

ORDINANCE NO. 739

AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,
AMENDING CHAPTER 17.40 OF TITLE 17 (ZONING)
OF THE POWAY MUNICIPAL CODE PERTAINING TO SIGNS
(ZONING ORDINANCE AMENDMENT 12-02)

WHEREAS, it is necessary from time to time to amend the Poway Municipal Code (PMC) to reflect changing conditions in the community; and

WHEREAS, Chapter 17.40 of Title 17 of the PMC contains the City-wide sign regulations; which were last comprehensively updated under Ordinance 427 on November 9, 1993; and

WHEREAS, a Community Workshop was conducted on July 20, 2011, and City Council Workshops were conducted on March 15, 2011, and December 6, 2011, to take public input and discuss the regulations and potential changes; and

WHEREAS, substantive amendments are proposed to Chapter 17.40 pertaining to temporary signs, permanent wall-mounted and freestanding signs, directional and conveniences signs, Comprehensive Sign Programs, election and other non-commercial message signs, and community special event signs; and

WHEREAS, non-substantive amendments are also proposed to Chapter 17.40 to eliminate inconsistencies and redundancy, and to clarify the regulations; and

WHEREAS, on February 21, 2012, and March 6, 2012, the City Council held a duly advertised public hearing to solicit comments from the public, both pro and con, relative to this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:

Section 1: The City Council finds that the adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines because it pertains to minor modifications to the sign regulations in the Zoning Ordinance and that there is no possibility this will have a significant effect on the environment.

Section 2: Chapter 17.40, entitled Comprehensive Sign Regulations, of Title 17 of the Poway Municipal Code is amended to read as follows:

Article I. General Provisions

17.40.010 Purpose.

Article II. Definitions

17.40.015 Definitions.

Article III Permit Requirements and Review Procedures

- 17.40.020 Major review – Minor review – Building Permits required.
- 17.40.030 Method of application.
- 17.40.040 Method of review.

Article IV Administration

- 17.40.050 Enforcement – Referral – Rehearing.
- 17.40.060 Interpretation of provisions.
- 17.40.070 Variance.

Article V. General Requirements

- 17.40.090 Exempt signs.
- 17.40.100 Prohibited signs.
- 17.40.110 Signs relating to inoperative activities.
- 17.40.120 Enforcement, legal procedures and penalties.
- 17.40.130 Construction and maintenance.

Article VI Sign Regulations

- 17.40.140 Sign permits.
- 17.40.150 Signs permitted in all zoning districts.
- 17.40.170 Directional kiosks.
- 17.40.180 Comprehensive Sign Program for commercial and industrial zones.
- 17.40.190 Temporary signs.
- 17.40.200 Onsite subdivision signs.
- 17.40.210 Real estate kiosks.
- 17.40.220 Signs permitted in single-family residential zones.
- 17.40.230 Signs permitted in the multifamily and mobile home park zones.
- 17.40.240 Signs permitted in commercial zones.
- 17.40.250 *Repealed.*

Article VII. Design Standards

- 17.40.260 Design standards designated.

Article VIII. Nonconforming Signs

- 17.40.270 Intent.
- 17.40.280 General requirements.
- 17.40.290 Amortization requirements.
- 17.40.300 Historical signs.
- 17.40.310 Severability.

Article I. General Provisions**17.40.010 Purpose.**

- A. The provisions of this Chapter shall be known as the comprehensive sign regulations. It is the purpose of these provisions to establish a comprehensive system for the regulation of onsite and offsite signs.
- B. The City recognizes the need for signs as a means to identify businesses within the community. However, the City also recognizes that signing is an important design element of the physical environment. Regulations consistent with the goals and objectives of the community are necessary to ensure that the rural character and image the community is striving for can be attained.
- C. It is the purpose of this Chapter to make the City attractive to residents, visitors and commercial, industrial and professional businesses while maintaining economic stability through an attractive signing program. Specifically, the purposes of this Chapter are to:
 - 1. Protect the general public health, safety and welfare of the community;
 - 2. Reduce possible traffic and safety hazards through good signing;
 - 3. Direct persons to various activities and uses, in order to provide for maximum public convenience;
 - 4. Provide a reasonable system of sign regulations, to ensure the development of a high-quality visual environment;
 - 5. Encourage signs which are well designed and pleasing in appearance and to provide incentive and latitude for variety, good design relationship to the business or use it identifies, and spacing between signs and buildings;
 - 6. Encourage a desirable rural character which has a minimum of clutter;
 - 7. Enhance the economic value of the community and each area, business and use thereof, through the regulation of such elements as size, number, location, design and illumination of signs; and
 - 8. Encourage signs which are well located, and take into account the service and usage of adjacent areas.
- D. By the adoption of the ordinance codified in this Chapter, the City recognizes its legal and constitutional obligations to allow noncommercial signage wherever commercial signage is permitted, not to discriminate among noncommercial messages, and not to discriminate among commercial messages, except for the distinction between-onsite and offsite signs.
- E. Traffic control signs and kiosk signage located upon the public right-of-way or other public property and erected at public expense are intended to control traffic movement and to direct the public to an area of the City; to the availability and location of a public or semipublic facility or event; or to the sale of real estate in a manner which enhances the safe and orderly flow of traffic along and upon primary and secondary thoroughfares instead of narrower or more congested streets. The City Council finds that kiosk signs serve the same compelling interest as traffic control signs in that such signs reduce traffic congestion and are indispensable to the safe vehicular use of City streets. (Ord. 525 § 2, 2000; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.0), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

Article II. Definitions

17.40.015 Definitions.

As used in this Chapter:

“Advertising structure” means an on-site or off-site structure of any kind or character other than the main business identification sign, erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting, or other advertisement of any kind whatsoever may be placed, including statuary for advertising purposes.

“Animated sign” means any sign that uses movement or change of lighting, either natural or artificial, to depict action or create a special effect or scene.

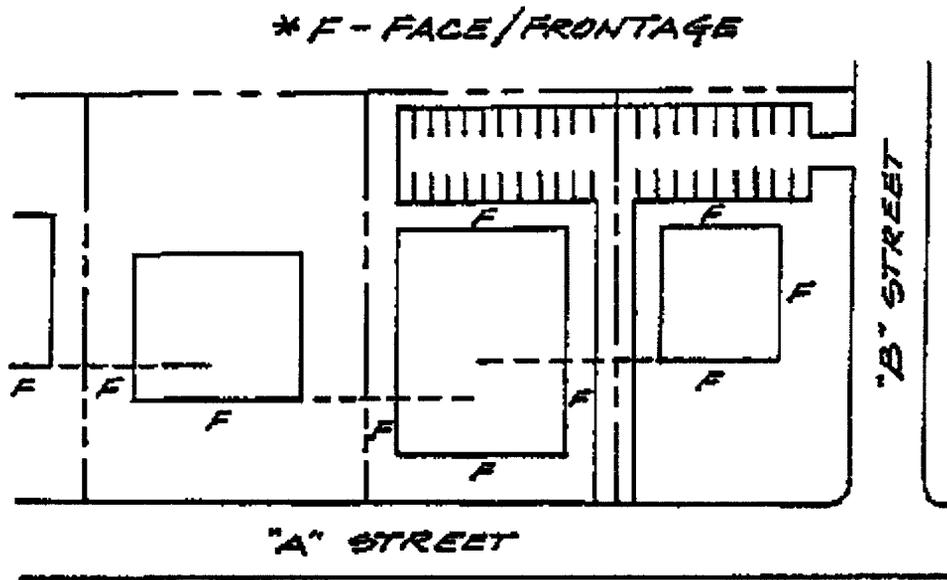
“Area identification sign” means a sign to identify an area of the City such as a residential neighborhood or a business park, located at the entrance or entrances to the area, and consisting of a fence or wall with letters or symbols affixed thereto.

“Area of the sign” means the net geometric area enclosed by an imaginary rectangle drawn around the display surface of the sign, including the outer extremities of all letters, characters and delineations. In cases where a sign is on a background, which is not illuminated and is integral to the building design and/or building color scheme, the background is not included in the “area of the sign.” In cases where multiple wall signs are located on a single building face and/or frontage and separated by a distance of 3 feet or greater, the “area of the sign” shall be the sum total of each sign calculated individually by the foregoing method. In cases where multiple signs are located on a single building face and/or frontage and less than 3 feet to another sign, the “area of the sign” shall be the area enclosed by an imaginary rectangle around the signs together. In the case of a two-sided freestanding sign, the “area of the sign” shall be the area of one side.

“Banner” means any sign of lightweight fabric or similar material intended to advertise goods, services and/or a business, whether it contains copy or does not contain copy. National flags, State or municipal flags, or the official flag of any institution or business shall not be considered banners.

“Billboard” means an off-site sign of any kind erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, or other advertisement of any kind whatsoever is placed.

“Building face and/or frontage” means the portion of the building elevation which faces a street or parking lot, excluding driveways and aisles.



"Building wall area" means the geometric area of a building wall, along each building face/frontage as defined in this Chapter, which is used to determine maximum allowable sign area. The area is the height of the wall multiplied by the length of the wall on which the sign will be displayed. In determining the maximum allowable sign area for a tenant within a multi-tenant building and in cases where a tenant is displaying their sign on a wall that is contiguous to their tenant space, the building wall area is the height of the wall multiplied by the length of the wall for that tenant space. In cases where a tenant is displaying their sign on a wall that is not contiguous to their tenant space, the building wall area where the sign is to be displayed shall be used in determining maximum sign area. In this case, if the wall displays other tenant signs, the sum of all signs shall not exceed the maximum allowable sign area for the building wall.

"Business directory sign" means a sign located in a multi-tenant complex which lists each business and addresses and/or suite numbers, which may also have a site map for orientation.

"Canopy sign" means any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy. Canopy signs shall be regulated as wall signs.

"Change of sign face" is when an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure of a manufactured sign or without any change to the size of a sign painted on a wall.

"Changeable copy/electronic reader board" means a sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Chapter.

“Commercial message” means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, sale or sales event, or other commercial activity.

“Community Special Event” means an event with broad community interest and/or an event sponsored by a government agency, school, or non-profit organization, as determined by the Director of Development Services.

“Comprehensive Sign Program” means a set of specific design standards for signs in a shopping or office center intended to integrate signs with each other, the architectural design of the building (or buildings) on the site, and landscaping to achieve an overall high quality and attractive appearance.

“Convenience Sign” means any onsite sign intended to provide information of a non-commercial nature to users of the site where the sign is located. Such signs shall be designed to be viewed from onsite, and necessary for public convenience or safety. Such signs shall not include commercial messages.

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

“Curblin” means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curblin shall be established by the City Engineer.

“Directional Sign” means an onsite sign intended to provide directions with words, symbols or characters to users of the site where the sign is located. Such signs shall not include commercial messages, except that a drive-through business may display their business name and/or logo as provided for in this Chapter.

“Election sign” means a sign erected prior to an election to advertise or identify a candidate, campaign issue, election proposition, or other related ballot matters.

“Erect” means to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.

“Flag” means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

“Flag banner” means a tall, narrow, vertically oriented banner mounted on poles, with or without copy, used to advertise goods, services, and/or a business.

“Flashing sign” means an illuminated sign on which artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use.

“Freestanding sign” means a sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or other structure whether portable or stationary.

“Grand opening” means the first time opening of a new business or the reopening after a major remodel which required closing the business for at least 30 days.

“Height of a sign” means the greatest vertical distance measured from the grade at which the sign supports intersect the ground, including any accompanying architectural features of the sign. In cases where the location of the sign support intersection with the ground is lower than the elevation of an adjacent street and sidewalk from which the sign is primarily viewed, the height of the sign shall be measured from the elevation of the adjacent sidewalk.

“Logo” means a trademark or symbol used to identify a business.

“Mansard roof” means any roof that has an angle greater than 45 degrees and which derives part of its support from the building wall and is attached to (but not necessarily a part of) a low-slope roof, and which extends along the full length of the front building wall or three-quarters of the length of a side building wall. For purposes of this Chapter, a low-slope roof shall mean any roof with a pitch less than three inches rise per 12 inches horizontal.

“Menu board” means an outdoor sign, associated with restaurants with drive-through windows, which gives a detailed list of foods served that are available at a restaurant.

“Noncommercial message” means a message pertaining to a topic of public concern, controversy, or interest, including, but not limited to, politics, religion, philosophy, science, art or social commentary.

“Offsite sign” means a sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term “offsite sign” shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purposes of conveying a commercial or noncommercial message.

“Onsite sign” means a sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing on the same lot where such sign is displayed; provided, an onsite sign may also display a noncommercial message.

“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.

“Portable sign” means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; “sandwich board” signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles.

“Promotional Sales” shall mean a temporary sales event to promote products, merchandise, or services available on the same premises, including parking lot sales, sidewalk sales, and leasing events, as determined by the Director of Development Services.

“Real estate sign” means a temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.

“Roof sign” means any sign erected upon, against or directly above a roof or roof eave, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eave.

“Shopping or office center” means two or more retail stores, offices and/or service establishments, or combination thereof which results in more than two such establishments sharing customer parking areas, regardless of whether said stores, offices and/or service establishments occupy separate structures or are under separate ownerships.

“Sign” means and includes every device, frame, letter, figure, character, mark, plane, point, design, picture, logo, stroke, stripe, trademark or reading matter, which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public, or, the above, when displayed near the inside surface of a window in such a way as to be in view of the general public and used or intended to be used to attract attention or convey information to motorists.

“Temporary signs” means a sign erected for a temporary purpose attracting attention to an activity as provided for within this Chapter.

“Wall sign” means any sign that shall be affixed parallel to the wall or printed on the wall of any building in such a manner as to read parallel to the wall on which it is mounted; provided, however, said wall sign shall not project above the top of the wall or beyond the end of the building. For the purpose of this Chapter, any sign display surface that is affixed parallel to a wall but in or against the sloping surface of a mansard roof shall be considered a wall sign. Any sign that is affixed to a building awning or a building canopy shall be considered a wall sign.

“Window sign” means any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon a window. (Ord. 443, 1995; Ord. 427 (Exh. A), 1993)

Article III. Permit Requirements and Review Procedures

17.40.020 Major review – Minor review – Building Permits required.

- A. Major review shall be required for all new freestanding signs greater than eight feet in height. Signs requiring major review shall comply with the provisions of this Chapter and all other applicable laws and ordinances. Building Permits may be required.
- B. Minor review shall be required prior to the placing, erecting, moving, repair or reconstructing of any sign in the City not subject to Subsection A of this section, including new Comprehensive Sign Programs and amendments thereof, unless expressly exempted by this Chapter. Signs requiring minor review shall comply with the provisions of this Chapter and all other applicable laws and ordinances. Building Permits may be required. (Ord. 722 § 3, 2011; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.1(A)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.030 Method of application.

An application for major review or minor review and Building Permits shall be made on forms as prescribed by the Director of Development Services. Such an application shall be filed with the Development Services Department with applicable plans as required. Said application shall be accompanied by any fees or bonds as specified by City Council resolution. (Ord. 722 § 3, 2011; Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 1), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.040 Method of review.

The purpose of major review and minor review is to help ensure compliance with the provisions of this Chapter.

- A. **Major Review.** Within 15 working days after receipt of all required materials of a sign application, the Director of Development Services, or a designated representative, shall prepare and place on the agenda of the City Council for consideration within 18 days a report to the City Council recommending approval, approval with modifications, or denial of such sign application. Consideration by the City Council shall be delayed only with the consent of the applicant. Authority to approve or deny a major review shall rest with the City Council. The standards of review shall be the requirements set forth in this Chapter and the applicable building code.
- B. **Minor Review.** Within 15 calendar days after receipt of all required materials of a sign application, or 45 calendar days for a Comprehensive Sign Program, the Director of Development Services, or a designated representative, shall render a decision to approve, approve with modifications, or deny such sign request. Review shall ensure that any sign proposal is in conformance with this Chapter, is consistent with its title and purpose, and conforms to the applicable building code requirements. In cases where the placing, erecting, moving, or reconstructing of a sign does not require the issuance of a Building Permit, the Director of Development Services, or a designated representative, shall render a decision to approve, approve with modifications, or deny such sign request (not including Comprehensive Sign Programs) within 10 working days. For Sign Permits that meet all the requirements of an approved Comprehensive Sign Program, the permit shall be issued within five full working days from the date of complete application. Notice of pending decision on a new Comprehensive Sign Program or an amendment to an existing Comprehensive Sign Program shall be provided 10 days prior to the decision by mail to all property owners of property contiguous to the subject property, and those separated by a public or private street, and by posting a notice at each entrance to the subject property. The decision of the Director may be appealed to the City Council pursuant to Chapter 2.20 PMC, Administrative Appeals. (Ord. 722 § 3, 2011; Ord. 525 § 3, 2000; Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.1(C)), 3, 1983; Ord. 82 § 1 (Exh. A, 1983)

Article IV. Administration

17.40.050 Enforcement – Referral – Rehearing.

- A. It shall be the responsibility of the Director of Development Services or a designated representative to enforce all provisions of this Chapter. At the discretion of the Director, any sign request may be referred to the City Council for its review and approval.
- B. In cases where a request for a permit has been referred to the City Council for decision, its action is final and effective within 10 calendar days unless a request for a rehearing is filed in accordance with Chapter 2.21 PMC.
- C. Any interested party may appeal the decision of the Director of Development Services according to procedures set out in Chapter 2.20 PMC. (Ord. 518, 1999; Ord. 492 § 6, 1998; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.2(A)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.060 Interpretation of provisions.

- A. The provisions of this Chapter are not intended to abrogate any easements, covenants or other existing agreements which are more restrictive than the provisions of this Chapter.
- B. Whenever the application of this Chapter is uncertain due to ambiguity of its provisions, the question shall be referred to the City Council for determination. The City Council shall establish an interpretation that best fulfills the intent of this Chapter. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.2(B)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.070 Variance.

Applications for a variance from the terms of this Chapter shall be reviewed by the City Council according to the variance procedures as set forth in the zoning ordinance. Variances may be granted only for sign location and other similar performance standards, except area and height, when the City Council finds that the granting of such a variance will not be contrary to the title and purpose of this Chapter, in addition to the other required findings for granting a variance. All variances may be conditioned to expire with the change of copy for the use, be reviewed on a periodic basis or be required to conform to this Chapter upon change of ownership, and/or shall automatically expire upon any designated period of time. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.2(C)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

Article V. General Requirements

17.40.090 Exempt signs.

The following signs shall be exempt from the application, permit and fee requirements of this Chapter; an electrical and/or Building Permit may be required. Any signage in excess of the specific exemptions listed in this section is prohibited.

- A. Permanent window signage not exceeding 12 square feet per business frontage and limited to the name of the business, service or use, hours of operation, address and emergency information, except exposed neon tubing signs advertising products for sale on the premises;

- B. Temporary advertising signage painted on the window or constructed of paper, cloth or similar expendable material affixed on the window, wall or building surface; provided, that the total area of such signs shall not exceed 25 percent of the window area; however, in all cases a minimum of 12 square feet per business frontage is permitted;
- C. Real estate signs for single and multi-family residential sales and leasing. For single-family signs, one sign per street frontage not exceeding four square feet in area and five feet in height, provided it is unlit and is removed within 15 days after the close of escrow or the rental or lease has been accomplished. Signs placed on the rear street frontage are prohibited. Open house signs not exceeding four square feet in area and five feet in height are permitted for directing prospective buyers to property offered for sale. For multi-family signs, one per street frontage not exceeding 24 square feet and 6 feet in height;
- D. Temporary signs for elections and non-commercial messages shall be permitted on private property and in the public street rights-of-way behind the curb as hereinafter provided.
1. Such signs shall not exceed 24 square feet in total area for one side; double-faced signs shall not exceed 24 square feet per side.
 2. Such signs shall not exceed an overall height of eight feet from the finished grade immediately around the sign.
 3. No such signs shall be lighted either directly or indirectly unless said sign is erected, painted or constructed on an authorized structure already providing illumination.
 4. No such sign shall be placed or affixed to a traffic signal, fire hydrant, street light, tree, publicly owned or maintained wall/fence, or utility pole. No such sign shall be placed upon any sidewalk or overhang any sidewalk or be placed in any raised planter or tree well. No such signs shall be placed in a manner which, in the professional judgment of the City Traffic Engineer or designee, impedes or renders dangerous access to any public improvement or obstructs the visibility of any sign designed to regulate, control or assist public or private transportation, or obstructs the vision of any pedestrian or vehicular user of a public street right-of-way. No such signs shall be placed in any median or any traffic island in the public street right-of-way; in or upon any public building; or within, upon, or in the public right-of-way abutting any public park, square, public landscaped area or other publicly-owned property.
 5. The number of such signs is not limited.
 6. Such signs may carry any noncommercial message, including, but not limited to political messages.
 7. No such signs shall be posted in violation of any provision of this Chapter. The Director of Development Services or a designated representative shall have the right to remove any sign placed in the right-of-way or on public property, contrary to any provision of this section. Removed signs shall be stored by the City. Notice of removal shall be promptly provided to the owner of such sign or the apparent owner or candidate, within one working day of removal whenever possible. Such person shall have the right to recover the sign forthwith, without charge. All signs removed by the City may be destroyed 30 calendar days following removal.
 8. Election signs shall be removed no later than 10 calendar days following the date of the election. Election signs not removed after 10 calendar days following the date of the election may be removed by the Director of Development Services or a designated representative. All signs removed by the City shall be stored by the City and whenever possible the owner, apparent owner, or candidate shall be notified of the date upon which such signs shall be destroyed or discarded. Such person shall have the right to recover the sign forthwith, without charge. All signs removed by

the City may be destroyed 30 calendar days following removal. In no event shall the City be liable in damages for destruction or discard of such signs;

- E. Contractor or Construction Signs. For residential projects greater than four dwelling units, commercial, and industrial projects, two onsite signs shall be permitted on the construction site for all contractors (may include financial institutions, real estate agents, subcontractors, etc.) not exceeding 32 square feet each, unless legally required by government contracts to be larger. No sign shall exceed eight feet in overall height and shall be located no closer than 10 feet to any property line. Such sign shall be removed upon the granting of occupancy by the City. For all other projects, a total of two signs per development site may be installed with a maximum of four square feet in area and five feet in height for each sign. Such sign(s) shall be removed upon finalization of Building Permits;
- F. Future Tenant Identification Sign. Future onsite tenant identification signs may be placed on vacant or developing property to advertise the future use of an approved project on the property and where information may be obtained. Such sign shall be limited to one per parcel and to a maximum of 32 square feet in area and eight feet in overall height. Further, such signs shall be placed no closer than 10 feet to any property line. Any such sign shall be removed upon finalization of Building Permits. Where a project has in excess of 600 lineal feet of frontage, one additional sign for each 600 lineal feet is allowed;
- G. Real Estate Signs for Sale, Lease, or Rent of Commercial or Industrial Property. Real estate signs for sale of commercial or industrial property, one sign per street frontage not to exceed 32 square feet in area to advertise the sale, lease, or rent of such property. No such sign shall exceed eight feet in overall height and shall not be located within the public right-of-way. Where a property has in excess of 600 lineal feet of frontage, one additional sign for each 600 lineal feet is allowed;
- H. Interior signs within a structure or building when not visible or readable or intended to be read from offsite or from outside of the structure or building;
- I. Signs identifying a business, service or use sized no greater than four square feet in area may be permitted. Said signs shall not be visible from the public right-of-way, shall be attached to the main building, shall be intended for pedestrian traffic, and shall not otherwise require a Building Permit;
- J. Memorial tablets, plaques or directional signs for community historical resources, installed by a City-recognized Historical Society or civic organization;
- K. Convenience signs not exceeding four square feet in area, and five feet high when not mounted to a building wall;
- L. Directional signs not exceeding four square feet in area and five feet high when not mounted on a building wall. For signs adjacent, and visible, to the street only one shall be permitted for each access driveway. For signs interior to the site multiple signs are allowable. No such sign shall display a commercial message except that signs providing direction to a drive-through lane/window for a drive-through business may display the business name and/or logo, only in addition to directional instruction, provided the business name and/or logo comprises no more than 50% of the sign area. Such signs shall be designed to be compatible with other freestanding signs on the site, constructed to be a permanent installation, and maintained in good condition.
- M. Residential building identification signs used to identify individual residences and not exceeding four square feet in area;
- N. One name plate per parcel not exceeding four square feet in area for single-family residential uses and agricultural uses;

- O. Official and legal notices issued by any court, public body, person or officer or in furtherance of any nonjudicial process approved by State or local law;
- P. Signs providing direction, warning or informational signs or structures required or authorized by law or by Federal, State, County or City authority;
- Q. A single official flag of the United States of America and/or two flags of either the State of California, or other states of the United States, counties, municipalities or official flags for nations, and flags of internationally and nationally recognized organizations or the company flag. Flags shall be a maximum of five feet by eight feet and shall be displayed in a manner consistent with official flag etiquette;
- R. Signs of public utility companies, indicating danger or which serve as an aid to public safety, or which show locations of underground facilities or public telephones;
- S. Safety signs on construction sites;
- T. One freestanding time and temperature sign that conveys time and temperature only and not exceeding 12 square feet in area nor 15 feet in height, or not higher than the roofline, whichever is less, when combined with business identification in accordance with PMC 17.40.140 through 17.40.250, and counted toward sign area for the freestanding sign;
- U. One wall-mounted time and temperature sign that conveys time and temperature only not exceeding 12 square feet in area when combined with business identification in accordance with PMC 17.40.140 through 17.40.250, and counted toward sign area for the wall sign;
- V. "No trespassing," "no parking" and similar warning signs not exceeding four square feet;
- W. Signs on public transportation vehicles regulated by a political subdivision, including, but not limited to, buses and taxicabs;
- X. Signs on licensed commercial vehicles, provided such vehicles are not used or intended for use as portable signs or as may be prohibited in PMC 17.40.100;
- Y. A change of sign face which conforms to an approved Sign permit. Changes of a sign face on a sign that does not have an approved Sign permit shall comply with PMC 17.40.020 through 17.40.040;
- Z. Incidental signs for automobile repair stores, gasoline service stations, automobile dealers with service repairs, motels and hotels, showing notices of services provided or required by law, trade affiliations, credit cards accepted, and the like, attached to a freestanding sign, structure or building; provided, that all of the following conditions exist:
 - 1. The signs number no more than four,
 - 2. No such sign projects beyond any property line,
 - 3. No such sign shall exceed an area per face of four square feet;
- AA. Copy applied to fuel pumps or dispensers by the manufacturer such as fuel identification, station logo and other signs required by law;
- BB. Agricultural signs, either wall or freestanding types, nonilluminated, and not exceeding four square feet for lots two acres or less and 16 square feet for lots greater than two acres, identifying only the agricultural products grown on the premises. The number of such signs shall be one per street frontage or a maximum of two, with wall signs to be located below the roofline and freestanding signs to be no higher than eight feet;
- CC. Address numbers for buildings shall be exempt provided they meet the following height limits. The minimum height is also specified in Chapter 15.24 PMC.

	Minimum Height	Maximum Height
a. Residential		
i. Single-family	Four inches	Six inches
ii. Multifamily	Six inches	Six inches
b. Commercial	Six inches	18 inches
c. Industrial	18 inches	24 inches

DD. Flag banners in commercial zones subject to the following:

1. Flag banners shall be displayed only on Fridays, Saturdays, Sundays, and on City holidays,
2. Flag banners shall be displayed only on private property and not within any public right-of-way.
3. Flag banners shall be limited to 15 feet in overall height, and 30 square feet in area.
4. Flag banners shall be installed on the ground, not within any parking space or drive aisle, maintained in an upright position at all times, and shall be situated a minimum of 5 feet from any walkway or drive aisle. At all times flag banners shall be displayed in a manner that does not create a public safety hazard.
5. Each property which contains a single business, and each shopping or office center, shall be permitted 1 flag banner for every 40 lineal feet of street frontage, up to a maximum of 3.

(Ord. 674 § 42, 2008; Ord. 539 § 2, 2001; Ord. 525 § 4, 2000; Ord. 482 § 2(C), (D), 1997; Ord. 443, 1995; Ord. 433, 1994; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.3(A)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.100 Prohibited signs.

A. All signs not expressly permitted are prohibited in all zones, including, but not limited to, the following:

1. Roof signs;
2. Flashing signs, except time and temperature signs;
3. Animated signs, conveying the illusion of motion;
4. Revolving or rotating signs;
5. Vehicle signs, when parked or stored on property to identify a business or advertise a product;
6. Portable signs, except where permitted in this Chapter;
7. Offsite signs, except as expressly otherwise provided by this Chapter;
8. Signs within the public right-of-way, except those required by a governmental agency or authorized by PMC 17.40.090 and 17.40.170. No sign which is permitted in the public right-of-way shall be placed, erected or constructed on a utility pole, traffic device, traffic sign, warning sign, or so as to impede access to any public improvement, or to obstruct the vision of any such traffic, warning, or directional signs;

9. Signs located on public property except as may be permitted in PMC 17.40.090 or those required by a governmental agency;
 10. Signs within the public right-of-way prohibited by the Streets and Highways Code (Section 101 et seq. and Section 1460 et seq.), the Vehicle Code (Section 21400 et seq.) and the Public Utilities Code (Section 7538 et seq.);
 11. Signs blocking doors or fire escapes;
 12. Light bulb strings outside of the building, except as part of special event signage approved under PMC 17.40.190 or as permanently installed lighting accentuating architectural features of the building;
 13. Banners, flags, pennants, flag banners, and balloons or other air inflated devices, except for special events, or as otherwise provided for in PMC 17.40.090 and 17.40.190.
 14. Inflatable advertising devices of a temporary nature, including hot air balloons, except for special events as provided for in PMC 17.40.190;
 15. Advertising structures, except as otherwise permitted in this Chapter;
 16. Statuary (statues or sculptures) advertising products or logos of the business that are located outside of the structure that houses the business;
 17. The use of decals, stick-on or transfer letters, or tape on the walls or parapets of buildings, fences, walls or other structures, not suitable;
 18. Reader board/changeable copy signs, either electric or nonelectric except as permitted in this Chapter;
 19. Signs which purport to be or are an imitation of or resemble official traffic warning devices or signs, that by color, location or lighting may confuse or disorient vehicular or pedestrian traffic; this does not include traffic or directional signs installed on private property to control onsite traffic;
 20. Exposed neon tubing except in limited amounts used as a design element of a permitted sign.
- B. Notwithstanding any other provision hereof, whenever a commercial message is permitted on a sign, a noncommercial message shall be permitted. Whenever one commercial message is permitted on an onsite sign, any onsite commercial message shall be permitted. Whenever one commercial message is permitted on an offsite sign, any offsite commercial message shall be permitted. And whenever a noncommercial message is permitted on a sign, any noncommercial message shall be permitted. All such signage shall be subject to the same standards and size requirements set forth in this Chapter. Signs providing direction for traffic control purposes shall be limited to the directional message. (Ord. 674 § 43, 2008; Ord. 525 §§ 5, 6, 2000; Ord. 482 § 2(E), 1997; Ord. 433, 1994; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.3(B)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.110 Signs relating to inoperative activities.

Signs pertaining to activities or businesses which are no longer in operation, except for temporary closures for repairs, alteration or similar situations, shall be removed from the premises or the sign copy shall be removed within 30 days after the premises has been vacated, including copy from the business directory. Any such sign not removed within the specified time shall constitute a nuisance and shall be subject to removal under the provisions of this Chapter and local ordinance. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.3(C)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.120 Enforcement, legal procedures and penalties.

- A. Enforcement, legal procedures and penalties shall be in accordance with the enforcement procedures established by the local ordinance.
- B. Unauthorized illegal signs, other than temporary signs for elections and non-commercial messages, may be abated by the City in accordance with local ordinance.
- C. If said sign is stored by the City, the owner may recover said sign from the City upon payment of any storage and/or removal charge incurred by the City.
- D. The minimum charge shall be no less than \$3.00 per sign. All signs removed by the City may be destroyed 30 calendar days following removal.
- E. If any sign, in the opinion of the Director of Development Services, is an immediate threat to the public health and safety, said sign shall be immediately and summarily removed with the cost of said removal charged to the property owner in accordance with local ordinances. (Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.3(D)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.130 Construction and maintenance.

- A. Construction. Every sign and all parts, portions and materials shall be manufactured, assembled, and erected in compliance with all applicable State, Federal and City regulations and the applicable building code.
- B. Maintenance. Every sign and all parts, portions, and materials shall be maintained and kept in proper repair. The display surface of all signs shall be kept clean, neatly painted and free from rust and corrosion. Any cracked, or broken surfaces, and malfunctioning or damaged portions of a sign shall be repaired or replaced within 30 calendar days following notification of the business by the City. Noncompliance with such a request will constitute a nuisance and will be abated in accordance with Chapters 1.08 and/or 8.72 PMC. Any maintenance, except a change of sign face, which does not involve structural changes, is permitted. (Ord. 427 (Exh. A), 1993; Ord. 113 § 1 (Exh. A 7.3(E)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

Article VI. Sign Regulations

17.40.140 Sign permits.

Sign permits may be issued for signs included under this article provided the signs are in compliance with all other applicable laws and ordinances. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(A)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.150 Signs permitted in all zoning districts.

The signs mentioned in PMC 17.40.170 through 17.40.210 may be permitted in any zoning district. These signs are in addition to those signs expressly permitted in each zoning district and are subject to the provisions listed in PMC 17.40.170 through 17.40.210. (Ord. 482 § 2(F), 1997; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(A)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.170 Directional kiosks.

The City may install, or cause to be installed upon public right-of-way or other public property, kiosks which provide traffic direction to public or semipublic facilities or events and/or areas of the City or which identify public or semipublic transportation services. Kiosk inserts directing the public to the South Poway area, the downtown business area, civic center area, Lake Poway area, Performing Arts Center, Old Poway area, rodeo area, or other public or semipublic areas or events are specifically permitted. All kiosks, including those permitted under this section, under PMC 17.40.190(G) for community special events and under PMC 17.40.210 concerning offsite real estate signage, shall be of consistent design and shall be installed and maintained under the direct supervision of the City. (Ord. 525 § 7, 2000; Ord. 427 (Exh. A), 1993)

17.40.180 Comprehensive Sign Program.

A Comprehensive Sign Program shall be developed for all shopping, or office, centers consisting of four or more tenant spaces. The purpose of the program shall be to integrate signs with building and landscaping design into a unified architectural unit. This shall be achieved by:

- A. Using the same type of cabinet supports, or method of mounting for signs of the same type, or by using the same type of construction material for components, such as sign copy, cabinets and supports, or by using dissimilar signing determined compatible by the Director of Development Services;
- B. Using the same form of illumination for all signs, or by using varied forms of illumination determined compatible by the Director of Development Services;

(Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4), 3, 1983; Ord. 82 § 1 (Exh. A(2)), 1983)

17.40.190 Temporary signs.

Temporary signs, which include banners and other advertising devices identified in this Chapter, may be approved for a limited period of time as a means of publicizing special events such as grand openings, new management, sales, Christmas tree lots, multi-family residential leasing, and community special events that are to take place within the City.

A. General Requirements.

1. **Approval.** To apply for approval of temporary signs, the applicant shall submit a letter to the Director of Development Services which describes the size, appearance and location of the proposed signage by means of a sketch and written description, and which indicates the display dates. The Director of Development Services shall review the request within two working days after receipt and approve, approve with modification or deny the request.
2. **Enforcement.** Signs which are installed or displayed without approval of the Director of Development Services are in violation of this section and are subject to issuance of a citation or other enforcement action as described in Chapter 17.54 PMC.
3. **Maintenance.** Temporary signage shall be maintained in good condition.
4. **Log of Usage.** The Development Services Department shall maintain a log of temporary signage approved for each business, other than those addressed under PMC 17.40.190 D and E, and for multi-family residential leasing activity. If the Development Services Department is notified, prior to installation of the temporary signs, that the signage will not be used, the application will be canceled and the

signage not deducted from the total number of days of temporary signage available. If signage is installed without approval of the Development Services Department it shall be deducted from the total number of days available at a rate of two days for every one weekday unapproved signs are displayed and at a rate of four days for every one weekend day unapproved signs are displayed.

B. **Type of Signage Allowed.** The type of signage that may be displayed by a business shall be as follows:

	Grand Opening	Promotional Sales	Christmas Tree Lots and Pumpkin Patches
Consecutive days	30	N/A	40
Frequency	1 time	N/A	1 per season
One banner, and balloons on strings under 3 feet in length	Yes	Yes	Yes
Pennants	Yes	No	No
Strings of outdoor lights	Yes	No	Yes
One onsite, freestanding special event sign (≤ 32 square feet and ≤ 8 feet high)	Yes	No	Yes
Ground-mounted inflatable advertising devices	Yes	No	No
Roof-mounted inflatable advertising devices	No	No	No
Strings of balloons	No	No	No
Search lights	Yes	No	No

C. Building Mounted Banners

1. **Size.** The maximum size banner that may be displayed will depend on the width of the store front, or the multi-family building, on which it is to be displayed and shall be according to the following table:

Maximum Size Banner Allowed (square feet)	Store or Building Width (feet)
20	≤ 15
25	> 15 and ≤ 20
30	> 20 and ≤ 35
35	> 35 and ≤ 50
45	> 50 and ≤ 75
50	> 75 and ≤ 100
55	> 100 and ≤ 150
60	> 150 and ≤ 250
65	> 250

2. **Number.** No more than one banner may be displayed by a business or multi-family site at one time except that the City Council may approve the display of a second banner for businesses in freestanding buildings located at the intersection of two circulation element streets.
3. **Appearance and Mounting.** Banners shall be attached to the building, parallel to the wall of the business they are advertising or wall of the multi-family building that is being leased. Banners may not be installed on a wall which is on the property line. In all cases, banners shall be mounted with all four corners secure and so that they are level, do not sag, and are pulled taut into a straight line across the top, with the top and bottom edges of the banner parallel to each other.
4. **Days Allowed.** Businesses and multi-family sites may display temporary signage for up to 75 days per year in addition to signage permitted for a "grand opening" as defined in this Chapter.

D. Temporary Signage for Motor Vehicle Dealerships, and Other Retail Businesses Engaging in City-Approved Outdoor Product Display.

1. **Days Allowed.** Temporary signage may be displayed each Friday, Saturday, Sunday, and City holiday. No temporary signage shall be allowed Monday through Thursday, excepting City holidays, unless otherwise allowed for a special promotional parking lot sales event pursuant to PMC 17.26.030.
2. **Type of Signage Allowed.** One banner, not to exceed 65 square feet in area, may be displayed, and each vehicle or outdoor display area may have either a flag or pennant not exceeding 12 inches by 17 inches, or a balloon on a string under three feet in length.

E. Temporary Signage for Offsite Sales Events. For offsite motor vehicle, recreational vehicle and/or boat sales events, inflatables (either tethered or mounted on the ground) may be displayed at the offsite location, in addition to normal temporary signage. This special event signage may not be displayed for more than four days per event.

- F. Advertising Kiosks. As part of a Comprehensive Sign Program, the Director of Development Services may approve a structure designated for the display of a limited number of temporary signs by businesses in shopping, or office, centers. The following regulations shall apply to advertising kiosks, in addition to any specific conditions called out in the Comprehensive Sign Program:
1. The design of the kiosk must be consistent with the design of the other freestanding signs in the center and with the applicable design standards in an applicable Specific Plan.
 2. Kiosks may not exceed eight feet in height nor 40 square feet in area.
 3. The range of street addresses to be found within the center shall be prominently displayed on the top of each kiosk.
 4. No more than three signs may be displayed per kiosk. Signs shall be in the form of rigid panels which slide into the sign structure.
 5. Advertisement on the kiosk is an alternative to, not an addition to, the display of a banner on the storefront.
- G. Community special events, as defined in this Chapter, may be advertised on the community events kiosks provided by the City. Additional offsite, freestanding signs shall be permitted as follows:
1. A total of seven freestanding signs shall be permitted at major entrances to the City and one sign shall be permitted at a centrally located area in the City. At no time may more than one sign be display at each location.
 2. Signs shall be no more than 8 feet high and 24 square feet in area.
 3. No sign shall contain commercial advertising nor may the name or logo of any commercial sponsor or co-sponsor be displayed.
 4. Signs may be installed not more than 30 days before the scheduled beginning of the event and shall be removed within seven days after the conclusion of the event.
- (Ord. 661 § 8, 2007; Ord. 482 § 2(G), 1997; Ord. 443, 1995; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.200 Onsite subdivision signs.

- A. One temporary onsite subdivision sign not to exceed 64 square feet total for two sides or 32 square feet for one side and a total overall height of 12 feet may be permitted on each circulation element street frontage of the property being subdivided, not to exceed two such signs for all phases of any subdivision; otherwise a maximum of one sign is permitted.
- B. Such sign shall be for the identification of a subdivision, price information and the developer's name, address and telephone number.
- C. Such signs shall be removed within 10 calendar days from the date of the final sale of the land and/or residences or within 24 months, whichever comes first. Extensions of 12 months may be approved by the Director of Development Services.
- D. Signs shall be maintained in good repair at all times.
- E. A cash deposit of \$300.00 per sign shall be deposited with the sign application to ensure compliance with the chapter and removal of such sign. The deposit shall be refunded to the applicant upon sign removal by the applicant. If the City is forced to remove any signs, then the cost of removal shall be deducted from the deposit. (Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(4)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.210 Real estate kiosks.

- A. Offsite direction signage to real estate subdivisions may be provided through participation in the kiosk program established by the City.
- B. All offsite subdivision signs not conforming to this Chapter shall be deemed a public nuisance and removed.
- C. Participation in the kiosk program shall be allowed until the units within the subdivision are sold out, or for a period of 24 months, whichever comes first. Extensions of 12 months may be approved by the Director of Development Services. (Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(5)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.220 Signs permitted in single-family residential, Open Space-Recreation, and Public Facility zones.

The following performance standards shall be met in all cases in the single-family zones:

Class	Sign Type	Maximum Number	Maximum Sign Area in Square Feet	Maximum Height	Other Standards
1. Institutional signs for private schools, churches, government facilities, and other similar uses	Wall	1 of either a wall or freestanding sign per street frontage, with a maximum of 2	20 square feet	Below roofline	Street address shall be incorporated into the face or structure of the sign May incorporate electric or nonelectric changeable copy for events and time of events.
	Freestanding		24 square feet for identification; 36 square feet with changeable copy	6 feet	
2. Area identification	Wall	1 of either a wall or freestanding sign per development entrance, with a maximum of 2	36 square feet	6 feet	
	Freestanding			4 feet	
3. School identification	Wall	1 of either a wall or freestanding sign per street frontage with a maximum of 2	20 square feet	Below roofline	Street address shall be incorporated into the face or structure of the sign To be located no closer than 5 feet from the property line. May incorporate electric or nonelectric changeable copy for events and time of events.
	Freestanding		50 square feet	20 feet	
4. Nonconforming commercial uses	Wall	1	18 square feet	Below roofline	
	Freestanding	1	18 square feet	6 feet	

(Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(B)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.230 Signs permitted in the multifamily and mobile home park zones.

The following performance standards shall be met in all cases in the multifamily and mobile home park zones:

Class	Sign Type	Maximum Number	Maximum Sign Area in Sq. Ft.	Maximum Height	Other Standards
1. Multifamily					Signs shall be in harmony with the scale and design of the development.
					Street address shall be incorporated into the face or structure of the sign.
	Wall	1 of either a wall or freestanding sign per street frontage, with a maximum of 2 per development	12 square feet for 12 units or less; 24 square feet for more than 12 units	Not above the roofline	Freestanding signs shall be placed no closer than 5 feet to the property line.
Freestanding	8 feet				
2. Mobile home park	Wall	1 per development entrance	36 square feet	6 feet	Street address shall be incorporated into the face or structure of the sign
	Freestanding			4 feet	

(Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(C)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.240 Signs permitted in commercial zones.

The following performance standards shall be met in all cases in the commercial zones:

Class	Sign Type	Maximum Number	Maximum Sign Area	Maximum Height	Other Standards
1. Businesses (not within shopping centers)					Wall signs and freestanding signs shall be architecturally designed to be compatible with the development.
	Wall	Each building face and or frontage shall be permitted multiple wall signs	Combined total area of all signs on each building face and/or frontage not to exceed 15 percent of building wall area, or 150 square feet,	Not to project above the roofline	Illuminated signs shall not be permitted on walls which face, and are visible to, abutting residentially zoned property

			whichever is less		
	Freestanding	1 per street frontage, with a maximum of 2 per site. An additional sign may be permitted along the street frontage of a major arterial, as designated in the City General Plan, provided all the following exist: the site frontage along the major arterial is more the 300 feet, there are at least 2 driveways providing access to the site from the major arterial, and the sign would be no closer than 100 feet to any other freestanding sign.	40 square feet	8 feet or up to 15 feet in accordance with Sections 17.40.020(A) and 17.40.260(G)	<p>Freestanding signs shall be placed on the subject property and shall not overhang other private property. Street addresses shall be incorporated into the face or structure of each freestanding sign in numerals at least 6 inches high.</p> <p>The area dedicated to the street address shall not be included in the square footage calculation for purposes of complying with the maximum sign area limitation.</p>
2. Businesses within shopping centers					All shopping centers shall develop a Comprehensive Sign Program for all tenants and uses.
	Wall	Each building face and/or frontage shall be permitted multiple wall signs	Combined total area of all signs on each building face and/or frontage not to exceed 15 percent of building wall area, or 150 square feet, whichever is less	Not to project above the roofline	<p>All shopping centers with four or more tenants shall develop a Comprehensive Sign Program.</p> <p>Illuminated signs shall not be permitted on building walls which face, and are visible to, abutting residentially zoned property</p>
	Freestanding	1 per street frontage, not to exceed 3 per shopping center. An additional sign may be permitted along the street frontage of a major arterial, as designated in the City General Plan, provided all the	65 square feet	8 feet, or up to 15 feet in accordance with Sections 17.40.020(A) and 17.40.260(G)	Street addresses shall be incorporated into the face or structure of each freestanding sign in numerals at least 6 inches high. The area dedicated to the street address shall not be included in the square footage calculation for purposes of complying with the maximum sign

		following exist: the site frontage along the major arterial is more the 300 feet, there are at least 2 driveways providing access to the site from the major arterial, and the sign would be no closer than 100 feet to any other freestanding sign.			area limitation. All copy on a freestanding sign shall be in letters/numerals which are at least six inches in height.
3. Businesses within office centers					All office centers with four or more tenants shall develop a Comprehensive Sign Program.
	Wall	Each building frontage, which faces a street or main parking lot, shall be permitted multiple wall signs.	Combined total area of all signs on each building face and/or frontage not to exceed 15 percent of building wall area, or 150 square feet, whichever is less	Not to project above the roofline	Illuminated signs shall not be permitted on building walls which face, and are visible to, abutting residentially zoned property
	Freestanding	1 per street frontage with a maximum of 2 An additional sign may be permitted along the street frontage of a major arterial, as designated in the City General Plan, provided all the following exist: the site frontage along the major arterial is more the 300 feet, there are at least 2 driveways providing access to the site from the major arterial, and the sign would be no closer than 100 feet to any other freestanding sign.	40 square feet	8 feet, or up to 15 feet in accordance with Sections 17.40.020(A) and 17.40.260(G)	Street addresses shall be incorporated into the face or structure of each freestanding sign in numerals at least 6 inches high. The area dedicated to the street address shall not be included in the square footage calculation for purposes of complying with the maximum sign area limitation.
	Directory (wall	3 per building	12 square		Placed on the wall at

	or freestanding)		feet		main entrances or freestanding. Limited to listing the tenant's name and suite name. Directed at pedestrian traffic.
4. Service station	Freestanding	1 per street frontage, not to exceed a total of 2 per station	40 square feet	8 feet, or up to 15 feet in accordance with Sections 17.40.020(A) and 17.40.260(G)	
	Price sign (freestanding)	1 per street frontage, not to exceed a total of 2 per station	16 square feet for price sign	8 feet, or up to 15 feet in accordance with Sections 17.40.020(A) and 17.40.260(G)	
	Special service signs (wall or freestanding signs)	3 for each pump island	4 square feet	If mounted on a wall or pole of the canopy it shall be no higher than 8 feet. Freestanding signs shall not exceed 3 feet in height.	Special service signs shall be limited to such items as self-service, full-serve, air, water, cashier and shall be nonilluminated.
5. Motion picture or play house theater	Wall	Each building face and/or frontage shall be permitted multiple wall signs	15 percent of the building face, not to exceed 150 square feet	Not to project above the roofline	May include electric or nonelectric reader board or changeable copy sign to display current and coming attractions.
	Current coming attraction (wall)	4	8 square feet	8 feet	Nonelectric reader board/changeable copy sign to display current and coming attractions.
	Freestanding	1	40 square feet	8 feet	
6. Auto dealerships	Wall	Each building face and/or frontage shall be permitted multiple wall signs	15% of building face not to exceed 150 square feet per face	Not to project above roofline	
	Freestanding	2	40 square feet	8 feet, or up to 15 feet in accordance with Sections 17.40.020(A) and	Must be set back at least 20 feet from side property line and separated by at least 100 feet from other freestanding signs

				17.40.260(G)	Street addresses shall be incorporated into the face or structure of each freestanding sign in numerals at least 6 inches high. The area dedicated to the street address shall not be included in the square footage calculation for purposes of complying with the maximum sign area limitation.
	Convenience	As needed to direct traffic to services, customer parking, etc.	6 square feet	5 feet	
7. Drive-through restaurants	Menu board	2 per drive-through lane	40 square feet	8 feet	Directed at drive-through traffic and screened from public street

(Ord. 495, 1998; Ord. 482 § 2(H), (I), 1997; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(D)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.250 Signs permitted in industrial zones.

Repealed by Ord. 674. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.4(E)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

Article VII. Design Standards

17.40.260 Design standards designated.

Each sign shall be designed with the intent and purpose to complement the architectural style of the main building or buildings or type of business on the site and, to the extent possible, signs located on commercial sites, but in a predominantly residential area, shall take into consideration compatibility with the residential area.

- A. **Relationship to Buildings.** Signs located upon a lot with only one main building housing the use which the sign identifies, shall be designed to be compatible with the predominant visual elements of the building, such as construction materials, color or other design detail. Each sign located upon a lot with more than one main building, such as a shopping center or other commercial or industrial area developed in accordance with a common development plan, shall be designed to be compatible with predominant visual design elements common or similar to all such buildings or the buildings occupied by the "main tenants" or principal uses. The Development Services Director may condition his/her recommendation or approval of a sign to require such visual elements to be incorporated into the design of the sign where such element(s) are necessary to achieve a significant visual relationship between the sign and building or buildings.

- B. **Relationship to Other Signs.** Where there is more than one freestanding sign located on a lot, all such signs shall have designs which are complementary to each other by either similar treatment or incorporation of one or more of the following design elements:
1. Type of construction materials, such as cabinet, sign copy, supports;
 2. Letter style of sign copy;
 3. Type or method used for supports, uprights or structure on which sign is supported;
 4. Sign cabinet or other configuration of sign area;
 5. Shape of entire sign and its several components.
- C. **Landscaping.** Each freestanding sign shall be located in a planted landscaped area which is of a shape, design and size, equal to at least the maximum allowable sign area that will provide a compatible setting and ground definition to the sign. The landscaping shall be maintained in a neat, healthy and thriving condition.
- D. **Illumination and Motion.** Signs shall be nonmoving, stationary structures (in all components) and illumination, if any, shall be maintained by artificial light which is stationary and constant in intensity and color at all times (nonflashing).
- E. **Sign Copy.** The name of the business, use, service and/or identifying logo shall be the dominant message on the sign. Address numbers are required to be shown for each business or center on a freestanding sign or, if none exist, on the building. The area of the address numbers shall not count against the allowable sign area.
- F. **Relationship to Streets.** Signs shall be designed so as not to obstruct any pedestrian, bicyclist or driver's view of right-of-way. A freestanding sign adjacent to a driveway or street providing vehicular access to an abutting lot or street shall not be located within 15 feet of the intersection of the driveway and the street right-of-way and/or shall comply with the design standards for site visibility of the California Department of Transportation (Caltrans) (see PMC 17.08.240(C)).
- G. **Maximum Sign Height.** Freestanding signs shall be designed to be low profile. New and replacement freestanding signs shall not be approved for heights greater than eight feet unless the City Council finds that extraordinary circumstances exist which warrant the approval of a sign greater than eight feet in height. Such extraordinary circumstances shall include, but are not limited to, the following:
1. Impaired visibility from vehicles entering or exiting the primary driveway of the proposed or existing development;
 2. Placement of an existing nonconforming building is such that there is limited, if not any, space available for a visible low-profile sign; and
 3. The grade of the site is such that the placement of a low-profile sign would not be visible from the street. (Ord. 674 § 45, 2008; Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.5(A – F)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

Article VIII. Nonconforming Signs

17.40.270 Intent.

It is the intent of this article to recognize that the eventual elimination of existing signs that are not in conformity with the provisions of this Chapter is as important as is the prohibition of new signs that would violate these regulations. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.6(A)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.280 General requirements.

- A. A nonconforming sign may not be:
1. Changed to another nonconforming sign. Changes of copy, including legal nonconforming billboards, shall comply with the requirements of PMC 17.40.020 through 17.40.040;
 2. Structurally altered to extend its useful life;
 3. Expanded, moved or relocated;
 4. Re-established after a business, not within a center, or a business within a center without an approved Comprehensive Sign Program, is discontinued; or
 5. Re-established after damage or destruction of more than 50 percent of the sign value as determined by the Director of Development Services.
- B. A new sign may be approved for a site, structure, building or use that contains nonconforming signs if it meets one or more of the following criteria:
1. It is part of an approved Comprehensive Sign Program; or
 2. It lessens the nonconformity. (Ord. 518, 1999; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.6(B)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.290 Amortization requirements.

Every sign or advertising structure which does not comply with the provisions of this Chapter shall be amortized in accordance with this article. Time periods for amortization of nonconforming signs shall begin from April 6, 2012. Any sign not complying with the provisions of this Chapter at the end of the amortization period shall be deemed a public nuisance and abated in accordance with local ordinances.

- A. **Signs to Be Brought into Conformance within 90 Days.** The following signs, unless otherwise authorized by this Chapter, shall be removed or otherwise brought into conformance within 90 days from April 6, 2012:
1. **Illegal Signs.** Any sign erected without a permit and/or erected in contravention to regulations in existence at the time of its erection or placement, or without a valid sign and/or Building Permit;
 2. Temporary signs or temporary onsite devices attached to signs or used in conjunction with the promotion of any product, service or use, such as flags, banners, bunting, inflatable devices, pennants, streamers, and spinners;
 3. Portable signs;
 4. Rotating signs; and
 5. Flashing signs.
- B. **Legal Nonconforming Signs, Other Than Freestanding Signs.** Any permanent sign which was properly erected pursuant to regulations in existence at the time of its erection or placement, and with a valid sign and/or Building Permit, but which does not meet the requirements of this Chapter, shall be allowed to remain in existence, notwithstanding its nonconforming character, for the useful life of the sign, providing that such signs and sign structures remain in full compliance with PMC 17.40.130(B). Such signs must be brought into conformance if major exterior building modification occurs as determined by the Director of Development Services.
- C. **Legal Nonconforming Freestanding Signs.** Any permanent freestanding sign measuring 65 square feet or less and 25 feet or less in height, which was properly erected pursuant to

the regulations in existence at the time of its erection or placement, and with a valid Sign Permit and/or Building Permit, shall be allowed to remain for the useful life of the sign, providing that such sign structures remain in full compliance with PMC 17.40.130(B), 17.40.270 and 17.40.280. Such signs must be brought into conformance if a Building Permit or permits are subsequently issued on the site for major exterior modifications unless such conformance is waived by the Director of Development Services. (Ord. 518, 1999; Ord. 482 § 2(J), 1997; Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.6(C)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.300 Historical signs.

Signs which have historical significance to the community, but do not conform to the provisions of this Chapter, may be issued a permit to remain; provided, that the City Council makes the following findings:

- A. The sign has historical significance for the community;
- B. The sign does not create nor cause a traffic hazard;
- C. The sign does not create a visual nuisance to the character of the community;
- D. The sign is properly maintained and structurally sound;
- E. The sign does not adversely affect adjacent properties. (Ord. 427 (Exh. A), 1993; Ord. 113 §§ 1 (Exh. A 7.6(D)), 3, 1983; Ord. 82 § 1 (Exh. A), 1983)

17.40.310 Severability.

Each provision of this Chapter is separate and distinct from all others. In the event that any provision is determined by a court of competent jurisdiction to be unlawful or unconstitutional, it shall be severed from all other provisions hereof, and the remainder shall continue to be of full force and effect. The City Council specifically declares that it would have passed and adopted the sections of this Chapter regulating the size of signs and prohibiting billboards whether or not it adopted any other provisions hereof; that those sections are separate, distinct, and severable from all other sections hereof; and that the invalidity of any other provisions hereof shall not affect the validity of those sections. (Ord. 525 § 8, 2000)

Section 4: This Ordinance shall be codified.

EFFECTIVE DATE: This Ordinance shall take effect and be in force thirty (30) days after its adoption.

CERTIFICATION/PUBLICATION: The City Clerk shall certify the adoption of this Ordinance and cause it or a summary of it, to be published with the names of the City Council members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation in the City of Poway within fifteen (15) days after its adoption and shall post a certified copy of this Ordinance in the Office of the City Clerk in accordance with Government Code § 36933.

