

CITY OF RIVERBANK

ORDINANCE NO. 2020-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING TITLE XV: LAND USAGE, CHAPTER 153 ZONING OF THE RIVERBANK MUNICIPAL CODE BY REPEALING IN THEIR ENTIRETY SECTIONS 153.280: INTENT AND PURPOSE THROUGH SECTION 153.285: SPECIFIC REQUIREMENTS FOR CERTAIN ZONES UNDER SUBSECTION: SIGNS AND SUBSTITUTING THEM WITH NEW SECTIONS 153.280 THROUGH 153.285

WHEREAS, the Planning Commission held a public hearing on December 17, 2019, to consider an amendment to the City of Riverbank Municipal Sign Code; and

WHEREAS, on December 4, 2019, notice of the Planning Commission public hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, on December 17, 2019 the Planning Commission with a vote of 5-0 recommended that the City Council the proposed amendment; and

WHEREAS, the proposed amendment complies with the General Plan in that the “City will work with emergency responders serving the City to support the purchase and maintenance of proper emergency communication systems and equipment, and other necessary tools dealing with emergencies (Measure SAFE-4)”; and

WHEREAS, the amendment to the City of Riverbank Municipal Code is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission made the following finding:

1. Approving permitted locations and design standards for City electronic signs is consistent with the goals, policies, programs, and uses of the General Plan.

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

SECTION 1: Amend Title XV: Land Usage, Chapter 153: Zoning of the Riverbank Municipal Code by repealing Sections 153.280 through 153.285 in their entirety and replacing them with new sections, which shall read as follows:

TITLE XV: LAND USAGE

CHAPTER 153: ZONING

SIGNS

Section

- 153.280 Intent and purpose
- 153.281 Definitions
- 153.282 Administration
- 153.283 Nonconforming signs
- 153.284 General requirements
- 153.285 Specific requirements for certain zones

§ 153.280 INTENT AND PURPOSE.

It is the intent of this sign ordinance regulation to preserve and enhance the aesthetic, traffic safety and environmental values of our communities and growing business/industrial districts, while at the same time providing for channels of communication to the public. It also is the city's intent to regulate on the basis of characteristic and proportion of signage. The city finds as to commercial signage that it is in the interest of both aesthetics and traffic safety that sign information be kept to a minimum. The use of subordinate information in commercial signage which presents as a traffic hazard will not be allowed. Non-commercial signage, which rights are constitutionally broader, is permitted unless expressly prohibited within this chapter.

(67 Code, § 10-19-1) (Ord. 2000-03, passed 4-24-00)

§ 153.281 DEFINITIONS.

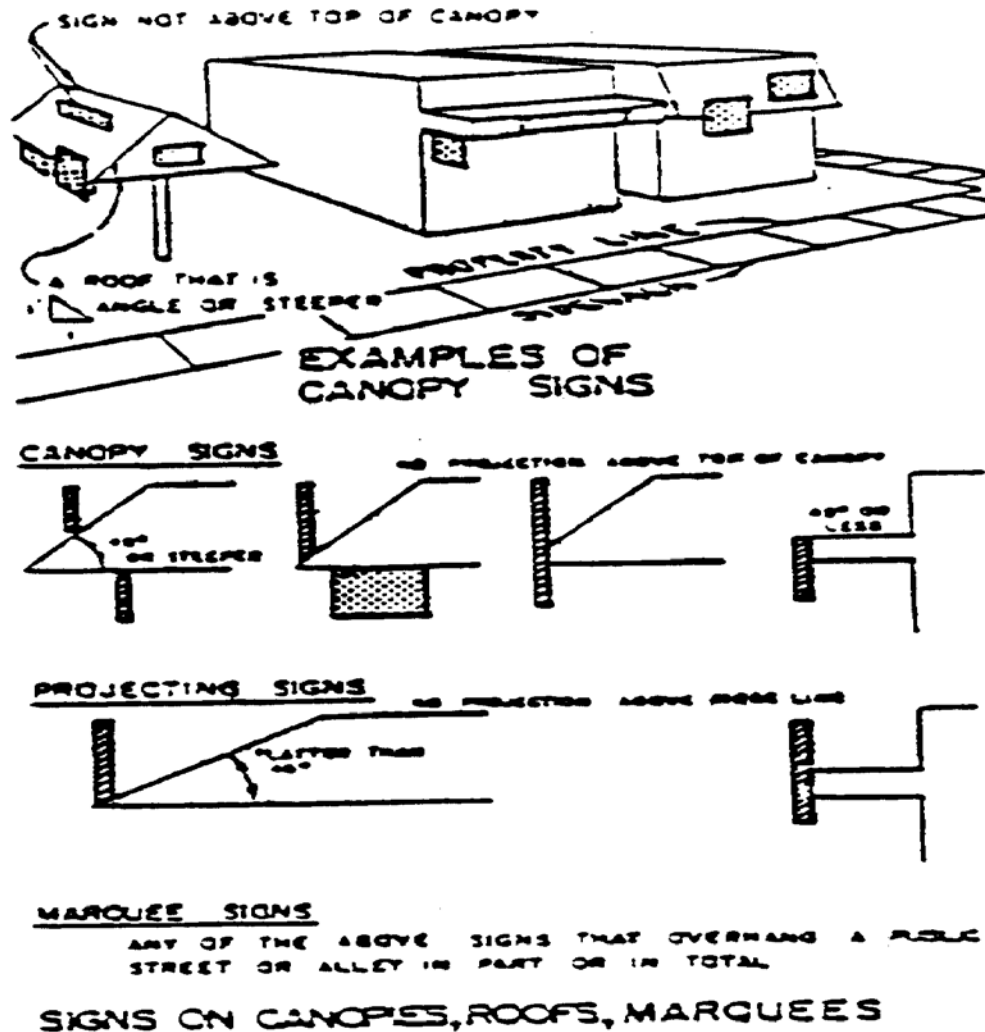
For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BENCH SIGN. A bus bench located outdoors with advertising matter thereon.

BULLETIN BOARD. A sign used to announce a coming event or attraction or used to convey a specific message related to the building or use of the property on

which the bulletin board is located. In all zones, bulletin boards which are displayed so as to be viewed from a public street, parking lot, walkway or mall shall be subject to the sign regulation of the zone in which the building or property is located.

CANOPY. A roof of a building or a fixed overhead shelter used as a roof, which may or may not be attached to a building and which does not encroach into nor overhang a public street or alley right-of-way.



CANOPY SIGN. A sign attached to or hung from a canopy but not projecting from the face of the canopy.

CONSTRUCTION SIGN. A sign with the names of architects, engineers, contractors, subcontractors and financing agencies of buildings and structures being constructed upon the premises on which the sign is located.

CORPORATE FLAG. A flag identifying a business or firm.

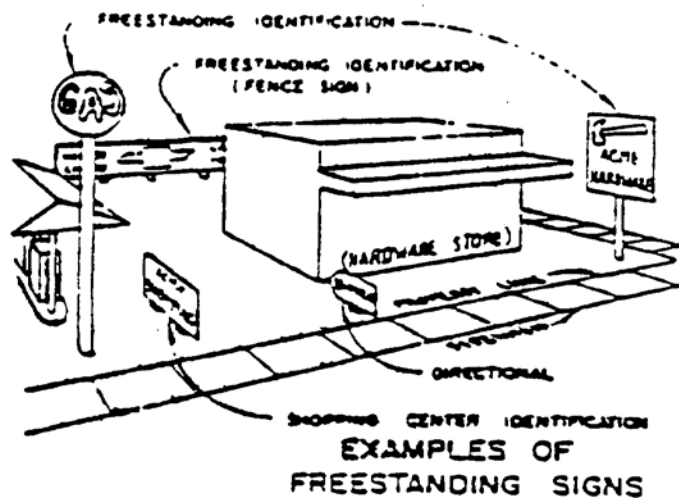
DIRECTIONAL SIGN. One of two types of signs. An exterior directional sign shall mean a sign oriented to a street and used to direct and control pedestrian or vehicular traffic and located on the same lot or premises as the use which it is intended to serve. An interior directional sign shall mean a directional, warning or information sign not bearing any advertising message readable from any street right-of-way. It shall be located on the same lot or premises as the use which it is intended to serve.

ELECTRONIC SIGNAGE. Also known as electronic signs, displays, message signs, and reader boards, may use technologies such as LCD, LED, projection, e-paper or similar to display digital images or text. May be located on private or public property as a monument sign for churches, schools, and banks or as a monument or wall sign for limited commercial and industrial locations. City electronic signs may include decorative pole (freestanding) signs which will be reviewed by the City Council on a case by case basis.

Future Technologies. There may be alternate, preferred, or superior technology available in the future to illuminate electronic signs. These alternate technologies may be incorporated into existing legally permitted electronic signs in the future without additional permission from the City so long as no exterior change to the digital display area will occur and an electrical permit is obtained if necessary.

ERECT. To build, construct, attach, hang, place, suspend, paint or affix.

FREESTANDING SIGN. A sign detached from any building or structure, and the supports of which are permanently affixed on the ground.

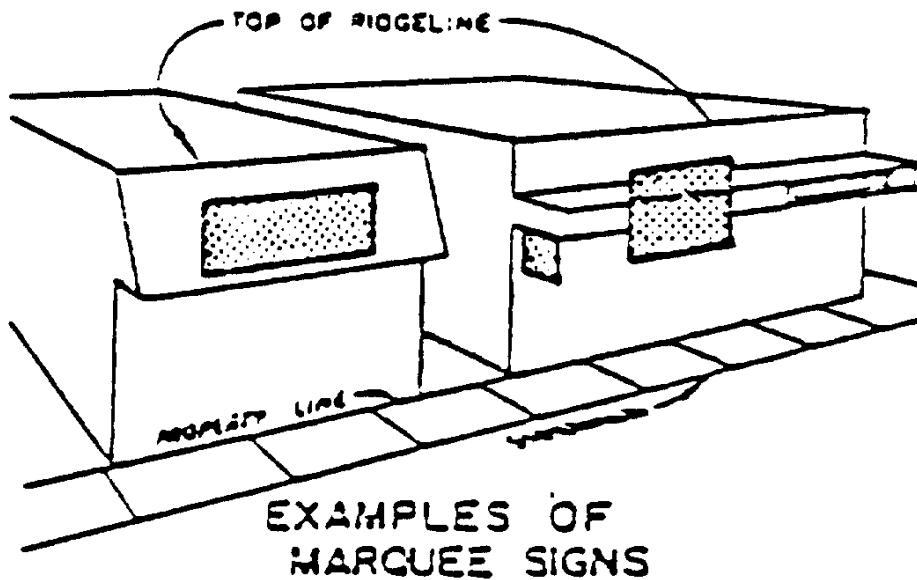


HEIGHT. The vertical distance from the highest point used in measuring the area of a sign to the top of the curb of the street at a point which is closest to the highest point of the sign.

IDENTIFICATION SIGN. Any sign which is used to identify or advertise the occupancy of a building, lot or premises or the merchandise or activity available at the building, lot or premises where the sign is located.

LIGHTED SIGN. Any sign which is illuminated either directly or indirectly by artificial light.

MARQUEE. A fixed overhead shelter used as a roof, which may or may not be attached to a building, and which projects into or overhangs a public street or alley right-of-way.

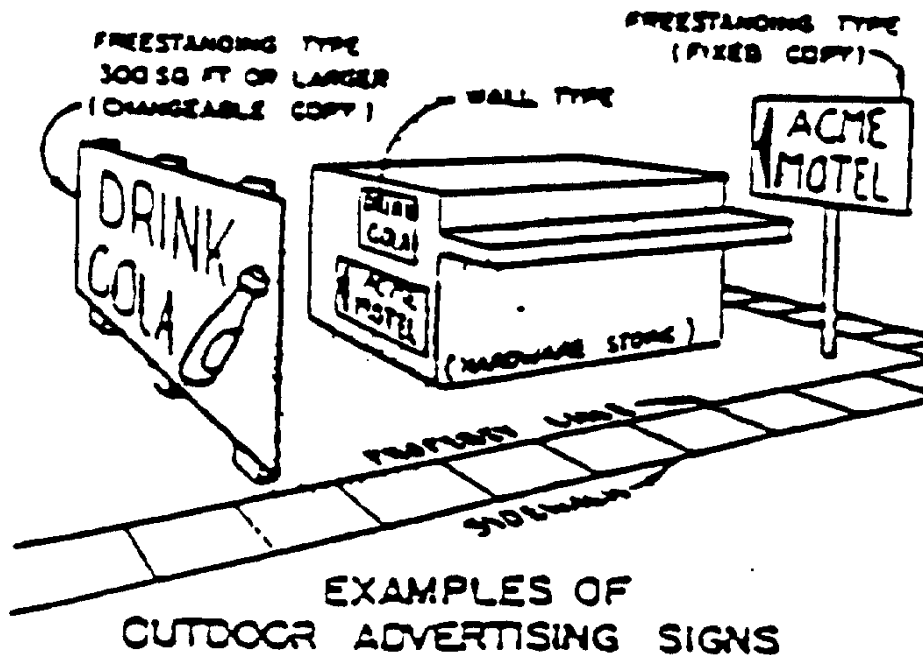


MONUMENT SIGN. A low-profile freestanding sign, with its base resting on the ground and incorporating the design and building materials complementary to the architectural theme of the building(s) on the same property. Monument signs are required to have a minimum twelve (12) foot setback from all property lines and may not exceed eight (8) feet in height (including base) and fifty (50) square feet in total area per side. It may have an electronic reader board component if the monument is for a church, school, or bank or it is located in a commercial or industrial zone and there are no other electronic monument signs within one thousand (1,000) feet of the parcel.

NON-COMMERCIAL. In each instance and under the same conditions to which this chapter permits any sign, a sign containing an ideological, political or other non-commercial message shall be permitted.

OPEN HOUSE DIRECTIONAL SIGN. An arrow or other directional symbol and real estate office name.

OUTDOOR ADVERTISING SIGN (BILLBOARDS). A sign of the outdoor advertising business, which advertises products, accommodations, services or activities not provided on the premises on which it is located. Also known as a **BILLBOARD**. These signs are prohibited under this chapter. This definition does not pertain to non-commercial messages.



PERMANENT SIGN. Every sign except **TEMPORARY SIGNS** as defined herein.

POLE SIGN. A sign which is not attached to a building but which has its own separate support system and shall include a freestanding sign.

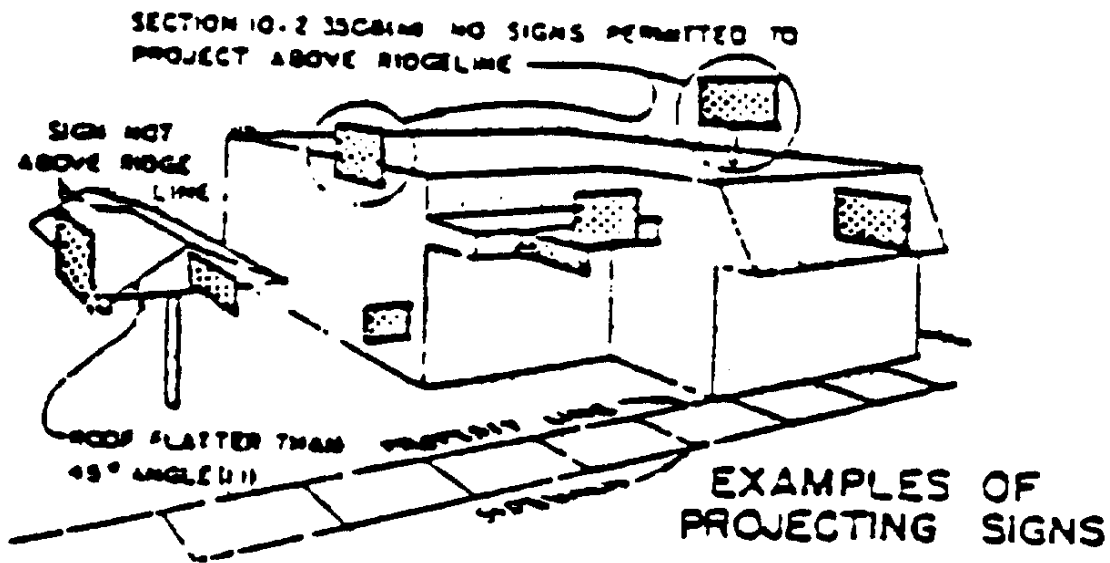
POLITICAL SIGN. Any impermanent sign or advertising device or display, with or without letters, words, numbers or figures thereon, which is designed to advertise a candidate for political office, a political party or a measure scheduled for an election.

PRINCIPAL FRONTAGE. That wall of a building or structure which has frontage

on a public street, highway, parking lot, walkway or mall and which is designed as the principal frontage of the building or structure.

PROJECTING SIGN. Any of the following:

- (1) Any sign attached to and projecting from the face of a wall, canopy or marquee.
- (2) Any sign mounted on a canopy roof or building roof that has a slope flatter than a 45 degree angle.



RIDGELINE. The peak of the roof, the top of a parapet, or the top of the wall of a building.

SIGN. Any structure, device, letter, figure, character, poster, picture, trademark or reading matter which is used or designed to announce, declare, demonstrate, display or otherwise identify or advertise, or attract the attention of the public. However, a sign shall not include the following:

- (1) Official notices authorized by a court, public body or public officer.
- (2) Directional, warning or informational signs authorized by federal, state or municipal authority or public utility.
- (3) A properly displayed official flag of a government, school, religious group, or nonprofit organization.
- (4) A memorial plaque, tablet or cornerstone indicating the name of a building and date of construction, when cut or carved into any masonry surface or

when made of bronze or other incombustible material and made an integral part of the building or structure, not to exceed four square feet in area.

(5) Signs within a building which cannot be seen from outside the building.

SIGN AREA. The area of the sign surface computed by calculating the area of the circle, square, triangle, rectangle or combination of such geometric designs necessary to enclose such sign surface. Where a sign has two or more faces (sign surfaces), the area of all faces shall be included in determining the sign area, except where two such faces are placed back to back and are at no point more than one foot from one another, the sign area shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area. Necessary supports or uprights on which a sign is placed shall not be included in the sign area, provided that they are not used to attract attention to the subject matter included in the sign area.



SIGN SURFACE. The surface of the sign upon, against or through which the message is displayed or illustrated.

SUBDIVISION SIGN. A sign indicating the name of a recorded subdivision, the name of the contractor or subdivider, the name of the owner or agent, and/or giving information regarding directions, price and/or terms.

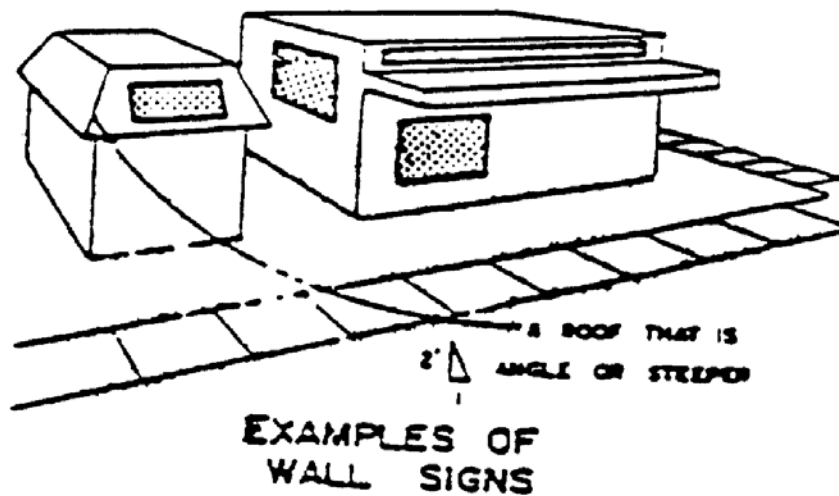
SUBDIVISION DIRECTIONAL SIGN. A sign indicating the name of a recorded subdivision and information regarding location. The name of the contractor or subdivider, the name of the owner or agent and/or information regarding price and/or terms may also be noted.

TEMPORARY SIGN. Any sign, banner, pennant, freestanding flag, valance, balloon, streamer, placard, "A"-frame, sandwich board, human sign spinner,

inflatable air dancers, or similar impermanent sign or advertising device or display, with or without letters, words, numbers, or figures thereon, with or without frames, which directs, promotes service or price, or which is otherwise designed to attract attention for a short period of time only unless otherwise specifically mentioned in this chapter.

WALL. Any wall or element of a wall or any number or group of members which defines the exterior boundaries or courts of a building or structure and which has a slope steeper than one horizontal to two vertical, with the horizontal plane.

WALL SIGN. Any sign painted on, attached to or erected against the wall of a building or structure with the exposed face of the sign in a place approximately parallel to the plane of the wall and which does not project beyond the top or ends of the wall. **WALL SIGN** shall also mean any sign permanently displayed on the inside or outside of a window.



WINDOW SIGN. Any sign temporarily displayed on the inside of a window or temporarily painted on a window and facing a street, highway, parking lot, walkway or mall.

ZONE. One of the various classes of area into which the city has been divided by this chapter.

(67 Code, § 10-19-2) (Am. Ord. 2000-03, passed 4-24-00)

§ 153.282 ADMINISTRATION.

(A) *Permit required.* It shall be unlawful for any person to erect, alter, change,

copy or relocate within the city any sign as defined herein without first obtaining a permit from the City Manager (or his designated representative) and making payment of the required fee therefor, except that the following listed signs are not required to have permits or pay permit fees, but shall meet all other requirements of this chapter:

- (1) Construction sign.
- (2) For sale or rent sign not exceeding eight square feet in area.
- (3) Garage sale sign.
- (4) Unlighted interior directional, warning or information system when less than 12 square feet in area.
- (5) Nameplate, two square feet maximum size.
- (6) Open house directional sign.
- (7) Political signs permitted by § 153.285.
- (8) Signs for fireworks stands, pumpkin sales, Christmas tree sale lots.
- (9) Subdivision directional signs.
- (10) Corporate flag when its height does not exceed the roof line.
- (11) Bench sign.
- (12) Signs which identify the architects, engineers, contractors, or builders associated with construction work on the premises during the time period such work is being conducted.
- (13) Advertising signs on the perimeter fencing of athletic fields. Such signs shall be on the interior of the fence only, shall have the advertising facing the interior of the field, shall not exceed the height of the fence and shall not be subject to any other restrictions of this chapter.

(B) *Application for permit.* Application for the sign permits shall be made upon forms provided by the City Manager (or his designated representative) and shall contain or have attached thereto such information as may be required by the City Manager (or his designated representative) to ensure compliance with the provisions of this code. The application shall be accompanied by a fee in an amount set from time to time by resolution of the City Council.

(C) *Permit issued if application is in order.* It shall be the duty of the City Manager (or his designated representative) to issue the sign permits if the application is complete, the sign complies with the provisions of this code and the fee has been paid.

(D) *Signs falling within definition of one or more type signs.* Whenever any sign, as defined in this chapter, falls entirely within the definitions of one or more type signs, it shall be subject to the provisions of the most restrictive category.

(E) *Permit issued in error.* If a sign permit is issued in error by the City Manager (or his designated representative) and the sign does not comply with all of the requirements of this chapter and all other laws and ordinances of the city, the sign permit shall be null and void, and no rights or privileges shall be conferred upon the permittee by the permit.

(F) *Compliance with chapter, nuisance, abatement.* The City Council hereby determines that the public peace, safety, morals, health and welfare require that all signs which shall hereafter be constructed, erected or painted in violation of the provisions of this chapter shall be and they are hereby declared public nuisances to be removed and abated in the manner provided herein.

(G) *Identification.* Every sign hereafter erected, altered or relocated shall have recorded thereon in a conspicuous place in order to be readily visible, the date of erection, alteration or relocation, the permit number, voltage of any electrical apparatus used in connection therewith and the name of the person, firm or company doing the work. The information shall not exceed 16 square inches in area.

(H) *Maintenance of signs.* The owner of any sign as defined and regulated by this chapter, including supporting structures, shall keep the same in a presentable condition at all times. All painted signs and all supporting structures of any sign shall be repainted to keep them in good condition whenever such action is requested in writing by the City Manager (or his designated representative).

(I) *Unlawful signs.* If the City Manager (or his designated representative) shall find that any sign which has been constructed or erected or is being maintained in violation of the provisions hereof, written notice shall be given of such conditions to the permittee or in the event no valid permit exists, to the owner thereof. If the permittee or the owner thereof, as the case may be, fails to remove or alter the sign so as to comply with the standards herein set forth, within 30 days after such notice, such signs may be removed or altered to comply when so directed by the City Manager and such cost shall be at the expense of the permittee or the owner of the property upon which the sign is located.

- (1) Any sign found to be unsafe and an immediate peril to persons or

property may be removed summarily and without notice when so directed by the City Manager. The cost of such removal shall be assessed against the owner of the sign removed.

(2) Any sign erected upon public property in violation of the provisions hereof may be removed or destroyed when so directed by the City Manager.

(3) The cost of removal or alteration of any sign and any expense incident thereto which by the terms of this section shall be paid by a permittee, sign owner, property owner or any other person shall become a debt owing the city. The city may initiate civil action in its own name for collection of the debt.

(67 Code, § 10-19-3)

§ 153.283 NONCONFORMING SIGNS.

(A) For the purpose of this section a **NONCONFORMING SIGN** is any sign which does not conform with the provisions of this chapter but was lawfully erected and which was lawfully in existence and in use on May 1, 1986.

(B) A nonconforming sign shall not be replaced, altered, reconstructed, relocated or expanded in any manner unless it is made to conform with all the provisions of this chapter, except as follows:

(1) Other nonconforming signs on the same property need not be made to conform as a result.

(2) Change in copy shall be permitted if no structural changes in the sign are necessary except that no change in copy shall be permitted for nonconforming painted wall signs.

(3) Ordinary maintenance and minor repairs which will not increase the normal life of the sign and which are required for safety purposes shall be permitted. Structural alterations to a nonconforming sign are prohibited unless they are made to conform to all requirements of the city code.

(C) If the use identified by a nonconforming sign is abandoned for a period of 90 days, the sign shall be removed unless it is made to conform to the provisions of this chapter. If such sign is not made to conform or if it is not removed within 120 days from the time the use is abandoned, it shall thereafter be unlawful. **ABANDONED**, as used in this division, shall mean cessation of operation or change of use. **ABANDONED** shall not mean an ownership change or a name change as long as there is not cessation of the operation for longer than 90 days and the use is not changed.

(67 Code, § 10-19-4)

§ 153.284 GENERAL REQUIREMENTS.

(A) *Height limitation.* The maximum height of any sign shall be as stated herein, but in no case shall a sign exceed 40 feet in height. An exception is City electronic signs which may be up to 50 feet in height in commercial and industrial zoning districts.

(B) *Rotating, moving, flashing, changing or blinking signs.* No sign shall have or consist of any moving, rotating or otherwise animated part or any flashing, blinking, fluctuating or otherwise animated light. The provisions of this division shall not be applied so as to prohibit the following types of signs:

(1) A sign showing time separately and which changes no more often than once every ten seconds or a conventional clock face.

(2) A sign showing temperature separately and which changes only when the temperature rises or falls one degree or more.

(3) A sign showing time and temperature alternately and which changes no more often than once every ten seconds.

(4) An on-premises barber pole of a length not to exceed 30 inches of traditional design which shall be permitted to revolve during the time that a barber shop is open for business. The sign shall not exceed ten feet in height.

(C) *Projections.* All signs, if otherwise authorized, are permitted to project into required front, side and rear yard. The permitted projecting of an authorized sign into any street or alley right-of-way is as follows:

(1) Freestanding sign: No projection.

(2) Wall sign: Up to 14 inches in thickness.

(3) Marquee sign: No closer than two feet from the face of the curb.

(4) Projecting sign: Up to six feet into any street right-of-way and up to four feet into any alley right-of-way, but not closer than two feet from the face of the curb.

(5) Bus bench sign: Entirely within street right-of-way.

(6) City Electronic Sign: No restrictions.

(D) *Vertical and horizontal clearance.* No sign shall be less than eight feet above a public or private sidewalk or 16 feet above ground level in areas open to vehicular

traffic except wall signs not exceeding three inches in thickness.

(1) Signs shall not be erected within the triangle created by the lines connecting:

(a) The point of intersection of front and side property lines extended into the intersection of two streets or other public right of way abutting the property lines; and

(b) The points on such front and side property lines 40 feet distant from the point of intersection, when the erection of other privately owned buildings and structures is prohibited therein.

(2) No permit for any sign shall be issued and no sign shall be constructed or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state or rules and regulations duly promulgated by agencies thereof.

(E) *Obstructions to doors, windows or fire escapes.* No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window, fire escape or exit way.

(F) *Construction standards.* All signs, including all parts, portions, units, and material comprising the same together with the frames, backgrounds, supports and anchorage therefor shall be manufactured, fabricated, assembled, constructed and erected in accordance with applicable Building, Electrical and Fire Prevention and Sign Codes of the city.

(G) *Illuminated signs.* Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. In no event shall an illuminated sign or lighting device be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

(H) *Signs not to constitute vehicular traffic hazard.* No sign as regulated in this chapter shall be erected at the intersection of any street, or at any railroad grade crossing, or at any driveway in such a manner as to obstruct free and clear vision of operations of motor vehicles or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse traffic.

(I) *Temporary signs for special events.* Temporary signs, in excess of the maximum permissible sign area, may be erected as participation in a public parade, public event or public celebration for a period not to exceed 30 days, provided, however, that the erection of such signs shall be approved by the City Manager as to location, safety and period of display. Temporary cloth signs and rigid signs shall be allowed as regulated in this division and as described in chapter 14 of the Uniform Sign Code except that rigid signs shall be limited to a sign area of 32 square feet and may be displayed for no longer than 30 days.

(J) *Bench signs.* It shall be unlawful for any person to erect, install or maintain any bench sign, except on public property in a location approved by the City Manager. Such benches shall only be placed as necessary to serve existing public transit needs and shall require an encroachment permit.

(K) *Wall signs, additional standards.* No wall sign shall exceed 14 inches in thickness; no display or messages shall be permitted on the edges of wall signs except the sign company's identification as required by § 153.282(G) of this code. (Ord. 86-06, passed 4-14-86)

(L) *Ridgeline limitation.* A wall, canopy, marquee, or projecting sign shall not project above the ridge line of the building on which the sign is mounted. (Ord. 90-01, passed 1-22-90)

(M) *Building outlining.* Outlining of a building or its roof by means of permanent lighting by exposed neon tubing, exposing incandescent lighting or other artificial lighting, or an equivalent effect, is prohibited. Outlining means delineation, with a row or band of lights of the edges of a roof or wall surface. This provision does not prohibit floodlighting or generally illuminating buildings and their roofs for temporary Christmas displays.

(N) *No signs on street trees, utility poles or structures in street right-of-way.* No signs shall be attached to any street tree, or any poles such as utility poles, street signals, street lights, street name signs or traffic warning signs, or on any bus shelter. (67 Code, § 10-19-5)

§ 153.285 SPECIFIC REQUIREMENTS FOR CERTAIN ZONES.

(A) *Specific requirements of type, area and height of signs in the R-1, R-2, and R-3 zones.* It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type having an area and/or height in violation of the following specific requirements:

(1) In the R-1 and R-2 zones, the following on-site signs are permitted except as otherwise stated:

(a) One unlighted for sale or rent sign per street frontage, not exceeding eight square feet in area and six feet in height.

(b) Three unlighted open house directional signs, each not exceeding three square feet in area and three feet in height, which shall be permitted during daylight hours only, for each house or group of houses offered for sale by the same realtor at the same general location, provided that they do not bear any advertising message other than the real estate office name, and that such signs are located wholly on private property with permission of the property owner on whose property they are located.

(c) One wall-mounted name plate not exceeding two square feet in area.

(d) For nonresidential uses permitted by conditional use permit, additional signing as follows:

1. One bulletin board or identification sign not exceeding 25 square feet in area and six feet in height.

2. Canopy and wall identification signs limited to one-half square foot in combined sign area for each lineal foot of any wall and not exceeding 40 feet in height. Canopy and wall identification signs may have external illumination only; no internal illumination shall be permitted.

(e) For mobile home parks permitted by conditional use permit, there may be in addition one identification sign limited to 12 square feet in area and not exceeding six feet in height located at the main entrance to the park.

(f) One construction sign not exceeding 20 square feet in area and six feet in height, provided that such sign shall be removed not later than 30 days after construction is completed.

(g) One on-site subdivision sign not exceeding 100 square feet in area and ten feet in height for each recorded subdivision, provided that such sign shall be removed not later than two years from the recording date of the subdivision, except as follows:

1. Where building permits have been taken out for more than one-half but less than 75% of the lots in such subdivision at the end of the two-year period, such sign may remain for an additional one year period or until building permits have been issued on all lots, whichever occurs first.

2. Where building permits have been taken out for one-half or less of the lots in such subdivision at the end of the two-year period, such sign may

remain for an additional two-year period or until building permits have been issued on all the lots, whichever occurs first.

(h) Unlighted subdivision directional signs not exceeding 16 square feet in area and six feet in height for each recorded subdivision as follows:

1. When the boundaries of any recorded subdivision or any part thereof abut an arterial, as identified in the general plan, one subdivision directional sign shall be permitted, which sign may be located on any vacant lot or parcel which is owned by the subdivision owner.

2. When the boundaries of any recorded subdivision, or any part thereof, do not abut an arterial as identified in the general plan, two subdivision directional signs shall be permitted, which signs may be located as follows:

a. One such sign may be located on property not owned by the subdivision owner with the permission of the property owner on whose property it is to be located.

b. One or both signs may be located only on property owned by the subdivision owner.

3. Such signs shall be removed not later than two years from the recording date of the subdivision, except as follows:

a. Where building permits have been taken out for more than one-half but less than 75% of the lots in such subdivision at the end of the two-year period, such signs may remain for an additional one year period or until building permits have been issued on all of the lots, whichever occurs first.

b. Where building permits have been taken out for one-half or less of the lots in such subdivision at the end of the two-year period, such signs may remain for an additional two-year period or until building permits have been issued on all of the lots, whichever occurs first.

(i) Political signs, which may be erected, maintained and displayed as follows:

1. Political signs placed in a residential zone district with a dwelling shall not exceed eight square feet, not to exceed in any dimension four feet, and such improved lot with a dwelling shall not be limited to the number of political signs but shall be limited as to the total cumulative area not to exceed 32 square feet.

2. Any one political sign shall not exceed 32 square feet on vacant

residential parcels. There shall be no restrictions as to the number of political signs posted on vacant residential property.

3. Political signs shall be removed within 15 days after the date of the election.

4. Under no circumstance shall political signs interfere with driver expectations for sight distances on any particular street as determined by the Community Development Director.

(j) Window signs are not permitted unless they meet all other requirements listed in this section, including the limitation on sign area.

(k) Except for City electronic signs, outdoor advertising signs are not permitted. City electronic signs are permitted on public or private property, owned or leased, with a 100 foot minimum setback from residential uses. In residential zones, they may consist of, at most, two digital display areas with an interior angle of 90 degrees or less. The maximum height of a city electronic sign shall be 40 feet, the maximum area of each digital display area is 10 feet by 20 feet, and the signs shall display static messages only. Each message on the screen must be displayed for a minimum of 8 seconds. Each digital display area shall have a light sensing device that will adjust the brightness of the sign as ambient light conditions change throughout the day. The ability to power the sign by mobile generator during power outages is required for public safety purposes.

(l) Two unlighted garage sale signs not exceeding three square feet each in area may be displayed as follows:

1. The signs may be displayed only during such times as the garage sale being advertised is actually being held or conducted.

2. The signs may only be erected and displayed on private property with the consent of the owner thereof. They may not be erected or displayed on street trees, utility poles or elsewhere in public rights-of-way.

(m) Interior directional, warning and information signs not exceeding six square feet in area and six feet in height.

(n) For sale or rent signs between eight and 32 square feet in area subject to securing a use permit. Approval of the permit shall be based on the relationship between the size of the sign and the size of the property.

(2) In the R-3 zone, the following on-site signs are permitted:

(a) Any signs permitted in the R-1 and R-2 zones, including City

electronic signs.

(b) One multiple-family housing project sign per street frontage, each sign not exceeding 12 square feet in area and six feet in height.

(B) *Specific requirements for type, area and height of signs in the C-1, C-2, C-M, CX-1, M-1, M-2, and PD zones.* It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type having an area and/or height in violation of the following specific requirements:

(1) In the C-1 zone, C-2 zone, C-M zone, and CX-1 zone the following on-site signs are permitted, except as otherwise stated:

(a) Subject to approval of the City Manager (or his designated representative), a shopping center, as herein defined, shall be entitled to erect one freestanding shopping center identification sign, hereinafter referred to as a shopping center identification sign for each street upon which the shopping center fronts, subject to the following provisions:

1. Each shopping center sign shall not exceed 100 square feet in area. One electronic shopping center identification sign may be approved for each street upon which the shopping center fronts if the sign is included as part of the 100 square foot total sign area allowance. Said sign may only advertise the shopping center name and its tenant names and/or special events. Advertising specific products or off site business locations is prohibited.

2. The identification on each shopping center sign shall be limited to the shopping center name with a listing of uses or businesses within the center optional. The lettering for the listing of such uses shall be of a size not greater than one-half the size of the lettering of the shopping center name on such sign.

3. After erection of a shopping center sign or signs authorized herein, at a shopping center, no additional freestanding or projection identification sign shall be erected at such shopping center for any use or occupancy therein.

4. In granting an application for a shopping center sign, the City Manager (or his designated representative) shall determine whether the applicant is within such shopping center, after consideration of the following, factors:

a. A shopping center is usually comprised of a cluster of retail uses at one location held out to the public as a distinct shopping area and having at least one retail use with a minimum area for that use of 20,000 square feet, and having a minimum of five other retail uses on the same or adjacent sites.

b. A shopping center is not normally traversed by any public

street.

c. The existence of any common advertising program for such center, or any uses or occupancies conducted therein, and the number of uses or occupancies conducted therein which participate in such program.

(b) Canopy, marquee and wall identification signs, provided:

1. The signs shall be limited to the portion of a building wherein the use or occupancy is conducted.

2. The maximum total area for all the signs shall be limited as follows:

a. For the principal frontage of the building as designated by the applicant:

Maximum Total Area for All Canopy	
Building Frontage	Marquee/Wall Identification Signs
First 50 feet	4 square feet per lineal foot of building frontage; plus
Next 50 feet	2 square feet per lineal foot of building frontage; plus
Over 100 feet	1 square feet per lineal foot of building frontage

b. For each other frontage of the building:

Maximum Total Area for All Canopy	
Building Frontage	Marquee/Wall Identification Signs
First 50 feet	4 square feet per lineal foot of building frontage; plus
Next 50 feet	2 square feet per lineal foot of building frontage; plus
Over 100 feet	0.5 square feet per lineal foot of building frontage

3. The signs shall not exceed 40 feet in height nor project above a ridgeline more than ten feet. City electronic signs may not exceed 50 feet in height in commercial zones.

4. That signs hung from a canopy shall not be less than eight feet above a private sidewalk or 16 feet above ground level in areas open to vehicular traffic.

5. That marquee signs shall be parallel with the building upon which they are mounted and parallel with the public street or alley into which they project or overhang.

(Ord. 86-06, passed 4-14-86)

(c) For any freestanding use or occupancy, one monument-type freestanding identification sign not to exceed eight feet in height, including any base, nor more than 100 square feet in area, may be approved subject to securing the approval of the City Manager (or his designated representative). The monument sign may include an electronic reader board component if the monument is for a church, school, or bank or it is located in a commercial or industrial zone and there are no other electronic reader boards within one thousand (1,000) feet of the parcel. The approval will be dependent upon the following two findings being shown:

1. That the use or occupancy is a freestanding use. For the purpose of this section, a freestanding use is defined as a use or occupancy that does not attract customers by its proximity to another business or businesses and is not part of a shopping center or any group of businesses that jointly attract customers through their proximity to each other or through common advertising.

2. The total sign area of the freestanding sign as well as all canopy, marquee and wall signs shall not exceed the sign area allowed in division (B)(1)(b) above.

(Ord. 90-01, passed 1-22-90)

(d) Directional signs located wholly on private property on the premises to which they pertain as follows:

1. One exterior directional sign per use per street frontage of the site not exceeding six square feet in area and three feet in height, and provided business identification shall not exceed one-half of the area on a given face sign.

2. Any number of interior direction signs, each not exceeding six square feet in area and six feet in height.

3. Two maximum interior directional signs for a drive-in restaurant or other eating place with drive-through facilities, each sign not to exceed 30 square feet in area and eight feet in height.

(e) One for sale or rent sign, not exceeding 64 square feet in area and ten feet in height.

(f) One construction sign, not exceeding 64 square feet in area and ten feet in height, provided such sign is removed not later than 30 days after construction is completed.

(g) One marquee sign, not exceeding six square feet in area on any one side or 12 square feet maximum total area. The sign may be hung from a marquee, providing such sign shall not be less than eight feet above a public sidewalk.

(h) Any one political sign shall not exceed 32 square feet and there shall

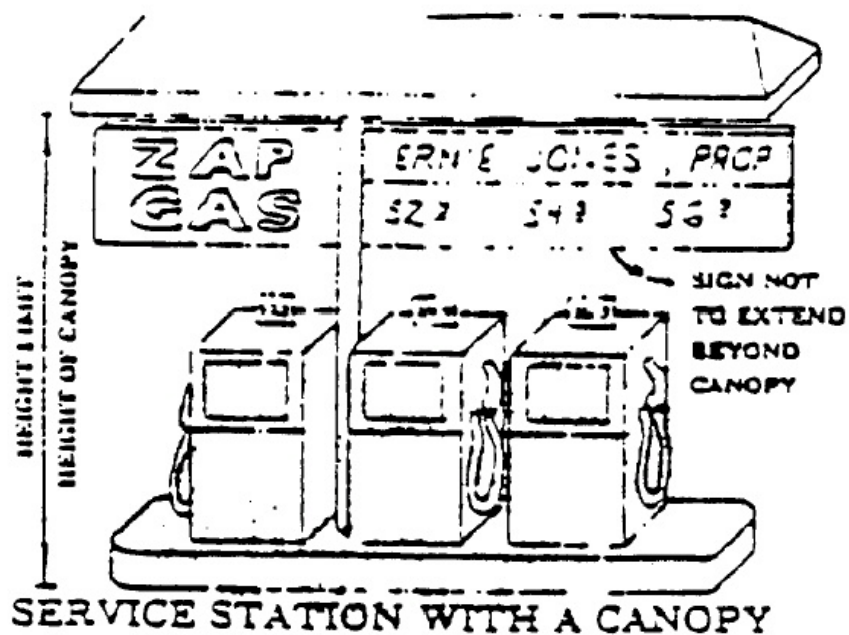
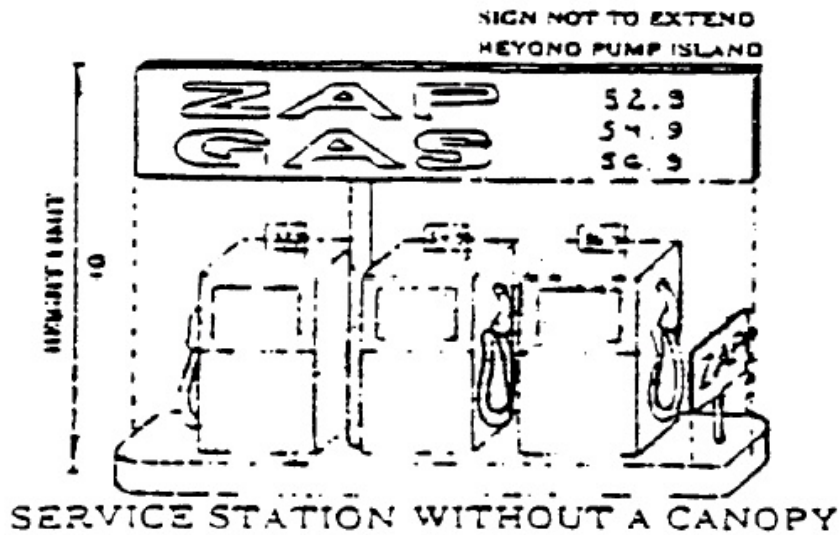
be no restrictions that limit the number of political signs on improved or unimproved commercial or industrial parcels. Political signs shall be removed within 15 days after the date of the election.

(i) Except for City electronic signs, outdoor advertising signs are not permitted. City electronic signs are permitted on public or private property in any zoning district, owned or leased, with a 100 foot minimum setback from residential uses. In commercial zones, they may consist of at most, three digital display areas with an interior angle of 60 degrees or less. Two digital display area signs may have an interior angle of 90 degrees or less. The maximum height shall be 50 feet, the maximum area of each digital display area is 14 feet by 48 feet, and the signs shall display static messages only. Each message on the screen must be displayed for a minimum of 8 seconds. Each digital display area shall have a light sensing device that will adjust the brightness of the sign as ambient light conditions change throughout the day. The ability to power the sign by mobile generator during power outages is required for public safety purposes.

(j) Window signs are permitted, provided that the total sign area of the window signs as well as any other canopy, marquee, wall or freestanding signs shall not exceed the sign area allowed in division (B)(1)(b) above. A “no fee” permit will be required to ensure compliance with the sign area requirements. For businesses which continually utilize window signs (such as, for weekly specials), only one permit needs to be issued which will allow for signs to change, providing the approved sign area is not exceeded.
(Ord. 86-06, passed 4-14-86)

(k) One monument-type freestanding identification sign not to exceed eight feet in height, including any base, nor more than 100 square feet in area shall be permitted to identify a use without any structure, such as a parking lot. For uses such as Christmas tree sale lots, pumpkin sale lots and firework stands, one temporary freestanding identification sign shall be permitted, not exceeding 32 square feet in area and 12 feet in height.
(Ord. 90-01, passed 1-22-90)

(l) Signs on service station pump islands, canopy uprights and nonmovable structures on the pump islands, which shall be permitted if the combined area of the signs and all other wall and canopy signs does not exceed the total sign area permitted under division (B)(1)(b) above for the building on the site and do not project beyond the canopy roof or raised pump island. The signs shall not exceed ten feet in height if there is no canopy. For self-service stations with small attendant booths less than ten feet on any side, a maximum total wall and canopy sign area of 160 square feet is permitted.



(m) One corporate flag per use or occupancy, not exceeding 24 square feet in area; dimensions relative to each other shall not exceed a ratio of two to one (2:1). Such flags shall be flown from a flagstaff or flagpole.

(n) For sale or rent signs between eight and 32 square feet in area subject to securing a use permit. Approval of the permit shall be based on the relationship between the size of the sign and the size of the property.

(o) Pennants shall not be displayed for more than 60 days.

(2) In the M-1 zone and M-2 zone, the following on-site signs are permitted, except as otherwise stated:

(a) Any sign allowed in the C-1, C-2, C-M, and CX-1 zones, subject to the same restrictions as in those zones.

(b) One of the following signs for each use or occupancy:

1. Projecting identification sign not exceeding 72 square feet in area and 40 feet in height; if any portion projects into or overhangs a public street or alley right-of-way, the sign shall not exceed 48 square feet in area; or

2. Marquee identification sign at right angles to a street not exceeding 48 square feet in area and 40 feet in height. A second such marquee identification sign is permitted if the two signs are single faced, are parallel, and are on opposite ends of a marquee.

(3) For PD (planned development) zones, the following on-site signs are permitted: Sign limitation shall be made a condition of each PD zone, and approval shall be based on the provisions of the zoning classification most closely approximating the uses proposed in the PD zone.

(Ord. 86-06, passed 4-14-86; Am. Ord. 2001-07, passed 7-23-01; Am. Ord. 2009-002, passed 6-22-09) (67 Code, § 10-19-7)

SECTION 2: SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 3: This Ordinance shall become effective thirty (30) days from and after its final passage January 14, 2020, provided it is published pursuant to GC § 36933 in a newspaper of general circulation within fifteen (15) days after its adoption.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on January 14, 2020. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the 28th day of January, 2020; motioned by Councilmember District 2 Cindy Fosi, seconded by Councilmember District 3 Cal Campbell; moved said ordinance by a City Council vote of 5-0:

AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS:
ABSENT:
ABSTAINED:

ATTEST: **APPROVED:**
(THE ORIGINAL DOCUMENT ON FILE WITH THE CITY CLERK)

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:
XXXXXXXXXXXXXXXXXXXX

Tom P. Hallinan
City Attorney