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Staff Report

**STUDY
SESSION ITEM** 2

To: Lemoore City Council
From: Steve Brandt, City Planner *SB*
Date: February 18, 2014
Subject: Signs, Sign Ordinance, and Sign Permits

Summary

This is an informational report about the current status of the City's Sign Ordinance, the process to obtain a sign permit, and the signage trends occurring in the City of Lemoore. As in almost every city, the Zoning Ordinance contains a chapter establishing regulations for signs. In the Lemoore Zoning Code the regulations are found in Title 9, Chapter 5, Article F. The Ordinance regulates the type, number, size, and placement of signs, as well as the materials that can be used. It regulates both permanent and temporary signs.

While the Sign Ordinance covers signs for all types of land uses, sign regulations for commercial uses are the most involved. Commercial businesses rely heavily on signage to advertise their business. Business owners can have great passion about their signs, and it is very understandable that they would want to do everything in their power to promote their business. This means that the City sometimes gets put in the position of referee, and must use the Sign Ordinance to set the level playing field for competing businesses. Other times the City must use the Sign Ordinance to set a minimum standard for attractiveness of signs by regulating size number, placement and materials.

Over the past few months, Staff has noticed that some new signs have been installed that did not first get sign permits, and that the use of temporary signs that do not meet the Sign Ordinance has increased. It is our intention to become more active in dealing with signs (both permanent and temporary) that do not meet the Sign Ordinance's standards. This would be done through written and verbal communication with property owners by the City's planning services staff in the Public Works Department. As with other sections of the City Zoning Code, all efforts will be made to find ways to approve signs that meet the minimum written standards set by the Zoning Code. Based on the current situation observed, the focus will likely be on ensuring new signs meet current codes, requiring that unused signs for closed businesses that do not meet current code be removed, and informing businesses of the rules about temporary signs.

Recommendation

When staff becomes aware of illegal signs and/or signs that are installed without proper permits, we intend to address those issues through communication with property owners, either verbally or in writing. Any direction the Council has for staff related to the administration of the Sign Ordinance can be incorporated into our processes.

Discussion

Many cities struggle with the administration of their Sign Ordinance, especially related to temporary signs and banners. Setting a standard and then just assuming that property owners will all abide by the standard results in some owners that take advantage to break the rules. Eventually either a business competitor or the general public complains. Conversely, taking a heavier-handed regulatory role often results in conflicts between owners and the City and takes up an undue amount of Staff's (and eventually Council's) time and energy. Finding a balance between over-regulation and under-regulation can be difficult.

The recent revisions to the Zoning Code made only minor changes to the Sign Ordinance. However, Staff believes that there is a perception among some in the public that the elimination of the Planning Department now means that sign permits are no longer needed. Staff would like the public (especially business owners) to know the rules before they invest money in signage that does not meet City standards.

Temporary Signs

Temporary signs are particularly difficult to regulate. There are specific standards, but they do not require a permit. The following are examples of some temporary signs and how they do or do not meet the City's standards. *NOTE: These pictures are meant to serve as examples only and are not intended to single out the particular businesses that are shown.*

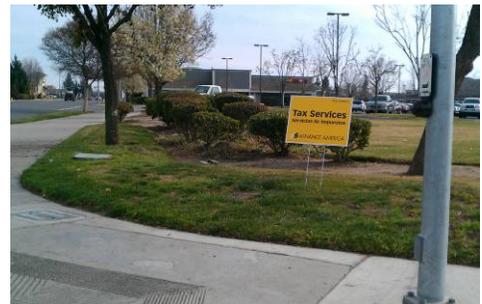
Banners are allowed for up to 30 days, with a 30-day waiting period afterwards. One banner is allowed per business; two if the business has two street frontages. Maximum size is based on the size of the building, up to 100 square feet of signage. Signs cannot be located above the roofline, or within 15 feet of a street's curb.



One A-frame sign (or one stick sign) is allowed per business. It is to be a maximum 10 square feet, and no more than 5 feet tall. They must be 15 feet behind a street's curb. Balloons are not allowed for advertising, although that code is meant for inflatable signs or a string of balloons that could potentially float into the street, not this example.



One stick sign (or one A-frame sign) is allowed per business, two if the business has two street frontages. The maximum size is 10 square feet with a maximum height of five feet.



These are examples of vertical banners. The Sign Ordinance allows one per business that are up to 20 square feet in size. They must be 15 feet behind the curb, outside of the public right of way, and are only to be placed for a maximum of 30 days, with a waiting period of 30 days afterwards.



The Sign Ordinance prohibits signs that are mobile, rotate or move; however, it cannot regulate a person who is holding a sign. Staff would only get involved if traffic or the sidewalk was being blocked. If the person were to stick the sign in the ground and walk away, then Staff would regulate it as a stick sign.



Sign Permits

Temporary signs do not require a sign permit. However, permanent signs do require a sign permit issued by the City. The current fee for processing a sign permit is \$160. In the past six months there have been 10 sign permits processed. All were approved. The typical processing time has been less than one week, except in cases where the business needed to secure approval by the building owner.

Residential Subdivisions

To assist homebuyers in finding residential subdivisions that are selling new homes, the following table illustrates the types of signs that a homebuilder can use to advertise that they have new homes for sale.

Sign Type ²	Development Standards			
	Maximum Temporary Number Permitted	Maximum Area	Maximum Height	Minimum Setback From ROW
On site subdivision signs or new/substantially renovated apartment complexes:				
Banner	3	30 sf each	Roofline	10'
Entrance signs	1 per subdivision entrance or 1 per 50 lots in the subdivision whichever is greater, maximum 5	80 sf each	15'	10'
Model home sign	1 per model home	15 sf	5'	5'
Flags	5 poles per street frontage, maximum 15 poles per subdivision	20 sf/pole	25'	10'

In addition, the Zoning Code offers an off-site kiosk program that home builders can use. These kiosk signs are allowed to be placed outside of the subdivision with property owner permission. Currently, no builders are taking advantage of this program.