly related to the operation and maintenance of the vehicle. These incidental services include battery service, hand washing, waxing and polishing of automobiles, the sale and repair of tires (excluding recapping) and the cleaning and flushing of radiators (excluding steam cleaning and radiator repair). If performed entirely within an enclosed building, such services as lubrication of automobiles, wheel balancing, testing, adjustment and replacement of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water hoses, wiring and brake service limited to servicing and replacement of brake cylinders and brake shoes are permitted. No machine work, body work or paint spraying is permitted. Internal motor or drive train repairs may be performed only when they are incidental to other repairs being performed and they may not be done as a regular repair service. Brake drum turning and the necessary machine work required to facilitate automotive brake repair and reconditioning is permitted if done within an enclosed building.

“Automotive reconditioning” means a business primarily serving automobile dealers. It is engaged in detail work, such as cleaning, waxing and polishing, upholstering, touchup painting and minor body repairing to improve the condition of an automobile for sale.

“Balloon” means a flexible bag that can be inflated with a gas, such as helium, hydrogen, nitrous oxide, oxygen, and air.

“Beacon Light” or “searchlight” means any light with one or more beams, capable of being directed in any direction or directions.

“Boarding house” and “rooming house” mean a residence, dwelling or portion thereof, other than a hotel, which is used to accommodate with or without individual or group cooking facilities, for compensation, three or more individuals under separate rental, lease, or sublease agreements, either written or oral, whether or not the owner resides therein. The word “compensation” includes compensation in money, services or other things of value. This term shall not include a residential care facility, as defined in this chapter, serving six or fewer residents.

“Building” means any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels or property of any kind.

“Building face” means any (front, rear, or side) vertical surface of a building elevation in which the business is located. The area of the face of a building shall be the total area of such surface, including the area of doors and windows which open into such surface.

“Building height” means the vertical distance from the average finished ground level of the site to the highest point of the structure.

“Building site” means the ground area of a building or group of buildings together with all open spaces as required by this chapter.

“Canopy” means a structural, ornamental, roof-like appendage, either freestanding or attached to a building.

“Carport” means a permanent roofed structure with not more than two enclosed sides used or intended to be used for automobile shelter and storage.

“Change of occupancy” means a discontinuance of an existing use and substitution therefore of a use of a different kind or class.

“Child care facility” or “child day care facility” means any place or building in which less than twenty-four hour per day nonmedical care and supervision, as defined in Section 101152(c)(2), are provided to children in a group setting.

1. “Small family child care home” means a home that provides family child care for up to six children, or for up to eight children if the criteria in Section 102416.5(b) are met. These capacities include children under age ten who live in the licensee’s home.
2. “Large family child care home” means a home that provides family child care for up to twelve children, or for up to fourteen children if the criteria in Section 102416.5(c) are met. These capacities include children under age ten who live in the licensee’s home and the assistant provider’s children under age ten. California Code Regulations Title 22, Section 102352(f)(1).

“Chief Building Official” means the manager of the building and safety division, and or his/her designee.

“Club” means an association of persons, whether incorporated or unincorporated, for some common purpose, but not including groups organized primarily to render a service carried on as a business.

“Commercial coach” means a vehicle, with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

“Commercial recreation” means any use or development either public or private providing amusement, pleasure or sport, which is operated or carried on primarily for financial gain.

“Commercial repair” means and includes any repair, construction or assembly process conducted or performed for consideration, either monetary or in kind. Examples of this include, but are not limited to, lawn mower repair, engine and transmission rebuilding, boat repair, and trailer repair.

“Corner lot” means a lot situated at the intersection of two or more streets having an angle of intersection of not more than one hundred thirty-five degrees.

“Director” means director of community and economic development.

“Drive-in restaurant” or “drive-in” means any premises or place of business where beverages, foods or refreshments are served to patrons for consumption on the premises at tables or stands, in open or unenclosed areas, or for sale to or consumption by persons in any vehicle stopped, standing or parked in or upon the premises of such drive-in restaurant or drive-in, or in or upon any street, alley, lane, parking area or real property immediately adjacent to or adjoining any street or public right-of-way abutting such premises. If at least fifty percent of the premises is designed for, constructed for or used for the purposes enumerated herein, then such place of business shall be deemed to be a drive-in restaurant or a drive-in.

“Dwelling” means a building or portion thereof designed for or occupied for residential purposes, including one-family, two-family and multiple family dwellings, but not including hotels, boardinghouses, lodging houses and trailers.

“Dwelling unit” means a group of interconnected rooms located within an attached or detached building forming a single and independent habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating for the exclusive occupancy by one family and not having more than one kitchen. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. All exterior exits shall be accessible to all rooms within the dwelling.

“Educational institution” means an institution of learning giving general academic instruction equivalent to the standards prescribed by the State Board of Education; including day care, preschool, private tutoring or learning facility.

“Erect” means to build, construct, attach, hang, place, suspend, or affix.

“Factory-built housing” has the same meaning as in Health and Safety Code 19971 as it may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means “a residential building, dwelling unit, or an individual dwelling room or combination of rooms thereof, or building component, assembly, or system manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage, or destruction of the part, including units designed for use as part of an institution for resident or patient care, that is either wholly manufactured or is in substantial part manufactured at an offsite location to be wholly or partially assembled onsite in accordance with building standards published in the California Building Standards Code and other regulations adopted by the commission pursuant to Health and Safety Code Section 19990. Factory-built housing does not include a mobile home, as defined in Health and Safety Code Section 18008, a recreational vehicle, as defined in Health and Safety Code Section 18010.5, or a commercial modular, as defined in Health and Safety Code Section 18012.5.”

“Family” means a collective body of two or more persons doing their own cooking and living together as a separate housekeeping unit in relationship based upon birth, marriage, adoption or other such like domestic bond.

“Flag” means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution.

“Floor area ratio” means the ratio between gross floor area of all buildings on a lot and the total area of the lot. For the purposes of this definition “gross floor area” means the amount of leasable floor area of the structure. Exception: Mezzanines, as described by the Uniform Building Code, shall not be considered as floor area.

“Food-to-go restaurant” means any premises or retail place of business where beverages, foods or refreshments are prepared, processed or treated for retail sale on the premises, with limited on-site consumption. A maximum of five tables and ten seats may be provided for waiting food orders and/or food consumption.

“Frontage, building” means the portion of a building on, adjacent to, or oriented to a public right-of-way.

“Frontage, business” means the property lines or lease lines at the front of the building in which a business is located and on which the primary entrance, accessible to the general public, is located.

“Frontage, display” means the lineal footage of display frontage for those businesses where the principal display of merchandise is located outside of a main building.

“Frontage, lot” means the length of a lot along a public or private street or right-of-way, but not including such length along an alley, watercourse, or railroad.

“Freeway” means a highway with respect to which the owners of abutting lands have no right of easement or access to or from their abutting lands, or in respect to which such owners

have only limited or restricted easement or access and which is declared to be such in compliance with the Streets and Highways Code of the state.

“Front lot line” means the property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and the shorter street frontage shall be considered the front lot line.

“Front yard” means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

“Garage Sale” means the occasional public sale of secondhand household and other goods incidental to household uses by a person or persons from a residential property, also to include yard, estate, and other home-based sale.

“Grade” means the lowest point of elevation of the graded surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

“Grand Opening” means a promotional activity used by newly established businesses, to inform the public of their location and contribution to the community. Grand opening does not mean an annual or occasional promotion of retail sales by a business.

“Group dwelling” means a combination or arrangement of dwellings on one building site. “Half story” means a story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor area immediately below it.

“Home occupation” means an accessory use of a dwelling unit conducted by the occupant of the dwelling unit for gainful employment involving the manufacture, provision or sale of goods and/or services.

“Hospital” means any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons, and including sanitariums.

“Hotel” means any structure or any portion of any structure which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, for time periods limited to thirty consecutive days or less, and includes, but is not limited to, any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, but not used as the legal residence or principal dwelling place of the occupant(s), except for one or more caretaker/manager residential unit(s) which conform to the requirements for multiple family residential units in this title. “Hotel” does not mean any convalescent home or facility, home for the aged, hospital, jail, or military installation.

“Interior lot” means a lot other than a corner lot.

“Integrated development” means a development consisting of two or more interrelated business establishments designed around common driveways and common on-site parking facilities

“Key lot” means the first interior lot to the rear of a reversed corner lot, whether or not separated by an alley.

“Land development project” means any residential tract or subdivision, or industrial or commercial development within the city. Subject development may include parcel improvements only, and the developer need not construct buildings thereupon.

“Lot” means a parcel of real property as shown with a separate and distinct number or letter on a plot recorded or filed with the recorder of the county under procedures established by the city and state, or, a parcel of real property abutting upon at least one public street and held under separate ownership prior to the effective date of this title.

“Lot area” means the total horizontal area within the lot lines of a lot.

“Manufactured home” has the same meaning as in Health and Safety Code Section 18007 as it may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means: “a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or forty body feet or more in length, in the traveling mode, or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. ‘Manufactured home’ includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401, and following).”

“Marijuana related use and activity” includes dispensing, cultivation, manufacture, processing, storing, testing, labeling, relabeling, packaging, repackaging, transporting, delivery, distribution, provision, or sale, or any combination thereof, of marijuana, except as set forth in California Business and Professions Code Section 19319, related to qualifying patients. “Marijuana-related use and activity” also has the same meaning as “commercial cannabis activity” set forth in California Business and Professions Section 19300.5(j).

“Mobile home” means a structure as defined by Section 18008 of the Health and Safety Code as it may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means: “a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or forty body feet or more in length, in the traveling mode, or, when erected onsite, is three hundred twenty or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. ‘Mobilehome’ includes any structure that meets all the requirements of

this paragraph and complies with the state standards for mobilehomes in effect at the time of construction. ‘Mobile home’ does not include a commercial modular, as defined in Section 18001.8, factory-built housing, as defined in Section 19971, a manufactured home, as defined in Section 18007, a multifamily manufactured home, as defined in Section 18008.7, or a recreational vehicle, as defined in Section 18010.”

“Motel”—See “Hotel.”

“Multiple-family dwelling” means a building, or portion thereof, designed for occupancy by three or more families living independently of each other, and containing three or more dwelling units.

“Multiple-occupancy building” means a building wherein two or more separately independently owned or operated suites, units or occupancies are contained.

“Murals” means an artistic picture or scene applied or painted onto a building wall or other structure, but containing no advertising message and not associated with graffiti or related acts of vandalism.

“Nonconforming building” means a building or structure or portion thereof conflicting with the provisions of this title applicable to the zone in which it is situated.

“Nonconforming use” means the use of a structure or premises conflicting with the provisions of this title.

“Occupied” means and includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

“Off-premises” on an alcoholic beverage license means the license privilege is for alcoholic beverages to be sold in original, unopened packages for consumption off the premises where sold.

“One-family dwelling” means a detached building designed exclusively for occupancy by one family and containing one dwelling unit.

“On-premises” on an alcoholic beverage license means the license privilege is for alcoholic beverages sold on the premises to be consumed on the premises where sold.

“Parolee” means an individual who has been released from a prison term prior to its expiration and who is subject to regular monitoring by a law enforcement officer for a set period of time. It shall include all of the following:

1. An individual who was convicted of a federal crime, was sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a federal parole officer;
2. An individual who is serving a period of supervised community custody, as defined in California Penal Code Section 3000, following a term of imprisonment in a state

prison, and is under the jurisdiction of the California Department of Correction, Parole and Community Services Division;

3. An adult or juvenile individual who was sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer; and
4. An individual who meets the above equivalent criteria in another state.

“Pennant” means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

“Person” means any individual, firm, co-partnership, joint adventure, association, club, fraternal organization, corporation, estate, trust, receiver, organization, syndicate, city, county, municipality, district or other political subdivision, or any other group or combination acting as a unit.

“Private garage” means an enclosed building or portion of a building in which motor vehicles used by the occupants or tenants of the main building or buildings on the premises are stored or kept.

“Public garage” means an enclosed building or portion of a building, open to the public in which motor vehicles are stored or kept, either for a fee or as a courtesy.

“Rear lot line” means the line opposite the front lot line.

“Rear yard” means a yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest part of the rear lot line.

“Recycling center” means a facility that accepts recyclable materials from the public as either a donation, redemption or for sale. A recycling facility may consist of mobile recycling containers, kiosk type units, bulk vending machines, automated and unattended recycling machines (also known as reverse vending machines), or unattended containers placed for the donation of recyclable materials.

“Residential care facility” means any facility, place, or building that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes the following, as defined by the California Community Care Facilities Act (California Health and Safety Code Section 1500, et seq.): “residential facility,” “adult day program,” “therapeutic day services facility,” “foster family agency,” “foster family home,” “small family home,” “social rehabilitation facility,” “community treatment facility,” “full-service adoption agency,” “non-custodial adoption agency,” “transitional shelter care facility,” and “transitional housing placement facility.” The term “residential care facility” does

not include “congregate housing,” “domestic violence shelters,” “homeless shelters,” “senior hotels,” single room occupancy,” or “transitional housing projects” which are defined in and shall be governed by Chapter 18.30 of this code. The term “residential care facility” shall also include the following health facilities, as set forth in California Health and Safety Code Section 1250: an intermediate care facility/developmentally disabled habilitative, an intermediate care facility/developmentally disabled-nursing, or a congregate living health facility, as well as the following: residential care facilities for persons with chronic life-threatening illnesses, as set forth in California Health and Safety Code Section 1568.0831; residential care facilities for the elderly, as set forth in California Health and Safety Code Section 1569.85; alcoholism or drug abuse recovery or treatment facility, as set forth in California Health and Safety Code Section 11834.23; pediatric day health and respite care facilities, as set forth in California Health and Safety Code Section 1761.4; and any state-authorized, certified, or licensed family care homes, foster homes, or group homes serving mentally disordered or otherwise handicapped persons or dependent and neglected children, as set forth in California Welfare and Institutions Code Section 5116. The term “residential care facility” shall include any other facilities which are deemed by any other applicable law to be a residential use of property and required by law to be treated the same as other single-family residences for local zoning purposes. Notwithstanding anything to the contrary above, the term “residential care facility” is limited to those facilities, places or buildings that are both subject to regulation by the state of California and actually licensed by the state of California. No facility, place or building that may otherwise be regulated by the state of California, but which is not actually licensed by the state of California, shall be deemed a “residential care facility” for purposes of this chapter.

“Reversed corner lot” means a corner lot the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

“Roof line” means the top edge of a roof, mansard, or parapet wall of any building or other structure, which forms the top line of the building silhouette, exclusive of any sign tower, determined as a horizontal line projected from the top of the ridge, or in the case of flat or single-slope roofs, from the highest point of the rafter, roof beam or roof joist.

“Setback” means the minimum required distance from a structure to a property line on the subject lot. When required for landscaping purposes, setback means the distance from a street front property line to the depth of required landscape area.

“Setback line” means a space or area between any public right-of-way and an imaginary line on all properties within which no buildings or structures shall be erected, placed or located.

“Short-term residential rental” means the rental of a residential dwelling unit by the owner thereof to another party for a continuous period of thirty days or less, in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap or any other in lieu of cash payment; and also means “hotel” as that term is defined in this section.

“Side lot line” means any lot lines other than front lot lines or rear lot lines.

“Side yard” means a yard between the main building and the side lot line extending from the rear line of the required front yard, or the front lot line where no front yard is required, to the rear yard the width of which side yard shall be measured horizontally from, and at right angles to, the nearest point of a side lot line towards the nearest part of a main building.

“Sign” means any means any device, fixture, surface, or structure of any kind or character, made of any material whatsoever, displaying letters, words, texts, illustrations, symbols, forms, patterns, colors, textures, shadows, or lights, or any other illustrative or graphic display designated, constructed, or placed on the ground, on a building canopy, wall, post, or structure of any kind, in a window, or on any other object for the purpose of advertising, identifying, or calling visual attention to any place, structure, firm, enterprise, profession, business, service, product, commodity, person or activity, whether located on the site, in any structure on the site, or in any other location.

“Sign, animated” means any sign which is designed and constructed to give a message or image through a sequence of progressive changes of parts by either action and motion, flashing or color changes requiring electric, wind, or manual energy.

“Sign area” means the entire area within a rectangle or series of rectangles enclosing the extreme limits of writing, representation, emblem, or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed, and superficial, nonilluminated column covers, ornamental trim, and other such incidental objects attached thereto which are not designed to convey a message; and excluding a reasonable amount of nonencompassed open area. Where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face, if the two are of unequal area. In the case of spherical or cylindrical signs, the area shall be one-half of the surface area of the signs. In the case of semi cylindrical signs, the surface area shall be the total surface area.

“Sign, attached” means any sign which is supported wholly by a building wall or structure, other than by a sign structure.

“Sign, awning” means a sign painted or printed onto the canvas or valance of an awning.

“Sign, banner” means any sign of fabric, plastic or similar material, whether or not enclosed in a rigid frame, that is attached by one or more edges or corners to a building, structure or pole.

“Sign, bench” means any sign which is located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

“Sign, billboard” means any sign not advertising the business, industry or pursuit conducted on the premises on which the sign is erected or maintained. This definition does not include a noncommercial sign or City-posted public information sign or temporary real estate signs.

“Sign, bulletin board” means a board for displaying notices, posters, cards, sheets, or other printed, illustrated, or written matter.

“Sign, campaign” means a sign indicating the name and/or picture of an individual seeking election to a public office, or relating to a forthcoming public election, referendum, or initiative.

“Sign, can or cabinet” means a metal framed sign with a plastic or similar material face and lettering and utilizing internal illumination.

“Sign, canopy” means any sign placed on or supported entirely by a rigid shelter or other structure projecting out from any exterior wall or portion of a building or other structure.

“Sign, channel letter” means an individual sign can for each letter of sign copy.

“Sign, changeable copy” means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign. This sign type does not include digital display signs or billboards.

“Sign, commercial” means any sign that does not meet the definition of a noncommercial sign.

“Sign, construction” means any sign stating the name and address of those individuals or firms directly connected with a construction project and the name of the owner or developer.

“Sign, convenience” means a sign not larger than two square feet which conveys information such as “restrooms,” “no parking,” “entrance,” and the like but does not contain land, trade, advertising or business identification and is designed to be viewed on site by customers and pedestrians.

“Sign copy” means any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

“Sign, digital display” means display methods utilizing light emitting diode (LED), liquid crystal display (LCD), plasma, projected images, or any functionally equivalent technology, and which is capable of automated remote or computer control to change the image, either in a “slide show” manner (series of still images), or full motion animation, or any combination of them. Also known as dynamic signs and commercial electronic variable message signs (CEVMS).

“Sign, directory” means a sign on which the names and locations of occupants or the use of a building(s) is given.

“Sign, double-face” means a single sign structure with two parallel sign faces back to back.

“Sign, electric” means any sign containing electrical wiring for the purpose of illumination, but not including signs illuminated by an exterior light source.

“Sign, electronic message” means a sign whose primary advertising focus is the intermittent display, stream, or movement of electronic, computerized, digital or similarly produced letters, numerals, words, or messages as part of the advertising message. Any sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form where the sequence of messages and the rate of change is electronically programmed and

can be modified by electronic processes. An electronic message sign is different from an illuminated or electric sign in that the illumination of the display creates the message, rather than an internal or external light source illuminating the message.

“Sign, feather” means a type of freestanding temporary portable sign of flexible material that is plain or includes copy and/or graphics and is supported by a horizontal or vertical pole, including but not limited to feather, flutter, bow, and tear drop flag signs.

“Sign, flashing” means any sign which contains or is illuminated by lights which are intermittently on and off, which change intensity, or which create the illusion of motion in any manner. This type of sign is also referred to as a “running” or “blinking” sign.

“Sign, freestanding” means any sign that is wholly self-supported by one or more uprights or columns anchored in the ground and not attached to any building. Freestanding signs include, monument, pylon and pole signs.

“Sign, future development” means any temporary sign that advertises a new business or development project prior to or during the construction phase of that project.

“Sign height” means the vertical distance measured from the top of curb elevation adjacent to the sign to the highest point of the sign or sign structure(s).

“Sign, human advertisement” means any person who is located anywhere within the City, and whose intent is to advertise, and whose actions do advertise, a business or service, by way of his or her actions, including, but not limited to, by holding a temporary sign, wearing a costume, or wearing body paint.

“Sign, illegal” means any sign which was erected in noncompliance with any provision of the La Habra Municipal Code pertaining to signs which were in effect at the time such sign was erected.

“Sign, illuminated” means any sign which has characters, figures, letters, designs or outlines illuminated internally or externally by electric lights or luminous tubes as a part of the sign proper.

“Sign, indirectly illuminated” means a sign whose illumination is reflected from its source by the sign display surface to the viewer’s eyes, the source of light not being visible from the street or from abutting property, or any sign for which the light travels through a shield or material other than the bulb or tubing necessary to enclose the light source, which shield or material has the effect of dispersing the light before it strikes the eye of the viewer.

“Sign, inflatable advertising device” means any device constructed of vinyl, fabric, rubber or plastic or other air-tight material, which relies for its shape and support on inflation by a compressed gas or by an air blower or fan conducting air into it, and which uses any color, form, graphic, symbol or writing to identify or communicate a commercial or noncommercial message, announce the purpose of or identify the purpose of a person or entity, or to communicate information of any kind to the public.

“Sign, inflatable character” means an inflatable, balloon-like character, character representation, logo, or other design, generally tethered to the ground or to the roof of a structure.

“Sign, logo” means a visual symbol identifying the business or service provided, which may be all or part of a sign.

“Sign, marquee” means a sign constructed within, or a wall sign attached to, the face of, a permanent, roofed structure attached to and supported by the building and projecting over public property or over a walkway located on private property, but used by the public.

“Sign, memorial” means a sign or tablet, containing the name of a building, and/or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building or wall.

“Sign, menu board” means any wall or monument sign displaying a list of items available at a drive-through business for the purpose of taking drive-through orders.

“Sign, monument” means a low-profile freestanding sign connected to the ground with a solid base and which reflects and complements the architectural theme of the buildings on the same property, and on which copy is limited to identification of the center and/or businesses located on the premises.

“Sign, multi-tenant” means a sign used to advertise businesses that occupy a commercial or industrial center or complex of two or more tenants.

“Sign, nameplate” means a sign serving to designate only the name, or the name and professional occupation, of a person or persons residing in or occupying space in a building located on the premises upon which the sign is located.

“Sign, neon or neon lighting” means any electric gas tube lighting or any sign containing argon, neon, krypton, helium, or xenon.

“Sign, non-advertising or non-commercial” means any sign posted on private property upon which no advertising matter is displayed.

“Sign, non-appurtenant” means a sign which advertises a business, products, services or other uses which are not associated with the premises where the sign is located.

“Sign, nonconforming” means any lawfully erected sign, which does not fully comply with all provisions of this code. This definition does not include any sign that has been illegally erected, or maintained in violation of any safety or health provision of this code, or that otherwise constitutes a danger to health or safety.

“Sign, off-site or off-premises” means a sign which advertises or directs attention to products or activities that are not provided on the site upon which the sign is located.

“Sign, one-time event (residential)” means a sign displayed at a residential property during the occurrence of a one-time event held at the property such as, a yard, garage or estate sale, birthday party, or wedding reception.

“Sign, on-site or on-premises” means a sign which advertises or directs attention to products or activities that are provided on the site upon which the sign is located.

“Sign, painted” means any sign or representation painted directly on the exterior surface of any building or structure, except on the vertical face or valance of an awning or canopy.

“Sign, portable” means any moveable outdoor sign that is not permanently secured or attached to the ground or to an approved sign structure or building.

“Sign, projecting” means any sign which is affixed or attached to, and is supported solely by, a building wall or structure, and extends beyond the building structure or any part thereof more than 18 inches. No projecting sign shall have a clearance less than eight feet above finished grade or the walkway below.

“Sign, pump-top video display terminal” means any video screen or electronic display, monitor or terminal that is located on, or affixed to, a fuel-dispensing pump that broadcasts, displays, emits, exhibits or shows audio and/or visual content or material.

“Sign, real estate” means a sign that indicates a property that is For Sale, Lease, or Rent and/or to advertise the opportunity to view the property (an “open house”).

“Sign, revolving” means a sign which completely or partially rotates, either on an intermittent or continuous basis.

“Sign, roof” means any sign erected, constructed and maintained wholly upon or over the roof of any building and which is principally supported from or upon the roof structure.

“Sign structure” means the supports, uprights, bracing, and framework of a sign. The area of such structure shall not be included in computing the aggregate surface of the area of the sign which it supports.

“Sign, seasonal commercial sales lot” means a temporary sign that is erected in conjunction with a special event permit for a seasonal commercial sales lot for seasonal items such as pumpkins or Christmas trees.

“Sign, subdivision” means a is a temporary sign that indicates the name of the subdivision, the names of the architects, engineers, landscape architects, contractors, or similar artisans and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the project.

“Sign, temporary” means any sign constructed of wood, paper, cloth, canvas, or other similar lightweight material, with or without frames, and all others including painted windows intended to be displayed for a limited period of time.

“Sign, under canopy” means a permanent sign installed suspended below the canopy of a building.

“Sign, vehicle” means a sign which is attached to, or painted on, a vehicle or trailer and placed on any property so as to attract attention to a product, activity or business by such

means as advertisement of sales prices, provision of direction to the business or activity, or similar promotional copy.

“Sign, wall” means any sign attached to or erected against the wall of a building or structure with the exposed surface of the sign in a plane parallel with the plane of the wall and extending not more than eighteen inches from the face of the building, having the advertisement either of solid face construction or individual letters. Wall signs shall extend no higher than the roofline or the top of the front parapet, whichever is higher.

“Sign, window” means a sign painted, attached, glued, or otherwise affixed to either the exterior or interior side of a window or door, having copy visible from a public street, right-of-way, or parking lot.

“Storage garage” means an enclosed building or a portion of a building in which motor vehicles are stored

“Story” means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

“Street” means a public thoroughfare other than an alley which affords the principal means of access to abutting property.

“Structure” means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including fences or walls used as fences less than six feet in height.

“Trailer park or camp” means any area or premises where two or more house trailers are located and used as living or sleeping quarters.

“Through lot” means a lot having frontage on two parallel or approximately parallel streets.

“Two-family dwelling” means a building designed exclusively for occupancy by two families living independently of each other, and containing two dwelling units.

“Use” means the purpose for which land or a building is designed, arranged or intended, or for which either is or may be occupied or maintained.

“Vending machine” means any devise that dispenses product(s) for monetary reimbursement.

“Yard” means an open space on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter. Covered patios, gazebos, cabanas, and shade structures, provided they are not enclosed and comply with the required setbacks may occupy up to twenty-five percent of the required usable yard area. (Ord. 1839 § 3, 2022; Ord. 1836 § 1, 2021; Ord. 1835 § 3, 2021; Ord. 1786 § 2, 2017; Ord. 1776 § 2, 2017; Ord. 1775 § 2, 2016; Ord. 1748 § 3, 2013; Ord. 1719 § 1, 2010)

**SECTION 4. Repeal and Replace Section 18.08.070.** Section 18.08.070.H (Nonconforming Buildings and Uses) of Chapter 18.08 (General Regulations) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

- H. Any sign, billboard, commercial advertising structure or statuary which is lawfully existing and maintained at the time this title becomes effective may be continued, although such use does not conform with the provisions hereof; provided, however, that no structural alterations are made thereto; and provided further, that all such nonconforming signs, billboards, commercial advertising structures or statuary, and their supporting members, shall be completely removed from the premises as stated in Section 18.23.110.

**SECTION 5. Repeal and Replace Section 18.12.020.** Section 18.12.020 (Height of Building) of Chapter 18.12 (Special Development Standards) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

No penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment; towers, steeples or other structures shall exceed the height limit provided in this title as per Table 18.12.020.1. Radio and television masts, flagpoles, chimneys and smokestacks may extend not more than thirty feet above the height limit provided in this title; provided, however, that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.

**SECTION 6. Establish Chapter 18.23.** Title 18 (Zoning) of the La Habra Municipal Code is hereby amended with the addition of Chapter 18.23 (Sign Standards) to read as follows:

#### **Chapter 18.23 SIGN STANDARDS**

18.23.010 Description and Purpose – Applicability

18.23.020 Definitions

18.23.030 Sign Matrix

18.23.040 Sign Permit Required

18.23.050 Sign Program Required

18.23.060 Design Standards – General

18.23.070 Sign Regulations – Residential

18.23.080 Sign Regulations - Non-Residential

18.23.090 Electronic Message Signs

18.23.090 Sign Regulations - Temporary Signs

18.23.100 Removal of Illegal Signs and Abandoned Signs - Public Nuisance Abatement

18.23.110 Nonconforming Signs

**18.23.010 Description and Purpose – Applicability**

- A. The provisions of this Chapter shall govern all matters relating to signs and sign structures within the City that are visible from the public right-of-way or adjacent properties.
- B. The purposes of these provisions are to:
  - 1. Maintain and enhance the physical appearance and economic value of the City;
  - 2. Direct and inform persons as to the location and nature of enterprises and activities;
  - 3. Provide guidance for design of advertising displays, structures and devices which will harmonize with their surroundings, avoid confusion or excessive competition for visual attention, and result in signage which is architecturally compatible with adjacent buildings or structures;
  - 4. Reduce the potential for distraction of or hazard to motorists or pedestrians; and
  - 5. Reduce the potential for creation of visual nuisances.
- C. The intent of these provisions is to provide a reasonable system of controls to assist in the preservation and enhancement of the visual environment, protection of property values, and the protection of the public safety and general welfare.
- D. Applicability. This Chapter does not apply to the following:
  - 1. Anything erected or installed for the purpose of or used for displaying official notices issued by any court or public body or officer;
  - 2. Official notices issued and/or posted by any court or public body or officer in performance of a public duty or by any person giving legal notice.
  - 3. Anything erected or installed for the purpose of or used for displaying notices posted by any public officer in performance of a public duty or by any person in giving legal notice;
  - 4. Directional, warning or information signs or structures required by or authorized by law or by federal, state, county, or city authority;

5. A structure erected near a city or county boundary, which contains the name of such city or county;
  6. Traffic or other Municipal Signs (Signs Required by Law). Railroad crossing signs, legal notices, and such temporary emergency or non-advertising signs as may be authorized by the city council;
  7. The display of the flag of the City, United States or the flag of the State of California, or any structure used exclusively for displaying these flags;
- E. Substitution Clause. Whenever a sign for a commercial message is permitted by this Chapter, a noncommercial message of any type may be substituted for the duly allowed commercial message contained therein.
- F. Signs on public property. No person, except a public officer or city employee in the performance of his duty, shall paste, post, paint or erect any flag, pennant, banner, notice or sign of any kind or cause the same to be done upon public property, street, street median, parkway, bridge or sidewalk within the city, except for the following:
1. Signs for special events to the benefit of the entire community and authorized by the city council;
  2. Signs affixed to temporary construction fences located within the public right-of-way during construction, when associated with a public works project, to advertise the architect, construction company or future development; provided, that no sign shall exceed twenty-four square feet in area;
  3. Signs for advertisements on bus benches and bus shelters under a regulated program authorized by the city council.
- G. Signs on private utility company poles. No person shall attach any item to private utility company poles without prior written approval from the utility company to which such poles belong.

#### **18.23.020 Definitions**

See Chapter 18.04 (Definitions).

#### **18.23.030 Sign Matrix**

- A. Sign Matrix. Signs shall be permitted (P), conditionally permitted (CUP), temporarily permitted (T), or not permitted (-), as identified in Table 18.23.030.A – Sign Matrix.

#### **Table 18.23.030.A – Sign Matrix**

Permitted = P Conditional Use Permit = CUP Temporarily Permitted = T Banner Permit = B Not Permitted = -	Single-Family Residential	Multi-Family Residential	Mobile Home Park	Mixed-Use Residential	Non-Residential
Animated	-	-	-	-	-
Attached	-	P	-	P	P
Awning	-	P	-	P	P
Banner	-	B	-	B	B
Bench	-	-	-	-	CUP
Billboard	-	-	-	-	-
Bulletin board	-	-	-	-	P
Campaign	T	T	T	T	T
Canopy	-	P	-	P	P
Changeable copy	-	-	-	-	CUP
Construction	T	T	T	T	T
Convenience	P	P	P	P	P
Digital Display	-	-	-	-	-
Directory	-	P	P	P	P
Electronic message	-	-	-	-	-
Feather sign	-	-	-	-	-
Flashing	-	-	-	-	-
Freestanding	-	P	P	P	P
Future development	T	T	T	T	T
Human advertisement	-	-	-	-	-
Inflatable advertising device	-	-	-	-	-
Inflatable character	T	T	T	T	T
Marquee	-	-	-	-	CUP
Memorial	P	P	P	P	P
Menu board	-	-	-	-	CUP
Monument	P	P	P	P	P
Multi-tenant	-	-	-	-	P
Nameplate	P	P	P	P	P
Neon or neon lighting	-	-	-	-	CUP
Non-appurtenant	-	-	-	-	-
Off-site or off-premises	-	-	-	-	-
On-site or on-premises	P	P	P	P	P
One-Time Event (Residential)	T	T	T	T	-
Painted	-	-	-	-	CUP
Portable	-	-	-	P	P
Projecting	-	CUP	-	CUP	CUP
Pump-top video display	-	-	-	-	CUP
Real Estate	T	T	T	T	T
Revolving	-	-	-	-	-
Roof	-	-	-	-	-

Permitted = P Conditional Use Permit = CUP Temporarily Permitted = T Banner Permit = B Not Permitted = -	Single-Family Residential	Multi-Family Residential	Mobile Home Park	Mixed-Use Residential	Non-Residential
Seasonal Commercial Sales Lots	-	-	-	-	T
Subdivision	T	T	-	-	-
Under-canopy	-	-	-	-	P
Vehicle	-	-	-	-	-
Wall	-	P	P	P	P
Window	-	-	-	-	T

- B. Definitions. Signs types are defined in Chapter 18.04.
- C. Signs within the public right of way. Except as provided for in Section 18.23.060.F no signs shall be erected or displayed on City property or in a public right-of-way by any person. Any sign erected on City property or in a public-right-of-way in violation of this section may be summarily removed by the City. The City will hold such signs at the City Yard for ten (10) calendar days after they are removed.
- D. Permitted Signs. Signs that are permitted signs shall be only subject to the approval requirements of 18.23.040, unless they are required to be processed as part of a Sign Program pursuant to 18.23.050.
- E. Conditionally Permitted Signs. Signs that are conditionally permitted are subject to the approval of a Conditional Use Permit and shall be processed as a Conditional Use Permit, pursuant to the requirements of Chapter 18.66, in addition to the requirements for a Sign Permit pursuant to 18.23.040, and any requirement for a Sign Program pursuant to 18.23.050.
- F. Temporarily Permitted Signs and Banners. Signs that are temporarily permitted are subject to the requirements of 18.23.040 and 18.23.090.
- G. Not Permitted. In addition to any sign listed as not permitted in Table 18.23.030.A - Sign Matrix, any signs which are not specifically listed in said table are also prohibited unless, pursuant to a review by the planning commission, the commission makes a determination that the proposed sign is substantially similar to another permitted or conditionally permitted sign.
- H. Design Standards. Any sign that does not meet the design standards of this chapter, including signs that are exempt from sign permits, shall be prohibited, unless deviations are permitted or conditionally permitted pursuant to this chapter or Chapter 18.76 (Variances).

**18.23.040 Sign Permit Required**

- A. Applicability. No person shall erect any sign regulated by this Chapter without first obtaining a sign permit, which for this section shall also include, as applicable, a temporary sign permit, banner permit or special event permit, issued by the Chief Building Official, unless said sign is exempt pursuant to subsection 18.23.010(D).
- B. Number of Sign Permits Required. A separate sign permit shall be required for each sign installed; provided, however, the Chief Building Official may allow one permit to cover a group of similar type signs for a single business entity, a group of signs on a single supporting structure, or a group of independently-mounted letters, words, or symbols intended to convey a single message; provided, that such group of signs or letters can be normally inspected at the same time and in the same manner as normally required for a single sign.
- C. Application Materials. The applicant for the sign permit shall submit sign plans that include a site plan, and building and sign elevations rendered in color that identify the following:
  - 1. Sign area with dimensions, sign colors, sign type, sign materials and method of illumination.
  - 2. Structural details and calculations (when applicable), electrical wiring diagrams, footing and anchoring details.
  - 3. Such other information as the Chief Building Official deems reasonable and necessary to ensure safety of construction and compliance with this Chapter and all other City ordinances.
- D. Fees. All applicable building permit fees shall be paid as established in the City of La Habra Master Schedule of Fees.
- E. Consent of Owner. No person shall erect any sign regulated by this Chapter without first obtaining and filing with the Community and Economic Development Department the written consent of the owner and/or the lessee or person having possession of the property upon which the sign is situated.
- F. Approval. The sign permit shall be subject to the approval of the Chief Building Official, pursuant to the standards contained herein.
- G. Other Applicable Permits. The approval of a sign permit does not negate the requirement for any other applicable permit, such as a Conditional Use Permit, or any requirement for the submittal of sign plans as part of a Design Review.

#### **18.23.050 Sign Program Required**

- A. Applicability. A Sign Program is sign criteria created by a property owner that provides details on the number, location, types, height, style, illumination etc. of all signs located on a property. A Sign Program shall be required for:

1. New multi-tenant shopping centers, office parks, other multi-tenant and mixed-use developments consisting of three or more separate suites/tenants that share the same parcel or structure and use common access and parking facilities.
  2. Redesign, remodel, or redevelopment of existing multi-tenant or mixed-use developments that do not have an existing Sign Program adopted after the effective date of this Chapter.
- B. Application. A completed application shall be submitted to the Community and Economic Development Department for review and approval. A review fee shall be paid at the time of submittal as established in the Master Schedule of Fees.
- C. The Sign Program shall include but is not limited to the following information:
1. A site plan of the property with dimensions that identifies all proposed signs.
  2. Building elevations drawn to scale that identify the location of all proposed building attached signs, tenant doors, windows and architectural building elements such as arches, columns etc.
  3. A sign table that lists each tenant suite with storefront dimensions (length and height) that identifies the maximum area allotted for all building attached signs.
  4. Written guidelines that include:
    - a. Purpose and intent.
    - b. Written general requirements and approval process by property owner or management company.
    - c. Approved sign design styles, lighting and colors.
    - d. Description of prohibited signs.
    - e. Construction requirements.
    - f. Installation requirements.
    - g. Tenant guarantee and insurance requirements.
- D. Approval.
1. Design Review. A Sign Program that complies with all of the requirements of this chapter shall be processed as a Design Review, pursuant to the requirements of Chapter 18.68 (Design Review).
  2. Conditional Use Permit. A Sign Program that deviates from the Design Standards of this chapter, and/or includes signs that are subject to the approval of a Conditional Use Permit, shall be processed as a Conditional Use Permit, pursuant to the requirements of Chapter 18.66.

3. Implementation. Individual tenant sign proposals shall be approved by the property owner prior to submittal of an application for a sign permit and shall be in compliance with an approved Sign Program, unless such program is not applicable to the subject property.

### **18.23.060 Design Standards - General**

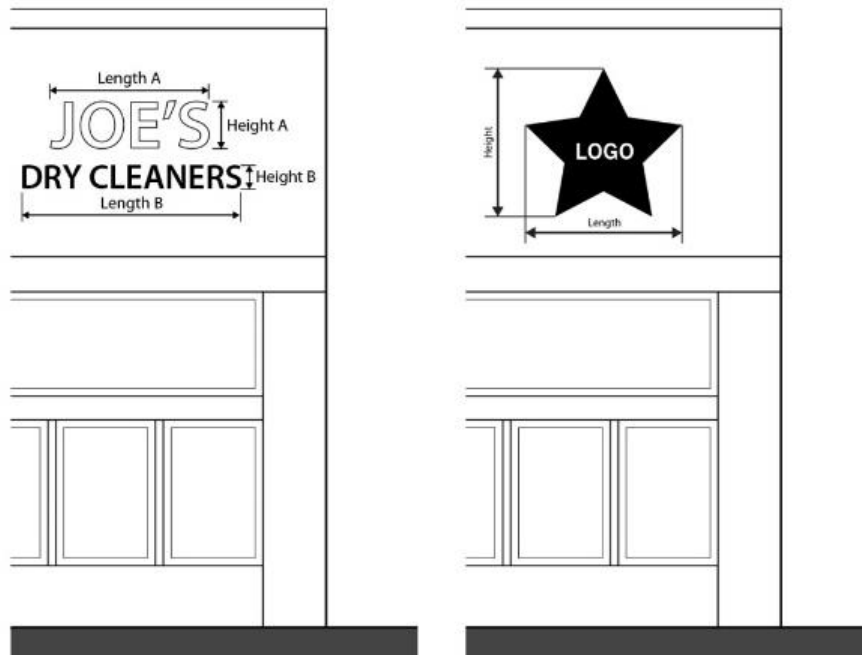
Notwithstanding the sign provisions of the zone(s) in which located, the following regulations shall apply to all zones:

- A. Signs shall comply with the following general design standards.
  1. Compatibility. Signs shall be designed to be compatible with the architectural style of the main structure or structures on the site where the signs are to be located and shall incorporate matching or similar construction materials, colors, and other design details.
  2. Illumination. The illumination of signs, from either an internal or an external source, shall not cast stray light on surrounding rights-of-way and properties. All illuminated signs shall comply with the following:
    - a. External light sources shall not illuminate any object other than the sign.
    - b. Unless otherwise allowed by another provision of this Chapter, signs shall not have blinking, flashing, or intermittent lights or other illumination devices that have a changing light intensity, brightness, or color.
    - c. The use of colored lights in a manner that could be confused or interpreted as traffic control devices are prohibited.
    - d. Light sources shall utilize energy-efficient fixtures compliant with Title 24 of the California Code of Regulations.
    - e. Any illuminated signs that identifies a business within, or adjacent to, a residential zone shall be turned off within two (2) hours after the business is closed.
- B. Projection and Clearance. All sign types shall conform to the clearance and projection requirements of this section.
  1. Signs that encroach on public property. No sign of any type as defined by this Chapter or any portion thereof shall extend or project over any public sidewalk, street, alley or other public property, unless as otherwise permitted by Section 18.23.060.F.
  2. Clearance. No projecting sign shall have a clearance of less than eight (8) feet above finish grade of the walkway below.

3. Interference with traffic or right-of-way. No sign shall be located in a manner which may obstruct or interfere with the view of a traffic signal or other traffic regulatory signs as determined by the Director of Public Works or his/her designee. No sign shall, as determined by the Director of Public Works or his/her designee, be so located as to create a hazard to the life or property of any person using the public right-of-way.
  4. Clearance from opening, fire exits or standpipes. No sign or sign structure shall be erected in such a manner that will interfere in any way or obstruct any opening, fire exit or standpipe.
- C. Construction Requirements. Every sign and all parts, portions, and materials thereof shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City laws and regulations. All signs shall comply with the following criteria:
1. Method of Attachment. All signs shall be safely and securely attached or anchored to the ground, wall, building, or the like in accordance with the requirements and specifications in the City's Building Code (Title 15) and as required by the Chief Building Official.
  2. Screening. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the structure or shall be concealed within the sign and shall be install in compliance with the applicable electrical codes as required by the Chief Building Official.
  3. Materials. All permanent signs shall be constructed of quality materials such as metal, concrete, natural stone, wood, glass, and acrylic. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements.
  4. Lighting. All freestanding signs that incorporate lighting shall have underground utility service.
- D. Maintenance Requirements. All signs, together with all of their supports, braces, guy and anchors, shall be kept in good repair and in a proper state of preservation in accordance with this section.
1. General Maintenance. It shall be the responsibility of the property owner to maintain every sign and all parts, portions, and materials thereof at all times in a state of safe and good repair.
    - a. All signs shall be maintained in a neat, attractive condition, and in adequate repair, as determined by the Director of Community and Economic Development or a designee, at all times.
    - b. Sign maintenance includes periodic repairs to prevent sign deterioration such as fading paint, fading colors, and peeling letters.

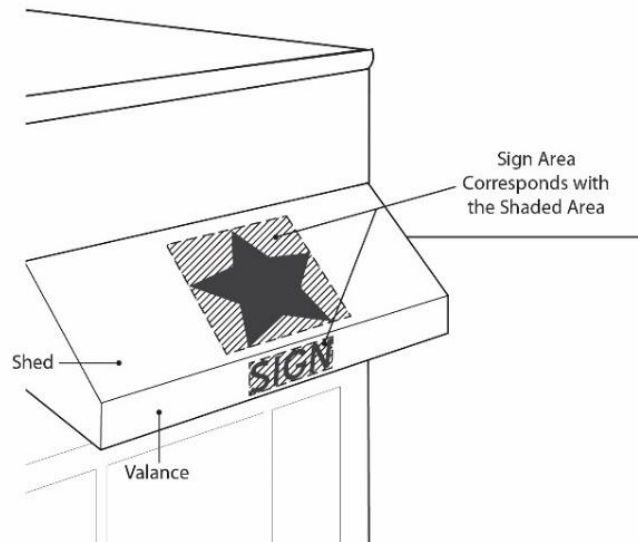
- c. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion.
  - d. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other non-maintained or damaged portions of a sign shall be repaired or replaced by the property owner within 30 calendar days following notification by the City.
2. General Sign Removal. When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected surfaces shall be restored to match the adjacent portion of the structure including wall texture and paint colors. This requirement does not apply to routine maintenance.
- E. Calculating the Area of Signs. For sign applications and permits, all sign plans shall incorporate the following methodology for calculating the area of signs.
- 1. General Area Calculation. Generally, the area of a sign including logos shall be measured as the overall length of the sign multiplied by the overall height of each segment of copy or logo inclusive of background. See Figure 18.23.060-1 (General Sign Area Measurement).
  - 2. Sign Area Allowance. Allowable sign area either is a set square footage per establishment or is based on a ratio of allowable sign area to primary building frontage (e.g., 1 square foot of sign area per 1 linear foot of primary building frontage). Where a ratio is listed, a maximum sign area also applies.

**Figure 18.23.060-1  
General Sign Area Measurement**



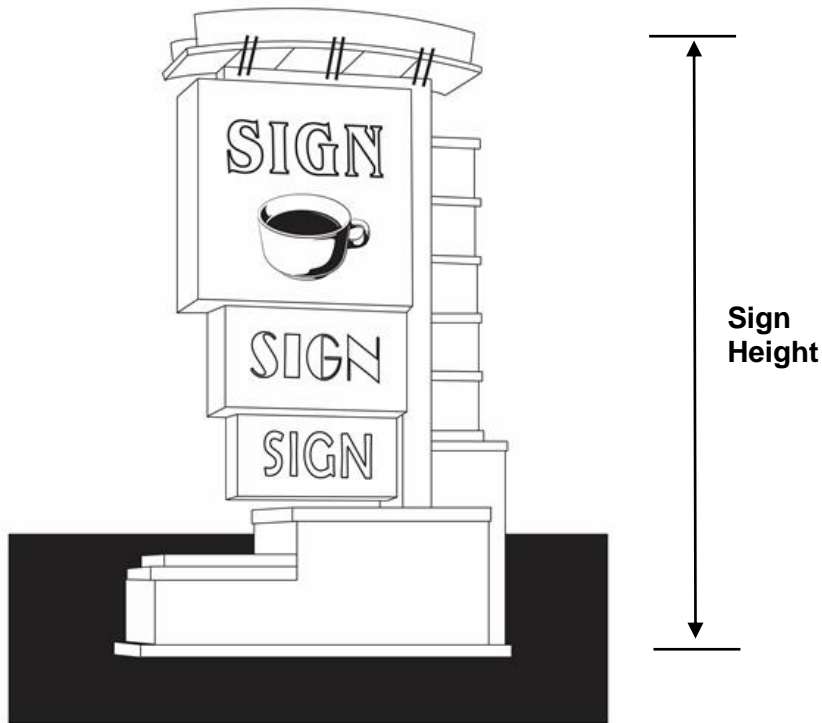
3. Awning Sign Area. Sign copy area which is applied to an awning and/or canopy, shall be computed at 100 percent of the area within a single rectangle enveloping the sign copy. See Figure 18.23.060-2 (Awning or Canopy Sign Area).

**Figure 18.23.060-2  
Awning or Canopy Sign Area**



4. Height of Freestanding Signs. The height of any freestanding sign shall be measured from the uppermost point of the sign/frame, structure to the finished grade immediately below such point. See Figure 18.23.060-3 (Height of a Freestanding Sign)

**Figure 18.23.060-3  
Height of a Freestanding Sign**



- F. Signs on City Property and Within the Public Right-of-Way. The following signs may project over the right-of-way, provided that the owner has obtained an encroachment permit from the Public Works Department:
1. Signs attached under canopies or marquees, which shall not exceed a dimension of 12 vertical inches by 48 horizontal inches, and shall clear the surface below by not less than eight feet.
  2. Signs affixed to the vertical face or valance of an awning or canopy for buildings located in an MX Mixed Use Overlay may be permitted subject to approval of a Design Review.
- G. Signs that advertise or identify the business, service, entity or activity conducted onsite in a language other than English are encouraged to include an English description of the use (i.e., "restaurant," "medical office," "grocery store," etc.) on the sign.
- H. Freestanding Signs. All freestanding signs shall be located within a landscaped area or planter, as approved through a Design Review. The base of any freestanding sign shall be constructed of masonry, wood, or other suitable building materials which are architecturally harmonious with the development to which the sign is appurtenant.

**18.23.070 Sign Regulations – Residential**

Zone	Attached Signs	Freestanding Signs
Single-Family Residential Zones (R-1a–c)	Not allowed	Not allowed
(R-2 to R-7) Multiple-Family Residential Zones	One or more signs with a collective sign area not to exceed 30 square feet.	One monument sign per street frontage, with a maximum area of 20 square feet for the first 100 lineal feet of frontage, plus 10 square feet for each additional 100 lineal feet of frontage, or fraction thereof. Maximum sign size is limited to 50 square feet in area and a maximum height of 6 feet.
Mobile Home Park (MHP)	Not allowed	One monument sign per street frontage, with a maximum area of 20 square feet for the first 100 lineal feet of frontage, plus 10 square feet for each additional 100 lineal feet of frontage, or fraction thereof. Maximum sign size is limited to 50 square feet in area and a maximum height of 6 feet.
Mixed Use (Residential Development)	One or more signs with a collective sign area not to exceed 30 square feet.	One monument sign per street frontage, with a maximum area of 20 square feet for the first 100 lineal feet of frontage, plus 10 square feet for each additional 100 lineal feet of frontage, or fraction thereof. Maximum sign size is limited to 50 square feet in area and a maximum height of 6 feet.

**18.23.080 Sign Regulations – Non-Residential**

<b>Wall Signs</b>	
<b>Maximum Sign Height/Length and Location Requirements</b>	<b>Maximum Number, Sign Area and Other Requirements</b>
<p><u>Sign Height/Length</u></p> <ul style="list-style-type: none"> <li>• Maximum height of all portions of a wall sign (including logo and multiple lines of copy) shall not exceed fifteen percent (15%) of the total wall height.</li> <li>• Maximum length of a wall sign shall not exceed seventy-five (75%) building façade length.</li> </ul>	<p><u>Number</u></p> <ul style="list-style-type: none"> <li>• Maximum of one wall sign per business elevation that faces a street and/or provides a public entrance.</li> </ul>
<p><u>Location</u></p> <ul style="list-style-type: none"> <li>• No sign shall encroach into the public right-of-way, unless approved through an encroachment permit by the Director of Public Works or his/her designee and the Director of Community and Economic Development or his/her designee.</li> </ul>	<p><u>Area</u></p> <ul style="list-style-type: none"> <li>• Commercial land uses: Maximum area of each sign shall not exceed thirty percent (30%) of the area of each building elevation where a sign is permitted.</li> <li>• Light Manufacturing and/or Planned Commercial Industrial land uses: Maximum area of each sign shall not exceed 15% of the area of the building elevation where a sign is permitted.</li> </ul> <p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Channel letters, reverse channel letters and push pin letters are preferred.</li> <li>• Signage containing multiple elements (e.g. logo and text) on one façade shall be designed so that the multiple elements are located and scaled with relationship to each other.</li> <li>• Internal and/or external illumination allowed. External light shall utilize energy-efficient fixtures compliant with Title 24 of the California Code of Regulations. Any illuminated signs that identify a business within, adjacent to, a residential zone shall be turned off within two (2) hours after the business is closed.</li> <li>• Signs shall be designed to be compatible with the architectural style of the main structure or structures on the site where the signs are to be located and shall incorporate matching or similar construction materials, colors, and other design details.</li> </ul>

<b>Freestanding Signs</b>	
<b>Maximum Sign Height/Length</b>	<b>Maximum Number, Sign Area</b>

<b>and Location Requirements</b>	<b>and Other Requirements</b>
<p><u>Sign Height/Length</u></p> <ul style="list-style-type: none"> <li>• Maximum height: eight (8) feet high</li> </ul>	<p><u>Number</u></p> <ul style="list-style-type: none"> <li>• One freestanding sign per street frontage of a property.</li> <li>• A freestanding sign shall not be permitted for each individual tenant(s).</li> <li>• Multiple freestanding tenant signs shall be subject to the approval of a Sign Program.</li> </ul>
<p><u>Letter Height</u></p> <ul style="list-style-type: none"> <li>• Minimum letter height shall be twelve (12) inches.</li> <li>• The maximum letter height shall be thirty-six (36) inches.</li> </ul>	<p><u>Area</u></p> <ul style="list-style-type: none"> <li>• Allowable sign area shall not exceed one square foot for each lineal foot of street frontage.</li> <li>• The sign area excludes the-framework (e.g., post, masonry column or beam). For double-faced (two-sided) freestanding signs, only one side of the sign shall be used to determine the sign area.</li> </ul>
<p><u>Location</u></p> <ul style="list-style-type: none"> <li>• Freestanding sign(s) shall be set back a minimum of fifteen (15) feet from the public right-of-way. Exceptions may be granted through the review and approval of a line-of-sight study, prepared by a licensed traffic or civil engineer.</li> <li>• No freestanding sign shall be located within two hundred fifty (250) feet of any other freestanding sign on the same business property.</li> <li>• All freestanding signs shall be placed in a landscaped area and shall have a minimum horizontal clearance of three (3) feet from any adjacent area used for vehicle traffic or parking.</li> </ul>	<p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Materials, design and colors for freestanding signs shall be complementary to the materials, design and colors of the buildings for the related development.</li> <li>• All monument and pylon type signs must have a base element. The base element must be designed to “ground” the sign through materials, including but not limited to, rock masonry, or wood, or through decorative treatment consistent with that found on the associated building.</li> </ul>

<b>Projecting Signs</b>	
<b>Maximum Sign Height/Length and Location Requirements</b>	<b>Maximum Number, Sign Area and Other Requirements</b>
<u>Sign Height/Length</u> <ul style="list-style-type: none"> <li>• Not applicable</li> </ul>	<u>Number</u> <ul style="list-style-type: none"> <li>• One per primary façade adjacent to designated pedestrian walkway.</li> </ul>
<u>Location</u> <ul style="list-style-type: none"> <li>• Attached to an exterior building wall (not permitted on freestanding exterior walls, fences or light fixtures). Projecting signs shall be placed only on ground-floor facades, except for businesses located above the ground level with direct exterior pedestrian access. In the case of a one-story building, the top of the sign shall, exclusive of the suspension structure, be no higher than the roof eave line.</li> <li>• Projecting signs shall be mounted perpendicular to the exterior building façade, or when located on the corner of the building, at a 45-degree angle to the corner of the building.</li> <li>• Where located above a pedestrian walkway, the lowest point of a blade or bracket sign shall be a minimum of eight (8) feet above grade.</li> <li>• A sign may project a maximum of five (5) feet from the building, but is not permitted to project over or onto the public right-of-way, without the approval of an encroachment permit by the Director of Public Works or his/her designee.</li> <li>• The sign shall be suspended with a clear space of at least six (6) inches between the sign and the structure. Exceptions may be granted consistent with applicable Building Code requirements.</li> </ul>	<u>Area</u> <ul style="list-style-type: none"> <li>• Maximum six (6) square feet for each blade and/or bracket signs.</li> </ul> <u>Other</u> <ul style="list-style-type: none"> <li>• Sign materials shall match those used on the buildings on the site and any other signs on the site.</li> <li>• Sign supports and brackets shall be compatible with the design and scale of the sign.</li> </ul>

<b>Awning and Canopy Signs</b>	
<b>Maximum Sign Height/Length and Location Requirements</b>	<b>Maximum Number, Sign Area and Other Requirements</b>
<u>Sign Height/Length</u> <ul style="list-style-type: none"> <li>• Not applicable</li> </ul>	<u>Number</u> <ul style="list-style-type: none"> <li>• Maximum of one sign per individual awning and/or canopy.</li> </ul>
<u>Location</u> <ul style="list-style-type: none"> <li>• Awning and/or canopy signs shall only be allowed for first-story occupancies.</li> </ul>	<u>Area</u> <ul style="list-style-type: none"> <li>• Signage shall only be permitted on the valance.</li> <li>• Signage shall not exceed 70% of the valance area.</li> </ul>
	<u>Other</u> <ul style="list-style-type: none"> <li>• The shape of the awning or canopy must reflect the architectural style of the building to which it relates.</li> <li>• Only permanent signs that are an integral part of the awning or architectural projection shall be allowed. Temporary signs shall not be placed on awnings.</li> </ul>

<b>Automobile Service Station Signs</b>	
<b>Maximum Sign Height/Length and Location Requirements</b>	<b>Maximum Number, Sign Area and Other Requirements</b>
<ul style="list-style-type: none"> <li>• One freestanding sign, or one monument sign; each sign may include name of fuel business, and name of convenience store, price of fuel, credit cards accepted, and existence of a car wash.</li> <li>• One attached sign to each device providing air or water service, recharging for electric vehicles and similar services.</li> <li>• One pump-top video display terminal per pump dispenser.</li> </ul>	<ul style="list-style-type: none"> <li>• Maximum of one canopy sign per street frontage and limited to 20 square feet not to exceed 70% of the vertical face on which the sign is located.</li> <li>• Attached signs that identify onsite services (air, water, recharging etc.) are limited to four square feet and shall not be illuminated.</li> <li>• Pump-top video displays are limited to a maximum viewable screen area of 19 inches measured diagonally.</li> <li>• Pump-top video display terminals shall be located a minimum of 40 feet to any residential zone or residential use boundary line.</li> </ul>

## 18.23.090 Sign Regulations – Temporary Signs

<b>Construction Signs</b>	
<b>Standards</b>	<b>Time Limitation</b>
<ul style="list-style-type: none"> <li>• A temporary sign permit must be obtained prior to the erection of a construction sign.</li> <li>• The placement of multiple on-site construction signs shall be subject to review and approval by the Chief Building Official.</li> </ul>	<ul style="list-style-type: none"> <li>• A construction sign not exceeding forty-five (45) square feet may be maintained on any lot or parcel that is undergoing construction.</li> <li>• Any such sign(s) shall be removed no later than three (3) working days after the issuance of a Certificate of Occupancy.</li> </ul>

<b>Real Estate Signs ("For Sale, Lease, Rental and/or Open House Signs")</b>	
<b>Standards</b>	<b>Time Limitation</b>
<p><u>Temporary On-site Residential</u></p> <ul style="list-style-type: none"> <li>• Signs shall not exceed 8 square feet in area and shall not exceed 6 feet in height.</li> </ul> <p><u>Temporary On-site Commercial and Industrial</u></p> <ul style="list-style-type: none"> <li>• Signs shall not exceed 32 square feet in area and shall not exceed 6 feet in height.</li> </ul> <p><u>Temporary Residential Open House Signs</u></p> <ul style="list-style-type: none"> <li>• Signs shall not exceed 6 square feet in area and shall not exceed 4 feet in height.</li> <li>• One open house directional sign may be placed in the parkway at any two intersections closest to the open house property within the City. The sign location shall not impede pedestrian or vehicular access or pose a safety hazard.</li> <li>• Two flags and open house sign may be placed in the parkway of the open house.</li> <li>• No signs shall be posted at any time along any street median or parkway, street tree or utility pole.</li> </ul> <p><u>General Standards for All Real Estate Signs</u></p> <ul style="list-style-type: none"> <li>• A permit for temporary real estate signs is not required.</li> <li>• All signs shall be placed not less than 10 feet back from the curb face and not within the public right-of-way.</li> <li>• No sign shall be so located as to create a hazardous condition.</li> </ul>	<p><u>Temporary On-site Residential, Commercial or Industrial</u></p> <ul style="list-style-type: none"> <li>• Sign shall be removed not more than 15 days after the close of escrow, lease or rental.</li> </ul> <p><u>Temporary Residential Open House Signs</u></p> <ul style="list-style-type: none"> <li>• No open house signs shall be allowed on any day of the week except Fridays, Saturdays, Sundays and legal holidays only from sunrise to sunset.</li> <li>• Any open house signs remaining in the parkway after the weekend or holiday shall be subject to confiscation by the City and a citation may be issued after one written warning.</li> </ul>

<b>Subdivision Signs</b>
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Standards	Time Limitation
<ul style="list-style-type: none"> <li>• A temporary sign permit must be obtained prior to the erection of a subdivision sign.</li> <li>• Subdivision signs may be erected along each street frontage of the subject lot for the purpose of advertising building sales in residential tracts.</li> <li>• No sign shall exceed an area of fifty (50) square feet or twelve (12) feet in height.</li> </ul>	<ul style="list-style-type: none"> <li>• Subdivision signs shall be removed within 12 months from the date of the approval or within 15 days after the close of escrow or date of lease or rental of such property, whichever period is the lesser, provided however, that such time limitation may be extended (for good cause shown) by the Director of Community and Economic Development.</li> </ul>

Banners	
Standards	Time Limitation
<ul style="list-style-type: none"> <li>• A banner permit must be obtained prior to installation.</li> <li>• The maximum area of any banner shall not exceed 45 square feet.</li> <li>• Must be constructed of plastic, vinyl, canvas or other weather resistant material. Banners may not be constructed of paper, cardboard, clear plastic or similar material.</li> <li>• Banners may not be used in lieu of a permanent sign.</li> <li>• Must be attached to an exterior building wall, located below the eave or roof parapet. No banners are allowed above the eave or roof line, on freestanding light fixtures, ancillary buildings, vehicles, landscape features or plant materials.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not be displayed more than thirty (30) consecutive days.</li> <li>• Shall be obtained no more than three times per calendar year with a minimum period of 30 days between each permit.</li> </ul>

Seasonal Commercial Sales Lots	
Standards	Time Limitation
<ul style="list-style-type: none"> <li>• Signs related to a seasonal commercial sales lot may be displayed upon the approval of the special event permit.</li> <li>• Signs shall not exceed a collective total of 100 square feet of area.</li> <li>• No sign shall exceed a height of eight feet.</li> <li>• Only one sign shall be allowed per commercial street frontage.</li> </ul>	<ul style="list-style-type: none"> <li>• All signs related to a seasonal commercial sales lot shall be removed upon the expiration of the special event permit.</li> </ul>

Window Signs	
Maximum Sign Height/Length and Location Requirements	Maximum Number, Sign Area and Other Requirements

<u>Sign Height/Length</u> <ul style="list-style-type: none"> <li>• Not applicable.</li> </ul>	<ul style="list-style-type: none"> <li>• A permit for window signs is not required.</li> </ul> <u>Number</u> <ul style="list-style-type: none"> <li>• Maximum 3 signs for windows up to 50 square feet in area.</li> <li>• Maximum 5 signs for windows up to 100 square feet in area.</li> </ul>
<u>Location</u> <ul style="list-style-type: none"> <li>• Window signs must be located on the interior of the window.</li> </ul>	<u>Area</u> <ul style="list-style-type: none"> <li>• Window signs must not obscure more than 33% of the total window or door area visible from a public street, right-of-way or parking lot.</li> </ul>

<b>Portable Signs</b>	
<b>Standards</b>	<b>Time Limitation</b>
<ul style="list-style-type: none"> <li>• A permit for the use of a portable sign is not required.</li> <li>• Shall not extend into the public right-of-way or adjacent properties.</li> <li>• Shall not be placed within any required parking spaces.</li> <li>• Sign may be placed within building recesses or in a manner as not to obstruct pedestrian or vehicle traffic flow.</li> <li>• Sign shall not exceed a collective total of 12 square feet of area.</li> <li>• No sign shall exceed a height of 36 inches measured from the pavement to the highest point of the sign and 24 inches in width measured between the outer most edges of the sign or frame, whichever is greater.</li> <li>• Only one sign shall be allowed per business.</li> </ul>	<ul style="list-style-type: none"> <li>• The use of a portable sign is only permitted during the established hours of operation of the business.</li> <li>• The sign shall be removed and stored inside the building at the close of each business day.</li> </ul>

<b>Campaign Signs</b>	
<b>Standards</b>	<b>Time Limitation</b>

<ul style="list-style-type: none"> <li>• A permit for the use of campaign signs is not required.</li> </ul> <p><u>Location</u></p> <ul style="list-style-type: none"> <li>• Shall not be posted without prior written approval of the property owner.</li> <li>• Shall not be posted upon any public property, including, but not limited to: streets, traffic signs, sidewalks, parkways, medians, and city parks.</li> <li>• Shall not be attached to any tree, fence, utility pole, nor affixed in any permanent manner to any structure.</li> <li>• Shall not be located as to constitute a hazard to auto and pedestrian traffic.</li> <li>• Shall not be located within one hundred feet of a polling place in accordance with the Elections Code.</li> </ul> <p><u>Sign Height/Length/Illumination/Content</u></p> <ul style="list-style-type: none"> <li>• Shall not exceed four (4) square feet in area and shall not exceed an overall height of five (5) feet.</li> <li>• Shall not be illuminated either directly or indirectly.</li> <li>• Shall include the name and address of the sponsor or individual responsible for posting of the political sign.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be removed within ten (10) calendar days after the election.</li> <li>• Any campaign sign posted in violation of this Chapter may be removed by the city after providing twenty-four (24) hour notice to the property owner.</li> <li>• The cost of removal of any campaign signs will be charged to the candidate, committee or the organization whose name appears on the sign as sponsor or responsible person or entity for such sign.</li> <li>• The City shall hold campaign signs removed pursuant to this section at the City Yard for ten (10) calendar days after they are removed for pick-up by the owner.</li> </ul>
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**18.23.100 Removal of Illegal Signs and Abandoned Signs – Public Nuisance Abatement**

In addition to any other lawful method for enforcement of the provisions of the La Habra Municipal Code (LHMC), the City may follow the provisions of this Chapter.

- A. **Illegal Signs.** Any sign which was not lawfully erected or maintained, or was not in conformance with the ordinance in effect at the time of the erection of the sign, or which was not installed with a valid permit from the City, or which poses a danger to persons or property, shall be considered illegal.
  1. Illegal signs shall be abated or removed by the property owner and/or tenant within 30 days after receiving notice of the violation.
  2. In the event that the property owner and/or tenant does not remove an illegal sign, within the given time, then such sign shall be required to be removed through an abatement process pursuant to the provisions of LHMC Chapter 18.74. The duty to abate arises upon notice by a City Official. Such notice shall give property owners 30 calendar days to cure/abate by conformance to

current law and/or current permit requirements, to abate by removal or other remedial action. If the property owner and/or sign owner fails or refuses to cure/abate within 30 calendar days of said notice, a designated City Official may initiate nuisance abatement proceedings pursuant to the provisions of Chapter 18.74.

B. Abandoned Signs. The following standards shall apply to conforming and nonconforming abandoned signs.

1. Abandoned or Vacated Business Signs. Any sign that pertains to a business/use or occupation which has vacated or is no longer using the particular property for a period of 30 calendar days or more, or which relates to a time or event which no longer applies, or constitutes false advertising/identification, shall conform to the following:

- a. The sign or sign copy shall be removed within 30 calendar days after the associated business/use, occupation, or event has vacated the premises. An abandoned sign is prohibited, and the removal shall be the responsibility of the owner of the sign or the owner of the premises.
- b. If the sign structure is maintained, the sign copy shall be replaced with a blank sign copy within 30 calendar days of the close of the associated business/use, occupation, event or operation (e.g., no utility service, business/use is not open for more than 30 calendar days).
- c. A blank sign copy shall mean, a sign face or sign copy that does not display any visible advertising matter. No exposed light fixtures or exposed internal wiring is permitted for vacated business signs.
- d. A sign structure that is maintained with a blank copy shall only be allowed to remain for 12 consecutive months from the date of the closure of the business/use. At the conclusion of this time period, if no new business/use utilizes the sign structure, the entire sign structure shall be removed by the property owner. If the sign is not removed, a code enforcement officer or designated City personnel may have the sign removed in accordance with the public nuisance abatement provisions of LHMC Chapter 18.74 and the property owner will be held responsible for the cost of removal.
- e. Any prior exceptions, adjustments, or modifications granted for the abandoned or obsolete sign are void 45 calendar days after the business is no longer in operation, provided the sign structure was continually maintained with a blank sign copy pursuant to this Chapter.

### **18.23.110 Nonconforming Signs**

Every sign in existence on the effective date of the ordinance codified in this Chapter, and which was legal at the time of installation, and which does not conform to the provisions of this Chapter, is a legal, nonconforming sign. The following requirements shall apply to all legal, nonconforming signs.

- A. A nonconforming sign shall not be:
  - 1. Changed to another nonconforming sign;
  - 2. Structurally altered to extend its useful life;
  - 3. Expanded;
  - 4. Reestablished after a business has been discontinued for 60 calendar days;
- B. No new sign shall be approved for a site, structure, building, or use that contains nonconforming signs unless such nonconforming signs are removed or modified to conform with the provisions of this Chapter.
- C. No building permit or discretionary permit shall be issued for any structures, building expansion, or new building construction on a site which contains nonconforming signs, unless all signs on the site are brought into conformance with this Chapter. This does not apply to interior alterations which do not substantially change the character or intensity of the site.
- D. All nonconforming signs shall be removed at such time as the use of any site, building, or structure is changed. A change in business ownership shall not be deemed a change of use, pursuant to this section.
- E. Removal/Abatement. Any sign which becomes nonconforming as a result of the provisions of this Chapter shall be protected from removal by applicable provisions of State Law and may be removed only as allowed by State Law. The City shall order signs to be abated by the property owner and/or person or entity responsible for the sign installation and/or maintenance.
- F. Maintenance and Repair. Any sign currently in use that was legally installed but does not conform to the requirements of this Chapter may continue with routine maintenance and repair, such as repainting, or replacement of the sign face or sign copy. No enlargement or physical change or the construction of additional sign area is permitted. For the purposes of this section "physical change" means any type of change to the structure of a sign.
- G. Restoration of Damaged Signs. As determined by the Director of Community and Economic Development, whenever fifty (50) percent or less of a nonconforming sign is destroyed by fire or other calamity (not including intentional acts), the sign may be restored to its nonconforming condition and the sign modified as necessary to comply with current Code requirements. Any non-conforming sign destroyed by more than 50 percent of its assessed value shall not be restored unless it is brought into compliance with the provisions of this Chapter.
- H. Abatement Procedures. The provisions of LHMC Chapter 18.74 apply to the abatement of any nonconforming sign.
- I. Appeal Procedures. The provisions of LHMC Chapter 18.74 shall apply to the appeal of an order to abate a nonconforming sign.

**SECTION 7. Repeal and Replace Section 18.24.040.** Section 18.24.040.A.3 (Height of Building) of Chapter 18.12 (Special Development Standards) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

3. No penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment; towers, steeples or other structures shall exceed the height limit provided in this title. Radio and television masts, camouflaged wireless communication facilities, flagpoles, chimneys and smokestacks may extend not more than thirty-five feet above the height limit provided in this title; provided, however, that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.

**SECTION 8. Repeal and Replace Section 18.26.050.** Section 18.26.050.C (Special Development Standards) of Chapter 18.26 (R-2, R-3, R-4, R-5, R-6 and R-7 Multiple-Family Dwelling Zones) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

- C. Signs. See Chapter 18.23 of this code.

**SECTION 9. Repeal and Replace Section 18.28.050.** Section 18.28.050.C (Special Development Standards) of Chapter 18.28 (MHP Mobile Home Park Residential Zone) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

- C. Signs. Signs conforming to Chapter 18.23 shall be permitted in the MHP zone, which advertise the mobile home park.

**SECTION 10. Repeal and Replace Section 18.32.040.** Section 18.32.040.A.1 (Standards of Development) of Chapter 18.32 (C-P, C-1, C-2, C-2s, C-2sH, and C-3 Commercial Zones) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

1. No penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment; towers, steeples or other structures shall exceed the height limit provided in this title.

**SECTION 11. Repeal and Replace Section 18.32.050.** Section 18.32.050.B (Special Development Standards) of Chapter 18.32 (C-P, C-1, C-2, C-2s, C-2sH, and C-3 Commercial Zones) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

- B. Signs. See Chapter 18.23.

**SECTION 12. Repeal and Replace Section 18.33.050.** Section 18.33.050.C (Special Development Standards) of Chapter 18.33 (C-R Commercial and High-Density Residential Zone) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

- C. Signs. See Chapter 18.23.

**SECTION 13. Repeal and Replace Section 18.38.050.** Section 18.38.050.C (Special Development Standards) of Chapter 18.38 (M-1 Light Manufacturing Zone) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

C. Signs. See Chapter 18.23.

**SECTION 14. Repeal and Replace Section 18.74.040.** Section 18.74.040.B.5 (Declaration of Nuisance) of Chapter 18.74 (Neighborhood Preservation, Code Enforcement and Abatement) of Title 18 (Zoning) of the La Habra Municipal Code to read as follows:

5. Violate Sign Ordinance. Any sign or sign structure maintained in violation of Chapter 18.23 of this code; or

**SECTION 15. Inconsistencies.** Any provision of the La Habra Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**SECTION 16. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of La Habra declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**SECTION 17. Effective Date.** This Ordinance shall take effect thirty (30) days after its final passage.

**SECTION 18. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, cause this Ordinance to be published in a manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933(c).

**PASSED, APPROVED, AND ADOPTED** this 4<sup>th</sup> day of December, 2023.

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James Gomez  
Mayor

ATTEST:

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Rhonda J. Barone, CMC  
City Clerk

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } SS.  
CITY OF LA HABRA }

I, Rhonda J. Barone, CMC, City Clerk of the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 1852 introduced at a regular meeting of the City Council of the City of La Habra held on the 20<sup>th</sup> day of November, 2023, and was thereafter adopted at a regular meeting held on the 4<sup>th</sup> day of December, 2023, by the following vote:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:  
ABSTAIN:       COUNCILMEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this 4<sup>th</sup> day of December, 2023.

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Rhonda J. Barone, CMC  
City Clerk