

## **ORDINANCE NO. 2020**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO, CALIFORNIA, AMENDING SUBSECTIONS 17.04.020, 17.04.050 AND 17.04.140 OF CHAPTER 17.04 OF THE CAMARILLO MUNICIPAL CODE PERTAINING TO SIGN REGULATIONS**

**WHEREAS**, the City of Camarillo ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, the City's sign regulations in Chapter 17.04, of Title 17 (collectively "Sign Ordinance") are intended to regulate signs located on property in the City over which the City has regulatory authority; and

**WHEREAS**, the Sign Ordinance maintains and enhances the City's appearance by regulating the design, character, location, number, quality of materials, size, illumination, and maintenance of signs; and

**WHEREAS**, the Sign Ordinance also minimizes the possible adverse effects of signs on nearby public and private property, including streets and public rights-of-way; and

**WHEREAS**, without adequate regulation signage can endanger the public, distract drivers, create confusion and foster a negative image of the City on the part of the public; and

**WHEREAS**, excessive signage can damage view corridors, diminish property values and detrimentally affect the quality of life of City residents, businesses and property owners, visitors and the traveling public; and

**WHEREAS**, the City Council desires to enhance the City's current sign regulations with respect to freestanding signs and mobile signs, while respecting and protecting the right of free speech; and

**WHEREAS**, the City Council also desires to make amendments to the City's current sign regulations to provide a process to allow for the retrieval of political signs left in the public right of way as well as other clarifying amendments.

**The Council of the City of Camarillo, California does ordain as follows:**

#### **SECTION 1. Findings.**

The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

#### **SECTION 2. Environmental Findings.**

The proposed ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections: 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); 15060(c)(3) (the activity is not a project as defined in Section 15378);

15061(b)(3) (because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment); and 15321 (exempting regulatory actions related to the enforcement of law). The proposed ordinance will adopt enforceable regulations related to sign regulations in accordance with State law. Because there is no possibility that this proposed ordinance may have a significant adverse effect on the environment, the introduction or adoption of this ordinance is exempt from CEQA.

### **SECTION 3. Amending Chapter 17.04.**

The CMC is amended as follows:

#### **A. Section 17.04.020 of the CMC is amended as follows:**

##### **"17.04.020 – Definitions.**

The words, phrases and terms used in this chapter will have the meaning set forth in this section unless another meaning is clearly apparent from the context.

"Banner sign" means a temporary sign publicizing a unique happening, action, purpose or occasion and constructed of lightweight cloth, canvas, paper or similar material.

"Business associates sign" means lettering on the building or windows of a building indicating the owners, operators or associates of the business or occupancy.

"Changeable copy sign" means a sign that is characterized by changeable copy, letters, symbols, or numerals.

"Commercial message" means any wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a commercial or industrial business, product, good, service or other commercial or industrial activity.

"Commercial sign" means any sign that is intended to attract attention to a commercial or industrial business, occupancy, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose.

"Construction sign" means a temporary sign denoting the architects, engineers, owners, lenders, contractors, future tenants and others associated with a construction project, but which contains no other advertising matter.

"Department" means the department of community development of the city of Camarillo.

"Direct lighting" means a light source used which is detached from the sign to illuminate the sign surface.

"Director" means the director of the community development department or the director's designee.

"Directory sign" means a sign illustrating the general site plan and listing the businesses or establishments within an office complex, shopping center or industrial complex showing the locations of various buildings, uses or occupancies on a single display surface.

"Display surface" means that area of a sign or area structure utilized for displaying copy, messages or display.

"Double-face sign" means a sign that has two display surfaces, backed against each other or against the same supporting structure in such a manner that each display surface is designed to be viewed from a different direction.

"Election period" means the period commencing 90 days before any national, state, or local election in which city electors may vote up through the date of the election.

"Erect" means to build, construct, attach, hang, place, suspend or affix to or upon any surface.

"Face or wall of a building" means the outer surface of any main exterior wall or foundation of a building, including windows and store fronts.

"Flashing sign" means any sign which, by method or manner of illumination, flashes, winks or blinks with varying light intensity, shows motion, or creates the illusion of motion, or revolves in a manner to create the illusion of being on or off.

"Freestanding sign" means any sign supported by a structure, including, but not limited to, one or more upright poles or rock, block, bicycle or masonry base in or upon the ground, other than an outdoor advertising structure, and not attached to a building.

"Fuel pricing sign" means a sign indicating, and limited to, the brand or trade name, method of sale, grade designation and price per gallon of gasoline or other motor vehicle fuel offered for sale on the premises and such other information as may be required by law.

"Future construction sign" means a sign indicating the future location of a building and the developer of such building.

"Hand-held sign" means a sign that is held by or otherwise mounted on a person. For the purposes of this chapter, hand-held sign does not include a noncommercial sign.

"Identification sign" means a sign that contains only the name, trademark or symbol, or address, of the building or occupant of the property.

"Illegal sign" means: (a) any sign originally erected or installed without first complying with all structural, locational, design, building and electrical regulations in effect at the time of its construction or installation; (b) any commercial sign that is not maintained, or is not used to identify or advertise an ongoing business, occupancy, product, good or service available on the site of the sign for more than ninety days; (c) any unsafe sign; (d) any legal nonconforming sign that has not been removed following the expiration of any applicable amortization period provided in this code; and (e) any sign that is in violation of the provisions of this chapter.

"Incidental sign" means a sign indicating credit cards accepted, trade affiliations, no solicitation, no trespassing and similar property-related matters.

"Industrial park" means a group of four or more industries, developed as an independent entity under a common plan and design with common off-street parking as an integral part thereof, the single units of which entity do not have direct access to a public street but with the entity as a whole having such direct access.

"Inflatable sign" means a sign that is inflated by air or other gaseous matter.

"Interior illumination" means the placement of lights on the interior of a sign panel designed to evenly distribute the source of light upon the translucent sign surface.

"Legal nonconforming sign" means a sign that was originally erected or installed in compliance with all structural, locational, design, building and electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this chapter.

"Lighted sign" means a sign that is illuminated by any source, whether internal, external or indirect.

"Marquee sign" means a sign affixed to a building that projects into a public or private right-of-way and which is typically used to identify movie or live performance or event attractions.

"Master sign program" means a plan showing the location, dimensions, area, color, lighting and materials of all signs located on a single parcel or parcels, either under the same ownership or under the same planned development permit.

"Menu board sign" means a wall or monument sign displaying a list of items available with prices at a drive-through business for the purpose of taking drive-through orders.

"Mobile sign" means the use of a moving trailer, automobile, truck, bicycle or any other vehicle to display commercial or noncommercial messages primarily for advertising purposes unrelated to the principal use of such vehicle.

"Monument sign" means a sign supported by a base constructed of concrete, block or rock material placed in or upon the ground that has no air space, columns or supports visible between the ground and the bottom of the sign.

"Moving, rotating or animated sign" means a sign which rotates, moves, flashes, blinks, or directs attention to or advertises with human or animal figures or has animated movement by a sequence or series of flashing, flickering, rotating or blinking lights, excepting therefrom any sign as may show date, time, temperature or barometric information only.

"Multitenant sign" means a sign listing the names of the various tenants, which do not have direct access or visibility to a public street, occupying a building or buildings on a parcel of land or multiple parcels of land approved under a common plan with common off-street parking and access.

"Noncommercial message" means any wording, logo or other representation that does not directly or indirectly, name, advertise or calls attention to a commercial or industrial business, product, good, service or other commercial or industrial activity.

"Noncommercial sign" means a sign that does not name, advertise or call attention of a commercial or industrial business, commodity, product, good, service or other commercial or industrial activity for a commercial or industrial purpose.

"Office complex" means a group of four or more separate offices, developed as an independent functioning entity under a common plan and design with common off-street parking as an integral part of the plan and where the separate offices do not have direct access to a public street, but the complex as a whole has such direct access.

"Off-site sign" means a commercial sign not located on the site of the business or entity indicated or advertised by the sign, or a commercial sign advertising a commodity, good, product, service or other commercial or industrial activity which originates on a site other than where the sign is maintained. Off-site sign includes outdoor advertising structures.

"On-site sign" means any sign which directs attention to an occupancy, business, commodity, good, product, service or other activity conducted, sold or offered upon the site where the sign is maintained. For the purposes of this chapter, all signs with noncommercial messages are deemed to be on-site, regardless of location.

"Outdoor advertising structure" means a sign erected for the purpose of advertising a product, event, person or subject not related to the premises on which the sign is located (i.e., a billboard).

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

"Political Sign" means a sign where text or images are limited to noncommercial speech pertaining to global, national, state, or local candidates or issues or other protected political expression.

"Portable sign" means a freestanding sign that is not permanently affixed, anchored or secured to either the ground or a structure on the premises it is intended to occupy, but does not include hand-held signs. For the purposes of this chapter, a portable sign does not include a noncommercial sign.

"Projecting sign" means a sign mounted on the wall or building face or structure and the display surface of which projects more than twelve inches from the face of the building.

"Public convenience sign" means a sign that serves the public safety or convenience, such as a sign that indicates the entrance or exit to a property, identifies parking areas, or provides regulatory or service information of a noncommercial character.

"Real estate sign" means any temporary sign that relates to the sale, lease or exchange of all or a portion of the premises upon which it is located.

"Roof sign" means a sign erected upon or wholly supported by the roof of a structure.

"Shopping center" means a group of four or more separate stores, developed as an independent functioning entity under a common plan and design with common off-street parking

as an integral part of the design, and the single units of the entity do not have direct access to a public street, but the entity as a whole does have such direct access.

"Sign" means any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which is to be viewed from any public street, road, highway, right-of-way or parking area. The following are not within the definition of "sign" for the regulatory purposes of this title:

1. Any public or legal notice required by a court or public agency;
2. Decorative or architectural features of buildings, except letters, trademarks or moving parts;
3. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal;
4. Signs on street legal vehicles, license plates, license plate frames, registration insignia, including noncommercial messages, messages relating to the business or service of which the vehicle is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle;
5. Traffic, directional, emergency, warning or informational signs required or authorized by a government agency having jurisdiction;
6. Permanent memorial or historical signs, plaques or markers;
7. Public utility signs; and
8. Newsracks that are otherwise subject to regulation under this code.

"Sign face" means that portion of a sign intended to be viewed from one direction at a time.

"Temporary sign" means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, wood or other light materials, with or without frames, intended to be displayed for a limited period of time.

"Unsafe sign" means a sign posing an immediate peril or reasonably foreseeable threat of injury or damage to persons or property on account of the condition of the sign structure or its mounting mechanism.

"Wall sign" means a sign applied to or mounted on or painted on the surface of a building and the display surface of which is parallel to or on the wall surface and which has no portion that projects more than twelve inches from the wall surface.

"Window sign" means any sign placed in a window or attached to the interior side of a window surface or painted on the exterior or interior side of a window surface, or otherwise located within six inches of the window so as to be visible from the exterior of the building. This definition does not include window displays of merchandise offered for sale or incidental signs. A window sign painted on the exterior surface of a window must be sealed in a manner that preserves the sign and protects it from damage or defacement.

"Zone" means the zone district designation, definition or classification designated in Title 19 of this code.

The following definitions contained in Title 19 of this code (as they may be amended) apply to the provisions of this title:

1. Front yard (Section 19.04.825);
2. Parcel (Section 19.04.595);
3. Rear yard (Section 19.04.830);
4. Side yard (Section 19.04.835);
5. Street (Section 19.04.745).

**B. Section 17.04.050 of the CMC is amended as follows:**

**“17.04.050 – Signs not requiring a sign permit and Retrieval of Political Signs on Public Property.**

A. The following signs do not require a sign permit under Section 17.04.060 of this chapter, nor will the area of such signs be included in the maximum area of signs permitted; provided, however, that each such sign must comply with all applicable requirements of this chapter. The intent of this section is to avoid unnecessary or time consuming review procedures where certain permitted signs are minor or temporary or the erection of such sign does not require review for compliance with the city's building or electrical codes.

1. Political signs;
2. Construction signs;
3. Hand-held noncommercial signs;
4. Incidental signs; provided, that the maximum sign area for all such signs does not exceed six square feet per use or occupancy on a parcel;
5. Real estate signs;
6. Temporary freestanding noncommercial signs permitted by Section 17.04.090(J) of this chapter;
7. Window signs.

B. Political Signs on Public Property. Political Signs are not permitted on public property or in the public right-of-way. Political Signs placed on public property or in the public right-of-way will be removed pursuant to Section 17.04.140.

**C. Section 17.04.140 of the CMC is amended as follows:**

**“17.04.140 – Removal of signs.**

A. Unsafe Signs. Any unsafe sign may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner or person in possession and control of the property fifteen days to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and storage shall be borne by the permit

holder, property owner, or person in possession and control of the property, as applicable, and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign that has been removed and stored by the city may be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of thirty days after notice of removal is sent to the permit holder, property owner, or person in possession and control of the property, it will be deemed to be unclaimed personal property and may be disposed of in accordance with the law.

B. **Illegal Signs.** Any illegal sign must be removed or brought into conformity by the permit holder, property owner, or person in possession and control of the property following written notice from the director. Such notice must specify the nature of the violation, order the cessation thereof and require either the removal of the sign or the execution of remedial work in the time and in the manner specified by the notice. The time for removal or repair may not be less than fifteen days from the date of mailing the notice. The director's order may be appealed to the planning commission in the manner provided in Section 17.04.150 of this chapter.

C. **Legal Nonconforming Signs—Special Circumstances.** In accordance with California Business and Profession Code Section 5499, no legal nonconforming sign will be required to be removed on the sole basis of its height or size, if special topographic circumstances would result in a material impairment of visibility of the sign or the owner's or user's ability to adequately and effectively continue to communicate to the public through the use of the sign. The owner or user may maintain the sign at the premises and at a location necessary for continued public visibility at the height or size at which the sign was previously lawfully erected pursuant to all applicable codes, regulations and permits. Any such sign will be deemed to be in conformance with this chapter.

D. **Abatement of Signs.** Whenever the permit holder, property owner, or person in possession or control of the property fails to comply with an order of the director requiring compliance with this chapter, the city may abate any such sign in the manner set forth in Chapter 9.17 of this code.

E. **Removal and Redemption of Political Signs on Public Property.** Political signs on public property or in the public right-of-way will be removed by the City. The City is not required to notify the owner before removing a sign.

1. After removing the sign, the City shall attempt to notify the owner of the removed Political Sign, if such information can be ascertained, to inform the owner of the procedures for retrieving the sign.

2. **Abandonment of Political Signs.** Any Political Sign removed by the City may be considered abandoned if it is not retrieved within ninety (90) days after the date of such removal, and may be disposed of by the City without liability.

3. **Sign Redemption Fee.** The City Council may impose a sign redemption fee by adoption of a resolution for signs collected by the City that the owner would like to recover. The fee may only be imposed per sign collected by the City after the City has collected fifteen (15) Political signs from public property or the public right-of-way by the same Political Sign owner, as determined by the City. The fee would cover in part the City's cost to retrieve, collect and store the Political Sign.



**SECTION 4. Severability.**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5. Effective Date.**

This ordinance shall take effect thirty (30) days after its date of adoption.

**SECTION 6. Publication.**

The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED on \_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

I, Kristy Buxkemper, City Clerk of the City of Camarillo, certify Ordinance No. 2020 was introduced by the City Council at a meeting held May 22, 2024, and subsequently passed and adopted by the City Council at a regular meeting held \_\_\_\_\_, by the following vote:

YES: Councilmembers:

NO: Councilmembers:

ABSENT: Councilmembers:

\_\_\_\_\_  
City Clerk