

# AGENDA

## REGULAR MEETING OF THE PLANNING COMMISSION TUESDAY, SEPTEMBER 5, 2017 6:00 P.M.

Council Chambers, City Hall  
212 S. Vanderhurst Avenue, King City, CA

### 1. CALL TO ORDER

### 2. ROLL CALL:

Planning Commission Members: Michael Barbree, Margaret Raschella, Ralph Lee, Vice Chairperson David Mendez, and Chairperson David Nuck

### 3. FLAG SALUTE

### 4. PUBLIC COMMENTS

*Any person may comment on any item not on the agenda. **PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.** Action may not be taken on the topic, unless deemed an urgency matter by a majority vote of the Planning Commission. Topics not considered an urgency matter might be referred to City staff and placed on a future agenda, by a majority vote of the Planning Commission.*

### 5. PRESENTATIONS

*None*

### 6. CONSENT AGENDA

*All matters listed under the Consent Agenda are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.*

- A. Meeting Minutes of August 15, 2017 Planning Commission Meeting  
Recommendation: approve and file.

### 7. PUBLIC HEARINGS

- A. Project: Variance Permit
- Case No.: VAR 2017-001
- Applicant: Timothy Davis
- Location: 331 N. Russ Street (APN 026-174-001-000) and 327 N. Russ Street (APN 026-174-002) King City, CA 93930.
- Consideration: The request is for a variance permit to rebuild a residence that was destroyed by a fire on APN: 026-174-001, Lot 1, Block 13. The project includes a setback variance and resolve an existing non-conforming land use with the

adjoining parcel, Lot 2, Block 13, APN: 026-174-002 that involves correcting a unit that currently straddles the lot line between the two parcels.

**Recommendation:** Conduct the public hearing and adopt Resolution No. 2017-189 which approves Variance Case No. VAR2017-001, based on the findings of fact and subject to the Conditions of Approval.

**Environmental Determination:** The project is categorically exempt (Class 1 Existing Facilities and Class 3 New Construction or Conversion of Small Structures) pursuant to Section 15301 and Section 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines.

- B. Project:** Amending CUP2017-004 Conditions of Approval
- Case No.:** CUP2017-004 Amendment
- Applicant:** David Downs, Mobillitie, LLC
- Location:** Latitude/Longitude: 36.205456, -121.133448. (Franciscan Way)
- Consideration:** Removal from calendar of the previously noticed item - *Amendment to Conditional Use Permit Case No. CUP2017-004 to Amend Conditions of Approval for the small cell site within the existing public right-of-way along Franciscan Way.*
- Recommendation:** Refer back to staff and remove from calendar for re-noticing
- Environmental Determination:** Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).
- C. Project:** Amending CUP2016-004 Conditions of Approval
- Case No.:** CUP2016-004 Amendment
- Applicant:** David Downs, Mobillitie, LLC
- Location:** Latitude/Longitude: 36.213680/-121.129431. (Ellis Street)
- Consideration:** Removal from calendar of the previously noticed item - *Amendment to Conditional Use Permit Case No. CUP2016-004 to Amend the Conditions of Approval for the small cell site within the existing public right-of-way along Ellis Street.*
- Recommendation:** Refer back to staff and remove from calendar for re-noticing
- Environmental Determination:** Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

- D. Project: Amending CUP2016-003 Conditions of Approval
- Case No.: CUP2016-003 Amendment
- Applicant: David Downs, Mobilitie, LLC
- Location: Latitude/Longitude: 36.215359/-121.130148. (Vanderhurst Avenue)
- Consideration: *Removal from calendar of the previously noticed item - Amendment to Conditional Use Permit Case No. CUP2016-003 to Amend the Conditions of Approval for the small cell site within the existing public right-of-way along Vanderhurst Avenue.*
- Recommendation: Refer back to staff and remove from calendar for re-noticing
- Environmental Determination: Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("CEQA") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).
- E. Project: General Plan Amendment and Zone Change for WWTP properties
- Case No.: GPA2017-002, ZC2017-002
- Applicant: City of King
- Location: APN: 245-111-030-000 and 245-111-029-000
- Consideration: The proposal involves amending the General Plan Land Use Map and the Zoning Map for the remainder portion of APN: 245-111-030 and all of APN 245-111-029. The properties are situated west of the City and adjacent to the Waste Water Treatment Plant ("**WWTP**") and zoned Light Industrial ("**M-1**") and within the Public Quasi ("**PQ**") General Plan Land Use Designation. The proposed amendment and zone change are properties within the city limits.
- Recommendation: Planning Commission will make recommendation to the City Council on whether to approve a general plan amendment and zone change of the remainder portion of APN 245-111-030-000 and all of APN 245-111-029-000 and adopt Resolution No. 2017-187.
- Environmental Determination: This project is categorically exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines §15061(b)(3)).
- F. Project: Sign Ordinance

Applicant: City of King

Location: Citywide. Applies to all zones and land uses in the City.

Consideration: The project includes changes to Municipal Code Title 17, Chapter 17.55, Sign Regulations. The changes include, but are not limited to, allowing certain signs to be approved by the Community Development Director rather than the Planning Commission; adding procedures for sign deviations; identifying Planning Commission's authority to approve pole signs; modify Master Sign Programs to be required for 11 or more separate tenants; expand the area of window signs from twenty (20%) percent to twenty-five (25%) percent; changes the method of calculating double sided signs; provides exemptions for many signs including temporary banners and feather signs; adds a new Table 1 which establishes standards for specific sign types, and modifies the provisions of non-conforming signs.

Recommendation: Planning Commission will make recommendations to the City Council on whether to amend Title 17.55 Signs.

Environmental Determination: The new Sign Ordinance does not substantially change the sizes, colors, shapes or heights of future signs nor does it substantially change appearance of businesses nor does it negatively impact the views from US 101 or from major streets within the City. Based upon Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act, Section 15061.(b)(3) a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed sign regulations do not have the potential to negatively impact views or appearance of the City.

## 8. NON-PUBLIC HEARINGS

A. Project: General Plan Consistency for WWTP properties

Case No.: GPC2017-004

Applicant: City of King

Location: Assessor Parcel Numbers: 245-111-030-000 and 245-111-029-000

Consideration: Consistency Determination of the General Plan regarding selling of Assessor Parcel Numbers: 245-111-030-000 and 245-111-029-000.

Recommendation: Adoption of Resolution No 2017-188 which finds the General Plan consistency determination for the sale of APN245-111-030-000 and APN245-111-029-000.

Environmental Determination: This project is categorically exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines §15061(3)).

**9. PLANNING COMMISSIONER REPORTS**

**10. DIRECTOR'S REPORT**

**11. WRITTEN CORRESPONDENCE**

**12. ADJOURNMENT**

**UPCOMING REGULAR MEETINGS**

<b><u>September 2017</u></b>		
September 11 <sup>th</sup>	6:00 p.m.	Airport Advisory Committee
September 12 <sup>th</sup>	6:00 p.m.	City Council
September 18 <sup>th</sup>	6:00 p.m.	Recreation Commission
September 19 <sup>th</sup>	6:00 p.m.	Planning Commission
September 26 <sup>th</sup>	6:00 p.m.	City Council
<b><u>October 2017</u></b>		
October 3 <sup>rd</sup>	6:00 p.m.	Planning Commission
October 9 <sup>th</sup>	6:00 p.m.	Airport Advisory Committee
October 10 <sup>th</sup>	6:00 p.m.	City Council
October 16 <sup>th</sup>	6:00 p.m.	Recreation Commission
October 17 <sup>th</sup>	6:00 p.m.	Planning Commission
October 24 <sup>th</sup>	6:00 p.m.	City Council

**ADT:** Average daily trips made by vehicles or persons in a 24-hour period

**ALLUC:** Airport Land Use Commission

**AMBAG:** The Association of Monterey Bay Area Governments. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties, and serves as both a federally designated Metropolitan Planning Organization and Council of Government. AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

**APCD:** Air Pollution Control District

**BMP:** Best Management Practice, Bike Master Plan

**CAP:** Climate Action Plan

**CC&Rs:** Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)

**CDBG:** Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)

**CEQA:** California Environmental Quality Act

**CFD:** Community Facilities District

**COG:** A council of government, or regional council, is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments by dealing with issues that cross political boundaries.

**CUP:** Conditional Use Permit

**EIR:** Environmental Impact Report

**Ex-Parte:** Communication between Planning Commissioners and applicants outside of a public meeting

**FEMA:** Federal Emergency Management Agency

**GHG:** Greenhouse gas

**HOME:** Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)

**HCP:** Habitat Conservation Plan

**HCD:** State Department of Housing & Community Development

**HUD:** U.S. Department of Housing and Urban Development

**LAFCO:** Local Agency Formation Commission

**LID:** Low Impact Development (measures to reduce rainwater runoff impacts)

**LLA:** Landscaping and Lighting District

**LOS:** Level of Service (a measurement of traffic efficiency used by Caltrans)

**MMTC:** A multimodal transit center includes a combination of alternative modes of transportation so people do not have to only rely on vehicles.

**MOU:** Memorandum of Understanding

**MND:** Mitigated Negative Declaration

**MPO:** A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization, such as AMBAG, that is made up of representatives from local government to help implement transportation projects and projects.

**Neg Dec:** Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)

**NEPA:** National Environmental Policy Act

**SOI:** Sphere of Influence.

**TAMC:** The Transportation Agency for Monterey County develops and maintains a multimodal transportation system for Monterey County. TAMC consists of local officials from each Monterey city (12 cities) and five (5) county supervisorial districts, and ex-officio members from six (6) public agencies.

**TOT:** Transient Occupancy Tax

**Variance:** A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood

**VMT:** Vehicle Miles Traveled

1. Call to Order

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Chairperson Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:00 p.m.

2. Pledge of Allegiance

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Chairperson Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

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Chairperson David Nuck X Vice Chair David Mendez X  
Michael Barbree X Margaret Raschella X Ralph Lee X

**Staff present:** Principal Planner, Don Funk; Asst. Planner, Mari Cruz Aguilar-Navarro, Admin. Asst./Deputy City Clerk, Erica Sonne.

4. Public Comments

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None

5. Presentations

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None

6. Consent Calendar

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All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

**A. Approval of Minutes:** August 1, 2017

**Action:** Motion made by Commissioner Raschella to approve minutes of August 1, 2017. Seconded by Commissioner Lee. Motion carried 5-0.

7. Non-Public Hearing Items

None

8. Public Hearing Items

- A. Project: Wind Sculptures
- Case No.: CUP 2016-007
- Applicant: City of King
- Location: 743 Broadway Street (New O'Reilly Auto Center)
  
- Consideration: Final Design of Wind Sculptures and Amend the Action Taken on Restricting the Height of Wind Sculptures At 743 Broadway Street
  
- Recommendation: Planning Commission review and approve the final design of the wind sculptures for Case No. CUP 2016-007, which includes allowing flexibility of height of wind sculptures. Landscaping would replace the sidewalk.

**Environmental  
Determination:**

The proposed change is consistent with the approved Mitigated Negative Declaration. The proposed wind sculpture and wayfinding sign is similar in nature to the previously approved kiosk structure. The change is minor in nature and no significant environmental impacts are anticipated. No additional environmental determination is required.

Principal Planner Don Funk introduced this item, showing a power point presentation.

Commissioner Lee would like to possibly see lighting coming up out of the ground shooting up at the wind sculpture at night. He also thought a bench under them maybe nice, Commissioner Mendez stated that that would defeat the purpose of the height of 11 or 12 ft.

Chair Nuck opened the public hearing, he had a concerned citizen call him and he is concerned about birds being killed, Chair Nuck closed the Public Hearing.

Staff will check with the City Manager on the bench under the wind sculpture and lighting for night time. Staff will also forward information to Chair Nuck on bird safety.

Action: Motion made by Commissioner Barbree to approve the final design of the wind sculptures for Case No. CUP 2016-007, which includes allowing flexibility of height of wind sculptures 11ft. being the lowest. Seconded by Commissioner Mendez. Motion carried 5-0.

- B. Project: Amending CUP2017-004 Conditions of Approval  
Case No.: CUP2017-004 Amendment  
Applicant: David Downs, Mobilitie, LLC  
Location: Latitude/Longitude: 36.205456, -121.133448. (Franciscan Way)
- Consideration: Amendment to Conditional Use Permit Case No. CUP2017-004 to Amend Conditions of Approval for the small cell site within the existing public right-of-way along Franciscan Way.
- Recommendation: Continue the item to the September 5, 2017 Planning Commission meeting.
- Environmental  
Determination: Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("CEQA") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

Asst. Planner Mari Cruz Aguilar-Navarro introduced this item.

Chair Nuck opened the public hearing, asking for a motion to continue the public hearing to September 5, 2017.

Action: Motion made by Commissioner Raschella Continue the item to the September 5, 2017 Planning Commission meeting. Seconded by Commissioner Barbree. Motion carried 5-0.

- C. Project: Amending CUP2016-004 Conditions of Approval  
Case No.: CUP2016-004 Amendment  
Applicant: David Downs, Mobilitie, LLC  
Location: Latitude/Longitude: 36.213680/-121.129431. (Ellis Street)
- Consideration: Amendment to Conditional Use Permit Case No. CUP2016-004 to Amend the Conditions of Approval for the small cell site within the existing public right-of-way along Ellis Street.

Recommendation: Continue the item to the September 5, 2017 Planning Commission meeting.

Environmental Determination: Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("CEQA") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

Asst. Planner Mari Cruz Aguilar-Navarro introduced this item.

Chair Nuck opened the public hearing, asking for a motion to continue the public hearing to September 5, 2017.

Action: Motion made by Commissioner Raschella Continue the item to the September 5, 2017 Planning Commission meeting. Seconded by Commissioner Barbree. Motion carried 5-0.

D. Project: Amending CUP2016-003 Conditions of Approval  
Case No.: CUP2016-003 Amendment  
Applicant: David Downs, Mobilitie, LLC  
Location: Latitude/Longitude: 36.215359/-121.130148. (Vanderhurst Avenue)

Consideration: Amendment to Conditional Use Permit Case No. CUP2016-003 to Amend the Conditions of Approval for the small cell site within the existing public right-of-way along Vanderhurst Avenue.

Recommendation: Continue the item to the September 5, 2017 Planning Commission meeting.

Environmental Determination: Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("CEQA") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

Asst. Planner Mari Cruz Aguilar-Navarro introduced this item.

Chair Nuck opened the public hearing, asking for a motion to continue public hearing to September 5, 2017.

Action: Motion made by Commissioner Raschella Continue the item to the September 5, 2017 Planning Commission meeting. Seconded by Commissioner Barbree. Motion carried 5-0.

**9. Regular Business- None**

**10. Planning Commission Report** – Planning Commissioners asked about the Greyhound Bus Stop and Downtown Addition. They would like to see the Multi-modal station in.

**11. Director Reports-**

**12. Written Correspondence– None**

**13. Adjournment**

There being no further business, the Planning Commission meeting was adjourned at 6:38 p.m.

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David Nuck  
Planning Commission Chairperson  
City of King

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Erica Sonne  
Planning Commission Secretary  
City of King



## Item No. 7 (A)

### REPORT TO THE PLANNING COMMISSION

**DATE:** SEPTEMBER 5, 2017

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**BY:** DONALD J. FUNK, PRINCIPAL PLANNER

**RE:** CONSIDERATION OF VARIANCE PERMIT CASE NO. VAR 2017-001, FOR THE CONSTRUCTION OF A HOUSE TO REPLACE A RESIDENCE THAT WAS DESTROYED BY FIRE ON APN: 026-174-001, LOT 1, BLOCK 13, KING CITY B&D ADDITION, 327 & 331 NORTH RUSS STREET. THE PROJECT INCLUDES A SETBACK VARIANCE AND RESOLVE AN EXISTING NON-CONFORMING LAND-USE WITH THE ADJOINING PARCEL, LOT 2, BLOCK 13, APN: 026-174-002, 327 NORTH RUSS STREET, CORRECTING A UNIT THAT CURRENTLY STRADDLES THE LOT LINE BETWEEN THE TWO PARCELS.

#### RECOMMENDATION:

It is recommended that the Planning Commission conduct the public hearing and adopt Resolution No. 2017-189 approving Case No. VAR2017-001, which approves a variance allowing a,

1. side yard setback reduction from six (6') feet to three (3') feet, and
2. rear yard setback reduction from ten (10') to four feet, 2 inches (4'-2"),

based on the findings of fact and subject to the Conditions of Approval. (*Reference Exhibit 4.*)

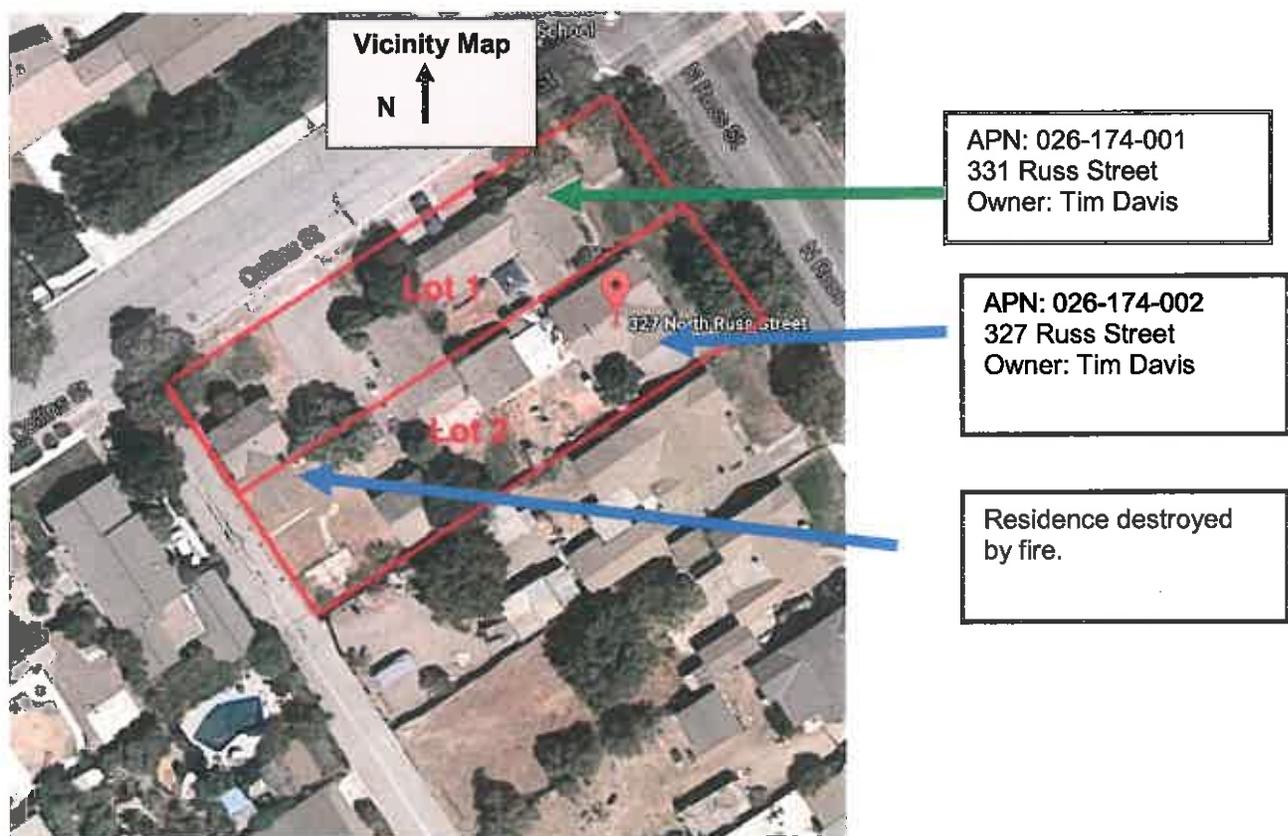
#### BACKGROUND:

Tim Davis ("**Applicant**") submitted an application for setback variance (Case No. VAR 2017-001). The Applicant owns two (2) parcels, Lot 1 and Lot 2 of Block 13, King City B&D Addition Tract. The Applicant is proposing construction of a new two-bedroom residence to replace an older home that was destroyed by fire. The previous residence straddled the existing lot line between Lot 1 (APN 026-174-001) and Lot 2, (APN 026-174-002) (**see Figures 1 and 9**). In addition, there is a second older small detached residence that also straddles the lot line between these two parcels (home near center of Lots 1 and 2 in **Figure 1** aerial photograph). Both the fire damaged home and the

other residence are non-conforming. The existing houses that straddle the lot lines created a nonconforming land use.

There is a third separate single-family corner residence on Lot 1 facing Russ Street (331 Russ Street). A fourth separate single-family residence is located on Lot 2 facing Russ Street (327 Russ Street). The houses facing Russ Street do not straddle the lot line. They both have existing nonconforming side-setbacks from the interior lot line.

**Figure 1: Aerial of Proposed Project Site**



**DISCUSSION:**

Analysis

The request is for approval of a variance to reduce side and rear-yard setbacks for the proposed replacement residence. The proposed residence, if approved, would have an interior setback of three (3') feet and a rear yard setback of four (4') feet and would be constructed entirely within Lot 1, the corner parcel. **(see Figure 3)** The house that it replaces straddles the lot line between Lots 1 and 2. It is located approximately four (4') feet from rear property line (the alley behind the two (2) lots).

The fourth existing older small residence, located between the corner residences and the destroyed home, straddles the lot line separating Lot 1 and Lot 2. The garage serving this unit and the burned home is located on Lot 2. **(see Figures 2 and 3)**

The proposed replacement residence is single-story detached building similar to the size and architectural style of the existing home located at 327 Russ Street. **(see Figures 4, 5, 6, 7, 8 and 10)**

The City Attorney has determined that Municipal Code Section 17.58.060 applies to the subject case:

“Continuance of other nonconforming situations will be tolerated but not encouraged. To the maximum extent practicable within the boundaries of the property controlled by the same owner, other nonconforming situations shall be brought into conformance with the requirements of this chapter on the earlier of any date established for such conformance by any requirement of this chapter or upon the application of the owner for any building permit, subdivision approval, or other permit or approval required from the city for the continued or additional use or further development of the property on which the nonconforming situation is located.”

**Recommended Solution:** One means that the owner can resolve the home straddling the lot line, and thereby conforming to the requirements stated in Municipal Code Section 17.58.060, is by a lot line adjustment, relocated the lot line around the existing residence. This solution is recommended by the City Attorney to solve the nonconforming status. Each of the two (2) existing lots, Lot 1 and Lot 2, are approximately 9,500 square-feet each. The minimum lot size required for a corner parcel is 7,000 square-feet and the minimum size for an interior parcel is 6,000 square feet. The R-2 zone allows for single-family residences, duplexes and triplexes. A lot line adjustment can be approved by the City Engineer without a public hearing. The small residence could be thereby wholly located within Lot 2 by relocating the lot line around the front of this small residence.

Municipal Code Section 17.58.070 also applies to the site. Specifically, this section provides,

“Termination by Destruction. Except as provided in Municipal Code Section 17.58.090(d) (Reconstruction or replacement), nonconforming status shall terminate if more than fifty percent of the replacement cost of such structure or use is

destroyed. Said structure or use shall be rebuilt, restored, reestablished or reoccupied in conformance with the regulations of Title 12 (Buildings and Construction) and those of the district in which it is located, or be removed completely within thirty days of the occurrence of the damage or destruction.”

In the case of the proposal, the existing small home that was destroyed by fire did not meet code. The unit straddled the lot line between Lot 1 and Lot 2. The property owner owns both Lot 1 and Lot 2 and he proposes to resolve the nonconforming status of the burned home by rebuilding the residence totally within Lot 1. The rebuilding will not resolve the nonconforming status of the second detached residence that also straddles the lot line between the two parcels. According to the City Attorney, the owner can resolve this issue with a lot line adjustment (**see Condition No. 10**). As mentioned above, the lot line adjustment can be approved by the City Engineer as long as neither parcel becomes less than the required square footage required by the Municipal Code.

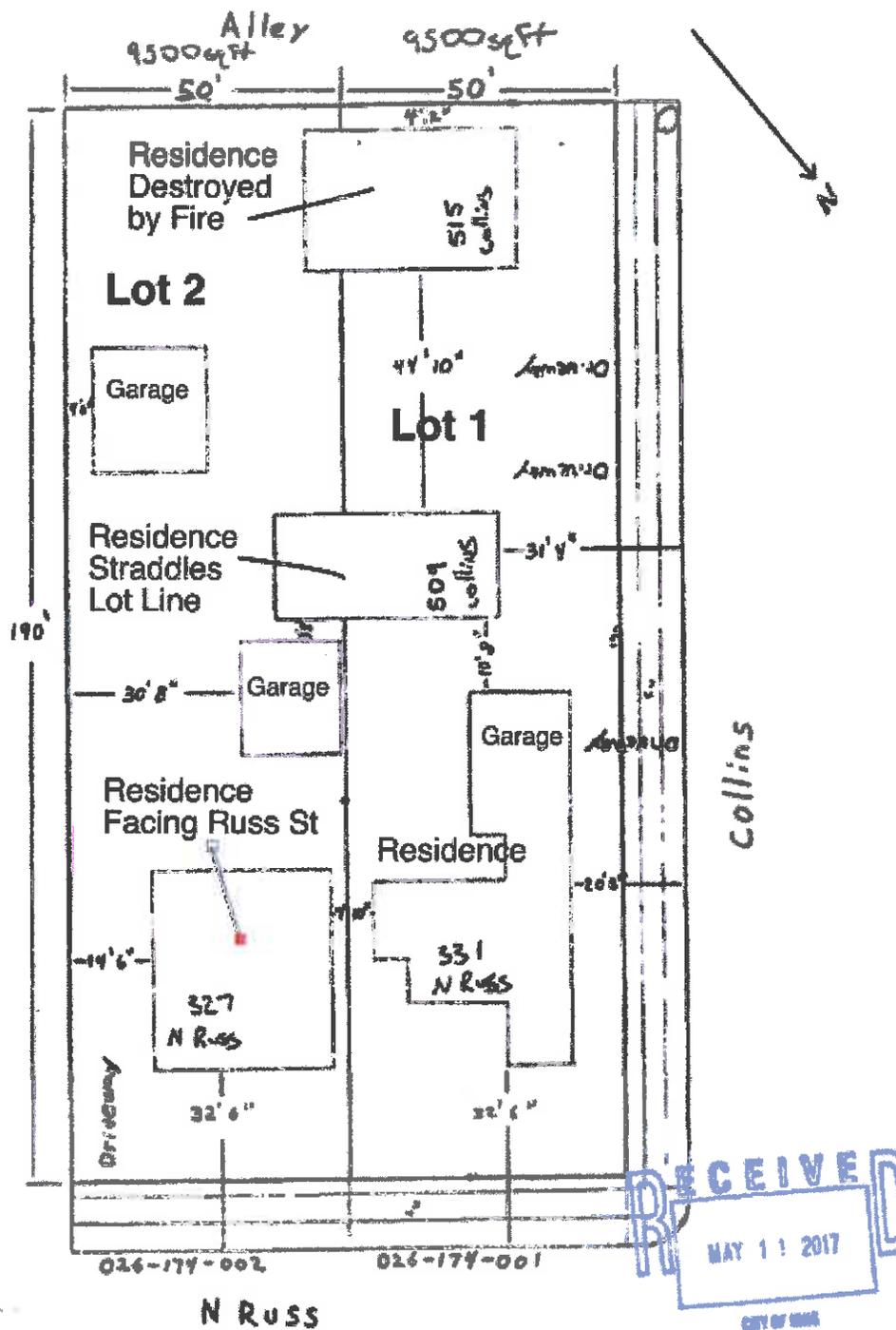
The existing uses on Lot 1, corner of Russ and Collins Streets, include:

- Detached residence facing Russ Street with attached garage
- Portion of detached small older residence facing Collins Street
- Portion of destroyed (by fire) detached residence facing Collins Street

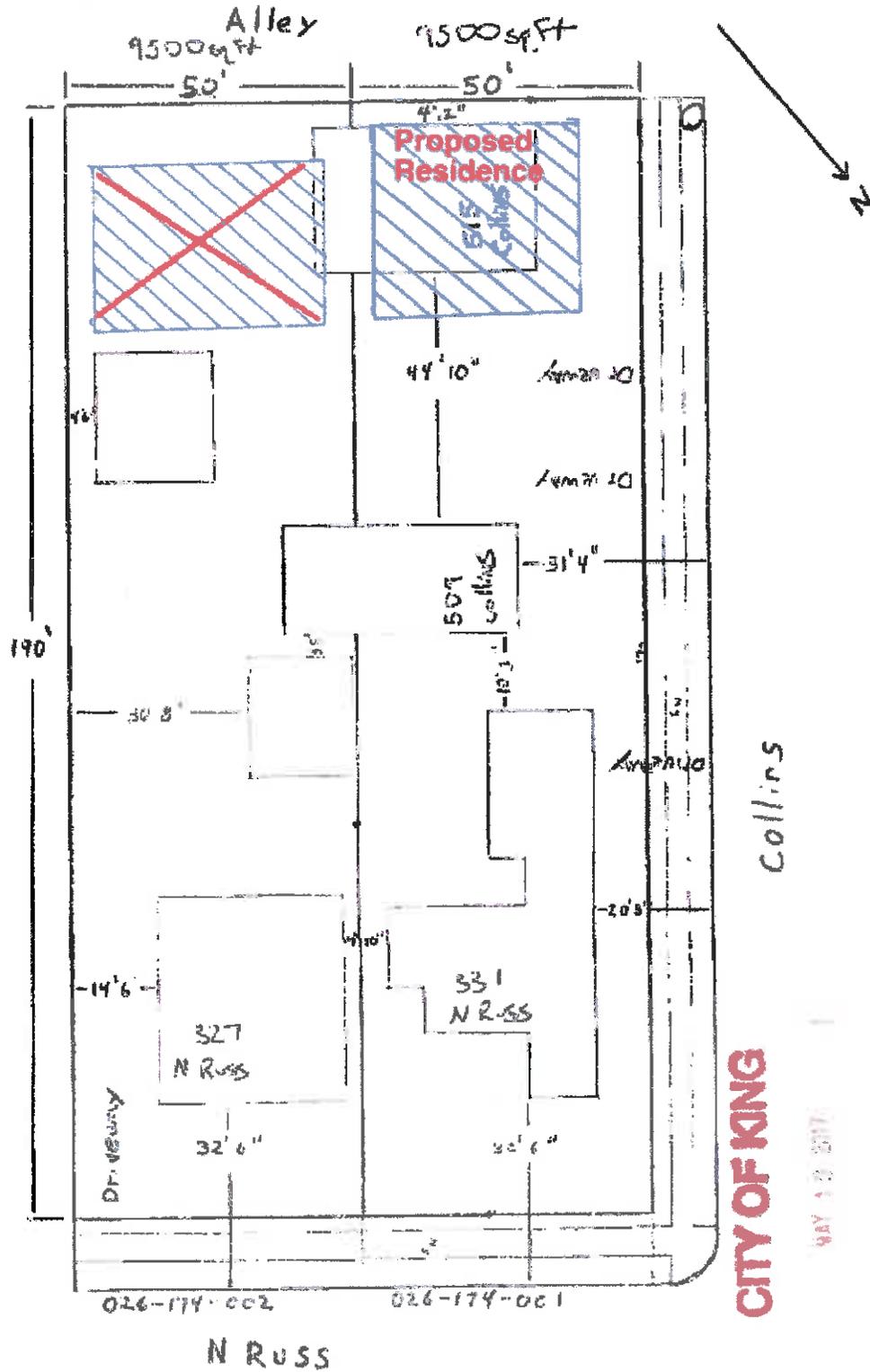
The existing uses on Lot 2 (interior parcel fronting Russ Street) include:

- Detached residence facing Russ Street with detached garage.
- Portion of detached small older residence facing Collins Street
- Portion of destroyed (by fire) detached residence facing Collins Street
- Detached two-car garage serving the two rear residences

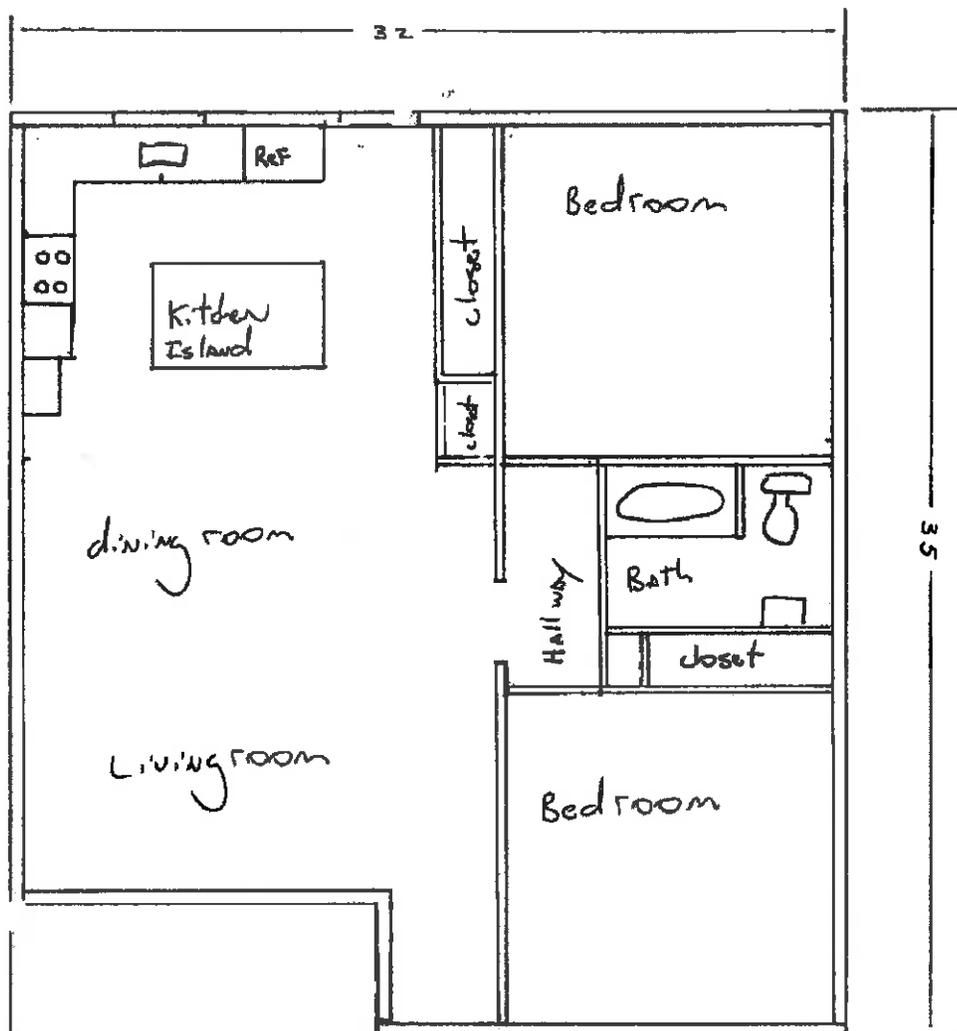
**(See Figures 2, 10, 11, 12 and 13)**



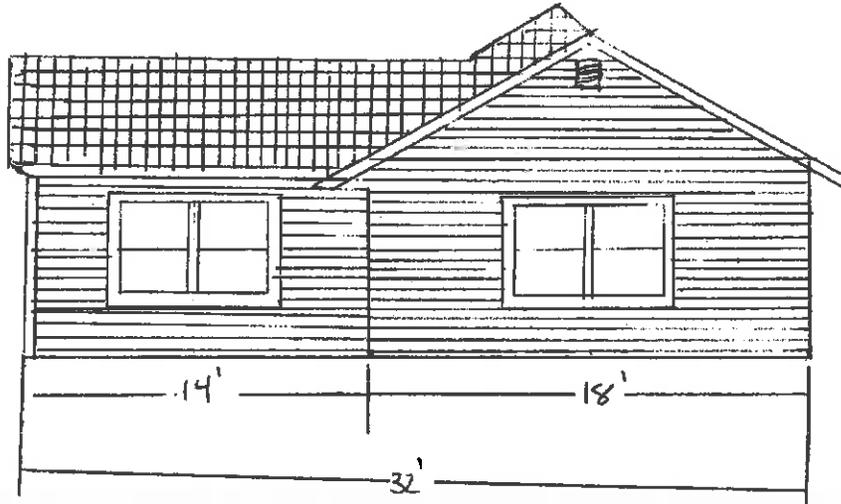
**Figure 2**  
**Existing Uses**



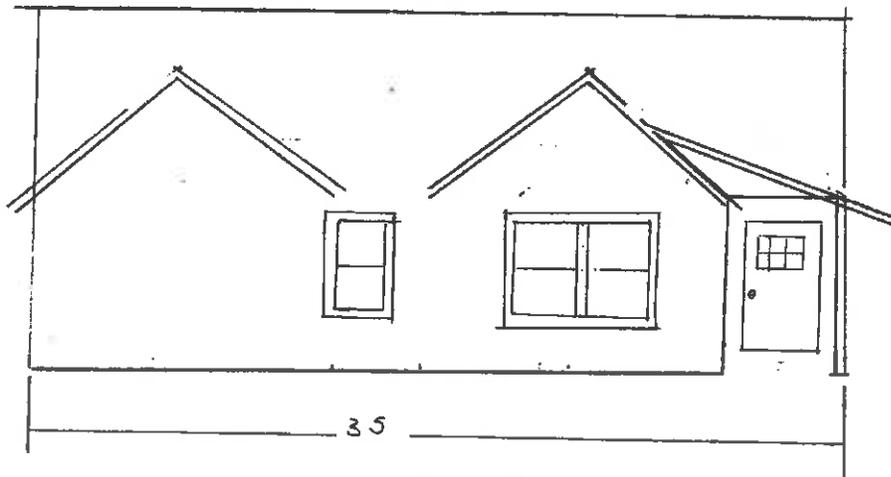
**Figure 3**  
**Proposed Uses & Plot Plan**



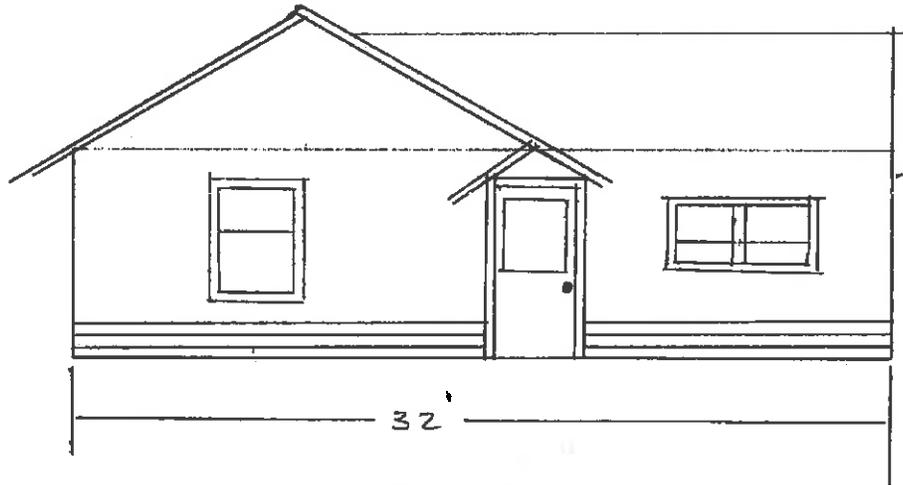
**Figure 4**  
**Proposed Floor Plan**  
**House Proposed to Replace House Destroyed by Fire**



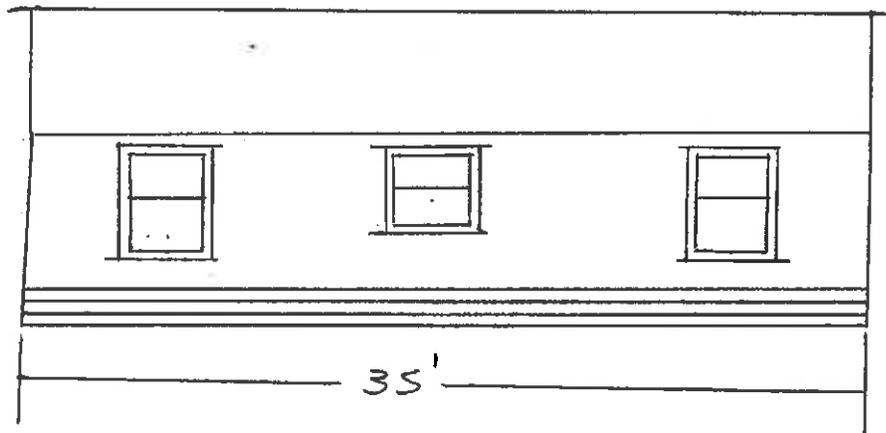
**Figure 5**  
**Proposed Front Elevation**  
**(as viewed from Collins Street)**



**Figure 6**  
**Proposed East Side Elevation**

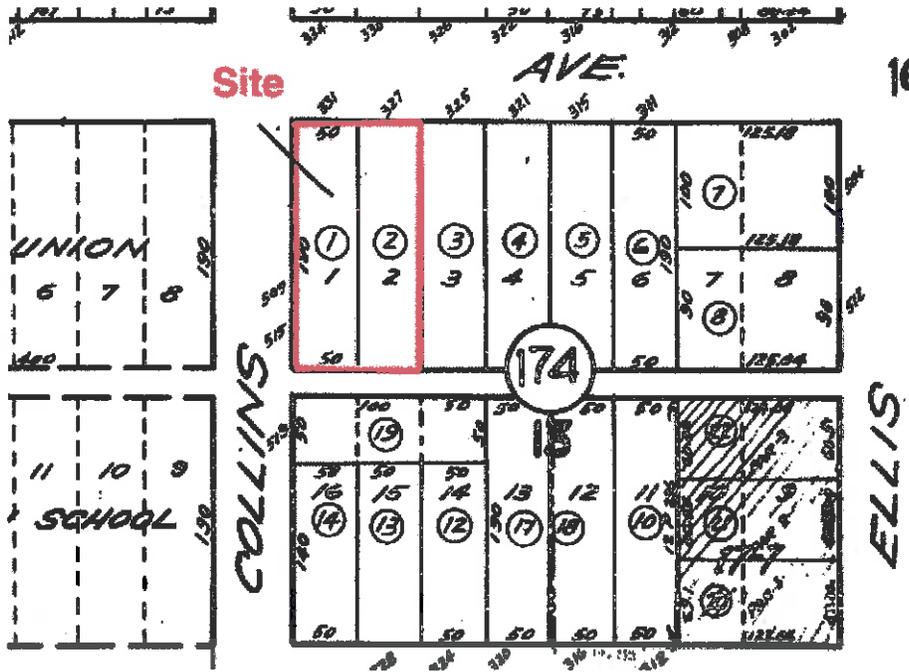


**Figure 7**  
**Rear Elevation**  
**(adjacent to lot line separating Lots 1 and 2)**



**Figure 8**  
**West Elevation**  
**(adjacent to alley)**

The variance is potentially justified by the fact that the existing house foundation (structure destroyed by fire) was located within four (4') feet of the rear property line, the house previously straddled the lot line, and that the new replacement residence will be constructed using fire sprinklers throughout. In addition, there are other homes and accessory structures on nearby parcels that have less than the required six (6') foot side yards and less than the ten (10') foot rear yard setbacks.



**Figure 9**  
**Assessor's Parcel Map**  
**Lots 1 and 2, Block 13**

Lot Coverage

The maximum coverage allowed in the R-2 Zone is forty (40%) percent. The total lot proposed coverage of Lot 1 is approximately thirty-five (35%) percent. The total lot coverage of Lot 2 is approximately twenty-five (25%) percent. Therefore, the proposed total lot coverage is less than maximum allowable coverage. The lot line adjustment (as recommended by the City Attorney) is not anticipated to substantially change the coverage percentages. The City Engineer would review coverages prior to approval of the lot line adjustment.

Setbacks

Minimum front setback required is twenty (20') feet. The existing front setback of the existing two (2) single-family houses along Russ Street is estimated to be approximately twenty (20') feet. No changes are proposed to either of the houses facing Russ Street.

Minimum rear setback required is ten (10') feet. The proposal is for a four (4') foot rear setback. The Applicant is requesting a variance to reduce the setback to four (4') feet. (See Figure 3.)

Minimum interior side yard required is six (6') feet. The proposal is for a three (3') foot setback from the side property line. The Applicant is requesting a variance to reduce the sideyard setback. The structure destroyed by fire did not comply with the sideyard

setback and that house straddled the lot line between Lots 1 and 2. (See Figures 2 and 3.)



**Figure 10  
Photo of the two Existing Primary Residences from Russ Street**



**Figure 11  
Photo of the two Existing Secondary Residences from Collins Street**



**Figure 12**

**Photo of Corner Primary Residence & Secondary Residence (behind power pole)**



**Figure 13**

**Photo of Primary Residences from the corner of Russ and Collins Streets**

### Driveways and Parking

Parking for the fire destroyed house was provided by the garage located on Lot 2. Municipal Code Section 17.52.030 b requires parking to be on the property of the residence. The proposed two-bedroom unit requires one covered space and 0.5 uncovered off-street parking spaces. Spaces shall not be located within setback areas. Condition No. 11 provides requirements regarding off-street parking.

Surrounding Uses

**Table 1** provides an overview of the adjacent zoning and land use.

<b>Table 1</b> <b>Adjacent Zoning/Land Use</b>			
<b>North:</b>	R-1 (zoning) Elementary School (land use)	<b>East:</b>	R-4 (zoning) Residential (land use)
<b>West:</b>	R-2 (zoning) Residential (land use)	<b>South:</b>	R-2 (zoning) Residential (land use)

**MUNICIPAL CODE REQUIREMENTS:**

Variance Analysis

While most of the rear setbacks in the neighborhood meet or exceed code, the proposed reduced rear yard setback from ten (10') feet to four (4') feet is potentially justified by the fact that there are other reduced setbacks in the neighborhood. The owner wants to replace the new house on the footprint of the previous destroyed home. The house it replaces also faces Collins Street and will appear similar to the neighbor's home next to the alley. That home has a setback of less than ten (10') feet from the alley. The site is unique in this respect.

Regarding the request for a reduced interior side yard (the setback from the property line dividing Lots 1 and 2), there may be justification for a reduction based upon other properties in the neighborhood. There are other nearby homes that have less than a six (6') foot setback from side property lines. It should be noted that the variance request requires specific findings below:

Municipal Code 17.62.010 states when variances can be granted, as follows,

"Applications for variances from the strict application of the terms of this title may be made and variances granted when the following circumstances are found to apply:

- (1) Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated.

(2) Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. (Ord. 354 § 17.8.2, 1973)”

#### Lot Line Adjustment

There is a home next to the destroyed structure that straddles the lot line between Lots 1 and 2. The City Attorney states that this nonconforming land use is required by Municipal Code Section 17.58.060 to be resolved before the destroyed home can be rebuilt. He has recommended that the land use issue be addressed by a lot line-adjustment, relocating the existing lot line separating Lots 1 and 2 so that the home is wholly located within either Lot 1 or Lot 2.

#### Advantages

The project will allow the Applicant to replace the destroyed home and resolve nonconforming land use issues.

#### Disadvantages

There are no known disadvantages.

#### **ENVIRONMENTAL DETERMINATION:**

The project is categorically exempt (Class 1 Existing Facilities and Class 3 New Construction or Conversion of Small Structures) pursuant to Section 15301 and 15303 of the California Environmental Quality Act (“**CEQA**”) Guidelines.”

#### **PROJECT REVIEW COMMITTEE COMMENTS AND REVIEW AND REVIEW BY AGENCIES:**

A representative from each City Department meets to discuss most community development projects. This group operates as the City’s staff advisory team, which is referred to as the Project Review Committee (“**PRC**”). PRC provides comments to the Applicants and conditions of approval (“**COA**”) before a project goes to the Planning Commission. The Committee recommended that the nonconforming status (house straddling the lot line) be resolved prior to construction of the replacement residence. In addition, the sewer lines for the residences need to have separate connections to the sewer main. Comments from PRC are incorporated throughout the staff report and their recommendations are incorporated in the attached COA. Comments in this Staff Report reflect comments made by City Staff.

As of the date of the preparation of this staff report, no written testimony has been received by the City from agencies other than those represented by the PRC.

**PUBLIC NOTICE AND INPUT:**

A public hearing notice was published in the South County Newspaper *The Rustler* on **August 23, 2017**, and all property owners of record within three-hundred (300') feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application. A public hearing will be conducted on September 5, 2017.

On August 23, 2017, Fleta Andrade, 325 N. Russ Street requested to see information on the project file. Staff met with Ms. Andrade reviewed the project elevations and proposed variance request. Ms. Andrade did express concerns of the current conditions of the dwelling that straddles on the property line and noted that it was in bad shape. Staff notified the process for submitting written comments on public hearing items. As of date of this staff report no formal written comment has been submitted.

**COST ANALYSIS:**

Development review application fees are based on actual time and materials per the City Fee Scheduled. The Applicant is covering the cost required for review and processing.

**ALTERNATIVES:**

The following alternatives are provided for Planning Commission consideration:

1. Adopt Resolution No. 2017-189 which approves Case No. VAR2017-001;
2. Request modifications in the design and/or proposed use;
3. Make a tentative motion not to approve the project. If the Planning Commission wishes to deny the project, the reasons should be specified and the item continued to a future hearing so the appropriate findings of fact and a new Resolution can be prepared by staff; or
4. Provide other direction to staff.

**Exhibits:**

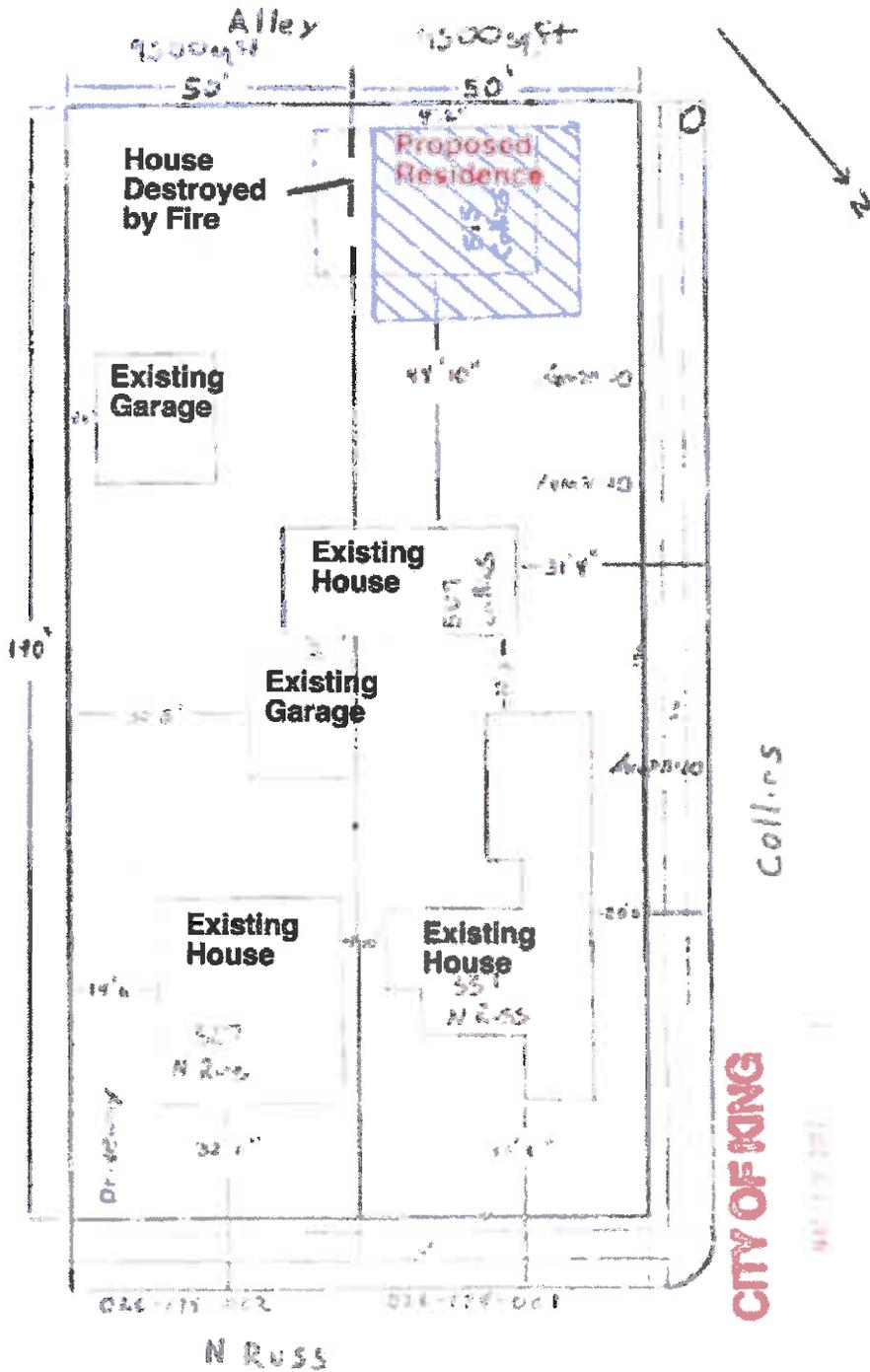
1. Exhibit 1 – Additional Figures
2. Exhibit 2 – Findings of Fact
3. Exhibit 3 – Resolution No. 2017-189
4. Exhibit 4 – Conditions of Approval

Submitted by:   
Donald J. Funk, Principal Planner

Approved by:   
Doreen Liberto, AICP, Community Development Director

EXHIBIT 1  
Additional Figures

Plot Plan Proposed Residence



**EXHIBIT 2**

**Variance Case No. VAR 2017-001**

**FINDINGS OF FACTS**

The purpose for making Findings of Facts to *"bridge the analytical gap between the raw evidence and ultimate decision"*. The Municipal Code gives the Planning Commission ("**Commission**") the authority to approve a project so long as the Commission can make certain findings. Written "findings of fact" are required in order to support the decision of the hearing body to approve or deny a project.

**California Environmental Quality Act (CEQA) Findings of Fact**

The project is categorically exempt (Class 1 Existing Facilities and Class 3 New Construction or Conversion of Small Structures) pursuant to Section 15301 and 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines."

**Variance (VAR) Findings of Fact Variance for Sideyard Setback Reduction Findings of Fact**

- a. The Planning Commission finds that approval of the variance shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the same vicinity. In doing so, the Planning Commission finds that the subject proposal for Lot 1 will reduce the rear yard setback from ten (10') feet to four (4') feet and the sideyard setback for the subject residence from six (6') feet to three (3') feet to match the rear yard setback of the house that burned.
- b. The Planning Commission finds that because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict literal application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity. The special circumstances include the fact that there are other properties under the same R-2 Zoning and within the block that have less than six (6') foot side yards and less than ten (10') setbacks from the alley.
- c. The Planning Commission finds that the circumstances of this particular case, the approval of the reduced side yard setback, rather than the sections at issue in this title related to minimum side yard setback, carry out the spirit and intent of this title.
- d. The Planning Commission finds that the provisions required per the Municipal Code Section 17.58.060 and recommended by the City Attorney requiring a lot line adjustment to resolve the nonconforming status of the fourth residence that straddles the lot line between Lots 1 and 2, both lots of which are owned by the Applicant.
- e. The Planning Commission, by approval of the conditions, has created adequate guarantees that the Applicant will comply with the conditions.

EXHIBIT 3

RESOLUTION NO. 2017-189

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING, APPROVING VARIANCE PERMIT CASE NO. VAR2017-001 FOR TIM DAVIS TO PERMIT REDUCTION OF SIDEYARD AND REAR-YARD SETBACKS AND CONSTRUCTION OF A TWO-BEDROOM SINGLE-STORY DETACHED RESIDENCE ON AT 331 RUSS STREET, LOT 1, BLOCK 13, ASSESSOR'S PARCEL NUMBER: 026-174-001 AND RESOLVE AN EXISTING NONCONFORMING HOUSE THAT STRADDLES BOTH LOT 1 AND LOT 2, BLOCK 13, APN: 026-174-002, 327 RUSS STREET, KING CITY, CALIFORNIA.

WHEREAS, On **January 5, 2017**, Timothy Davis filed an incomplete application for Case No. VAR2017-001 for side and rear yard setback variances for the construction of a two-bedroom single-story detached residence to replace a burned residence on Lot 1, Block 13 King City B&D Addition Tract, 331 Russ Street for a setback variance to reduce sideyard from six (6') feet to three (3') feet and reduce rear-yard setback from ten (10') feet to four (4') feet;

WHEREAS, on **August 4, 2017**, after receipt of building design drawings, the application was found to be complete; and

WHEREAS, on **July 25, 2017**, the Project Review Committee ("**PRC**") met to discuss the variance application and provided conditions of approval; and

WHEREAS, pursuant to the California Environmental Quality Act ("**CEQA**") Guidelines (14 Cal. Code Regs. §15000 et. seq.), the project is categorically exempt (Class 1 Existing Facilities and Class 3 New Construction or Conversion of Small Structures); and

WHEREAS, a Notice of Public Hearing was noticed in the South County Newspaper *The Rustler* and Notice of Public Hearing was sent to all property owners within three-hundred feet (300') of the Project; and

WHEREAS, on **September 5, 2017**, the Planning Commission ("**Commission**") reviewed and considered the information provided in the Staff Report and testimony presented during the public hearing, and accepted the **Findings of Fact** as outlined in **Exhibit 2** and the Applicant's submittals shown in **Exhibit 1** and **Figures 4, 5, 6, 7** and **8** of the staff report; and

WHEREAS, the Commission makes the followings Findings of Facts:

**California Environmental Quality Act ("**CEQA**") Findings of Fact**

The project is categorically exempt (Class 1 Existing Facilities and Class 3 New Construction or Conversion of Small Structures) pursuant to Sections 15301 and 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines."

**Variance for Sideyard and Rearyard Setback Reduction Findings of Fact**

- a. The Planning Commission finds that approval of the variance shall be subject to such conditions as will assure that the adjustment thereby authorized shall not

constitute a grant of special privilege inconsistent with the limitations upon other properties in the same vicinity. In doing so, the Planning Commission finds that the subject proposal for Lot 1 will reduce the rear yard setback from ten (10') feet to four (4') feet and the sideyard setback for the subject residence from six (6') feet to three (3') feet to match the rear yard setback of the house that burned.

- b. The Planning Commission finds that because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict literal application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity. The special circumstances include the fact that there are other properties under the same R-2 Zoning and within the block that have less than six (6') foot side yard and less than ten (10') foot setbacks from the alley.
- c. The Planning Commission finds that the circumstances of this particular case, the approval of the reduced side yard setback, rather than the sections at issue in this title related to minimum sideyard setback, carry out the spirit and intent of this title.
- d. The Planning Commission finds that the provisions required per Municipal Code Section 17.58.060 and recommended by the City Attorney requiring a lot line adjustment to resolve the nonconforming status of the fourth residence that straddles the lot line between Lots 1 and 2, both lots of which are owned by the Applicant.
- e. The Planning Commission, by approval of the conditions, has created adequate guarantees that the Applicant will comply with the conditions.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Planning Commission of the City of King approves Variance Permit VAR Case No. 2017-001, for the permits for a single-story two-bedroom residential unit, for the reduced sideyard setback from six (6') feet to three (3') feet and rearyard setback from ten (10') feet to four (4') feet consistent with the Conditions of Approval (**Exhibit 4**) and the project submittals (**Exhibit 1** and **Figures 4, 5, 6, 7** and **8**) as presented.

This resolution was passed and adopted this 5th day of September, 2017, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
DAVID NUCK, CHAIRPERSON

ATTEST: \_\_\_\_\_  
ERICA SONNE, SECRETARY TO THE PLANNING COMMISSION

EXHIBIT 4

CONDITIONS OF APPROVAL  
PROJECT CASE NO. VAR2017-001

**Community Development Department** (The Applicant should discuss the following conditions of approval ("**COA**") with Maricruz Aguilar-Navarro, 831-386-5916, if there are any questions):

1. **Project Description:** Variance Case No. VAR2017-001 for the construction of a detached two-bedroom residential unit on the corner parcel, Lot 1, Block 13, APN-026-174-001, and a setback variance to reduce side yard setback from six (6') feet to three (3') feet and rear yard setback reduction from ten (10') to four feet, 2 inches (4'-2"). The property is located at 331 Russ Street and is within the Medium Density Residential ("**MDR**") General Land Use designation and ("**R-2**") on the Zoning Map. The house shall be constructed in accordance with **Exhibit 1** floor plan and elevation drawings included in the staff report, **Figures 4, 5, 6, 7 and 8**, as approved by the Planning Commission on **September 5, 2017**, including compliance with all Conditions of this Permit.
2. **Approval Period:** The approval period for this permit shall be in accordance with the approved drawings and sketches and shall be null and void if not used within one (1) year from the date of the approval. Then the approval shall immediately expire and any building permit issued in reliance thereon shall be deemed cancelled and revoked. Municipal Code Section 17.64.030 prohibits any time extensions of the CUP and Variance beyond one year from the date of approval.
3. **Hold Harmless Clause:** Hold Harmless and Indemnification Clause: The Applicant agrees, as part of and in connection with each and all the applications and approvals, to defend, indemnify, and hold harmless the City of King ("**City**") and its elected officials, officers, contractors, consultants (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, attorneys), employees and agents (including Earth Design, Inc., and Hanna & Brunetti) from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents (including Earth Design, Inc., Aleshire & Wynder, attorneys, and Hanna & Brunetti) to challenge, attack, set aside, void, or annul:

Any approvals issued in connection with all approvals, actions and applications by City covered by the conditions of approval and/or mitigation measures; and/or

Any action and approvals taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("**CEQA**") by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in

connection with such proceeding whether incurred by the Applicant, *City, and/or parties initiating or involved in such proceeding.*

The Applicant agrees to indemnify City and its elected officials, officers, contractors, consultants, attorneys, employees and agents (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, attorneys) for all of City's costs, fees, and damages incurred in enforcing the **indemnification** provisions of this Agreement.

The Applicant agrees to defend, indemnify and **hold harmless** City, its elected officials, officers, contractors, consultants (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, attorneys), attorneys, employees and agents (including Earth Design, Inc., and Hanna & Brunetti) from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (including, but not limited to, an environmental impact report, sphere of influence amendment, annexation, pre-zoning, general plan amendment, specific plan, vesting tentative tracts, sign applications, variances, conditional use permits, architectural review, etc.), if made necessary by said proceeding, and if the Applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

In the event that the Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:

The counsel to so defend City.

All significant decisions concerning the manner in which the defense is conducted; and

Any and all settlements.

City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with the Applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, any and all City Attorney, Staff and consultants' fees and costs shall be paid by the Applicant. In addition, in the event of litigation, the Applicant shall pay any and all City Staff and consultants' fees and costs.

The Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

4. **Other County, State and Federal Permits:** Before initiation of the proposed use, the Applicant shall provide copies of any required County, State and Federal permits or written verification of a waiver of permit requirement.
5. **Structural Changes:** Installation shall be in substantial conformance with the plans, conditions of approval presented to and approved by the Planning

Commission in connection with the project. No conditions, colors, materials or architectural features shall be eliminated, added or modified without Commission review and action, amended CUP, as applicable. The Community Development Director or her/his representative shall review plans for substantial conformance with the plans approved by the Planning Commission. Any major modifications shall require approval of the Planning Commission.

**City of King Building and Safety Department** (The Applicant should discuss the building permit submittal process with Paul Hodges, Chief Building Official Building and Safety Department at (831) 386-5915.)

6. **Building Plans:** All COA shall be imprinted on plans submitted for building permits. Building plans shall comply with the current Title 24 California Building Standards Codes.
7. **Soils Report:** As part of the building permit submittal, if deemed necessary by the City Building Official, the Applicant shall submit a Soils Report prepared by a State of California-Registered Engineer or State of California-Registered Geotechnical Engineer. The Soils Report shall be reviewed and approved by the Chief Building Official.
8. **Business License:** Before issuance of a building permit, a business license shall be obtained for every person conducting or carrying on the business of general contractor or contractor constructing, altering, repairing, wrecking or salvaging buildings, highways, roads, railroads, excavations or other structures, projects, developments or improvements.

*Every person conducting or carrying on the business of electrical, plumbing or painting subcontractor.*

*Every person conducting or carrying on the business of masonry, glazier, cement, floor, heating, plastering, roofing, sash, sheet metal, tile, lathing and any other subcontractor not specifically mentioned in this Title 5 of the Municipal Code.*

*Every person conducting or carrying on the business of house moving, grading, paving, wrecking, sewer construction, pipeline construction, trenching, or excavating.*

**Public Works Department** (The Applicant should contact Octavio Hurtado, Hanna & Brunetti 408-842-2173, [ohurtado@hannabrunetti.com](mailto:ohurtado@hannabrunetti.com), regarding the following COA, if there are any questions.)

9. **Infrastructure and Underground Utilities:** Before issuance of a building permit, plans for sewer line connections shall be submitted to and reviewed by the City Engineer. Individual sewer connections for each separate residence are required. The underground utilities shall include storm drain piping, sanitary sewer, water piping, and other requirements per City standards.

**Miscellaneous Conditions:**

10. **Lot Line Adjustment Approval:** Prior to issuance of a building permit, the Applicant is required by Municipal Code 17.58.060 to resolve an existing non-conforming status, a house that currently straddles the lot line between the corner parcel (Lot 1, Block 13) and the interior parcel (Lot 2, Block 13). Resolving the nonconforming land use can be achieved by either (i) removing the portion of the house that encroaches on the adjoining lot to meet the minimum setback requirements of the Municipal Code (five feet); or (ii) by a lot line adjustment to move the lot line a minimum of five (5') feet from the existing house to meet setback requirements; or (iii) by subdividing the property to bring the existing house into conformance with setback requirements of the Municipal Code. Removal of the portion of the existing house will require a building or other permits from the City consistent with the Municipal Code. A lot line adjustment is subject to the approval of the City, and may require easements for access to the residence and parking. Any subdivision must comply with Title 16 (Subdivisions) of the Municipal Code.
11. **Parking and Driveways,** Prior to issuance of a building permit, the Applicant shall provide plans showing the design of a garage or carport parking space for the proposed residence, and assure off-street open parking for the two (2) rear units, including all paving surfacing of the parking spaces and driveway for the new residential unit as required by Municipal Code Sections 17.54.010, 17.54.020, 17.54.030 and 17.54.050.

**City of King Fire Department** (The Applicant should contact the Fire Chief and the Chief Building Official for any Fire Life Safety questions at (831) 386-5915.)

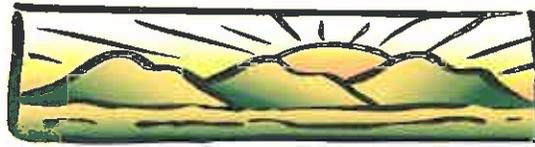
12. **Automated Fire Suppression System:** Concurrent with the building permit application, if the proposed residence is constructed closer than five (5') feet from the property line, or if otherwise required by regulation, the Applicant shall submit automated fire suppression system plans to the Building and Safety Department. The fire suppression system plans shall be reviewed and approved by the City Engineer and Fire Department, **before final of final occupancy permit.** The fire sprinkler plans will also need to be routed to the city contracted fire plans examiner Art Black, Carmel Fire for Fire Plan Review. Other fire-protection measures, as defined by Building and Fire Codes, may be required.

**Variance Permit Agreement**

The Variance Permit is **not** valid until all Conditions of Approval ("**COA**") and mitigated measures imposed by the Planning Commission are signed for and agreed to by the Applicant.

*I have received a copy of the Variance Approval, and agree with them. I understand that if I do not abide by them the Planning Commission has the authority to revoke my variance permit, pursuant to the Municipal Code. (Reference Municipal Code §17.64.040.).*

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**KING CITY**  
C A L I F O R N I A

**Item No. 7 (B)**

**REPORT TO THE PLANNING COMMISSION**

**DATE:** SEPTEMBER 5, 2017

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

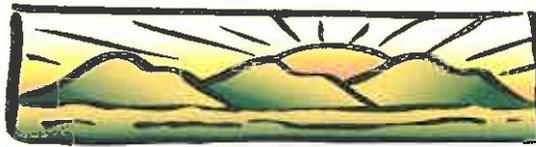
**BY:** MARICRUZ AGUILAR, ASSISTANT PLANNER 

**RE:** CONSIDERATION OF REMOVAL FROM CALENDAR (AMENDMENT TO CONDITIONAL USE PERMIT CASE NO. CUP 2017-004)

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**RECOMMENDATION:**

Per recommendation by the City Attorney and for procedural purposes, staff is recommending the Planning Commission refer the previously noticed item for the August 15<sup>th</sup> meeting that was continued to the September 5<sup>th</sup> meeting back to staff and removed from the calendar. On August 22, 2017, the City received a new formal application from David Downs, Mobilitie, LLC ("**Applicant**") to amend CUP2017-004 and as noted by the City Attorney, the application needs to be processed as a new application with a new case number. In light of the timing it was too late to place a notice in the newspaper for the September 5<sup>th</sup> meeting. Therefore, staff will be re-noticing the item to the next available meeting with the new conditional use permit case number.



**KING CITY**  
C A L I F O R N I A

**Item No. 7 (C)**

**REPORT TO THE PLANNING COMMISSION**

**DATE: SEPTEMBER 5, 2017**

**TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR**

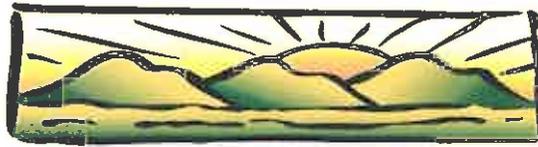
**BY: MARICRUZ AGUILAR, ASSISTANT PLANNER** 

**RE: CONSIDERATION OF REMOVAL FROM CALENDAR (AMENDMENT TO CONDITIONAL USE PERMIT CASE NO. CUP 2016-004)**

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**RECOMMENDATION:**

Per recommendation by the City Attorney and for procedural purposes, staff is recommending the Planning Commission refer the previously noticed item for the August 15<sup>th</sup> meeting that was continued to the September 5<sup>th</sup> meeting back to staff and removed from the calendar. On August 22, 2017, the City received a new formal application from David Downs, Mobilitie, LLC ("**Applicant**") to amend CUP2016-004 and as noted by the City Attorney, the application needs to be processed as a new application with a new case number. In light of the timing it was too late to place a notice in the newspaper for the September 5<sup>th</sup> meeting. Therefore, staff will be re-noticing the item to the next available meeting with the new conditional use permit case number.



**KING CITY**  
CALIFORNIA

**Item No. 7 (D)**

**REPORT TO THE PLANNING COMMISSION**

**DATE:** SEPTEMBER 5, 2017

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**BY:** MARICRUZ AGUILAR, ASSISTANT PLANNER 

**RE:** CONSIDERATION OF REMOVAL FROM CALENDAR (AMENDMENT TO CONDITIONAL USE PERMIT CASE NO. CUP 2016-003)

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**RECOMMENDATION:**

Per recommendation by the City Attorney and for procedural purposes, staff is recommending the Planning Commission refer the previously noticed item for the August 15<sup>th</sup> meeting that was continued to the September 5<sup>th</sup> meeting back to staff and removed from the calendar. On August 22, 2017, the City received a new formal application from David Downs, Mobilite, LLC ("**Applicant**") to amend CUP2016-003 and as noted by the City Attorney, the application needs to be processed as a new application with a new case number. In light of the timing it was too late to place a notice in the newspaper for the September 5<sup>th</sup> meeting. Therefore, staff will be re-noticing the item to the next available meeting with the new conditional use permit case number.



## Item No. 7 (E)

### REPORT TO THE PLANNING COMMISSION

**DATE:** SEPTEMBER 5, 2017

**TO:** PLANNING COMMISSION

**FROM:** DOREEN LIBERTO, AICP, MDR, COMMUNITY DEVELOPMENT DIRECTOR

**RE:** CONSIDERATION OF RECOMMENDATION TO CITY COUNCIL TO AMEND THE GENERAL PLAN (CASE NO. GPA2017-002) AND APPROVE A ZONE CHANGE (CASE NO. ZC2017-002) ON THE REMAINING PORTION OF APN 245-111-030-000 AND APN 245-111-029-000

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#### RECOMMENDATION:

It is recommended the Planning Commission adopt the attached Resolution No. 2017-187 amending the General Plan from Public Quasi ("PQ") to Agriculture ("AG"), and a zoning district amendment from ("M-1") to Agriculture ("A")

#### BACKGROUND:

The City is selling the remaining portion of APN 245-111-030-000 (7.00 acres) and APN 245-111-029-000 (16.10 acres) and APN 245-111-034-000 (57.9 acres) which totals 81 acres. Of this property, approximately 57.91 acres are APN245-111-034 which is situated on County of Monterey unincorporated boundary and has a Monterey County Land Use Designation of Farmlands/Bureau of Land Management and Zoned F/40 Farmland. The approximate 23.1 acres are situated within city limits and zoned Light Industrial ("M-1") and within the Public Quasi ("PQ") Land Use Designation. The proposed amendment and rezone are only for property within the city limits which includes APN 245-111-030 and APN 245-111-029. The properties are located adjacent to the wastewater treatment plant. The future new owner would use the property to farm for agriculture purposes. With agreement of the potential new owner, the City has initiated a General Plan Amendment ("GPA") from ("PQ") to Agriculture ("AG"), and a zoning district amendment from ("M-1") to Agriculture ("A").

**PLANNING COMMISSION  
GENERAL PLAN AMENDMENT/ZONE CHANGE  
SEPTEMBER 5, 2017  
PAGE 2 OF 4**

**DISCUSSION:**

The proposal involves amending the General Plan Land Use Map and the Zoning Map for APN 245-111-030-000 and APN 245-111-029-000 that are located within city limits. The properties are situated west of the City and adjacent to the wastewater treatment plant (“**WWTP**”) and both APNs located within city limits total an approximate 23.1 acres. APN 245-111-034-000 (unincorporated area) is already being farmed and the proposed future use is to farm all of the area combined.

Analysis

The City has been in the processing of selling a number of parcels and has already processed the following General Plan Amendments and Zone Changes. Below is a list of General Plan Amendments that have already been processed or are in the process of being reviewed for amendment:

- General Plan Amendment & Zone Change: Portion of APN 245-111-036-000 (76.58 acres within city limits) approved by City Council on February 28, 2017.
- General Plan Amendment & Zone Change: A Sliver of APN 245-111-030-000 (Clean up item) approved by City Council on April 25, 2017.
- General Plan Amendment & Zone Change: Remaining of APN 245-111-030-000 (7 acres within city limits) to be reviewed by Planning Commission on September 5, 2017.
- General Plan Amendment & Zone Change: All of APN 245-111-029-000 (16.10 acres within city limits) to be reviewed by Planning Commission on September 5, 2017.

These portions of land were intended for future expansion of the Waste Water Treatment Plant. However, the plant is now proposed to upgrade to a tertiary treatment plant, and the portion of land is no longer needed.

The General Plan provides the following goals for open space/Agricultural lands, and for Public Service and Facilities:

**5. OPEN SPACE AND AGRICULTURAL LANDS GOALS AND POLICIES**

**GOAL: TO PROTECT AND PROVIDE OPEN SPACE LANDS TO SATISFY THE NEEDS OF THE COMMUNITY; TO CONSERVE NATURAL RESOURCES FOR FUTURE GENERATIONS; AND TO PRESERVE VIABLE, PRIME AGRICULTURAL LANDS WITHIN THE PLANNING AREA WHICH ARE NOT DESIGNATED FOR FUTURE UREAN GROWTH.**

**7. PUBLIC SERVICES AND FACILITIES GOALS AND POLICIES**

**GOAL: TO PROVIDE ADEQUATE LAND AREAS FOR PUBLIC AND QUASI-PUBLIC LAND USES; TO PLAN AND PROVIDE FOR ADEQUATE AND EFFICIENT GOVERNMENT OFFICES AND COMMUNITY FACILITIES TO ACCOMMODATE THE EXISTING AND FUTURE NEEDS OF THE CITY; TO PROVIDE POLICE AND FIRE PROTECTION SERVICES AT LEVELS ADEQUATE FOR THE PROTECTION OF LIFE AND PROPERTY; TO ENSURE AN EFFICIENT SYSTEM OF PUBLIC UTILITIES; TO IMPROVE THE AVAILABILITY AND ACCESSIBILITY OF HEALTH AND MEDICAL SERVICES TO ALL RESIDENTS OF THE PLANNING AREA; AND TO PROVIDE ADEQUATE PARK AND RECREATIONAL FACILITIES TO SERVE THE RECREATIONAL NEEDS OF THE CITY.**

To be consistent with the proposed General Plan designation, a zoning change from M-1 to A is also being processed. (Reference **Exhibit 4** for permitted uses in the agricultural district.)

The property use is clearly consistent in preserving agricultural land. There are no plans to expand urban growth in this area. As mentioned above, the surrounding county land is designated for agricultural uses.

Advantages

Surplus property will be sold for a use which is consistent with surrounding uses, the land will be preserved for agricultural purposes, and the designated land use will be consistent with current and future planned used.

Disadvantages

There is less land for future use by the City. However, one additional parcel is begin held until the wastewater treatment plant master plan is completed in case any additional land is needed.

Environmental Review

Pursuant to Public Resources Code §15061 (3), and in accordance with the California Environmental Quality Act ("**CEQA**"), the project is covered by the general CEQA rule which states if it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment, the activity is not subject to CEQA. Staff believes that changing the land use designations from PQ and M-1 to AG and A will not have a significant effect on the environment, and therefore the project is not subject to CEQA.

**PLANNING COMMISSION  
GENERAL PLAN AMENDMENT/ZONE CHANGE  
SEPTEMBER 5, 2017  
PAGE 4 OF 4**

Public Notification and Input

A public hearing notice was published in the South County Newspaper The Rustler on August 23, 2017 and notices were mailed to property owners within 300ft radius of the site.

**COST ANALYSIS:**

The properties are being listed for sale.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Adopt the attached Resolution;
2. Do not adopt the attached Resolution and request staff return with a Resolution not recommending the amendments; or
3. Provide other direction to staff.

**Exhibits:**

1. Location of property
2. General Plan Land Use Map
3. Zoning Map
4. Ag Zoning District Text
5. Resolution

Submitted by:  For Doreen Liberto  
Doreen Liberto, AICP, MDR, Community Development Director

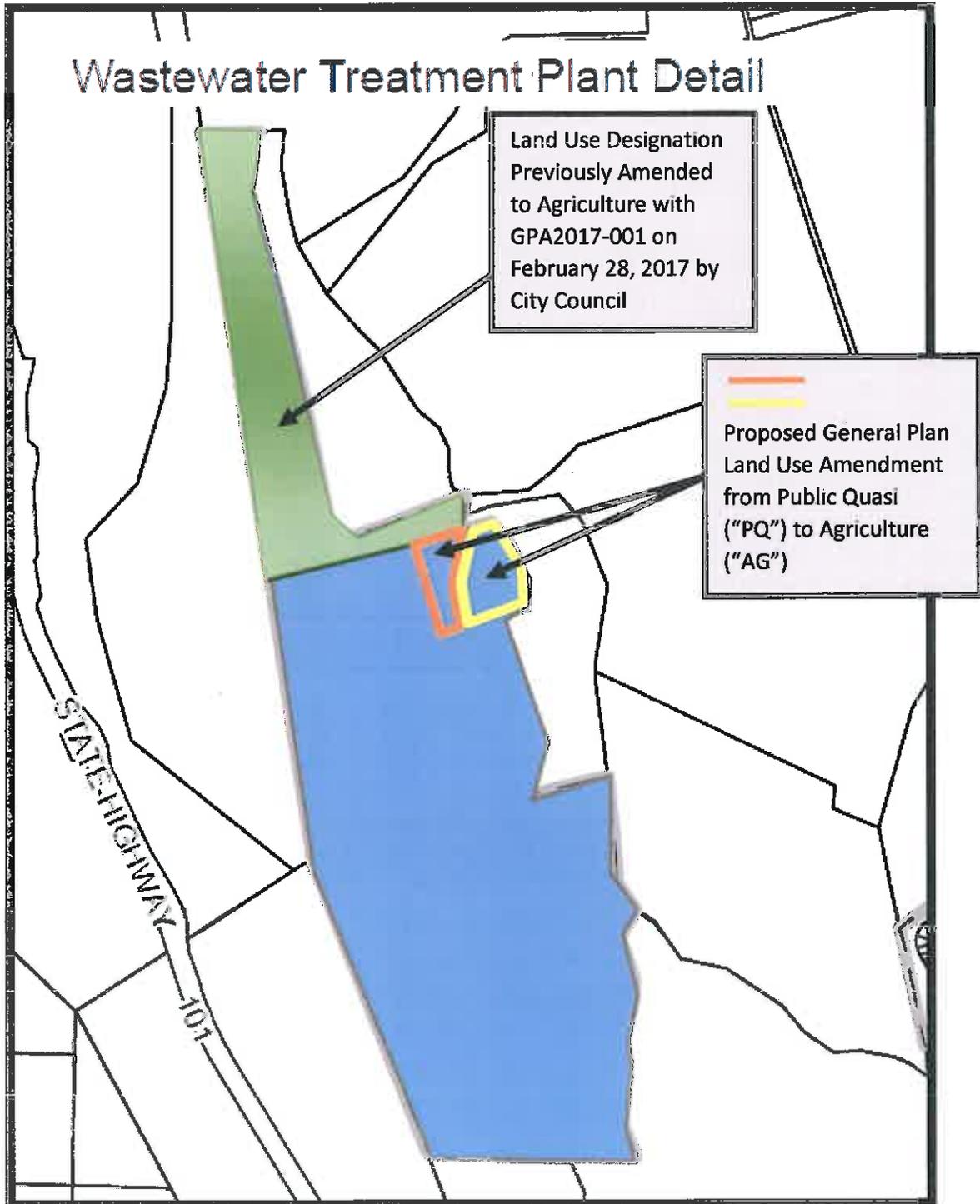


# EXHIBIT 2

## GENERAL PLAN LAND USE MAP

### PROPOSED GENERAL PLAN LAND USE AMENDMENT

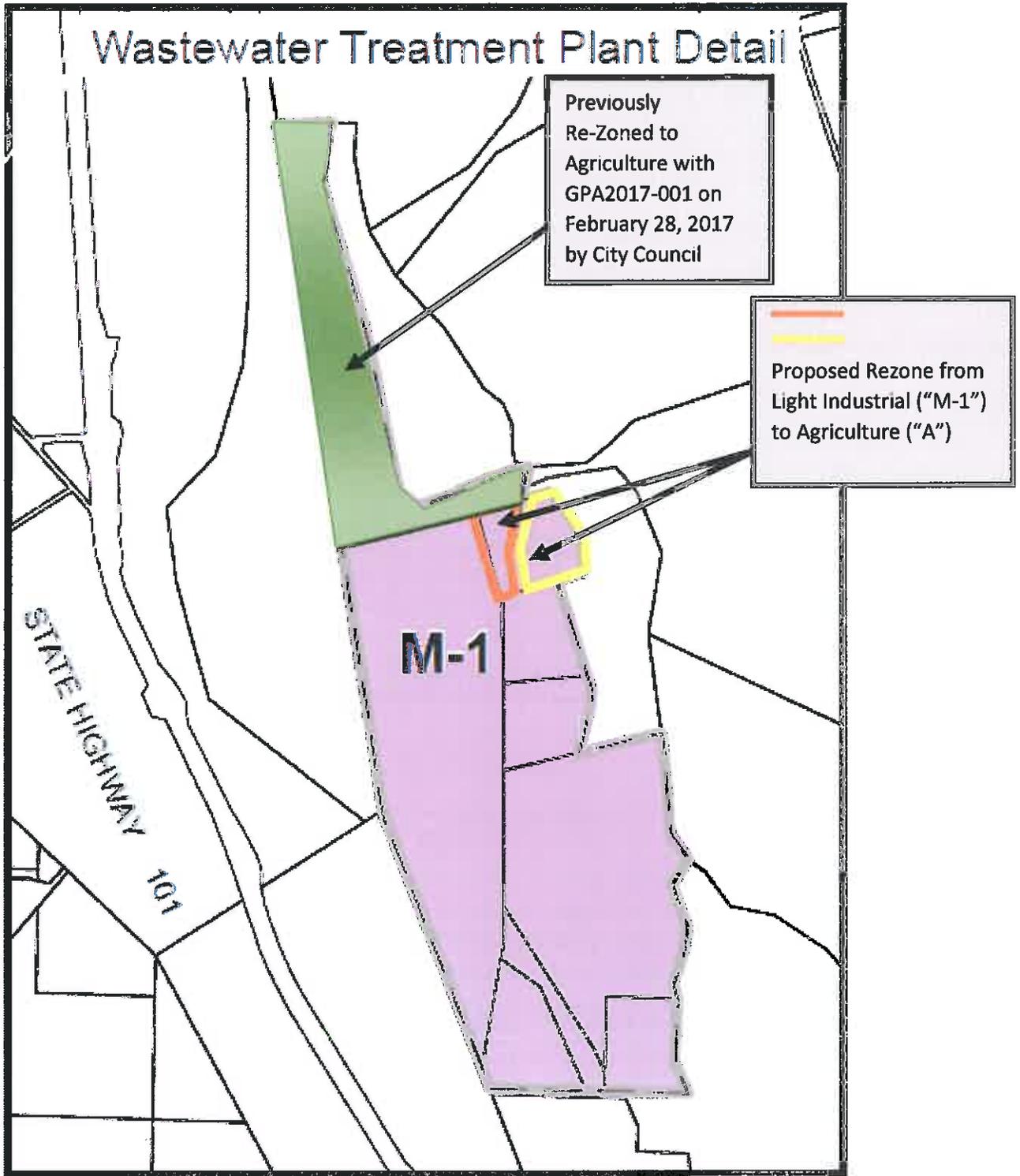
GPA 2017-002



# EXHIBIT 3 ZONING MAP

## PROPOSED ZONE CHANGES

RZ2017-002



**EXHIBIT 4**

<b>King City Municipal Code</b>							
<a href="#">Up</a>	<a href="#">Previous</a>	<a href="#">Next</a>	<a href="#">Main</a>	<a href="#">Collapse</a>	<a href="#">Search</a>	<a href="#">Print</a>	<a href="#">No Frames</a>
<a href="#">Title 17 ZONING</a>							

**Chapter 17.10 A—AGRICULTURAL DISTRICT****17.10.010 Purpose.**

The purpose of this chapter is to provide an agricultural district to protect and maintain agricultural land for agricultural purposes.

The following regulations shall apply in all A districts and shall be subject to the provisions of Chapters 17.48 through 17.52. (Ord. 354 § 17.4.21, 1973)

**17.10.020 Uses permitted.**

(1) All agricultural uses, including crop and tree farming, livestock farming, except hog, dairy or poultry farming, except the uses indicated in subsection 2 shall not be established until a use permit is first obtained.

(2) Stands for sale of products grown on premises; home occupations. (Ord. 354 § 4.21.1, 1973)

**17.10.030 Uses subject to obtaining permit.**

Uses permitted subject to first securing a use permit in each case shall be as follows:

(1) Fish and worm farms;

(2) Cattle feed yards and animal sales yards;

(3) Storage, rental and sales of irrigation equipment;

(4) Labor supply and contract labor camps and quarters; construction or trailer park for farm labor;

(5) Packing and agricultural processing plants and commercial storage of fertilizer, stock auction and stock sales yards;

(6) Public and quasi-public uses including churches, schools accredited to the state school system, parks and play grounds, nonprofit recreation, airports and heliports, landing strips, animal hospital, commercial kennels, boarding kennels, community centers, lodge, club and organization halls and one noncommercial guest house;

(7) Golf course with standard length fairways;

(8) Public utility buildings and uses and service yards. (Ord. 354 § 4.21.2, 1973)

**17.10.040 Accessory buildings and uses.**

Accessory buildings and uses permitted shall be:

(1) Accessory buildings and accessory uses, including barns, stables and other farm outbuildings, farm labor quarters (structures or trailers) and quarters for servants employed on the premises, one family dwellings, accessory to an agricultural operation on the same building site;

(2) One occupied trailer subject to first obtaining a use permit;

(3) Signs shall be permitted as set out in Article III of Chapter 17.54. (Ord. 354 § 4.21.3, 1973)

**17.10.050 Maximum height.**

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Maximum allowable height shall be thirty feet. (Ord. 354 § 4.21.4, 1973)

**17.10.060 Minimum building site.**

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Minimum building site and lot width required, unless combined with any B district shall be as follows:

(1) Building Site. Single-family dwellings and dwellings for farm labor employed on-premises, twenty thousand square feet; additional building site permitted subject to first obtaining a use permit for each additional twenty thousand square feet of building site. Packing and processing of agricultural products, three acres. Labor camps or labor trailer park, three acres. Schools, three acres. All other uses, twenty thousand square feet or as prescribed in the use permit;

(2) Average building site width shall be one hundred feet. Minimum lot width shall be seventy-five feet. (Ord. 354 § 4.21.5, 1973)

**17.10.070 Minimum yard requirements.**

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Minimum yards required, unless building lines have been established shall be:

- (1) Front yard, thirty feet;
- (2) Side yard, ten feet;
- (3) Rear yard, twenty feet. (Ord. 354 § 4.21.6, 1973)

**17.10.080 Development standards.**

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Development standards are as follows:

Packing houses; processing of agricultural products, commercial processing and storage of fertilizer and mining shall be subject to the provisions of Chapters 17.54 and 17.56 regarding performance standards. (Ord. 354 § 4.21.7, 1973)

**17.10.090 Minimum off-street parking.**

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The provisions of Chapter 17.52 shall apply in determining the amount of space that must be provided for each use. The parking space shall be improved as set forth in said chapter. (Ord. 354 § 4.21.8, 1973)

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View the [mobile version](#).

# EXHIBIT 5

## RESOLUTION NO. 2017-187

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,  
CALIFORNIA RECOMMENDING THE CITY COUNCIL AMEND THE GENERAL PLAN  
LAND USE DESIGNATION FROM PUBLIC QUASI (PQ) TO AGRICULTURE (AG)  
(CASE NO. GPA2017-002)**

**AND**

**APPROVE A ZONE DISTRICT CHANGE FROM INDUSTRIAL (M-1) TO  
AGRICULTURE (A) (CASE NO. ZC2017-002) ON THE REMAINING PORTION OF  
ASSESSOR PARCEL NO. 245-111-030-000 AND ALL OF 245-111-029-000.**

**WHEREAS**, the Community Development Department ("Department") of the City of King reviewed the applications to amend the General Plan land use designation from Public-Quasi ("PQ") to Agriculture ("AG") (Case No. GPA2017-002) and amend the zoning district from Industrial ("M-1") to Agriculture ("A") (Case No. ZC2017-002) on the remainder portion of Assessor Parcel No. 245-111-030-000 (7 acres) and all of Assessor Parcel No. 245-111-029-000 (16.10 acres), as shown on **Exhibit 1**; and

**WHEREAS**, pursuant to Public Resources Code §15061 (3), and in accordance with the California Environmental Quality Act ("CEQA"), the project is covered by the general CEQA rule which states if it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment, the activity is not subject to CEQA; and

**WHEREAS**, on September 5, 2017, the City of King Planning Commission ("Commission") conducted a public hearing to consider the applications and after considering public testimony, the staff report and all submitted evidence to support the applications, the Commission recommends the City Council ("Council") approve Case No. GPA2017-002 and Case No. ZC2017-002.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of King does hereby recommend the City Council approve Case No. GPA2017-002 and Case No. ZC2017-002 based on the following findings of fact:

1. The proposed General Plan amendment from Public Quasi to Agriculture is compatible with adjacent uses and densities. The Agricultural land use designation is consistent with the character of the area, which is predominately agriculture.
2. The zoning district would be amended from Industrial to Agricultural. The zone change is consistent with the revised General Plan designation.
3. The projects are statutorily exempt from environmental review pursuant to the State CEQA Guideline §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. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

PASSED, APPROVED AND ADOPTED this 5<sup>th</sup> day of September, 2017

\_\_\_\_\_  
David Nuck, Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Erica Sonne, Planning Commission Clerk



## Item No. 7 (F)

### REPORT TO THE PLANNING COMMISSION

**DATE:** SEPTEMBER 5, 2017

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**BY:** DONALD J. FUNK, PRINCIPAL PLANNER

**RE:** RECOMMENDATION TO THE CITY COUNCIL RE: AMENDING SECTION 17.55 OF CHAPTER 17 OF THE KING CITY MUNICIPAL CODE REGULATING SIGNAGE WITHIN THE CITY LIMITS

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#### **RECOMMENDATION:**

It is recommended that the Planning Commission conduct the public hearing and adopt Resolution No. 2017-190 which approves Case No. ZC 2017-003 recommending that the City Council adopt Ordinance 2017-747 amending Section 17.55 of Chapter 17 of the King City Municipal Code Regulating All Signage Within the City Limits and find that Ordinance 2017-747 adopting new sign regulations is exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).)

#### **BACKGROUND:**

On October 11, 2016, based on a recommendation from the Planning Commission ("Commission"), the City Council ("Council") directed staff to initiate revisions to the current City Sign Regulations in order to make the sign approval process more business friendly.

Prior to making any changes to the sign regulations, staff conducted meetings with the Commission, met with representatives of businesses, identified common code enforcement issues, met with city departments, and conducted a community survey. Based on a broad range of feedback, staff began working amendments to the sign regulations.

On June 20, 2017, a draft Sign Ordinance was presented to the Commission during a workshop. Staff provided an overview of the results of the public survey and highlighted recommended changes to the sign regulations. The Commission discussed the proposed amendments, accepted public testimony and provided staff with further direction in amending the sign regulations. Since the meeting of June 20th, staff has

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 2 OF 9**

coordinated with the City Attorney to prepare the current draft Ordinance. (*Reference Exhibit 2.*)

The Summary below provides an overview of the major recommended changes to the sign regulations.

**SUMMARY OF PROPOSED CHANGES TO THE SIGN REGULATIONS:**

The new regulations include many more helpful examples and figures. The Table identifying allowable signs has been clarified. Outdated criteria have been amended and updated. It is anticipated that the new Sign Regulations will be more clear and help expedite approval of certain signs by allowing certain signs to be approved by the Community Development Director ("Director") rather than the Commission. The new ordinance, among other things, expands the area of window signs from twenty (20%) percent; to twenty-five (25%) percent and removes provisions limiting maximum signage to one-hundred (100) square feet. It also changes the method of calculating double-sided signs and provides exemptions for many signs, including temporary banners and feather signs.

The draft Sign Ordinance (**Exhibit 2**) includes the following changes:

**Purpose of Sign Regulations Section 17.55.010**

- Modifies King City Municipal Code section 17.55.010 "Purpose" to include provisions for improving economic vitality of City.

**Definitions Section 17.55.030**

- Section 17.55.030(e) feather signs were added to the "Banner" category
- Section 17.55.030(kk) added clarification that window signs are affixed to the inside or on the window.

**Review, Approval, Required Findings and Expiration of Sign Permits Section 17.55.040**

- Section 17.55.040(a) clarifies the description of sign permit approval authority and requirements to obtain a separate building permit when required.
- Section 17.55.040(a) provides that sign permit is issued to business owner or land owner as applicable.
- Section 17.55.040(b) clarifies and broadens authority of Director to approve general building signs, small murals (under 20 sq. ft.), banners, feather signs, monument signs and Master Sign Programs for up to ten (10) tenants.
- Section 17.55.040(b) also identifies the Commission's authority to approve pole signs, Master Sign Programs for 11 or more separate tenants, kiosks, Sign Deviations (deviations not exceeding twenty percent (20%) variance from regulations) and Sign Variances (variance greater than twenty percent (20%) requiring a public hearing).
- Section 17.55.040(d) modifies the list of required general findings to include requirements for signs to be constructed of durable, signs in Downtown Historic

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 3 OF 9**

area to be compatible with character of the building, and findings for freeway oriented pole signs.

- Section 17.55.040(e) states findings required for approval of murals.
- Section 17.55.040(f) expands findings required for kiosks.
- Section 17.55.040(g) provides new findings for approval of banners, flags and feather signs.
- Section 17.55.040(h) provides new findings for approval of Minor Sign Variances are deviations less than twenty (20%) percent variation from the code.
- Section 17.55.040(i) provides new findings for approval of Sign Variances (variances greater than 20% deviation from the code).
- Section 17.55.040(j) adds a provision that sign permits expire for any sign that becomes damaged, faded or torn and is not repaired within thirty (30) days of being notified by the City.

**Master Sign Programs Section 17.55.050**

- Section 17.55.050(a) modifies Master Sign Programs to provide that centers with four or more tenants obtain approval of a Master Sign Program for all businesses.
- Section 17.55.050(b) modifies the provisions to allow the Director to approve Master Sign Programs for up to ten (10) businesses and continues requirement that the Commission approve Master Sign Programs for eleven (11) or more businesses.

**Exemptions from Sign Permits Section 17.55.060**

- Section 17.55.060(a) clarifies that maintenance and repair of signs doesn't require a sign permit.
- Section 17.55.060(b) adds a provision requiring street address identification on all properties.
- Section 17.55.060(c) provides that on-site directional signs don't require sign permits.
- Section 17.55.060(d) Modifies the provisions applying to exemptions for real estate signs.
- Section 17.55.060(d) modifies temporary window signs to up to maximum of twenty-five percent (25%) of window area and provides new figures to show examples of acceptable window signage.
- Section 17.55.060(d) addresses garage sale signs.
- Section 17.55.060(e) modifies provisions for temporary political signs and provisions for removal.
- Section 17.55.060(f) adds bus stops and park signs to exempt government signs.
- Section 17.55.060(g) adds provisions applying to exempt gasoline station price signs, banners and feather signs, signs on commercial vehicles, construction announcement signs, menu-boards for restaurants, and sandwich board signs.

**Prohibited Signs Section 17.55.070**

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 4 OF 9**

- Section 17.55.070(h) Prohibits sandwich board signs over six (6) square feet in area.
- Section 17.55.070(i) prohibits roof-top signs that extend above the height of the roof.
- Section 17.55.070(j) prohibits signs in right-of-way unless an encroachment permit is obtained.
- Section 17.55.070(k) clarifies requirements regarding bounce houses when used in commercial zones.

**General Requirements for Determining Sign Area, Height, Location and Sign Design  
Section 17.55.080**

- Section 17.55.080(a) adds clarification for determining sign area of a proposed or existing sign. Also modifies description for determining sign area of a double-sided sign by only counting the area of one side of the sign. Updates provisions for sign lighting.
- Section 17.55.080(b) modifies the determination of determining height of freestanding signs to provide that the height is measured from the center of the sign.
- Section 17.55.080(d) requires that encroachment permits be obtained for any private sign that extends into the public right-of-way.
- Section 17.55.080(e) modifies description of sign colors permitted within the Historic Corridor Revitalization Plan area.

**Standards for Signs by Type and Development Characteristics Section 17.55.090**

- Section 17.55.090(a) modifies the sign regulations to describe the methods to be used to determine allowable sign area, heights and other applicable regulations.
- Section 17.55.090(b) adds description of how sign area is determined for each building based on building frontage. Also, a new **Table 1** was created to establish allowable signs based upon land use types, including commercial, office, residential religious uses. **Table 1** also describes allowable signs in the Downtown Historic area. Provisions limiting all businesses to a maximum of one-hundred (100) square feet of total sign area have been eliminated.

**Standards for Specific Sign Types Section 17.55.100**

- Section 17.55.100(e) reduces the required minimum separation between freestanding monument signs from seventy-five (75') to fifty (50') feet.
- Section 17.55.100(g) clarifies that kiosks are solely for providing general public information and don't count towards sign area unless they contain the business name or products sold or provided by the business.
- Section 17.55.100(h) states that small murals, under twenty (20) square feet, may be approved by the Director. Murals over twenty (20) square feet would still be under the purview of the Commission.
- Section 17.55.100(k) increases the maximum area of permanent window signs from 20% to 25% of the window area.

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 5 OF 9**

- Section 17.55.100(l) adds a provision to permit electronic messages boards for schools, hospitals and similar public benefit organizations.
- Section 17.55.100(m) provides new criteria for subdivision signs, including off-site directional signs.

**Nonconforming Signs Section 17.55.110**

- Section 17.55.110(a) adds a provision that any nonconforming sign shall lose its legal nonconforming status immediately following the expiration of the ninety (90) day period that the business was discontinued and shall be removed and replaced with a conforming sign, requiring a new sign permit approval.

**SUMMARY OF SIGN SURVEY:**

Earlier in 2017, the City conducted a survey of business owners regarding their opinions on the existing sign regulations. Based on the survey results, the respondents especially supported the following:

- |   |     |
|---|-----|
| • On-Building signs are a good way to identify businesses                 | 83% |
| • The sign permit approval process should be simplified                   | 76% |
| • Support Temporary signs such as banners and signs within windows        | 75% |
| • Support Monument signs as a good way to identify businesses             | 68% |
| • Support Murals on walls   | 64% |
| • Window signs and other temporary signs are a visual problem in the City | 61% |
| • Regulations should be clear   | 55% |
| • Pole signs along the freeway  | 50% |
| • Flags should be allowed   | 50% |

There was large support for other types of advertising businesses in King City:

- |  |     |
|--|-----|
| • Feel additional information on the internet to help tourists discover the City businesses and points of interest | 86% |
| • Directional map(s) of the City to help tourists find their way around the City surrounding points of interest    | 72% |
| • Want more directional signs, such as the recent sign located at the corner of First Street and Broadway Street   | 59% |
| • Advertisements in newspapers are good way to promote City businesses   | 59% |
| • Advertisements on the internet are good way to promote City businesses   | 52% |

Interestingly, only 24% felt that signs should be larger and only 17% felt that more signs should be allowed while three-quarters of respondents felt that it is important that the approval process be simplified. The proposed ordinance will provide that more signs can be approved by staff thereby reducing review time.

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 6 OF 9**

**ENVIRONMENTAL DETERMINATION:**

The amended Sign Ordinance does not substantially change the sizes, colors, shapes or heights of future signs nor does it substantially change appearance of businesses nor does it negatively impact the views from US 101 or from major streets within the City. Based upon Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Section 15061 (b)(3) a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

**PROJECT REVIEW COMMITTEE COMMENTS:**

The Project Review Committee ("**PRC**") met to discuss the Draft Sign Regulations on June 13, 2017. The PRC provided input to Planning Staff, suggesting that temporary signs such as banners and feather signs only be allowed for special events and be limited to a maximum of a week period.

**PUBLIC NOTICE AND INPUT:**

A public hearing notice was published in the South County Newspaper *The Rustler* on August 23, 2017 notifying the public of this evening's public hearing and invited to voice any concerns on these new sign regulations. A public hearing will be conducted on September 5, 2017.

**COST ANALYSIS:**

Development review application fees for sign permits are based on actual time and materials per the City Fee Scheduled. Applicants cover the cost required for review and processing. The process has been simplified for many sign permits, which will generally reduce the processing time and thereby the costs for review. Some signs that previously required Commission review would be approvable by staff which will likely decrease both review time and costs.

**ALTERNATIVES:**

The following alternatives are provided for Planning Commission consideration:

1. Adopt Resolution No. 2017-190 which recommends the City Council adopt draft Ordinance Amending Section 17.55 of Chapter 17 of the King City Municipal Code Regulating All Signage Within the City Limits, Exhibit 2; or
2. Request modifications to the draft Sign Ordinance; or
3. Direct staff to return with a Resolution recommending the City Council not adopt the Ordinance Amending Section 17.55 of Chapter 17 of the King City Municipal Code Regulating All Signage Within the City Limits; or
4. Provide other direction to staff.

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 7 OF 9**

**Exhibits:**

1. Exhibit 1 – Resolution 2017-190 Recommending City Council Adopt the Proposed Ordinance Amending Section 17.55 of Chapter 17 of the King City Municipal Code Regulating All Signage Within the City Limits
2. Exhibit 2 – Proposed Ordinance Amending Section 17.55 of Chapter 17 of the King City Municipal Code Regulating All Signage Within the City Limits
3. Exhibit 3 – Existing Sign Ordinance
4. Exhibit 4 – Draft Sign Flowchart of Review Process
5. Exhibit 5 – Sign Survey of Business Owners

Submitted by: MC FOR DON FUNK  
Donald J. Funk, Principal Planner

Approved by: DOR FOR DOREEN LIBERTO  
Doreen Liberto, AICP, Community Development Director

**EXHIBIT 1**

**RESOLUTION NO. 2017-190**

**RESOLUTION OF THE CITY OF KING PLANNING COMMISSION RECOMMENDING  
THE CITY OF KING CITY COUNCIL AMEND SECTION 17.55 OF CHAPTER 17 OF  
THE KING CITY MUNICIPAL CODE REGULATING SIGNAGE WITHIN THE CITY  
LIMITS**

**WHEREAS**, the City of King is a charter city organized pursuant to Article XI of the California Constitution; and

**WHEREAS**, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals or public safety; and

**WHEREAS**, comprehensive zoning regulations and regulations upon the use of land and property lie within the City's police power; and

**WHEREAS**, sign regulations are part of the City's comprehensive zoning regulations; and

**WHEREAS**, on October 11, 2016, the City Council ("Council") authorized staff to amend the sign ordinance based on a recommendation by the Planning Commission ("Commission"); and

**WHEREAS**, the public was involved in the sign ordinance change process, including participating in a survey to gain input on needed changes; and

**WHEREAS**, the Commission held a Public Workshop on June 20, 2017 to hear and receive testimony regarding the draft sign regulations; and

**WHEREAS**, on September 5, 2017, the Commission conducted a public hearing to consider revisions to the sign regulations, and after receiving public testimony, adopted Resolution No. 2017-190, recommending the Council adopted an amended sign ordinance; and

**WHEREAS**, on September 5, 2017, and in accordance with the requirements of the California Environmental Quality Act ("CEQA"), the Planning Commission determined that as compared to the existing regulatory environment, the proposed sign regulations do not have potential to negatively impact views or appearances of the City and there was no possibility of having a significant impact on the environment and recommended the filing of an exemption pursuant to Title 14, Chapter 3, Guidelines for Implementation of CEQA, Section 15061 (b)(3); and

**PLANNING COMMISSION PUBLIC HEARING  
PROPOSED SIGN ORDINANCE  
SEPTEMBER 5, 2017  
PAGE 9 OF 9**

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Planning Commission of the City of King

1. The Planning Commission finds that the Ordinance adopting new sign regulations is exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) As compared to the existing regulatory environment, the proposed sign regulations do not have the potential to negatively impact views or appearance of the City. The new Sign Ordinance does not substantially change the sizes, colors, shapes or heights of future signs nor does it substantially change appearance of businesses nor does it negatively impact the views from US 101 or from major streets within the City. Based upon Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act, section 15061(b)(3) a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed sign regulations do not have the potential to negatively impact views or appearance of the City. (CEQA Guidelines §§ 15307 and 15308.)
2. The Planning Commission recommends the City Council adopt Ordinance 2017-747 amending Section 17.55 of Chapter 17 of the King City Municipal Code, as presented in **Exhibit 2**.

This resolution was passed and adopted this **5th day of September, 2017**, by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

---

DAVID NUCK, CHAIRPERSON

ATTEST:

---

ERICA SONNE, DEPUTY CITY CLERK

# EXHIBIT 2

ORDINANCE NO. \_\_\_\_

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING AMENDING CHAPTER 17.55 OF TITLE 17 OF THE KING CITY MUNICIPAL CODE PERTAINING TO SIGNS WITHIN THE CITY LIMITS

**WHEREAS**, the City of King is a charter city organized pursuant to Article XI of the California Constitution; and

**WHEREAS**, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals or public safety; and

**WHEREAS**, comprehensive zoning regulations and regulations upon the use of land and property lie within the City's police power; and

**WHEREAS**, sign regulations are part of the City's comprehensive zoning regulations; and

**WHEREAS**, October 11, 2016, the City Council ("Council") authorized staff to amend the sign ordinance based on a recommendation by the Planning Commission ("Commission"); and

**WHEREAS**, the public was involved in the sign ordinance change process, including participating in a survey to gain input on needed changes; and

**WHEREAS**, the Commission held a Public Workshop on June 20, 2017 to hear and receive testimony regarding the draft sign regulations; and

**WHEREAS**, on September 5, 2017, the Commission conducted a public hearing to consider revisions to the sign regulations, and after receiving public testimony, adopted Resolution No. 2017-190, recommending the Council adopted an amended sign ordinance; and

**WHEREAS**, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), on September 5, 2017, the Planning Commission determined that there was no possibility of project having a significant impact on the environment and recommended the filing of an exemption pursuant to Title 14, Chapter 3, Guidelines for Implementation of CEQA, Section 15061 (b)(3); and

**NOW THEREFORE**, the City Council of the City of King does hereby ordain as follows:

**SECTION 1.** The above recitals are incorporated are hereby by reference.

**SECTION 2.** The Ordinance is exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines §15061(b)(3).) As

compared to the existing regulatory environment, the proposed sign regulations do not have the potential to negatively impact views or appearance of the City. The new Sign Ordinance does not substantially change the sizes, colors, shapes or heights of future signs nor does it substantially change appearance of businesses nor does it negatively impact the views from US 101 or from major streets within the City. Based upon Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act, Section 15061(b)(3) a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed sign regulations do not have the potential to negatively impact views or appearance of the City. (CEQA Guidelines §§15307, 15308.)

**SECTION 3.** Chapter 17.55, of Title 17, of the King City Municipal Code is amended in its entirety to read as follows:

**Chapter 17.55 Signs**

- Section 17.55.010 Purpose and Intent
- Section 17.55.020 Applicability
- Section 17.55.030 Definitions
- Section 17.55.040 Review, Approval, Required Findings and Expiration of Sign Permits.
- Section 17.55.050 Master Sign Program Requirements.
- Section 17.55.060 Exemptions from Sign Permit Requirements.
- Section 17.55.070 Prohibited signs.
- Section 17.55.080 General Requirements for Determining Sign Area, Height, Location and Sign Design.
- Section 17.55.090 Standards for Signs by Type and Development Characteristics
- Section 17.55.100 Standards for Specific Sign Types.
- Section 17.55.110 Nonconforming Signs.
- Section 17.55.120 Public Nuisance, Abatement and Violation.
- Section 17.55.130 Appeal.
- Section 17.55.140 Judicial review.

**Section 17.55.010 Purpose and Intent**

This section establishes the regulation of signs in order to:

- (a) Improve economic vitality in the City by permitting the ability of each business to identify business names.
- (b) Improve the visual qualities of the City by encouraging aesthetic, creative and innovative approaches to signage within the community that are of high quality design and character and contribute to the overall appearance of the community.
- (c) Enhance the overall property values in the City by discouraging signage that contribute to the visual clutter of the streetscape.

- (d) Enhance traffic safety in the community by minimizing signage information to ensure that signage does not distract motorists, obstruct, or otherwise impede traffic circulation.
- (e) Safeguard and protect the public health, safety, and welfare through appropriate prohibitions, regulations, and controls on the design, location, and maintenance of signage.

**Section 17.55.020 Applicability.**

- (a) The standards of the Chapter apply to signs in all Zoning Districts and Specific Plans when applicable. Only signage specifically authorized by this Section shall be allowed.
- (b) In the event of any conflict between this Chapter and any law, rule, or regulation of the state of California, that requirement that establishes the higher standard of safety shall govern. Failure to comply with such standard or safety shall be a violation of this Chapter.
- (c) If any provision or provisions of this chapter becomes illegal, invalid, or unenforceable, the legality, validity, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**Section 17.55.030 Definitions.**

- (a) *A-Board Sign.* A portable “a-frame” or “sandwich board” sign.
- (b) *Abandoned Sign.* A sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.
- (c) *Animated or Moving Sign.* A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
- (d) *Awning Sign.* A sign copy or logo attached to or painted on an awning.
- (e) *Banner, Feather Sign, Flag or Pennant.* Cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the state of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
- (f) *Cabinet Sign.* A sign with its text and/or logo symbols and artwork on an opaque or translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures, which illuminate the sign face from behind.
- (g) *Changeable Copy Sign.* A sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

- (h) *Construction Sign.* A sign placed at a construction site that provides information regarding the project architect, owner, contractors, etc.
- (i) *Directional Sign.* A sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.
- (j) *Electronic Message Sign.* A sign with a fixed or changing display composed of a series of lights, but not including time and temperature displays.
- (k) *Flashing Sign.* A sign that contains an intermittent or sequential flashing light source.
- (l) *Freestanding Sign.* A sign fixed in an upright position on the ground not attached to a structure other than a framework, pole or device, erected primarily to support the sign. Includes monument signs and pole signs.
- (m) *Freeway-oriented Signs.* A freestanding sign located near State Highway 101 freeway that identifies tourist-oriented businesses, such as gasoline service stations, restaurants, motels and regional commercial uses on properties that are located within five-hundred (500') feet of State Highway 101 freeway. A freeway sign is located on the same property as the business it identifies.
- (n) *Illegal Sign.* A sign that includes any of the following:
  - (1) A sign installed without complying with all regulations in effect at the time of its construction or use;
  - (2) A sign installed or maintained contrary to any applicable provision of Chapter 17.55 (Signs).
  - (3) A sign which is a danger to the public or is unsafe; or
  - (4) A sign which is a traffic hazard not created by relocation of streets or highways or by acts of the city.
- (o) *Indirectly Illuminated Sign.* A sign whose light source is external to the sign and which casts its light onto the sign from a distance; or where the light source is behind an opaque sign element and causes it to be outlined by light reflected from the surface to which the sign is mounted.
- (p) *Internally Illuminated Sign.* A sign whose light source is located in the interior of the sign so that light passes through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.
- (q) *Monument Sign.* An independent, low, freestanding structure supported on the ground having a solid base as opposed to being supported by poles or open braces.

- (r) *Mural*. A painting, picture or graphic illustration applied to and made part of an exterior wall.
- (s) *Nonconforming Sign*. An advertising structure or sign which was lawfully erected and maintained prior to the adoption of this chapter, but does not now completely comply with current regulations.
- (t) *Off-site Sign*. A sign identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises as the sign, or that identifies a use, service, or product by a brand name which, although sold or manufactured on the premises, is not a principal item for sale or manufactured on the premises.
- (u) *Permanent Sign*. A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.
- (v) *Pole Sign*. An elevated freestanding sign, typically supported by one or two poles or columns and only permitted within the freeway corridor as provided within these sign regulations.
- (w) *Political or Social Issue Sign*. A sign that addresses:
  - (1) The passage or defeat of a measure appearing on the ballot in any national, state, or local election;
  - (2) The election or defeat of any candidate for any public office in any national, state, or local election; or
  - (3) An international, national, state, or local political or social issue.
- (x) *Portable Sign*. A sign that is not permanently affixed to a structure or the ground.
- (y) *Projecting Sign*. A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.
- (z) *Real Estate Sign*. A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.
- (aa) *Roof Sign*. A sign constructed upon or over a roof, or placed so as to extend above the edge of the roof.
- (bb) *Sign*. A structure, device, figure, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to otherwise provide information, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

- (cc) *Sign Area.* The entire area within a perimeter defined by a continuous line composed of right angles using no more than eight (8) lines which enclose the extreme limits of lettering, logo, trademark, or other graphic representation.
- (dd) *Sign Height.* The vertical distance from the uppermost point used in measuring the area of a sign to the normal grade immediately below the sign, including its base or the top of the nearest curb of the street on which the sign fronts, whichever measurement is the greatest.
- (ee) *Subdivision Directional Sign.* A sign that provides directions to a new subdivision with on-site model homes and/or sales office, where parcels and/or housing units are, or will be, for sale.
- (ff) *Suspended Sign.* A sign oriented toward pedestrians that is suspended from the underside of an arcade or other covered walkway.
- (gg) *Temporary Sign.* A sign intended to be displayed for a limited period of time and capable of being viewed from a public right-of-way, parking area, or neighboring property.
- (hh) *Vehicle Sign.* A sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.
- (ii) *Wall Sign.* A sign that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.
- (jj) *Window Display.* A window display is an arrangement of merchandise displayed in a building window. Window displays located more than twelve (12") inches from the face of a window are not considered signs. Window displays do not include the storage of merchandise or other items blocking windows.
- (kk) *Window Sign.* A sign posted, painted, placed, or affixed in or on a window (or series of adjacent windows) exposed to public view. An interior sign which faces a window exposed to public view and is located within twelve (12") inches of the inside of the window. Window signs do not include business hours of operation and open/closed signs. Window displays inside the building, including merchandise displays that are located more than twelve (12') inches from the face of a window, are not considered signs.

**Section 17.55.040 Review, Approval, Required Findings and Expiration of Sign Permits.**

- (a) **General Requirements.**
  - (1) **Sign Permit Approval Required. Permit Required.** With the exception of Sign Variances, Master Sign Programs, pole signs,

kiosks and larger murals over twenty (20) square feet which are approved by the Planning Commission, sign permits are issued by the Community Development Department (Department). Except as otherwise provided in this Chapter, no person shall erect, move, alter, replace, or maintain any sign without first obtaining a sign permit to ensure compliance with applicable provisions of this Section. Sign permits are required for all signs unless expressly exempted by this Chapter.

- (2) **Building Permit Required.** The Chief Building Official shall examine sign permit applications. When, in his or her determination, a separate building or electrical permit is required, the applicant shall be notified and the sign permit shall not be issued until such other permits, including but not limited to, building permits and electrical permits, are obtained from the Chief Building Official.
  - (3) **Compliance with Permit and Master Sign Program.** After approval by the City, the sign(s) must comply with the approved sign permit, the Master Sign Program (Section 17.55.050), and all requirements of the King City Municipal Code, if applicable.
  - (4) A sign permit is valid only for the individual, person or entity the permit is issued to and for the location and sign type approved by the permit.
- (b) **Sign Permit Review Authority.**
- (1) Building signs (signs attached to a building), free-standing monument signs eight (8') feet or less in height, murals under twenty (20) square feet, window signs, banners and feather signs (except as exempted in Section 17.55.080(g).5) and Master Sign Programs for nonresidential buildings with up to ten (10) tenants shall be reviewed and approved by the Community Development Director (Director). The Director or his or her designee shall review sign permit applications and approve those signs that comply with the requirements of this Chapter and the King City Municipal Code.
    - (A) **Freestanding Signs** over eight feet (8') feet in height, murals over twenty (20) square feet in area, freestanding kiosks, Master Sign Programs for buildings with eleven (11) or more tenants, Sign Deviations and Variances shall be reviewed and approved by the Planning Commission (Commission).

The Commission shall, after conducting a duly noticed public hearing, approve only those signs that comply with the requirements of this Chapter and the King City Municipal Code.
    - (B) The Commission shall also review all requests for Variance from the sign regulations and may only approve such

Variations that it deems to qualify for special consideration based upon unusual circumstances applicable to that specific business and location, such as poor visibility or location.

- (C) The Commission shall, after conducting a duly noticed public hearing, review all variations from these regulations (variations for signs that do not comply with these regulations and exceed sign sizes, heights for pole signs and monument signs, as well as for all signs that otherwise do not meet these regulation, and shall approve only those signs that comply with the requirements of this Chapter and the King City Municipal Code.
  - (D) The Commission shall also review the approval of kiosks billboard and changes to an existing billboard,
- (3) Conditions of Approval. The review authority may require conditions of approval that are deemed reasonable and necessary to achieve the purpose, intent, and objectives of this Chapter.
- (c) Sign Permit Application Procedures.
- (1) Application Requirements. An application for a sign permit for all signs requiring permits and Master Sign Program (Section 17.55.050) shall be prepared, filed, and processed.
  - (2) Application Contents. Each application shall include all of the following:
    - (A) Plans for the sign, drawn to scale, including walls and rooflines on which signs are proposed as well as a scaled plot plan showing the proposed location of each sign in relation to other proposed and existing signs on the site and adjacent properties, structures, and uses;
    - (B) Colors of the letters, any applicable logos, background of the sign, and the frame of the sign.
    - (C) Sufficient other details of the proposed sign to show that it complies with the provisions of this Chapter;
    - (D) If applicant is renting the location, written authorization from the property owner for the placement of the proposed signs on the site;
    - (E) Computation of the total sign area, the area of each individual sign, the height of each sign, and the total number of existing and proposed signs for the site and business;
    - (F) If a sign permit application is filed for a site with existing signs, the application shall detail how the applicant will

correct all nonconforming signs on the site as part of the installation of the proposed signs; and

- (G) Processing fee(s) and other information as established within the Master Fee Schedule.
- (d) Required General Required Findings for All Sign Permit Approvals and Master Sign Programs.
- (1) The approval of a sign permit or Master Sign Program shall require that the review authority make the following findings, as applicable:
    - (1) The proposed sign(s) comply with the City sign regulations and do not exceed the standards set forth within Sections 17.55.090 (Table 1) and 17.55.100 (Signs Permitted by Type and Development Characteristics), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
    - (2) That the colors, design and placement of the sign on the site is appropriate for the location and architectural style of the building.
    - (3) That signs do not unreasonably impair the visibility of existing signs on adjacent properties;
    - (4) The placement and size of the sign(s) will not impair pedestrian, bicyclist or vehicular safety;
    - (5) The sign is constructed of durable materials and shall be required to be maintained in good condition by the sign applicant or landowner.
    - (6) For signs located in the Historic Downtown Area, the Director and/or Commission must find that the sign is compatible with the character of the subject and surrounding buildings.
    - (7) For free-standing freeway-oriented pole signs: the approval of a freestanding pole sign permit for a freeway-oriented sign shall require that the Commission find that the use or site cannot be adequately identified by other signs allowed within the that site.

- (e) Required Additional Findings Required Findings for Public Murals.

Prior to approving a mural, the Director, or as applicable, the Commission, shall, in addition to the findings required in Section (d) above, find that the:

- (1) Mural's size, colors, and placement are visually compatible with the structure architecture;

- (2) Mural serves to enhance the aesthetics of the city; and
- (3) Mural illustrates the local history or natural resources or assets of the City and region.

(f) Required Additional Findings for Approval of Kiosks.

The approval of a kiosk shall include the following findings:

- (1) The kiosk design, size, colors, and placement is visually compatible with nearby architecture and landscape design;
- (2) The kiosk serves to enhance the aesthetics of the city; and
- (3) The kiosk provides information, maps and/or other information for visitors and residents.

(g) Required Additional Findings for Banners, Flags and Feather Signs.

The approval of a banner, flag, pennant and feather sign shall include the following findings:

- (1) The banner, flag and/or feather sign(s) is compatible with the location; and
- (2) The banner, flag and/or feather sign is of good quality and durable materials; and
- (3) The banner, flag and/or feather sign shall be promptly removed if it becomes faded, torn or otherwise damaged.

(h) Required Additional Findings for Minor Sign Variance.

A minor sign variance is a minor deviation from the standards for signs identified in these regulations. Minor sign variance approval requires the Commission to find that, in addition to meeting the findings contained in Section (d) above, the site and/or location make adherence to the sign regulations a hardship upon the applicant. The minor sign variance is not a major deviation from the sign standards and Commission approval of the following findings will be an indication that the proposed minor sign variance is consistent with the general purposes and intent of the sign regulations. Signs that exceed the standards listed below shall require a general variance applicable under Municipal Code Section 17.62.

- (1) The minor sign variance will not exceed twenty (20) percent of the height or sign area allowed under these sign regulations and that the sign(s) is consistent with the building design and any approved comprehensive plan.
- (2) The applicant has established that there are practical difficulties in complying with the provision and the applicant proposes to use the property in a reasonable manner consistent with the requirements of this Chapter and the

King City Municipal Code. Economic considerations alone do not constitute practical difficulties.

- (3) The plight of the applicant is due to circumstances unique to the property not created by the applicant, property owner or third party.
  - (4) The minor sign variance will not authorize any use that is not allowed in the zoning district where the property is located.
  - (5) The approval of a minor sign variance does not require public notice.
  - (6) The approval or denial of a minor variance is within the sole discretion of the Commission.
- (i) Required Additional Findings for Issuance of a Sign Variance
- (1) Any requested sign that exceeds twenty (20) percent increase in area or height of the sign or does not meet the requirements for location on the property and/or building shall require approval of a Sign Variance.
  - (2) The applicant shall file a formal application with the Department.
  - (3) The Commission shall review, and approve the variance findings at a duly noticed public hearing.
  - (4) Any sign variance approval shall, in addition to the findings in Section (d) above, require that the sign(s) and site meet the all of the following requirements:
    - (A) Any sign variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated.
    - (B) Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The applicant must show there is a specific unique quality to the specific property – for example, exceedingly poor visibility, worse than neighboring properties which prevents the construction of a conforming size sign.
- (j) Expiration and Extension of Sign Permits.
- (1) Approval of a sign permit, Master Sign Program, and/or variation permit shall expire twelve (12) months from the date of approval.

Before the expiration of a sign permit, Master Sign Program permit and/or variation, the applicant may apply to the Department for a twelve (12) month extension from the original date of expiration. Only one extension shall be granted by the Director. In response to an extension request, the Director may make minor modifications to the permit, Master Sign Program and/or variance or deny the requested extension.

- (2) The expiration date of the sign permit or Master Sign Program permit shall be automatically extended to concur with the expiration date of the companion building permit or other applicable permits.
- (3) The City shall provide thirty (30) day written notice of a sign, banner, feather sign, kiosk, mural or other sign as defined in this Chapter which is damaged, faded, torn, maintained in poor condition and/or in need of repair.
- (4) A sign permit shall automatically expire if the sign, banner, feather sign, kiosk, mural or other sign as defined in this Chapter which is damaged, faded, torn or is otherwise maintained in poor condition is not repaired and refurbished within the thirty (30) day time period provided by the City's written notice.

#### **Section 17.55.050 Master Sign Program Requirements.**

- (a) A Master Sign Program is used to create standard sign design guidelines for projects with multiple buildings or tenants, as cited below. Once a Master Sign Program is approved, tenants may receive approval of their individual signs at staff level instead of having to go through the Design Review process each time. A Master Sign Program shall be:
  - (1) Required for new nonresidential projects with four (4) or more tenants;
  - (2) Required for existing nonresidential project with four (4) or more tenants that completes either:
    - (A) A major renovation. For the purposes of this Chapter, major renovation means adding more than fifty (50%) percent to the gross floor area of the structure(s) or exterior work on more than fifty (50%) percent of the length of the façade, or
    - (B) The modification of fifty (50%) percent or more of the existing signs on the site within a twelve (12) month period;
  - (3) Submitted with other planning permits (such as Conditional Use Permit and/or AR Permits) required by the City for development of a parcel on which the sign is proposed to be located and shall be processed simultaneously with the other planning permit(s).
- (b) Contents.

A Master Sign Program shall include all the information and materials required by Section 17.55.040.(c) (Application contents), and shall provide standards for the uniform style, construction, height, size, and placement of the signs.

(c) Review Authority.

The Director shall review Master Sign Programs for buildings with up to ten (10) tenants and shall approve only those that comply with the findings required in Section 17.55.040(d) (Findings for Approval). The Commission shall review Master Sign Programs for buildings with eleven (11) or more tenants and shall approve only those that comply with the findings required in Section 17.55.040(d) (Findings for Approval).

(d) Revisions.

The Director may approve minor revisions to an approved Master Sign Program.

**Section 17.55.060 Exemptions from Sign Permit Requirements.**

The following signs and repair of existing signs as identified below are allowed without a sign permit or Master Sign Program approval, provided that they comply with Section 17.55.080 (General Requirements for All Signs), and any required building permit is obtained.

(a) Nonstructural Modifications and Maintenance.

- (1) Modifications to the copy of conforming changeable copy signs;
- (2) The normal maintenance or repair of conforming permanent signs and legal nonconforming signs that do not result in a change of sign copy or colors of the existing sign. Exemptions do not apply to repair of existing nonconforming sign(s) as identified in Section 17.55.110(b) (Nonconforming signs).

(b) Street Addresses and Identification Signs. Street addresses and identification street location numbers are required for all properties, shall be visible from the public or private street and shall be a minimum of six (6") inches in height and a maximum of twelve (12") inches in height. (See Figure 1)



**Figure 1**  
**Example of Site or Building Address**

- (c) On-site directional signs, on-site, solely for guiding traffic, parking, and loading on private property, with no advertising (See Figure 2). Sign copy shall be limited to the facility name and address, instructions, and directional arrows. Sign area shall not exceed eight (8) square feet per sign in residential and non-residential districts. The maximum height for freestanding signs shall be six (6') feet. The total sign area and number of directional signs do not count towards the total allowed as described in Table 1. Any information regarding the business or products shall require a Sign Permit (to be issued by the Director) and the area of said business name and/or advertising shall be included in the total sign area provided in Table 1;



**Figure 2**

**Example of on-site directional sign containing no business names or advertising**

(d) **Temporary Signs.** The following temporary signs are allowed without a sign permit.

(1) **Real Estate Signs.**

Real estate signs are allowed without a sign permit in compliance with California Civil Code section 713, and subject to the following requirements:

(A) A site within a commercial, industrial, or other nonresidential zoning district shall be allowed one real estate sign of no more than ten (10) square feet, with a maximum height for freestanding signs of six (6') feet, adjacent to each parcel frontage.

(B) **Residential Zoning Districts.**

One residential real estate sign not more than six (6) square feet in area, advertising the sale or lease of a parcel or structure, may be located on the property it advertises (See Figure 3). One off-site real estate (advertising the sale of a property) directional signs not more than six (6) square feet in area may be located on private property with the property owner's consent, provided that they do not obstruct or impede pedestrian or vehicular traffic, and are not secured to prevent removal. No real estate sign shall be permitted

within the public right-of-way. Larger subdivision sale signs require a sign permit as specified in Section 7.55.100 (I).



**Figure 3**  
**Example of real-estate sales sign**

(2) **Temporary Window Signs.**

Temporary signs on commercial properties that are painted or applied directly on a window (or series of adjacent windows), affixed to the inside of a window, or hung inside the building within twelve (12") inches of a window promoting a message, including but not limited to, grand openings and special events (commercial and noncommercial), and special sales, provided the sign or signs do not exceed twenty-five (25%) percent of the total window area upon which the sign is attached (See Figures 4 and 5). Temporary signs shall be maintained in good condition.



**Figure 4**  
**Example of Temporary Window Sign under 25% of total window area**



**Figure 5**  
**Example of Calculating Temporary Window Signs under 25% of total window area**

- (3) Temporary Garage, yard, estate, and other home-based sales signs.

Sign advertising the one-day sale of items from a garage, yard, estate, or other home-based sale. Garage/yard sale sign(s) shall be only those provided for such purpose by the City through a City-approved garage sale permit.

(e) Temporary Political or Social Issue Signs.

Political or social issue signs are allowed without a sign permit pursuant to the following requirements:

- (1) The sign(s) are placed on private property with the property owner's consent, and do not exceed a total aggregate area of twelve (12) square feet within a residential zoning district, or twenty (20) square feet within a nonresidential zoning district;
- (2) The sign(s) are not placed so as to impede the visibility of street or traffic control signs to motorists or pedestrians; and
- (3) The sign(s) are not placed unlawfully. The placement of a sign in the public right-of-way in violation of this Chapter or any other provision of the King City Municipal Code is a nuisance, and any sign so placed may be removed and disposed of by the City.
- (4) Non-illuminated campaign yard signs of less than four (4) square feet for residential properties and up to eight (8) square feet on non-residential property pertaining to an election to any public office or ballot measure may be erected and shall be removed within ten (10) days following said election.

(f) Governmental Signs.

Signs installed by the City, county, or a federal or state governmental agency, are allowed without a sign permit including, but not limited to, the following:

- (1) Emergency and warning signs necessary for public safety or civil defense;
- (2) Traffic signs and public wayfinding signs erected and maintained by an authorized public agency (See Figure 6);
- (3) Legal notices, licenses, permits, and other signs required to be displayed by law;
- (4) Signs showing the location of public facilities (e.g., public telephones, restrooms, and underground utilities);
- (5) Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare;
- (6) Bus stop signs installed by a public transit company;
- (7) City park signs;
- (8) Public sculptures erected by the City; and
- (9) Similar public signs.



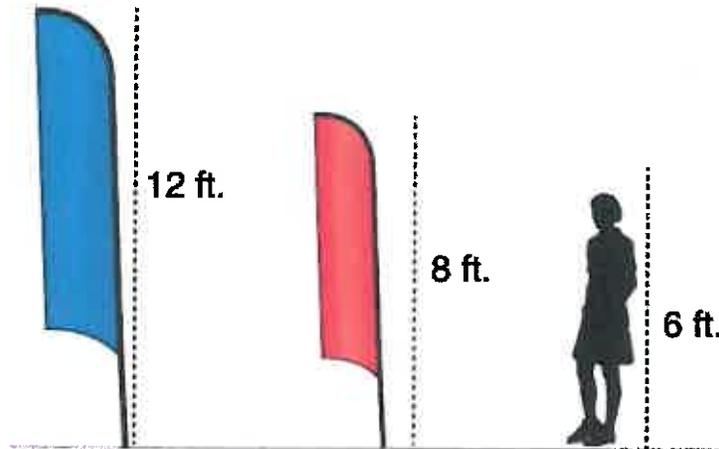
**Figure 6**  
**Examples of Public Wayfinding Signs and Safety Signs**

- (g) **Miscellaneous Exempt Signs.** The following signs are also allowed without a sign permit:
- (1) **Official Flags.** Flags of national, state, or local governments, or nationally recognized religious, fraternal, or public service agencies; provided that:
    - (A) The length of a flag shall not exceed one-fourth the height of the flagpole;
    - (B) The height of the flag pole shall not exceed twenty-five (25') feet within a residential zoning district and thirty (30') feet within a nonresidential zoning district; and
    - (C) No private flagpole shall be located within a public right-of-way or required setback.
  - (2) **Ornamentation and Decoration.** Symbols, pictures, patterns, and illumination approved as architectural ornamentation or decoration by the Commission.

- (3) Historical Markers. Historical markers erected and maintained by individuals, corporations, or nonprofit organizations including memorials, building cornerstones and date-constructed stones, provided that none of these exceed four (4) square feet.
- (4) Service Station Price Signs. Service station changeable copy price signs less than twelve (12) square feet in area unless larger size is required by California state law.
- (5) Banners and Feather Signs. One banner (See Figure 7) and one feather sign (See Figure 8) for special public events, such as street farmer's markets, shall be authorized without a sign permit. The banner and feather sign shall not exceed twenty-five (25) square feet in area. Feather signs may not exceed twelve (12') feet in height from the ground and shall not extend into the City right-of-way or neighbor's property. The Director may approve larger and additional temporary banners, pennants, feather signs upon issuance of a sign permit.



**Figure 7**  
**Example of Temporary Banner under 25 square feet**



**Figure 8**

**Example of Temporary Feather Signs 12 feet and 8 feet tall**

- (6) Signs that are within buildings and are not visible from any point outside of the structure(s)
- (7) Official or legal notice required by a court or government agency (government/civic signs);
- (8) Signs on licensed commercial vehicles, including trailers, that the vehicles/trailers shall not be used as parked/stationary outdoor display signs;
- (9) Holiday Decorations. Holiday decorations that do not contain any commercial message shall be permitted. Such non-commercial signs shall be removed within ten (10) days following the holiday or event;
- (10) Construction and future tenant announcement signs not to exceed one sign per street frontage and a maximum of thirty-two (32) square feet for each sign. Construction and future tenant announcement signs may not be illuminated. The signs shall be removed upon completion of the City's final building inspection.  
Construction Signs. Construction identification signs may be allowed in all zoning districts with sign permit approval, in compliance with the following standards:
  - (A) Only one sign, located on-site, shall be allowed;
  - (B) The area of the sign shall not exceed thirty-two (32) square feet;
  - (C) Sign height shall not exceed eight (8') feet;
  - (D) The sign shall not be illuminated; and

- (E) Construction signs shall be removed within ten (10) days after completion of construction.
- (11) Menu/Order Board Signs connected with an existing restaurant with valid business license, attached to the building or on a short monument. A maximum of two menu-order board signs shall be permitted for each drive-in or drive-through business (See Figure 9), provided that each sign not exceed a maximum of twenty-four (24) square feet in sign area and that each sign be limited in height to eight (8') feet. Non-drive in or drive-through restaurants may have menu displays (See Figure 10) which shall not exceed eight (8) square feet in total area. The area and number of Menu/Order Board Signs do not count towards the total allowed sign area as described in Table 1;



**Figure 9**  
**Example of Menu Board for Fast Food Restaurant**



**Figure 10**  
**Example of Menu Board for Sit-Down Restaurant**

- (12) **Special Announcement Signs.** Signs, up to a total of four (4) square feet, prohibiting trespassing and/or advertising, as well as neighborhood watch and alarm signs, shall be permitted on private property.
- (13) **One A-board (sometimes referred to as “sandwich board” signs) and other portable temporary sidewalk signs smaller than six (6) square feet and not more than four (4') feet in height is authorized without a sign permit (See Figure 11). All A-board signs shall be constructed of sturdy durable materials and well maintained. Any A-board sign shall not be located within the public right-of-way and shall not be a hazard to the public. A-board sign shall only be permitted during business hours and shall only advertise items or services available at the location of the sign.**



**Figure 11**  
**Example of Sandwich Board Sign (under six (6) square feet)**

**Section 17.55.070 Prohibited signs.**

All signs not expressly authorized by this Chapter shall be prohibited. Prohibited signs include the following:

- (a) **Animated and Moving Signs.** Includes electronic message display signs (except as permitted with a sign permit for public benefit organizations such as schools and hospitals and government organizations under Section 17.55.100(l)), blinking, or flashing signs, or signs that emit a varying intensity of light or color, except time and temperature displays (which are not considered signs) and barber poles;
- (b) **Billboard signs** except as authorized by Section 17.55.100(d) (City billboard signs);
- (c) **Off-site signs** except as authorized by Section 17.55.100(m)(6) (Offsite directional signs);
- (d) **Signs that Emulate Traffic Control Signals.** Because of the City's interest in ensuring traffic safety, signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads, or confuses pedestrian or vehicular traffic are prohibited;
- (e) **Off-site Directional Signage.** A private off-site directional sign in the form or shape of a directional arrow, or otherwise displaying a directional arrow, unless approved by the Commission.

- (f) Signs attached to boats, vehicles, or other moving objects. A sign attached to or suspended from a boat, vehicle, or other movable object that is parked within a public right-of-way, or located on private property so that it is visible from a public right-of-way, unless approved by the Commission. This standard does not include signs painted directly upon, magnetically affixed to, or permanently affixed to the body or other integral part of a vehicle that covers no portion of a vehicle window;
- (g) Any sign, other than public signs, placed within a public right-of-way, except as provided by Section 17.55.080(d) (Signs placed within the public right-of-way);
- (h) A-board (sometimes referred to as "sandwich board" signs) and other portable temporary sidewalk signs larger than six (6) square feet are prohibited.
- (i) Roof-mounted or building sign that extends above the height of the roof.
- (j) Private signs, including but not limited to permanent signs, temporary signs such as "A-frame signs, feather signs, freestanding signs and other signs, located in the public right-of-way or public property except where an Encroachment Permit has been issued by the City pursuant to Section 17.55.080 (d) below.
- (k) Bounce houses (See Figure 12), balloons (See Figure 13) and similar temporary attractions located at commercial uses are prohibited unless approved by the Commission under a temporary Conditional Use Permit (CUP). A CUP is not required for the temporary (less than three (3) days) use of bounce houses at private (non-commercial use) parties in residential zones.



**Figure 12**  
**Example of Bounce House**

- (k) Balloons, inflatable noodles, drones with advertising or business names and similar inflatable or power-driven attraction devices.



**Figure 13**  
**Example of Prohibited Balloon and Inflatable Noodle Signs**

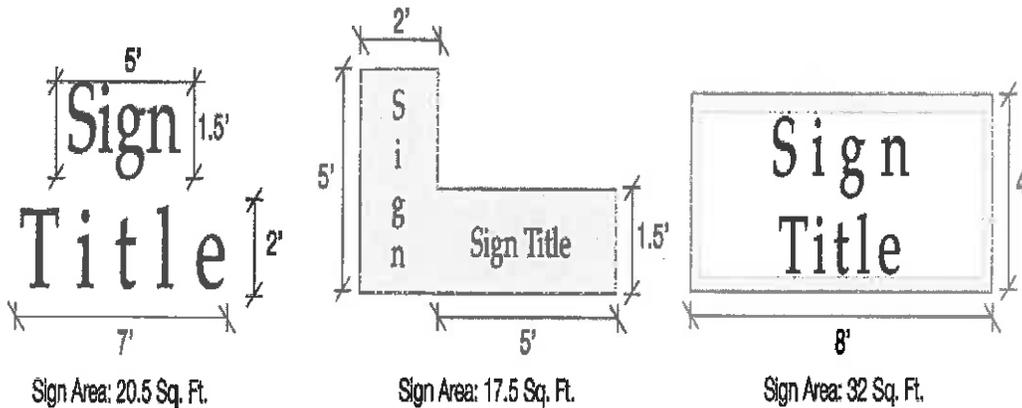
**Section 17.55.080 General Requirements for Determining Sign Area, Height, Location and Sign Design.**

(a) Determining Sign Area.

The measurement of sign area to determine compliance with the sign area limitations of this chapter shall be regulated as follows:

(1) Surface Area.

The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. Individual letters applied to or painted directly on the building wall surface are determined by the dimension of the outer edges of the applied letters or numbers. (See Figure 14)



**Figure 14**  
**Surface Area Sample Calculation for**  
**channel-letter signs applied to building wall and signs within a box or sign panel.**

(2) Sign Structure.

Supporting bracing or framework that is clearly incidental to the display itself shall not be computed as sign area.

(3) Double-Sided Signs.

For double-sided signs which have two separate sign faces 180 degrees in opposite directions (such as monument and projecting signs), the sign shall be computed with the total area of only one side of the sign. Individual signs composed of more than one sign

face shall be computed as including only the maximum single display surface that is visible from any ground position at one time.

(4) **Three-dimensional Objects.**

Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured at their maximum projection upon a vertical plane. (See Figure 15)



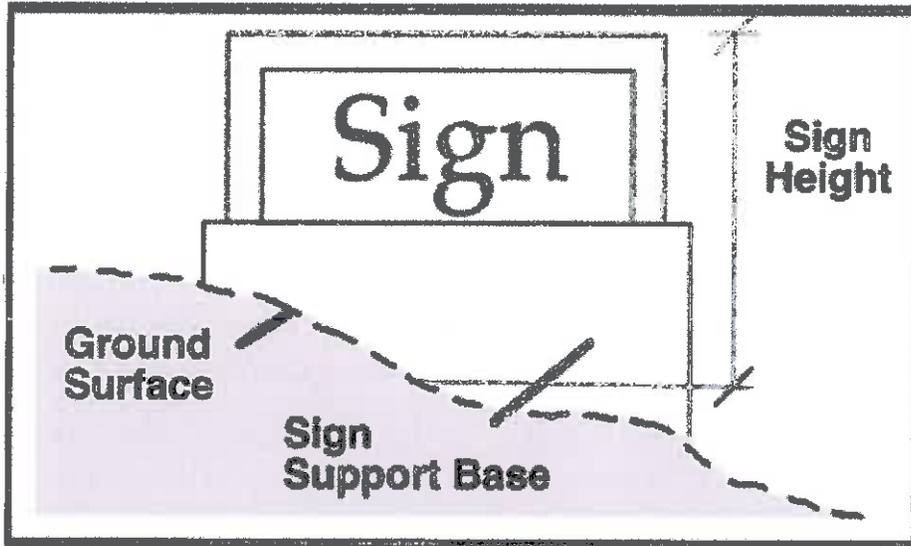
**Figure 15**  
**Three-dimensional objects as signs**

(5) **Lighted Panels and Tube Lighting.** Permanently installed illuminated panels, visible tubing (such as neon-lighting or light-emitting diode (LED) lighting), and strings of lights outlining all or a portion of a structure shall be deemed "signs" subject to this Chapter and shall be counted as part of the allowed sign area.

(6) **Time and/or Temperature Device.** The area of any time and/or temperature device incorporated into a sign shall not be included in the calculation of total sign area.

(b) **Determining Sign Height Measurement, Freestanding Signs.**

The height of a freestanding sign shall be computed as the vertical distance from the ground point of the base of the sign at center of the sign at existing grade, to the top of the highest attached component of the sign (See Figure 16). This calculation is unclear.



**Figure 16  
Sign Height Measurement, Free-standing Monument Sign**

**(c) Sign Location Requirements.**

Each sign shall be located in compliance with the following requirements, and all other applicable provisions of this Chapter.

- (1) Each sign shall be located on the same site as the subject of the sign as specified in Table 1, except as otherwise allowed by Section 17.55.100 for a specific sign type.
- (2) No sign shall project over public property, or the public right-of-way, except where the City has granted an encroachment permit in addition to a sign permit.
- (3) No sign shall be placed so as to interfere with the operation of a door or window or otherwise cause a hazard to the public.

**(d) Private Signs Placed within the Public Right-of-way.**

- (1) No private sign shall be allowed in the public right-of-way except for the following:
  - (A) Projecting signs that comply with Section 17.55.100(h) (Projecting signs). An encroachment permit shall be required.
  - (B) Temporary local community signs may be approved by the Director or his or her designee without a sign permit for events up to a maximum duration of seven (7) days.
    - (i) Size. The sizes shall be no larger than twenty (20) square feet.

- (ii) Location. Signs shall be positioned so they do not obstruct visual line of sight or endanger members of the public.
  - (iii) Affixed to Ground/Structure. Signs shall be safely installed so they do not blow away, fall over, or create a risk to public safety.
- (2) Any sign installed or placed within the public right-of-way other than in compliance with this Chapter shall be forfeited to the public and be subject to confiscation.
- (3) The City shall have the right to recover from the owner, or person placing the sign, the full costs related to the removal and disposal of the sign.
- (4) A sign permit shall not be required for public City signs placed within the public right-of-way.
- (e) Sign Materials, Colors, Construction and Maintenance.

All signs shall be designed, constructed and continuously maintained in compliance with the following standards:

- (1) Compliance with Applicable Provisions.

All signs shall comply with the applicable provisions of the King City Municipal Code, including those code adopted by reference therein, and any other applicable City ordinances, resolutions, or regulations.
- (2) Permanent Materials and Attachment.

Except for banners, flags, temporary signs, and window signs conforming with the requirements of this Chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- (3) Color.

Colors of sign background face and structural members should be harmonious with one another and relate to the dominant colors of the building structures on the site. Bright letters and/or backgrounds (such as use of bright yellow, bright red and bright orange) are discouraged and shall be minimally used within the Historic Corridor Revitalization Plan area.
- (4) Design and Construction.
  - (A) All permanent signs shall be designed and constructed by persons knowledgeable in design and construction of signs.

- (B) No sign shall include reflective material.
- (C) Materials for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.
- (D) The use of individual letters incorporated into the building design is encouraged.

(f) Copy Design Guidelines.

The City does not regulate the message content (copy) of signs; however, the following are principles of copy design and layout that can enhance the readability and attractiveness of signs. Copy design and layout consistent with these principles is encouraged, but not required.

- (1) Sign copy should relate only to the name and/or nature of the business or commercial center.
- (2) Permanent signs that advertise continuous sales, special prices, or include phone numbers, etc., shall be avoided.
- (3) Freestanding signs shall contain the street address of the parcel or the range of addresses for a multitenant center.

(g) Sign Lighting.

Sign lighting shall be designed to minimize light and glare on the surrounding rights-of-way and properties.

- (1) External and internal lighting in the case of translucent signs, shall ensure that light sources shall be directed and shielded so that they do not produce glare off the site, on any object other than the sign. Internally lit signs are discouraged within the Downtown Historic Area pursuant to the Historic Corridor Revitalization Plan.
- (2) Sign illumination shall not blink, flash, flutter, or change light intensity, brightness, or color.
- (3) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
- (4) Neither the direct nor reflected light from primary lighting sources shall create hazards for pedestrians or operators of motor vehicles.
- (5) Light sources shall utilize energy efficient bulbs and/or illumination fixtures. Indirect lighting which is primarily for illuminating architectural features or landscaping is not included in sign area.

(h) Maintenance of Signs.

- (1) Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.
- (2) Any repair to a sign shall be of materials and design of equal or better quality as the original sign.
- (3) A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the King City Municipal Code.
- (4) When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed.

### **Section 17.55.090 Standards for Signs by Type and Development Characteristics**

- (a) Maximum sign area, sign height, sign location and other applicable sign standards for permitted signs: Each sign shall comply with the sign type, area, height, and other restrictions provided by this section, in addition to the provisions of Section 17.55.100 (Standards for specific types of signs).

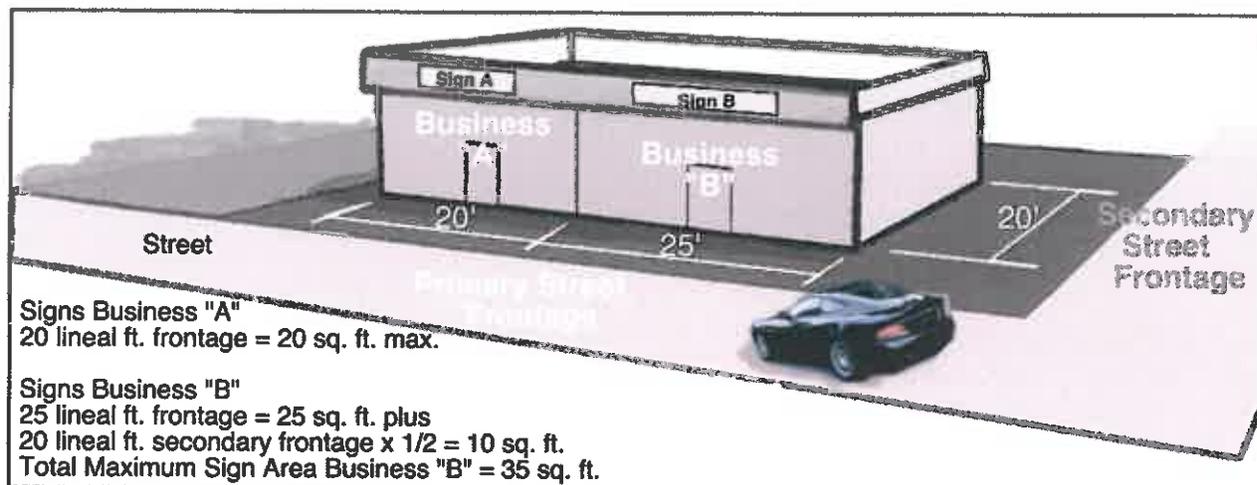
Signs permitted within the City are regulated by sign and corresponding development type, rather than Zoning District, and the standards for their development are described in Table 1 below. A sign permit is required to determine compliance with applicable provisions of this Chapter.

- (b) Sign Standards for sign area, sign height, sign location and illumination: The following general rules/standards apply to permanent signs regulated in this Chapter:
  - (1) Building signs are those signs that are permanently attached to a building (e.g., wall signs, blade/bracket signs, etc. (See Figure 19.D));
  - (2) Freestanding signs are those that have their own unique foundation or are otherwise not attached to a building (e.g., monument sign (See Figure 23))
  - (3) The total allowed sign area may be distributed among the maximum number of signs permitted for each sign type. (See Figure 17)



**Figure 17**  
**Example of Multiple Signs for One Business**

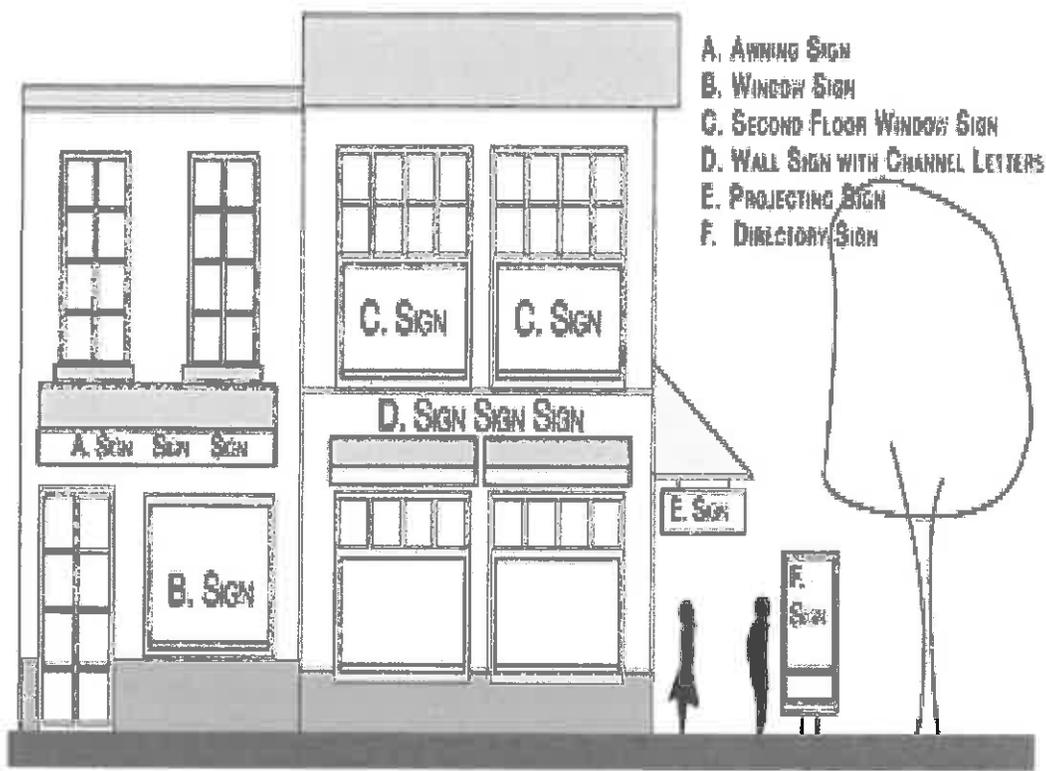
- (4) Illumination Standards refer to whether or not the sign may be illuminated and how. Signs that may be illuminated may be done so by “Indirect or background” (indirect light source, low-wattage spotlight without glare to the adjoining property, or internal light source with opaque, non-transparent background) or by any method, that produces “No glare onto (neighboring) residential property.”
- (5) Allowable sign area is either a set square footage per business or is based on a ratio of sign area to primary building frontage (See Figure 18). It is calculated as described in Table 1. Where a ratio is described, it applies up to the listed maximum sign area.



**Figure 18**  
**Determining Maximum Allowable Sign Area (except within Downtown)**

- (6) Building Frontage is used to determine allowable sign area and is that area of the building that faces onto a public right-of-way, an internal circulation aisle, or a parking lot. In no case shall signs face directly onto residential property. Where the maximum allowed sign area is based upon the measurement of a building's primary frontage, the primary frontage shall be the building frontage facing the street. In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage. For buildings facing two streets, the secondary street frontage is used to determine additional allowable total sign area permitted. (See Figure 18.)

In the case of a single multi-tenant building that has one primary frontage, the allowable sign area for which may be distributed at the discretion of the owner; however, in no event shall the combined sign area for all tenants exceed the allowable sign area for the building (See Figure 19).



**Figure 19**  
**Examples of Sign Types**

**Table 1**  
**Signs Permitted by Type and Development Characteristics**

Sign Type	Maximum Number of Separate Signs	Maximum Total Sign Area <sup>1</sup>	Maximum Height	Minimum Setback from R-O-W <sup>2</sup>	Illumination <sup>3</sup> & Other <sup>4&amp;5</sup> Standards
<b>SINGLE-FAMILY RESIDENTIAL USES</b>					
1. Address only sign	1	two (2) sq. ft.			Indirect illumination only
<b>MULTIFAMILY &amp; SUBDIVISIONS including Apartment Complexes, Subdivisions &amp; PUD</b>					
1. Entry Monument Sign	1	twelve (12) sq. ft.	eight (8) ft.	ten (10) ft.	Indirect illumination

Sign Type	Maximum Number of Separate Signs	Maximum Total Sign Area <sup>1</sup>	Maximum Height	Minimum Setback from R-O-W <sup>2</sup>	Illumination <sup>3</sup> & Other <sup>4&amp;5</sup> Standards
OR on-building sign					only
<b>COMMERCIAL, OFFICES &amp; INDUSTRIAL USES within commercial, industrial zones and PD zones with approved CUPs for commercial &amp; industrial uses (except Downtown)</b>					
1. Building Signs (per business). Signs include projecting signs, parapet mounted, suspended signs, wall signs & permanent window signs (such as decals)	3	Total 1 sq. ft. per lineal ft. of Building Frontage, plus 0.5 sq. ft. per lineal ft. of secondary	Below top of Roofline	May extend to edge of Building Fascia or Eave. Projecting signs may extend up to 3 feet from building face	Interior (box) lighting or Indirect lighting
2. Monument Signs	1	building frontage. Minimum 20 sq. ft.	eight (8) ft.	ten (10) ft.	Interior (box) lighting or Indirect lighting
3. Second floor business Sign, wall mounted. Signs include projecting signs, parapet mounted, suspended signs, wall signs & permanent window signs (such as decals)	1	twelve (12) sq. ft.	At least one foot below the top of a parapet or top of the roof.	May extend to edge of Building Fascia or Eave. Projecting signs may extend up to 3 feet from building face	Interior (box) lighting or Indirect lighting
4. Pole Signs (only permitted within five-hundred 500 ft. of US 101 freeway R-O-W)	Maximum of 1 per property	one hundred (100) sq. ft.	sixty (60) ft.	twenty (20) ft.	Interior (box) lighting or Indirect lighting

<b>Sign Type</b>	<b>Maximum Number of Separate Signs</b>	<b>Maximum Total Sign Area<sup>1</sup></b>	<b>Maximum Height</b>	<b>Minimum Setback from R-O-W<sup>2</sup></b>	<b>Illumination<sup>3</sup> &amp; Other<sup>4&amp;5</sup> Standards</b>
<b>DOWNTOWN HISTORIC AREA SIGNS (FSC, VC &amp; SB Districts)<sup>6</sup></b>					
1. Building Signs (per business). Signs include projecting signs, parapet mounted, suspended signs, wall signs & permanent window signs (such as decals)	3	Total 1 sq. ft. per each 2-lineal ft. of Building Frontage, plus 0.5 sq. ft. per lineal ft. of secondary	Below top of Roofline	May extend to edge of Building Fascia or Eave. Projecting signs may extend up to 3 feet from building face	Indirect lighting
2. Monument Signs	1	building frontage. Minimum 20 sq. ft.	six (6) ft.	ten (10) ft.	Indirect lighting
3. Second floor business  Sign, wall mounted. Signs include projecting signs, parapet mounted, suspended signs, wall signs & permanent window signs (such as decals)	1	twelve (12) sq. ft.	At least one foot below the top of a parapet or top of the roof.	May extend to edge of Building Fascia or Eave. Projecting signs may extend up to 3 feet from building face	Indirect lighting
<b>RELIGIOUS INSTITUTIONS</b>					
1. Signs and/or religious symbols	3	Total 1 sq. ft. per each 2-lineal ft. of Building Frontage,		ten (10) ft.	Indirect lighting
2. Monument Signs	1	Minimum	six (6) ft.	ten (10) ft.	Indirect

Sign Type	Maximum Number of Separate Signs	Maximum Total Sign Area <sup>1</sup>	Maximum Height	Minimum Setback from R-O-W <sup>2</sup>	Illumination <sup>3</sup> & Other <sup>4&amp;5</sup> Standards
		20 sq. ft.			lighting
<b>COMMERCIAL &amp; OFFICE USES IN RESIDENTIAL ZONES (only where said uses are permitted)</b>					
1. Building Signs (per business). Signs include projecting signs, parapet mounted, suspended signs, wall signs & permanent window signs (such as decals)	2	Total 1 sq. ft. per each 2-lineal ft. of Building Frontage, Minimum 20 sq. ft.	Below top of Roofline	May extend to edge of Building Fascia or Eave. Projecting signs may extend up to three (3) feet from building face	Indirect lighting
2. Monument Signs	1		six (6) ft.	ten (10) ft.	Indirect lighting

1. Sign area of double-sided signs shall be determined by the area of only one face of the sign
2. R-O-W means Right-of-Way, the public easement for public roads, public walkways and public alleys
3. Sign Lighting shall not glare into adjoining properties or street right-of-way ((ROW).
4. Street address numbers are required for all buildings, minimum 6-inch-tall numbers visible from the street to identify the location for emergency personnel and utility companies.
5. No sign shall rotate, flash, vibrate or otherwise move.
6. Historic Corridor signs shall be of muted colors that coordinate with the colors of the building. Bright colors such as red, yellows and oranges shall be limited to ten (10%) percent or less of the total sign graphics. Historic area is defined in Section 18.55-090(c). Signs in the Historic Downtown Corridor shall comply with the findings contained in the Sign Guidelines of the Historic Corridor Revitalization Plan. Internally lit cabinet signs are strongly discouraged and indirect lighting is recommended as the primary means of night lighting signs within the Historic Downtown.

- (c) Historic Downtown Area. Each sign in the historic downtown area shall comply with the requirements in Table 1. For purposes of this section, the historic downtown area is defined in the Historic Corridor Revitalization Plan (HCRP) and includes the First Street Corridor (FSC), Village Core (VC) and Village Business (VB) Districts within the HCRP.
  - (1) Purpose. The purpose of establishing sign standards for the historic downtown area is to preserve and protect the historic integrity and cultural resources of the downtown area.
  - (2) Required Findings. The Director or his or her designee must find that the sign is compatible with the character of the building and the historic downtown area.

**Section 17.55.100 Standards for Specific Sign Types.**

Proposed signs shall comply with the following standards applicable to the specific sign type. Each sign type listed in this section shall be included in the calculation of the total sign area allowed on a parcel by Section 17.55.090 (Table 1) unless this section explicitly provides otherwise. Each sign shall also comply with the requirements of Section 17.55.080 (General requirements for determining sign area, height, location and sign design.), and all other applicable provisions of this chapter.

- (a) Awning Signs. The following standards apply to awning signs (Figure 20) in all districts where allowed by Section 17.55.090 (Table 1).
  - (1) Signs on awnings are limited to ground level or second story occupancies only.
  - (2) Awnings shall be indirectly illuminated. Translucent awning materials are prohibited.



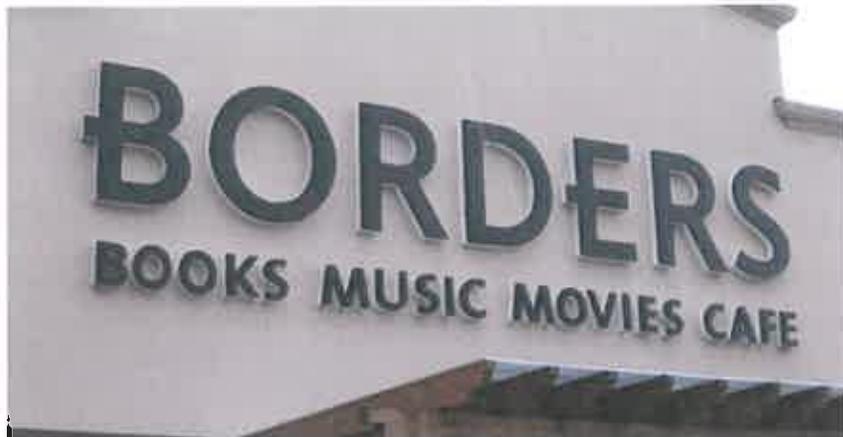
**Figure 20**  
**Example of Awning Signs**  
**with indirect lighting**

- (b) Cabinet Signs. Cabinet signs can be either externally or internally illuminated. signs can be incorporated into monument signs, walls signs, projecting signs and pole signs (See Figure 21).



**Figure 21**  
**Example of Cabinet Sign**

- (c) Channel Letter Signs. Signs in which the letters of the sign are either painted on or constructed individually on the building wall or roof surface. (See Figure 22)



**Figure 22**  
**Example of Channel Letter Sign**

- (d) **City Billboard Signs.** The Commission may allow a city-owned or public benefit nonprofit organization owned and maintained billboard in the PD and H-S zoning districts along State Highway 101. Billboards advertising businesses and products are prohibited.
- (e) **Monument Signs.** Monument signs are low-profile freestanding signs not attached to a building. The following standards apply to monument signs in all districts where allowed by Table 1.
  - (1) Monument signs shall not exceed eight (8') feet in height in commercial and industrial zones and shall be separated from other monument signs by a minimum of fifty (50') feet to ensure adequate visibility for all signs. (See Figure 23) The review authority may waive this requirement where the locations of existing signs on adjacent properties would make the fifty-foot separation impractical, or there is no other alternative. Monument signs in the Downtown Historic Corridor shall not exceed six (6') feet in height.
  - (2) A monument sign shall be setback from the right-of-way for traffic, pedestrian and bicyclist safety and shall not project over public property, vehicular easements, or rights-of-way, and shall not obstruct a traffic safety sight area, as determined by the City Engineer.
  - (3) To assist emergency response personnel in locating the site, monument signs shall contain an illuminated street address plate. Address numbers shall be a minimum of six (6") inches in height.



**Figure 23**  
**Example of Monument Sign**  
**With Address Numbers**

- (f) **Freeway-oriented Pole Signs.** A freeway-oriented pole sign may be approved in compliance with the following requirements. (Figure 24 shows a business with one pole sign and several building signs.)
- (1) **Permit Requirement.** Freestanding pole sign permit approval is required for a freeway-oriented sign.
  - (2) **Where Allowed.** The Commission may, after conducting a duly noticed public hearing, allow a freeway-oriented pole sign permit:
    - (A) Within a commercial or planned development zoning district on a parcel with a property line within five-hundred (500') feet of the State Highway 101 freeway right-of-way. New pole signs are not permitted in other areas of the City.
  - (3) **Design.** The city shall limit the number, height and visual impact of freeway-oriented signs when considering a freestanding pole sign permit. Pole signs shall be discouraged if adequate signage can be provided on the sides of buildings and in the form of monument signs. Pole signs shall not exceed 100 square feet in sign area.
  - (4) **Height.** The height of any Commission approved freeway oriented signs shall not exceed sixty (60') feet and shall be limited to the

lowest practical elevation when considering the line of sight from nearby highways. However, the Commission may require minimum clearances beneath a freeway-oriented sign if necessary to protect the public health and safety.

- (5) Required Findings. In addition to the findings required in Section 17,.55.040(d), the approval of a freestanding pole sign permit for a freeway-oriented sign shall require that the Commission find that the use or site cannot be adequately identified by other signs allowed within the that site.



**Figure 24**  
**Example of Combination of Pole Sign and Building Signs**  
**(Pole Signs Only Permitted on Properties within 500 feet of Freeway Highway 101 Main Corridor)**

- (g) Information Kiosks. A kiosk is a small monument or structure with a cover located next to a sidewalk or walkway (See Figure 25). Public Information Kiosks are encouraged for the permanent and/or temporary display of information including community and civic activities, and advertising for local commercial establishments may be allowed. Approval of the size, location, and maintenance requirements for such kiosks shall be established by the Commission through the application for a kiosk sign permit. A kiosk shall not apply to the maximum allowable sign area provided that there is no information on the kiosk identifying the name of the business(s) or products sold at the site legible from the street or parking lot. Kiosks may include maps and directions or other information as deemed appropriate by the Commission.



**Figure 25**  
**Example of Information Kiosk**

- (h) Murals. Murals placed on the wall of a structure or noise barrier are encouraged (See Figure 26). Murals, through a sign permit, are subject to Director approval if smaller than twenty (20) square feet in area and Commission approval for murals larger than twenty (20) square feet, and as follows:
- (1) Requirements.
    - (A) A mural without advertising visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by Table 1.
    - (B) Any mural with text identifying the business or products of the business shall be included in the calculation of total sign area and shall comply with the sign area limitations applicable to the site;



**Figure 26**  
**Example Mural**

- (i) **Projecting Signs.** The following standards apply to projecting signs in all zoning districts where allowed by Table 1. (See Figure 27)
- (1) With the exception of a theater marquee, the maximum projection of a sign from a structure wall over a public right-of-way shall not exceed thirty-six (36") inches over a sidewalk. Larger projections from the structure wall over private property may be approved by the review authority. Any projection over a public right-of way shall require an encroachment permit.
  - (2) The top of a projecting sign shall exceed the lesser of: fourteen (14') feet, eave height, one foot below top of parapet, or sill of a second-floor window. No portion of the sign shall project above the eave line of a sloped roof or the top of the parapet on a flat roof.
  - (3) A projecting sign shall maintain a minimum clearance of eight (8') feet from the bottom of the sign to the finished grade below.
  - (4) Icon signs using shapes or symbols uniquely suited to the business, creative shapes, and three-dimensional signs are encouraged.
  - (5) Sign supports shall be well-designed and compatible with the design of the sign.



**Figure 27**  
**Example Projecting Sign**

- (j) **Wall Signs.** Wall signs include enclosed sign boxes, routed signs (in which letters are routed out of a wood background which is attached to a wall surface), channel letters applied to a wall surface, painted letters on a wall surface and similar signs attached to a wall of the building. The following standards apply to wall signs in all zoning districts where allowed by Table 1, Section 17.55.090. (See Figure 28)
- (1) **Sign Location.** A wall sign may be located on any primary or secondary structure frontage.
  - (2) **Projection from Wall Surface.** A wall sign shall not project more than twelve (12") inches from the surface to which it is attached.



**Figure 28**  
**Example Wall Sign**

- (k) Window Signs. The following standards apply to permanent window signs where allowed by Section 17.55.090 (Table 1) (See Figure 29).
- (1) Sign Location. Window signs shall be allowed on the ground level and second story windows.
  - (2) Maximum Sign Area. Permanent window signs shall not occupy more than twenty-five (25%) percent of the total window area. The maximum area of window permanent signs and other signs (such as wall signs, monument signs, projecting signs and other similar signs) identifying the business shall not exceed the standards for total sign area as defined in Table 1.
  - (3) Sign Materials. Window signs shall consist of individual letters, logos, or symbols applied to, stenciled on, or etched into the glass surface; however, neon signs with transparent backgrounds may be hung inside the window glass.



**Figure 29**  
**Example of Permanent Business Window Signs**

- (l) **Electronic Message Boards:** The Director may grant a sign permit for electronic message boards at a private school or hospital or other similar public benefit organization for the purpose of providing public service messages unrelated to commercial products and services (See Figure 30). Said electronic message board, if constructed as a separate monument detached from the building, shall not exceed eight (8) feet in height and shall not exceed 20 square feet in area. The Commission shall review any proposed message board exceeding eight (8) feet in height or exceeding twenty (20) square feet in area.



**Figure 30**  
**Example of Electronic Message Board**

- (m) Subdivision Signs: In the case of sale of subdivisions, on-site subdivision identification signs may be allowed by the Director with sign permit approval, in compliance with the following standards:
- (1) A maximum of two on-site signs (See Figure 31) may be located within the project boundaries; provided, no more than one sign for each street frontage is allowed, and multiple signs shall be separated by a minimum of seventy-five (75') feet.
  - (2) The area of each sign shall not exceed twenty-four (24) square feet;
  - (3) Sign height shall not exceed ten (10') feet;
  - (4) The signs shall not be illuminated; and
  - (5) The signs may be displayed only during the two years following date of recordation of the final map, or until all of the units have been sold, whichever occurs first.
  - (6) Off-site Directional Signs. Off-site real estate (advertising the sale of a property) directional signs greater than six (6) square feet in area, subject to a sign permit issued by the Director, may be located on private property with the property owner's consent, provided that they do not obstruct or impede pedestrian or vehicular traffic, and are not secured to prevent removal. No real estate sign shall be permitted within the public right-of-way.



**Figure 31**  
**Example Subdivision Sales Sign**

#### **Section 17.55.110 Nonconforming Signs.**

A nonconforming sign is any permanent or temporary sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this chapter. These sign regulations, Chapter 17.55, are deemed not more restrictive than the previous sign regulations in force at the time of the adoption of these sign regulations. Pursuant to the Business and Professions Code Section 5491.1, any city or county adopting or amending any ordinance or regulation that regulates or prohibits the use of any on-premises advertising display that is more restrictive than existing law, shall include provisions in that ordinance or regulation for the identification and inventorying of all displays within its territorial limits that are determined to be illegal or abandoned pursuant to the law that is in effect prior to the adoption of, or amendment to, the ordinance or regulation.

- (a) General Requirements. A nonconforming sign shall not be:
- (1) Changed to another nonconforming sign;
  - (2) Structurally altered to extend its useful life;
  - (3) Enlarged;
  - (4) Re-established after a business is discontinued for ninety (90) days;

- (5) Re-established after damage or destruction to fifty (50%) percent or more of the value of the sign, or its components, as determined by the Chief Building Official: or
- (6) Any nonconforming sign shall lose its legal nonconforming status immediately following the expiration of the ninety (90) day period that the business was discontinued and shall be removed and replaced with a conforming sign, requiring a new sign permit approval.

(b) Amortization.

Signs that lawfully existed and were maintained and became nonconforming after adoption of this Chapter in January of 2009, shall be removed or made to conform based on the following schedule:

If the Original Value of the Sign is	Amortization Period (in years)
Less than \$499	2
\$500 to \$1,499	3
\$1,500 to \$2,999	5
More than \$3,000	7

- (1) The time periods shall commence on the effective date of the ordinance codified in this Chapter in January of 2009;
- (2) If more than one sign on a premises is or becomes nonconforming, the cost of all such nonconforming signs shall be aggregated for the purpose of determining the amortization period;
- (3) The owner or user of a nonconforming sign shall, upon written request of the Department, furnish acceptable proof of the initial cost in the form of:
  - (A) An original bill of sale,
  - (B) A description schedule from state or federal income tax returns, or
  - (C) A written appraisal by a sign manufacturer.
- (4) The owner or user of a nonconforming sign shall appeal, in writing, for a longer amortization period to the Commission within fifteen (15) calendar days of the date of actual service of the Director's notice; if served by mail, shall be deemed served three (3) calendar days after the postmarked date on the envelop. The written appeal shall be served upon the City Clerk. The Commission shall provide

the appellant with notice of its decision relating to the appeal. The owner or user of a nonconforming sign shall file an appeal with the City Clerk within fifteen (15) calendar days of the date of actual service. If the Commission's decision is served by mail, the date of actual service shall be three (3) calendar days after the postmarked date on the envelop. The City Council may consider the appeal de novo. The City Council may reverse, affirm wholly or partly, or modify the decision of the Commission. The decision of the City Council on any such appeal shall be final on adoption of an order containing its determination. If the City Council fails to act within seven (7) calendar days following the hearing of the appeal, the action of the Commission shall be deemed final, unless this time period is extended by mutual consent of the appellant and the City Council.

**Section 17.55.120 Public Nuisance, Abatement and Violation.**

- (a) **Public Nuisance.** Any sign erected or maintained in violation of the requirements of this Chapter constitutes a public nuisance subject to the enforcement, abatement and cost recovery provisions set forth within Chapter 7.51 of Title 7 of the King City Municipal Code.
- (b) **Criminal Enforcement.** Any sign erected or maintained in violation of the requirements of this Chapter constitutes a misdemeanor as set forth within Chapter 1.04 of Title 1 of the King City Municipal Code.
- (c) A sign maintained in any of the following conditions shall constitute a public nuisance:
  - (1) The sign is significantly damaged either in support structure or sign face, as determined by the Chief Building Official;
  - (2) The sign is illegible either through erosion, fading, or rusting of the sign face or through faulty or missing illumination; or
  - (3) The sign is unsafe for pedestrians or vehicles.
- (c) **Removal of Abandoned Sign.** A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business that it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Director shall give the owner thirty (30) days' written notice to remove it. Upon failure to comply with the notice, the property owner and/or lessee shall be subject to the enforcement, abatement and cost recovery provisions set forth within Chapter 7.51 of Title 7 of the King City Municipal Code.
- (d) **Additional Violations.**
  - (1) Any of the following shall be deemed a violation of this Chapter and shall be subject to all penalties and procedures set forth within Chapter 7.51 of Title 7 of the King City Municipal Code.

- (A) To create, erect, install, or maintain any sign in a way that is inconsistent with any plan or permit governing the sign or the parcel on which the sign is located;
  - (B) To fail to remove any sign that is created, erected, installed, or maintained in violation of this chapter or for which the sign permit has lapsed.
- (2) Each sign created, erected, installed, or maintained in violation of this Chapter shall be considered a separate violation subject to the enforcement, abatement and cost recovery provisions set forth within Chapter 7.51 of Title 7 of the King City Municipal Code.
  - (3) Each and every day of a continued violation shall be considered a separate violation subject to the enforcement, abatement and cost recovery provisions set forth within Chapter 7.51 of Title 7 of the King City Municipal Code,

**Section 17.55.130 Appeal.**

Applicants denied a sign permit by the decision of the Director may appeal to the Commission in writing within fifteen (15) calendar days of receipt of the Director's decision. Appeal from any action of the Commission must be made in writing by an aggrieved party within fifteen (15) calendar days from the date of receipt of notice of action of the Commission, as per Municipal Code Section 2.12.050 (Commission—Decision appeal procedure). The City Council is the appeal board with respect to any action(s), as specified in Section 2.12.040 of the King City Municipal Code, taken by the Commission.

**Section 17.55.140 Judicial review.**

Any permit issued or denied in compliance with this Chapter shall be subject to judicial review to the extent provided by Code of Civil Procedure section 1094.8 et seq.

**SECTION 4: EFFECTIVE DATE.**

This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the Ordinance, or a summary of the Ordinance, shall be published once in a newspaper of general circulation.

**I HEREBY CERTIFY** that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_ 2017, and adopted the Ordinance after the second reading at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2017, by the following roll call vote:

**AYES:** \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**ATTEST**

\_\_\_\_\_  
**STEVEN ADAMS, City Clerk**

**CITY OF KING**

By: \_\_\_\_\_  
**MIKE LEBARRE, Mayor**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
**SHANNON L. CHAFFIN, Interim City Attorney**  
**Aleshire & Wynder, LLP**

I, \_\_\_\_\_, City Clerk of the City of King, California, DO  
HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance  
passed and adopted by the City Council of the City of King on the date and by the vote  
indicated herein.

## King City Municipal Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 17 ZONING](#)**Chapter 17.55 SIGNS****Note**

\* Prior ordinance history: Ords. 660, 631, 621, 593, 562, 555, 545, 542 and 532.

**17.55.010 Purpose.**

The regulations established by this chapter are intended to appropriately limit the placement, type, size, and number of signs allowed within the city, and to require the proper maintenance of signs. The purposes of these limitations and requirements are to:

- (a) Avoid traffic safety hazards to motorists, bicyclists, and pedestrians caused by visual distractions and obstructions;
- (b) Promote the aesthetic and environmental values of the community by providing for signs that do not impair the attractiveness of the city as a place to live, work, and shop;
- (c) Provide for signs as an effective channel of communication, while ensuring that signs are aesthetically proportioned to adjacent structures and the structures to which they are attached; and
- (d) Safeguard and protect the public health, safety, and general welfare. (Ord. 679 § 1, 2009)

**17.55.020 Applicability.**

The requirements in this chapter shall apply to all signs within the city. This chapter, however, does not regulate the message or content of signs.

In the event of any conflict between this chapter and any law, rule, or regulation of the state of California, that requirement that establishes the higher standard of safety shall govern. Failure to comply with such standard or safety shall be a violation of this chapter.

If any provision or provisions of this chapter becomes illegal, invalid, or unenforceable, the legality, validity, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. (Ord. 679 § 1, 2009)

**17.55.030 Sign permit requirements and procedures.****(a) General Requirements.**

(1) Approval Required. No sign shall be constructed, installed, or modified, unless a sign permit and, where applicable, master sign program approval is obtained in compliance with all the regulations within this chapter. Except for signs allowed without sign permit by Section 17.55.050 (Exemptions from sign permit requirements).

(2) Building Permit Required. The chief building official shall examine sign permit applications. When, in his or her determination, a separate building or electrical permit is required, the applicant shall be notified and the sign permit shall not be issued until such other permits are obtained from the community development department ("department").

(3) Compliance with Permit and Master Sign Program. After approval, the sign(s) must comply with the sign permit and master sign program (Section 17.55.040), if applicable.

(b) Review Authority.

(1) Community Development Director. The community development director ("director") shall review sign permit applications and approve only those that comply with the findings required in subsection (d) of this section (Findings for approval). The director may also refer a sign permit application to the planning commission for review and decision, either for the individual sign permit, or as part of a development project that is otherwise subject to a conditional use permit ("CUP") or architectural review ("AR").

(2) Planning Commission.

(A) The planning commission shall review all master sign programs (Section 17.55.040), and shall approve only those that comply with the findings required in subsection (d) of this section (Findings for approval).

(B) In limited circumstances, the planning commission may approve a sign permit application that does not meet finding (d)(1) of this section.

(3) Conditions of Approval. The review authority may require conditions of approval that are deemed reasonable and necessary to achieve the purpose, intent, and objectives of this chapter.

(c) Sign Permit Procedures.

(1) Application Requirements. An application for a sign permit and master sign program (Section 17.55.040) shall be prepared, filed, and processed.

(2) Application Contents. Each application shall include all of the following:

(A) Plans for the sign, drawn to scale, showing the proposed location of the sign in relation to other signs on the site and adjacent properties, structures, and uses;

(B) A complete color scheme and drawing of the sign;

(C) Sufficient other details of the proposed sign to show that it complies with the provisions of this chapter;

(D) Written permission from the property owner for the placement of the proposed signs on the site;

(E) Computation of the total sign area, the area of each individual sign, the height of each sign, and the total number of existing and proposed signs on the parcel;

(F) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not;

(G) If a sign permit application is filed for a site with existing signs, the application shall detail how the applicant will correct all nonconforming signs on the site as part of the installation of the proposed signs; and

(H) Other information as required by the department.

(d) Findings for Approval. The approval of a sign permit or master sign program shall require that the review authority make the following findings, as applicable:

(1) The proposed sign(s) do not exceed the standards of Sections 17.55.080 (Zoning district sign standards) and 17.55.090 (Standards for specific types of signs), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;

(2) That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign;

(3) That a flush or projecting sign relates to the architectural design of the structure;

- (4) That signs do not unreasonably impair the visibility of existing signs on adjacent properties;
- (5) The placement and size of the sign(s) will not impair pedestrian or vehicular safety;
- (6) The design, height, location, and size of the sign(s) are visually complementary and compatible with the scale and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street;
- (7) The proposed sign(s) are in substantial conformance with the design criteria in Section 17.55.070(f) (Design criteria for signs); and
- (8) The proposed sign(s) are of a color, height, letter type, location, material, shape, size, and style that is appropriate for the use of the premises, enhancing to the premises, and harmonious with the surrounding neighborhood.

(e) Expiration and Extension of Sign Permits.

(1) Approval of a sign permit or master sign program permit shall expire twelve months from the date of approval unless the sign has been installed or a different expiration date is stipulated at the time of approval. Before the expiration of a sign permit or master sign program permit, the applicant may apply to the department for an extension of an additional twelve months from the original date of expiration. Only one extension may be granted. In response to an extension request, the director may make minor modifications or deny further extensions.

(2) The expiration date of the sign permit or master sign program permit shall be automatically extended to concur with the expiration date of the companion building permit or other applicable permits. (Ord. 679 § 1, 2009)

#### **17.55.040 Master sign program requirements.**

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(a) When Required. A master sign program shall be:

- (1) Required for new nonresidential projects with three or more tenants;
- (2) Required for existing nonresidential project with three or more tenants that complete either:
  - (A) A major renovation, for the purposes of this chapter, major renovation means adding more than fifty percent to the gross floor area of the structure(s) or exterior work on more than fifty percent of the length of any façade, or
  - (B) The modification of fifty percent or more of the existing signs on the site within a twelve-month period;
- (3) Submitted with other planning permits required by the city for development of the parcel on which the sign is proposed to be located and shall be processed simultaneously with the other planning permit(s).

(b) Contents. A master sign program shall include all the information and materials required by Section 17.55.030.(c)(2) (Application contents), and shall provide standards for the uniform style, construction, height, size, and placement of the signs.

(c) Review Authority. The planning commission shall review all master sign programs and shall approve only those that comply with the findings required in Section 17.55.030(d) (Findings for approval).

(d) Revisions. The director may approve revisions to an approved master sign program. (Ord. 679 § 1, 2009)

#### **17.55.050 Exemptions from sign permit requirements.**

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The following signs are allowed without sign permit or master sign program approval, provided that they comply with Section 17.55.070 (General requirements for all signs), and any required building permit is obtained.

(a) Nonstructural Modifications and Maintenance.

(1) Modifications to sign copy on conforming signs or changes to the face or copy of conforming changeable copy signs;

(2) Nonstructural modifications of the face or copy of an existing conforming sign installed in compliance with a master sign program; provided, the modifications are consistent with the approved master sign program;

(3) The normal maintenance of conforming signs, except as identified in Section 17.55.100(b) (Nonconforming signs).

(b) Identification Signs. Street identification and house identification signs not exceeding one square foot.

(c) Temporary Signs. The following temporary signs are allowed without a sign permit.

(1) Real Estate Signs. Real estate signs are allowed without a sign permit in compliance with California Civil Code Section 713, and subject to the following requirements:

(A) A site within a commercial, industrial, or other nonresidential zoning district shall be allowed one real estate sign of no more than ten square feet, with a maximum height for freestanding signs of six feet, adjacent to each parcel frontage.

(B) Residential Zoning Districts.

(i) On-site Signs. One residential real estate sign not more than ten square feet in area, advertising the sale or lease of a parcel or structure, may be located on the property it advertises.

(ii) Off-site Directional Signs. Off-site real estate directional signs not more than six square feet in area may be located on private property with the property owner's consent, provided that they do not obstruct or impede pedestrian or vehicular traffic, and are not secured to prevent removal. No real estate sign shall be permitted within the public right-of-way.

(2) Political or Social Issue Signs. Political or social issue signs are allowed without a sign permit provided that the signs:

(A) Are placed on private property with the property owner's consent, and do not exceed a total aggregate area of twelve square feet within a residential zoning district, or twenty square feet within a nonresidential zoning district;

(B) Are not placed so as to impede the visibility of street or traffic control signs to motorists or pedestrians; and

(C) Are not placed unlawfully. The placement of a sign in the public right-of-way in violation of this chapter or any other provision of the Municipal Code is a nuisance, and any sign so placed may be removed and disposed of by the city.

(3) Temporary Window Signs. Temporary signs on commercial properties that are painted directly on a window, affixed to the inside of a window, or hung within twelve inches of a window promoting a message, including but not limited to, grand openings and special events (commercial and noncommercial), provided the sign or signs do not exceed five percent of the window area or two square feet per window, whichever is greater. Temporary window signs may be allowed for a thirty-day period.

(d) Governmental Signs. Signs installed by the city, county, or a federal or state governmental agency, are allowed without a sign permit including, but not limited to, the following:

(1) Emergency and warning signs necessary for public safety or civil defense;

- (2) Traffic signs erected and maintained by an authorized public agency;
  - (3) Legal notices, licenses, permits, and other signs required to be displayed by law;
  - (4) Signs showing the location of public facilities (e.g., public telephones, restrooms, and underground utilities); and
  - (5) Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare.
- (e) Miscellaneous Signs. The following signs are also allowed without a sign permit:
- (1) Street Addresses. Street address numbers not exceeding twelve inches in height.
  - (2) Official Flags. Flags of national, state, or local governments, or nationally recognized religious, fraternal, or public service agencies; provided that:
    - (A) The length of a flag shall not exceed one-fourth the height of the flagpole;
    - (B) The height of the flag pole shall not exceed twelve feet within a residential zoning district and thirty feet within a nonresidential zoning district; and
    - (C) No private flagpole shall be located within a public right-of-way or required setback.
  - (3) Ornamentation and Decoration. Symbols, pictures, patterns, and illumination approved as architectural ornamentation or decoration by the planning commission.
  - (4) Historical Markers. Historical markers erected and maintained by nonprofit organizations, memorials, building cornerstones, and date-constructed stones, provided that none of these exceed four square feet.
  - (5) Service Station Price Signs. Service station price signs required by state law. (Ord. 679 § 1, 2009)

#### **17.55.060 Prohibited signs.**

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All signs not expressly allowed by this chapter shall be prohibited. Examples of prohibited signs include, but are not limited to, the following:

- (a) Animated and moving signs. Includes electronic message display signs, blinking, or flashing signs, or signs that emit a varying intensity of light or color, except time and temperature displays (which are not considered signs) and barber poles;
- (b) Billboard signs except as allowed by Section 17.55.090(b) (City billboard signs);
- (c) Off-site signs except as allowed by Section 17.55.090(i)(3) (Offsite directional signs);
- (d) Signs that emulate traffic control signals. Because of the city's interest in ensuring traffic safety, signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads, or confuses pedestrian or vehicular traffic are prohibited;
- (e) Directional signage. A sign in the form or shape of a directional arrow, or otherwise displaying a directional arrow, unless approved by the planning commission. This is to protect the safety, convenience and control of vehicular and pedestrian traffic within the premises of the subject use;
- (f) Signs attached to boats, vehicles, or other moving objects. A sign attached to or suspended from a boat, vehicle, or other movable object that is parked within a public right-of-way, or located on private property so that it is visible from a public right-of-way, unless approved by the planning commission. This standard does not include signs painted directly upon, magnetically affixed to, or permanently affixed to the body or other integral part of a vehicle that covers no portion of a vehicle window;
- (g) A sign burned, cut, or otherwise marked on or affixed to a natural feature.
- (h) A sign placed within a public right-of-way, except as provided by Section 17.55.070(d) (Signs placed within the public right-of-way); and

- (i) A-board and other portable sidewalk signs. (Ord. 679 § 1, 2009)

**17.55.070 General requirements for all signs.**

(a) Sign Area Measurement. The measurement of sign area to determine compliance with the sign area limitations of this chapter shall be regulated as follows:

(1) Surface Area. The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. See Figure 1.



**Figure 1 Surface Area Calculation**

(2) Sign Structure. Supporting bracing or framework that is clearly incidental to the display itself shall not be computed as sign area.

(3) Multi-faced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces.

(4) Three-dimensional Objects. Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured at their maximum projection upon a vertical plane. See Figure 2.



**Figure 2 Three-dimensional Objects**

(5) Time and/or Temperature Device. The area of any time and/or temperature device incorporated into a sign shall not be included in the calculation of total sign area.

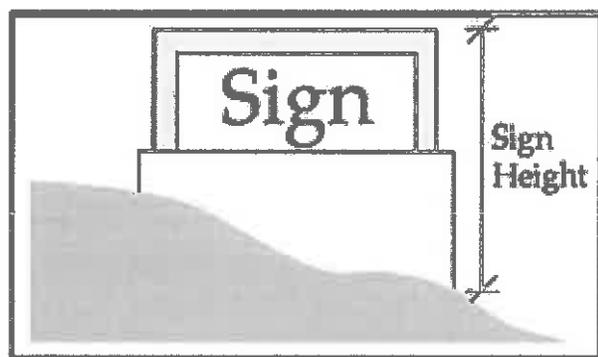
(6) Sign Lighting. Permanently installed illuminated panels, visible tubing, and strings of lights outlining all or a portion of a structure shall be deemed “signs” subject to this chapter and shall be counted as part of the allowed sign area. Each line of tubing or lights shall be deemed to have a minimum width of at least six inches

for the purpose of area calculation. Indirect lighting that is primarily for illuminating architectural features or landscaping is not included in sign area.

(b) **Sign Height Measurement.** The height of a sign shall be computed as the vertical distance from the lowest point of the base of the sign at normal grade, to the top of the highest attached component of the sign. See Figure 3.

Normal grade shall be construed to be the lower of either the:

- (1) Existing grade before construction; or
- (2) Newly established grade after construction, exclusive of any berming, filling, mounding, or excavating solely for the purpose of locating the sign.



**Figure 3 Sign Height Measurement**

(c) **Sign Location Requirements.** Each sign shall be located in compliance with the following requirements, and all other applicable provisions of this chapter.

- (1) Each sign shall be located on the same site as the subject of the sign, except as otherwise allowed by Section 17.55.090 for a specific sign type.
- (2) No sign shall project over public property, or the public right-of-way, except where the city has granted an encroachment permit in addition to a sign permit.
- (3) No sign shall be placed so as to interfere with the operation of a door or window. A sign that covers architectural features shall be discouraged.

(d) **Signs Placed within the Public Right-of-way.**

- (1) No sign shall be allowed in the public right-of-way except for the following:
  - (A) Public signs erected by or on behalf of a governmental agency to convey public information, identify public property, post legal notices, or direct or regulate pedestrian or vehicular traffic;
  - (B) Bus stop signs installed by a public transit company;
  - (C) Informational signs of a public utility regarding its lines, pipes, poles, or other facilities;
  - (D) Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized work within the public right-of-way;
  - (E) Projecting signs that comply with Section 17.55.090(h) (Projecting signs);
  - (F) Temporary local community group signs located at the corner of San Antonio and Broadway, adjacent to the cemetery. The signs shall meet the following requirements:
    - (i) **Size.** The sizes shall be no larger than four square feet.

(ii) Location. Signs shall be positioned so they do not obstruct visual line of sight.

(iii) Affixed to Ground/Structure. Signs shall be safely installed so they do not blow away, fall over, or create other safety problems.

(2) Any sign installed or placed within the public right-of-way other than in compliance with this section shall be forfeited to the public and be subject to confiscation.

(3) The city shall have the right to recover from the owner, or person placing the sign, the full costs related to the removal and disposal of the sign.

(4) A sign permit shall not be required for city signs placed within the public right-of-way.

(e) Sign Design, Construction and Maintenance. All signs shall be designed, constructed, and continuously maintained in compliance with the following standards:

(1) Compliance with Applicable Provisions. All signs shall comply with the applicable provisions of the uniform codes of the city, any other applicable city ordinances, resolutions, or regulations, and this chapter.

(2) Permanent Materials and Attachment. Except for banners, flags, temporary signs, and window signs conforming with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

(f) Design Criteria for Signs. The following design criteria shall be used in reviewing the design of individual signs. Substantial conformance with each of the following design criteria shall be required before a sign permit or building permit can be approved:

(1) Color. Colors on signs and structural members should be harmonious with one another and relate to the dominant colors of the other structures on the site. Contrasting colors may be utilized if the overall effect of the sign is still compatible with the structure colors and prevailing colors in the surrounding neighborhood (where a theme can be identified).

(2) Design and Construction.

(A) All permanent signs shall be designed by professionals (e.g., architects, building designers, landscape architects, interior designers, or those whose principal business is the design, manufacture, or sale of signs) who are capable of producing professional results.

(B) All permanent signs shall be constructed by persons whose principal business is building construction or a related trade including sign manufacturing and installation businesses, or others capable of producing professional results. The intent is to ensure public safety, achieve signs of careful construction, neat and readable copy, and durability so as to reduce maintenance costs and to prevent dilapidation.

(3) Materials and Structure.

(A) Sign materials (including framing and supports) shall be characteristic of the type and scale of materials used on the site of the sign. Sign materials shall match those used on the structure and on other signs on the site.

(B) No sign shall include reflective material.

(C) Materials for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.

(D) The size of the structural members (e.g., columns, crossbeams, and braces) shall be proportional to the sign panel they are supporting. In general, fewer larger supporting members are preferable to many smaller supports.

(E) The use of individual letters incorporated into the building design is encouraged, rather than a sign with background and framing other than the structure wall.

(4) **Street Address.** The review authority may require that a sign include the street address of the site, where it determines that public safety and emergency vehicle response would be more effectively served than if the street address were displayed solely on one or more structures on the site.

(g) **Copy Design Guidelines.** The city does not regulate the message content (copy) of signs; however, the following are principles of copy design and layout that can enhance the readability and attractiveness of signs. Copy design and layout consistent with these principles is encouraged, but not required.

(1) Sign copy should relate only to the name and/or nature of the business or commercial center.

(2) Permanent signs that advertise continuous sales, special prices, or include phone numbers, etc., shall be avoided.

(3) Information should be conveyed briefly or by logo, symbol, or other graphic manner. The intent should be to increase the readability of the sign and thereby enhance the identity of the business.

(4) The area of letters or symbols should not exceed forty percent of the background area in commercial districts or sixty percent in residential districts.

(5) Freestanding signs should contain the street address of the parcel or the range of addresses for a multitenant center.

(h) **Sign Lighting.** Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties.

(1) A sign should be illuminated by lights shining on the sign rather than by lights within the sign.

(2) External light sources shall be directed and shielded so that they do not produce glare off the site, on any object other than the sign.

(3) Sign illumination shall not blink, flash, flutter, or change light intensity, brightness, or color.

(4) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.

(5) Neither the direct nor reflected light from primary light sources shall create hazards for pedestrians or operators of motor vehicles.

(6) No lamp that exceeds fifteen watts shall be placed so that the face of the lamp is visible from a public right-of-way or adjacent property.

(7) Light sources shall utilize hard-wired florescent or compact florescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent lamps shall be prohibited.

(i) **Maintenance of Signs.**

(1) Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.

(2) Any repair to a sign shall be of materials and design of equal or better quality as the original sign.

(3) A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Municipal Code.

(4) When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed. (Ord. 679 § 1, 2009)

#### **17.55.080 Zoning district sign standards.**

Each sign shall comply with the sign type, area, height, and other restrictions provided by this section, in addition to the provisions of Section 17.55.090 (Standards for specific types of signs).

Sign standards for specific plans and planned developments will be determined during the discretionary review process. If such standards follow the citywide standards in this chapter, the review authority will determine the zoning districts that most closely match the proposed project.

(a) Residential and Open Space Districts. Each sign in the A, R-1, R-2, R-3, R-4 and O districts shall comply with the requirements in Table (1)

**Table 1**  
**Sign Standards for Residential Neighborhoods**

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
Wall	Two feet below edge of roof	One per street frontage	Twelve sf maximum each
Freestanding	Four feet		Twenty-four sf total for all signs

(b) Commercial and Industrial Districts. Each sign in the C-N, C-1, C-1-TD, C-2, H-S, M-1, M-2, and M-3 districts shall comply with the requirements in Table 2 except for signs located in the historic downtown area, which are regulated by subsection (c) of this section. Figure 4 shows examples of several sign types.

**Table 2**  
**Sign Standards for Commercial and Industrial Districts**

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
<b>Ground mounted and ground floor signs</b>			
Awning	At least one foot below the top of a parapet, the sill of a second story window or the lowest point of any cornice or roof overhang	Three of any combination of allowed sign types per primary structure frontage	The total sign area on a parcel shall comply with the following requirements:  (1) One sf for each linear ft of primary building frontage
Freestanding	Six feet		
Projecting	See Section 17.55.090(h) (Projecting signs)		
Roof	Two feet above highest point		

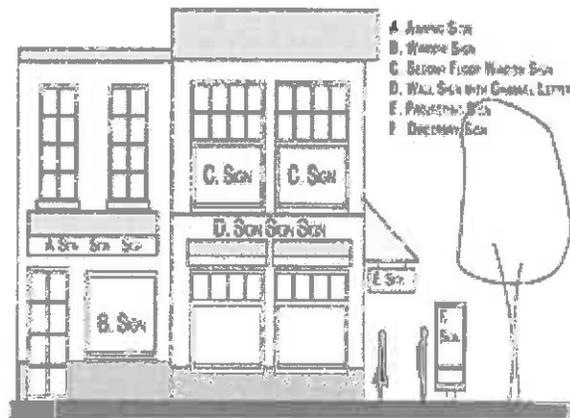
Suspended	Below eave/canopy; the lower edge at least eight feet above a walking surface	One of any allowed sign type per secondary frontage	(2) One-half sf for each linear foot of secondary building frontage
Wall	At least one foot below the top of a parapet, the sill of a second story window or the lowest point of any cornice or roof overhang		(3) Each use is allowed a total sign area of at least twenty-five sf regardless of the frontage
Window	See Section 17.55.090(k) (Window signs)		(4) The total sign area shall not exceed one hundred sf

**Other signs**

- Freeway See Section 17.55.090(e) (Freeway signs)
- Murals See Section 17.55.090(g) (Murals)
- Temporary See Section 17.55.090(i) (Temporary signs)

**Second floor signs**

Awning	At least one foot below the top of a parapet or the lowest point of any cornice or roof overhang	One per tenant	Twelve sf for each tenant
Projecting			
Wall	See Section 17.55.090(k) (Window signs)		
Window			



**Figure 4 Examples of Sign Types**

(c) Historic Downtown Area. Each sign in the historic downtown area shall comply with the requirements in Table 3. For purposes of this section, the historic downtown area is defined as Broadway Street between North Mildred Avenue and North 1st Street.

(1) Purpose. The purpose of establishing sign standards for the historic downtown area is to preserve and protect the historic integrity and cultural resources of the downtown area.

(2) Required Findings. The director must find that the sign is compatible with the character of the building and the historic downtown area.

**Table 3**  
**Sign Standards for the Historic Downtown Area**

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
<b>Ground mounted and ground floor signs</b>			
Awning	At least one foot below the top of a parapet, the sill of a second story window or the lowest point of any cornice or roof overhang	Three of any combination of allowed sign types per primary structure frontage	The total sign area on a parcel shall comply with the following requirements:  (1) One sf for each two linear ft of primary building frontage (2) One-half sf for each linear foot of secondary building frontage (3) Each use is allowed a total sign area of at least twenty sf regardless of the frontage (4) The total sign area shall not exceed one-hundred sf
Projecting	See Section 17.55.090(h) (Projecting signs)	One of any allowed sign type per secondary frontage	
Suspended	Below eave/canopy; the lower edge at least eight feet above a walking surface		
Wall	At least one foot below the top of a parapet, the sill of a second story window or the lowest point of any cornice or roof overhang		
Window	See Section 17.55.090(k) (Window signs)		
<b>Other signs</b>			
Freestanding	In addition to the permanent on-site signs permitted by this chapter, a parcel may have a freestanding sign not to exceed twenty-five square feet. The sign may not be illuminated higher than five feet.		
Murals	See Section 17.55.090(g) (Murals)		
Temporary	See Section 17.55.090(i) (Temporary signs)		
<b>Second floor signs</b>			

Awning	At least one foot below the top of a parapet or the lowest point of any cornice or roof overhang	One per tenant	Twelve sf for each tenant
Projecting			
Wall			
Window	See Section 17.55.090(k) (Window signs)		

(Ord. 679 § 1, 2009)

**17.55.090 Standards for specific sign types.**

Proposed signs shall comply with the following standards applicable to the specific sign type. Each sign type listed in this section shall be included in the calculation of the total sign area allowed on a parcel by Section 17.55.080 (Zoning district sign standards), unless this section explicitly provides otherwise. Each sign shall also comply with the requirements of Section 17.55.070 (General requirements for all signs), and all other applicable provisions of this chapter.

(a) Awning Signs. The following standards apply to awning signs (Figure 5) in all districts where allowed by Section 17.55.080 (Zoning district sign standards).

- (1) Signs on awnings are limited to ground level or second story occupancies only.
- (2) Awnings shall be indirectly illuminated. Translucent awning materials are prohibited.
- (3) Signs on awning shall not exceed twenty-five square feet.



**Figure 5 Awning Signs**

(b) Cabinet Signs. Cabinet signs are internally illuminated and come in different shapes and sizes. Cabinet signs can be incorporated into monument signs, walls signs, projecting signs and pole signs. Cabinet signs should have a dark background and light lettering.

(c) City Billboard Signs. The planning commission may allow a city-owned and maintained billboard in the PD zoning district along State Highway 101.

(d) Freestanding Signs. The following standards apply to freestanding signs in all districts where allowed by Section 17.55.080 (Zoning district sign standards). See Figure 6.

(1) Multiple signs shall be separated by a minimum of seventy-five feet to ensure adequate visibility for all signs. The review authority may waive this requirement where the locations of existing signs on adjacent properties would make the seventy-five foot separation impractical, or there is no other alternative.

(2) A sign shall not project over public property, vehicular easements, or rights-of-way, and shall not obstruct a traffic safety sight area, as determined by the review authority.

(3) To assist emergency response personnel in locating the site, freestanding signs shall contain an illuminated street address plate. Numbers shall be a minimum of six inches in height.



**Figure 6 Freestanding Signs**

(e) Freeway-oriented Signs. A freeway-oriented sign may be approved in compliance with the following requirements. See Figure 7.

(1) Permit Requirement. CUP approval is required for a freeway-oriented sign.

(2) Where Allowed. The planning commission may allow a freeway-oriented sign:

(A) Within the H-S zoning district; and

(B) On a parcel with a property line within five hundred feet of the State Highway 101 right-of-way.

(3) Design. The city shall limit the number, height and visual impact of freeway-oriented signs when considering a CUP. Pole signs shall be discouraged if adequate signage can be provided on the sides of buildings and in the form of monument signs.

(4) Height. The height of permitted signs shall be limited to the lowest practical elevation when considering the line of sight from nearby highways. However, the planning commission may require minimum clearances beneath a freeway-oriented sign if necessary to protect the public health and safety. Freeway signs shall not exceed a maximum height of sixty feet.

(5) Required Findings. The approval of a CUP for a freeway-oriented sign shall require that the planning commission find that the use or site cannot be adequately identified by other signs allowed within the applicable zoning district.



**Figure 7 Freeway-oriented Signs**

(f) **Information Kiosks.** Kiosks for the permanent and/or temporary display of information including community and civic activities, and advertising for local commercial establishments may be allowed. Approval of the size, location, and maintenance requirements for such kiosks shall be established by the planning commission.

(g) **Murals.** A mural placed on the wall of a structure or noise barrier may be allowed in any commercial or industrial zoning district subject to planning commission approval, and as follows:

(1) **Requirements.**

(A) A mural without text visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by Section 17.55.080 (Zoning district sign standards); a mural with text shall comply with the sign area limitations applicable to the site;

(B) Murals should illustrate the local setting and history as sources of inspiration; and

(C) Murals should not contain any commercial message. See Figure 8.

(2) **Required Findings.** Prior to approving a mural, the planning commission shall find that the:

(A) Mural's size, colors, and placement are visually compatible with the structure architecture;

(B) Mural serves to enhance the aesthetics of the city; and

(C) Mural illustrates the local history.



### Figure 8 Murals

(h) **Projecting Signs.** The following standards apply to projecting signs in all zoning districts where allowed by Section 17.55.080 (Zoning district sign standards). See Figure 9.

(1) The maximum projection of a sign from a structure wall over a public right-of-way shall not exceed thirty-six inches over a sidewalk. Larger projections from the structure wall over private property may be approved by the review authority. Any projection over a public right-of-way shall require an encroachment permit.

(2) The top of a projecting sign shall exceed the lesser of: fourteen feet, eave height, one foot below top of parapet, or sill of a second floor window. No portion of the sign shall project above the eave line of a sloped roof or the top of the parapet on a flat roof.

(3) A projecting sign shall maintain a minimum clearance of eight feet from the bottom of the sign to the finished grade below.

(4) Icon signs using shapes or symbols uniquely suited to the business, creative shapes, and three-dimensional signs are encouraged.

(5) Each sign shall be graphically designed for pedestrians, with a maximum area of nine square feet on each sign face, regardless of the length of the building frontage.

(6) Sign supports shall be well-designed and compatible with the design of the sign.



**Figure 9 Projecting Signs**

(i) **Temporary Signs.** The following standards apply to temporary signs in all zoning districts where allowed by Section 17.55.080 (Zoning district sign standards).

(1) **Banners, Balloons and Pennants.** Temporary banners, balloons, and pennants on private property shall comply with the following requirements:

(A) The use of banners, balloons, or pennants may be allowed no more than forty-five days in a row or no more than one hundred eighty days within any three hundred sixty-five day period.

(B) The application for a sign permit for banners, balloons, or pennants shall include the dates proposed by the applicant for scheduled use.

(C) A bond may be required by the director. The bond may be called if the temporary banners are not removed within two days after the date when the sign permit required their removal.

(D) Sign permits for temporary banners, balloons, and pennants shall expire three hundred sixty-five days after issuance and must be applied for annually.

(E) Schools, parks, and nonprofit organizations require a sign permit for temporary banners, balloons, and pennants.

(F) Exceptions to these requirements may be approved by the planning commission for automobile dealerships.

(2) Construction Signs. Construction identification signs may be allowed in all zoning districts with sign permit approval, in compliance with the following standards:

- (A) Only one sign, located on-site, shall be allowed;
- (B) The area of the sign shall not exceed thirty-two square feet;
- (C) Sign height shall not exceed six feet;
- (D) The sign shall not be illuminated; and
- (E) Construction signs shall be removed within thirty days after completion of construction.

(3) Subdivision Directional Signs, Off-site. Off-site signs providing directions to a new subdivision may be allowed with sign permit approval, and shall comply with the following standards:

- (A) A maximum of two off-site signs may be located on private property (not within any public right-of-way).
- (B) The total area of each sign shall not exceed eighteen square feet;
- (C) The height of each sign shall not exceed six feet;
- (D) The signs shall not be illuminated;
- (E) The signs may be displayed only during the two years following date of recordation of the final map, or until all of the units have been sold, whichever occurs first; and
- (F) The signs shall not affect pedestrian or vehicular safety.

(4) Subdivision Signs, On-site. On-site subdivision identification signs may be allowed with sign permit approval, in compliance with the following standards:

- (A) A maximum of two on-site signs may be located within the project boundaries; provided, no more than one sign for each street frontage is allowed, and multiple signs shall be separated by a minimum of seventy-five feet.
- (B) The area of each sign shall not exceed twenty-four square feet;
- (C) Sign height shall not exceed six feet;
- (D) The signs shall not be illuminated; and
- (E) The signs may be displayed only during the two years following date of recordation of the final map, or until all of the units have been sold, whichever occurs first.

(j) Wall Signs. The following standards apply to wall signs in all zoning districts where allowed by Section 17.55.080 (Zoning district sign standards). See Figure 10.

(1) Sign Location. A wall sign may be located on any primary or secondary structure frontage.

(2) Maximum Sign Area. In addition to the limitations on sign area in Tables 1, 2, and 3, (Section 17.55.080), the area of the largest wall sign shall not exceed seven percent of the area of the building facade on which the sign is mounted or painted, including the area of windows, doors, and recesses.

(3) Projection from Wall Surface. A wall sign shall not project more than twelve inches from the surface to which it is attached.



**Figure 10 Wall Signs**

(k) Window Signs. The following standards apply to permanent window signs where allowed by Section 17.55.080 (Zoning district sign standards). See Figure 11.

(1) Sign Location. Window signs shall be allowed on the ground level and second story windows.

(2) Maximum Sign Area. Permanent window signs shall not occupy more than twenty percent of the total window area.

(3) Sign Materials. Window signs shall consist of individual letters, logos, or symbols applied to, stenciled on, or etched into the glass surface; however, neon signs with transparent backgrounds may be hung inside the window glass.



**Figure 11 Window Signs**

(Ord. 679 § 1, 2009)

**17.55.100 Nonconforming signs.**

A nonconforming sign is any permanent or temporary sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this chapter. Pursuant to the Business and Professions Code, the city shall identify and inventory illegal or abandoned signs pursuant to the regulations in effect prior to the adoption of this chapter. The identification and inventory shall commence not later than one hundred twenty days from the date on which this chapter is adopted and shall be completed in a timely manner.

(a) General Requirements. A nonconforming sign shall not be:

- (1) Changed to another nonconforming sign;
- (2) Structurally altered to extend its useful life;
- (3) Enlarged;

(4) Re-established after a business is discontinued for thirty days; or

(5) Re-established after damage or destruction to fifty percent or more of the value of the sign, or its components, as determined by the chief building official.

(b) **Maintenance and Changes.** Sign copy and face changes, nonstructural modifications, and nonstructural maintenance (e.g., painting, rust removal) are allowed without a sign permit up to a maximum of twenty-five percent of the existing total area of the sign. Face changes not including copy, and any nonstructural modifications exceeding twenty-five percent of the existing total area of the sign, and any structural changes shall comply with all applicable standards of this chapter.

(c) **Amortization.** Signs that lawfully existed and were maintained and became nonconforming after adoption of this chapter, shall be removed or made to conform based on the following schedule with written notice by the director:

**Amortization Period  
(in years)**

**If the Original Value of  
the Sign is:**

Less than \$499	2
\$500 to \$1,499	3
\$1,500 to \$2,999	5
More than \$3,000	7

(1) The time periods shall commence on the effective date of the ordinance codified in this chapter;

(2) If more than one sign on a premises is or becomes nonconforming, the cost of all such nonconforming signs shall be aggregated for the purpose of determining the amortization period;

(3) The owner or user of a nonconforming sign shall, upon written request of the department, furnish acceptable proof of the initial cost in the form of:

- (A) An original bill of sale,
- (B) A description schedule from state or federal income tax returns, or
- (C) A written appraisal by a sign manufacturer.

(4) The owner or user of a nonconforming sign may appeal to the planning commission in writing within sixty days of receipt of the director's notice for a longer amortization period. The city council is the appeal board with respect to any actions taken by the planning commission as specified in Section 2.12.040 of the Municipal Code. (Ord. 679 § 1, 2009)

**17.55.110 Public nuisance, abatement and violation.**

(a) **Public Nuisance Declared by Director.** Any sign erected or maintained contrary to the provisions of this chapter may be declared to be a public nuisance by the director and proceedings for its removal may take place in compliance with the Municipal Code.

(b) **Public Nuisance Declared by City Council.** The director may ask the city council to declare a sign a public nuisance under the following conditions:

(1) The sign is significantly damaged either in support structure or sign face, as determined by the chief building official;

(2) The sign is illegible either through erosion, fading, or rusting of the sign face or through faulty or missing illumination; or

(3) The sign is unsafe for pedestrians or vehicles.

(c) Removal of Abandoned Sign. A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business that it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the director shall give the owner thirty days' written notice to remove it. Upon failure to comply with the notice, the director may have the sign removed at the property owner's expense.

(d) Violations.

(1) Any of the following shall be deemed a violation of this chapter and shall be subject to all penalties and procedures identified in the Municipal Code.

(A) To create, erect, install, or maintain any sign in a way that is inconsistent with any plan or permit governing the sign or the parcel on which the sign is located;

(B) To fail to remove any sign that is created, erected, installed, or maintained in violation of this chapter or for which the sign permit has lapsed.

(2) Each sign created, erected, installed, or maintained in violation of this chapter shall be considered a separate violation.

(3) Each day of a continued violation shall be considered a separate violation. (Ord. 679 § 1, 2009)

#### **17.55.120 Appeal.**

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Applicants denied a sign permit by the decision of the director may appeal to the planning commission in writing within fifteen days of receipt of the director's decision. Thereafter, appeal from any action of the planning commission must be made in writing by an aggrieved party within fifteen calendar days from the date of receipt of notice of action of the planning commission, as per Municipal Code Section 2.12.050 (Planning commission—Decision appeal procedure). The city council is the appeal board with respect to any actions taken by the planning commission as specified in Section 2.12.040 of the Municipal Code. (Ord. 679 § 1, 2009)

#### **17.55.130 Judicial review.**

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Any permit issued or denied in compliance with this chapter shall be subject to expedited judicial review to the extent provided by the time limits identified in Code of Civil Procedure Section 1094.8 et seq. (Ord. 679 § 1, 2009)

#### **17.55.140 Definitions.**

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**A-Board Sign.** A portable "a-frame" or "sandwich board" sign.

**Abandoned Sign.** A sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.

**Animated or Moving Sign.** A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.

**Awning Sign.** A sign copy or logo attached to or painted on an awning.

**Banner, Flag or Pennant.** Cloth, bunting, plastic, paper, or similar nonrigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the state of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.

**Cabinet Sign (Can Sign).** A sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures, which illuminate the sign face from behind.

**Changeable Copy Sign.** A sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

**Construction Sign.** A sign placed at a construction site that provides information regarding the project architect, owner, contractors, etc.

**Directional Sign.** A sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.

**Electronic Message Sign.** A sign with a fixed or changing display composed of a series of lights, but not including time and temperature displays.

**Flashing Sign.** A sign that contains an intermittent or sequential flashing light source.

**Freestanding Sign.** A sign fixed in an upright position on the ground not attached to a structure other than a framework, pole or device, erected primarily to support the sign. Includes monument signs and pole signs.

**Freeway-oriented Signs.** A freestanding sign located near State Highway 101 that identifies tourist-oriented businesses, such as gasoline service stations, restaurants, motels and regional commercial uses. A freeway sign is located on the same property as the business it identifies.

**Illegal Sign.** A sign that includes any of the following:

- (1) A sign installed without complying with all regulations in effect at the time of its construction or use;
- (2) A sign installed or maintained contrary to any applicable provision of Chapter 17.55 (Signs).
- (3) A sign which is a danger to the public or is unsafe; or
- (4) A sign which is a traffic hazard not created by relocation of streets or highways or by acts of the city.

**Indirectly Illuminated Sign.** A sign whose light source is external to the sign and which casts its light onto the sign from a distance; or where the light source is behind an opaque sign element and causes it to be outlined by light reflected from the surface to which the sign is mounted.

**Internally Illuminated Sign.** A sign whose light source is located in the interior of the sign so that light passes through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.

**Monument Sign.** An independent, freestanding structure supported on the ground having a solid base as opposed to being supported by poles or open braces.

**Mural.** A painting, picture or graphic illustration applied to and made part of an exterior wall.

**Nonconforming Sign.** An advertising structure or sign which was lawfully erected and maintained prior to the adoption of this chapter, but does not now completely comply with current regulations.

**Off-site Sign.** A sign identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises as the sign, or that identifies a use, service, or product by a brand name which, although sold or manufactured on the premises, is not a principal item for sale or manufactured on the premises.

**Permanent Sign.** A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

**Pole Sign.** An elevated freestanding sign, typically supported by one or two poles or columns.

**Political or Social Issue Sign.** A sign that addresses:

- (1) The passage or defeat of a measure appearing on the ballot in any national, state, or local election;
- (2) The election or defeat of any candidate for any public office in any national, state, or local election; or
- (3) An international, national, state, or local political or social issue.

**Portable Sign.** A sign that is not permanently affixed to a structure or the ground.

**Projecting Sign.** A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.

**Real Estate Sign.** A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

**Roof Sign.** A sign constructed upon or over a roof, or placed so as to extend above the edge of the roof.

**Sign.** A structure, device, figure, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to otherwise provide information, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

**Sign Area.** The entire area within a perimeter defined by a continuous line composed of right angles using no more than eight lines which enclose the extreme limits of lettering, logo, trademark, or other graphic representation.

**Sign Height.** The vertical distance from the uppermost point used in measuring the area of a sign to the normal grade immediately below the sign, including its base or the top of the nearest curb of the street on which the sign fronts, whichever measurement is the greatest.

**Subdivision Directional Sign.** A sign that provides directions to a new subdivision with on-site model homes and/or sales office, where parcels and/or housing units are, or will be, for sale.

**Suspended Sign.** A sign oriented toward pedestrians that is suspended from the underside of an arcade or other covered walkway.

**Temporary Sign.** A sign intended to be displayed for a limited period of time and capable of being viewed from a public right-of-way, parking area, or neighboring property.

**Vehicle Sign.** A sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

**Wall Sign.** A sign that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

**Window Display.** A window display is an arrangement of merchandise displayed in a building window. Window displays located more than twelve inches from the face of a window are not considered signs. Window displays do not include the storage of merchandise or other items blocking windows.

**Window Sign.** A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign which faces a window exposed to public view and is located within twelve inches of the window. Window signs do not include business hours of operation and open/closed signs. Window displays, including merchandise displays that are located more than twelve inches from the face of a window, are not considered signs. (Ord. 679 § 1, 2009)

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View the [mobile version](#).

# EXHIBIT 4

City of King  
Community  
Development  
Department

Application Filed for  
New Sign or Modification to  
Existing Sign

Applications include exhibits & drawings of proposed signs, information regarding site & building, applicant & landowner signatures, & application fees

Applicant should check with Building Official to see if building permits are required

Community Development  
Department Initial Review

Incomplete Applications are returned to applicant

If Sign is EXEMPT & doesn't require a Permit, Staff will inform applicant

Determination of Complete Application

Staff Reviewed Permits Include:  
Signs attached to building  
Monument Signs < 8' height  
Murals under 20 sq. ft.  
Permanent Window Signs  
Subdivision Signs

Planning Commission Reviews Include:  
Murals over 20 sq. ft. & Kiosks  
Freeway Oriented Pole Signs  
Master Sign Programs (for 11+ tenants)  
Minor Sign Variance Review  
Sign Variance Review (Public Hearing)

Staff Reviews Proposed Sign(s) for consistency with City Sign Regulations

Commission Reviews Proposed Sign(s) for consistency with City Sign Regulations

If sign(s) meet ALL applicable standards, including design, sign is approved by Director with Findings & Conditions of Approval (COA)

If sign(s) are denied, applicant may file an appeal to Commission

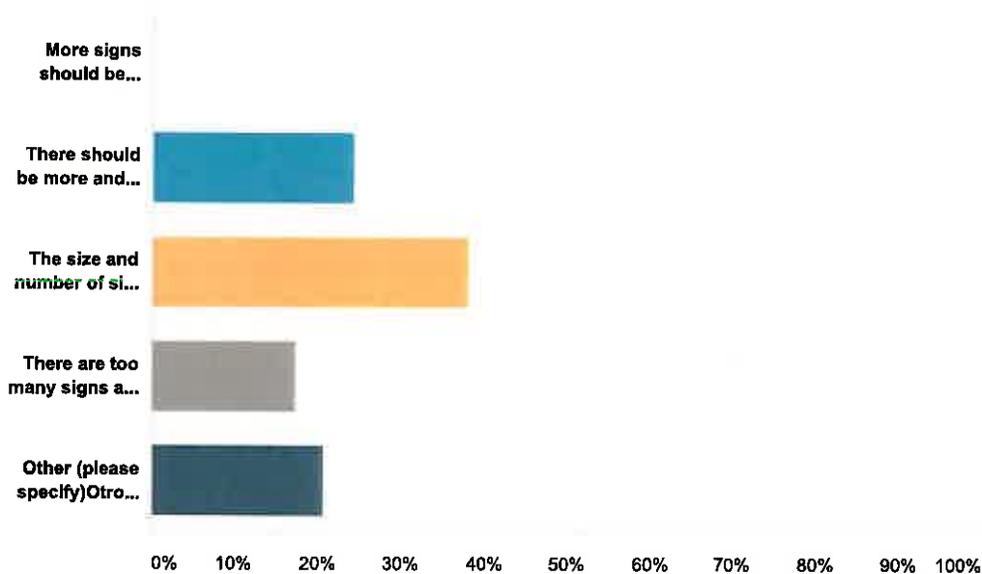
If sign(s) are denied, applicant may file an appeal to Council

If sign(s) meet ALL applicable standards, including design, sign is approved by Commission with Findings & Conditions of Approval (COA)

Important: Signs may only be installed pursuant to approved sign permits and per applicable COAs

**Q1 Which statement do you agree with the most about the current sign regulations?  
Please indicate ONLY one. (¿Con cuál afirmación está mas de acuerdo sobre las regulaciones actuales de letreros? Por favor indique solo una.)**

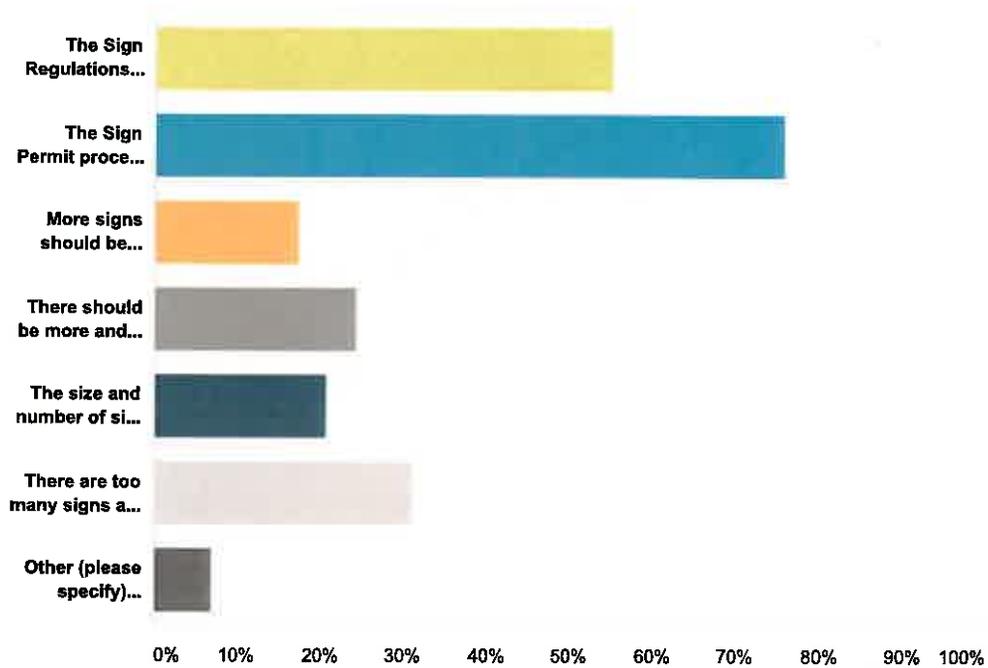
Answered: 29 Skipped: 0



Answer Choices	Responses
More signs should be permitted for businesses. (Se deben permitir más letreros para los negocios.)	0.00% 0
There should be more and larger signs permitted for all businesses. (Deberían permitir más y letreros más grandes para todos los negocios.)	24.14% 7
The size and number of signs now permitted are about right. (El tamaño y número de letreros permitidos ahora son aproximadamente correctos.)	37.93% 11
There are too many signs at some businesses. (Hay demasiados letreros en algunos negocios.)	17.24% 5
Other (please specify)Otros (por favor de especificar)	20.69% 6
<b>Total</b>	<b>29</b>

**Q2 Which of the following statement(s) do you agree with most? You may select more than one answer. (¿Cuál de la siguiente afirmación (s) está de acuerdo con mayoría? Puede seleccionar más de una respuesta.)**

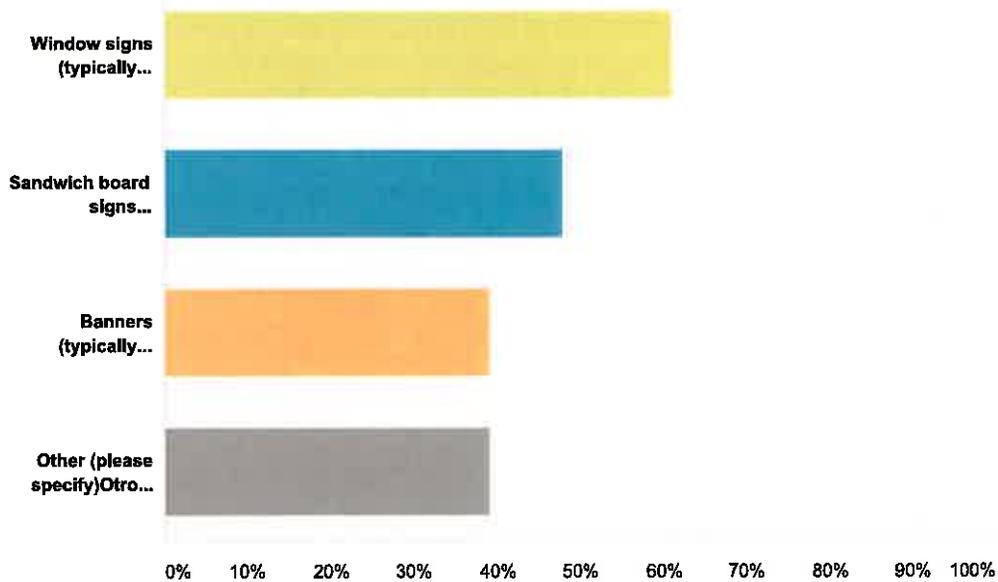
Answered: 29 Skipped: 0



Answer Choices	Responses
The Sign Regulations should be clear. (Los reglamento de letreros deben ser más claro.)	55.17% 16
The Sign Permit process should be simplified. (El proceso de permisos para letreros debe ser simplificado.)	75.86% 22
More signs should be permitted for businesses/Deberían permitir más letreros para los negocios. (Deberían permitir mas más y letreros más grandes para los negocios.)	17.24% 5
There should be more and larger signs permitted for all businesses. (Deberían permitir mas más y letreros más grandes para los negocios.)	24.14% 7
The size and number of signs now permitted is about right. (El tamaño y número de letreros permitidos ahora son aproximadamente correctos.)	20.69% 6
There are too many signs at some businesses. (Hay demasiados letreros en algunos negocios.)	31.03% 9
Other (please specify) (Otros (por favor de especificar))	6.90% 2
<b>Total Respondents: 29</b>	

**Q3 Are there any business signs that you find to be unattractive or offensive? You may select more than one answer. (¿Hay letreros de negocios que se encuentran ser desagradables y no atractivos? Puede seleccionar más de una respuesta.)**

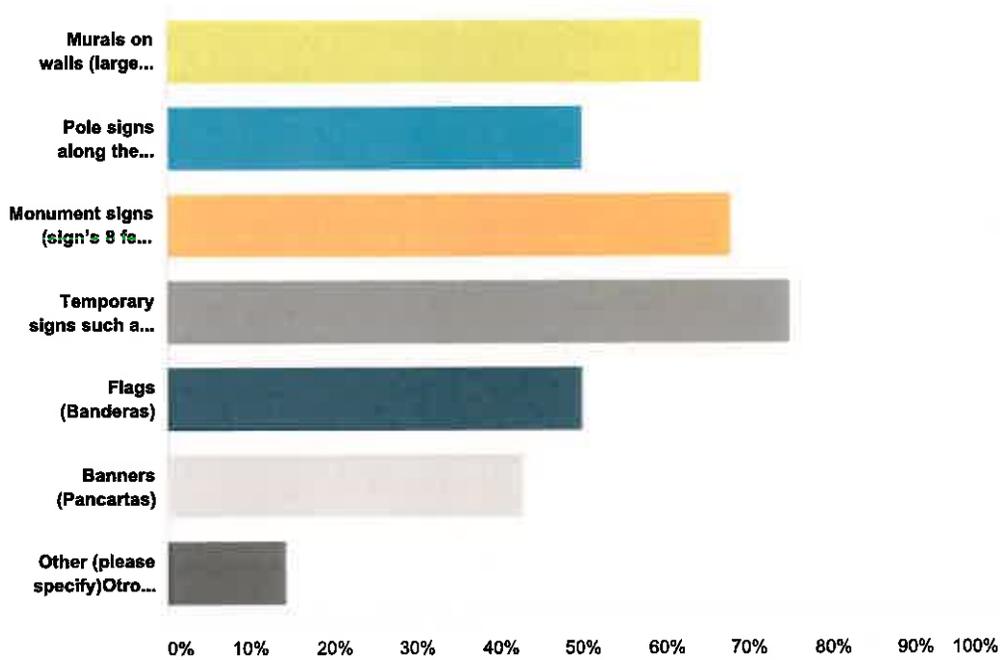
Answered: 23 Skipped: 6



Answer Choices	Responses
Window signs (typically temporary paper, cloth or other similar signs). (Letreros de Ventana (típicamente de papel temporal, tela u otros letreros similares).)	60.87% 14
Sandwich board signs (typically signs attached to a wood frame and placed on or near the sidewalk.) (Señales de Tablero (típicamente letreros adjuntos a un marco de madera y colocados en o cerca de la banqueta).)	47.83% 11
Banners (typically large paper or cloth signs attached to a building or to posts). (Pancartas (típicamente papel grande o letreros de tela puestos en un edificio o en los postes).)	39.13% 9
Other (please specify)Otros (por favor de especificar)	39.13% 9
<b>Total Respondents: 23</b>	

**Q4 Do you support allowing the following types of business signs within the City? You can select more than one answer. (¿Usted apoya permitir los siguientes tipos de letreros en negocios dentro de la ciudad? Puede seleccionar más de una respuesta.)**

Answered: 28 Skipped: 1

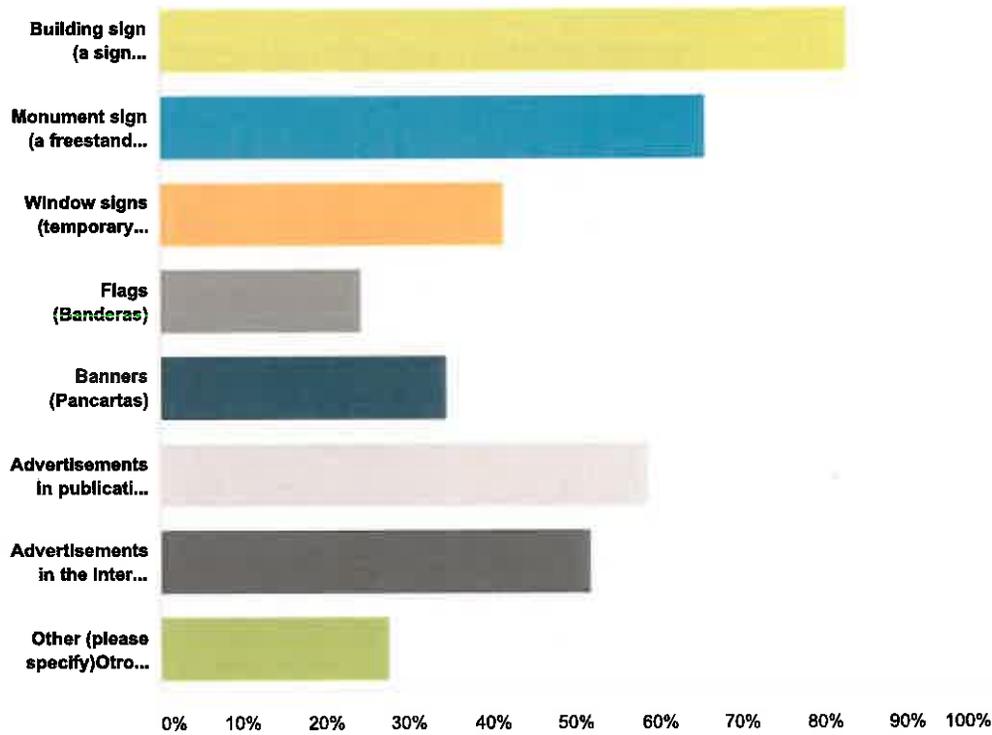


Answer Choices	Responses
Murals on walls (large artwork on sides of buildings or on walls along the roadway). (Murales en las paredes (grandes obras de arte en los lados de los edificios o en las paredes a lo largo de la carretera).)	64.29% 18
Pole signs along the freeway (freestanding signs over 8 feet in height).(Letreros de poste a lo largo de la autopista (letreros independientes de más de 8 pies de altura).)	50.00% 14
Monument signs (sign's 8 feet tall or shorter). (Letreros de monumento (letreros de 8 pies de altura o más corto).)	67.86% 19
Temporary signs such as banners and signs within windows (usually advertising special sales or events). (Letreros temporales tales como pancartas y letreros dentro de ventanas (generalmente publicidad de ventas especiales o eventos).)	75.00% 21
Flags (Banderas)	50.00% 14
Banners (Pancartas)	42.86% 12
Other (please specify)Otros (por favor de especificar)	14.29% 4

Total Respondents: 28

**Q5 What are the best ways to advertise your business? You may select more than one answer. (¿Cuáles son las mejores maneras de dar publicidad a su negocio? Puede seleccionar más de una respuesta.)**

Answered: 29 Skipped: 0

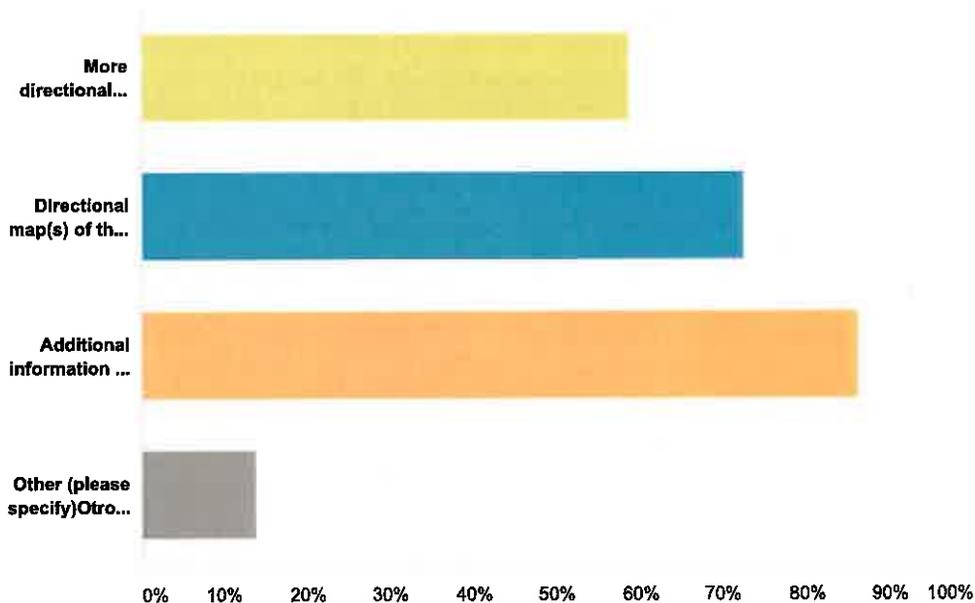


Answer Choices	Responses
Building sign (a sign attached to the building). (Letreros de Edificio (una letrero adjunto al edificio).)	82.76% 24
Monument sign (a freestanding sign in the landscape area of the property). (Letrero de Monumento (un letrero independiente en el área del paisaje de la propiedad).)	65.52% 19
Window signs (temporary signs attached to the inside of a business window). (Letreros de Ventana (letreros temporales adjunta a la parte interior de una ventana de negocios).)	41.38% 12
Flags (Banderas)	24.14% 7
Banners (Pancartas)	34.48% 10
Advertisements in publications such as newspaper or magazines. (Anuncios en publicaciones como periódicos o revistas.)	58.62% 17
Advertisements in the internet (such as a business website). (Los anuncios en Internet (como un sitio web de negocios).)	51.72% 15

Other (please specify)Otros (por favor de especificar)	27.59%	8
<b>Total Respondents: 29</b>		

**Q6 What do you recommend for City public signage that could benefit businesses? You may select more than one answer. (¿Qué recomienda usted para letreros públicos de la Ciudad que podrían beneficiar a los negocios? Usted puede seleccionar más de una respuesta.)**

Answered: 29 Skipped: 0

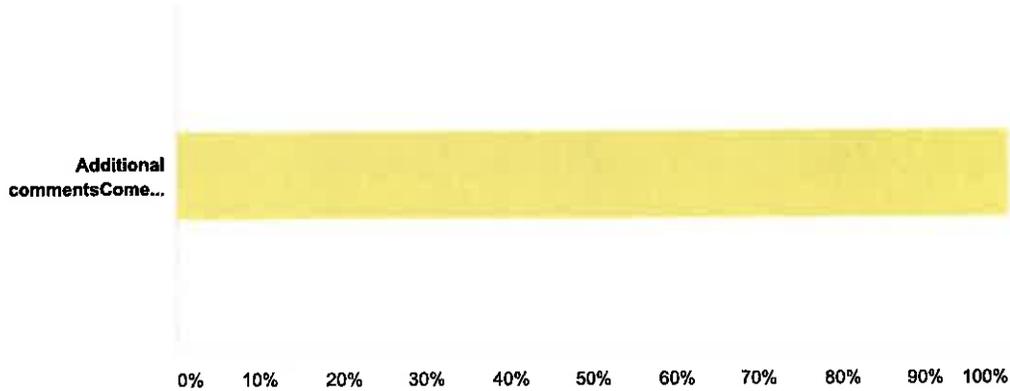


Answer Choices	Responses
More directional signs, such as the recent sign located at the corner of First Street and Broadway Street. (Más señales direccionales, como el reciente letrero ubicado en la esquina de First Street y Broadway Street.)	58.62% 17
Directional map(s) of the City to help tourists find their way around the City & surrounding points of interest, such as Pinnacles National Park, local parks, Downtown, and historical buildings. (Mapa(s) direccionales de la Ciudad para ayudar a los turistas a encontrar su camino alrededor de la ciudad y los lugares de interés, como Pinnacles Parque Nacional, parques locales, el centro de la ciudad y edificios históricos.)	72.41% 21
Additional information on the internet to help tourists discover the City businesses and points of interest, such as parks, golf course, historical buildings. (Información adicional en Internet para ayudar a los turistas a descubrir los negocios y puntos de interés de la ciudad, como parques, curso de golf, edificios históricos.)	86.21% 25
Other (please specify)Otros (por favor de especificar)	13.79% 4

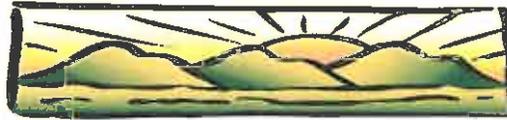
**Total Respondents: 29**

**Q7 Do you have any additional comments regarding the revisions to the sign regulations or other programs that may improve your business. (Do you have any additional comments regarding revisions to sign regulations or other programs that can improve your business?)**

Answered: 11 Skipped: 18



Answer Choices	Responses
Additional commentsComentarios adicionales	100.00% 11
<b>Total Respondents: 11</b>	



**KING CITY**  
C A L I F O R N I A

**Item No. 8 (A)**

**REPORT TO THE PLANNING COMMISSION**

**DATE:** SEPTEMBER 5, 2017

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**RE:** GENERAL PLAN CONSISTENCY DETERMINATION REGARDING SELLING OF PARCELS 245-111-030-000 AND 245-111-029-000 (WWTP PROPERTIES).

**RECOMMENDATION:**

The Planning Commission adopt the attached Resolution No. 2017-188 finding that the sale of Assessor Parcel No. 245-111-030 and Assessor Parcel No. 245-111-029 is consistent with the City of King General Plan.

**BACKGROUND:**

The City has been in the process of selling excess properties adjacent to the Waste Water Treatment Plan (“**WWTP**”). The Planning Commission (“**Commission**”) previously made General Plan consistency determinations on properties adjacent to the WWTP. Two additional city parcels have been identified as excess property and can be sold. Assessor Parcel Numbers 245-111-030-000 (7 acres) and 245-111-029 (16.10 acres) are located within the city limits. (*Reference Exhibit 2.*) The two parcels located within the city limits total approximately 23.1 acres of land and are zoned Light Industrial (“**M-1**”) and within the Public Quasi (“**PQ**”) Land Use Designation. On September 5, 2017, the Commission will consider recommending the City Council (“**Council**”) amend the General Plan land use designation from PQ to Agriculture and the zoning designation from M-1 to Agriculture on the subject parcels. The requested consistency determination is on the recommended land use designations of Agriculture.

The parcels are vacant and no longer used for aeration. The clay soil makes it difficult for water to percolate downward, and therefore, the parcels are not useful for the WWTP. The parcels are located on the southern western side of the WWTP. The future owner would be utilizing this land for farming.

**PLANNING COMMISSION  
GENERAL PLAN CONSISTENCY DETERMINATION  
WWTP PROPERTIES  
SEPTEMBER 5, 2017  
PAGE 2 OF 5**

**DISCUSSION:**

Section 65402 (a) of the California Government Code reads, in part, as follows:

*"With few exceptions, no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such as street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof"*

Analysis

The subject parcels were intended for future expansion of the WWTP. However, the plant is now proposed to upgrade to a tertiary treatment plant, and the parcels are no longer needed. The property use is clearly consistent in preserving agricultural land. There are no plans to expand urban growth in this area. The surrounding properties are county land and designated for agricultural uses.

The General Plan designation is Public/Quasi-Public ("**PQ**") and the Zoning District is Industrial ("**M-1**"). With agreement of the new owner, the City has initiated a General Plan Amendment ("**GPA**") from ("**PQ**") to Agriculture ("**AG**"), and a zoning district amendment from ("**M-1**") to Agriculture ("**A**").

The Goal of the General Plan Land Use Designation of Open Space is to protect and provide open space lands to satisfy the needs of the community; to conserve natural resources for future generations; and to preserve viable, prime agricultural lands within the Planning Area which are not designated for future urban growth. Below are Policies and Objectives from the Open Space and Agricultural Land Goals that protect agricultural lands within the city limits. The prospective buyers plan to continue the use of land for agricultural purposes as a result of the sale of property. In light of the existing zoning district and general plan designation the property shall remain for open space purposes.

Policy 5.1.1. The City shall designate viable agricultural and open space lands as either "O" Open Space or "A" Agricultural, as appropriate.

Objective 5.2. Protect Prime Agricultural Lands: To protect prime agricultural lands, outside of those areas designated for future development by the city, from version and encroachment of non-agricultural uses.

**PLANNING COMMISSION  
GENERAL PLAN CONSISTENCY DETERMINATION  
WWTP PROPERTIES  
SEPTEMBER 5, 2017  
PAGE 3 OF 5**

Policy 5.2.1. The City shall protect prime agricultural lands, outside of those areas designated for future development by the City, from premature conversion and encroachment on non-agricultural uses. The City shall designate such viable agricultural resource lands as "A" Agricultural, and shall regulate uses therein to assure that agriculture and agricultural related uses are permitted.

Environmental Review

Pursuant to Cal. Public Resources Code §15061 (3), and in accordance with the California Environmental Quality Act ("**CEQA**"), the project is covered by the general CEQA rule which states if it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment, the activity is not subject to CEQA. Staff believes that selling of the property which will remain open space for agriculture will not have a significant effect on the environment, and therefore the project is not subject to CEQA.

**COST ANALYSIS:**

The City is in the process of a purchase and sale agreement. The item is scheduled to go before the City Council for consideration in September 2017.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Adopt the attached Resolution;
2. Do not adopt the attached Resolution and request staff return with a Resolution not recommending the amendments; or
3. Provide other direction to staff.

Exhibits:

1. Resolution
  - a. Map
2. General Plan Land Use Map/Location of Proposed Amendment

Approved by:  For Doreen Liberto  
Doreen Liberto, AICP, Community Development Director

**PLANNING COMMISSION  
GENERAL PLAN CONSISTENCY DETERMINATION  
WWTP PROPERTIES  
SEPTEMBER 5, 2017  
PAGE 4 OF 5**

**EXHIBIT 1**

**RESOLUTION NO. PC 2017-188**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,  
CALIFORNIA FINDING GENERAL PLAN CONSISTENCY FOR PARCEL NO.  
245-111-030-000 AND 245-111-029-000 (WWTP PROPERTIES) FOR THE  
PURPOSE SELLING THE PARCELS**

**WHEREAS**, Section 65402 (a) of the California Government Code reads, in part, as follows: *“With few exceptions, no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such as street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof”*; and

**WHEREAS**, the Community Development Department (*“Department”*) of the City of King reviewed a request for a General Plan Consistency determination by the City of King to sell Parcels **245-111-030-000 AND 245-111-029-000**, as described and shown on **Exhibit 1 (A)**; and

**WHEREAS**, pursuant to Public Resources Code §15061 (3), and in accordance with the California Environmental Quality Act (*“CEQA”*), the project is covered by the general CEQA rule which states if it can be seen with certainty that there are no possibility that an activity may have a significant effect on the environment, the activity is not subject to CEQA; and

**WHEREAS**, on September 5, 2017, the City of King Planning Commission (*“Commission”*) considered a recommendation to City Council to amend the General Plan designation is Public/Quasi-Public (*“PQ”*) and the Zoning District is Industrial (*“M-1”*);

**WHEREAS**, contingent upon the approval of the General Plan Amendment and Zone Change by City Council amending the properties to Agricultural designations the properties are deemed consistent with the General Plan;

**WHEREAS**, on September 5, 2017, the City of King Planning Commission (*“Commission”*) considered the General Plan consistency, after considering the staff report and all submitted evidence, and determined that there are no conflicts

**PLANNING COMMISSION  
GENERAL PLAN CONSISTENCY DETERMINATION  
WWTP PROPERTIES  
SEPTEMBER 5, 2017  
PAGE 5 OF 5**

with the City's General Plan and therefore, made a General Plan consistency determination in the affirmative.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of King does hereby make a consistency determination for the parcel shown in Exhibit B based on the following findings of fact:

1. The property is currently used as an open space area and designated for open and agricultural land use. The land will remain consistent with the character of the area which is agriculture and primary flood plain. The General Plan contains goals and policies to protect open spaces and agricultural areas of future development.
2. The project is statutorily exempt from environmental review pursuant to the State CEQA Guideline §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. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**PASSED, APPROVED AND ADOPTED** this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
David Nuck, Planning Commission Chair

**ATTEST:**

\_\_\_\_\_  
Erica Sonne, Planning Commission Clerk



# EXHIBIT 2

## GENERAL PLAN LAND USE MAP

### Previously Amended Land Use Designations & Proposed Amendment

