

Article 14. Signs and Signage Regulations

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Sec. 1401. Purpose and Objectives: Sign regulations are established to protect vital agricultural land, promote economic vitality in Commercial and Industrial zoning districts, and enhance the appearance of the unincorporated areas of the County. Sign regulations are also intended to preserve and protect the public health, safety, and welfare within the County. Regulating signs that are subject to local land use sign regulations will promote reasonable and effective use of signs while preventing their over-concentration, improper placement, deterioration, excessive size, or excessive number.

Sec. 1402. General Provisions: Signs are generally allowed in all zoning districts provided they comply with this Article and with the corresponding and relevant zoning district regulations. Some signs are permitted by right while others require a Site Plan Review or Conditional Use Permit. The amount of signage allowed for each parcel or use is defined in terms of the number allowed or the total square footage of all signs. Therefore, in terms of commercial type uses, for example, where the amount of signage allowed is expressed as an “aggregate sign area”, the total area of all signs installed for the commercial use cannot exceed the total area for the zoning district as shown in this Development Code. The following provisions apply to signage in all zoning districts:

- A. Allowable Signs: Signs may be either commercial or non-commercial in nature depending on the land use the sign is related to. Listings are provided in the Articles of this Development Code relating to each zoning district within the County to describe signs allowable in a particular zoning district. A complete list of the types of signs allowable in the unincorporated areas of the County is provided under the definition of “Signs” in Article 25 of this Development Code.
- B. Sign Placement: Signs shall be placed on private property and not in any public right-of-way or utility easement, and shall comply with Traffic Safety Visibility Area requirements, including the following;
1. Temporary signs that are three feet in height or less and not exceeding six square feet in size may be located in any portion of a setback provided they are not a pedestrian hazard.
 2. No freestanding sign permitted by this Section shall be placed within 30 feet of a street intersection (intersecting curb lines) unless placed on a pole at least 12 feet above the ground or unless placed at a maximum height of three feet above the ground.
 3. Unless a different setback is specified for a particular zoning district, the minimum setback distance for all signs over three feet in height shall be ten 10 feet from property lines.
- C. Property Owner’s Consent. Signs shall not be displayed without the written consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this policy, “property owner” is defined as the holder of a present



right to possession, control, and use of the property.

- D. **Message Neutrality.** It is the County’s policy to regulate signs in a constitutional manner that is content neutral as to noncommercial messages and viewpoint neutral as to commercial messages. This Article shall be construed in a manner that is consistent with the County’s policy on message neutrality.
- E. **Sign Clearance:** Awning signs, projecting signs, or freestanding signs that are constructed over a sidewalk or driveway shall have a minimum clearance of eight feet above the surface they are located over.
- F. **Changes to Sign Face:** Changes to an on-site sign face that do not structurally alter the sign or its size are allowed without a zoning permit.
- G. **Maintenance of Signs:** Signs shall be maintained in a state of good repair at all times. Damage to signs, including cracked or broken sign faces, frayed or weathered fabric, and broken lighting shall be repaired.
- H. **Removal of Signs:** If an establishment ceases to operate for a period of 180 days or more, all signs associated with the establishment shall be removed by the property owner. A structure housing or supporting the sign message may be allowed to remain on the property if the sign message is removed and the structure itself is not a safety hazard.
- I. **Mixed Use Zones.** In a zoning district where both residential and non-residential uses are allowed, the signage rights and responsibilities applicable to a particular use shall be determined as follows: residential uses shall be treated as if they were located in a residential zone where that type of use would be allowed as a matter of right, and non-residential uses shall be treated as if they were located in a zone where the particular use would be allowed, either as a matter of right, Site Plan Review or subject to a Conditional Use Permit or similar discretionary process.
- J. **Pedestrian-Oriented Signs.** It is desirable and encouraged to include a Pedestrian-Oriented Sign as one of the permitted signs for a business in the Commercial and Mixed Use zoning districts. Pedestrian-Oriented Signs are signs that are designed for and directed toward pedestrians so that they can easily and comfortably read the sign as they stand adjacent to the business.

**Figure 14-1
PEDESTRIAN ORIENTED SIGN**



Sec. 1403. Types of Speech in Signage: Signs may display noncommercial speech or commercial speech to convey a message. For the purposes of signage requirements within this Development Code, these two terms are defined as follows:

- A. **“Noncommercial Speech”** is any speech that is not commercial.
- B. **“Commercial Speech”** is speech that proposes a consumer transaction. In ambiguous situations, whether speech proposes a consumer transaction must be determined by identifying the speaker and the intended audience, and by evaluating the content of the message. The speaker necessarily will be someone engaged in commerce or acting for the benefit of someone engaged in commerce, and the intended audience typically will be actual or potential consumers, or those who are



likely to influence consumers. With respect to the content of the message, commercial speech has an economic motivation, and typically includes factual representations about the business operations, products, or services of the speaker.

Sec. 1404. Substitution for Non-commercial Speech: Any non-commercial message or speech may be substituted for the copy of any commercial sign allowed under this Section.

Sec. 1405. Prohibited Display Copy: No person shall publicly display or cause or permit to be publicly displayed upon any sign or advertising structure any content that is obscene or otherwise entirely outside of the protection of the First Amendment, (including advertising for any product or service that is illegal under federal, state or local law), or any indecent or profane content that is sufficiently offensive to the sensibilities of a reasonable member of the community so as to constitute a nuisance, including but not limited to any picture or illustration of any human figure in such detail as to offend public morals or decency. (See *F.C.C. v. Pacifica Found.* (1978) 438 U.S. 726, 750-751.)

(Ordinance No. 668-2-16, §4, 1/26/16)

Sec. 1406. Types of Signs:

A. Non-Conforming, Discontinued, Abandoned, and Prohibited Signs:

1. **Non-Conforming Signs:** A non-conforming sign for a non-conforming use, which is discontinued for a period exceeding 180 days, or is superseded by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.
2. **Discontinued and Abandoned Signs:** Any sign which is located on property which becomes vacant or unoccupied for a period exceeding 180 days, or is devoid of any message for a period exceeding 180 days or displays a message pertaining to a time, event, or purpose that no longer applies shall be deemed to have been discontinued and abandoned. Any sign whose use had been discontinued and abandoned is prohibited and shall be removed by the owner of the sign or owner of the premises or parcel.
3. **Prohibited Signs:** The following types of signs are specifically prohibited:
 - a. **Animated, video, flashing or moving signs:** Signs that incorporate video, flashing, moving, rotating, pulsating or intermittent lighting or movement, with the exception of changeable copy message center signs and barber poles, unless specifically permitted elsewhere in this Development Code.
 - b. **Signs that emit sound.**
 - c. **Signs creating pedestrian safety or traffic hazards:** Signs that simulate in color, size or design any traffic control sign, signal or device, or that make use of words, symbols or characters in a manner that interferes with, misleads or confuses pedestrian or vehicular traffic. No sign, light or advertising structure shall be located in such a manner as to constitute a hazard to pedestrian or vehicular traffic, or in such a manner as to obstruct free and clear vision at any location where, by reason of the position, shape, color or movement may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
 - d. **Signs on trees.**
 - e. **Signs on utility poles,** other than signs installed by the utility and related to the utility facility.
 - f. **Hazardous location:** Signs located in a manner that:
 - (1) Interferes with the free use of a fire escape, exit or standpipe; or
 - (2) Obstructs a required door, stairway, ventilator, window or public way; or
 - (3) Are otherwise hazardous.



B. Permanent Signs: In general, permanent signs are those signs that:

1. Are used to identify a business or other land use on a parcel; and
2. Have been permitted through either a Site Plan Review or Conditional Use Permit as part of the permitting process for the business or other land use located on the parcel. Permanent signs shall be erected in such a manner as not to create a traffic or pedestrian hazard and shall comply with the following requirements:

Table 14-1 Permanent Sign Types and Requirements			
Type of Permanent Sign	Number Permitted	Maximum Sign Height	Sign Clearance above ground
Pole signs	1 per site	20 feet	Minimum clearance of 14 feet over parking lots and driveways, and 8 feet over pedestrian walkways.
Monument or free standing signs	1 per frontage per site	7 feet	N/A
Wall mounted signs	4 per building façade or tenant space frontage	Shall not be mounted or placed higher than the second story.	Shall not extend higher than the building wall upon which they are located.
Projecting signs	1 per building façade or tenant space frontage	Shall not extend higher than 20 feet above ground level or above an eave or roof, whichever is lower.	8 feet
Awning signs	4 per building facade	25 feet	8 feet
Marquee sign	1 per site	Per maximum height allowed in zoning district.	8 feet

C. Temporary Signs:

1. **Temporary Special Event Signs** are permitted in compliance with the following requirements:
 - a. Canvas signs and banners, including signs made of materials such as Coroplast, foam-core, or other similar material, not exceeding 32 square feet in size are permitted for community or business sponsored special events.
 - b. Temporary special event signs are limited to one sign per parcel and shall be installed no sooner than 30 consecutive days prior to the event.
 - c. Temporary special event signs should be professionally designed and fabricated from durable and weatherproof materials and shall not exceed 12 foot height limit above ground level.
 - d. Advertising flags, pennants, streamers, garlands, whirly-gigs and similar devices may only be used in conjunction with a permitted temporary special event sign and must be removed at the same time as the temporary sign to which they relate.
 - e. It is the responsibility of the owner of the property on which the sign is located to ensure that the temporary special event sign is removed no later than 10 calendar days after the event.
2. **Temporary Advertising/Promotional Signs** are permitted in compliance with the following restrictions:
 - a. Canvas signs and banners, including signs made of materials such as Coroplast, foam-core, or other similar material, not exceeding 32 square feet in size are permitted for “grand opening” of a new business, “relocation”, “going out of business”, “new occupancy”, “new proprietor”, “new management”, or other similar event.
 - b. Temporary Advertising/Promotional signs are limited to one sign per business and shall be installed no sooner than 14 consecutive days prior to the event.



- c. Temporary Advertising/Promotion signs should be professionally designed and fabricated from durable and weatherproof materials and shall not exceed a 12 foot height limit above ground level.
 - d. Advertising flags, pennants, streamers, garlands, whirly-gigs and similar devices may only be used in conjunction with a permitted temporary advertising/promotional sign and must be removed at the same time as the temporary sign to which they relate.
 - e. It is the responsibility of the owner of the property on which the sign is located to ensure that the temporary advertising/promotional sign is removed no later than 10 calendar days after the event.
3. **Large Temporary Subdivision Signs** pertaining to the sale of lots, tracts, or homes within a recorded subdivision are defined as measuring more than 32 square feet in area or six feet in height are permitted in compliance with the following requirements:
- a. Large Temporary Subdivision Signs are a permitted use on the site of such subdivision in the all zoning districts and may have copy on both sides.
 - b. Signs shall be limited to one per recorded parcel map or final map, per perimeter abutting street up to a maximum of four Large Temporary Subdivision Signs per subdivision.
 - c. Large Temporary Subdivision Signs allowed by Section 505 of this Development Code, shall be located within the subdivision, or on an adjacent site which is not part of another residential development project or subdivision, where the sales of the lots or homes will take place, for a period of not to exceed 24 months from the date of recordation of the subdivision map.
 - (1) The Large Temporary Subdivision Sign may remain on the approved site up until the time the last lot is sold and a building permit is issued for a residence on the lot.
 - (2) The Large Temporary Subdivision Sign must also be removed at the expense of the property owner if the map is not recorded within 90 days of the issuance of the Certificate of Occupancy. Otherwise the subdivision signs shall be removed prior to the expiration of 24 months from the date the subdivision map is recorded, unless an extension of time of no more than 12 months is granted by the Planning Commission. Upon expiration of such extension period, subdivision signs shall be removed at the expense of the owner.
 - d. Such Large Temporary Subdivision Signs may be permitted prior to recordation of the subdivision map.
 - e. Large Temporary Subdivision Signs shall not exceed 100 square feet in size.
4. **Small Temporary Subdivision Signs** pertaining to the sale of lots, tracts, or homes within a recorded subdivision are defined as measuring less than 32 square feet in area and no more than six feet in height are permitted in compliance with the following requirements:
- a. Shall not require sign permits issued by the Planning Division of the Community Development Agency.
 - b. May have copy on both sides.
 - c. Shall be limited to one sign per new subdivision on each major community entrance route.
5. **Temporary Construction Signs** shall not require sign permits issued by the Planning Division of the Community Development Agency, but must conform to the following requirements:
- a. One sign per street frontage where a building is under construction is permitted in all zoning districts.
 - b. Temporary construction signs shall not exceed 32 square feet in area and shall be placed at least 10 feet from any public right-of-way and shall comply with the Traffic Safety Visibility Requirements.



- c. If attached to a structure, the sign shall not exceed the roof line or parapet wall of the building or structure. If freestanding, the maximum height is six feet.
- d. Temporary construction signs shall be non-illuminated.

D. Exempt Signs shall not require sign permits issued by the Planning Division of the Community Development Agency and do not count toward the total sign number or area limit for a site provided they conform to the specified standards:

1. Signs displayed during holidays as identification of temporary sales areas for trees, pumpkins, and similar holiday items, provided such signs are displayed only within 30 days prior to the holiday.
2. Temporary signs for events of a general County wide civic or public benefit.
3. Signs not discernable beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
4. The placement and maintenance of official traffic, fire, and police signs, signals, and devices of the State of California, County of Kings, incorporated city, or other authorized public agency, and the posting of notices as required by law.
5. Non-illuminated directional or informational signs of a non-commercial public or quasi-public nature, including street, building, or suite numbers which do not exceed six square feet.
6. Signs designating a historic landmark.
7. **On-Site Real Estate Signs** shall not require sign permits issued by the Planning Division of the Community Development Agency, but must conform to the following requirements:
 - a. One non-illuminated sign per street frontage, pertaining only to the lease, sale, or rental of the land or structure on that land upon which such signs are displayed, is permitted in all zoning districts.
 - b. Real estate signs shall be removed within 10 days after the lease, sale or rental of the property or structure has been accomplished.
 - c. Unless a different size is specifically allowed in a particular zoning district, portable real estate signs shall not exceed six square feet in area or four feet in height.
 - d. Up to four open house directional signs intended to direct traffic to a property for lease, sale, or rental are permitted in all zoning districts during the time the open house is being conducted.
8. **Awning Signs** shall not require a sign permit and are not calculated against the total allowable signage. Awnings shall conform to the size and shape of the window or door they are above. Overly large awnings and awnings with unusual shapes designed for the purpose of providing additional sign area are not allowed.
9. **Noncommercial Signs** shall not require sign permits issued by the Planning Division of the Community Development Agency and are not restricted in quantity, but must conform to the following requirements:
 - a. Political Signs pertaining to candidates for public office, measures, or issues on a scheduled election are permitted in all zone districts subject to the requirements of state law. For additional requirements concerning political and campaign signs, contact the Kings County Election Department.
 - b. Political signs shall not be placed or posted on any public owned property including public lands and buildings. Political signs also shall not be placed or posted on publicly owned utility polls, walls, playground equipment, fire hydrants, trees, or like facilities in a manner that could imply public endorsement of a position or candidate. As used here, "public property" does not include public rights-of-way over private property, but political signs will be removed by the County from public rights-of-way to the extent that non-political signs would also be removed to keep rights-of-way safe and accessible.



- c. Generally applicable regulations governing all types of signs shall apply in a like manner both to signs bearing commercial and noncommercial messages. As with commercial signs, a person placing a noncommercial sign should pay special attention to the sign placement requirements of Section 1402.B, above
- d. Temporary event signs of a noncommercial nature, such as for religious services or charity events sponsored by not-for-profit organizations, are exempt from the requirements of subdivision C of this section except to the extent that those requirements apply to all types of signs generally. As with all types of signs, placement of temporary event signs in any manner that would constitute a common law nuisance is not allowed, including the excessive placement of such signs or the failure to remove or maintain signs following the event advertised.
- e. Temporary decorations or displays including window paintings associated with a holiday, festival, or other special event are permitted when the decorations or displays contain no reference to goods or services sold or provided onsite. So as not to constitute a nuisance, such temporary decorations or displays, should be displayed not more than 30 calendar days prior to the holiday, festival, or event, and 10 calendar days after the holiday, festival, or event. Any temporary decoration or display of any nature shall be removed by the property owner if the timing of the decoration or display, together with the size, appearance, and/or failure to maintain the decoration or display, actually rises to the level of a common law nuisance and creates a hazard or gives rise to public complaints.

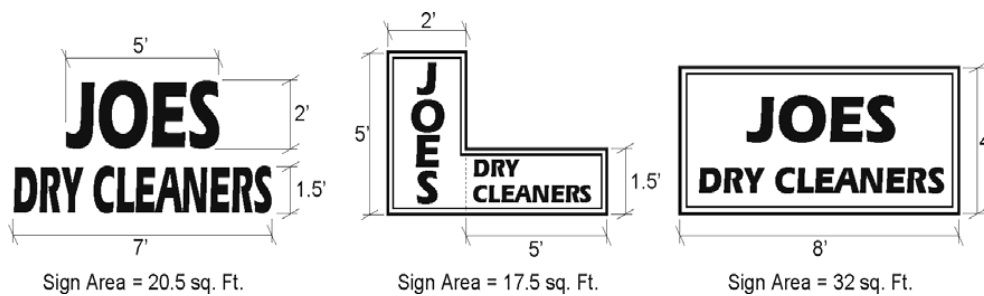
10. **Residential Name Plates** for single-family dwellings which identify the family name shall not require sign permits.

(Ord. No. 668-1-16, §17, 1/12/16)

Sec. 1407. Sign Area Computation:

- A. **The Aggregate Sign Area** is the sum of the entire area contained within the sign frame(s), cabinet(s), fixture(s) or design(s) including all ornamentation, super graphics, or other decoration used to attract attention.
- B. Structural elements that are clearly incidental to the display of a sign are not counted as part of the sign’s area.
- C. Only one face of a double-faced sign shall be counted in computing the permitted area of the sign. If the sign is multi-faced (three or more faces), then the third or subsequent faces shall be counted in computing the permitted area of the sign.
- D. The total sign area for a use is calculated as the sum of the sign areas of all types of signs on the site pertaining or associated with the use, excluding signs that are exempt or specifically not counted as part of the total sign area.

Figure 14-2
SIGN AREA MEASUREMENT



Sec. 1408. Signs by Zoning District: Each zoning district within this Development Code contains a list of the type of signs allowed in the particular zoning district as well as those signs that require a zoning permit. Refer to the pertinent Article of this Development Code to determine the type of signage allowed for a particular zoning district. In the event of a direct conflict between a sign regulation contained in this Article and any other article of this Development Code, the regulations stated in this Article shall take precedence. If two apparently conflicting sign regulations stated in this Development Code can be harmonized in a manner so as to give effect to both provisions, an interpretation that allows for such harmonization shall be deemed correct unless that interpretation conflicts with the policy stated at Section 1402.D, above.



Sec. 1409. Illumination of Signs:

- A. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
- B. Signs shall not have exposed fluorescent tubes or incandescent bulbs and the degree of brightness or luminous of backlighted signs shall not interfere with the use and enjoyment of adjacent properties, create a public nuisance, or create safety hazards.
- C. Light sources (e.g., light bulbs) used for externally illuminated signs shall not be visible within 100 feet of any residential zoning district. Internally illuminated signs visible from any residential zoning district shall not be illuminated between the hours of 10:00 p.m. and 6:00 a.m. unless they identify an establishment open for business during those hours.
- D. Signs with electrical components shall be constructed, inspected, and approved by the Underwriters Laboratory (UL), or equal standard, and a label of approval from the laboratory shall be affixed to the sign in plain view.
- E. The use of neon signs and architectural lighting elements shall be allowed in commercial zoning districts only and subject to the following requirements.
 - 1. Neon signs and linear tubing shall be UL (Underwriters Laboratories) listed with a maximum 30 milliamps per circuit and be designed to accommodate a dimmer in order to reduce the brightness of the neon.
 - 2. The neon manufacturer shall be registered with Underwriters Laboratories.
 - 3. Neon tubing shall not exceed one half inch in diameter.
 - 4. Neon lighting adjacent to residential uses shall not create hazardous glare or a nuisance on either a public street or on any private residence.
 - 5. Neon tubing shall not be combined with any reflective materials (e.g., highly glazed tiles, mirrors, polished metal, or other similar materials).
 - 6. When used as an architectural element, neon tubing shall be used only to reinforce specific architectural elements of the structure and shall be concealed from view whenever possible through the use of cornices, ledges, or parapets.
 - 7. Neon signs placed within five feet of a storefront window shall not occupy more than 25 percent of the window area.
 - 8. Neon lighting that completely surrounds a door, window, or similar element is not allowed.
- F. Awnings with back-lit text or graphics are not allowed.
- G. An electronic sign that changes its message more than once every four seconds is considered a flashing sign and is prohibited in compliance with Section 1406.A.3 above.
- H. For residential districts, lighting for address illumination shall not create a public nuisance for other residents in the area.

Sec. 1410. Special Provision for Illuminated Signs in the Immediate area of Interchanges Along

Interstate 5: In the immediate area of interchanges along Interstate-5, illuminated signs advertising highway traveler services at that interchange which exceed the maximum copy area per site or per use allowed by Table 6-3 of this Development Code, may be permitted through a Conditional Use Permit, provided that:

- A. The structure is designed by a professional engineer and does not pose a safety hazard.
- B. The structure shall not be larger than is necessary to be seen clearly by travelers along Interstate 5.
- C. Such structures may be located on the actual site of the business or service being advertised, or a group of signs may be clustered in two off premises sites per interchange, but within the CH zoning district at that interchange.



Sec. 1411. Violations and Enforcement:

- A. It is unlawful for any person, firm, or corporation to construct, place, install, alter, change, maintain, use, or permit the construction, installation, alteration, change, maintenance, or use any sign contrary to or in violation of any provisions of this Development Code.
- B. Any sign established in violation of the regulations in this Section shall be enforced according to Article 24 of this Development Code.



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