

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.76, SECTIONS 76.040 AND 76.090 OF THE STOCKTON MUNICIPAL CODE, RELATING TO SIGN PERMITS AND ILLEGAL SIGNS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

SECTION I. AMENDMENT OF CODE.

Title 16, Chapter 16.76, Section 76.040 of the Stockton Municipal Code is amended and shall read, as follows:

A. Sign Permits Required. To ensure compliance with the regulations of this chapter, a sign permit from the Building Division shall be required in order to erect, move, alter, or reconstruct any permanent or temporary sign, either on- or off-premises, except signs listed in subsection D of this section (Exemptions from sign permits), that are exempt from sign permits.

B. Approval of Sign Permits. A sign permit application shall be filed with the Department for review and sign-off by the Director based on consideration of size, height, and location, and other elements in compliance with the sign standards for specific types of on-premises signs (Section 16.76.100) and off-premises signs (Section 16.76.110) and the intent and provisions of this chapter. Specific types of signs may require a site plan review, land development permit, or use permit.

C. Revocation of Sign Permits. The Director may revoke or modify a sign permit, in compliance with Chapter 16.108 (Revocations and Modifications) if it is found that the sign(s) has been erected, altered, reconstructed, or is being maintained in a manner that is inconsistent with the approved sign permit.

D. Exemptions from Sign Permits. Sign permits shall not be required for the following allowed signs provided the sign does not require electrical work. Exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a site/use.

1. Permanent Signs Without Specific Size Limitation. The following signs are exempt from sign permit review subject to the following limitations:

a. Official and legal notices required by a court or governmental agency.

b. A sign erected and maintained in compliance with, and in discharge of, a governmental function or required by a law, ordinance, or governmental regulation, including signs erected by a public utility.

- c. Signs on licensed commercial vehicles, including trailers, provided that the vehicles or trailers shall not be used as parked or stationary outdoor display signs.
 - d. Bench and other signs located at designated public transit locations as authorized by Council franchise or revocable permit.
 - e. Changes to existing sign copy.
 - f. Memorial signs installed by, or with the approval of, a governmental agency, including signs and markers for historic landmarks or districts or points of interest.
 - g. Artist renderings or paintings on fences or structures or sculpture or other art work shall only be allowed on private property with the permission of the owner of the property and on public property with the permission of the appropriate governmental body.
 - h. Flags of the United States, California, San Joaquin County, the City of Stockton, or other governmental entities.
2. Permanent Signs Limited by Maximum Size. The following signs are exempt from sign permit review subject to the following limitations:
- a. Nameplates not exceeding three (3) square feet in area per one-family unit, duplex, triplex, and townhouse. Nameplates shall have Arabic numbers a minimum of four (4) inches in height and of a contrasting color to the background to which they are attached; illumination shall not exceed 25 watts.
 - b. Nameplates, limited to unit number, not exceeding one (1) square foot in area per multifamily unit. Nameplates shall have Arabic numbers a minimum of four (4) inches in height if illuminated or six (6) inches in height if nonilluminated. Numbers shall be of a contrasting color to the background to which they are attached.
 - c. One (1) sign per entrance shall be allowed for nonresidential uses not exceeding six (6) square feet and limited to the hours of operation, address, and emergency information for the business.
 - d. Interior window signs that do not exceed five (5) square feet (includes flashing and/or moving displays/signs in compliance with Section 16.76.100(D)(1) (Electronic message boards and flashing/moving displays/signs)).
 - e. All painted signs shall comply with the standards of this chapter and the requirements for wall signs (Section 16.76.100(J)), subject to review by the Director.
3. Temporary Signs Limited by Size and Period of Display.

a. Real Estate Signs. Real estate signs offering property for sale, lease, or rent are allowed in any zoning district on the property being advertised or on real property owned by others with their consent, subject to the following limitations:

i. For one-family dwellings, duplexes, triplexes, and townhouses, one (1) sign per street frontage, not to exceed six (6) square feet in area and six (6) feet in height.

ii. For multifamily dwellings, one (1) sign per street frontage not to exceed 40 square feet in area and six (6) feet in height, or as otherwise approved by the Director.

iii. For individual commercial, office, and industrial properties not located in a commercial center or industrial/business park, one (1) sign per street frontage not to exceed 40 square feet in area and six (6) feet in height.

iv. One (1) sign per street frontage, not to exceed 40 square feet in area and six (6) feet in height, shall be allowed to advertise the sale, rent, or lease, of tenant space(s) within a multitenant commercial center, office structure, or industrial subdivision. In addition, one (1) sign for each tenant space available not to exceed six (6) square feet to be located at the individual tenant space for rent or lease.

(A) Real estate signs may be placed on the site at the time of the listing or the availability of the rental space and shall be removed no later than the date of the completion of the sale or the signing of the lease.

(B) Signs advertising model homes and homes for sale within the subdivision where the sign is located.

b. Garage Sale Signs. Signs that announce the occurrence of a garage or yard sale may be allowed, provided that the signs shall:

i. Not exceed six (6) square feet in area;

ii. Only be displayed one (1) day before the sale and during the time of the sale and shall be promptly removed at the end of the sale; and

iii. Not be placed on any public property, in compliance with Section 16.76.030(N) (Prohibited signs).

c. Future Tenant Signs. Future tenant identification signs that announce the future use of a project while under construction subject to compliance with the following limitations:

i. One (1) sign per street frontage except for projects having an excess of 500 lineal feet of street frontage, one (1) additional sign may be allowed;

ii. Signs shall be limited to a maximum of 40 square feet in area and six (6) feet in height. Maximum of 50 square feet if combined with a construction sign; and

iii. Signs shall be removed before occupancy of the site.

d. Construction Signs. Signs that provide the names of the architects, engineers, and contractors working on the site of a development project subject to compliance with the following limitations:

i. One (1) sign per street frontage not to exceed 40 square feet in area with a maximum height of six (6) feet. Maximum size of 50 square feet in area if combined with a future tenant sign; and

ii. Signs shall be removed before first occupancy of the site.

e. Temporary Commercial Advertising/Promotional Signs and Devices. Temporary advertising/ promotional signs painted on a window or constructed of paper, cloth, or similar disposable materials, windblown devices (e.g., pennants, streamers, and banners), and inflatable devices may be allowed for commercial uses subject to the following limitations:

i. Signs and other devices may be displayed for a maximum of 15 days on six (6) separate occasions within a 12-month period to promote a particular event, sale, or product;

ii. The total area of all temporary signs and banners shall not exceed 100 square feet per business; and

iii. Tethered balloons and inflatable devices may exceed the zoning district maximum height requirement.

f. Temporary Business Identification Signs. Until permanent signs can be erected, a maximum of two (2) temporary signs for the identification of a new business or a change in the name of the business, are allowed for a period not to exceed 90 days. A one (1) time extension of 30 days may be granted by the Director. Maximum sign area is limited to 32 square feet.

4. Temporary Signs Without Specific Size Limitations.

a. Temporary Political Signs. Temporary political signs shall comply with the following standards:

i. Signs shall be allowed on private property in any zoning district subject to the owner's permission;

- ii. Signs shall not be located in a public right-of-way, easement, or on other governmental property dedicated to a public purpose;
 - iii. Signs shall not be located upon utility or telephone poles;
 - iv. Signs attached to a wall, fence, or structure shall not project more than six (6) inches from a wall, fence, or structure;
 - v. Every political sign shall have a corresponding statement of responsibility filed with the office of the City Clerk certifying a person who will be responsible for removing the sign and who will reimburse the City for any cost incurred to remove it, such certification being made upon forms prepared by the City; and
 - vi. Political signs shall be placed no earlier than 90 days prior to the scheduled election and shall be removed within seven (7) days of an election in compliance with the Municipal Code.
- b. **Holiday Decoration Signs.** Holiday decorations and holiday decoration signs shall not require a sign permit and are not subject to the requirements of this chapter. Holiday decoration signs shall be removed within three (3) days of the end of the holiday.
 - c. **Temporary Special Event Signs.** A special event sign, balloon, or banner intended to inform the public of a unique happening, action, purpose, or occasion, (e.g., a community event) shall comply with the following standards:
 - i. An organization may be allowed to display special event signs, balloons, or banners in any zoning district for a period of up to two (2) weeks. Periods up to 60 days may be approved by the Director if the applicant provides written justification;
 - ii. Special event signs shall not include promotional commercial advertising; and
 - iii. Special event signs shall be removed no later than three (3) days after the end of the special event.
 - d. **Temporary Window Signs.** Each business establishment shall be allowed to have temporary window signs provided the signs are located on the inside of the window. (Ord. 2020-06-09-1501 C.S. § 18; Ord. 015-09 C.S., eff. 12-3-09; Ord. 001-08 C.S. §§ 17, 18; prior code § 16-360.040)

SECTION II. AMENDMENT OF CODE.

Title 16, Chapter 16.76, Section 76.090 of the Stockton Municipal Code is amended and shall read, as follows:

- A. **Illegal Signs in the Public Right-of-Way.** Illegal signs posted in the public right-of-way or upon public property may be removed by Public Works and/or the Police

Department without notice or hearing in compliance with Section 12.80.030 of the Municipal Code.

B. Authority to Abate. The Director is authorized to abate illegal signs on private property after five (5) days' notice.

C. The Director may cause the immediate removal of a dangerous or defective sign without notice.

D. Recovery of Costs. When the City is required to remove illegal signs in compliance with this section, the reasonable cost of the removal may be assessed against the owner of the sign(s) and/or the property owner. (Prior code § 16-360.090)

SECTION III. SEVERABILITY.

If any section of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given without the invalid provisions or application, and to this end the provisions of this act are severable.

SECTION IV.EFFECTIVE DATE.

This ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: _____

EFFECTIVE: _____

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

ELIZA R. GARZA, CMC
City Clerk of the City of Stockton