



**AGENDA  
SPECIAL PLANNING COMMITTEE**

**Larry Greene  
Randy Bonner**

**February 14, 2017  
11:00 am**

**Canyon Lake Council Chambers  
31516 Railroad Canyon Road  
Canyon Lake, CA 92587**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Review of Sign Ordinance
5. Public Comments
6. Committee Member Comments
7. Staff Comments
8. Adjournment



**City of Canyon Lake  
Planning Committee  
Staff Report**

**TO:** Members of the Planning Committee

**BY:** Jim Morrissey, City Planner

**DATE:** February 14, 2017

**SUBJECT:** Review of City Council Staff Report and Ordinance No. 167

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**Recommendation**

Review City Council Staff Report and Ordinance No. 167.

**Background**

Staff has been contacted by businesses within the Towne Center shopping area regarding the criteria for different signs. One issue relates to the current Code provision allowing individual signage based upon the building frontage (1 and ½ sq. ft. per 1 foot of building frontage). Staff believes the intent is to reflect the size of each individual use or occupant's frontage along their portion of the building. Staff has interpreted this provision to mean the frontage of the use, but would prefer an explicit statement.

The second issue relates to determining if a sign is abandoned and required to be removed. The Code currently requires the removal of the entire sign structure if it is determined to be abandoned. Abandonment is required if the business or use that utilizes the sign for advertising has been discontinued for a period of 90 days. It would seem appropriate to permit the sign structure to remain, provided the sign text is removed and the sign is continuously maintained. This would allow previously permitted signs to remain and subsequently used.

**Discussion**

The following sections of the Code are proposed for modification:

1. Section 9.25.050 Commercial Sign Regulations, subsection (c) (C) 1a.
  - a. The total aggregate area of all signs per single use shall not exceed 1-1/2 square feet of sign area for each one linear foot of building frontage of the use along that portion of the building. (Additional/modified language is underlined.)
2. Section 9.25.080 Abandoned, Illegal and Nonconforming Signs, subsection (a).
  - (a) Abandoned Commercial Freestanding Signs. A sign shall be determined to be abandoned when the business, use, or service it advertises has been discontinued for a

period of more than 90 calendar days. However, if the text used to advertise the discontinued business has been removed and the sign structure is continuously maintained then the sign structure is no longer considered to be abandoned and removal of the sign structure is not required. (Additional/modified language is underlined.)

**Budget (or Fiscal) Impact**

There is no fiscal impact.

**Attachment**

- 1.) City Council Staff Report
- 2.) Ordinance No. 167

**City of Canyon Lake  
City Council  
Staff Report**

**TO:** Honorable Mayor and Members of the City Council

**BY:** Jim Morrissey, City Planner

**DATE:** March 1, 2017

**SUBJECT:** Revising certain provisions of the Canyon Lake Municipal Code Chapter 9.25: Sign Regulations relating to clarifying sign measurement criteria and sign abandonment criteria.

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**Recommendation**

- 1.) Introduce and hold first reading of Ordinance No. 167; revising certain provisions of the Canyon Lake Municipal Code Chapter 9.25, Sign Regulations, relating to clarifying sign measurement criteria and sign abandonment criteria and that all of Chapter 9.25 be readopted..
- 2.) Set Public Hearing date to hear testimony for and against the adoption of Ordinance No. 167, and to adopt the Ordinance on April 5, 2017

**Background**

Staff has been contacted by businesses within the Towne Center shopping area regarding the criteria for different signs. One issue relates to the current Code provision allowing individual signage based upon the building frontage (1 and ½ sq. ft. per 1 foot of building frontage). Staff believes the intent is to reflect the size of each individual use or occupant’s frontage along their portion of the building. Staff has interpreted this provision to mean the frontage of the use, but would prefer an explicit statement.

The second issue relates to determining if a sign is abandoned and required to be removed. The Code currently requires the removal of the entire sign structure if it is determined to be abandoned. Abandonment is required if the business or use that utilizes the sign for advertising has been discontinued for a period of 90 days. It would seem appropriate to permit the sign structure to remain, provided the sign text is removed and the sign is continuously maintained. This would allow previously permitted signs to remain and subsequently used.

**Discussion**

The following sections of the Code are proposed for modification:

1. Section 9.25.050 Commercial Sign Regulations, subsection (c) (C) 1a.

- a. The total aggregate area of all signs per single use shall not exceed 1-1/2 square feet of sign area for each one linear foot of building frontage of the use along that portion of the building. (Additional/modified language is underlined.)
2. Section 9.25.080 Abandoned, Illegal and Nonconforming Signs, subsection (a).
    - (a) Abandoned Commercial Freestanding Signs. A sign shall be determined to be abandoned when the business, use, or service it advertises has been discontinued for a period of more than 90 calendar days. However, if the text used to advertise the discontinued business has been removed and the sign structure is continuously maintained then the sign structure is no longer considered to be abandoned and removal of the sign structure is not required. (Additional/modified language is underlined.)

**Budget (or Fiscal) Impact**

There is no fiscal impact.

**Attachment**

1. Ordinance No. 167

**ORDINANCE NO. 167**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE REVISING CERTAIN PROVISIONS OF CANYON LAKE MUNICIPAL CODE CHAPTER 9.25: SIGN REGULATIONS RELATING TO DEFINITIONS OF NONCOMMERCIAL SIGNAGE AND REORGANIZING THE TEXT**

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 9.25 of the Canyon Lake Municipal Code is amended as follows:

9.25.010	Purpose and intent.	Road. All commercial centers within the City are located along one of these two roads.
9.25.020	Definitions.	
9.25.030	Commercial signs for which a permit is not required.	(d) Confirm distinctions between public and private signage, as well as commercial and non-commercial signage.
9.25.040	Commercial Sign Permit requirements.	(e) To improve pedestrian and traffic safety.
9.25.050	Commercial Sign regulations.	(f) No provision of this Chapter shall prohibit a noncommercial, non-content based, message on a sign otherwise permitted by this Chapter.
9.25.060	Temporary commercial signs.	(g) The provisions of this Chapter are not intended to abrogate any easements, covenants, conditions, restrictions, or agreements which are more restrictive than the provisions hereof. The provisions of this Chapter are in addition to the Canyon Lake Property Owners Association (POA) requirements which are enforced separately.
9.25.070	Non-commercial signs	
9.25.075	Prohibited signs.	
9.25.080	Abandoned, illegal and nonconforming signs.	
9.25.090	Conformance and amortization.	
9.25.100	Violations and enforcement.	
9.25.110	Construction and maintenance.	
9.25.120	Appeal or variance procedure.	

**9.25.010 Purpose and intent.**

The purposes of this Chapter are to:

- (a) Create the legal framework for comprehensive and balanced system of signage, facilitating communication between people and their environment.
- (b) Provide necessary and reasonable regulations and standards for signs in the City as necessary to promote the general welfare and public interests of the community. Said regulations and standards may address the location, number, size, height, illumination, character, design, materials, construction, color, maintenance, and other related aspects of signs including outdoor advertising structures.
- (c) Enhance and preserve the City's scenic arterials including Railroad Canyon Road and Goetz

**9.25.020 Definitions.**

For the purpose of this Chapter, certain terms, phrases, words, and their derivatives shall be construed as specified hereinafter.

“Abandoned sign.” Any sign which advertises a business, use or service which has been discontinued for a period of more than 90 calendar days. (See Section 9.25.080.)

“Accessory sign.” A permanently mounted sign which has a purpose secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “loading only,” the announcement of credit cards or other incidental matters, and which does not announce or advertise products, goods or services directly related to the business being conducted on the premises. (See Section 9.25.030.)

“A frame sign.” A free standing sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter “A.” (See Section 9.25.030.)

“Animated sign.” A sign which uses movement, lighting, or special materials to depict action or create a special effect; but not including wind actuated elements such as flags and/or banners, and non animated LED/digital advertising signs, or hand held signs. (See Section 9.25.070.)

“Awning.” A temporary shelter supported from the exterior wall of a building.

“Awning, canopy or marquee sign.” A nonelectric sign that is printed on, painted on, or attached to an awning or valance thereof, canopy, or marquee which is only permitted on the vertical surface or flap. Such a sign does not protrude nor project from the awning, canopy, or marquee.

“Banner, flag, pennant or balloon.” Any cloth, bunting, plastic, paper or other flexible material used for advertising purposes attached to, pinned on, or hanging from any structure, staff, pole, line, framing, or vehicle. (See Section 9.25.060, Temporary Signs.)

“Billboard sign.” Any off site sign or sign structure the height of which exceeds 15 feet from the ground and is 100 square feet or greater and which is erected or used for advertising an establishment, message, merchandise, product, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located. (See Section 9.25.070.)

“Building complex or center.” A building or group of buildings on one or more lots or building sites containing more than one commercial or industrial occupant which use common vehicular and pedestrian access and parking facilities.

“Commercial sign.” Any privately owned sign with wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to business, product, service, profession, commodity, event, person, institution, or other commercial activity related to the economic

interests of the sign owner or business or service advertised.

“Combination sign.” Any sign incorporating any combination of the features of more than one sign classification. (Each portion of a sign which is subject to more than one classification shall meet the requirements for the classification to which such portion is subject.)

“Comprehensive sign program.” A coordinated comprehensive program of two or more signs for an individual building, building complex(es), or development and the site upon which the development occurs. The combination of lots covered by a “comprehensive sign program” shall be treated as a single site with the comprehensive sign program governing the entire site.

“Construction sign.” A temporary sign erected or placed on the parcel on which construction is taking place, limited to the duration of the construction, indicating the names of architects, engineers, landscape architects, contractors, the owner(s), financial supporters, future occupants, sponsors, and/or similar individuals or firms having a major role or interest with respect to the structure or project.

“Directional sign.” Accessory on site private signs designed to guide or direct pedestrian or vehicular traffic and which contain no matter specifying products or services. (For off site directional signs, see “off site sign.”) ALSO GOVERNMENTAL

“Digital advertising signs.” Non animated, non flashing static electronic sign that digitally transitions between images. (See Section 9.25.050.)

“Fascia.” An architectural feature generally comprising a trim panel attached to the eaves and immediately below the roofing material.

“Fascia sign.” A sign upon the fascia. (A “fascia sign” is regulated as a wall sign.)

“Freestanding signs.” A monument type sign which is wholly supported from grade to the bottom of the sign with the appearance of having a solid base and which does not exceed a height of eight (8) feet, or a pole type sign which is wholly supported by one or more columns, uprights, or braces in the ground



and that are independent from any building or other structure.

"Governmental/public signs" Signs placed by local, state, federal, or other public agencies for health, safety, and welfare purposes, including but not limited to traffic signs, identification on public vehicles, including: (1) Signs required by Federal, State, or City statute, not to exceed the maximum size permitted thereby; (2) Memorial signs and plaques, not to exceed two square feet, installed by a civic or non-profit organization; (3) Official and legal notices issued by a court or governmental agency and posted in compliance with law; (4) Official flags of the United States, the State of California, County and City, not to exceed 100 square feet per flag; (5) Signage providing directions.

"Monument sign." A sign supported from ground level to the bottom of the sign with the appearance of having a solid base and which does not exceed a height of eight feet.

"Pole sign." A sign which is wholly supported by one or more columns, uprights or braces in the ground and that are independent from any building or other structure.

"Frontage." The horizontal lineal measurement of any side of a building at ground level.

"Hand held sign." A sign that is held by an individual; "hand held signs" may be commonly known as "human sign twirlers."

"Illuminated sign." A sign with an artificial light source for the purpose of lighting the sign or making the message readable. This includes but is not limited to signs utilizing neon, light emitting diode (LED), fluorescent, electric, as well as unlit signs that have lighting directed on them.

"Legal nonconforming sign." A sign legally established under old Chapters which does not conform to the regulations of the current Chapter.

"Marquee." Any hood, canopy, awning or permanent construction which projects from a wall of a building, usually above an entrance.

"Murals." An original work of visual art produced by hand that is tiled or is glass, metal, or painted directly upon, or affixed directly to an exterior wall of a structure or a paved surface, which does not advertise

an institution, organization, business, product, service, and/or event. "Murals" do not include mechanically-produced or computer generated prints or images including but not limited to digitally printed vinyl, or electrical or mechanical components or changing images. (See Section 9.25.050(d).)

"Non commercial sign." A private sign that is not a commercial sign as defined herein. Governmental or public signs are a type of noncommercial sign.

"Non profit organization." An organization as defined by the Federal Internal Revenue Service under Section 501(c). [includes non 501(c)(3)]

"Off site sign." Any sign or sign structure the height of which does not exceed 15 feet from the ground, is less than 100 square feet, and which is erected or used for advertising an establishment, message, merchandise, product, service, event, or entertainment, which is not sold, produced, manufactured, or furnished at the property or complex on which the sign is located. An "off site sign" may provide direction to a primary location. (See Section 9.25.070.)

"On site sign." A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities provided on the premises.

"Portable sign." 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, A frame signs, and menu and sandwich board signs. (See Section 9.25.070.)

"Projecting sign." Any sign, other than a wall sign, which projects perpendicular from and is supported by a wall of a building or structure. (See Section 9.25.050.)

"Pylon sign." A freestanding sign designed and constructed so the advertising structure is supported

by structure comprised of masonry and metal reinforcement projects.

“Roadway banner.” A banner which is displayed over public or private streets for a limited time. (See Section 9.25.070.)

“Roof sign.” A sign erected, constructed, or placed upon or over a roof or parapet of a building or structure, including a mansard roof and which is wholly or partly supported by such buildings. (See Sections 9.25.070 and 9.25.090.)

“Sign.” Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

“Sign area.” The entire face of a sign including the surface and any framing, projections, or molding, but not including the support structure. Individual letters mounted or painted on a building shall be measured by the area enclosed by four straight lines outlining the message. The area of a freestanding sign shall be determined from the sign face.

“Sign program.” See “comprehensive sign program.”

“Single use.” A single use shall be a site or building occupied by one commercial, industrial, or organizational use.

“Site” shall mean one or more contiguous parcels of land identified by the assessor's records and for which a building or building complex exists or has been proposed.

“Street frontage.” The length of a lot or parcel of land along or fronting on a street or streets.

“Temporary.” Lasting for only a limited period of time, not permanent.

“Temporary sign.” Any sign that is used or intended to be used only temporarily and is not permanently mounted, including seasonal banners.

“Time and temperature sign.” A mechanical or electrical sign that indicates time and temperature placed on a commercial building or property. (See Section 9.25.050(a).)

“Vehicle sign.” A sign which is attached to or painted on a vehicle, including magnetic decals that can be attached to the side of a car, truck, or vehicle. (See Section 9.25.030, Exempt Signs.)

“Wall sign.” Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. (See Section 9.25.050.)

“Wearable display.” A sign, costume, or other wearable object utilized as a sign to promote a commercial business, service or event.

“Window sign.” Any sign painted or affixed to the inside or outside of a window surface, or otherwise so located within a building so as to be visible from the exterior of the building. (Window signs are addressed in Sections 9.25.030 and 9.25.050 of this Chapter.)

### **9.25.030 Commercial signs for which a permit is not required.**

The following commercial signs shall be exempt from the sign permit requirements and procedures of this Chapter; such signs shall comply with the definitions, size, construction and other requirements (such as placement and lighting):

(a) Window signs which are in keeping with the purpose and intent of this Chapter that are painted or similarly applied directly to the window with non washable or washable material are permitted so long as the total sign area does not exceed 25% of the total frontage glass area. Window signs posted for a specific event must be removed within 20 days after the event occurs.

(b) Temporary identification signs on commercial construction sites. Such signs shall be limited to one directory or pictorial display sign per street frontage or entrance, up to a maximum of two signs, identifying the development under

construction and/or any contractors, architects, engineers, landscape architects, owners(s), financial supporters, future occupants, sponsors, and/or similar individuals or firms having a major role or interest with respect to the structure or project. Each sign shall be removed prior to issuance of a certificate of occupancy. Construction signs shall not exceed 50 square feet.

(c) Accessory signs (may be double faced) for gasoline service stations, showing notices of services (i.e., price of gasoline) provided or required by law, trade affiliations, credit cards accepted, and the like, not attached to the structure or building; provided that all of the following conditions exist:

- (1) The number of signs shall be no more than three.
- (2) No such sign projects beyond any property line.
- (3) No such sign may be placed or allowed to remain within the sight distance triangle as determined by the City Engineer.
- (4) No such sign shall exceed an area per face of nine square feet or height of four feet.

(d) Copy applied to fuel pumps or dispensers such as fuel identification, station logo, and other signs required by law.

(e) Non illuminated, directional signs and/or information signs to aid the vehicle or pedestrian traffic on the site, provided that such signs are located on site, have a maximum area which does not exceed three square feet, have a maximum overall height of four feet above ground level, and are mounted on a monument or decorative pole. Such signs may be located in a required setback provide that a minimum distance of five feet from any property line is maintained, including directional commercial signs painted on paved areas of private property.

(f) Vehicle signs. Commercial signs professionally painted for application directly to private vehicles (includes temporary signs and magnetic signs that are attached to the outside of a car). Directional signs may not be placed on

vehicles. Vehicles registered as Planned Non Operational with the California Department of Motor Vehicles may not be used for signage. No vehicle signs can remain in place for a period greater than seven consecutive days.

(g) Repainting copy without design change, replacement of damaged panels with identical panels, or cleaning of a sign structure. (If structural or electrical changes are being made a building permit must be obtained.)

(h) One mannequin or one rack of clothing (not to exceed six feet in length), that does not obstruct the accessibility of the sidewalk, as determined by ADA, is allowed at the front of a business's entrance if it is located on the building's/suite's private property and not within the public right of way. These items are intended to help attract business and must be kept in good repair. Items must be stable so as to not tip over under typical conditions. Items must be brought inside when the business is closed.

(i) Hand held signs.

(j) Wearable displays. Allowed for a maximum of one day per week per business, service, or event.

(k) Seasonal banners pursuant to the following standards:

(1) Seasonal banners may be allowed year round and may be changed on a seasonal basis.

(2) Seasonal banners shall be installed on permanent light standards only.

(3) A maximum of two seasonal banners per light standard are permitted.

(4) The dimensions of each banner shall be 30 inches wide by 96 inches in height maximum.

(5) If a banner or the structure supporting the banner is damaged it shall be the applicant's responsibility to remove the banner and/or structure within 14 days of written notice.

(6) Those banners that exceed these standards shall be permitted as either special event or banner signs pursuant to Section 9.25.06.

(1) A frame signs pursuant to the following standards:

(1) No more than one A frame sign may be allowed per business and no more than one A frame sign may be allowed for each entrance into a building. If there is more than one business located in a single building with one entrance, only one A frame sign is allowed at the entrance at a time.

(2) The vertical dimension of the sign (including both frame and sign face) shall not exceed four feet and the horizontal dimension of the sign (including both frame and sign face) shall not exceed two feet.

(3) One additional sign may be permitted per major street frontage, provided it is a community event sponsored by the City or by a nonprofit or civic organization.

(4) At no time shall the distance between A frame signs be less than 30 feet.

(5) The Planning Director shall have the authority to increase or reduce the requirements in this Subsection (u) in case of unusual physical characteristics of the site, such as presence of driveways, landscaping, utility poles, lot configuration, and the like.

(6) A frame signs shall be made out of wood or metal with a chalk board or white board sign face. Signs shall be mounted to a frame between one and four inches thick that contours the top, bottom and sides of the sign. A frame signs shall be constructed of quality durable materials and shall be constructed so that the sign shall be securely fastened to the frame. A frame signs shall not be made out of plastic.

(7) A frame signs shall be restricted to business operating hours only.

(8) A frame signs shall not be allowed during windy days where the sign may be blown over.

(9) A frame signs shall not be permitted within the public right of way, Merchant Owners Association (MOA) common areas including

landscape areas, and shall not obstruct flow of traffic, public's view of another business or activity, public's view of the signage for another business or activity, the view or visibility of the operator of any motor vehicle, or the movement of any pedestrian or motor vehicle.

(10) The maximum duration for an A frame sign is seven cumulative days within a 30-day period.

(m) No non-commercial sign shall require a sign permit, although the provision of Section \_\_\_\_\_ shall apply to the size, materials, lighting, moving parts and portability of non-commercial signs. Non-commercial signs include, but are not limited to:

(1) Historical markers, including a building marker not to exceed two square feet. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material and which is permanently affixed to a building.

(2) Memorial signs and plaques, not to exceed two square feet, installed by a civic or non-profit organization.

(3) Governmental signs/public signs.

#### **9.25.040 Commercial Sign Permit requirements.**

(a) No sign, including any change in text on the sign, mural or temporary sign, unless expressly exempted by this Chapter, shall be constructed, placed or altered without a sign permit or comprehensive sign program approved by the City. The City Planner shall initially review all signs.

(b) Application for Permit or Program Approval. Application for a sign permit or comprehensive sign program shall be made in writing upon forms provided by the City Planner and shall include the following items:

(1) Name, address, telephone number and signature of the applicant.

(2) Name, address, telephone number and signature of consent by the property owner.

(3) Location by street number and legal description (tract, block, lot) of the building, structure, or lot to which or upon which the sign is to be installed or affixed.

(4) A drawing to scale showing the design of the sign, including dimensions, square footage, and showing the relationship to any building or structure to which it is, or is proposed to be, installed or affixed, or to which it relates. Drawings shall be a reproducible size, maximum 11x17.

(5) For all signs except wall signs, a site plan drawn to scale, showing existing buildings, dimensions, property lines, setbacks, streets, sidewalks, driveways, landscaping areas, and number, size and location of existing and proposed signs. Drawings shall be a reproducible size, maximum 11x17.

(6) For wall mounted and suspended signs, scaled elevation drawings of full face(s) of the building showing size and locations of proposed and existing signs. Drawings shall be a reproducible size, maximum 11x17.

(7) Location/disposition of existing signs to remain. If any existing signs that are associated with the specific businesses' tenant space are to remain legal nonconforming signs, the sign program shall address the phasing of bringing those signs into conformity pursuant to Section 9.25.090.

(8) The application fee in the amount established by resolution of the City Council.

(9) Other requirements as determined necessary by the City Planner and in compliance with any adopted design guidelines, including but not limited to:

(A) Photograph(s) of the building or site.

(B) Lettering style, method of attachment, source of illumination, and/or construction details.

(C) Color samples and material samples.

(c) Method of Review and Approval Sign Permit. The purpose of a sign permit is to ensure compliance with the provisions of this Chapter. Any sign permit may be referred to the City Council for review and decision as deemed appropriate by the City Planner and/or City Manager.

(1) General. After receipt of a complete application for a sign permit, the City Planner shall review the application for conformance and render a decision to approve, conditionally approve, or deny such sign request.

(2) Signs Requiring City Council Review and Other Signs Referred to City Council.

(A) City Planner Review. After receipt of a complete application for a sign permit, the City Planner shall review the application for conformance and shall schedule for review by the Planning Committee.

(B) The Planning Committee shall consider and recommend approval or denial to the City Council.

(C) City Council Determination. The City Council, at an appropriately noticed public hearing, shall render a decision to approve, conditionally approve, or deny such sign permit proposal. Ten days prior to the hearing notice shall be published and mailed to all real property owners within 300 feet of the project site (property to contain the sign).

(D) Such review shall ensure that any sign proposal is in conformance with this Chapter, any adopted sign design guidelines, and the General Plan, as well as other applicable Chapters and policies of the City. Any determination made by the City Planner may be appealed to the Planning Committee and ultimate decision by the City Council. A decision by the City Council is final.

(d) Method of Review B Comprehensive Sign Program. The purpose of a comprehensive sign program is to ensure compliance with the provisions of this Chapter. The intent of the comprehensive sign program is to provide an opportunity for a center or complex to obtain approval of an overall sign program which will enable administrative review and approval prior to installation for those individual signage elements which were approved in the sign program.

(1) City Planner Review. After receipt of a complete application for a comprehensive sign program, the City Planner shall review the application for conformance and shall schedule for review by the Planning Committee.

(2) The Planning Committee shall consider and recommend approval or denial to the City Council.

(3) City Council Determination. The City Council, at an appropriately noticed public hearing, shall render a decision to approve, conditionally, approve, or deny such sign program request. Ten days prior to the hearing notice shall be published and mailed to all real property owners within 300 feet of the project site (property to contain the sign).

(4) Findings. Prior to approval of a comprehensive sign program, the City Council shall make the following findings:

(A) The specific standards for sign area, height and location are appropriate for the site;

(B) The proposed signs are visually compatible with the buildings they identify;

(C) To the extent practicable, the proposed sign program shall be internally consistent and compatible with the site and its components;

(D) The proposed signs are compatible with surrounding land uses and do not obscure adjacent conforming signs or viewscales;

(E) The proposed signs do not obstruct visibility for ingress and egress from adjacent conforming signs or viewscales; and

(F) The proposed signs are compatible with the purpose and intent of this Chapter.

(5) Other Permits Required. Issuance of a sign permit or approval of a comprehensive sign program does not preclude the necessity for obtaining building, electrical, or other permits for signs where such other permits are required by the City.

### **9.25.050 Commercial Sign regulations.**

This Section addresses and establishes minimum and maximum quantitative measures for regulating the sizes of signage. Signage shall be consistent with the following requirements as well as with any adopted sign design guidelines or Specific Plan.

(a) General.

(1) Signs may be erected, altered and maintained only for those permitted uses of the zone in which they are located except as provided otherwise in this Chapter.

(2) Signs shall be located on the same site or complex as the permitted use, except in the case of specifically approved off site signs.

(3) Time and Temperature Devices. Such devices may be considered for approval as part of a sign application when they are located on private property, are not located on a roof, unless as part of a tower structure, do not exceed 16 square feet for each face, and do not rotate. Any monument sign which incorporates a time and temperature element may be permitted up to 50% additional height. A sign with a time and temperature element may not be located within 4,000 lineal feet of another such sign along the same roadway. Any clock shall keep accurate time; if this condition is not complied with, the clock shall be repaired or removed within ten days of official notice from the City.

(4) Real Estate Signs, Commercial. One commercial real estate sign, not to exceed 20 square feet in area, is allowed per lot or unit. Commercial real estate signs are those which advertise the sale, lease or rent of premises upon which the sign is located. No permit or approval is required provided said sign follows these criteria.

(5) Signs may not contain discriminatory, hateful, adult, or obscene text or graphics as defined by California Law.

(6) Benches that do not obstruct the accessibility of the sidewalks, as determined by ADA, are allowed on the buildings/suites of private property and not within the public right-of-way. These items are intended to beautify the center and must be kept in good repair. Dedication plaques are allowed on benches, all other signage on benches is not allowed.

(b) Single Use. A single use shall be a site or building occupied by one commercial, industrial, or organizational use. The following standards are applicable to such single uses. Standards regulating signs specific to building complex/center (multi tenant uses) type developments and the tenant suites/units therein, are included in following Subsection (c).

(1) Sign Type. Only sign types specifically authorized herein shall be permitted as noted below. Projecting signs may be permitted only where a wall or suspended sign cannot be placed to provide reasonable identification.

(2) Sign Area.

(A) The maximum surface area of signs affixed to a building shall be as follows:

1. The total aggregate area for all signs per single use shall not exceed 1 1/2 square feet of sign area of each one linear foot of building frontage except that frontages along the golf course shall be permitted signage at 1/2 square feet of sign area for each one linear foot of building frontage.

2. No single sign face shall exceed 100 square feet.

3. Sign area accruing from one frontage, pursuant to Subsection (b)(2)(A)1. above may only be applied to signage along that same frontage. Transferring or sharing of allowed sign area between two frontages is not allowed.

(B) The maximum surface area of freestanding signs shall be as follows:

1. The total aggregate area for a freestanding sign per single use shall not exceed 80 square feet.

(C) Projecting signs shall not exceed 3 1/2 square feet.

(3) Number of Signs. A single use may be permitted up to one freestanding sign per frontage and one sign attached to the building. Those single uses without direct street frontage are not permitted a freestanding sign.

(4) Sign Height.

(A) Monument Signs. The maximum permitted height above ground level for monument signs adjacent to street frontages (within one to 25 feet of a public right of way) shall be eight feet. The maximum permitted height above ground level for monument signs which are interior to the site shall be six feet.

(B) Wall and fascia signs shall not extend above the height of the wall or the lowest point of the roof.

(C) Projecting and under canopy signs shall provide a minimum of eight feet ground clearance. Signs shall not extend above the height of the wall or the lowest point of the roof.

(5) Setbacks. All signs must be set back so as not to obstruct the visibility for ingress and egress from a public right of way, or endanger pedestrians, motorists, or the public.

(6) No sign shall encroach into, or over the public right of way, except as permitted by Section 9.25.060, or as specifically exempted by the language of Section 9.25.030.

(7) Landscaping. Monument signs shall be located in landscaped areas equal to a minimum of two times the area of the sign face.

(8) Each freestanding monument sign along a public right of way shall include the address of the site located at the uppermost portion of the sign and clearly visible from the public right of way. The portion for the address may be permitted over and above the allowable square footage for the sign.

(9) Projecting and under canopy signs shall not extend farther than two feet from the building it is placed on. Projecting signs and under canopy signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right of way.

(c) Building Complex/Center (Multi Tenant Uses). Commercial, industrial, or institutional complexes or centers are subject to the following provisions. Any new commercial, industrial, or institutional complexes or centers are required to obtain approval of a comprehensive sign program and shall be subject to the following provisions:

(1) Sign Types Permitted. Only sign types specifically authorized herein shall be permitted in multi tenant developments.

(A) Free Standing Signs.

1. One freestanding monument sign per street frontage entrance for identification of the center or complex and its tenants, shall be permitted at a maximum height of eight feet and maximum area of 80 square feet. No portion of the sign shall be closer than one foot from the public right of way unless an

encroachment permit is acquired. Said sign shall be located in either a landscaped parkway or in a landscaped area adjacent to an access drive. Area of landscaping within said parkway or area shall be equal to two times the area of the sign face.

2. Each freestanding monument sign along a public right of way shall include the address of the site clearly visible from the public right of way. The portion for the address may be permitted in addition to the allowable square footage of the sign.

3. Pylon Signs. An additional freestanding pylon sign may be permitted in commercial centers over ten acres in size for additional identification of the commercial center and tenants therein. One pylon sign, not to exceed 24 feet in height and 80 square feet in area, may be permitted for each street frontage, and may be centrally located along the commercial center's street frontage.

(B) Directory Signs. Additional directory signs including freestanding complex/center directory signs that include a map, freestanding multi tenant directory signs, and multi tenant building wall signs may be allowed in a complex/center as deemed appropriate for additional identification. Directory signs must be approved as part of the overall complex sign program for consistency.

1. Complex/center directory sign are intended to provide a directory as well as a map for an entire complex/center. These signs shall be a maximum height of eight feet and have a maximum area of 25 square feet per display face. Complex directory signs may have multiple sides. These signs shall be located in landscaped areas. Unless existing conditions preclude, the landscaped area shall be equal to a minimum of two times the area of the sign face. Properties that are less than one acre in size shall not have more than one complex directory sign. Properties over one acre in size but less than 15 acres in size shall not have more than two complex directory signs. Properties that are more than 15 acres in size shall not have more than three of these signs. These signs shall be located to maximize visibility and usefulness to those entering the complex/center.



2. Multi tenant freestanding directory signs are intended to provide a directory for a single building or group of buildings containing multiple suites/tenants within a complex/center. These signs shall be a maximum height of eight feet and have a maximum area of 25 square feet per face. These signs may have multiple sides. Directory signs shall be located in landscaped areas. Unless existing conditions preclude, the landscape area shall be equal to a minimum of two times the area of the sign face. Multi tenant freestanding directory signs shall not exceed a ratio of one directory sign per six businesses or suites and shall not be located less than 100 feet from each other.

3. Building tenant directory wall signs are intended to provide a directory for a single building containing multiple suites/tenants. These signs shall have a maximum area of 25 square feet. Sign area accruing from one frontage may be allocated only to signage along the same frontage. No sign shall extend above the height of the wall or the lowest point of the roof.

(C) Wall, Fascia, Under Canopy, and Projecting Signs. Individual business uses within a complex/center may be permitted signage on the building in which the business use is located pursuant to the following standards:

1. Sign Area. The maximum surface area of signs affixed to a building shall be as follows:

a. The total aggregate area of all signs per single use shall not exceed 1 1/2 square feet of sign area for each one linear foot of building frontage or frontage of the use within a portion of the building. Except that frontages along the golf

course shall be permitted signage at 1/2 square feet of sign area for each one linear foot of building frontage.

b. No single sign face shall exceed 100 square feet.

c. Sign area accruing from one frontage may be allocated only to signage along the same frontage.

2. Sign Height. No sign shall extend above the height of the wall or the lowest point of the roof.

3. Projecting Signs. A projecting sign may be permitted only where a wall or under canopy sign cannot be placed to provide reasonable identification. Projecting signs shall be placed so that the lowest point of the sign is no lower than eight feet from the walking surface to avoid conflict with pedestrian access, and shall not extend farther than two feet from the building it is placed on. Projecting signs shall not exceed 3 1/2 square feet. Projecting signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right of way.

4. Under Canopy Signs. Under canopy signs shall be placed so that the lowest point of the sign is no lower than eight feet from the walking surface immediately below to avoid conflict with pedestrian access. Under canopy signs shall not exceed 3 1/2 square feet, and shall not project past the edge of the roof. Under canopy signs shall be double sided and installed horizontal to the building frontage. Under canopy signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right of way.

(D) Window Signs. Window signs are permitted pursuant to Sections 9.25.030 and 9.25.060.

(E) Digital Advertising Signs. Digital advertising signs may be permitted in commercial, industrial, or institutional complexes/centers over ten acres in size upon approval

by the City Council as set out in this section through a sign permit pursuant to the following standards and conditions:

1. Sign Height. Digital advertising signs shall not exceed 24 feet in height above ground level.

2. Sign Area. The sign display face shall not exceed 50 square feet. The total square footage of the sign shall not exceed 80 square feet.

3. Signage letters and exhibits must be an appropriate size based on the maximum speed on the road that the sign will be located as to be legible, as determined by the City Planner.

4. Proposed signs may be subject to limitations on the type of advertising and safety conditions as determined by the City Council.

5. Utility lines providing electrical and data power to the sign shall be underground.

6. The sign structure shall be architecturally treated to be compatible with its surroundings so as to screen the frame support structures and lighting from public view.

7. Operational hours may be limited based on surrounding land uses to minimize lighting conflicts.

8. An illumination study shall be required that addresses light impacts on surrounding areas.

9. Lighting shall comply with Chapter 655 Regulating Light Pollution in order to minimize impacts to the Palomar Observatory and surrounding properties.

10. Illumination from the digital advertising sign will be monitored and controlled as to not impact surrounding properties or the safety of vehicle drivers.

11. No audio sound associated with advertising is permitted.

12. Proposed sign and footing shall be located entirely outside the public right of way.

13. The material of the sign shall be designed or coated to control or eliminate reflection or glare from sunlight or passing vehicle lights.

14. The minimum display time between messages shall be no less than eight seconds.

15. Prior to implementing any of the following, the operator shall submit a request and obtain permission from the City: installing, implementing or using any technology that would allow interaction with drivers, vehicles or any device located in vehicles, including, but not limited to a radio frequency identification device, geographic positions system or other device.

16. Operator may be required to submit a written report annually of the operation of the sign during the preceding year that may include but is not limited to operator's licensee, compliance with permits, Outdoor Advertising Act, CA Vehicle Code, U.S. Dept. of Transportation, conditions of approval, and any complaints received by the operator.

(d) Murals. Murals may be permitted upon approval by the City Planner through the sign

permit process stated in Section 9.25.040 and pursuant to the following standards and conditions. Any mural may be referred to the City Council for review and decision as deemed appropriate by the City Planner and/or City Manager.

- (1) Murals may be permitted within commercial, industrial, and institutional areas.
- (2) No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.
- (3) No part of a mural shall extend more than six inches from the plane of the wall upon which it is tiled, painted, or affixed.
- (4) Murals shall not be intended to be used as a method for commercial speech, but primarily as public pieces of art for aesthetic and/or architectural enhancement.
- (5) Murals that would result in a property becoming out of compliance with the provisions of the City's Municipal Code or Zoning Chapter, or any land use condition of approval for the property on which the mural is to be located are prohibited.
- (6) Dedication plaques are allowed, located on or adjacent to murals.

#### **9.25.060 Temporary commercial signs.**

(a) Temporary commercial signs, including special event signs and banners, may be approved by the City Planner for a limited period of time as a means of publicizing and/or advertising business, community, and/or civic events, products, services, and/or specials. Such temporary signs shall be subject to the following provisions:

- (1) General Provisions for All Temporary Signs.
  - (A) No temporary sign shall be erected or placed without a sign permit pursuant to the requirements of Section 9.25.040.
  - (B) No temporary sign shall extend into or be located within the

public right of way or obstruct visibility for ingress and egress from roadways or endanger and/or obstruct pedestrians, motorists, or the public.

- (2) Special Event Signs.
  - (A) Special events signs shall only be used to promote special events as defined by Chapter 11.25 of the Municipal Code within commercial, industrial, and institutional zoned areas.
  - (B) Special event signs may in no case remain more than two days following the end of each event, and in no case can be erected or placed more than one month prior to the special event.
  - (C) Special event sign which may be approved by the City Planner include pennants, streamers, banners, balloons and balloon arches.
- (3) Banner Signs .
  - (A) Banner signs may be permitted only in commercial, industrial, and institutional areas, and shall be limited to no more than 30 consecutive days, four times a year per business, as stated in the general provisions for temporary signs above.
  - (B) Banner signs shall not exceed 50 square feet and shall be professionally made.
  - (C) Banner signs shall be attached only to a building or other appropriate location determined by the City Planner and shall not be hung from trees, monuments signs, or other structures.
- (4) Inflated Signs. Inflated signs are only allowed for grand openings of businesses for a time period not to exceed two weeks within the first

three months of operation. Inflated signs shall be limited to a maximum height of 25 feet.

### **9.25.070 Non-commercial signs.**

Notwithstanding any other provision of this Chapter, non-commercial signs are permitted in all zones without a permit subject to the following limitations:

(1) No non-commercial sign shall exceed 16 square feet in sign area or extend more than six feet above the ground in which the sign is planted to the top of the higher of (a) the top of the sign; or (b) the top of the pole or stand to which the sign is affixed. As used here, "ground" means the dirt or other material into which the bottom of the pole or stand is placed. If the "ground" is higher than street level, as with ground behind a retaining wall or planter, then sign height will be measured from the actual level of the ground into which the sign is placed..

(2) The name, Address, email, and telephone number of the person or organization owning or otherwise responsible for the non-commercial sign shall be placed on the front or rear of the sign surface in readable type or print. If the name of one or more persons is shown on the face of the sign, that person or persons shall be responsible for the sign and no additional printed information is required. If no person is listed on the sign, then the person or organization responsible for sign removal and contact information for enforcement or removal shall be listed on the front or rear of the sign in readable type or print. Failure to provide this information shall not be basis for sign removal for non compliance with this Code but shall abrogate the City's responsibility for notice and return hereunder if the sign does not otherwise meet the applicable requirements of this Code.

(3) Each non-commercial sign or non-commercial sign shall have its own stake and shall not be affixed to any improvement or building. There shall only be one sign per stake. Balloons, streamers and similar material may not be added to the sign. Non-commercial signs may not be placed on or attached to any tree, shrub, or plant.

(4) Any freestanding non-commercial sign shall be affixed to a stake, pole or stand so as

not to separate from such pole or stand during normal weather conditions. The pole or stand shall be sufficiently sturdy and shall be planted firmly in the ground. No such freestanding sign shall exceed six feet in height, measured from the ground in which the sign is planted to the top of the higher of (a) the top of the sign; or (b) the top of the pole or stand to which the sign is affixed. As used here, "ground" means the dirt or other material into which the bottom of the pole or stand is placed. If the "ground" is higher than the street level, as with ground behind a retaining wall or planter, then sign height will be measured from the actual level of the ground in which the sign is placed. No non-commercial sign shall be erected, placed, or maintained so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.

(5) Any non-commercial sign shall be removed by or at the expense of the owner within twenty (20) days after the end of any scheduled event reference in/on the sign..

(6) No non-commercial sign shall be erected, placed, or maintained upon any private property without the consent of the owner of such private property.

(7) No commercial or non-commercial sign shall be erected, placed or maintained in or on public property, the public right of way, or any publicly owned sign, building, tree, or shrub, or other object or structure, including but not limited to, sidewalks, crosswalks, streetlamps, hydrants, transformers, or power poles.

(8) No commercial or non-commercial sign shall be erected, placed or maintained so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.

(9) No non-commercial sign shall be artificially illuminated.

(10) Notwithstanding any other provisions of this Code or City Chapter to the contrary, any non-commercial sign erected, placed, or maintained in violation of any provisions of this section may be removed by the City upon 48 hours prior written notice to the sign owner or person or organization responsible for the sign. "Written notice" includes email. If such person does not remedy the violation within that time period, or if such person cannot be located upon reasonable effort by the City, the City may remove the sign. In the event any non-commercial sign is an immediate threat to the public health, safety, or welfare, the City may immediately remove the sign and then notify the sign owner or person or organization responsible for the sign. Notwithstanding the notice provisions stated above, all non-commercial signs ~~for~~ not removed within twenty (2) days after the end of the event they are advertising may be removed by the City without prior notice.

(11) All non-commercial signs removed by the City shall be stored by the City for a period of seven (7) business days after removal. The owner or person or organization responsible for such sign(s), if such can be located, removed by the City shall be notified to retrieve the removed sign(s) within five (5) business days; if not retrieved within that time the City may destroy the sign(s). The City may charge and collect a fee for the removal and storage of temporary political signs, said fee to be established by resolution of the City Council in an amount not to exceed the actual cost of removal, storage, and notice. Alternatively, whether or not such fee is established, the City may bring an action to recover the reasonable costs of removal, storage, and notice.

(12) Governmental Signs.

(A) The City Council finds that certain signage is necessary to preserve the public health, safety, and welfare, and inform the public of hazards, communicate traffic rules, provide notice of access/egress/possible hazards and provide other public information.

(B) Governmental signage may be erected, placed, or maintained in or on public property, the public right-

of-way, or any publicly owned sign, building, tree, shrub, or other object or structure.

**9.25.075 Prohibited signs.**

The following signs are inconsistent with the sign standards set forth in this Chapter, and are therefore prohibited and their abatement shall be required when such sign shall be found to exist:

- (a) Abandoned signs as set out herein.
- (b) Animated, moving, flashing, blinking, reflecting, revolving, chasing, or any other similar sign, except properly permitted on site digital advertising signs and time and temperature signs as permitted by this Chapter. This does not prohibit decorations which are not intended to be signage.
- (c) Open and/ or unshielded light bulb signs.
- (d) Banners, flags, and pennants, except as specifically allowed in this Chapter.
- (e) Changeable copy signs, with the exception of signs identifying commercial, industrial, or institutional centers of ten acres or more, and electronic message boards, except as allowed with a conditional use permit for commercial, industrial, or institutional complexes, movie theaters, arenas, stadiums, or auto malls.
- (f) Billboard signs (off site outdoor advertising signs).
- (g) Portable signs, excluding those permitted by Sections 9.25.030 and 9.25.060.
- (h) No private commercial or non-commercial sign shall be erected, placed, extended into or be maintained in or on public property, the public right-of-way, or any publicly owned sign, building, tree or shrub, or other object or structure, including but not limited to sidewalks, crosswalks, street lamps, hydrants, transformers, or power poles.
- (i) No commercial or non-commercial sign shall be erected, placed, or maintains so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view

of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.

(j) Roof signs, except where it is determined by the City Planner that the construction of a building is such that available wall, parapet, or other surface area does not exist to allow signage to be placed in any location other than the roof. In no event shall any roof sign project above the roof peak.

(k) Signs painted on fences or roofs.

(l) Balloons and other inflated devices or signs designed to attract attention, except as.

(m) Private commercial or non-commercial signs which simulate in color or design a traffic sign or signal, or which make use of words, symbols or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic.

(n) Unsafe signs. Any sign which constitutes an immediate hazard to the safety of any persons or property may be summarily removed by the City forthwith upon ascertainment of such facts by the City.

(o) Permanent or temporary off site signs.

(p) Roadway banners over public or private roadways.

(q) Any sign which is not expressly permitted by this Chapter, or by a process herein, shall be deemed prohibited.

### **9.25.080 Abandoned, illegal and nonconforming signs.**

The Business and Professional Code, Subsection 5499.1, identifies the appropriate procedure for removal of on premises illegal or abandoned signs. Therefore, the following shall regulate such signs.

(a) Abandoned Commercial Freestanding Signs. A sign shall be determined to be abandoned when the business, use, or service it advertises has been discontinued for a period of more than 90 calendar days. Removal of text used to advertise a business and continued maintenance of the sign structure does not constitute abandonment. If a sign has been abandoned, it shall be removed from the lot or

building site on which it is located pursuant to the following procedure:

(1) The City shall prepare a notice of intent to adopt a resolution declaring specific signs to be a public nuisance. Such notice shall be sent ten days prior to the hearing to all sign owners and/or responsible parties stating the time, place and date of the hearing and the nature of illegality of the sign(s).

(2) Following adoption of the resolution, the City shall post subject properties requiring abatement of signs noticing the time, date, and place of hearing on objections. The notice shall be in the following form:

#### **NOTICE TO REMOVE ILLEGAL ADVERTISING DISPLAY**

Notice is hereby given that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the City Council of the City of Canyon Lake adopted a resolution declaring that an illegal advertising display is located upon or in front of this property which constitutes a public nuisance and must be abated by the removal of the illegal display. Otherwise, it will be removed, and the nuisance abated by the City.

The cost of removal will be assessed upon the property from or in front of which the display is removed and will constitute a lien upon the property until paid. Reference is hereby made to the resolution for further particulars. A copy of this resolution is on file in the office of the clerk of the legislative body.

All property owners having any objection to the proposed removal of the display are hereby notified to attend a meeting of the City Council of the City of Canyon Lake to be held (give date, time, and place), when their objections will be heard and given due consideration.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Title)

City of Canyon Lake, CA

(3) The City Council shall hold the hearing and adopt the abatement process directing the owners and/or responsible parties to remove the sign(s) by a certain date.

(4) An owner and/or responsible parties may submit an appeal of the City Council's actions within ten calendar days after the date of the decision by the City Council, an appeal in writing may be made on the form provided by the Planning Department and which shall be accompanied by a filing fee as set forth in Chapter No. 671. Upon receipt of a completed appeal the Planning Director shall set the matter for hearing and mail notice thereof to the applicant and the appellant. City Council's action on the appeal shall be considered final.

(5) The owner and/or responsible party shall be responsible for all costs of abatement, including the costs of the application. If an owner and/or responsible party fails to remove the sign within the specified time frame, the City shall cause the sign to be removed and the cost shall be assessed to the owner and/or responsible party as provided by Business and Professions Code Section 5499 et seq.

(b) **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 is considered to be an illegal sign. Illegal signs shall be abated pursuant to the same procedure identified for removal of abandoned signs, in this Section (Subsections (a)(1) through (a)(4) above).

(c) **Legal Nonconforming Signs.**

(1) A legal nonconforming sign shall not be:

(A) Structurally altered to extend its useful life that may include but is not limited to repainting and other maintenance tasks.

(B) Expanded, moved or relocated.

(C) Re established after a business has been discontinued for a continuous period of 90 days.

(D) Re established after damage or destruction of more than 50% of the sign.

(E) Re established after a change in use of the property or business to which the sign relates.

(2) Any permanent sign which was properly erected pursuant to laws and regulations in existence at the time of its erection or placement, but which does not meet the requirements of this Chapter, shall be allowed to be brought into conformance, in accordance with Section 9.25.040 of this Code.

(3) Any legal nonconforming sign shall be required to be brought into conformance or abated in advance of the requirements of Section 9.25.040 in conjunction with any conditional use permit or development permit which is hereafter granted on the same site.

#### **9.25.090 Conformance and amortization.**

(a) **Intent of Provisions.** It is the intent of this Section 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 prohibitions of new signs that would violate these regulations.

(b) Every sign which does not comply with the provision of this Section shall be removed, brought into conformance or amortized in accordance with this Section. Time periods for amortization of nonconforming signs shall begin from the completion and publication (or posting) of the inventory specified below. Any sign which becomes nonconforming either by reason of amendment of this Chapter, shall also be subject to the provisions of this Chapter. The period of time within which such sign must be abated shall commence upon the effective date of such amendment. 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 this Section.

(c) **Signs to be Brought into Conformance Within Six Months.** The following signs shall be removed or otherwise brought into conformance by the person(s) deemed responsible for such signs within six months of official notification following

the completion of the inventory of illegal, nonconforming and abandoned signs required by Subsection (g) of this Section. If there are substantial changes a grace period of 30 days shall be allowed beyond the amortization period.

(1) Illegal signs.

(2) Temporary commercial signs or temporary on site 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, except as permitted by Section 9.25.060.

(3) Any sign type which is listed as prohibited in Section 9.25.070 which is not determined to be legally nonconforming.

(4) Signs in state of disrepair or showing poor maintenance or questionable structural integrity.

(d) Legal Nonconforming Wall Signs. Any permanent wall 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 a period not to exceed six months from the day of completion and publication (or posting) of the inventory as specified by Subsection (h) below, providing that such signs and sign structures remain in full compliance with Sections 9.25.080 and 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory as specified in Subsection (h), which program addresses the amortization of all legal non conforming signs with the program, the amortization period shall be extended to a total of one year. Notwithstanding the aforementioned, such signs must be brought in conformance if major exterior building modification occurs as determined by the City.

(e) Legal Nonconforming Roof Signs.

(1) Any permanent roof sign, 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 in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the date of completion and publication (or posting) of the inventory as specified by Subsection (h) below, providing that such signs and sign structures remain in full compliance with Section 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory, as specified in Subsection (h) below, which program addresses the amortization of all legal non conforming signs within the program, the amortization period shall be extend to a total of one year. Notwithstanding the aforementioned, such signs must be brought into conformance if major exterior building modification occurs as determined by the City.

(2) If it is determined by the City Planner during inventory and identification of signs (Subsection (h) below) that the construction of a building is such that reasonable signage cannot be placed in any location other than the existing roof sign(s), said sign(s) shall be deemed in compliance with this Chapter until such time as the building is remodeled sufficiently to allow signage other than roof signs.

(f) Legal Nonconforming Freestanding Signs. Any permanent freestanding sign, measuring 65 square feet or less and 35 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 in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the date of completion and publication (or posting) of the inventory as specified in Subsection (h) below, providing that such signs and sign structures remain in full compliance with Section 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory as specified in Subsection (h), which



program addresses the amortization of all legal non conforming signs within the program, the amortization period shall be extended to a total of one year. Notwithstanding the aforementioned, such signs must be brought into conformance if major exterior building modification occurs as determined by the City.

(g) All Other Legal Nonconforming Signs. Any sign which was properly erected pursuant to the regulations in existence at the time of its erection or placement, and with a valid signs and/or building permit, but which does not meet the requirements of this Chapter, shall be removed or otherwise brought into compliance with this code within six months of the date of completion and publication (or posting) of the inventory as specified by Subsection (h). Such signs must be brought into conformance if a building permit or permits are subsequently issued on the site of major exterior modifications.

(h) Inventory of Nonconforming and Abandoned Signs. The City may initiate an inventory and identification of all illegal, legal nonconforming, and abandoned signs within the City, as determined necessary by the City Manager. If any illegal, legal nonconforming and abandoned sign is not identified as part of the City's initial inventory, any such sign may be added to the inventory upon its identification as such.

### **9.25.100 Violations and enforcement.**

(a) Any violation of this Chapter shall be considered to be an infraction, except in the case of an offsite outdoor advertising display which shall be considered to be a misdemeanor. Any violation of this Chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceeding pursuant to State law and the City's Municipal Code including but not limited to administrative citations. A violation of this Chapter shall also be considered a violation of the Zoning Chapter of the City. The remedies shall include the following:

(1) Issuing a stop work order for any and all work on any signs on the same lot.

(2) Seeking an injunction or other order of restrain or abatement that requires the removal of the sign(s) or the correction of violation.

(3) Seeking in court the imposition of any penalties that can be imposed by such court under the Municipal Code.

(4) Seeking in court the imposition of any penalties that can be imposed by such court the Municipal Code or laws of the State of California.

(5) In the case of a sign that poses an immediate danger to the public health or safety (see unsafe signs), immediate removal by the City may be authorized by the Director of Building and Safety. Cost of such removal shall be assessed to the owner of the property.

(6) The City shall have such other remedies as are and as may from time to time provided for or allowed by State law for the violation of its Chapters.

(b) Right of Entry. When necessary to make an inspection to enforce any of the provisions of this Chapter, or when the City has reasonable cause to believe that there exists any sign or any condition which makes such sign unsafe, the City, upon adherence with applicable law, may enter the premises or building upon which such sign is located.

(c) Violations. Any of the following shall be violation of this Chapter and shall be subject to the enforcement remedies and penalties of this Chapter, of the Municipal Code, and of State law:

(1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone in which the sign is located.

(2) To install, create, erect, or maintain any sign requiring a permit without such a permit.

(3) To fail to remove any sign that is installed created, erected, or maintained in violation of this Chapter or with respect to a legal nonconforming sign if the sign amortization period has lapsed.

(4) To continue an identified violation. Each day an identified violation exists shall be considered a separate violation regarding enforcement of this Chapter.

(d) Separate Violations. Each sign installed, created, erected, or maintained in violation shall be considered a separate violation when applying the penalty portions of this Section.

(e) Responsibility. As used in this Section, “person(s) deemed responsible” shall mean any or all of the following:

(1) The person or entity who owns the real property upon which the sign exists.

(2) The occupant of any premises upon which the sign exists.

(3) The owner of the sign.

(4) The person who, or entity which, erects, places, or alters the sign.

(f) It shall be the duty of the City Planner to enforce the provisions of this Chapter pertaining to all signs and sign structures. No permit of any type shall be issued by any department or office of the City in conflict with the provisions of this Chapter. Such permit where issued in conflict with this Chapter is declared null and void.

#### **9.25.110 Construction and maintenance.**

(a) 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 Uniform Building Code.

(b) Every sign, including those specifically exempt from the Chapter with respect to permits and permit fees, and all parts, portions, and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracks, broken surfaces, malfunctioning lights, and missing sign copy, or other unmaintained or damaged portion of a sign or area from which a sign has been removed shall be repaired or replaced within 30 calendar days following notification by the City. Noncompliance with such a request shall constitute a nuisance and penalties may be assessed in accordance with the provisions of the City's Municipal Code.

#### **9.25.120 Appeal procedure.**

(a) Appeals. Any interested party has the right to appeal the decision pursuant to Section 2.01.100 of this Code, unless another provision is made applicable.

#### **9.25.130 Variance**

(a) Variance. An applicant may apply for a variance to the provision of this Chapter as permitted by Ordinance 348, Section 18.27.

Section 2. To the extent the provisions of the Canyon Lake Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 3. This ordinance shall take effective 30 days from the date of its adoption.

PASSED, APPROVED AND ADOPTED this XXst day of April, 2017.

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Dawn Haggerty, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Ariel M. Hall, CMC, City Clerk

\_\_\_\_\_  
Elizabeth Martyn, City Attorney

State of California    )  
County of Riverside   )ss  
City of Canyon Lake   )

I, Ariel M. Hall, City Clerk of the City of Canyon Lake, California do hereby certify that the foregoing Ordinance No. 167 was introduced at a regular meeting of the City Council held on the XXth day of March, 2017 and was duly adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the XXst day of April, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ariel M. Hall, CMC, City Clerk