

## Exhibit I: Proposed Amended Article 18

(Note: underline and bolded text represents new text; ~~strike-through~~ text represents text to be eliminated)

### Article 18 Signs

#### Sections:

- 4-1800 Specific Purposes**
- 4-1802 Administrative Review of Signs**
- 4-1804 Exempt Signs**
- 4-1806 Regulations for On-Premises Signs**
- 4-1808 Regulations for Off-Site Advertising Signs**
- 4-1810 Master Sign Programs and Sign Exceptions**
- 4-1812 Reserved**
- 4-1814 Sign Permit or Temporary Sign Permit Required**
- 4-1816 Uniform Sign Code**
- 4-1818 Construction**
- 4-1820 Fire Safety**
- 4-1822 Maintenance**

#### **4-1800 Specific Purposes**

In addition to the general purposes listed in Article 1, the specific purposes of sign regulations are to:

- A. Provide each sign user an opportunity for effective identification by limiting the number and area of signs permitted on all sites.
- B. Limit off-premise signs in order to maintain the visibility of on-premise signs.
- C. Maintain and enhance the quality of the City's appearance by avoiding clutter and by subjecting certain signs to design review.
- D. Enable users of goods and services to identify establishments offering services to meet their needs.
- E. Regulate the number and size of signs according to standards consistent with the types of establishments in each zoning district or in different portions of a zoning district.
- F. Protect residential districts adjoining nonresidential districts from adverse impacts of excessive numbers or sizes of nearby signs. (Ord. 2001-015 § 1)

#### **4-1802 Administrative Review of Signs**

All signs regulated by this Article shall be subject to the review and approval of the Community Development Director or person so designated by the Director. The general purpose of this review is to ensure the objectives of the General Plan to maintain quality and attractive business areas. To approve signs, the Community Development Director must make all of the following findings:

- A. The sign's copy and graphics are limited to the information essential to provide adequate business identification, so that the sign does not appear cluttered and does not distract from the identification of other signs in the area. Supplemental copy, such as the advertising of products, services, phone numbers, and web site addresses not part of the business name is ~~generally discouraged.~~ **not allowed.**
- B. The sign provides an attractive graphic composition and is of a high quality material, which is compatible with the surrounding business area and the objectives of the General Plan.
- C. The sign uses compatible colors and avoids the use of garish colors or combinations of colors.
- D. The sign's construction, size, colors, and method of illumination are aesthetically compatible with the site's architecture and architectural context. (Ord. 2001-015 § 1)

#### **4-1804 Exempt Signs**

- A. Exempt Signs. The following signs are exempt from the regulations of this Code. However, this exemption does not apply to the Building Division requirement of a sign permit for changes in the face or copy of a sign.
  - 1. Official notices of any court, public body, or officer.
  - 2. Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice.
  - 3. Street address numbers.
  - 4. Public transit seating signs and public information, directional, and warning signs erected by a public agency.
  - 5. District identification signs approved by the Site Development Sub-Commission and names of buildings, dates of erection, monumental citations, commemorative tablets, and the like made an integral part of the structure.
  - 6. One construction sign per frontage with a maximum sign area of thirty-two (32) square feet located on a construction site during the course of construction.

7. On-premises parking and other directional signs, not exceeding one double-faced sign per entrance, not exceeding four (4) square feet in area and five (5) feet in height or ten (10) square feet if more than one hundred (100) feet from a public way.
8. Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial or public or semipublic use, including telephone booths, vending machines, automated teller machines, and gasoline pumps.
9. Credit card, trading stamp, or trade association signs not exceeding one-half (½) square foot each.
10. One governmental flag of any governmental agency per occupancy.
11. Signs within a building not visible from a public street and window signs not to exceed twenty-five percent (25%) of the visible area of a window.
12. Holiday lights and displays not advertising a product or sale, erected no sooner than forty-five (45) days before the holiday and removed within fourteen (14) days following the holiday.
13. Nameplates not over two (2) square feet in area, displaying the name and profession of the occupant of the building and/or the address.
- ~~14. Signs approved by the Redevelopment Agency in a Redevelopment Project Area, except that such signs shall be subject to the provision of Section 4-1810 and Section 4-1814.~~
- 14. Older signs that are viewed as having historical significance and that are valued by the community may be considered exempt from these regulations.**
- 15.** Except as otherwise specifically set forth herein, the regulations of this Article do not apply to official traffic or government signs; signs that are not visible from a public right-of-way or area readily accessible to the public; product dispensers and point-of-purchase displays; scoreboards on athletic fields; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined as a sign in Section 1-304. (Ord. 2001-015 § 1)

#### **4-1806 Regulations for On-Premises Signs**

The following regulations apply to all non-exempt on-site signs visible from a public right-of-way for each zoning district. **All signs in the DA districts shall be consistent with the Downtown San Leandro Design Guidelines.**

*Exhibit I: Proposed Amended Article 18*

Page 3

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A. Maximum Total Sign Area. The maximum total sign area per tenant occupancy, excluding temporary signs and exempt signs, shall be as follows:

RO, RS, and RD Districts	24 square feet for permitted nonresidential uses, subject to prior approval of the Zoning Enforcement Official.
RM District	8 square feet for residential uses, per frontage unless a greater area, not to exceed 32 square feet, is approved as a condition of a use permit, as reasonable and necessary for identification of a development or use on a site over 2 acres. 12 square feet for permitted nonresidential uses subject to prior approval of the Zoning Enforcement Official.
P, PHD Districts	40 square feet per frontage.
CN, CC, DA-1, DA-2, DA-3, DA-4, DA-5, DA-6, CS, NA-1, NA-2, SA-1, SA-2, SA-3, IL, IG, IP Districts	2 square feet per lineal foot of frontage up to 55 feet of frontage; 15 times square root of frontage for sites with more than 55 feet of frontage.
CR, OS, PS, and PD Districts	As prescribed by use permit.

1. Only the frontage that is developed or will be developed with an approved building permit shall be counted for purposes of determining the maximum allowable sign area; vacant land reserved for future development may not be used in determining the maximum allowable sign area.
2. The sign area may be allocated between wall signs, freestanding signs, and projecting signs, provided that each sign conforms to the applicable regulations of this Section.
3. No sign or sign area permitted on one frontage shall be transferred to another frontage except in accord with a Master Sign Plan prepared pursuant to Section 4-1810.

B. Wall Signs.

1. Wall signs shall not project above an eave or parapet of the wall on which the sign is mounted, including the eave of a mansard roof.
2. A wall sign opposite an interior property line shall be five (5) feet or one-tenth (1/10) the lot width from the property line, whichever is greater, ~~and shall not exceed thirty (30) feet in height.~~
3. A wall sign shall not project more than two (2) feet from the face of the building.

4. Cabinet or “Can type” signs are prohibited in the DA, SA, and NA districts.

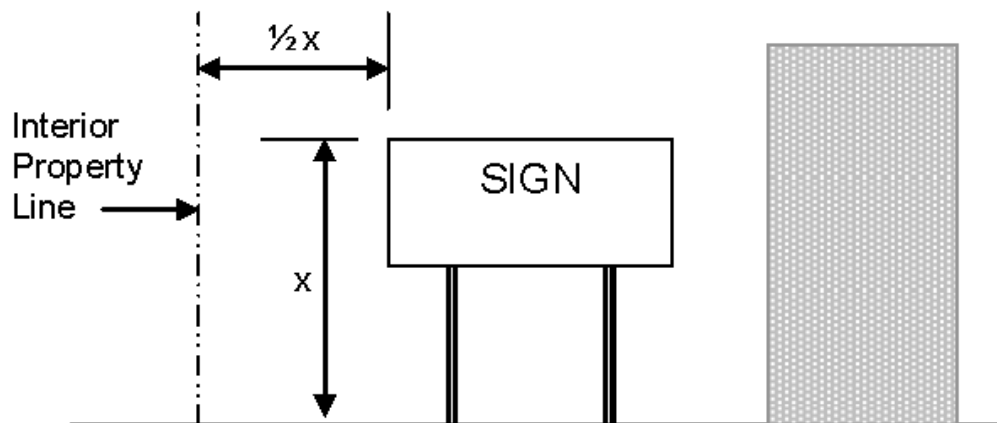
**C. Window Signs.**

1. For the purpose of this section, a window shall be defined as that portion of a first or second floor façade consisting of a glass-like material designed to provide viewing of the interior from an adjacent exterior walkway and which shall be no less than seventy-five (75) percent transparent from the exterior during daylight hours. Window area is defined as contiguous window panels separated by dividers less than six (6) inches in width.
2. A window sign is considered a permanent sign painted on a store front window or door, or temporary signs attached thereto indicating the name of the business, advertising images, accessory services or products, or both.
3. Window signs may not exceed a total of twenty five (25) percent of the window in which they are located.
4. Window signs include any interior signs or advertising images within eight (8) feet of the window excluding merchandise display.
5. No more than two (2) window signs are permitted per ground floor establishment with frontage on, visible from, and direct exterior pedestrian access to a public right-of-way, internal circulation route or common parking area. Second story establishments in a two-story building with frontage on and visible from a public right-of-way, internal circulation route or common parking area may be permitted one window sign per window.

**D.G. Freestanding Signs.**

1. For multi-family and nonresidential uses permitted in R districts, one freestanding sign not exceeding five (5) feet in height is permitted on a lot.
2. In P and PHD districts, one freestanding sign not exceeding twenty-five (25) square feet in area or five (5) feet in height.
3. In C, NA, SA, **DA**, and I districts, one freestanding sign not exceeding sixty-four (64) square feet is permitted on each frontage. For large lots, a freestanding sign, not exceeding sixty-four (64) square feet, shall be allowed for each two hundred fifty (250) feet of frontage. The maximum height of freestanding signs shall not exceed eight (8) feet in the CN, CC, DA-1, DA-2, DA-3, DA-4, DA-5, DA-6, NA-1, NA-2, SA-1, SA-2, and SA-3 districts and twelve (12) feet in other C and I districts, except when reviewed and approved as part of a Master Sign Plan.

4. In OS, PS, and PD districts, the number and size of freestanding signs shall be as prescribed by the use permit for the principal use.
5. A freestanding sign shall not be closer to any ~~an interior~~ property line than one-half its height.
6. A freestanding sign shall not be closer than fifteen (15) feet to another freestanding sign or projecting sign on the same site. A freestanding sign shall not be closer than thirty (30) feet to another freestanding sign on an adjacent site or closer than thirty (30) feet to a projecting sign on an adjacent site.
7. A freestanding sign shall not extend over a public right-of-way and shall not be located on the same frontage as a projecting sign extending over a public right-of-way.
8. All freestanding signs shall be no closer than ten (10) feet to the curb and placed within a landscaped area of not less than seventy-five (75) square feet in CC districts and fifty (50) square feet in other districts.

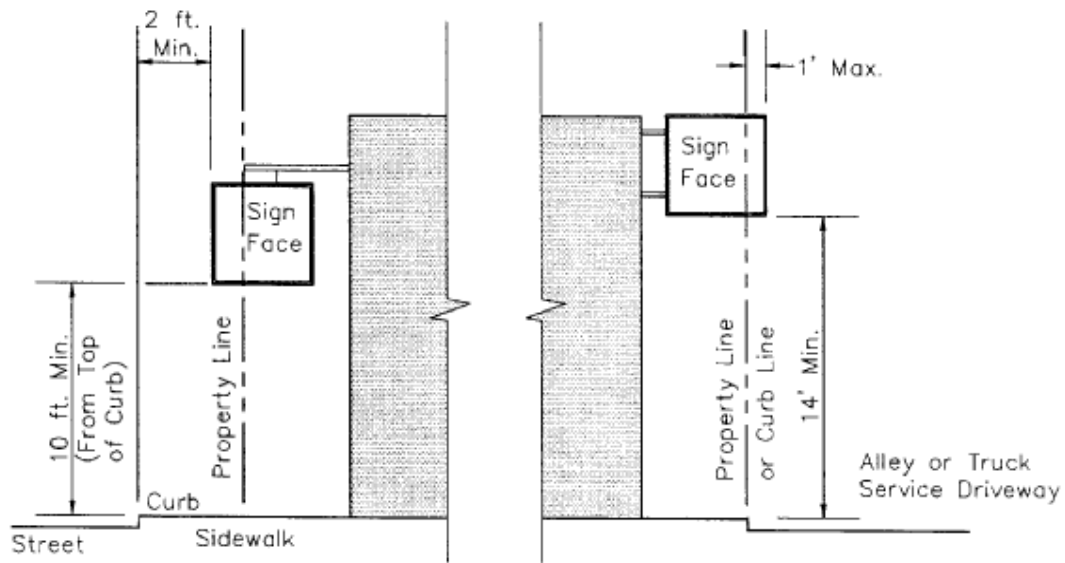


**Freestanding Sign: Interior Property Line Minimum Setback**  
(The diagram is illustrative)

9. A freestanding sign in a required yard adjoining a street property line shall comply with the requirements of Section 4-1728: Driveways; Visibility. At intersections, no freestanding sign shall create a visual obstruction within a vertical space between three (3) feet and seven (7) feet above the curb. Two (2) vertical supports with no horizontal dimensions greater than sixteen (16) inches are permitted. The obstruction restriction area includes all the land in a triangular area measured thirty (30) feet from the intersection along each street property line.

E.D. Projecting Signs.

1. The maximum size shall be eight (8) square feet in P districts, twenty-five (25) square feet in C districts, thirty-two (32) square feet in I districts and three (3) square feet in other districts.
2. No portion of a projecting sign shall be less than ten (10) feet above the surface over which it projects, or less than fifteen (15) feet above a vehicular passage-way, or project more than five (5) feet into a public right-of-way.
3. No sign shall project into an alley or truck service driveway more than one foot or be less than fourteen (14) feet above the roadway surface over which it projects.



**Projecting Signs: At Public R.O.W. and at Alley Way**  
(The diagram is illustrative)

This will provide adequate clearance for trucks.

4. No sign shall project closer than two (2) feet to a curb.
5. A projecting sign shall be setback five (5) feet from an interior property line.
6. No portion of a projecting sign shall project above an apparent eave or parapet, including the eave of a simulated mansard roof.
7. No portion of a projecting sign shall exceed thirty (30) feet in height measured from finished grade.
8. Signs on awnings, canopies or marquees shall not have letters exceeding eight (8) inches in height or symbols exceeding four (4) feet in any dimension, provided that theaters and cinemas shall be exempt from this requirement.

**F.E. Multistory Office Identification.** Multistory office buildings may be identified under the following conditions:

1. Only a single company name or logo of an organization or enterprise occupying office space within the office building shall be permitted.
2. Subject to approval of the Site Development Sub-Commission, multistory office building signs shall be located below the parapet at a height and scale architecturally in harmony with the building.
3. Only one multistory office identification sign shall be permitted per building.
4. Individual channel-letters, internally illuminated letters, and/or logos are allowed. "Can-type" signs are prohibited.

**G.F. Construction Signs.** The maximum size of temporary construction signs shall be thirty-two (32) square feet per frontage, except in the RO, RS, and RD districts where the maximum size shall be eight (8) square feet. Construction signs shall be removed within thirty (30) days following the issuance of a certificate of occupancy.

**H.G. Real Estate Signs.**

1. The maximum size of temporary real estate signs shall be six (6) square feet, exclusive of riders, in the RO, RS, RD, and RM districts and one sign per listing broker shall be allowed per frontage. Riders shall be limited to no more than three (3) square feet.
2. The maximum size of temporary real estate signs in all C and I Districts shall be based on frontage as listed below:

<b>Frontage</b>	<b>Sign Size</b>
0 - 49 feet	12 square feet
50 - 199 feet	24 square feet
200+ feet	32 square feet

Back to back signs shall be considered one sign. There shall be a maximum of one (1) two (2) foot by three (3) foot window sign allowed for each vacancy. All signs shall be non-illuminated. One sign shall be allowed for each frontage. Any sign structure shall be painted a neutral or matching color. Signs exceeding these limitations may be administratively approved by the Zoning Enforcement Official. All signs and sign structures shall be maintained in good condition and free of graffiti.



I.H. Temporary Political Signs. The maximum size of temporary political signs shall be sixteen (16) square feet unless the sign meets structural and design requirements prescribed by the Uniform Sign Code for signs other than temporary signs. This requirement is intended to prevent installation of structurally unsafe signs. ~~Temporary political signs shall be removed within ten (10) days following the election pertaining to a candidate, ballot measure or issue addressed by the sign.~~ Prior to the installation of any temporary political sign **anywhere in the City**, the person intending to install the sign or the person on whose behalf the signs are to be installed shall, at least two (2) days prior to the installation, file a declaration of intent to install with the Zoning Enforcement Official or the Zoning Enforcement Official's designee. The declaration shall contain an agreement to remove **any sign that is installed in violation of any provisions of the Zoning Code or the Municipal Code**, ~~such signs within ten (10) days after the election~~ and to pay **the City's costs of removal**. ~~any costs incurred by the City as a result of the declarant.~~ If a person installs temporary political signs without having filed a declaration of intent, that person or the person on whose behalf the signs are installed, shall be notified to remove the signs and shall immediately remove such signs or pay the cost of removal by the City.

J.I. Illumination; Movement.

1. Signs in an R, P, PHD, CR, OS, PD, or PS district shall, if lighted, have white or amber lighting and shall be indirectly illuminated.
2. Signs shall not have exposed fluorescent tubes or incandescent bulbs exceeding fifteen (15) watts, unless such signs are approved as part of a Master Sign Plan or a use permit for a cinema or theater. **Neon signs are allowed if in conformance with Section 4-1802.**
3. Signs both visible from and within one hundred (100) feet of an R district shall not be illuminated between 10 p.m. and 7 a.m. unless they identify an establishment open for business during those hours.
4. No movement or apparent movement of or in a sign or change in intensity of illumination of a sign shall be permitted, provided that a time or temperature sign or a theater canopy sign consistent with other regulations of this Article and including no changeable text shall be permitted. Very rapidly flashing or stroboscopic lights or signs are prohibited. Flashing signs are not permitted in R, P, CR, or OS districts.
5. **Reader board signage is allowed for trade schools with instructional programming and community organizations. Text is limited to scheduling of events or classes, only.**

K.J. Temporary and Miscellaneous Signs.

1. Temporary signs, banners, flags, outdoor display of merchandise, and other advertising devices may be placed by individual tenants on a site for a maximum of two fifteen (15) day periods each calendar year, subject to the approval of the Zoning Enforcement Official, provided the total temporary and permanent sign area shall not exceed one hundred fifty percent (150%) of permitted permanent sign area, and provided that temporary devices do not create safety hazards or block signs identifying adjoining establishments.
  - a. Such signs are subject to prior approval by the Zoning Enforcement Official and number, type, duration, and other aspects may be restricted or conditioned by the Zoning Enforcement Official.
  - b. Up to two additional thirty (30) day periods may be approved by the Zoning Enforcement official provided such extensions are determined to be reasonably necessary to achieve business identity and are consistent with the purposes of this Code.
- ~~2. Non-commercial murals, non-commercial large graphic designs, and statuary shall be subject to review by the Zoning Enforcement Official for the sole purpose of ensuring that such displays will not pose a hazard to public health, safety, or welfare.~~
- ~~2.3.~~ A use permit for a theater or cinema may authorize signs deviating from the standards of this Article, subject to development plan review under the provisions of Article 25. The Site Development Sub-Commission may approve marquee signs, animated signs, changeable copy signs, brighter lights, and other features for cinema or theater signs not otherwise authorized by this Article if such modifications are consistent with the style and character of existing signs on the site and adjacent property, and will not be readily visible from an R district.
- ~~3.4.~~ Open house signs advertising real estate open for inspection for prospective sale may be installed on private property in all zoning districts from 10:00 a.m. to 6:00 p.m. with the consent of the person in possession and control of the property. Such signs may state the name of the person or firm sponsoring the open house and may not exceed five (5) square feet each in face area or five (5) in number for any one (1) sale.

**L.K. Prohibited Signs.** The following signs are prohibited:

1. Canvas signs, banners, pennants, streamers, balloons or other temporary or wind signs except as provided in Subsections J.1 or D.8.
2. Mobile, A-frame, and portable signs except as provided in Subsection ~~J.4.~~ **K.3**

3. Roof or canopy signs extending to a height more than four (4) feet above the roofline.
4. Signs which resemble any official marker erected by the City, State, or any governmental agency, or which, by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic.
5. Signs which produce odor, sound, smoke, fire, or other such emissions.
6. Window or contiguous window panes covered by paper, painted or other signs which exceed twenty-five percent (25%) of the total area of that window at any time.
7. A vehicle or equipment stored with mast arms in an elevated position with intent to advertise.
8. Abandoned signs.

**M.L. Prohibited Locations.**

1. No sign shall be affixed to any vehicle or trailer on a public street or public or private property unless the vehicle or trailer is intended to be used in its normal business capacity and not for the sole purpose of attracting business. (See “Visibility Requirements for Signs at Intersections.”)
2. No sign shall be erected within an airport approach zone, airport turning zone, or airport transition zone designated by the Oakland Airport Land Use Commission (ALUC), such that it would project above the approach surface, conical surface, or the transitional surface designated by the ALUC; make it difficult for flyers to distinguish between airport lights and others; result in glare; impair visibility; or otherwise interfere with or endanger the landing, take off, or maneuvering of aircraft. (Ord. 2008-003 § 13; Ord. 2001-015 § 1)

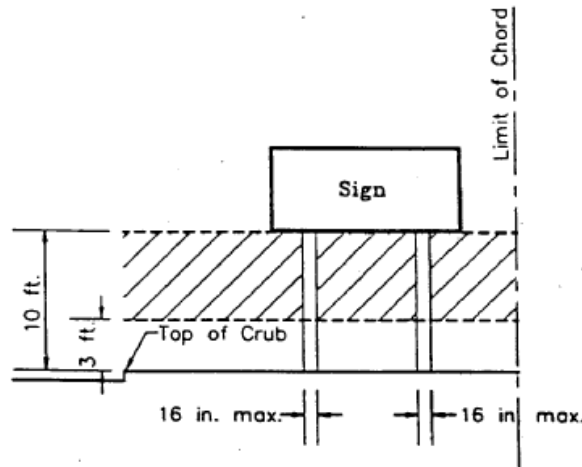
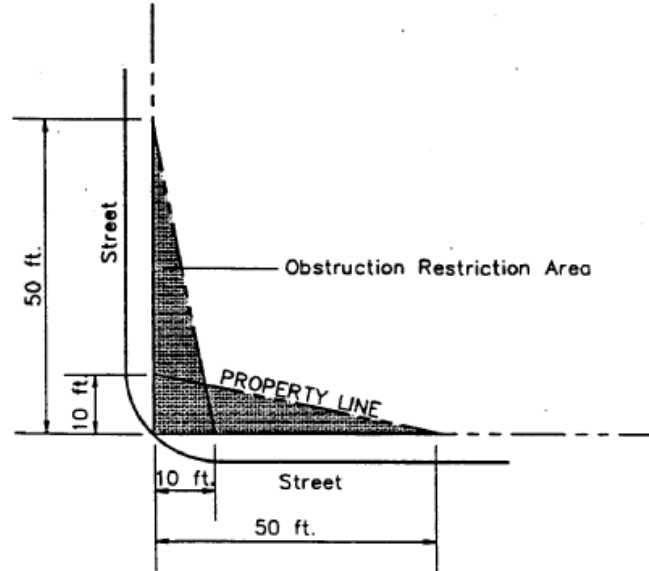
**4-1808 Regulations for Off-Site Advertising Signs**

Off-site advertising signs are not permitted within the City. Any nonconforming off-site advertising sign may only be reconstructed or relocated pursuant to a relocation agreement between the City and the sign owner, consistent with Section 5412 of the California Business and Professions Code. Real estate and development signs otherwise allowed in this Article are not considered off-site advertising signs. (Ord. 2001-015 § 1)

**4-1810 Master Sign Programs and Sign Exceptions**

- A. Master Sign Programs Required. Any development that will have/has: a) either three (3) or more nonresidential occupants, or occupying two (2) acres or more, and b) re-

quires Site Plan Approval as per the requirements of Article 25, shall submit a Master Sign Program application. Such plan must be approved by the Zoning Enforcement Official prior to issuance of any permit for signs. Each new tenant would have to meet the requirements of the new Master Sign Program.



**Visibility Requirements for Signs at Intersections**

(The diagram is illustrative)

- B. Exceptions May be Proposed. Any sign application, including both individual sign applications and Master Sign Programs, may propose exceptions from the standards of this Article (i.e., an individual sign or sign program that would exceed the size and height limitations of Section 4-1806: Regulations for On-Premise Signs). Exceptions approved as part of a Master Sign Program will apply to the signage of subsequent tenants.

- C. Application Requirements. Applications for approval of either a Master Sign Program and/or Sign Exception shall be submitted to the Planning Division and shall include the following:
1. A site plan, drawn to scale, delineating the site proposed to be included within the signing program and the general locations of all signs;
  2. Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, directory signs, or projecting signs are proposed;
  3. A scale drawing of the proposed sign(s), indicating dimensions of all structures, cabinets and/or letter height, and proposed color schemes; and
  4. If a Sign Exception is requested, a statement of the reasons for any requested modifications to the regulations or standards of this Article.
- D. Review and Approval Authority. The Zoning Enforcement Official shall be the decision-maker, unless the Zoning Enforcement Official defers action to the Site Development Sub-Commission. The Zoning Enforcement Official or Site Development Sub-Commission shall approve, conditionally approve or deny the requested Master Sign Program/Sign Exception. The decision-maker may require any reasonable conditions necessary to carry out the intent of this Section.
- E. Appeals. A decision by either the Zoning Enforcement Official or by Site Development Sub-Commission may be appealed to the Board of Zoning Adjustments pursuant to the requirements of Article 28.
- F. Standards for Approval. In addition to finding that the proposed Master Sign Program and/or Sign Exception meets the requirements for all signs as specified in Section 4-1802: Administrative Review of Signs, the decision-maker shall find:
1. That the proposed sign or sign program contributes to the design quality of the site and surrounding area, and that any proposed exception, will be superior to the quality that would result under the regulations and standards of Section 4-1806;
  2. That the proposed signs are compatible with the style or character of existing improvements on the site and are well-related to each other; and
  3. That any deviations from the standards of this Article are fully consistent with the purposes of the Article and this Code. (Ord. 2001-015 § 1)

**4-1812 Reserved** (Ord. 2001-015 § 1)

#### **4-1814 Sign Permit or Temporary Sign Permit Required**

No sign regulated by this Article shall be erected or displayed unless a sign permit or temporary sign permit is obtained. All temporary signs shall be subject to the provisions of Section 4-1806 J.1. (Ord. 2001-015 § 1)

#### **4-1816 Uniform Sign Code**

Signs shall be subject to the Uniform Sign Code requiring building permits for certain signs. (Ord. 2001-015 § 1)

#### **4-1818 Construction**

Lateral and columnar sign supports shall be designed so as to be architecturally integrated with the building to which they are attached or so that required extra bracing, including, but not limited to, angle irons, guy wires and cables, shall not be exposed to view from streets or public passageways. (Ord. 2001-015 § 1)

#### **4-1820 Fire Safety**

No sign shall be installed in such a manner that any portion of the sign or its support will unreasonably interfere with:

- A. The operations of the Fire Department in raising ladders to building roofs, windows, fire escapes, balconies or exits, or in taking hose lines or other fire-fighting or rescue equipment to any part of a building;
- B. The operations of the Fire Department in gaining access to any areas around buildings;
- C. The use of any standpipe or required door, ventilator or window. (Ord. 2001-015 § 1)

#### **4-1822 Maintenance**

Signs and sign structures shall be maintained at all times in a state of good repair, with all braces, bolts and structural parts and supporting frames and fastenings reasonably free from deterioration, rot, rust, and loosening. No person shall maintain or permit to be maintained on any premises owned or controlled by him or her, any sign or sign structure which is in a sagging, leaning, fallen, decayed, broken, deteriorated or other dilapidated, unsafe condition. (Ord. 2001-015 § 1)