

**CITY MANAGER'S REPORT
JUNE 11, 2018 CITY COUNCIL MEETING**

ITEM: **PUBLIC HEARING TO CONSIDER MUNICIPAL CODE
TEXT AMENDMENT NO. TA-18-56.**

RECOMMENDATION: **Council to Consider the Following:**

- 1. Hold a Public Hearing; and**
- 2. Introduce an Ordinance adopting amendments to the Lathrop Municipal Code (LMC) Title 17, the Zoning Code, Chapter 17.84 (Signs) with the specific purpose of establishing "content neutrality" for temporary noncommercial signage.**

SUMMARY:

Staff is proposing text amendments to the Sign Ordinance with the specific purpose of establishing "content neutrality" for temporary noncommercial signage in all zoning districts and associated amendments to various sections of the signage chapter to establish internal consistency. Political signs are one form of temporary noncommercial signage.

BACKGROUND:

Staff recommends municipal code amendments to reflect the opinions from the most recent US Supreme Court cases regarding First Amendment Freedom of Speech involving temporary signs for non-commercial speech.

Temporary non-commercial signs include political signs, campaign signs, community event signs, or opinions on topics. Temporary non-commercial signs do not include traffic signs, real estate signs, commercial advertisements, or commercial banners.

Staff's proposed amendments establish content neutrality, and limit regulations to time, place, and manner, for temporary non-commercial signs. According to recent court cases, one shouldn't have to read the sign to determine which rules apply – *content neutral*, and the rules on how long a sign can be in place –*time*, where the sign can be located –*place*, and the sign's size, height, number –*manner*, must all be consistent no matter the content.

At their regular meeting of May 16, 2018, the Planning Commission voted unanimously (5-0) to recommend the City Council adopt an Ordinance regarding the proposed amendments to the Lathrop Municipal Code. Attached is the Planning Commission Resolution No. 18-10 for reference. (Attachment #3).

ANALYSIS:

The goal is to treat all temporary non-commercial signs the same regardless of content, and to establish equal regulations limited to time, place, and manner. In using this approach we identified several additional amendments necessary to maintain internal consistency within the Sign Ordinance.

The main amendments include the deletion of section 17.84.120 *Political Campaign Signs* and replacement of time, place, and manner standards within an all-encompassing section for temporary non-commercial signs.

All temporary signage references, whether commercial or non-commercial are now consolidated in section 17.84.060 entitled, "Temporary Signs". Temporary signs are now defined as either being commercial or non-commercial. The existing provisions for temporary commercial advertising banners were moved to this section but was not altered. The proposed new temporary non-commercial signage language is as follows:

B. Temporary Noncommercial Signs - Temporary signs with noncommercial messages may be displayed on private property, with the property owner's permission, subject to compliance with the following limitations:

- 1. Noncommercial signage shall be defined as any sign which is intended to convey a noncommercial message including, by way of example and not limitation, commentary on social, political, educational, religious, scientific, artistic, philosophical or charitable subjects. This definition also includes signs regarding fund raising or membership drive activities for noncommercial or nonprofit concerns, entities or groups.*
- 2. On residential property, up to four single-faced or double-faced signs not exceeding four square feet of surface area per sign face may be displayed for up to 90 days in any calendar year. Such signs shall be limited to a maximum of three feet in height if located in any required setback, or six feet in height if located outside any required setback. No sign shall be placed in a manner that obstructs the Clear Visibility Triangle at intersections and driveways.*
- 3. On nonresidential property, an unlimited number of single-faced or double-faced signs not exceeding 32 square feet per sign face may be displayed for up to 90 days in any calendar year. Such signs shall be limited to a maximum of three feet in height if located in any required setback, or six feet in height if located outside any required setback. No sign shall be placed in a manner that obstructs the Clear Visibility Triangle of intersections or driveways. These signs are allowed in addition to the substitution of noncommercial messages for commercial messages as established in Section 17.84.020 (M).*

4. *Signs shall be removed by the agency, official or person responsible for their erection within seven days after the date of the advertised event or election.*

Staff finds that the above language accomplishes the goal of establishing content neutrality, and equal regulation limited to time, place, and manner. The ordinance separates and defines temporary commercial and non-commercial signage, and establishes clear regulations for temporary non-commercial signage in residential and non-residential zoning districts.

We also find that combined with the following additional amendments, we have strengthened existing laws and eliminated some inconsistencies that may have made enforcement difficult. A few of the more notable proposed amendments are as follows:

Added to the General Provisions section of the sign ordinance to support the City's ability to remove signage from its roadways.

17.84.020 General provisions and exceptions.

L. Signs on City Property. Any sign placed on property owned by the City of Lathrop, or within the right-of-way of a dedicated public street without the permission of the City may be removed by the City without prior notice. This section shall be interpreted consistent with the requirements of the First Amendment to the Constitution of the United States and the free speech clause of Article I of the California Constitution.

Added the underlined language to the purposes and applications section to further the City's support of free speech while protecting the public health, safety, and welfare.

17.84.010 Purposes and applications.

In order to maintain and enhance the attractiveness and orderliness of the city's appearance, and to protect the public safety and general welfare, the location, size, height, illumination and maintenance of signs and outdoor advertising structures are regulated as set forth in this chapter. Additionally these regulations are intended to respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational and other non-communicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety. To enable the fair, consistent and efficient enforcement of the sign regulations of the City. And to regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs.

Added to the General Provisions section of the sign ordinance exempt signs section because there is currently no definition regulating signage on vehicles.

17.84.020(H)(4) Signs on vehicles, including trailers; provided, that the vehicle/trailer is not parked on public or private property with the intent of being a stationary sign. If found to be parked with the intent of being a stationary sign, the vehicle/trailer is no longer exempt and is subject to the provisions of the sign ordinance.

The remainder of amendments are fairly minor, but were necessary when reorganizing for clarity and intent, establishing internal consistency by renumbering, correcting internal and external references and other typographical errors. The entire sign ordinance is attached for review with deleted text shown with strikethrough, and new text underlined.

Amendment

According to the Lathrop Municipal Code, amendments to the Zoning Code must be reviewed by the Planning Commission and forwarded to the City Council for approval. Before any recommendation to approve by the Planning Commission, or final approval by the City Council, the following finding must be made:

"That the proposed amendment will be consistent with applicable provisions of the General Plan".

Staff and the Planning Commission determined that the proposed code amendments are consistent with the General Plan. The proposed Ordinance includes the required finding.

Public Notice

A Notice of Public Hearing was advertised in the Manteca Bulletin on May 31, 2018 and the meeting agenda was posted at our designated posting locations in the City. As of the writing of this report, no comments were received in favor or against the proposed amendments.

CEQA REVIEW:

The proposed Zoning Ordinance Text Amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "General Rule" that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The amendment does not change the zoning designation on any individual property and does not affect existing land use or density. The purpose of the amendment is to modify existing language in the Zoning Ordinance to provide content neutrality for noncommercial signage, and does not propose or require any specific development project.

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, take the following actions.

- Introduce an Ordinance adopting amendments to the Lathrop Municipal Code (LMC) Title 17, the Zoning Code, Chapter 17.84 (Signs) with the specific purpose of establishing "content neutrality" for temporary noncommercial signage in all zoning districts, and associated amendments to various sections of the signage chapter to establish internal consistency. Temporary noncommercial signs includes, but is not limited to, community event signs, political signs, and campaign signs. The proposed amendments establish time, place and manner provisions for noncommercial speech.

FISCAL IMPACT:

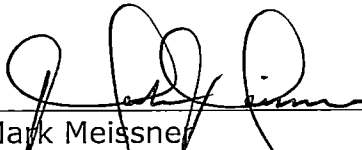
There is no fiscal impact to the City of Lathrop, only staff time to prepare the report.

ATTACHMENTS:

1. Ordinance Approving Municipal Code Amendments
2. Mark up of Chapter 17.84 Signs
3. Planning Commission Resolution No. 18-10

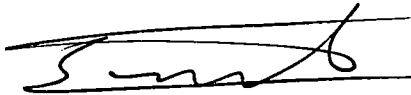
**CITY MANAGERS REPORT
JUNE 11, 2018 CITY COUNCIL MEETING
AMENDMENT TO SIGN REGULATIONS**

APPROVALS:




Mark Meissner
Assistant Community Development Director

6-5-18
Date



Salvador Navarrete
City Attorney

6-5-18
Date



Stephen J. Salvatore
City Manager

6-6-18
Date

ORDINANCE NO. 18-**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP
ADOPTING AMENDMENTS TO THE LATHROP MUNICIPAL CODE TITLE 17,
THE ZONING CODE, CHAPTER 17.84 (SIGNS) WITH THE SPECIFIC PURPOSE
OF ESTABLISHING "CONTENT NEUTRALITY" FOR TEMPORARY
NONCOMMERCIAL SIGNAGE.**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing at a regular meeting on May 16, 2018, at which they adopted PC Resolution No. 18-10 recommending City Council adopt Municipal Code Text Amendment No. TA-18-56 pursuant to the Lathrop Municipal Code; and

WHEREAS, chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a Planning Commission recommendation to the City Council by resolution; and

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing at a regular meeting on June 11, 2018 to review and consider Municipal Code Amendment; and

WHEREAS, the proposed code amendment is Citywide and affects all applicable properties in the City; and

WHEREAS, the proposed code amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "General Rule" that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the amendments establish content neutrality, and equal regulation of temporary non-commercial speech that is limited to time, place, and manner consistent with the requirements of the First Amendment to the Constitution of the United States and the free speech clause of Article I of the California Constitution, while protecting the public, health, safety, and welfare; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby approve Municipal Code Amendment as described in Attachment 2, incorporated by reference herein.

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

Section 1. The Lathrop Municipal Code is hereby amended as shown in Attachment "2", incorporated by reference herein.

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 4. Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 5. Publication. The City Clerk shall certify to the adoption of this ordinance and shall publish a summary thereof and post a certified copy of the full ordinance in the office of the City Clerk at least five days prior to the adoption of the proposed ordinance; and within fifteen days after adoption, the City Clerk shall publish a summary of the ordinance with the names of the members of the City of Lathrop City Council voting for and against the same.

THIS ORDINANCE was regularly introduced at a meeting of the City Council of the City of Lathrop on the 11th day of June 2018, and was PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lathrop on 9th day of July, 2018, by the following vote:

AYES:

NOES:

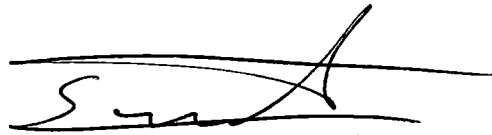
ABSTAIN:

ABSENT:

SONNY DHALIWAL, MAYOR

ATTEST:

APPROVED AS TO FORM:



Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

Chapter 17.84 SIGNS

17.84.010 Purposes and applications.

In order to maintain and enhance the attractiveness and orderliness of the city's appearance, and to protect the public safety and general welfare, the location, size, height, illumination and maintenance of signs and outdoor advertising structures are regulated as set forth in this chapter. (~~Ord. 97-151; Ord. 93-99; Ord. 92-73~~) Additionally these regulations are intended to respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational and other non-communicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety. To enable the fair, consistent and efficient enforcement of the sign regulations of the City. And to regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs.

17.84.020 General provisions and exceptions.

- A. Application. The provisions set forth in this chapter shall be applicable to all signs permitted by this title.
- B. Computation of Sign Area or Display Surface. For purposes of this chapter, measurements for computing the areas of a given sign shall be made as follows:
1. For signs comprised of individual letters attached to the business structure, including module letters and logographic symbols, the "effective sign area" means any area(s) enclosed by the minimum imaginary rectangle or parallelogram of vertical and horizontal lines which fully contains all extremities of each word and/or logographic symbol of the sign. Each word and/or logographic symbol shall be measured separately in computing total sign area. Shadow box borders and other border trims which are an intrinsic part of the building, either architecturally or structurally, shall not be included in such area computations.
 2. Where the sign consists of module letters only, and such letters are separated a minimum distance of one and one-half times the width of the individual module, the space between such letters shall not be included when computing sign area.
 3. For single unit signs containing letters or logographic symbols on cabinets or panels, the "effective sign area" means the area enclosed by the minimum imaginary rectangle or parallelogram of vertical and horizontal lines, which fully contains the perimeter of the cabinet or panel sign.
 4. For projecting signs and freestanding detached signs containing letters and/or logographic symbols, the "effective sign area" means the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of the sign, exclusive of its supports and/or ornamental and decorative trim on cabinets or support columns.
 5. For freestanding and projecting signs intended to be read from both sides along a single frontage, both sides of the sign shall be counted in computing the total sign area for that frontage.
 6. The effective sign area of a ball or sphere shall be seventy-five percent (75%) of the surface area of the ball or sphere.

C. Projection and Height.

1. No sign shall project more than fourteen (14) inches beyond the property line, except that a freestanding sign shall not extend beyond the property line. The minimum height clearance for any freestanding sign, projecting building sign or sign located on a building marquee shall be not less than eight feet as measured from ground level to the lowest portion of the sign display area.
2. No sign other than a directional sign shall project more than twelve (12) inches into a required rear yard or interior side yard.
3. In an RCO, UR, RA, R, RM or PO district, a sign attached to a building shall not project above the parapet or roof line, whichever is higher.

D. Number of Freestanding Signs. Not more than one freestanding on-premises sign, or freestanding outdoor advertising structure, may be located on each parcel of property within a zoning district in which a freestanding sign or freestanding outdoor advertising structure is permitted, with the exception of parcels in the UR district which may have no more than two free-standing on premises signs for special events occurring on the site if permitted by the community development director or the city manager's designee.

E. Traffic Hazards.

1. ~~Clear Visibility Triangle. No sign or outdoor advertising structure shall be placed within thirty (30) feet of in a manner that obstructs the intersecting curb lines~~ Clear Visibility Triangle of a street intersection, ~~unless placed on a single pole with a ground clearance of at least ten (10) feet, or unless placed so that the top of the sign and its supporting structure is a maximum of two and one-half feet above the ground- or driveway, (see Section 17.04.080, Definitions.)~~
2. No red, green or amber lights or illuminated signs or outdoor advertising structures, illuminated by or including flashing lights, shall be placed in such position that they reasonably could be expected to interfere with or be confused with any official traffic-control device, traffic signal or official directional guide sign.

F. Movement. A moving sign shall be permitted only in C or I districts; provided, that movement shall be slow (not to exceed ten (10) rpm), and shall not simulate effects obtained by varying the intensity, color, pattern or illumination. Notwithstanding this provision, at no time shall any movement be allowed that violates applicable state or federal law.

G. Utility Lines and Easements. No sign or outdoor advertising structure shall be located within a utility easement, or erected or located in a manner which will reduce the vertical or horizontal clearance from communication lines or energized electric power lines as required by laws, rules and regulations of the state and agencies thereof.

H. ~~Special Signs—~~Exceptions. The following types of signs shall be exempt from the provisions of this chapter; provided, however, that temporary signs shall be removed by the agency, corporation, group or individual responsible for their erection within ~~thirty (30) days after the date of their original erection~~ specified timeframes below, or when the signs become damaged or are no longer intelligible, whichever occurs first:

1. Signs used exclusively for the posting or display of official notices by a public agency or official, or by a person giving legal notice shall be removed no less than 7-days after event is over or when it is determined that the notice is no longer necessary;

2. Signs erected or maintained by a public agency or official, or required by law to be displayed by a public utility for directional, warning or informational purposes shall be removed no less than 7-days after event is over or when it is determined that the notice is no longer necessary;

3. Public Utility Signs. Nonadvertising signs of public utility companies shall be permitted as required in their operation, providing service for the health, safety and welfare of the general public, including, but not limited to, the following: Informational signs for public telephone facilities or marking the location of underground facilities; directional signs for public utility services; and signs notifying the public of danger, emergency, construction and similar conditions. 3. ~~Temporary signs or displays of an emergency, patriotic, religious or community nature, including temporary, nonstructural posters for civic or political campaigns and nonilluminated, non-verbal religious symbols.~~

4. ~~Signs announcing garage or yard sales shall be removed immediately after the completion of the sale.~~

1. ~~Special~~

4. ~~Signs—Prohibition.~~ on vehicles, including trailers; provided, that the vehicle/trailer is not parked on public or private property with the intent of being a stationary sign. If found to be parked with the intent of being a stationary sign, the vehicle/trailer is no longer exempt and is subject to the provisions of the sign ordinance.

1. ~~Animated Signs.~~ Animated signs, the movement of which is simulated by variations in the intensity, color, pattern or illumination of the sign, and, or flashing signs, including, but not limited to: electronic display signs which may contain light emitting diode (LED) technology, shall be prohibited in all districts, subject to the following exceptions unless exempted as follows:

1. ~~A sign changing so as to show~~ Monochromatic Time and/or temperature display;

2. ~~An on-premises Barber pole;~~

3. ~~A sign changing the Monochromatic fuel price of gasoline, diesel or other retail fuel sign~~ in accordance with applicable state law;

4. ~~AA~~ An electronic display sign located on a city owned property or facility;

5. ~~A sign,~~ or as approved in accordance with the provisions of Section 17.84.100.

6. ~~Electronic display Standards signs shall be subject to the following standards:~~

a. The sign shall be constructed of quality materials and of similar design and architecture as adjacent uses.

b. The hours or operation, illumination of the sign and changing images on the electronic display will not create a nuisance to surrounding uses, the vicinity or traffic. ~~a. The sign shall be constructed of quality materials and of similar design and architecture as adjacent uses.~~

~~b. The hours of operation, illumination of the sign and changing images on the electronic display will not create a nuisance to surrounding uses, the vicinity or traffic.~~

c. An electronic display sign located on a city-owned property or facility may provide information and announcements of city sponsored events or activities occurring at the subject site and occurring at other locations in the city at the discretion of the city manager or designee.

J. Area Identification Signs. Area identification signs intended to identify a neighborhood, subdivisions, shopping or industrial district, complex or other area composed of multiple ownerships shall be limited to a maximum single surface area of twenty-five (25) square feet, and total sign area not exceeding fifty (50) square feet.

K. Outdoor Advertising Signs. Outdoor advertising signs are signs having part or all of their area devoted to directing attention to a business, profession, commodity, product or service that is not the primary business, profession, commodity, product or service sold, manufactured, conducted or offered on the site on which the sign is located, and shall be subject to the following conditions:

1. Outdoor advertising signs shall not be permitted in the RCO, UR, R, RM, PO, IP or C districts.
2. The maximum single surface area per site of an outdoor advertising structure in the I district shall be five hundred (500) square feet; the maximum aggregate area per site of outdoor advertising signs in the I district shall be one thousand (1,000) square feet. No outdoor advertising signs shall be placed within one thousand (1,000) feet of another such sign on the same side of a street or highway.

~~L. Temporary Advertising Banner Signs—Exempt. Temporary advertising banners signs for grand opening and special sales events for businesses located in any commercial or industrial zoning district shall be exempt from the provisions of this chapter and shall require no fee or application to be displayed, provided the following standards are meet:~~

~~1L. Signs on City Property. Any sign placed on property owned by the City of Lathrop, or within the right-of-way of a dedicated public street without the permission of the City may be removed by the City without prior notice. This section shall be interpreted consistent with the requirements of the First Amendment to the Constitution of the United States and the free speech clause of Article I of the California Constitution.~~

~~M. Substitution of Noncommercial Message. Subject to the owner's consent, a noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any sign allowed pursuant to this chapter. Design criteria which may apply to commercial signs, such as color, lettering style or height, and compatibility with other signs on the same parcel or other signs subject to a sign program, do not apply to noncommercial signs even when they are in an area subject to a sign program, master plan or specific plan. No special or additional permit is required to substitute a non-commercial message for any other message on an allowable sign, provided the sign is already permitted or exempt from the permit requirement. When a non-commercial message is substituted for any other message, the sign is still subject to the same location and structure regulations, such as size, height, illumination, duration of display, building and electrical code requirements, as would apply if the sign were used to display a commercial message or some other non-commercial message. This substitution provision shall prevail over any other provision to the contrary, whether more specific or~~

not, in this chapter and applies retroactively to sign programs, master plans and specific plans which were adopted or approved before this chapter was enacted.

~~One banner may be displayed not exceeding sixty (60) square feet in area;~~

~~2. The same banner is not displayed for more than ninety (90) days in a calendar year, either consecutively or cumulatively;~~

~~3. The banner is displayed on the storefront or building of the subject business. No banner may be displayed on or above the building roof;~~

~~4. The banner is securely attached or anchored to the building;~~

~~5. The banner is limited to advertising the business name, event, and products or services available at the subject business location;~~

~~6. The banner is approved for display by the property owner or authorized property owner agent of the subject business location.~~

M. — Temporary Advertising Banner Signs — Not Exempt. Temporary advertising banner signs for grand opening and special sales events for businesses located in any commercial or industrial zoning district, not meeting the exempt provisions of this chapter, may be displayed upon filing and receiving approval of a sign design application by the planning division (no fee shall be required), and provided the following standards are met:

~~1. The banner or banners shall not exceed a total cumulative sign area of two hundred (200) square feet in area. A larger sign area may be considered for approval by the planning division if warranted by site specific circumstances.~~

~~2. The banner or banners are not displayed for more than one hundred twenty (120) days in a calendar year, either consecutively or cumulatively.~~

~~3. The banner or banners are displayed on the storefront or building of the subject business or at an approved location on the subject site. No banners may be displayed on or above the building roof.~~

~~4. The banner or banners are limited to advertising the business name, event, and products or services available at the subject business location.~~

~~5. The banner or banners are approved for display by the property owner or authorized property owner agent for the subject business location. (Ord. 18-384 § 1; Ord. 13-329 § 1; Ord. 10-298 § 1; Ord. 09-287 § 1; Ord. 02-206 § 1; Ord. 92-73; Ord. 93-99; Ord. 97-151)~~

17.84.030 Signs in the RCO, UR, RA, R, RM and PO districts.

No sign of any character shall be permitted in the RCO, UR, RA, R, RM or PO districts, except as follows:

A. One name plate, not directly illuminated, with a maximum of two square feet in area (for example, a name plate having dimensions of one foot by two feet), containing the name or names of occupants of a residence or office;

- B. One identification sign, not directly illuminated, located flat against a wall and not projecting above the roof line, with a single surface area of not more than sixteen (16) square feet pertaining to a permitted or conditional use conducted on the site;
- C. One non-illuminated sign, with a single surface area of not more than eight square feet, pertaining to the sale, lease, rental or display of a structure or site;
- D. Nonilluminated directional signs, with a single surface area of not more than six square feet, pertaining to vehicular or pedestrian traffic directions and located along a driveway or within a parking lot. Arrows painted on pavement are not included in this regulation;
- E. One bulletin board; not directly illuminated, with a single surface area of not more than twenty (20) square feet, located on the site of a church, school, auditorium or other similar place of public assembly;
- F. One nonilluminated temporary construction sign, with a single surface area of not more than sixteen (16) square feet, on the site of a construction project, which shall be removed at the owner's expense at the time of project completion;
- G. One temporary subdivision sales sign, not directly illuminated, with a single surface area of not more than thirty-two (32) square feet, on the site of a residential subdivision.
- H. In the UR district up to two on-premises, freestanding signs of variable size as may be approved by the community development director or the city manager's designee, with the number of signs, their maximum size, and other requirements to be as determined by the community development director or the city manager's designee, provided that the maximum sign area for any single sign may not exceed eight hundred sixty-five (865) square feet. No outdoor advertising signs as defined in Section 17.84.020 shall be permitted in the UR district. (Ord. 10-298 § 1; Ord. 02-206 § 2; Ord. 92-73; Ord. 93-99; Ord. 97-151)

I. Temporary signs (see Section 17.84.060, Special provisions for temporary signs.)

17.84.040 Regulation of signs within the C districts.

- A. Purposes and Application. The purpose of sign regulation within the C districts is to avoid unsightly, inharmonious, competing, cluttered and hazardous location and appearance of signs, and to encourage the replacement of existing nonconforming signs. Sign regulations of this section shall apply to any permitted or conditional use listed within a C district.
- B. Maximum Total Aggregate Area in the CN, CC, CR and CW districts.
 - 1. Primary Frontage. An allowable minimum sign area of up to fifty (50) square feet shall be permitted for each primary building frontage (portion of building occupied by the business and facing a street), regardless of the width of such primary building frontage. A maximum total sign area, not to exceed three hundred sixty (360) square feet, shall be permitted for each primary building frontage based on two square feet of sign area for each lineal foot of primary building frontage occupied by the business, except for those businesses located within the CC district that are within one thousand (1,000) feet of a freeway right-of-way. Such businesses shall be allowed a maximum total sign area of five

hundred (500) square feet for each primary building frontage occupied by the business, based on two square feet of sign area for each lineal foot of primary building frontage occupied by the business.

2. Secondary Frontage. An allowable minimum sign area of up to thirty-six (36) square feet shall be permitted for each secondary building frontage (portion of building occupied by the business and facing an alley, an adjacent building, parking lot, or the like), regardless of the width of such secondary frontage. A maximum total sign area, not to exceed two hundred (200) square feet, shall be permitted for each secondary frontage based on one square foot of secondary building frontage occupied by the business.

C. Maximum Total Aggregate Area in the CS and CH districts.

1. Primary Frontage. An allowable minimum sign area of up to one hundred (100) square feet shall be permitted for each primary business frontage along a street, regardless of the width of such primary business frontage. A maximum total sign area, not to exceed five hundred (500) square feet, shall be permitted for each primary building frontage based on two square feet of sign area for each lineal foot of primary business frontage occupied by the business.

2. Secondary Frontage. An allowable minimum sign area of up to fifty (50) square feet shall be permitted for each secondary business frontage, regardless of the width of such secondary frontage occupied by the business. A maximum total sign area, not to exceed, two hundred (200) square feet shall be permitted for each secondary business frontage based on two square feet of sign area for each lineal foot of secondary business frontage occupied by the business.

D. Directional Signs. Directional signs for off-street parking and off-street loading facilities shall not exceed six square feet of each sign; parking lot identification signs shall not exceed six square feet per face of sign; provided that no directional sign shall exceed three feet in height, as measured from finished grade. Higher directional signs shall be allowed only when such a sign is setback a sufficient distance from the public right-of-way and driveways as to not impede the clear sight of any vehicle utilizing the driveway for ingress and egress.

E. Sale, Lease and Rental Signs. Signs pertaining to the sale, lease, rental or display of a structure or land shall not exceed thirty-two (32) square feet per single face of sign.

F. Projecting Signs. No sign, other than a directional sign, shall project more than twenty-four (24) inches into a required rear yard or required interior side yard. No sign, other than a sign required by law or a marquee sign, shall project more than fourteen (14) inches into a public right-of-way.

G. Signs Attached to Buildings. Signs attached to buildings shall be installed parallel with the building, with no more than a fourteen (14)-inch projection from the wall, except where permitted under subsection H below and/or attached directly to the vertical or sloped face of the marquee.

H. Marquee or Canopy Signs. Signs attached below the marquee or canopy shall not exceed six square feet per face of sign, and shall have a minimum ground clearance of eight feet above the sidewalk grade in order not to impede or interfere with pedestrian traffic and safety. Where the marquee or canopy is attached at an angle from a building, signs may be affixed to the sloped portion above the horizontal extension of the marquee or canopy as an integral part of the facade.

I. Painted Wall Signs. Within each of the C districts, signs painted upon a wall exterior surface shall be included when computing the allowable sign area.

J. Freestanding Signs.

1. New freestanding signs shall have a permanently landscaped area at their bases, and shall be maintained with live plant materials around the base of such signs equal to at least ten percent (10%) of the total sign area, and with a minimum landscaped area of ten (10) square feet, or be located within a landscaped planter at least five feet in width.

2. Freestanding area identification signs displaying the name and/or logographic symbol of a shopping center and/or the names of other groupings of businesses, offices, services or combinations thereof shall not exceed a total sign area of five hundred (500) square feet.

3. No more than one freestanding pole or pylon sign shall be permitted for a single business or for a grouping of businesses on a single site, except that two freestanding pole or pylon signs shall be permitted for a grouping of ten (10) or more businesses on a single site.

4. No more than one monument sign (a sign located flush on finished grade) shall be permitted for a single business or for a grouping of businesses on a single site; provided, that any monument sign does not exceed eight feet in height and no more than fifty (50) square feet of total surface area for each sign face. Any proposed monument sign may be located within a setback area; provided, that it does not interfere with the clear sight of vehicles at driveway locations. Any monument sign over three feet in height shall also meet the requirements of subsection P of this section.

~~K. Temporary Signs. Temporary signs, including official notices, campaign posters and posters advertising community functions or events, shall be removed by the agency, official or person responsible for their erection within seven days after the date of the advertised event or election. In the CN, CC, CR and CW districts, such temporary signs shall be permitted only on special structures which may be provided at various locations, such as public bulletin boards, kiosks and other authorized informational centers.~~

~~K. Temporary signs (see Section 17.84.060, Special provisions for temporary signs.)~~

L. Announcement and Bulletin Boards. Announcement and bulletin boards or structures for any public, philanthropic, civic, religious or charitable organization or agency, nonilluminated or illuminated by indirect lighting only, may not exceed thirty-two (32) square feet in area in any district when appurtenant to the premises on which they are located.

~~M. Public Service Signs. Electronic public service signs displaying such information as the time of day, temperature or events of community interest, with the purpose of augmenting on-premises identification, shall be permitted. The area of such signs shall be included when computing the total sign area of a business or site.~~

~~N. Sight Distance at Intersections. Portable signs, including, but not limited to, sandwich board, "A" board, movable freestanding, tire stack and wind signs, shall be prohibited.~~

~~O. Public Utility Signs. Nonadvertising signs of public utility companies shall be permitted as required in their operation, providing service for the health, safety and welfare of the general public,~~

including, but not limited to, the following: informational signs for public telephone facilities or marking the location of underground facilities; directional signs for public utility services; and signs notifying the public of danger, emergency, construction and similar conditions. No sign or other item shall be attached to private utility company poles and/or light standards or supports without prior written approval from the utility company to which such poles belong.

~~P. Sign Distance at Intersections. No sign permitted by this chapter shall be placed within thirty (30) feet of a street intersection (intersecting curb lines) unless placed so that the top of the sign is at a maximum of three feet above the ground or unless the bottom of the sign is a minimum of ten (10) feet above the ground level.~~

~~Q. Height of Signs. The height of signs within the CN, CC, CR and CW districts shall not exceed the height of the structure which houses the business being advertised, unless otherwise allowed under the provisions of this title or as approved by the planning commission with a conditional use permit or site plan review and in no case shall such sign exceed the height limitations of the district in which it is located.~~

~~R. Signs Expressly Prohibited.~~

~~1. No red, green or amber light or illuminated sign may be placed in such a position that it could reasonably be expected to interfere with, or be confused with any official traffic control device, traffic signal or official directional guide sign.~~

~~2. Outdoor advertising structures shall not be permitted.~~

~~3. Glaring, flashing and scintillating signs shall not be permitted.~~

~~4. Open letter signs which may be viewed from the reverse shall not be permitted.~~

~~SN. Brand Name Advertising. Up to thirty percent (30%) of the signing allowance for any frontage may be devoted to the advertising or identification of an individual brand or brands of products. This provision shall not apply to the identification of one primary brand name identifying a service station.~~

~~TO. Design of Signs. All signs shall be designed in scale and harmony with the architectural design of the buildings and uses they are intended to relate to or identify.~~

~~U. Alteration and Removal. Achieving the alteration or removal of dangerous, obsolete and nonconforming signs is a major policy of this chapter. To this end, certain signs are declared to be dangerous, obsolete or nonconforming, and shall be removed or altered to conform as follows:~~

~~1. A "dangerous sign" is defined as any sign which is an immediate peril or a potential menace to the safety of persons or property. The building inspector shall give a written order for the repair or removal of any unsafe or dangerous sign to the owner of the real property upon which such sign is located. If such owner shall fail to remove or repair such sign or advertising structure within six months of notification by the building inspector, the building inspector may cause the removal of such sign and may enter upon such property for such purpose. Any cost accrued by the city in the removal of such sign shall be charged to the owner of the real property upon which such sign is located and added to the real taxes thereon for the ensuing tax year or be collected in civil action at the option of the city.~~

~~2. Any sign hereafter existing which no longer advertises a bona fide business conducted or product sold on the premises where such sign exists shall be removed or made to conform by the owner of the building, structure or property upon which such sign is located within ninety (90) days after written notification by the building inspector, or the building inspector may cause the removal of such sign. Any cost accrued by the city shall be treated in the same manner as provided above for dangerous or unsafe signs.~~

~~3. Signs which are nonconforming because of their lighting, movement or animation shall be made to conform or be removed within one hundred twenty (120) days after written notification by the building inspector.~~

~~V. Appeals Procedure.~~

~~1. If, because of any ambiguity, inadvertent omission or error, the interpretation of the provisions and/or intent of this chapter by the director of community development or the city manager's designee is disputed, the applicant or any aggrieved person may appeal, in writing, setting forth his or her reason for such appeal to the planning commission. The appeal shall be filed with the planning director within fifteen (15) days after an adverse decision of the director. The appeal shall be placed on the regular meeting agenda of the planning commission.~~

~~2. The commission shall review the sign proposal and shall approve, approve with conditions or disapprove it, based on the findings set forth in Section 17.120.080 of this code.~~

~~3. Any decision of the commission may be appealed by an interested party to the city council by filing an appeal application and paying any applicable fee within ten (10) days following the date of the planning commission's decision. The appeal application shall state specifically where there was an error or abuse of discretion by the commission, or wherein the commission's decision is not supported by the evidence in the record. The council shall hear all pertinent testimony relating to the appeal and render its decision at the next available regular council meeting. The decision of the city council shall be final. (Ord. 10-298 § 1; Ord. 09-287 § 2; Ord. 92-73; Ord. 93-99; Ord. 97-151)~~

17.84.050 Regulation of signs within the I districts.

No sign, outdoor advertising structure or display of any character shall be permitted in the I Districts, except as follows:

A. Outdoor advertising signs in accordance with the district limitations and standards prescribed in Section 17.84.020(K);

B. The maximum permissible area of all faces of all permanent and temporary signs pertaining to a permitted use or conditional use, excluding outdoor advertising signs, directional signs and signs identifying products within a window display area, shall be as follows: one square foot of sign area per lineal foot of property line adjoining a street, or one hundred (100) square feet per acre of site area in use, whichever is greater, to a maximum of six hundred (600) square feet of sign area;

C. One non-illuminated sign, not exceeding a single surface area of thirty-two (32) square feet, pertaining to the sale, lease, rental or display of a structure or site;

D. No more than one monument sign (a sign located flush on finished grade) shall be permitted for a single business or for a grouping of businesses on a single site; provided, that any monument sign does not exceed eight feet in height and no more than fifty (50) square feet of total surface area for each sign face. Any proposed monument sign may be located within a setback area; provided, that it does not interfere with the clear sight of vehicles at driveway locations. Any monument sign over three feet in height shall also meet the requirements of Section 17.84.040(P) of this chapter.

E. Non-illuminated directional signs along driveways or within parking lots, not exceeding a single surface area of six square feet, pertaining to vehicular and pedestrian traffic direction;

F. One bulletin board not directly illuminated, not exceeding a single surface area of twenty (20) square feet, located on the site of a place of public assembly;

G. One non-illuminated temporary commercial construction sign, not exceeding a single surface area of thirty-two (32) square feet, on the site of a construction project, to be removed at the owner's expense at the time of project completion. (~~Ord. 18-384 § 1; Ord. 09-287 § 3; Ord. 92-73; Ord. 93-99; Ord. 97-151~~)

H. Temporary signs (see Section 17.84.060, Special provisions for temporary signs.)

(Ord. 18-384 § 1; Ord. 09-287 § 3; Ord. 92-73; Ord. 93-99; Ord. 97-151)

17.84.060 Temporary signs.

A. Temporary Commercial Signs. Any sign containing a commercial message. Includes all signs not classified as noncommercial signs.

1. Temporary Advertising Banner Signs—Temporary advertising banner signs for grand opening and special sales events for businesses located in nonresidential zoning districts may be displayed, and shall not require a sign design application, provided the following standards are met:

a. One banner may be displayed not exceeding sixty (60) square feet in area;

17.84.060b. The same banner is not displayed for more than ninety (90) days in a calendar year, either consecutively or cumulatively;

c. The banner is displayed on the storefront or building of the subject business. No banner may be displayed on or above the building roof;

d. The banner is securely attached or anchored to the building;

e. The banner is limited to advertising the business name, event, and products or services available at the subject business location;

f. The banner is approved for display by the property owner or authorized property owner agent of the subject business location.

2. Temporary Advertising Banner Signs—Temporary advertising banner signs for grand opening and special sales events for businesses located in nonresidential zoning districts, not meeting the provisions above in this section, may be displayed upon filing and receiving approval of a sign design application by the planning division and provided the following standards are met:

a. The banner or banners shall not exceed a total cumulative sign area of two hundred (200) square feet in area. A larger sign area may be considered for approval by the planning division if warranted by site specific circumstances.

b. The banner or banners are not displayed for more than one hundred twenty (120) days in a calendar year, either consecutively or cumulatively.

c. The banner or banners are displayed on the storefront or building of the subject business or at an approved location on the subject site. No banners may be displayed on or above the building roof.

c. The banner or banners are limited to advertising the business name, event, and products or services available at the subject business location.

e. The banner or banners are approved for display by the property owner or authorized property owner agent for the subject business location. (Ord. 18-384 § 1; Ord. 13-329 § 1; Ord. 10-298 § 1; Ord. 09-287 § 1; Ord. 02-206 § 1; Ord. 92-73; Ord. 93-99; Ord. 97-151)

B. Temporary Noncommercial Signs - Temporary signs with noncommercial messages may be displayed on private property, with the property owner's permission, subject to compliance with the following limitations:

1. Noncommercial signage shall be defined as any sign which is intended to convey a noncommercial message including, by way of example and not limitation, commentary on social, political, educational, religious, scientific, artistic, philosophical or charitable subjects. This definition also includes signs regarding fund raising or membership drive activities for noncommercial or nonprofit concerns, entities or groups.

2. On residential property, up to four single-faced or double-faced signs not exceeding four square feet of surface area per sign face may be displayed for up to 90 days in any calendar year. Such signs shall be limited to a maximum of three feet in height if located in any required setback, or six feet in height if located outside any required setback. No sign shall be placed in a manner that obstructs the Clear Visibility Triangle at intersections and driveways.

3. On nonresidential property, an unlimited number of single-faced or double-faced signs not exceeding 32 square feet per sign face may be displayed for up to 90 days in any calendar year. Such signs shall be limited to a maximum of three feet in height if located in any required setback, or six feet in height if located outside any required setback. No sign shall be placed in a manner that obstructs the Clear Visibility Triangle of intersections or driveways. These signs are allowed in addition to the substitution of noncommercial messages for commercial messages as established in Section 17.84.020 (M).

4. Signs shall be removed by the agency, official or person responsible for their erection within seven days after the date of the advertised event or election.

17.84.070 Nonconforming signs and outdoor advertising structures.

Nonconforming signs and nonconforming outdoor advertising structures shall be subject to the regulations prescribed in ~~Chapters 17.16 and 17.116.~~ (Ord. 92-73; Ord. 93-99; Ord. 97-151) Chapter 17.116 and as follows.

A. Alteration and Removal. Achieving the alteration or removal of dangerous, obsolete and nonconforming signs is a major policy of this chapter. To this end, certain signs are declared to be dangerous, obsolete or nonconforming, and shall be removed or altered to conform as follows:

1. A “dangerous sign” is defined as any sign which is an immediate peril or a potential menace to the safety of persons or property. The building inspector shall give a written order for the repair or removal of any unsafe or dangerous sign to the owner of the real property upon which such sign is located. If such owner shall fail to remove or repair such sign or advertising structure within six months of notification by the building inspector, the building inspector may cause the removal of such sign and may enter upon such property for such purpose. Any cost accrued by the city in the removal of such sign shall be charged to the owner of the real property upon which such sign is located and added to the real taxes thereon for the ensuing tax year or be collected in civil action at the option of the city.

2. Signs which are nonconforming because of their lighting, movement or animation shall be made to conform or be removed within one hundred twenty (120) days after written notification by the building inspector.

17.84.0780 Abandoned and dilapidated signs.

No person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which has been abandoned, or which is physically dilapidated. Any such sign shall be promptly removed by the owner or such other person. Any sign which is located on property which becomes vacant and unoccupied for a period of six months or more, or any sign which was erected for an occupant or business unrelated to the present occupant or his or her business, or any sign which pertains to a time, event or purpose which no longer is applied shall be presumed to have been abandoned. Where the owner or other person responsible for maintaining an abandoned or dilapidated sign fails to remove the sign in conformance with these provisions, the city shall cause the sign to be removed, and shall assess the owner or other person responsible at a rate established by resolution of the city council to cover the costs of such removal. (Ord. 92-73; Ord. 93-99; Ord. 97-151)

A. Any sign hereafter existing which no longer advertises a bona fide business conducted or product sold on the premises where such sign exists shall be removed or made to conform by the owner of the building, structure or property upon which such sign is located within ninety (90) days after written notification by the building inspector, or the building inspector may cause the removal of such sign. Any cost accrued by the city shall be treated in the same manner as provided above for dangerous or unsafe signs.

17.84.0890 Authority to modify sign regulations.

Notwithstanding other provisions of this title, the planning commission has the authority to modify or adjust regulations of this title in order to prevent or lessen practical difficulties or unnecessary physical hardships inconsistent with the objectives of the zoning code and the purpose of this chapter as would result from a strict or literal interpretation and enforcement of certain of the regulations of this title. (Ord. 97-151; Ord. 93-99; Ord. 92-73)

17.84.090 Public utility signs.

Nonadvertising signs of public utility companies shall be permitted as required in their operation, providing service for the health, safety and welfare of the general public, including, but not limited to, the following: The location of underground facilities; directional signs for public utility services; and signs notifying the public of danger, emergency, construction and similar conditions. No signs or other items shall be attached to private utility company poles and/or light standards or supports without prior written approval from the affected utility company. (Ord. 97-151; Ord. 93-99; Ord. 92-73)

A. Appeals Procedure.

1. If, because of any ambiguity, inadvertent omission or error, the interpretation of the provisions and/or intent of this chapter by the director of community development or the city manager's designee is disputed, the applicant or any aggrieved person may appeal, in writing, setting forth his or her reason for such appeal to the planning commission. The appeal shall be filed with the planning director within fifteen (15) days after a decision of the director. The appeal shall be placed on the regular meeting agenda of the planning commission.

2. The commission shall review the sign proposal and shall approve, approve with conditions or disapprove it, based on the findings set forth in Section 17.120.080 of this code.

3. Any decision of the commission may be appealed by an interested party to the city council by filing an appeal application and paying any applicable fee within ten (10) days following the date of the planning commission's decision. The appeal application shall state specifically where there was an error or abuse of discretion by the commission, or wherein the commission's decision is not supported by the evidence in the record. The council shall hear all pertinent testimony relating to the appeal and render its decision at the next available regular council meeting. The decision of the city council shall be final. (Ord. 10-298 § 1; Ord. 09-287 § 2; Ord. 92-73; Ord. 93-99; Ord. 97-151)

17.84.100 Master signage plans.

A. Purpose. The master sign plan provides a process for community development director review and decision related to requests for signs for multi-tenant projects. The intent is to allow the integration of a project's signs with the design of the structures to achieve a unified architectural statement and to approve common sign regulations for multi-tenant projects, and to encourage design flexibility.

B. Applicability. A master sign plan shall be required for all new multi-tenant shopping centers, office parks, and other multi-tenant or mixed-use developments of two or more separate tenants/uses that share either the same parcel or structure and use common access and parking facilities.

C. Approving Authority and Procedure. The designated approving authority for a master sign plan is the community development director. The process will be conducted administratively by the community development director. No public hearing is required for a master sign plan.

D. Projects with Business of Local and/or Regional Significance. Project sites that include a business of local and/or regional significance, as determined by the community development director or the city manager's designee, may if determined to meet the other findings of this subsection, exceed the number of freestanding signs, individual and/or aggregate sign areas, LED lighting and animation, and height requirements contained in this title through the master sign plan process. For the purposes of

this exception, a business of local and/or regional significance is a business that would provide a significant economic benefit to the city of Lathrop in the form of jobs and/or sales tax generation.

E. In approving a master signage plan, the community development director shall make the following findings:

1. The proposed plan is consistent with the adopted general plan and all applicable provisions of this chapter.
2. The proposed plan meets the minimum requirements for submittal as stated by this chapter.
3. The granting of the plan does not constitute a special privilege that cannot be substantiated by special circumstances as required by this chapter.
4. The proposed business is of local and/or regional significance (for businesses requesting to exceed the sign requirements contained in this title).
5. The granting of the plan is in compliance with all local, state and federal laws pertaining to the height of any proposed sign.
6. All proposed signs shall incorporate several common design elements, including letter style, colors, illumination, sign shape, and the like.
7. All proposed signs shall be architecturally compatible to any proposed structures and buildings.
8. Approval of the plan shall not adversely affect surrounding land uses or obscure adjacent conforming signage.

F. An application fee for a master signage plan shall be established from time to time as set forth by an adopted city council resolution. (Ord. 18-384 § 1; Ord. 16-355 § 1; Ord. 10-298 § 1; Ord. 08-277 § 1; Ord. 97-151; Ord. 93-99; Ord. 92-73)

~~17.84.110 Special provisions for temporary signs.~~

~~Temporary signs as described by Section 17.84.020(H)(3) shall be placed and removed by the following provisions. All such signs shall be clearly and legibly labeled and each label shall include the name, address and phone number of the responsible party erecting the sign or at the option of the responsible party, each sign may be registered with the city clerk on a form indicating the responsible party's name, address and phone number. There shall be no charge for registering any sign as provided by this chapter. Any sign which is placed unlawfully in accordance with this chapter or related law shall be removed by the city at the expense of the responsible part. All such signs shall be removed within fourteen (14) days after the final day in which purpose the sign was erected; this shall include political elections, civic or community posters, or any other temporary use which stipulates a specific time period. The city shall charge a five dollar (\$5.00) removal fee to a responsible party for each and every sign that must be removed in accordance with this chapter. (Ord. 97-151; Ord. 93-99; Ord. 92-73)~~

~~17.84.120 Political campaign signs.~~

~~A. General. Signs relating to political campaigns involving the election of candidates for public office or consideration of ballot measures submitted to the electorate (political campaign signs) may be placed upon property in private ownership by or with the consent of the owner or lawful occupant;~~

provided, however, the placing of political campaign signs on private property shall be consistent with the provisions contained in subsections B, C, D, E and F of this section.

~~B. Signs Affixed to Ground in Private Ownership—No Permit Required. No sign permit (or building or other permit) shall be required for any political campaign sign which is affixed to the ground on property in private ownership, does not exceed six feet in height, and does not exceed thirty two (32) square feet in sign area; provided, however, the following requirements are met:~~

~~1. A candidate, political campaign committee, sign company, or other person responsible for the placement of political campaign signs for a particular candidate or measure shall inform the city's chief building official in writing of the intention to place such signs within the city in compliance with the provisions of this section.~~

~~2. The notice to the chief building official shall identify the candidate or measure included in the sign copy, and shall identify some symbol, emblem, mark or other characteristic on the signs to distinguish such signs from other signs which may relate to the same candidate or measure which may be placed by another person.~~

~~3. Every such sign shall consist of wood or other materials and be posted or otherwise affixed to the ground in a manner so that such sign cannot be easily blown over or knocked down.~~

~~C. Signs Affixed to Ground in Private Ownership—Permit Required. Political campaign signs (affixed to the ground on property in private ownership) exceeding six feet in height or thirty two (32) square feet in area may be allowed in accordance with the following requirements:~~

~~1. Not more than one such sign may be placed upon one lot;~~

~~2. The lot on which any such sign may be placed is undeveloped;~~

~~3. The sign shall be set back at least twenty five (25) feet from the side lot line of any adjacent developed lot;~~

~~4. No sign shall be placed within thirty (30) feet of the intersecting curb lines of a street intersection;~~

~~5. The sign shall not materially obscure any other existing sign which conforms to the provisions of this code, nor unreasonably interfere with any lawful uses that may be effected on any adjacent lot on the same street;~~

~~6. The maximum height of the sign shall not exceed twenty (20) feet from the ground where located;~~

~~7. The maximum sign area of the sign shall not exceed one hundred thirty (130) square feet;~~

~~8. A sign permit shall be obtained for each such sign, accompanied by the fees prescribed therefor. A building permit and other permits also may be required pursuant to this code.~~

~~D. Signs Placed on Single Family Dwellings—No Permit Required. No sign permit (or building permit or other permit), nor notice of intention, shall be required for any political campaign sign placed on a single family dwelling by or with the consent of the owner or lawful occupant of the lot upon which such~~

dwelling is located; provided, however, the total sign area of such sign (or signs) does not exceed thirty-two (32) square feet in sign area, and is subject to the following requirements:

1. — No such sign shall project above the height or from the sides of the dwelling, or block access to or from any door or window; and

2. — Every such sign shall be placed in a manner to secure it from being blown over or knocked down.

E. — Signs Affixed to Windows of Occupied Buildings — No Permit Required. No sign permit (or building permit or other permit), nor notice of intention, shall be required for any political sign affixed to the interior side of any window of any type of occupied building by or with the consent of the owner or lawful occupant of the building (including a dwelling unit of a multiple dwelling, or a section of a nonresidential building, occupied by such occupant in which such windows are located); provided, however, the total sign area of such sign (or signs) does not exceed thirty-two (32) square feet in sign area for each such building, dwelling unit or section of building occupied.

F. — Signs Replacing Commercial and Industrial District Signs — No Permit Required. No sign permit (or building permit or other permit), nor notice of intention, shall be required for any political campaign sign which consists of sign copy replacing (temporarily during the campaign) sign copy of a freestanding sign, building sign, public service sign, display structure sign, or traveling message sign, located in a commercial or industrial district and approved pursuant to the regulations of this code. The sign copy of any such political campaign sign shall be integral with the structure containing the sign copy in the same manner as the sign copy which is being temporarily replaced during the campaign.

G. — Political Campaign Signs on Public Property Prohibited — Exception. Political campaign signs shall not be allowed nor permitted on public property, except that (1) political campaign signs may be located in the front yards of private property situated within a public right of way, and (2) to the extent applicable, such political campaign signs shall comply with the provisions of subsections B and C of this section. Notwithstanding the foregoing exception, no political campaign signs may be placed on fences, utility guy wires, support wires, traffic signs, signals or standards, or on any tree or shrub located within a public right of way, nor may the placement of such signs within a public right of way unreasonably interfere with public safety, including visual, traffic and pedestrian impacts.

H. — Removal of Signs After Election. Every political campaign sign shall be removed within fifteen (15) days following the election related to such sign. Any such sign on private property which is not removed shall be subject to abatement, or any other remedy allowed by law for such removal (including the removal costs incurred by the city as set forth in Section 17.84.110 of this chapter), and the parties responsible for the placement of such sign shall be liable for all costs associated with such removal. (Ord. 06-257 § 1)

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 18-10**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL AMENDMENTS TO THE LATHROP
MUNICIPAL CODE (LMC) TITLE 17, THE ZONING CODE, CHAPTER 17.84 (SIGNS)
WITH THE SPECIFIC PURPOSE OF ESTABLISHING "CONTENT NEUTRALITY"
FOR TEMPORARY NONCOMMERCIAL SIGNAGE IN ALL ZONING DISTRICTS,
AND ASSOCIATED AMENDMENTS TO VARIOUS SECTIONS OF THE SIGNAGE
CHAPTER TO ESTABLISH INTERNAL CONSISTENCY. (TA-18-56)**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public meeting to consider the text amendment pursuant to the Lathrop Municipal Code; and

WHEREAS, the proposed text amendment is Citywide and affects all applicable properties in the City; and

WHEREAS, chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

WHEREAS, the proposed text amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "General Rule" that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the Planning Commission finds that the proposed text amendment is consistent with applicable provisions of the Lathrop General Plan; and

WHEREAS, the amendments establish content neutrality, and equal regulation of temporary non-commercial speech that is limited to time, place, and manner consistent with the requirements of the First Amendment to the Constitution of the United States and the free speech clause of Article I of the California Constitution, while protecting the public, health, safety, and welfare; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council adopt Municipal Code Text Amendment No. TA-18-56 as shown in Attachments B, incorporated by reference herein.

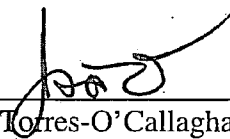
PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a regular meeting on the 16th day of May, 2018 by the following vote:

AYES: Torres-O'Callaghan, Lazard, Ishihara, Freeman, Gatto

NOES: None

ABSTAIN: None

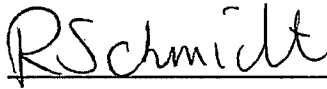
ABSENT: None



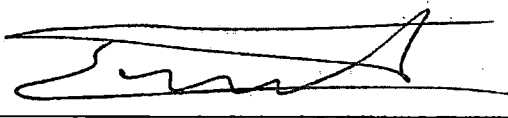
Jennifer Torres-O'Callaghan, Chair

ATTEST:

APPROVED AS TO FORM:



Rebecca Schmidt, Secretary



Salvador Navarrete, City Attorney