

ORDINANCE NO. 682

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY CORNING ADDING
CHAPTER 17.67 TO THE CORNING MUNICIPAL CODE PERTAINING TO
REGULATION OF OUTDOOR ADVERTISING SIGNS**

THE CITY COUNCIL OF THE CITY OF CORNING does hereby find, determine and declare as follows:

WHEREAS, signs are an essential element of any community. As such, their location, number, size, design, and relationship to each other and to other structures have a significant influence upon a community's appearance and welfare, and a resultant effect upon a viewer's perception of the community. Signs serve a useful purpose in communicating messages, whether commercial, non-commercial, merely informative, or otherwise; and

WHEREAS, where signs are not properly regulated and maintained, they contribute to visual clutter, confusion, aesthetic blight, and create an unpleasant impression. They may cause traffic hazards and impede rather than enhance commerce and communication. In such situations, signs may fail to achieve their original objective of communication. Failure to appropriately regulate signs adversely affects the public health, safety and welfare of the community; and

NOW THEREFORE, The People of the City of Corning do Ordain as follows:

Chapter 17.67

Outdoor Advertising Sign Regulations

Sections:

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17.67.010 Purpose

The purpose of this Ordinance is to create a comprehensive and balanced system of sign regulation which will facilitate communication and simultaneously serve various public interests, including but not limited to safety and community aesthetics. It is the intent of this Ordinance to authorize signs that encourage a desirable urban character consistent with the General Plan, preserve appearance of the City overall, eliminate confusing, distracting, or dangerous sign displays which interfere with vehicular traffic and pedestrian safety, and promote the fair and equal treatment of sign users.

17.67.020. Definitions:

A. As used in this chapter, unless otherwise stated:

1. "Advertising" means the act of calling public attention to one's product or service.
2. "Major Arterial" means Solano Street, Highway 99W, or South Ave.

3. "Off-premise Sign" means any sign which directs attention to a business, service, product or entertainment not sold or offered or only incidentally sold or offered on the premises on which the sign is located.
4. "Political sign" means a sign indicating the name and/or picture of an individual seeking election to a public office, or relating to a forthcoming public election or referendum, or pertaining to the advocating by persons, groups or parties of political views or policies.
5. "Portable sign" means any sign set upon the ground in such a manner that it would be considered moveable or temporary.
6. "Service Club" means an association of business or professional people with the aims of promoting community welfare and goodwill.
7. "Sign" means any card, cloth, paper, metal, painted or wooden sign of any character placed for outdoor advertising purposes on or to the ground or any tree, wall, bush, rock, fence, building, structure or thing, either privately or publicly owned.

17.67.030. Generally

- A. The following specific land use regulations are intended to be applied within the various zoning districts of the City of Corning. Whenever conflict occurs between the regulations in this chapter and another, the more restrictive regulation shall apply.
- B. It is unlawful for any person to construct, maintain, display or alter a sign within the City, except in conformance with this chapter, the Uniform Sign Code, the Outdoor Advertising Act, and other applicable California law.
- C. In addition to complying with these regulations, applicants for sign permits may need to acquire sign construction permits issued in accordance with the Uniform Sign Code and are advised to consult with the Corning Building and Safety Department before installing outdoor advertising signage.

17.67.040. Exempt Signs

- A. The following signs shall be allowed and shall not be included in the determination of type, number or area of signs allowed in each zone district. Furthermore, no permit for the installation, replacement or refacing of these signs is required.
 1. Official federal, state or local government flags, emblems and historical markers, traffic directional and information signs and notices issued by any court, person or officer in performance of a public duty or any other sign that is required to be posted by any government agency.
 2. Temporary signs warning of construction, excavation or similar hazards so long as the hazard exists.
 3. One temporary sign per parcel with a display surface of each sign not exceeding 40 square feet per side used to indicate owner, builder, architect and pertinent data regarding building construction on the building site during construction only.
 4. Temporary real estate signs indicating that the property on which the sign is located is for sale, rent or lease. One such sign with a single display surface not exceeding sixteen (16) square feet per side is permitted along each street frontage.
 5. Parking lot and other private traffic directional signs, and miscellaneous permanent information signs in Commercial, Industrial or Public zones indicating address, hours and days of operation, menus, or similar information.
 6. Price signs for fuel sales. Not more than 2 price signs for each frontage, with a single display area not exceeding 20 square feet each, or a double display area not exceeding forty (40) square feet each, located on the premises but not within the public right of way.
 7. Bulletin boards for public, charitable or religious institutions.
 8. Temporary window signs.

9. Clustered service club signs.
10. Signs painted on walls which do not exceed the square footage or height that would be allowed for any other type of sign.
11. Temporary political signs when placed on private property.
12. Temporary banners, advertisements and directional signs for community activities or events when approved by the City of Corning and located on public property.

17.67.050. Permitted Outdoor Advertising Signs

A. The following outdoor advertising signs, which shall advertise the business or businesses occurring on the site, are permitted.

1. In R-1 Zones:

- a. "Home Occupation" signs that do not exceed two (2) square feet in display area.

2. In R-2, R-3, R-4 Zones:

- a. "Home Occupation" signs that do not exceed two (2) square feet in display area.
- b. Monument signs displaying the name, address and contact information for the multi-family residential, church or institutional use authorized onsite. Such monument signs shall not exceed four (4) feet in height, or eight (8) feet in width nor thirty-two (32) square feet of display area per side.

3. In C-1 Zones:

- a. Exterior wall, projecting or suspended signs pertaining to the business or use conducted on the premises, which shall be attached parallel to and not project more than two (2) feet from a wall of a building, or be suspended beneath a canopy which is a structural part of a building, provided that any suspended sign shall be eight (8) feet or more above any sidewalk. No sign shall project above the roof ridgeline of the building on the site, and the sum of the areas of all such signage shall not exceed 15% of the "building face area" to which it is attached. "Building face area" is the product of the height and the width of a building façade where the signage is affixed. Wall-mounted, projecting or hanging signs may be internally or externally illuminated. Floodlights utilized for external illumination shall be directed inward and downward onto the property illuminated.
- b. One freestanding sign per parcel may be permitted upon the securing of a Use Permit in each particular case. Freestanding signs may not exceed twenty-five (25) feet in height, or fifty (50) square feet in display area per side in C-1 zones. Freestanding signs shall be placed within landscaped planters sized not smaller than the sum of the display area of freestanding signage. (Rewrite of 17.18.020.F)

4. In C-2 Zones:

- a. Exterior wall, projecting or suspended signs pertaining to the business or use conducted on the premises, which shall be attached parallel to and not project more than two feet from a wall of a building, or be suspended beneath a canopy which is a structural part of a building, provided that any suspended sign shall be eight feet or more above any sidewalk. No sign shall project above the roof ridgeline of the building on the site, and the sum of the areas of all such signage shall not exceed 20% of the "building face area" to which it is attached. "Building face area" is the product of the height and the width of a building façade where the signage is affixed. Wall-mounted, projecting or hanging signs may be internally or externally illuminated except as provided below. Floodlights utilized for external illumination shall be directed inward and downward onto the property illuminated.
- b. Exterior wall, projecting or suspended signs within "Priority Zone 1" as identified in the Corning Façade Improvement Program Design and Financial Workbook (dated July 1999) shall not be internally illuminated, except that "neon" signage is permitted.

- c. One freestanding sign per parcel which may not exceed thirty-five (35) feet in height, nor seventy-five (75) square feet per side in display area. Freestanding signs shall be placed within landscaped planters sized not smaller than the sum of the display area of the freestanding signage. Freestanding signs placed within "Priority Zone 1" as identified in the Corning Façade Improvement Design and Financial Workbook (dated July 1999) shall not be internally illuminated, except that "neon" signage is permitted.
 - d. A second freestanding sign on a single parcel or a single sign exceeding the height or area limit may be permitted upon approval of a use permit.
- 5. In C-3, CH, SPMU, M-1 & M-2 Zones:**
- a. Exterior wall, projecting or suspended signs pertaining to the business or use conducted on the premises, which shall be attached parallel to and not project more than two (2) feet from a wall of a building, or be suspended beneath a canopy which is a structural part of a building, provided that any suspended sign shall be eight (8) feet or more above any sidewalk. No sign shall project above the roof ridgeline of the building on the site, and the sum of the areas of all such signage shall not exceed 25% of the "building face area" to which it is attached. "Building face area" is the product of the height and the width of a building façade where the signage is affixed. Wall-mounted, projecting or hanging signs may be internally or externally illuminated. Floodlights utilized for external illumination shall be directed inward and downward onto the property illuminated.
 - b. One freestanding sign per parcel which may not exceed 45 feet in height, nor 120 square feet per side in display area. Freestanding signs shall be placed within landscaped planters sized not smaller than the sum of the display area of the freestanding signage.
 - c. A second freestanding sign on a single parcel or a single sign exceeding the height or area limit may be permitted upon approval of a use permit.
 - d. On properties within 1000 feet of the Interstate 5 right of way, one freestanding freeway-oriented sign per parcel. Signs within Highway 99-W Specific Plan Area must conform to the Design Guidelines of that document.
- 6. In all Commercial or Industrial Zones:** One freestanding "portable sign" per operating business, conforming to the following requirements:
- 1) The sign may be no higher than five (5) feet above grade.
 - 2) The sign may be no wider than three (3) feet and is limited to a maximum of fifteen (15) square feet of display area per side.
 - 3) Portable signs must be placed within two (2) feet of the curb and must provide at least five (5) feet of pedestrian path between the sign and the nearest wall.
 - 4) Portable signs shall not be closer than twenty (20) feet to the next nearest portable sign.
 - 5) Portable signs may not obstruct vehicle sight distance by placing a sign too close to as street corner.
 - 6) If located on public property, the is subject to enforcement of Public Works Director.
 - 7) May be displayed only during operating business hours.
 - 8) Must be stabilized to resist wind.

17.67.060. Prohibited Outdoor Advertising Signs

The following signs are prohibited within the City of Corning:

- A. Billboards, except "Welcome/Wayfinding Signs" as permitted by Section 17.67.090 of the Outdoor Advertising Sign Regulations. Dangerous or hazardous signs, as determined by the Building Official.
- B. Obsolete signs which advertise a business no longer operating on the site.

- C. Signs erected at or near the intersection of any street or driveway to obstruct free and clear vision.
- D. Roof signs where the highest point of the sign exceeds the highest point of the roof to which it is affixed.
- E. Political signs on public property.
- F. Signs that do not comply with these regulations.
- G. Signs Mounted on Vehicles. No person shall park any vehicle, equipment (cranes or boom trucks), or trailer on a public right-of-way, on public property, or on private property so as to be visible from a public right-of-way that has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products and services or directing people to a business or activity located on the same or nearby property. This section is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a business or commercial vehicle

17.67.070. Off-Premises Signs

A. General Standards

1. An administrative use permit must be obtained for any off-premises sign.
2. Off premise sign permits shall only be issued to businesses that are not located on a major arterial.
3. Off-premise signs are permitted for directional purposes only. Off premise signs for advertising are expressly prohibited.
4. Not more than one off premise sign is allowed per business
5. Written approval of property owner is required as a condition of issuing the sign permit. This agreement must include owner's authorization to install sign and note who assumes responsibility for maintenance of the sign, and for removing the sign at end of approved term.
6. No off-premises sign(s) shall project over any public right-of-way or sidewalk.
7. Off-premise signs must be located on commercial or industrial zoned property only.
8. Must be approved by the Planning Commission.
9. Any off-premise sign must not exceed a total height of four (4) feet.
10. Any off-premise sign must not exceed a maximum area of twelve (12) square feet.
11. Planning Commission must approve the design of all off-premise signs.
12. Only one off-premise sign per parcel is permitted.
13. Must comply with all terms of the Outdoor Advertising Act, B&P Code Section 5200.

17.67.080. Flag Signs

- A. On-site flag signs shall be permitted so long as they comply with the following requirements:
 1. Each flag sign shall not exceed a maximum size of twenty-five (25) square feet in sign area. Only one side of a flag will be counted for the purposes of determining sign area.
 2. The maximum height of the flag sign, including any support structures, poles or hinges may be no greater than ten (10) feet.
 3. Flag signs may not be located in a residential zoning district and shall only be permitted within the designated commercial downtown area, on commercial zoned properties, and on industrially zoned properties.
 4. Flag signs shall be prohibited in the public right-of-way.
 5. Flag signs shall be allowed to be displayed only during the business hours of the business for which the flag sign has been established.

6. Only one flag sign is permitted per business.
7. Flag signs shall not be placed in an area where they would in any way block the view of drivers of vehicles or pedestrians when at or approaching intersections or driveways.
8. Flag signs shall not use, incorporate or affix materials and accessory attachments not a part of the flag itself (streamers, balloons, wind socks, reflectors, etc.) to increase visibility.
9. Flag signs shall not be attached to utility poles, light fixtures, traffic control devices or similar objects.

17.67.090. Welcome Wayfinding

- B.** “Welcome/Wayfinding Signs” is a freestanding “off-premises” sign that includes a community “welcome” message and directional information to 10 or fewer businesses which shall be displayed on individual placards. The “Welcome/Wayfinding” signs shall be located within 100 feet of the Edith Ave./Hwy. 99W./Solano St. intersection or the South Ave./Hwy. 99W. Intersection and comply with the following regulations and design standards;
1. Not more than two signs shall be permitted. Only one sign will be permitted at each intersection.
 2. Have a maximum of 10 business placards per sign. Five placard spaces will be reserved for businesses associated with the olive industry or an agricultural operation that welcomes visitors to its site.
 3. Businesses displaying placards shall be located within the City of Corning or be associated with the olive industry an agricultural operation that welcomes visitors to its site.
 4. Each business or businesses placing a placard on the sign must make an initial non-refundable deposit of \$100.00 with the City of Corning for future removal of the placard if that particular business ceases to exist or the businesses fail to maintain the sign or plaque in proper condition as determined by the City Council.
 5. The maximum size shall be 350 cubic feet, maximum height 30 feet above grade, maximum width of 15 feet including support structures.
 6. Incorporate the Corning marketing logo with graphics, color, design, and style as adopted by the City Council into the “Welcome” message. Each placard placed on the sign must be identical in size, style, color and design.
 7. Be composed of materials that are durable for the projected life span of the sign and protected with approved graffiti resistant coatings.
 8. Be designed and constructed to minimize maintenance and located in an area that will not impede vehicular sight distance at the intersections and minimize the likelihood of being struck by an errant vehicle.
 - a. Be located where maintenance can be easily performed.
 9. Must obtain an Encroachment Permit from the City of Corning Public Works Department, if applicable, a building permit from the City of Corning Building Department and comply with any applicable Local, State, and Federal regulations.
 10. Prior to issuance of a Building Permit for the sign the applicant(s) must submit a scaled colored drawing or photo of the sign in the location where it will be constructed for review by the Planning Commission. If in their review the Planning Commission determines that the proposed sign does not conform to these regulations and design standards, then the building permit will be denied.

17.67.100. Violations

Violation of any section or provision of this chapter shall be an infraction and violators shall be subject to the provisions of Chapter 1.08.

17.67.110 Severability

If any section, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this article. The Council hereby declares that it would have passed this Ordinance and adopted this article and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

This Ordinance shall take effect 30 days after its final passage, the welfare of the City of Corning requiring it.

The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be posted and/or published in accordance with the law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **December 10, 2019**, and enacted at a regular meeting of the City Council of the City of Corning held on **January 14, 2020** by the following vote:

AYES: Hatley, Snow, Valerio, Demo and Burnett

NOES: None

ABSTAIN: None

ABSENT: None

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Ordinance (Ordinance 682) was duly introduced to the City Council of the City of Corning at a regular meeting of said Council held on December 10, 2019 and adopted at a regular meeting of the City Council on January 14, 2020 by the votes listed above.

Lisa M. Linnet, City Clerk