

ORDINANCE NO. 12-15 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING
RICHMOND MUNICIPAL CODE SECTION 4.04 OF THE SIGN CODE AND 15.06 OF THE
SIGN ORDINANCE (PLN14-023)**

WHEREAS, it is the intent of the Richmond City Council to consider and adopt new zoning regulations pertaining to sign regulations in order to provide clear, consistent, and uniform guidance to business owners regarding the siting and design of digital signs and digital advertising billboards, while also addressing community concerns, and to better reflect the City's siting and regulatory objectives for signs, consistent with those of the existing Sign ordinance; and

WHEREAS, Planning staff was directed to prepare recommendations for a Zoning Text Amendment to allow and regulate digital signs and digital advertising billboard signs; and

WHEREAS, on February 26, 2014, the City of Richmond Planning Commission and Design Review Board held a duly noticed joint public hearing; and

WHEREAS, on July 17, 2014, the City of Richmond Planning Commission held a duly noticed public hearing; and

WHEREAS, on September 4, 2014, the City of Richmond Planning Commission held a duly noticed public hearing; and

WHEREAS, on October 9, 2014, the City of Richmond Planning Commission held a duly noticed public hearing; and

WHEREAS, on November 13, 2014, the City of Richmond Planning Commission held a duly noticed public hearing; and

WHEREAS, on the basis of the materials, and testimony at or prior to the public hearing on November 13, 2014, the Planning Commission recommends the proposed Ordinance updating the City of Richmond Municipal Code Section 15.06 of the Sign Ordinance of the Zoning Ordinance; and

WHEREAS, the proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines §15601(b)(3), which is the

general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and

WHEREAS, the amendment to the Zoning Ordinance is intended to protect the health, safety, comfort, convenience and general welfare of the public; and

WHEREAS, the sign ordinance and sign code required additional minor changes to remove conflicting language; and

WHEREAS, many existing static billboards are considered to be unattractive and undesirable by the communities that surround them; and

WHEREAS, Chapter 3.20.080 Powers and duties, state that the Planning Commission prepare and adopt plans for the conservation or clearance, rebuilding and redevelopment of those areas of the City suffering from blighted conditions; and

The Planning Commission has made the additional following findings in support of the recommended changes to the zoning ordinance:

WHEREAS, the intent of this ordinance amendment is to establish operating standards and regulations for signs which utilize newer technologies, while minimizing the secondary effects that often accompany the unregulated display of digital signs, preserve the character and repose of adjacent areas (with a principal focus on residential neighborhoods), protect property values, and reduce traffic hazards caused by undue distractions; and

WHEREAS, some Richmond businesses wish to utilize advancements in technology that allow signs to change messages electronically (e.g., utilizing LED technology) to advertise their goods and services; and

WHEREAS, the Planning Commission finds that previously designated scenic corridors such as Interstate 580 and the Richmond Parkway are not appropriate locations for digital signs or digital advertising billboard signs; and

NOW, THEREFORE BE IT RESOLVED that the Planning Commission does hereby approve the recommendation of the following Ordinance:

Sections 4.04 and 15.06 of the Zoning Ordinance of the City of Richmond Municipal Code is hereby amended as follows:

Chapter 4.04 SIGN CODE*

Sections:

4.04.010 Administration.

4.04.020 Adoption by reference.

4.04.030 Copies on file.

4.04.040 Amendments, additions and deletions.

4.04.050 Abatement of unlawful or unsafe signs.

4.04.010 Administration.

These regulations shall be known as the "Sign Code," may be cited as such, and will be referred to herein as "this chapter."

This code is one of the technical codes of Building Regulations and is administered under Chapter 6.02 of the Municipal Code of the City of Richmond as such.

4.04.020 Adoption by reference.

The Uniform Sign Code, most recent edition as of January 1 of any year published by the International Conference of Building Officials is adopted by reference the same as though fully set forth in this chapter.

4.04.030 Copies on file.

Three copies of the Uniform Sign Code as adopted by Section 4.04.020, and all amendments thereto, shall be kept on file in the office of the City Clerk for inspection by the public.

4.04.040 Amendments, additions and deletions.

(A) Addition—Chapter 1, Section 102—Revise the Purpose and Scope to add the following additional paragraphs to Section 102:

"Sec. 102 The Administrative part of this code is in addition to the City of Richmond's Building Regulations Administrative Code Chapter 6.02 of the Municipal Code. Where conflicts occur between this chapter and Chapter 6.02 of the Municipal Code the provisions of Chapter 6.02 of the Municipal Code shall govern."

"This code is supplemental to Chapter 15 'Zoning' of the Municipal Code of the City of Richmond. All signs subject to issuance of a permit, as specified in this code, shall comply with regulations as set forth in Chapter 15 as a condition of issuance of such permit. No sign shall be erected or placed upon any private or public property or attached to building, structure or premises which in any way conflicts with the provisions of Chapter 15, nor shall any sign be erected or placed without the

consent of the owner, holder, lessee, agent or trustee of said building, structure or premises, or located contrary to the provisions of any setback requirement."

- (B) Amendment—Section 103 (c)—Board of Appeals is amended to read as follows:

"(c) Board of Appeals. In order to provide for reasonable interpretation of the provisions of this code and to hear appeals provided for hereunder, the Board of Appeals created in section 6.02.130 of this Code shall act as the Appeals Board for this code."

- (C) Addition—Section 202—A. The following definition is added to the Uniform Sign Code Section 202, to read as follows:

"AWNING SIGN means any sign attached to or painted on an awning. Refer to Sec. 1201."

- (D) Addition—Section 203—B. The following definition is added to the Uniform Sign Code Section 203, to read as follows:

"BANNER OR PENNANT SIGN means any sign displayed singly which is painted or printed on light weight, flexible material and hung from a staff or other device by ropes, wires or similar means. Refer to Sec. 1401 and Sec. 1402."

- (E) Addition—Section 207—F. The following definition is added to the Uniform Sign Code Section 207, to read as follows:

"FACE OF BUILDING means the general outer surface of any main exterior wall of a building or structure, not including cornices, bay windows, balconies, porches, or other features which extend beyond the general outermost surface of such exterior wall or beyond a property line."

- (F) Addition—Section 210—M. The following definition is added to the Uniform Sign Code Section 210, to read as follows:

"MARQUEE SIGN means any sign painted on or affixed to any marquee. Refer to Sec. 1201."

- (G) Addition—Section 215—T. The following definition is added to the Uniform Sign Code Section 215, to read as follows:

"TRESPASSING SIGN means a printed warning notice posted upon private land or premises by permission of the Police Department in accordance with the provisions of Chapter 11.68 of the Municipal Code of the City of Richmond."

- (H) Addition—Section 217—W. The following definition is added to the Uniform Sign Code Section 217, to read as follows:

"WIND SIGN means any number of streamers, pennants, whirligigs or similar devices attached in such a manner as to move by wind pressure. Refer to Sec. 1401 and Sec. 1402."

- (I) Addition—Section 303—Exemptions. The following exemptions are to be added to the Uniform Sign Code Section 303 beginning with number "3.", to read as follows:

"3. Temporary 'sale' signs."

"4. Realty signs."

"5. Residential signs on lots containing less than three living units."

"6. Exempted signs as specified in Chapter 15 of the Municipal Code of the City of Richmond."

(J) "MULTIPLE TEMPORARY SIGNS" – See Chapter 15.06 of the Municipal Code of the City of Richmond.

(K) Addition—Section 402—Construction. The following restrictions are to be added to the Uniform Sign Code Section 402, to read as follows:

"(h) Restrictions on Marquee, Projecting and Roof Signs. All marquee, projecting and roof signs shall have structural bracing which is either internal or external; if external such bracing shall be by guy wires which are approved by the Building Official as to type and method. No external struts shall be permitted."

"(i) Prohibited Locations. Signs shall be prohibited in a public street, sidewalk, public way, place or public property except as provided for in this code."
"Exemption: Realty 'Home Open' signs six feet or less in area. 'Home Open' signs may be posted for a period not to exceed seven days, which need not be consecutive, and shall be subject to summary removal by the City of Richmond when necessary in the interest of public safety."

"(j) Utility Safety Clearance. No sign shall be erected in such a manner that it will violate or interfere with any space or safety requirement of any public utility as declared by the California Public Utilities Commission."

"(k) Traffic Clearance. No sign shall be located so as to obscure the view of approaching traffic."

"(l) Lights Used for Illumination. Lights used for illumination shall be treated the same as an electric sign."

(L) Amendment—Section 1201—General. The following amendment is made to the Uniform Sign Code Section 1201, to read as follows:

"Sec. 1201. Signs may be placed on, attached to, or constructed in a marquee or awning. Such signs shall, for the purpose of determining projection, clearance, height and material, be considered a part of and shall meet the requirements for a marquee or awning specified in Chapter 45 of the Building Code."

4.04.050 Abatement of unlawful or unsafe signs.

(A) Violations a Public Nuisance. It is unlawful for any person, firm or corporation to erect construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code.

Any sign which is placed, erected or maintained in violation of provisions of this chapter or of any other ordinance of the City of Richmond, or of any other provision or law, is hereby declared to be a public nuisance.

- (B) Findings, Notification of Owner and Deadline for Compliance. Whenever a sign, other than a political sign, as defined in Section 15.06.050, is found by the Building Official to have been placed or erected, or to be maintained in violation of any provision of this chapter, or of any other provision of law, the Building Official shall serve written notice upon the owner or owners of the premises upon which the sign has been placed or erected, or is maintained directing such owner to abate the sign, in accordance with the abatement procedures specified in subsection (D) of this section, or to alter, repair or reconstruct it as may be necessary to remedy the condition rendering its placement, erection or maintenance unlawful within ten days after the date such notice is served.

Upon application of such owner or owners, the Building Official may grant additional time for compliance with this provision.

Upon the proper filing of an appeal to the sign review committee or to the Planning Commission or the City Council, in accordance with Chapter 15.06 of this code, the Building Official shall delay enforcement of the Sign Code pending a decision on the appeal(s) by the appropriate agency or agencies, unless, in his opinion, such delay will result in clear and present danger to life and/or property.

- (C) Method of Owner Notification. The notice specified in subsection (B) of this section shall be deemed served when it is deposited in the United States Post Office at Richmond, California, with postage prepaid, and addressed to the owner or owners of the premises upon which the sign has been placed or erected, or is maintained, at his, her or their last known place of address as shown on the assessment roll of the county, and if no such address is there shown or known, then to General Delivery, Richmond, California. Notice to the owner of the premises upon which the sign is placed, erected or maintained shall be deemed notice to the owner of the sign.
- (D) Summary Removal of Unsafe Sign Authorized. Whenever a sign is found by the Building Official to be erected or maintained in a condition that constitutes a hazard to public health or safety, the Building Official may remove or cause to be removed the sign in accordance with the abatement procedures specified in subsection (E) of this section.
- (E) Mode of Abatement. Unless another mode of abatement is approved by the Building Official in writing, abatement of nonconforming signs shall be accomplished in the following manner:
1. Signs Painted on Buildings, Walls or Fences. By removal of the paint constituting the sign or by permanently painting over it in such a way that the sign shall not thereafter become visible.
 2. Political Signs. The Building Official shall give written notice to the candidate, property owner or, when a proposition is involved, the person or group advocating the vote described on the sign, that said sign is posted in violation of the Municipal Code and should be removed within five days of the date of the notice and upon their failure to do so said sign may be removed by the Building Official. Following removal of the sign and supporting structure, the Building

Official shall store such sign and structure for at least fifteen days from the time of such removal. After this period of time, such sign and structure shall be deemed to be abandoned and may be disposed of by the Building Official without liability to the owners thereof.

3. Other Signs. By removal of the sign, including its dependent structures and supports; or pursuant to a sign permit duly issued, by modification, alteration or replacement thereof in conformity with the provisions of this code.
- (F) Abatement by City Authorized. If the person or persons upon whom notice is served pursuant to subsections (B) and (C) of this section fails to comply therewith within the period specified, the Building Official, his deputies, assistants, employees, contracting agents or other representatives may abate the sign which constitutes a public nuisance in the manner specified in subsection (E) of this section and they, and each of them, are expressly authorized to enter upon private property for such purpose, and it is unlawful for any person to interfere, hinder or refuse to allow them to enter upon private property for such purpose. The person or persons upon whom notice has been served, or his or their agents or authorized representatives, shall have the right to abate such sign or to alter, repair or reconstruct as provided in subsection (E) of this section at his or their own expense at any time prior to the arrival of the Building Official or his authorized representatives.
- (G) Assessment of Property Authorized. The actual cost to the City for abating unlawful and unsafe signs shall be determined by the Building Official and reported to the Director of Finance. The Director of Finance shall keep an account of the cost of the City to abate signs as provided in subsection (E) of this section for each separate parcel of real property and shall embody such account in a report and assessment list to the City Council, which report shall be filed with the City Clerk. Such report shall refer to each separate parcel of real property by description sufficiently reasonably to identify it, together with the expense proposed to be assessed against it.
- (H) Public and Owner Notification of Assessment. The City Clerk shall post a copy of such report and assessment list, as specified in subsection (C) of this section, on the bulletin board near the entrance to the City Hall, together with the notice of its filing and of the time and place when and where it will be submitted to the City Council for hearing and confirmation. The Director of Finance shall mail to the person or persons a notice in a form substantially as follows:

"ASSESSMENT FOR ABATEMENT OF NON-CONFORMING SIGNS"

Notice is Hereby Given that pursuant to the provisions of the Richmond Sign Code, the City has abated a non-conforming sign located upon premises owned by you, which sign and premises are described as follows:

(insert a description of the sign, the premises and the location of this sign on the premises in sufficient detail for reasonable and ready identification)

Further Notice is Hereby Given that the actual cost of abating this sign, as determined by the City Building Official, amounts to \$____; Further Notice is Hereby Given that on the; day of; 20_____, at the hour of....o'clock ...M., in the

Council Chamber, City Hall, Richmond, California, the report of the Director of Finance of the City of Richmond on the cost of abatement of non-conforming signs and the assessment list thereof will be presented to the City Council for consideration, correction and confirmation and at the said time and place any and all persons interested in or objecting to the said report or list of proposed assessments, or to any matter contained therein may appear and be heard. The failure to make any objection to the said report and list shall be deemed a waiver thereof.

Upon confirmation by the City Council of the proposed assessment against the above-described parcel, the amount thereof shall be payable to the City. In the event the same is not paid on or before the 15th day of June following the aforesaid hearing, the assessment will be referred to the Director of Finance for addition to the tax bill for the said property and thereafter shall become a lien on the said property.

Dated:

Director of Finance of the
City of Richmond"

- (I) Action by City Council. At the time and place fixed for receiving and considering the report, the City Council shall hear the same together with any protests or objections which may be raised by any interested person. Upon such hearing, the Council shall make such corrections or modifications in any proposed assessment which it may deem to be excessive or otherwise incorrect after which such assessments shall be confirmed by resolution of the Council and the amount thereof shall constitute a lien on property assessed until paid. The confirmation of assessment by the Council shall be final and conclusive.
- (J) Payment of Assessment. It is unlawful for any person to pay the amount of such assessment for the abatement of nonconforming signs on or before the fifteenth of June following the date the confirmation of the assessment was made by the Council. If said assessment is not paid on or before said date, the total amount thereof shall be referred to the Director of Finance.
- (K) Other Legal Remedies. The City may exercise any available legal remedy for the purpose of gaining compliance with the provisions of this code.

(Source: Ordinance No. 20-86 N.S.)

Chapter 15.06 USE AND DISPLAY OF SIGNS ^[4]

Sections:

15.06.010 Title.

15.06.020 Purpose.

15.06.030 Relation of chapter to other City ordinances.

15.06.040 Sign types and definitions.

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15.06.051 Permits for multiple temporary signs.

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15.06.060 Calculating sign area and height.

15.06.070 Exempted signs.

15.06.080 Design standards for signs.

15.06.090 Sign regulations by zoning district.

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15.06.110 Special regulations for closed business signs.

15.06.120 Sign maintenance.

15.06.130 Nonconforming signs.

15.06.140 Prohibited signs.

15.06.150 Variances.

15.06.010 Title.

This chapter shall be known as the Sign Ordinance of the City of Richmond.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.020 Purpose.

The purpose of this chapter is to protect and promote the health, safety and welfare of the citizens of the City of Richmond and to achieve the following objectives:

- (1) To implement the purposes, policies and programs of the Richmond General Plan and Specific Plans;
- (2) To promote and maintain strong commercial and industrial centers and property values therein by regulating the size, location, design, and illumination of signs and thereby avoiding unsightly signs that are incompatible in design and, as a result, detract from the aesthetics of these commercial and industrial centers;

- (3) To protect and enhance the character of residential neighborhoods, open views and vistas therefrom, and property values therein, by avoiding the erection of signs that are grossly incompatible with their surroundings;
- (4) To improve the visual appearance of city streets and the image of the city derived by residents and visitors;
- (5) To protect public safety by ensuring that signs are not constructed, located, erected, and maintained in a hazardous manner;
- (6) To protect public safety by ensuring proper location and design of signs to reduce distractions to motorists and other users of streets and highways;
- (7) To protect the rights of residents and businesses to communicate ideas and messages through signage as guaranteed by the United States and California constitutions;
- (8) To attract and direct the public to available activities, goods and services; and
- (9) To provide clear objective guidelines for minimizing the visual clutter of signs and maintaining the aesthetic integrity of Richmond neighborhoods.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.030 Relation of chapter to other City ordinances.

- (a) Zoning Ordinance. This chapter is supplemental to the Zoning Ordinance of the City of Richmond, set forth in Chapter 15.04 of this Code, and any term not defined in this chapter shall have the same definition and the same meaning as it has in Chapter 15.04
- (b) Additional Regulation. The regulations in this chapter are in addition to those set forth in Article IV of this Code, as amended.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.040 Sign types and definitions.

"A-board sign" means a temporary freestanding sign that is composed of two panels hinged at the top and capable of standing on its own frame without external support or attachment. "Sandwich board sign" has the same meaning as "A-board sign."

"Abandoned sign" or "obsolete sign" means a sign advertising a use, occupancy, or product which no longer exists where the site where the sign is located for a period of 12 months.

"Advertising sign" means a sign that directs attention to a business, profession, commodity, service or entertainment that is conducted, sold, or offered elsewhere than the lot or parcel where the sign is located.

"Balloon sign" means an inflatable device or a cluster of inflatable devices greater than three feet in height and/or length that directs attention to a business, profession,

commodity, service or entertainment. This also includes inflatable stick figures such as “air dancers”, “wind dancers”, and “dancing balloons”.

"Banner sign" means a sign that is painted or printed on lightweight flexible material and hung from a staff or other device by ropes, wires or similar means in a manner to minimize movement. A banner sign may be temporary or permanent.

“Blade sign” means a sign mounted perpendicular to a building’s façade. Blade signs are typically hung from decorative cast or wrought iron brackets or from the underside of beams or ceilings of galleries, arcades, or similar covered area. These signs are small, pedestrian-scaled, and easily read from both sides.

"Building frontage" means an exterior wall of a building that faces a public street (not including a freeway). If no exterior wall of a building faces a public street, the exterior wall of the building containing the main entry is the building frontage. The length of frontage shall be measured at the base of the building wall.

"Building integrated sign" means a wall sign that is an integral part of a building structure rather than suspended from or mounted on a building or a building projection.

“Digital sign” means a sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically that directs attention to a business, profession, commodity, service or entertainment that is conducted, sold, or offered on the lot or parcel where the sign is located.

“Digital advertising billboard sign” means a sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically that directs attention to a business, profession, commodity, service or entertainment that is conducted, sold, or offered elsewhere than the lot or parcel where the sign is located.

“Electronic reader board sign” means an electronically controlled sign that contains temporary text messages that can be changed from time to time.

"Finished grade" means the elevation of the sign site after all site grading is completed.

"Flashing illumination sign" means a sign illuminated by means of electric lights, luminous tubes, light-emitting diodes (LEDs) or similar sources wherein such illumination is not maintained constant in intensity, color or pattern during all times the sign is illuminated. A digital sign, digital advertising billboard sign or electronic reader board sign as described above is not considered a flashing illuminated sign.

"Freestanding sign" means a sign standing directly on the ground or attached to any support other than a building. Freestanding signs include A-board signs, monument signs, and pylon signs.

"Gateway sign" means a sign erected over a sidewalk, street, vehicle entry, or pedestrian path designed to allow pedestrian and/or vehicle traffic to pass underneath. Gateway signs over public streets shall have a minimum vehicle clearance of seventeen feet and eight inches (17'8"). Gateway signs shall not project above the maximum allowed building height for the zoning district.

"Hand-held sign" means a sign that is designed to be held or carried by a person, rather than placed on or in the ground or other support.

"Illuminated sign" means an internally or externally illuminated business sign, which uses a source of light in order to make the message readable and the illumination is maintained at constant intensity, color or pattern during all times the sign is illuminated.

"Legal nonconforming sign" means a sign that was lawfully installed before enactment of this chapter, or of any relevant amendment hereto, but does not comply with the requirements of this Sign Ordinance.

"Lot equivalent" means either an area of 5,000 square feet or a lot that is smaller than 5,000 square feet.

"Marquee sign" means a sign attached in any manner to, made part of, or painted on a hood or permanent construction that projects more than 18 inches from the wall of the building to which it is attached, usually above the entrance.

"Master sign program" means signage included as part of new building construction or as part of building modification subject to design review by the Zoning Administrator or Design Review Board.

"Mobile billboard sign" means an advertising display that is attached to a wheeled, mobile, non-motorized vehicle that carries, pulls, or transports a sign or billboard, and is used for the primary use of advertising.

"Monument sign" means a freestanding sign without a supporting structure of poles, posts or braces which separates the body of the sign from the ground. The foundation and supporting structure of such a sign is visually an integral part of the sign itself, which has the appearance of one continuous slab from the ground to the top of the sign.

"Moving sign" means a sign any visible portion of which rotates or moves in any way.

"Permanent sign" means a sign that is intended to be and is so constructed as to be of a lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear) and position, and in a permanent manner affixed to the ground, wall, or building.

"Portable sign" means a temporary sign that is capable of being moved easily and is not affixed to the ground or a structure. Portable signs include A-board (or "sandwich board") signs.

"Projecting sign" means a sign other than a wall, roof, or marquee sign that is supported by a building and projects outward therefrom.

"Pylon sign" means a freestanding sign that is detached from a building and permanently supported by one or more uprights, braces, or poles, or other similar structural components.

"Roof sign" means a sign that stands directly on the roof of a building, or on the parapet wall of a building.

"Sign" means a device, structure, or fixture which incorporates graphics, symbols, or written copy that is visible to the public and is intended to communicate information. Graphics, art work and seasonal decorations that do not relate to the use of a site or structure are not considered signs. A device, structure, or fixture is not "visible to the public" if it is located inside a building or structure and is not visible from a public street, park, walkway, or other public space through a window or building opening. If a sign has two faces mounted on a single post or supporting structure, and simultaneously displays an identical image, text or message, it shall be considered one (1) sign. If a sign has two faces that display different images, text or messages, it shall be considered two (2) signs. Where a sign has two faces, the area of both faces shall be included in determining the area of the sign.

"Street frontage" means that portion of a lot that faces a street, road, path or public right-of-way (but not freeway) providing direct pedestrian and/or vehicular access to the lot.

"Temporary sign" means any sign, banner, pennant, valance or display constructed of cloth, canvas, light fabric, cardboard, wallboard or other like materials, with or without a frame, and any other type of sign not permanently attached to the ground or a structure, that is intended to be displayed for a limited period of time only.

"Wall sign" means a sign posted or painted on, suspended from or otherwise affixed in an essentially flat position to the wall of a building.

"Wall mural sign" means a sign posted or painted on, suspended from or otherwise affixed in an essentially flat position to a secondary façade, typically along a side street, alley or paseo. It is typically painted directly on the building and contain a combination of text and graphic elements.

"Wind sign" means a display of streamers, pennants, whirligigs, windsocks or similar devices made of flexible lightweight material designed to move in response to air pressure. "Banner signs" and "flags" are not a wind signs.

"Window sign" means a sign that is posted or painted on or otherwise affixed to and is visible through or upon a window.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.050 Permits required.

- A. Except for those signs specifically exempted from the permit requirement, it is unlawful and a civil violation for any person to erect, construct, install, structurally alter or relocate any sign without first obtaining a permit pursuant to the provisions of this chapter.
- B. It is unlawful and a civil violation for any person to construct a sign that is not specifically allowed by this chapter or to erect, construct, maintain or allow to exist a sign in violation of the terms of the permit issued pursuant to this chapter.
- C. The permit required by this section is issued by the Zoning Administrator pursuant to the provisions of this chapter.

- D. In determining whether an application satisfies the criteria for issuance of a sign permit, the Zoning Administrator shall use the criteria set forth in this chapter.
- E. To be considered complete, an application for a sign permit shall include the following:
1. A completed sign permit application form.
 2. The fee specified in the master fee schedule adopted by the City Council, unless exempted from the fee requirement pursuant to Section 15.06.070
 3. A site plan and/or building elevation plans drawn to scale and dimension showing the following (as applicable):
 - Existing structures
 - Driveways
 - Street and right-of-way
 - Existing signs
 - Proposed sign
 - Vision clearance
 4. A proposed sign plan drawn to scale and dimension showing the following (as applicable):
 - Height
 - Width
 - Sign area, in square feet
 - Thickness
 - Size and style of letters
 - Color
 - Type of illumination
 - Materials
 - Sign copy
- F. Within ten business days after the Planning Division's receipt of an application for a sign permit, the Zoning Administrator shall inform the applicant in writing if the application is incomplete and will list the submittals required to complete the application. If the Zoning Administrator does not notify the applicant within ten business days after receipt that the application is incomplete, then the application will be deemed complete.

- G. The Zoning Administrator shall either grant or deny a sign permit within ~~45~~ **20** business days after receipt of a complete application.
- H. If a proposed sign complies with the requirements of this chapter, the Zoning Administrator shall grant the requested sign permit. If a proposed sign does not comply with the requirements of this chapter, the Zoning Administrator shall deny the requested sign permits. Any denial of a sign permit shall be accompanied by written findings stating the reasons for the denial and may be appealed in accordance with Section 15.06.055

(Ord. No. 29-09, § 2, 9-22-09)

15.06.051 Permits for multiple temporary signs.

- A. Notwithstanding any other provision in this chapter, any person seeking to erect on one or more sites or to distribute twenty-five (25) or more temporary signs at one time, either personally or by supervising employees or volunteers, must obtain a sign permit. An applicant for a permit for multiple temporary signs must provide the following:
1. A completed sign permit application form, including the name and address of the person(s) responsible for erecting or distributing, maintaining and removing the multiple temporary signs;
 2. A description of the method of installation and support for each sign. If signs are to be freestanding and supported by a method other than wire no greater than 3 millimeters in diameter, the application must include a scaled drawing of the supporting structure;
 3. A copy, drawing, or photograph of the proposed temporary sign; and
 4. The fee specified in the master fee schedule adopted by the City Council, unless exempted from the fee requirement pursuant to Section 15.06.070
- B. Upon submittal of all of the items required in subparagraph (A), above, the Zoning Administrator shall issue a permit subject to the following terms and conditions:
1. The permittee shall provide the Planning Department with a prototype of the sign;
 2. Upon approval of the sign permit, the Zoning Administrator shall assign an identification number (ID#) to the sign plan, and such number shall be referred to in the permit.
 3. All temporary signs and structures are to be removed within 90 days from the date the permit is issued.
 4. All temporary signs shall be placed on private property only. Temporary signs shall not be placed on public property including, but not limited to, the public right-of-way, parks, and road medians.

5. The property owner's permission shall be obtained prior to placing any temporary sign.
 6. No more than eight (8) temporary signs per lot equivalent shall be displayed simultaneously. The term "lot equivalent" means either an area of 5,000 square feet or a lot that is smaller than 5,000 square feet.
 7. The total area for all temporary signs displayed simultaneously shall not exceed sixteen (16) square feet per lot equivalent.
- C. An application for a permit for multiple temporary signs shall be subject to the same time limits as set forth in Section 15.06.050, except that Zoning Administrator shall either grant or deny the application within one business day of the submittal of all of the items required in subparagraph (A), above. Any denial of a permit for multiple temporary signs shall be accompanied by written findings stating the reasons for the denial and may be appealed in accordance with Section 15.06.055
- D. A permit for multiple temporary signs issued pursuant to this section does not authorize the display of signs in a manner that violates any provision of this chapter or Richmond Municipal Code Article IV.
- E. No temporary sign shall be posted in a City right-of-way, landscaped area, parkland or any road median before the Superintendent of Parks has confirmed that a permit has been issued and that the proposed posting will not interfere with the ordinary use and enjoyment of the area, underground irrigation or utilities, or line of sight for motor vehicle, bicycle and pedestrian traffic. Placement of signs shall not harm landscape plantings or structures. The Superintendent may require the sign permittee to call for a USA marking confirmation of utilities prior to posting.
- F. The City may remove and destroy any sign that is posted without a permit. Signs for which a permit has been issued but that are posted on utility poles or on public property without authorization from the Superintendent of Parks will be stored at the Parks and Landscaping Division facilities at 3201 Leona Avenue for a period of thirty days.

(Ord. No. 29-09, § 2, 9-22-09; Ord. No. 18-10, § 1, 5-18-2010)

15.06.055 Appeals.

- A. Denial of a sign permit may be appealed to the Design Review Board by submitting a written appeal to the Planning and Building Services Director within ten days in accordance with Richmond Municipal Code Section 15.04.945.050.G. The appeal must be accompanied by the appeal fee published in the master fee schedule.
- B. The Design Review Board shall hear the appeal and render a decision within fifteen business days. The Design Review Board's review of the permit denial shall be governed by the criteria set forth in this chapter, and its decision shall be final. The Design Review Board shall issue written findings in support of its decision.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.060 Calculating sign area and height.

- A. The area of a sign shall include the area within a perimeter enclosing the limits of lettering, writing, representation, emblem, logos, trademarks, figures, character and lighted surface, but shall exclude essential sign structure, foundations or supports. The sign area shall be the total area of all faces. If the sign consists of more than one section or module, the areas of all sections and modules shall be included in calculating the total sign area. For window signs that are painted directly onto a window, the sign area shall include only the area of window covered by paint.
- B. The height of a sign shall be measured from finished grade.
- C. When a sign consists of individual letters or logo types on an opaque surface and without a distinctive background, the sign area shall be computed by multiplying the height of the letters by the length of each line and irrespective of whether the individual letters or logo types are internally illuminated.
- D. When a sign is internally illuminated through a transparent or translucent surface, the entire area that is illuminated shall be considered the sign area.
- E. Point-of-sales information adjacent to drive-thru lanes including menu boards and banners shall not be included in the computation of sign area provided such signs are not visible from a street.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.070 Exempted signs.

- A. Provisions of this chapter shall not apply to the placement of any of the following signs:
 - 1. Notices posted by public officers in performance of their duties.
 - 2. Traffic control and danger signs erected by a governmental entity.
- B. Except as specified in subparagraph (A), above, the provisions of this chapter shall apply to the erection, maintenance, or display of signs by a federal, state, or local public agency. However, no public agency shall be required to pay a permit application fee.

(Ord. No. 29-09, § 2, 9-22-09; Ord. No. 21-10 N.S., § 1, 6-15-2010)

15.06.080 Design standards for signs.

- A. Permanent signs shall be designed to be compatible with nearby signs, other elements of street and site furniture, surrounding landscaping and adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering.

- B. Copy on signs visible from streets shall be designed to avoid distractions to motorists.
- C. Illumination of sign copy may be achieved by external or internal means. All illumination sources shall be integrated into the architectural or landscape features of a project such that they are not generally visible from the public right-of-way. Illuminated signs shall have a subdued light that shall not exceed five foot-candles. The use of halogen as a light source is prohibited.
- D. The content of the message or information conveyed by a sign shall not be considered in determining whether the sign is compatible with its surroundings or is designed to avoid distractions to motorists.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.090 Sign regulations by zoning district.

- A. Signs Allowed in Any District. The following signs shall comply with all provisions and regulations of this chapter. However, no fee, permit or application is required to erect or maintain them.
 - 1. Permanent, rigid signs located on the fence of a park, playground, athletic field, or other outdoor assembly use, provided that they comply with the following limitations: Each sign shall be no more than sixteen (16) square feet in area and there shall be no more than two signs within any eight linear feet of fence, provided that two signs of equal dimensions placed back-to-back on either side of the fence shall constitute one sign for purposes of this paragraph. No sign shall project above the top of the fence.
 - 2. Flags displayed from freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. Unless a permit is granted by the Zoning Administrator, the maximum height of a free-standing flagpole shall be thirty (30) feet and there shall be no illumination of the pole or its surroundings. The number of flagpoles shall be limited to one per lot equivalent.
 - 3. Hand-held signs, up to nine (9) square feet in area, provided that the person carrying the sign does not interfere with, block, or impede traffic or pedestrian movement.
 - 4. Temporary signs, provided that:
 - a. No more than eight (8) temporary signs per lot equivalent shall be displayed simultaneously.
 - b. The total area for all temporary signs displayed simultaneously shall not exceed sixteen (16) square feet per lot equivalent.
 - c. No temporary sign shall remain on display for more than ninety (90) days.
 - 5. A-board signs, provided that unless otherwise stated in the regulations for the zoning district there shall be no more than one A-board per lot equivalent. No A-board sign erected, maintained or displayed in the City may:

- a. Exceed six square feet of sign area per face;
- b. Have more than two faces;
- c. Exceed three feet in height;
- d. Be illuminated;
- e. Impede pedestrian movement or impair traffic safety;
- f. Reduce an open path of travel to less than forty-eight (48) inches;
- g. Violate the requirements of the Americans with Disabilities Act (ADA);
- h. Be displayed or left outside during non-business hours; or
- i. Be displayed in an area not directly adjacent to the lot; or
- j. Be secured to public streetlights, trees, or other street furniture or be bolted to the ground.

B. Signs Allowed in All Residential Districts.

1. Signs Allowed Without a Permit. The following signs shall comply with all provisions and regulations of this chapter. However, no fee, permit or application is required to erect or maintain them in any residential district.
 - a. Permanent wall signs, provided that:
 - i. The total area of all signs authorized by this paragraph shall not exceed one square foot per building.
 - ii. No sign shall project more than six (6) inches from the building wall.
 - b. On any developed residential lot equivalent, permanent, non-illuminated freestanding signs, provided that:
 - i. The total area of all signs authorized by this paragraph shall not exceed one and one-half square feet per lot equivalent.
 - ii. No sign allowed pursuant to this section shall exceed six (6) feet in height.
 - c. At the entrance of any multi-tenant building, one permanent, non-illuminated wall sign not exceeding six (6) square feet in area and not projecting more than six (6) inches from the building wall.
 - d. Portable signs within the public right-of-way on Saturdays, Sundays, and holidays between the hours of ten a.m. and seven p.m., provided: (a) the signs do not interfere with, obstruct, or misdirect traffic or pedestrian movement; and (b) no person may erect or cause to be erected more than six portable signs at any one time.
 - e. Window signs, provided they do not obstruct more than twenty-five percent (25%) of the area of any individual window or more than ten percent (10%) of the total fenestration on the building frontage of a commercial building.

2. Signs Allowed With a Permit. In addition to the signs allowed without a permit, the following signs may be erected, maintained and/or displayed in any residential district with a sign permit or as part of a master sign program:
 - a. On residential lots where there are no more than two residential units, permanent, non-illuminated, freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed six (6) square feet per lot equivalent; and
 - ii. No sign allowed pursuant to this paragraph shall exceed four (4) feet in height.
 - b. On residential lots where there are three or more residential units, permanent, non-illuminated, freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twelve (12) square feet per lot equivalent; and
 - ii. No sign allowed pursuant to this paragraph shall exceed four (4) feet in height.
 - c. At the entrance to a subdivision, permanent, freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per subdivision; and
 - ii. No sign allowed pursuant to this paragraph shall exceed six (6) feet in height.
 - d. On commercial or public buildings, wall signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed fifty percent (50%) of building frontage; and
 - ii. No individual wall sign allowed pursuant to this paragraph may exceed sixteen (16) square feet in area.
 - e. On lots containing commercial, public, or assembly uses, permanent, freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed sixteen (16) square feet per lot equivalent.
 - ii. No sign allowed pursuant to this paragraph shall exceed six (6) feet in height.
 - f. On lots containing commercial, public, or assembly uses, permanent, electronic reader board signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed sixteen (16) square feet per lot equivalent.
 - ii. No sign allowed pursuant to this paragraph shall exceed six (6) feet in height.

3. Prohibited Signs. In addition to those signs prohibited in Section 15.06.140, the following types of signs shall not be permitted in any residential district:
 - a. Projecting signs.
 - b. Roof signs.
 - c. Advertising signs.

C. Signs Allowed in the C-1, Neighborhood Commercial District.

1. Signs Allowed Without a Permit. The following signs shall comply with all provisions and regulations of this chapter. However, no fee, permit or application is required to erect or maintain them in the neighborhood commercial district:
 - a. Permanent wall signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed one square foot per building.
 - ii. No sign shall project more than six (6) inches from the building wall.
 - b. At the entrance of any multi-tenant building, one permanent, non-illuminated wall sign not exceeding six (6) square feet in area and not projecting more than six (6) inches from the building wall.
 - c. Window signs, provided they do not obstruct more than twenty-five (25) percent of the area of any individual window or more than ten percent (10%) of the total fenestration on the building frontage of a commercial building.
 - d. Blade signs, provided that:
 - i. The sign area shall not exceed six (6) square feet.
 - ii. No sign shall be wider than forty-eight (48) inches or thirty-six (36) inches in height.
 - iii. No sign shall be thicker than four (4) inches and shall have a clear height of eight (8) feet.
 - iv. No sign shall project more than five (5) feet and only one (1) blade sign is permitted per entry door.
2. Signs Allowed With a Permit. In addition to the signs allowed without a permit, the following signs may be erected, maintained and/or displayed in the neighborhood commercial district with a sign permit or as part of a master sign program:
 - a. Permanent, freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this section shall not exceed twenty (20) square feet per lot equivalent; and
 - ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in height.

- iii. The base or supporting members of each freestanding sign shall be located in a planted landscaped area. The landscaped area shall be differentiated from adjoining paved areas by a border which is at least four (4) inches above the ground level. All planted landscaped areas shall be irrigated and maintained on a regular basis.
- b. Wall signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per building;
 - ii. No wall sign may project more than twelve (12) inches from the wall to which it is attached; and
 - iii. If a wall sign projects into a public right-of-way, it may not project more than six inches from the wall to which it is attached, and the bottom of projecting wall sign must be at least eight (8) feet above finished grade.
- c. Marquee signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed six (6) square feet per street address; and
 - ii. No individual sign allowed pursuant to this section shall exceed two feet in height, or be located less than nine feet above finished grade.
- d. Projecting signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed fifteen (15) square feet per street address;
 - ii. No individual sign allowed pursuant to this paragraph shall project over any public right of way or exceed three feet in height or eighteen (18) inches in thickness;
 - iii. Any sign allowed pursuant to this paragraph must be located at least nine feet above finished grade, and must not project farther than five feet from the building wall;
 - iv. The sign does not project above the maximum allowed building height for the district; and
 - v. Display surfaces of such projecting signs must be back-to-back.
- e. Temporary banner signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed sixteen (16) square feet per building; and
 - ii. A temporary banner shall not remain on display for more than ninety (90) days.
- f. Flagpoles greater than 30 feet in height and/or illuminated, provided that:
 - i. No flagpole shall project more than ten feet above the maximum allowed building height for the zoning district.

- ii. Each flagpole shall be illuminated by a single source with a beam spread no greater than necessary to illuminate the flag(s). Flag lighting sources shall not exceed 20,000 lumens per flagpole.
 - g. Electronic reader board signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent.
 - ii. No electronic reader board sign may project more than twelve (12) inches from the wall to which it is attached; and
 - iii. If an electronic reader board sign projects into a public right-of-way, it may not project more than six inches from the wall to which it is attached, and the bottom of projecting wall sign must be at least eight (8) feet above finished grade.
 - h. Wall mural signs, provided that:
 - i. The sign area shall not exceed one thousand (1,000) square feet.
 - ii. No sign shall be wider than one hundred (100) feet or forty (40) inches in height.
 - iii. No sign shall lower than three (3) feet from the ground or project more than eight (8) inches from the façade.
 - iv. One (1) sign per building.
- 3. Prohibited Signs. In addition to those signs prohibited in Section 15.06.140, the following types of signs shall be prohibited in the neighborhood commercial district:
 - a. Roof signs.
 - b. Advertising signs.
- D. Signs Allowed in the C-2, General Commercial, C-3, Regional Commercial, C-B, Central Business, and P-C, Public and Civic Uses, Districts.
 - 1. Signs Allowed Without a Permit. The following signs shall comply with all provisions and regulations of this chapter. However, no fee, permit or application is required to erect or maintain them in the general commercial, regional commercial, central business, and public and civic uses districts:
 - a. For each lot equivalent, one permanent, freestanding non-illuminated sign not exceeding sixteen (16) square feet in area or six (6) feet in height.
 - b. For each building, one building integrated sign not exceeding six (6) square feet in area and not projecting more than six (6) inches from the building wall.
 - c. Window signs, provided they do not obstruct more than twenty-five percent (25%) of the area of any individual window or more than ten percent (10%)

5%) of the total fenestration on the building frontage of a commercial building.

d. Blade signs, provided that:

- i. The sign area shall not exceed 6 square feet.
- ii. No sign shall be wider than 48 inches or 36 inches in height.
- iii. No sign shall be thicker than 4 inches and shall have a clear height of eight (8) feet.
- iv. No sign shall project more than 5 feet and only one (1) blade sign is permitted per entry door.

2. Signs Allowed With a Permit. In addition to the signs allowed without a permit, the following signs may be erected, maintained and/or displayed in the general commercial, regional commercial, central business, and public and civic uses districts with a sign permit, or as part of a master sign program.

a. Permanent, freestanding signs, provided that:

- i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent; and
- ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in height.
- iii. The base or supporting members of each freestanding sign shall be located in a planted landscaped area. The landscaped area shall be differentiated from adjoining paved areas by a border which is at least four (4) inches above the ground level. All planted landscaped areas shall be irrigated and maintained on a regular basis.

b. For buildings with only one tenant, wall signs, provided that:

- i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed sixty (60) square feet per building or thirty-three percent (33%) of building frontage, whichever is less.

c. For buildings with more than one tenant, wall signs on each building frontage, provided that:

- i. The total sign area for each tenant's sign allowed pursuant to this paragraph shall not exceed sixty (60) square feet in area or thirty-three percent (33%) of tenant space building frontage, whichever is less; and
- ii. No wall sign allowed pursuant to this paragraph may project more than twelve (12) inches from the wall to which it is attached. If a wall sign projects into a public right-of-way, it may not project more than six inches from the wall to which it is attached, and the bottom of a projecting wall sign must be at least eight (8) feet above finished grade.

d. Marquee signs, provided that:

- i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed six (6) square feet per street address; and
 - ii. No individual sign allowed pursuant to this paragraph shall exceed two feet in height or be located less than nine feet above finished grade.
- e. Projecting signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed sixty (60) square feet per building or thirty-three percent (33%) of building frontage, whichever is less;
 - ii. No individual sign allowed pursuant to this paragraph shall exceed thirty-five (35) feet in height or twelve (12) inches in thickness;
 - iii. Any projecting sign must be located at least nine feet above finished grade, and must not project farther than five feet from the building wall;
 - iv. The sign does not project above the maximum allowed building height for the district; and
 - v. Display surfaces of projecting signs must be back-to-back.
- f. For buildings that have only one street address, one A-board sign per building frontage. For buildings with multiple street addresses, one A-board sign is allowed for every twenty-five (25) feet of ground floor linear building frontage.
- g. Banner signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty-four (24) square feet per building;
 - ii. If the banner sign is attached to a building, it does not exceed two (2) feet in height above the roof or parapet wall to which it is attached; and
 - iii. If the banner sign is attached to a freestanding structure, it does not exceed thirty (30) feet in height.
- h. Two single-sided roof signs or one double-sided roof side [sign] per city block, provided that no roof sign shall be permitted within fifty feet of a residential district. Permits for roof signs shall be given out on a first-come, first-served basis to those applicants whose proposed signs comply with the requirements of this chapter. The bottom of a roof sign cannot be more than three feet above the upper edge of the building. The top of the sign cannot be more than twelve (12) feet above the upper edge of the building. No roof sign may exceed sixty (60) square feet in area if single-sided, or one hundred twenty (120) square feet in area if double-sided.
- i. Gateways signs.
- j. Flagpoles greater than 30 feet in height and/or illuminated, provided that:
 - i. No flagpole shall project more than ten feet above the maximum allowed building height for the zoning district.

- ii. Each flagpole shall be illuminated by a single source with a beam spread no greater than necessary to illuminate the flag(s). Flag lighting sources shall not exceed 20,000 lumens per flagpole.
 - k. Electronic reader board signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent.
 - ii. No electronic reader board sign may project more than twelve (12) inches from the wall to which it is attached; and
 - iii. If an electronic reader board sign projects into a public right-of-way, it may not project more than six inches from the wall to which it is attached, and the bottom of projecting wall sign must be at least eight (8) feet above finished grade.
 - l. Wall mural signs, provided that:
 - i. The sign area shall not exceed one thousand (1,000) square feet.
 - ii. No sign shall be wider than one hundred (100) feet or forty (40) feet in height.
 - iii. No sign shall lower than three (3) feet from the ground or project more than eight (8) inches from the façade.
 - iv. One (1) sign per building.
- E. Signs Allowed in the M-2, Light Industrial, M-3, Heavy Industrial, and M-4, Marine Industrial, Districts.
 - 1. Signs Allowed Without a Permit. The following signs shall comply with all provisions and regulations of this chapter. However, no fee, permit or application is required to erect or maintain them in the light industrial, heavy industrial, marine industrial, and coastline commercial districts:
 - a. For each lot equivalent, one permanent freestanding non-illuminated sign not exceeding sixteen (16) square feet in area or six (6) feet in height;
 - b. For each building, one building integrated sign not exceeding six (6) square feet in area and not projecting more than six (6) inches from the building wall; and
 - c. Window signs, provided they do not obstruct more than twenty-five percent (25%) of the area of any individual window or more than ten percent (10%) of the total fenestration on the building frontage of a commercial or industrial building.
 - 2. Signs Allowed With a Permit. In addition to the signs allowed without a permit, the following signs may be erected, maintained and/or displayed in the light industrial, heavy industrial, and marine industrial districts with a sign permit, or as part of a master sign program:

- a. Permanent freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent.
 - ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in height.
 - iii. The base or supporting members of each freestanding sign shall be located in a planted landscaped area. The landscaped area shall be differentiated from adjoining paved areas by a border which is at least four (4) inches above the ground level. All planted landscaped areas shall be irrigated and maintained on a regular basis.
- b. Temporary banner signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent;
 - ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in length; and
 - iii. The banners shall remain on display for no more than ninety (90) days.
- c. Gateway signs.
- d. Flagpoles greater than 30 feet in height and/or illuminated, provided that:
 - i. No flagpole shall project more than ten feet above the maximum allowed building height for the zoning district.
 - ii. Each flagpole shall be illuminated by a single source with a beam spread no greater than necessary to illuminate the flag(s). Flag lighting sources shall not exceed 20,000 lumens per flagpole.
- e. Electronic reader board signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent.
 - ii. No electronic reader board sign may project more than twelve (12) inches from the wall to which it is attached; and
 - iii. If an electronic reader board sign projects into a public right-of-way, it may not project more than six inches from the wall to which it is attached, and the bottom of projecting wall sign must be at least eight (8) feet above finished grade.
- f. For buildings with only one tenant, wall signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed sixty (60) square feet per building or thirty-three percent (33%) of building frontage, whichever is less.
- g. For buildings with more than one tenant, wall signs, on each building frontage, provided that:

- a. Permanent freestanding signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent; and
 - ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in height.
 - iii. The base or supporting members of each freestanding sign shall be located in a planted landscaped area. The landscaped area shall be differentiated from adjoining paved areas by a border which is at least four (4) inches above the ground level. All planted landscaped areas shall be irrigated and maintained on a regular basis.
- b. Non-illuminated projecting signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed six square feet per street address;
 - ii. No individual sign allowed pursuant to this paragraph shall exceed three feet in height or twelve (12) inches in thickness;
 - iii. All projecting signs must be located at least nine feet above finished grade, and must not project farther than five feet from the building wall;
 - iv. The sign does not project above the maximum allowed building height for the district; and
 - v. Display surfaces of projecting signs must be back-to-back.
- c. Gateway signs.
- d. Flagpoles greater than 30 feet in height and/or illuminated, provided that:
 - i. No flagpole shall project more than ten feet above the maximum allowed building height for the zoning district.
 - ii. Each flagpole shall be illuminated by a single source with a beam spread no greater than necessary to illuminate the flag(s). Flag lighting sources shall not exceed 20,000 lumens per flagpole.
- e. Electronic reader board signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent.
 - ii. No electronic reader board sign may project more than twelve (12) inches from the wall to which it is attached; and
 - iii. If an electronic reader board sign projects into a public right-of-way, it may not project more than six inches from the wall to which it is attached, and the bottom of projecting wall sign must be at least eight (8) feet above finished grade.
- f. For buildings with only one tenant, wall signs, provided that:

- i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent;
 - ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in height.
 - iii. The base or supporting members of each freestanding sign shall be located in a planted landscaped area. The landscaped area shall be differentiated from adjoining paved areas by a border which is at least four (4) inches above the ground level. All planted landscaped areas shall be irrigated and maintained on a regular basis.
 - b. Temporary banner signs, provided that:
 - i. The total sign area for all signs allowed pursuant to this paragraph shall not exceed twenty (20) square feet per lot equivalent;
 - ii. No individual sign allowed pursuant to this paragraph shall exceed ten (10) feet in length; and
 - iii. The banners shall remain on display for no more than ninety (90) days.
3. Prohibited Signs. In addition to those signs prohibited in Section 15.06.140, the following types of signs shall be prohibited in all districts not listed in paragraphs B—F, above:
 - a. Banner signs.
 - b. Roof signs.
 - c. Marquee signs.
 - d. Advertising signs.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.100 Special sign regulations.

- A. Purpose. The regulations contained in this section, in combination with the district regulations contained in this chapter, shall apply within the specified areas. The purpose of this section is to establish regulations to enhance and maintain the desired appearance of the City as viewed from selected locations.
- B. Residential District Proximity Regulations. Any advertising sign in a nonresidential district and located within fifty feet of a residential district shall be oriented to face away from the residential district.
- C. Richmond Parkway and Freeway Proximity Regulations.
 1. The Richmond Parkway is an arterial street that extends between Interstates 80 and 580. No advertising signs shall be permitted within 660 feet from the edge of the right-of-way of the Richmond Parkway.
 2. All advertising signs located within 660 feet from the edge of the right-of-way of any interstate or primary highway, as defined in California Business and

Professions Code Sections 5202, 5405 and 5408, shall comply with the Outdoor Advertising Act (California Business and Professions Code Sections 5200 et seq.) in addition to the provisions of this chapter.

- D. Rapid Transit Route and Proximity Regulations. Rapid transit routes shall be designated by the City Council. No advertising signs may be erected, maintained, or displayed if they are located within 660 feet of any rapid transit route (including the Bay Area Rapid Transit District corridor) and oriented toward the rapid transit route.
- E. Scenic Street and Drive Proximity Regulations.
 - 1. Scenic streets and drives shall be so designated by the City Council. However, prior to making this designation a written notice shall be mailed to the abutting property owners along the portion of a street or road that is being proposed as a scenic street or drive. These property owners shall be advised in this notice of the date, time and place when the City Council will consider making this decision.
 - 2. The notice specified in paragraph 1 of this subsection shall be deemed served when it is deposited in the United States mail with postage prepaid, addressed to the owner or owners of each parcel which abuts upon the portion of a street or road that is being proposed as a scenic street or drive, at the last known address as shown on the last equalized assessment roll of the County of Contra Costa, California, and if no such address is there shown or known, then to the parcel abutting the proposed scenic street or drive.
 - 3. Any sign which is located wholly or in part within 200 feet or less of a scenic street or drive shall be subject to the regulations specified in Section 15.06.090(G), regardless of the zoning district in which it is located.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.110 Special regulations for closed business signs.

- A. Purpose. The purpose of this section is to establish regulations that enhance the appearance of the City by requiring removal of closed business signs within a reasonable period after a business has closed or a building has been vacated.
- B. Applicability. This section shall apply to all single-occupant and multi-tenant buildings.
- C. A closed business sign is defined as any sign located on a building, in the window of a building, or on the same lot as a building that (1) advertises or identifies either (a) the owner or lessor of a building that has been vacated, or (b) a use, activity, business, service or product no longer offered or conducted in a building, and that (2) continues to be displayed more than thirty days after the owner or lessor has vacated the building or more than thirty days after the use, activity, business, service or product has ceased to be offered or conducted in the building.

- D. All closed business signs shall be removed or completely obscured from public view. A sign is "completely obscured from public view" when it has been completely covered with a solid material, such as plywood or lumber, that is securely fastened to the sign or its supporting structure and painted to match the color of the building in which or on which the sign is located. Plastic or fiber sheets shall not constitute a solid material that adequately obscures a closed business sign.
- F. Enforcement of this section shall be conducted in accordance with Section 15.04.950.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.120 Sign maintenance.

Every sign shall be kept up and maintained in a secure and safe condition. Signs shall be kept free of rust, corrosion, peeling paint, cracks, fading and other surface deterioration. Illuminated signs shall function as designed and permitted. If an abandoned sign exists or a sign is not maintained in accordance with this paragraph, the City may notify the owner of the property on which the sign is located or to the person responsible for the maintenance of the sign in writing that he or she must comply with this chapter. If the condition is not corrected or eliminated within the time specified in the notice, the City may revoke the permit for the sign and remove the sign in the manner provided in the notice.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.130 Nonconforming signs.

Nonconforming signs lawfully existing on the date this ordinance becomes effective need not conform to this [the] requirements of this chapter, except that if any such sign is altered, partially demolished or reconstructed, the provisions of this chapter shall apply. Normal repairs, copy replacement and maintenance that do not change the location or appearance of the sign may be made without conforming the sign to the requirements of this chapter.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.140 Prohibited signs.

- A. Except for legally nonconforming signs described Section 15.06.130, the following signs are prohibited:
 - 1. Any sign that is contrary to any provision of this chapter.
 - 2. Any sign that is constructed in such a manner or at such a location that it will obstruct access to any fire escape or other means of ingress or egress to or from a building or any exit corridor, exit hallway or exit doorway. No sign or supporting structure shall cover, wholly or partially, any window or doorway in

any manner such that it will substantially limit access to the building in case of fire.

3. Any sign that is equipped or displayed with moving, flashing or intermittent illumination, except as authorized by this chapter.
 4. Any sign that has or consists of any moving, rotating, or otherwise animated parts.
 5. Any sign attached to a tree or vegetation.
 6. Any non-public sign that:
 - a. Purports to be, is an imitation of, or resembles an official traffic sign or signal;
 - b. Attempts to direct the movement of traffic on the street; or
 - c. Hides from view any official traffic sign or signal.
 7. Any sign that obstructs free and clear vision of the traveling public at the intersection of any street or driveway.
 8. Any sign located on top of an awning, canopy, arbor or other non-structural exterior building feature.
 9. Wind signs.
 10. Balloon signs.
 11. Mobile billboards
 12. Advertising signs
 13. Digital signs and digital advertising billboard signs
- B. A sign that fails to comply with or violates any provision of this chapter, or is developed or maintained contrary to the terms of a sign permit, is hereby declared to be unlawful and a public nuisance and may be abated by appropriate proceedings, if the property owner fails to bring the sign into compliance within 90 days after the City notifies the owner that the sign is unlawful.

(Ord. No. 29-09, § 2, 9-22-09)

15.06.150 Variances.

- A. The Design Review Board may approve a variance to any requirement for a permanent sign upon finding all of the following:
 1. Strict application of the requirements of this chapter would deny the applicant a reasonable opportunity to communicate by sign in a manner similar to like persons or uses because of an unusual or unique circumstance relating to the property or the proposal, such as site or building location, building design, physical features on the property, or some other circumstance;

2. The sign resulting from the variance will not affect the surrounding neighborhood or other property affected by the request in a manner materially inconsistent with the purpose and objectives of this chapter; and
 3. The extent of the variance from the requirement is limited to that reasonably necessary to alleviate the problem created by the unique or unusual circumstance identified pursuant to subsection (A), above.
- B. The Design Review Board's decision regarding a variance may be appealed to the City Council in accordance with Section 15.04.980, except that, within fifteen business days after the City's receipt of an appeal of a variance denial pursuant to this section, the City Council shall hear and decide the appeal. The City Council's review of the Design Review Board's shall be governed by the criteria set forth in this chapter. The City Council shall issue written findings in support of its decision.
- (Ord. No. 29-09, § 2, 9-22-09)

FOOTNOTE(S):

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Editor's note— Ord. No. 29-09, § 2, adopted Sept. 22, 2009, repealed the former Ch. 15.06, §§ 15.06.010—15.06.060, and enacted a new Ch. 15.06 as set out herein. The former Ch. 15.06 pertained to similar subject matter and derived from Ord. Nos. 343 N.S., 349 N.S., 3-70 N.S., 10-70 N.S., 7-75 N.S., 21-75 N.S., 4-76 N.S., 12-76 N.S., 23-78 N.S., 17-85 N.S., 20-86 N.S., 28-88 N.S., and 19-09 N.S. See also the Code Comparative Table and Disposition List. (Back)

598180.3

First read at a regular meeting of the Council of the City of Richmond held March 3, 2015, and finally passed and adopted at a regular meeting thereof held March 17, 2015, by the following vote:

AYES:	Councilmembers Bates, Martinez, McLaughlin, Pimplé, and Mayor Butt.
NOES:	Councilmember Beckles and Vice Mayor Myrick.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 12-15 N.S.**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 17, 2015.