



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

July 23, 2020
REGULAR MEETING
6:00 PM
AGENDA

COVID-19 AND PUBLIC ACCESS AND PARTICIPATION

With the Governor's Declaration of Emergency for the State of California (Executive Order N-25-20), the Oroville City Council requests the help of the public in preventing the spread of the coronavirus and COVID-19. In light of the social distancing requirements limiting groups to 10 people or less the council chambers will remain closed to the public for the foreseeable future.

To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYI85UBfYqT7IbQ/>

To Participate in the Meeting:

1. Email before the meeting by 3:00 PM your comments to publiccomment@cityoforoville.org
 2. Stand outside the council chambers and speak during public comment sections the provided microphone.
-

CALL TO ORDER / ROLL CALL

Commissioners: Tammy Flicker, Michael Britton, Randy Chapman, Susan Sears, Vice Chairperson
Wyatt Jenkins, Chairperson Carl Durling,

OPEN SESSION

Pledge of Allegiance

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

This is the time to address the Commission about any item not listed on the agenda. If you wish to address the Commission on an item listed on the agenda, please follow the directions listed above.

PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

- Mayor or Chairperson opens the public hearing.
- Staff presents and answers questions from Council
- The hearing is opened for public comment limited to two (2) minutes per speaker. In the event of more than ten (10) speakers, time will be limited to one and a half (1.5) minutes. Under Government Code 54954.3, the time for each presentation may be limited.
- Public comment session is closed
- Commission debate and action

1. MINOR USE PERMIT UP20-04 FOR BEER AND WINE SALES AT TACOS TIJUANA

The Oroville Planning Commission will review and consider approving Use Permit No. UP20-04 to allow the sale of beer and wine for on-site consumption at Tacos Tijuana at 1835 Oro Dam Blvd.

RECOMMENDATION

Adopt the recommended Findings for Use Permit No. UP20-04, and

Approve Use Permit UP20-04 and recommended Conditions of Approval;

Adopt Resolution No. P2020-08

Certify the Notice of Exemption

2. MINOR USE PERMIT UP20-05 FOR ALCOHOL SALES AT COLLINS AND DENNY'S GAS AND MINI MART AT 434 PLUMAS AVE

The Oroville Planning Commission will review and consider approving Use Permit No. UP20-05 to allow the sale of beer, wine and distilled spirits for off-site consumption at Collins and Denny Market, 434 Plumas Ave.

RECOMMENDATION

Adopt the recommended Findings for Use Permit No. UP20-05, and

Approve Use Permit UP20-05 and recommended Conditions of Approval;

Adopt Resolution No. P2020-09

REGULAR BUSINESS

3. APPROVAL OF THE MINUTES

Planning Commission may approve the minutes from June 25, 2020.

RECOMMENDATION

Approve the minutes of June 25, 2020.

4. ZC 20-01 SIGN CODE AMENDMENTS

The Oroville Planning Commission will conduct a workshop to consider amending Section 26-19.10 through 26-19.140 and Section 26-19.160 through 26-19.180 of the Oroville Municipal Code relating to the City's sign regulations

RECOMMENDATION

1. Hear staff presentation on the prior work on the sign code, the currently proposed amendments, and its implications city-wide;

2. Discuss the proposed amendments to the City's sign regulations;

3. Direct staff to bring the desired code changes to the August 27, 2020 meeting for a Public Hearing and forwarding of a formal recommendation to the City Council;

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Director and Staff Reports
2. Planning Commissioner Reports

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on August 27, 2020 at 6:00 PM.

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

Recordings - All meetings are recorded and broadcast live on cityoforoville.org and YouTube.

Planning Commission Decisions - Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.



City of Oroville

Leonardo DePaola
Community Development Director

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2436 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT

Thursday, July 23, 2020

RE: Minor Use Permit UP20-04 for Beer and Wine Sales at Tacos Tijuana

SUMMARY: The Oroville Planning Commission will review and consider approving Use Permit No. UP20-04 to allow the sale of beer and wine for on-site consumption at Tacos Tijuana at 1835 Oro Dam Blvd.

RECOMMENDATION: Staff recommends the following actions:

1. **Adopt** the recommended Findings for Use Permit No. UP20-04, and
2. **Approve** Use Permit UP20-04 and recommended Conditions of Approval;
3. **Adopt** Resolution No. P2020-08
4. **Certify** the Notice of Exemption

APPLICANT: Jose E. Perez, DBA: Tacos Tijuana

LOCATION: 1835 Oro Dam Blvd, Oroville, California

GENERAL PLAN: MXC (Corridor Mixed Use)
ZONING: MU (Mixed Use)
FLOOD ZONE: Zone X

ENVIRONMENTAL DETERMINATION: Categorically Exempt per Section 15301 of Title 14, California Code of Regulations.

REPORT PREPARED BY:

Wes Ervin, Senior Planner
Community Development Department

REVIEWED BY:

Leonardo DePaola, Director
Community Development Director

DISCUSSION

The Tacos Tijuana restaurant is applying for a use permit to allow for the on-site consumption of beer and wine within the restaurant. The applicant has separately applied for a Type #41 License from the Department of Alcoholic Beverage Control.

The Oroville Police Department has no comment on this application.

Required Findings for Alcohol Sales (OMC 17.16.160)

Before approving a use permit for alcohol sales, the Planning Commission must consider each of the following issues and make appropriate findings (Staff's comments are in *italics*, *draft findings are in the Resolution*):

1. The nature of all land uses within 500 feet of the proposed alcoholic beverage sales, and in particular, the location of similar nearby uses and the location of residences, parks, schools and houses of worship.

The restaurant is located off Oro Dam and Lincoln Blvd's in close proximity to similar retail and food stores. There are not any nearby any assembly areas and the closest residences are to the rear of the shopping center along Myers St.

2. Appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.

This requirement is added to the project conditions. In addition, the shopping center is managed by a property management company who is responsible for the exterior of the building and common facilities;

3. Lighting of exterior areas, including parking lots, to discourage loitering outside of the building.

This requirement is added to the project conditions. In addition, the shopping center is managed by a property management company who is responsible for the exterior of the building and common facilities;

4. Protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.

This requirement is added to the project conditions. In addition, business in the restaurant is conducted fully indoors and is in line with like commercial uses;

5. Provision of onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police.

This requirement is added to the project conditions

6. Hours of operation.

The current hours of operation for the restaurant is Tuesday-Thursday 9:00 a.m. to 8:00 p.m., Friday-Saturday 9:00 a.m. to 9:00 p.m., and Sunday from 8:00 a.m. to 3 :00 p.m.

7. Controls on occupancy limits inside of the building and loitering outside of the building.

This requirement is added to the project conditions

8. Prevention of adverse effect of the use on the value of adjacent properties.

As part of a multi-tenant shopping center, this restaurant is likely to enhance the patronage and thus the value of adjacent properties;

9. Whether approval would result in an undue concentration of these uses, and whether public convenience or necessity would mitigate the issue of undue concentration.

The Police Department and ABC determine if there is an undue concentration in the area. At this time there is no indication of an overconcentration.

FISCAL IMPACT

None. The project is subject to all customary fees.

PUBLIC NOTICE

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

ATTACHMENTS

1. Application package
2. Resolution P2020-008
3. Notice of Exemption (CEQA)

RESOLUTION NO. P2020-08

A RESOLUTION OF THE ORVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING BEER AND WINE SALES AT THE TACOS TIJUANA RESTAURANT AT 1835 OROVILLE DAM BLVD.

WHEREAS, Tacos Tijuana restaurant is currently open for business; and

WHEREAS, the restaurant owner proposes to sell beer and wine for on-site consumption; and

WHEREAS, The City of Oroville Municipal Code (OMC) Section 17.16.160 specifies that a Use Permit is required to sell alcohol; and

WHEREAS, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit described herein, and also considered the City’s staff report regarding the change.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15301 “Existing Facilities.”
2. The Planning Commission approves the findings required by Section 17.16.160 of the Oroville City Code, as described in this Resolution;
3. The Planning Commission approves the permit Conditions described in this Resolution.

REQUIRED FINDINGS (OMC 17.16.160)

1. The location of the facility and all land uses within 500 feet of the proposed alcoholic beverage sales avoids conflicts with nearby land uses, residences, parks, schools and houses of worship.
2. The project includes appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.
3. Lighting of exterior areas is adequate, including parking lots, to discourage loitering outside of the building.

4. This property and adjacent properties are appropriately protected from noise, odors and undue light and glare, as well as illegal activity.
5. Onsite security, both inside and outside the building, is adequate to satisfy any concerns raised by the chief of police.
6. Hours of operation are identical to the hours the restaurant is open – 9 am to 11 pm daily.
7. Measures to controls occupancy limits inside of the building and loitering outside of the building are in place.
8. Adverse effects of the use on the value of adjacent properties are avoided
9. Subject to review by the California Department of Alcohol Beverage Control, approval does not appear to result in an undue concentration of these uses, and would thus not trigger the need for a determination of public convenience or necessity.

CONDITIONS OF APPROVAL

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action;
2. Applicant shall sell beer and wine only for consumption, and not for consumption on the premises;
3. Applicant shall obtain a Type #41 On-site sale of beer and wine – Eating Place from the California Department of Alcohol Beverage Control (ABC);
4. Applicant will take appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris;
5. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the building;
6. Applicant will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity;
7. Applicant will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Substantial camera surveillance will suffice;
8. Applicant shall monitor occupancy, and will institute controls to limit the number of patrons both inside of the building and outside of the building;
9. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission,

upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:

- a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
- b. Any of the terms or conditions of the permit have been violated.
- c. law, including any requirement in the Municipal Code Chapter 26, has been violated in connection with the permit;
- d. The permit was obtained by fraud.

10. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 23rd of July 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

LEONARDO DEPAOLA
DIRECTOR

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

NOTICE OF EXEMPTION

:	TO	Butte County Clerk	:	FROM	City of Oroville
		25 County Center Drive Oroville, CA 95965			1735 Montgomery Street Oroville, CA 95965

Project Title: PL2006-015 Tacos Tijuana Alcohol and Beverage Sales Use Permit

Project Location – Specific: 1835 Oro Dam Blvd.

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Jose E. Perez, dba Tacos Tijuana restaurant, is applying for a use permit to allow for the on-site consumption of beer and wine within the restaurant. The applicant will separately apply for a Type #41 License from the Department of Alcoholic Beverage Control.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Jose E. Perez

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
- General Rule Exemption; Title 14, CCR, §15061(b)(3)
 - Existing Facilities, Title 14, CCR, §15301
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if 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. It has been determined that there is no possibility that the use will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, In particular, no changes to the existing structure are proposed.

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
 Oroville, CA 95965-4897
 (530) 538-2420 FAX (530) 538-2426
 www.cityoforoville.org

TRAKIT#: **PL2006-015**

USE PERMIT APPLICATION

(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION	PERMIT TYPE
Completed and signed Application Forms	New Use Permit: \$2,889.98 (Deposit) + \$173.40(6% Tech Fee) = \$3,063.38
Application Fee Paid	Amendment to Existing Use Permit: \$1,024.09 + \$61.45 (6% Tech Fee) = \$1,085.54

PROJECT PLANS

All plans and drawings shall be drawn to scale to the extent feasible and shall indicate the full dimensions, contours and other topographic features and all information necessary to make a full evaluation of the project. Please include the following:

- 1. **Site and floor plans**, including the location, square footage and use of all structures.
- 2. **Architectural drawings** showing proposed building elevations.
- 3. Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed
- 4. Plans for the configuration & layout of all off-street parking spaces, including entrances, exits and internal circulation routes.
- 5. Plans for all lighting to be installed on the site, including the location, type, height and brightness of each lighting fixture.
- 6. **Drawings of all signs** that are proposed in association with the project.
- 7. Plans showing the location, sq footage and capacity of any existing or proposed surface storm-water detention facilities.
- 8. Plans showing the location and square footage of any existing or proposed outdoor storage areas.
- 9. Descriptions of any off-site infrastructure improvements to be provided in conjunction with the project.
- 10. Hours of operation for all proposed land uses.
- 11. Number of employees and fleet vehicles for all proposed land uses

12. **A letter authorizing the use permit application from the owner of the property.** *SEE GENERAL Application owners signature*

CLASSIFICATION

<input checked="" type="checkbox"/> Alcohol & Beverage Sales	Nonconforming Uses & Structures	Uses in Industrial Districts
Agricultural Uses	Outdoor Storage	Uses Mini-Storage Overlay(MS-O)
Animal Keeping (Commercial)	Parking Requirement Exceptions	Uses in Residential Districts
Barbed/Razor Wire Fence	Temporary Use	Uses in Special Purpose Districts
Density Bonus & Other Incentives	Uses in a Conditional Overlay (C-O)	Uses not Specified but Allowed
Exceptions to Height Limits	Uses in Commercial & Mixed-Use Districts	Wireless Communication Facilities
Other: (Please Specify)		

APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature: **José Eligio Perez G.** Date: **6-22-2020**

OFFICE USE ONLY

Approved By: _____ Date: _____
 Payment: _____ Number: _____

PROJECT DESCRIPTION	
Present or Previous Use:	
Proposed Use:	
Detailed Description: BEER & WINE LICENSE	

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable



City of Oroville

Building Department
Cash Collections
RECEIPT: P931

Project Number: PL2006-015
Project Name: ALCOHOL AND BEVERAGE SALES

Fee Description	Account Number	Fee Amount
TECH COST RECOVERY [SU		
	5141 4700	\$173.40
USE PERMIT FEES		
	2201 4260	\$2,889.98
Total Fees Paid:		3,063.38

Date Paid: 6/24/2020
Paid By: TACOS TIJUANA
Pay Method: CHECK
Check # 2070

Received By: CECILIA CARMONA

Credit Card Payments

A convenience fee is charged for all credit card payments. Please note that the convenience fee is a third-party fee and is not part of the City of Oroville. For all credit card payments the convenience fee is 2.50% of the total amount charged with a minimum charge of \$2.00.



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
 Oroville, CA 95965-4897
 (530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#: **PL2006-015**

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	BEER & WINE
Name:	JOSE E. PEREZ	Name:	TACOS TIJUANA
Address:	3277 BAKER WAY LIVE OAK	Company:	"
Phone:	530-218-8402	Address:	1835 ORO DAM BWP EAST
Email:		Phone:	530-712-9151
Is the applicant the Owner?	Y	If applicant is Not the owner, please provide owner /agent authorization on the reverse side.	
		Email:	veronica_angel_34@yahoo

DEVELOPMENT PROJECTS & OTHER APPLICATIONS (Please check all that apply)			
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan
<input type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension
<input type="checkbox"/>	Other: (Please Specify)	<input type="checkbox"/>	Tentative Parcel Map
<input type="checkbox"/>		<input type="checkbox"/>	Tentative Subdivision Map
<input type="checkbox"/>		<input checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>		<input type="checkbox"/>	Variance
<input type="checkbox"/>		<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>		<input type="checkbox"/>	Zoning Clearance

ADMINISTRATIVE PERMITS (Please check all that apply)			
<input type="checkbox"/>	Adult Oriented Business	<input type="checkbox"/>	Outdoor Storage
<input type="checkbox"/>	Home Occupation	<input type="checkbox"/>	Outdoor Display & Sales
<input type="checkbox"/>	Large Family Day Care	<input type="checkbox"/>	Second Dwelling Unit
<input type="checkbox"/>	Mobile Food Vendor	<input type="checkbox"/>	Sign/Temporary Sign Permit
<input type="checkbox"/>	Other: (Please Specify)	<input type="checkbox"/>	Special Event
<input type="checkbox"/>		<input type="checkbox"/>	Street Closure
<input type="checkbox"/>		<input type="checkbox"/>	Tree Removal

*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application.
 ** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.

PROJECT INFORMATION	
Project Name:	Proposed Structure(s) (Sq Ft.):
Address:	Existing Structure(s) (Sq Ft.):
Nearest Cross Street:	Water Provider:
Assessor Parcel Number:	School District:
Lot Size (Acres):	Number of Dwelling Units:

APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature: Jose Fligio Perez, G.	Date:
---	-------

OFFICE USE ONLY							
General Plan:	Zoning:	Zoning Conformity:	APN:				
File#	Overlay Zoning:	Minimum Setbacks:	FY	RY	SY		

AGENT AUTHORIZATION			
To the City of Oroville, Department of Community Development			
NAME OF AGENT:	<i>Lynne Olsen</i>	PHONE NUMBER:	
COMPANY NAME:		EMAIL:	
ADDRESS:		CITY/ST/ZIP:	
AGENT SIGNATURE: <i>A</i>			
Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):			
This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.			

Owner(s) of Record (sign and print name)

1) <u>Lynne Olsen</u>	DocuSigned by: <i>Lynne Olsen</i>	6/22/2020
Print Name of Owner	Signature of Owner	Date
2) _____	Signature of Owner	Date
Print Name of Owner	Signature of Owner	Date
3) _____	Signature of Owner	Date
Print Name of Owner	Signature of Owner	Date
4) _____	Signature of Owner	Date
Print Name of Owner	Signature of Owner	Date
_____ Owner's Mailing Address	_____ Owner's Email	_____ Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable



City of Oroville

Leonardo DePaola
Community Development Director

COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

Thursday, July 23, 2020

RE: Minor Use Permit UP20-05 for Alcohol Sales at Collins & Denny’s Gas and Mini Mart at 434 Plumas Avenue

SUMMARY: The Oroville Planning Commission will review and consider approving Use Permit No. UP20-05 to allow the sale of beer, wine and distilled spirits for off-site consumption at Collins and Denny Market, 434 Plumas Ave.

RECOMMENDATION: Staff recommends the following actions:

1. **Adopt** the recommended Findings for Use Permit No. UP20-05, and
2. **Approve** Use Permit UP20-05 and recommended Conditions of Approval;
3. **Adopt** Resolution No. P2020-09

APPLICANT: Gold Star Grocery, Inc, DBA: Collins and Denny Market

LOCATION: 434 Plumas Ave, Oroville, California

GENERAL PLAN: RBS (Retail and Business Services)

ZONING: C-2 (Intensive Commercial)

FLOOD ZONE: Zone X

ENVIRONMENTAL DETERMINATION: Categorically Exempt per Section 15301 of Title 14, California Code of Regulations for existing facilities. No external changes are proposed.

REPORT PREPARED BY:

Wes Ervin, Senior Planner
Community Development Department

REVIEWED BY:

Dawn Nevers, Assistant Director
Community Development Department

DISCUSSION

Collins and Denny Market is applying for a use permit to allow for the sale off-site consumption of beer, wine and distilled spirits. The market currently has a Type #20 License, which allows only for the sale of beer and wine for off-site consumption. The applicant is currently applying for a Type #21 License from the Department of Alcoholic Beverage Control. The market also sells produce, deli, meat, general merchandise, and gas.

The Oroville Police Department recommends a Use Permit condition prohibiting the sale of single-service cans and bottles, as a deterrent to public drunkenness and sales to vagrants.

Plumas Avenue Elementary School is located directly adjacent to the property, within 500 feet of the market.

Required Findings for Alcohol Sales (OMC 17.16.160)

Before approving a use permit for alcohol sales, the Planning Commission must consider each of the following issues and make appropriate findings (Staff's comments are in *italics*, *draft findings are in the Resolution*):

1. The nature of all land uses within 500 feet of the proposed alcoholic beverage sales, and in particular, the location of similar nearby uses and the location of residences, parks, schools and houses of worship.

The market is located north of the Grand Ave/SR-70 on-ramp and nearby similar intensive commercial uses. Plumas Avenue Elementary School is located directly next to the market, and two residences are located across from the market on 4th Street. There are no places of worship or parks within 500 feet of the market.

2. Appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.

The requirement is added to the project conditions;

3. Lighting of exterior areas, including parking lots, to discourage loitering outside of the building.

The requirement is added to the project conditions. Additional site improvements like lighting and sidewalks were installed in 2017 when the gas station was constructed;

4. Protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.

This requirement is added to the project conditions;

5. Provision of onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police.

This requirement is added to the project conditions

6. Hours of operation.

Applicant states that the hours of operation are from 6:00 a.m. to 12:00 a.m. daily;

7. Controls on occupancy limits inside of the building and loitering outside of the building.

This requirement is added to the project conditions

8. Prevention of adverse effect of the use on the value of adjacent properties.

The market currently operates as a neighborhood grocery store, providing easy

access to a limited selection of groceries and merchandise. The applicant currently sells alcoholic beverages and is looking expand on the products they're allowed to sell;

9. Whether approval would result in an undue concentration of these uses, and whether public convenience or necessity would mitigate the issue of undue concentration.

The Police Department and ABC determine if there is an undue concentration in the area. At this time there is no indication of an overconcentration.

FISCAL IMPACT

None. The project is subject to all customary fees.

PUBLIC NOTICE

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

ATTACHMENTS

1. Application package
2. Resolution P2020-09
3. Notice of Exemption (CEQA)

RESOLUTION NO. P2020-09

A RESOLUTION OF THE ORVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING THE SALE OF BEER, WINE AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT COLLINS AND DENNY MARKET AT 434 PLUMAS AVE.

WHEREAS, Collins and Denney Market currently holds a Type #20 – Off-Sale Beer and Wine license; and

WHEREAS, the owner proposes applying for a new Type #21 – Off-Sale General license allowing for the additional sale of distilled spirits; and

WHEREAS, The City of Oroville Municipal Code (OMC) Section 17.16.160 specifies that a Use Permit is required to sell alcohol; and

WHEREAS, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit described herein, and also considered the City’s staff report regarding the change.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15301 “Existing Facilities.”
2. The Planning Commission approves the findings required by Section 17.16.160 of the Oroville City Code, as described in this Resolution;
3. The Planning Commission approves the permit Conditions described in this Resolution.

REQUIRED FINDINGS (OMC 17.16.160)

1. The location of the facility and all land uses within 500 feet of the proposed alcoholic beverage sales avoids conflicts with nearby land uses, residences, parks, schools and houses of worship.
2. The project includes appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.
3. Lighting of exterior areas is adequate, including parking lots, to discourage loitering

outside of the building.

4. This property and adjacent properties are appropriately protected from noise, odors and undue light and glare, as well as illegal activity.
5. Onsite security, both inside and outside the building, is adequate to satisfy any concerns raised by the chief of police.
6. Hours of operation are identical to the hours the restaurant is open – 9 am to 11 pm daily.
7. Measures to controls occupancy limits inside of the building and loitering outside of the building are in place.
8. Adverse effects of the use on the value of adjacent properties are avoided
9. Subject to review by the California Department of Alcohol Beverage Control, approval does not appear to result in an undue concentration of these uses and would thus not trigger the need for a determination of public convenience or necessity.

CONDITIONS OF APPROVAL

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action;
2. Applicant shall sell beer, wine and distilled spirits only for off-site consumption indoors, and not for consumption on the premises;
3. Applicant shall obtain and maintain a Type #21 Off-Sale General license from the California Department of Alcohol Beverage Control (ABC);
4. To limit the opportunity of public intoxication on premises or nearby, applicant agrees not sell single service cans or bottles of alcohol, nor allow persons to consume alcohol on premises.
5. Applicant will take appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris;
6. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the building;
7. Applicant will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity;
8. Applicant will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public.

Substantial camera surveillance will suffice;

- 9. Applicant shall monitor occupancy, and will institute controls to limit the number of patrons both inside of the building and outside of the building;
- 10. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
 - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
 - b. Any of the terms or conditions of the permit have been violated.
 - c. law, including any requirement in the Municipal Code Chapter 26, has been violated in connection with the permit;
 - d. The permit was obtained by fraud.
- 11. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 23rd of July 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
 Oroville, CA 95965-4897
 (530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

Donald Rust
 DIRECTOR

TRAKIT#: PL2006-013

USE PERMIT APPLICATION

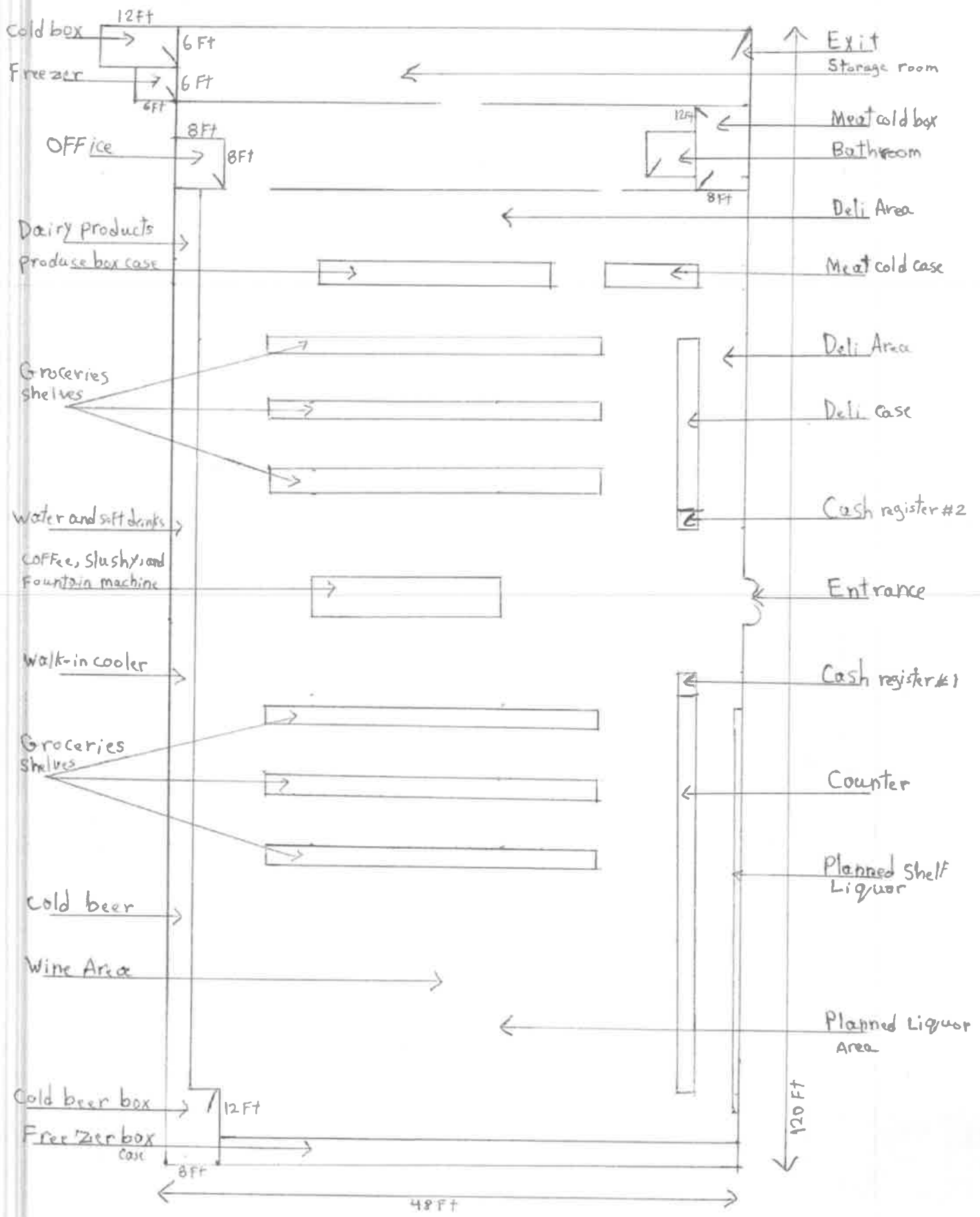
(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION		PERMIT TYPE	
Completed and signed Application Forms		New Use Permit: \$2,889.98 (Deposit) + \$173.40(6% Tech Fee) = \$3,063.38	
Application Fee Paid		Amendment to Existing Use Permit: \$1,024.09 + \$61.45 (6% Tech Fee) = \$1,085.54	
PROJECT PLANS			
All plans and drawings shall be drawn to scale to the extent feasible and shall indicate the full dimensions, contours and other topographic features and all information necessary to make a full evaluation of the project. Please include the following:			
<input checked="" type="checkbox"/>	1. Site and floor plans , including the location, square footage and use of all structures.		
	2. Architectural drawings showing proposed building elevations.		
	3. Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed		
	4. Plans for the configuration & layout of all off-street parking spaces, including entrances, exits and internal circulation routes.		
	5. Plans for all lighting to be installed on the site, including the location, type, height and brightness of each lighting fixture.		
	6. Drawings of all signs that are proposed in association with the project.		
	7. Plans showing the location, sq footage and capacity of any existing or proposed surface storm-water detention facilities.		
	8. Plans showing the location and square footage of any existing or proposed outdoor storage areas.		
	9. Descriptions of any off-site infrastructure improvements to be provided in conjunction with the project.		
<input checked="" type="checkbox"/>	10. Hours of operation for all proposed land uses.		
<input checked="" type="checkbox"/>	11. Number of employees and fleet vehicles for all proposed land uses		
	12. A letter authorizing the use permit application from the owner of the property.		
CLASSIFICATION			
Alcohol & Beverage Sales	Nonconforming Uses & Structures	Uses in Industrial Districts	
Agricultural Uses	Outdoor Storage	Uses Mini-Storage Overlay(MS-O)	
Animal Keeping (Commercial)	Parking Requirement Exceptions	Uses in Residential Districts	
Barbed/Razor Wire Fence	Temporary Use	Uses in Special Purpose Districts	
Density Bonus & Other Incentives	Uses in a Conditional Overlay (C-O)	Uses not Specified but Allowed	
Exceptions to Height Limits	Uses in Commercial & Mixed-Use Districts	Wireless Communication Facilities	
Other: (Please Specify)			
APPLICANT'S SIGNATURE			
I hereby certify that the information provided in this application is, to my knowledge, true and correct.			
Signature:		Date:	6-23-2020
OFFICE USE ONLY			
Approved By:		Date:	
Payment:		Number:	

PROJECT DESCRIPTION	
Present or Previous Use:	
Proposed Use:	
Detailed Description:	
<p>City of O'Fallon,</p> <p>Re: Gold Star Grocers, INC DBA Collins and Denny Market</p> <ul style="list-style-type: none"> - The corporation is in the process to buy a Liquor License 21-off-sale General. - currently the corporation is having Beer and wine License 20-off-sale - Hours of operation: Daily from Monday to Sunday Open at 6:00 AM and close at 12:00 AM mid night - Number of employees are variable, Range from 6-8 	

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable





City of Oroville

Planning Division - Community Development Department

Donald Rust
DIRECTOR

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#: PL2006-013

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	
Name:	Mazen Hanoun	Name:	Mazen Hanoun
Address:	434 Plumas AVE. Oreoville, CA 95965	Company:	Gold Star Grocery, INC
Phone:	760-475-0707	Address:	434 Plumas AVE. Oreoville, CA
Email:	mazehanoun3@gmail.com	Phone:	530-533-3414
Is the applicant the Owner?	Y	<small>If applicant is Not the owner, please provide owner /agent authorization on the reverse side.</small>	Email: collinsanddenny@gmail.com

DEVELOPMENT PROJECTS & OTHER APPLICATIONS (Please check all that apply)					
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition	<input type="checkbox"/>	Tentative Parcel Map
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan	<input type="checkbox"/>	Tentative Subdivision Map
<input type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application	<input checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus	<input type="checkbox"/>	Variance
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension	<input type="checkbox"/>	Zoning Clearance
<input type="checkbox"/>	Other: (Please Specify)				

ADMINISTRATIVE PERMITS (Please check all that apply)					
<input type="checkbox"/>	Adult Oriented Business	<input type="checkbox"/>	Outdoor Storage	<input type="checkbox"/>	Special Event
<input type="checkbox"/>	Home Occupation	<input type="checkbox"/>	Outdoor Display & Sales	<input type="checkbox"/>	Street Closure
<input type="checkbox"/>	Large Family Day Care	<input type="checkbox"/>	Second Dwelling Unit	<input type="checkbox"/>	Tree Removal
<input type="checkbox"/>	Mobile Food Vendor	<input type="checkbox"/>	Sign/Temporary Sign Permit	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Other: (Please Specify) Buying ABC License 21 Off-Sale General				

*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application.
** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.

PROJECT INFORMATION	
Project Name: ABC License 21 Off-Sale General	Proposed Structure(s) (Sq Ft.):
Address: 434 Plumas AVE. Oreoville, CA 95965	Existing Structure(s) (Sq Ft.): about 6,000 SF
Nearest Cross Street: Plumas AVE and 4th Street	Water Provider:
Assessor Parcel Number: 031-172-081-000	School District:
Lot Size (Acres): about 2 acre	Number of Dwelling Units:

APPLICANT'S SIGNATURE	
I hereby certify that the information provided in this application is, to my knowledge, true and correct.	
Signature:	Date: 6-23-2016

OFFICE USE ONLY							
General Plan:	Zoning:	Zoning Conformity:	APN:				
File#	Overlay Zoning:	Minimum Setbacks:	FY	RY	SY		

AGENT AUTHORIZATION			
To the City of Oroville, Department of Community Development			
NAME OF AGENT:	E. A. Heath of Oroville	PHONE NUMBER:	530 533 34 14
COMPANY NAME:	Collins and Denny Market	EMAIL:	Collins and Denny@gmail
ADDRESS:	434 Plumas Ave	CITY/ST/ZIP:	Oroville CA 95965
AGENT SIGNATURE:			
Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):			
This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.			

Owner(s) of Record (sign and print name)

1)	Print Name of Owner	Signature of Owner	Date
2)	Print Name of Owner	Signature of Owner	Date
3)	Print Name of Owner	Signature of Owner	Date
4)	Print Name of Owner	Signature of Owner	Date
Owner's Mailing Address		Owner's Email	Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable



City of Oroville

Building Department
Cash Collections
RECEIPT: P930

Project Number: PL2006-013
Project Name: AMENDED ALCOHOL AND BEV. SALES

Fee Description	Account Number	Fee Amount
TECH COST RECOVERY [SU		
	5141 4700	\$173.40
USE PERMIT FEES		
	2201 4260	\$2,889.98
Total Fees Paid:		3,063.38

Date Paid: 6/23/2020

Paid By: MAZEN HANOUN

Pay Method: CHECK

Check # 3351

Received By: LORRAINE SHIPPY

*****Credit Card Payments*****

A convenience fee is charged for all credit card payments. Please note that the convenience fee is a third-party fee and is not part of the City of Oroville. For all credit card payments the convenience fee is 2.50% of the total amount charged with a minimum charge of \$2.00.



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

LEONARDO DEPAOLA
DIRECTOR

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

NOTICE OF EXEMPTION

:	TO	Butte County Clerk	:	FROM	City of Oroville
		25 County Center Drive Oroville, CA 95965			1735 Montgomery Street Oroville, CA 95965

Project Title: PL2006-013 Collins and Denny Alcohol and Beverage Sales Use Permit

Project Location – Specific: 434 Plumas Avenue.

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Collins and Denny Market is applying for a use permit to allow for the sale off-site consumption of beer, wine and distilled spirits. The market currently has a Type #20 License, which allows only for the sale of beer and wine for off-site consumption. The applicant is currently applying for a Type #21 License from the Department of Alcoholic Beverage Control. The market also sells produce, deli, meat, general merchandise, and gas

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Gold Star Grocery, Inc.

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
- General Rule Exemption; Title 14, CCR, §15061(b)(3)
 - Existing Facilities, Title 14, CCR, §15301
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to

1 OF 2

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. It has been determined that there is no possibility that the use will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, in particular, no changes to the existing structure are proposed.

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant



OROVILLE PLANNING COMMISSION Item 3.
HISTORICAL ADVISORY COMMITTEE

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

June 25, 2020
MINUTES

This agenda was posted on June 19, 2020. This meeting was recorded and may be viewed at cityoforoville.org

CALL TO ORDER – Chairperson Durling called the meeting to order at 6:03pm.

ROLL CALL

PRESENT: Commissioners: Tammy Flicker, Randy Chapman, Susan Sears, Chairperson Carl Durling

ABSENT: Commissioner Michael Britton and Vice Chairperson Wyatt Jenkins

STAFF: Assistant Community Development Director Dawn Nevers, Principal Planner Wes Ervin, Intern Connor Musler, Assistant City Clerk Jackie Glover

PLEDGE OF ALLEGIANCE - Led by Chairperson Durling

PUBLIC COMMENTS

There were no public speakers.

CORRESPONDENCE

1. Letter - Protection and Restoration of Bird and Downer Street Signs
 - a. The Planning Commission directed staff to research & bring back to the commission.

APPROVAL OF MINUTES

1. Motion by Commissioner Chapman and second by Commissioner Flicker to approve the minutes of the meeting on May 28, 2020. Motion passed.

AYES: Commissioner Flicker, Sears, Chapman, Durling

NOES: None

ABSTAIN: None

ABSENT: Commissioner Jenkins, Britton

REGULAR BUSINESS

2. RESTAURANT RENAMING AND NEW SIGNAGE AT THE SITE OF THE HISTORIC UNION HOTEL

The Planning Commission reviewed a Landmark Modification Permit to rename the former “Miner’s Alley Brewing Company” restaurant to the “Union”, and to create a new façade and sign that pays homage to the Historic Union Hotel on that site, 2053 Montgomery Street, Oroville, CA.

Motion by Commissioner Sears and Second by Chapman to Adopt the Class 1 Categorical exemption for Existing Facilities (CCR, Title 14, Sec. 15301) as the appropriate level of

environmental review in accordance with the California Environmental Quality Act; and Approv
a Landmark Modification Permit for a new façade and signage for the Union Patio Bar and Grill,
2053 Montgomery Street, Oroville, CA; and ADOPT RESOLUTION P2020-07 APPROVING
THE LANDMARK MODIFICATION PERMIT TO ALTER THE FAÇADE AND ERECT NEW
SIGNAGE TO COMMEMORATE THE HISTORIC UNION HOTEL AT 2053 MONTGOMERY
STREET, OROVILLE, CA; and research misters in relation to COVID. Motion passed.

AYES: Commissioner Flicker, Sears, Chapman, Durling
NOES: None
ABSTAIN: None
ABSENT: Commissioner Jenkins, Britton

DIRECTOR’S REPORT

Assistant Community Development Director Dawn Nevers gave a report on the current activity of the
Community Development Department.

An announcement was made that the Sign Ordinance Workshop would be on July 15, 2020 at 1:30pm.

COMMISSION REPORTS

None

ADJOURNMENT

Chairperson Durling adjourned the meeting at 6:40pm.

APPROVED:

ATTESTED:

Chairperson Carl Durling

Assistant City Clerk Jackie Glover



City of Oroville

Leonardo DePaola
Community Development Director

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2436 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT

Wednesday, July 15, 2020

RE: ZC 20-01 Sign Code Amendments	
SUMMARY: The Oroville Planning Commission will conduct a workshop to consider amending Section 26-19.10 through 26-19.140 and Section 26-19.160 through 26-19.180 of the Oroville Municipal Code relating to the City's sign regulations	
RECOMMENDATION: Staff recommends the following actions:	
<ol style="list-style-type: none"> 1. Hear staff presentation on the prior work on the sign code, the currently proposed amendments, and its implications city-wide; 2. Discuss the proposed amendments to the City's sign regulations; 3. Direct staff to bring the desired code changes to the August 27, 2020 meeting for a Public Hearing and forwarding of a formal recommendation to the City Council; 	
APPLICANT:	City of Oroville
LOCATION: City-wide	GENERAL PLAN: NA ZONING: NA FLOOD ZONE: NA
ENVIRONMENTAL DETERMINATION: General Rule Exemption; Title 14, CCR, §15061(b)(3) – no possibility of environmental impact.	
REPORT PREPARED BY:	REVIEWED BY:
<hr/> Wes Ervin, Senior Planner Community Development Department	<hr/> Leonardo DePaola, Director Community Development

BACKGROUND

The Planning Commission has previously discussed amending the City's sign

regulations, having worked with city staff to develop new regulations for city council approval. On September 15, 2015, the City Council adopted Ordinance No. 1809, amending Section 26-19.150 relating to the City's sign regulations in the Downtown Historic Overlay / Historic Preservation District (**Attachment A**). Since then, there have not been any actions taken on updating the City's sign regulations.

Given that the City Council has approved the updates to the City's sign regulations in the Downtown Historic Overlay, there are several remaining proposed revised sections that need to be updated and adopted.

DISCUSSION

The current regulations for the installation of signs are shown in **Attachment B**, with proposed deletions shown in a ~~striketrough~~ format and proposed additions shown in an underlined format.

FISCAL IMPACT

None

ATTACHMENTS

- A. Section 26-19, Proposed Sign Regulations

Section 26-19 – SIGN REGULATIONS

26-19.010	Purpose and Applicability
26-19.020	Noncommercial Signs and Messages
26-19.030	General Provisions
26-19.040	Sign Permits
26-19.045	Signs Requiring a Use Permit
26-19.050	Required Signs
26-19.060	Location, Placement, and Design of Signs
26-19.070	Requirements for Specific Types of Signs
26-19.080	Sign Programs
26-19.090	Temporary Signs
26-19.100	Temporary Sign Permits
26-19.110	Requirements for Residential Districts
26-19.120	Requirements for Commercial and Mixed-Use Districts
26-19.130	Requirements for Industrial Districts
26-19.140	Requirements for Special Purpose Districts
26-19.150	Requirements for Downtown Historic Overlay (DH-O) Districts
26-19.160	Nonconforming Signs
26-19.170	Removal of Signs
26-19.180	Violations and Penalties

26-19.010 Purpose and Applicability

- A. **Purpose.** The purpose of this section is to provide standards to safeguard the public health, safety and welfare, and to enhance the aesthetic character of development in the City, by regulating and controlling the design, number, area, height, quality of materials, construction, illumination, location and maintenance of all signs and sign structures and to implement the purposes, policies and programs of the General Plan.
- B. **Applicability.** The requirements of this section shall apply in all districts.
- C. **Exceptions.** [Exceptions to the standards of this section may be granted by the Planning Commission if warranted for safeguarding the public health, safety and welfare.](#)

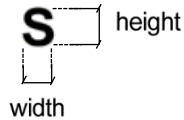
26-19.020 Noncommercial Signs and Messages

Any sign that is allowed under the provisions of this section may contain a noncommercial message.

26-19.030 General Provisions

- A. **Materials and Structural Components.**
 - 1. All permanent signs that are displayed outdoors shall be constructed of durable, weatherproof materials.

2. All materials and structural components in a permanent sign shall meet the applicable requirements of the City Building Code. Illuminated signs shall meet the requirements of the City Electrical Code.
- B. **Maintenance.** All signs, together with all of their supporting structural elements, shall be kept in a state of good repair at all times. Damage to signs, including cracked sign faces, frayed or weathered fabric, and broken lighting, shall be repaired. Failure to comply with this requirement shall be considered a violation of this section.
- C. **Permission of Property Owner.** No person shall erect, construct or maintain any sign or sign structure on any property or building without the written consent of the owner, holder, lessee, agent or trustee thereof.
- D. **Sign Area.** The area of a sign shall be calculated as follows:
1. The area of each face of a sign shall be measured as the area of the smallest rectangle or circle that encloses all of the following, as shown in Figure 26-19.030-1:
 - a. Any words, characters, symbols, and images on the sign face.
 - b. Any border or frame around the information on the sign face.
 - c. Any background color on the sign face.
 - d. Any internally illuminated portion of the sign face.



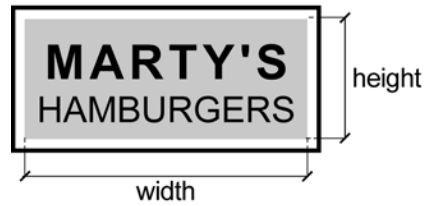


Figure 26-19.030-1: Measurement of sign area

2. The area of a sign with two parallel faces, such as the projecting sign shown in Figure 26-19.030-2, shall be measured as the area of the larger face.

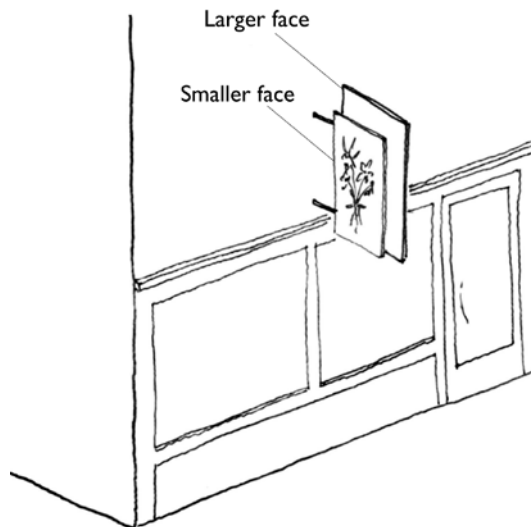


Figure 26-19.030-2: Sign with two parallel faces

3. The area of a spherical, conical, cylindrical, or other non-rectangular 3-dimensional sign shall be measured as the area of the smallest rectangle that encloses the maximum projection of that sign onto a vertical plane, as shown in Figure 26-19.030-3.

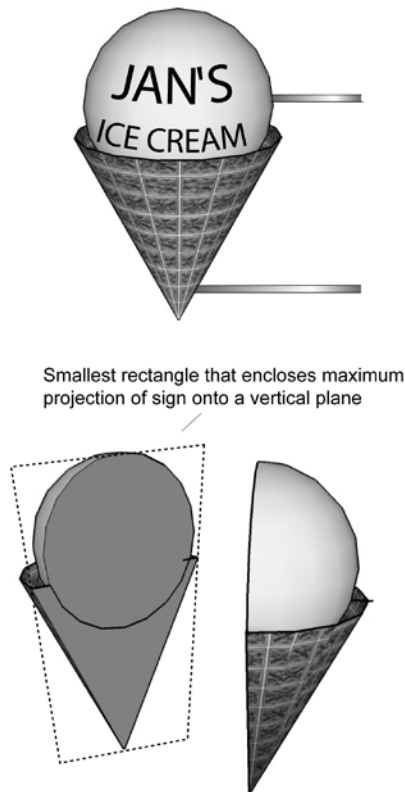


Figure 26-19.030-3: 3-dimensional sign

4. Structural elements that do not include any words, characters, symbols, and images shall not be counted as part of the sign area.
- 5.4. For signs that may be double faced, such as freestanding and projecting signs, only one face shall be considered in the sign area calculation.

E. **Sign Height.**

1. The height of a sign shall be measured from the finished grade at which the sign is placed to the highest point of the sign, including any decorative or supporting structures associated with the sign.
2. The finished grade at a sign's base shall not be artificially raised above the surrounding finished grade for the purpose of increasing the sign's elevation above the ground.

F. **Ideological and Political Signs.** No provision of this article shall prohibit an ideological, political or other noncommercial message on a sign otherwise permitted by this article.

G. **Prohibited Signs.** The following types of signs shall be prohibited:

1. Signs that bear or contain statements, words, or pictures of an obscene, indecent, or immoral character that offends public morals or decency.

2. Roof signs.
 3. Rotating/revolving signs.
 4. Signs that have become a public nuisance due to inadequate maintenance, dilapidation, or abandonment.
 - 4.5. Signs that obstruct a door, window, fire escape, or other required access way.
 - 5.6. Wind-driven signs, "A" frame signs, sandwich boards, and portable signs except as specifically permitted in Section 26-19.090 (Temporary Signs) and Section 26-19.XXX (Requirements for Downtown Historic Overlay (DH-O) Districts) of this chapter.
 - 6.7. Video or any other electronic display signs with continuous motion, blinking, flashing or fluttering lights or any other illuminated device which has a changing light intensity or brightness.
 - 7.8. Signs affixed to structures in the public right-of-way, except for otherwise provided for in this section, such as telephone poles, light poles, utility fixtures, posts and fences; provided, however, as follows:
 - a. Temporary signs may be posted on any public kiosk that provides space intended for the posting of signs.
 - b. Official signs posted or required by a government agency, or a public utility or service, may be affixed to structures in the public right-of-way.
 - 8.9. Signs attached, affixed, or carried by vehicles, excluding decals and painted signs. ~~Vehicle signs~~—that advertise a business, service, or product, whether that business, service, or product is located on the same site or a different site. This prohibition shall not apply to standard identification practices where these signs are painted on or permanently attached to a commercial vehicle used to conduct a land use located on the site, or to bumper stickers.
 - 9.10. Signs that attempt or appear to attempt to direct traffic, or that interfere with, imitate, or resemble any official traffic device.
 - 10.11. Signs that were unlawfully installed, erected, or maintained.
 - 11.12. Signs that interfere with visibility for drivers at an intersection, public right-of-way, or driveway.
 - 12.13. Signs emitting audible sounds.
 - 13.14. Signs held or supported by human beings or animated figures in the public right-of-way; except for non-commercial signs.
- H. **Sign Face Removal.** A sign face shall be removed by the owner or lessee of the premises upon which the sign is located when the business it advertises is no longer on the premises. If the owner or lessee fails to remove the sign face after the business has been discontinued, the Building Official shall issue the owner a citation. If the sign is not removed within 90 days after the citation has been issued, the sign face shall be deemed nonconforming and shall be removed as provided in Section 26-19.170 (Removal of Signs) of this chapter.

26-19.040 Sign Permits

- A. **Permit Required.** All signs shall hereafter be erected, re-erected, constructed, painted, affixed, altered, or maintained in accordance with this section. A separate permit shall be required for each such sign; however, when multiple signs are to be ~~posted~~ installed on one site, a single application shall be filed for all of the signs.
- B. **Sign Permits and Development Review.** When a project is subject to development review, any signs associated with the project shall be evaluated by the review authority for development review, rather than in accordance with the procedure described in this section.
1. The review authority shall verify compliance with all applicable requirements of this section, considering the sign face as well as any structural elements of the sign. Sign permits shall be issued upon the approval of the development review application.
 2. The review authority shall issue a sign permit only upon determining that:
 - a. The signs use a palette of colors and materials that is generally related to the architecture and design of other buildings and signs on the site.
 - ~~b. The size of the signs does not cause them to overwhelm the scale of buildings on the site and on surroundings sites.~~
 - ~~c. The number and placement of signs is generally consistent with the number and placement of signs on other nearby properties.~~
 - d. The signs conform to the requirements of this section, as well as any applicable specific plan ~~or design guidelines~~ adopted by the City Council.
- C. **Application.**
1. Application for a sign permit shall be ~~submitted to the Zoning Administrator in a form approved by the Zoning Administrator~~ submitted through a building permit application with the Building Division, accompanied by any fee established by resolution of the City Council. Plans will be routed to both the Building and Planning Division for review. In addition the Building Division's requirements, the Planning Division requires the application ~~shall~~ contain all of the following information:
 - a. The location by street, ~~and~~ number and assessor's parcel number of the proposed sign;
 - b. The name and address of the owner and the sign contractor or erector;
 - c. Site plans showing the location of the proposed sign and dimensions of any existing onsite structures;
 - d. Scale drawings showing the sign's design and location;
 - e. An inventory of the location, sign area and type of all existing signs on the site, excluding signs that are exempt from obtaining a sign permit;
 - f. Any other pertinent information that is necessary to ensure compliance with this section.
- ~~D. Inspections.~~ All signs for which a permit is required shall be subject to inspection by the Building Official. ~~Electrical signs shall be inspected before they are erected.~~
- E.D. Exempt Signs. The following signs shall not require a sign permit and shall not be counted towards the allowable sign area or number of signs for a building or use. These exemptions

shall not be construed as relieving the owner of the sign from the responsibility to comply with the provisions of this section and with all other applicable regulations.

1. Temporary signs, as described in Section 26-19.090 (Temporary Signs) of this chapter.
2. Required signs, as described in Section 26-19.050 (Required Signs) of this chapter.
3. Nonadvertising signs, including, but not limited to, “No Trespassing,” “Private Drive,” “Beware of Dog,” etc.
4. Professional name plates that have a maximum area of 2 square feet.
5. One bulletin board, with a maximum area of 12 square feet, located on the premises of a community facility or institution such as a park, school, library, community center or house of worship.
6. 1 memorial sign or tablet, with a maximum area of 4 square feet, that includes information such as the name of a building and the date when it was erected, provided that the sign is cut into a masonry surface or constructed of an incombustible material such as bronze.
7. On-site directional or informational signs, with a maximum area of 5 square feet for each sign, that provide information for the convenience or safety of the public, such as directional signs in parking lots, hours of business and locations of telephones or restrooms.
8. Any flag with a noncommercial message~~Official flags of any municipality, state or nation, or of a fraternal or religious organization,~~ provided that the pole height is no greater than 25 feet and the flag’s longest dimension is no greater than 25% of the length of the pole.
9. Signs within a building, or on the premises of a building, that are not visible from a public street.
10. Murals on the exterior of a building that do not advertise a product, business or service.
11. Artworks which do not identify a business, service, or product are not considered signs.
12. Temporary exterior decorations that are associated with a cultural, religious or a national holiday, and that are not used to advertise a product, business or service.
13. Signs on licensed commercial vehicles; provided, however, that such vehicles shall not be utilized as parked or stationary outdoor display signs.
14. Signs that are required by local, State or federal law or by court order. If any portion of the sign includes messages that are not required by law, that portion shall not be considered an exempt sign.
15. Signs that are posted by a government agency, or a public utility or service, that are essential to protect the public health, safety and welfare, including but not limited to identification and directional signs, official signs for traffic control, official public notices and warnings of potential hazards.
16. Signs that identify, beautify or pertain to the City and are authorized by the City Council. Such signs may include, but are not limited to, light pole banners.

~~16.17.~~ Signs created by landscaping (e.g., all of the letters and/or symbols are composed entirely of approved landscape elements).

F.E. Maintenance and Changes in Messages. Painting, repainting, or cleaning of a sign, or the changing of the message on a sign, shall not require that a new sign permit be obtained, provided that all of the following conditions apply:

1. The structural elements associated with the sign are not reconfigured or replaced.
2. No electrical change is made to the sign.
3. The sign continues to comply with all requirements of the existing sign permit, as well as any requirements or conditions imposed as part of ~~development review~~ a discretionary approval.

26-19.045 Signs Requiring a Use Permit

A. **Off Premise Signs (Outdoor Advertising including billboards).** Except as otherwise provided in this section, every off-premise sign and outdoor advertising structure shall comply with the requirements of this section. Such Signs may be erected within the Commercial and Industrial districts as herein after stated.

1. **Area.** The maximum size shall be 300 square feet limited to one advertising message per side, ~~per structure.~~
2. **Height.** No such sign or advertising structure shall exceed a maximum height of 40 feet.
3. **Location:** All off-premises outdoor advertising structures and off-premise signs shall be so placed so as to assure that they do not intrude or project beyond the public right-of-way of any street or highway and shall be located only in ~~C-2, CLM, M-2, and CH~~ commercial and industrial zoning districts and shall be placed in accordance with the following standards, ~~except that off-premise monument signs may be permitted in CN and C-1 zones as provided below, and in other zoning districts as provided in specific regulations for those districts:~~
 - ~~a. *Spacing: City Streets and Roads:* A new off-premise outdoor advertising structure shall not be permitted within three hundred feet in a C-2, CLM, and M-2 zoning, district and 500 feet in a HC zoning district of an existing off-premise outdoor advertising structure fronting on the same side of the street facing in the same direction. Notwithstanding any other provision of this article, a structure may be built regardless of spacing if a building or a natural obstruction is between the distances provided in the spacing formula. A back-to-back structure shall be counted as one structure for the purposes of this article.~~
 - ~~b.a. *State Highway System Spacing:* A minimum of 500 feet shall be maintained between each off-premise outdoor advertising sign structure ~~and off-premise sign along each side of the State Highway System.~~~~
 - ~~e.b. *Off-Premise Monument Signs in NC and C-1 Zones:* Upon approval of a Use Permit in accordance with the provisions of Section 26-50.010 (Use Permits) of city code, off-premise identification signage may be allowed ~~in CN and C-1 zones, provided all of the following additional findings can be made: Only public, quasi-public, and residential facilities that include at least four dwelling units or beds and are known~~~~

~~by a specific "residential dwelling" business name may utilize off-premise signage. The property to be identified on the off-premise sign is not accessible from the street(s) that abut the property, and the property on which the monument sign(s) are to be placed does abut one or more streets that access the property to be identified on the off-premise sign. However, no off-premise monument identification sign allowed under these provisions shall be placed on a property that is not within the boundaries of the same streets that encompass the property to be identified on the off-premise sign. Off-premise signage is reasonably necessary to allow persons or vehicles to find the property to be identified on the off-premise sign. All off-premise monument signs shall conform to the following specifications: No plywood may be used in the monument sign, Notwithstanding provisions to the contrary, ¶The maximum sign area allowed for an off-premise monument sign for the described purposes is 85 square feet, as long as the maximum area that encompasses all actual letters and insignia does not exceed 36 square feet and the height of the sign does not exceed a maximum of 6 feet, Such signs may only include the formal name and the address of the use being identified, and city City staff may require that the address shall be included on all such signs as a public service.~~

~~4. The application for building permits for such outdoor displays or structures shall include plans showing the construction of the sign, the advertising display to be placed thereon, and the proposed location of the sign in relation to the freeway and to the property on which the sign is to be placed. No advertising structure or off-premise sign shall be placed unless it is built to withstand a wind pressure of 20 pounds per foot of exposed surface.~~

~~5.4. **Lighting.** All lighting shall be effectively shielded so as to prevent beams or rays of light from being directed on the main traveled way of any highway, street or road.~~

~~6.5. **Safety.** The ~~director of public works~~Community Development Director, or his/her designee, shall approve the location of all off-premise advertising structures.~~

~~7.6. **Maintenance.** All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds and debris. If violations of this paragraph occur, the planning commission may start proceedings to revoke the permit.~~

~~8.7. **Permits.** A use permit will be required for all outdoor advertising (off-premise) signs. All requests for building permits for off-premise advertising structures shall be accompanied by engineer's specification drawings. (Ord. 1768)~~

B. **Digital Display Signs.** Except as otherwise provided in this section, all digital display signs (DDS) shall comply with the requirements of this section.

1. **Area.** The maximum sign area for a DDS shall not exceed three hundred (300) square feet on each face.
2. **Height.** A DDS shall not exceed a maximum height of forty (40) feet measured from ground surface to the top of the sign.

3. **Location.** DDS's shall only be allowed to be located within 150 feet of a State Route right-of-way within the City limits. All DDS's shall be located such that no part of the DDS encroaches into any public right of way. DDS's shall not be placed within any legal easements, unless such easements were specifically created for the placement of signs. The applicant for a DDS shall demonstrate that the proposed DDS location is free of such easements.
 - a. All proposed signs adjacent to state highways shall meet the requirements of the State of California Department of Transportation Outdoor Advertising standards for outdoor signs.
4. **Spacing from other DDS.** Signs of this type must be separated from other display signs as follows:

State Route	Distance (miles)
Highway 70	2.0
Highway 162 (Oro Dam Boulevard)	1.25
Highway 162 (Olive Highway)	1.25

5. **Lighting.** Signs which contain, include, or are illuminated by flashing, intermittent, or moving light or lights are prohibited. A DDS that utilizes lighting technologies (such as light emitting diodes) to create digital messages shall be equipped with a light sensor that automatically adjusts the lighting of the sign face as ambient lighting changes. In no event shall a digital display sign face increase ambient illumination by more than 0.3 footcandles when measured perpendicular to the message sign face at a distance based on the sign face size as follows:

Changeable Message Sign Face Size (Square Feet)	Measurement Distance (Feet)
50 ft ²	71
100 ft ²	100
150 ft ²	122
200 ft ²	141
250 ft ²	158
300 ft ²	173

Note: For signs with an area in square feet other than those specifically listed in the table, the measurement distance shall be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$.

6. **Safety.** The Community Development Director, or his/her designee, shall approve the location of all digital display signs to ensure that they do not introduce unsafe driving conditions to the roadway system.

7. **Maintenance.** All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds, debris, and graffiti. If violations of this paragraph occur, the Planning Commission may start proceedings to revoke the permit.
8. **Permits.** A use permit will be required for all DDS. All requests for building permits for these signs shall be accompanied by construction and design plans stamped by a California registered civil engineer, in addition, a lighting plan shall be required showing the brightness of the proposed sign and the message intervals between individual advertisements.
9. **Hours of Operation.** All DDS shall be permitted to operate only between the hours of 5:00 am to 12:00 am.
10. Messages shall be displayed for a minimum of 8 seconds.
11. Transition during messages shall be two seconds or less and shall either be instantaneous or fade out/in. Flashing is prohibited.
12. Signs shall be required to meet all Caltrans requirements, permits and other applicable standards.

26-19.050 Required Signs

- A. **Building Numbers.** In order to protect public health and safety by ensuring that buildings can be located by police, fire, paramedic and other public services that are responding to an emergency, main buildings shall display building numbers as follows:
 1. The building number shall be displayed at the building's primary entrance. The number shall appear in a color that contrasts from the number's background and shall be illuminated.
 - ~~2.~~ The minimum height of the building number shall be as ~~follows, based on the setback between the building and the street:~~
 - ~~a. Setback of less than 75 feet: 4 inches.~~
 - ~~b. Setback between 75 and 150 feet: 5 inches.~~
 - ~~c. Setback between 151 and 200 feet: 6 inches.~~
 - ~~3.2. Setback more than 200 feet: Number shall be posted at street entrance and shall be at least 4 inches high, specified in the California Fire Code.~~
- B. **Directory Signs.** In order to protect public health and safety by ensuring that individual tenant spaces in a building can be located by police, fire, paramedic and other public services that are responding to an emergency, directory signs shall be required as follows:
 1. All multi-family residential developments, mobile home parks and commercial buildings with multiple tenants shall provide an illuminated directory sign at the building entrance that provides primary access to the businesses or uses contained within the building.
 2. The ~~maximum~~ minimum area of the directory sign shall be 10 square feet, and no larger than 25 square feet.

3. The directory sign shall include all of the following information:
 - a. The name of the building or complex of buildings.
 - b. A reference point indicating the location of the directory.
 - c. A north arrow.
 - d. Building locations, with numbers and addresses.
 - e. A site plan showing private drives.
 - f. Fire hydrant locations.

26-19.060 Location, Placement, and Design of Signs

- A. **Off-Site Location Required.** All signs shall be located on the same site as the use with which they are associated, except as provided otherwise in this section.
- B. **Placement for Public Safety.** No sign shall be placed in a location where the sign would obstruct an entry or exit to a building or a safety device such as a fire alarm. In addition, no sign shall be located so as to obstruct a required sight distance area (See Figure Figure 26-13.020-1).
- ~~C. **General Placement Requirements.** The permitted signs for a use shall be located on the street-facing portion of the building or site where that use is located, except as follows:~~
 - ~~1. Where a building is located on a one-way street, or where public visibility of the front face or front entrance of the building is limited or impaired, permitted signs may be placed on the side or rear portion of the building or site, provided that the signs conform to all applicable requirements for the size and number of signs.~~
 - ~~2. Where a use is in a multi-tenant building and has no street-facing, ground-level frontage, signs may only be placed on a building directory sign at the building entrance, or on a multi-tenant monument sign. In addition, temporary signs may be used as permitted by this chapter.~~
- ~~D.C. **Frontage on Multiple Streets Sign Area Calculation and Sign Placement.** On sites where a building has frontage on multiple streets, signs may be placed on any street frontage. Maximum allowable sign area shall be calculated based on lineal footage of a building that can be viewed from a public right-of-way. Signs may be placed on any side of a building, subject to the requirements of this section. The permitted sign area for each building frontage shall not be transferred between the frontages.~~
- ~~E.D. **Vertical Clearance.** All signs shall provide adequate vertical clearance to avoid obstructing the movement of vehicles and pedestrians.~~
- ~~F.E. **Lighting.**~~
 1. Any sign that includes lighting shall conform to the lighting performance standards in Section 26-13.010 (Performance Standards) of this chapter.
 2. Any conduits or wires that are connected to a sign's lighting source shall be screened or hidden from view where practical.

26-19.070 Requirements for Specific Types of Signs

The following requirements shall apply in any case where the specified type of sign is used, unless provided otherwise by this section: [\(See Tables 26-19.120-1 thru 26-19.120-3, 26-19.130-1 and 26-19.140-1\)](#)

A. Wall Signs.

1. No part of a wall sign shall extend more than one-third of the sign height or 8 feet, whichever is less, above the top of the portion of the building facade that is adjacent to the sign.
2. The thickness of any wall sign shall not exceed 1 foot.
3. The maximum area for the total of all permitted wall signs for any single wall plane shall not exceed 10 percent. The wall plane area shall include all window and door areas and shall be measured from the sidewalk or ground line to the building eave line or parapet.

B. **Window Signs.** For windows that have multiple panes, in order to determine the maximum window area that may be covered, the window area shall be measured as the framed area of all of the window's panes.

C. Monument Signs.

1. Monument signs shall not be placed on any frontage with a building setback of less than ~~45-20~~ feet.
2. A minimum distance of 50 feet shall separate any two monument signs.
- ~~3. Where practical, monument signs shall be placed so that the sign face is perpendicular to the adjacent right-of-way.~~

D. Freestanding Signs.

1. Freestanding signs shall not be placed on any frontage with a width of less than 75 feet, or with a building setback of less than 25 feet.
2. A minimum distance of 75 feet shall separate any two freestanding signs.
- ~~3. Where practical, freestanding signs shall be placed so that the sign face is perpendicular to the adjacent right-of-way.~~
- ~~4.3.~~ The maximum height of a freestanding freeway-oriented sign [for properties that abut State Route \(SR\) 162](#) shall be 40 feet. Increased height, up to a maximum of 60 feet, may be permitted ~~in order to provide motorists with direct vision of the sign from aif the property is within a~~ distance of 1/4 mile from ~~a freeway exit ramp~~SR 70. ~~The need for this increased height shall be demonstrated by means of a balloon test or other method approved by the Zoning Administrator.~~ The maximum permitted height shall be specified in the sign permit. [\[Insert Drawing of 1/4 mile distance\]](#)
- ~~5. To exceed the allowable height of a freestanding sign as specified in Tables 26-19.120-2, 26-19.120-3, and 26-19.130-1, approval of the Planning Commission shall be required.~~

~~6.4.~~ The maximum freestanding sign area is based on the total linear street frontage of the front side of the site as follows:

Street Frontage	Sign Area
Up to 200 feet	50 square feet per side
200 to 400 feet	75 square feet per side
Over 400 feet	100 square feet per side

~~7.5.~~ No portion of a freestanding sign shall project above a public right-of-way.

~~8.6.~~ Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, 30 square feet of sign area equates to 60 square feet of required landscaped area. The Zoning Administrator may waive or modify this requirement on a case-by-case basis to take into account existing site conditions.

E. Projecting Signs.

1. Projecting signs may be provided only for uses located on the ground floor of a building.
2. A projecting sign may include a projection above a maximum of 5 feet of the width of a public right-of-way, provided that the sign includes the minimum vertical clearance specified by Section 26-19.060 (Location, Placement, and Design of Signs) of this chapter and provides a 2-foot horizontal clearance from the curb face.
3. In a multi-story building, projecting signs shall be placed at or below the sill of the second-floor windows in a multi-story building.
4. No part of a projecting sign shall extend more than one-third of the sign height or 8 feet, whichever is less, above the top of the portion of the building facade that is adjacent to the sign.
5. Where practical, projecting signs shall be placed so that the sign face is perpendicular to the adjacent right-of-way.
- ~~6.~~ Signs shall be double-faced or otherwise detailed on all sides visible to the public. The total area of a projecting sign shall not exceed 50 square feet.
- ~~6.~~ The thickness of any projecting sign shall not exceed 1 foot.
- ~~7.~~ All signs shall have a minimum vertical clearance of eight feet from the ground to the bottom of the sign or sign structure.

F. **Awning Signs.** Awning signs may be placed at the sides or ends of the awning and shall not project from the surface of the awning.

G. Reader Boards.

1. Reader boards may be provided as part of any allowed sign.
2. The area of a reader board shall not exceed 40 square feet on any one face, and in no case shall a reader board be provided on more than two faces of a sign. (Ord. 1763)

H. 3-Dimensional Signs.

- ~~3.1.~~ 3-dimensional signs shall not be limited to the width requirements specified for the different sign types.

I. Gas Station Signs.

1. Signs advertising price of gasoline grade, and signs not exceeding five square feet per sign, located on gasoline pumps, gasoline pump canopies or fuel island canopies typically used to identify the fuel brand, shall not be counted towards the maximum allowable sign area permitted;
- 4.2. Each use offering for sale or selling any motor vehicle fuel to the public from any place of business shall display on the premises an advertising medium which complies with the requirements of the California Business and Professions Code Section 13531.

J. Electronic Programmable Signs.

1. The content of programmable electronic signs shall be limited to non-commercial and on-site commercial messages, in any combination, but shall not include off-site commercial messages.
2. A maximum of one (1) programmable electronic sign is permitted per site with a maximum sign area of thirty two (32) square feet.
3. Messages shall be displayed for a minimum of eight (8) seconds.
4. Transition during messages shall be two (2) seconds or less and shall either be instantaneous or fade out/in. Flashing is prohibited.
5. For sign adjacent to a Caltrans right-of-way, signs shall be required to meet all Caltrans requirements, permits and other applicable standards.
- 5-6. Lighting requirements shall be the same as for digital display signs (Section 26-19.045(B)).

K. Drive-Through Menu Boards.

1. Menu boards associated with drive-through establishments, such as coffee houses and restaurants, shall not be considered in the sign area calculation if:
 - a. used primarily for displaying the type and price of food and beverages available; and
 - b. the menu board faces cannot be read from a public right-of-way.

26-19.080 Sign Programs

- A. **Purpose.** Sign programs are specifically intended to address the unique needs of certain uses and properties that include multiple uses on a site, or multiple signs for uses with special sign needs. Sign programs shall be used to achieve aesthetic compatibility between the signs within a project and provide flexibility in the number, size, location and type of signs.
- B. **Applicability.** Sign programs are permitted, and may be required as a condition of approval for a use permit, specifically for the following uses:
 1. Multiple-tenant buildings.
 2. Uses with freeway-oriented signs.
 3. Automobile or other vehicle sales.
 4. All uses within a Planned Development (PD-O) overlay district.

C. **Modification of Standards.** A sign program may modify any of the following standards of this section:

1. The number of signs allowed.
2. The size allowed for an individual sign; provided, however, that the total area of all signs in the sign program shall not exceed the total area allowed by this section by more than 10 percent.
3. The maximum height of monument and freestanding signs that display information for multiple tenants; provided, however, as follows:
 - a. The height shall not exceed 20 feet for establishments that are contiguous to Oroville Dam Boulevard, and 15 feet for all other establishments.
 - b. The maximum height shall not be increased for signs in a residential district.
4. The location and type of signs allowed; provided, however, as follows:
 - a. A sign program shall allow no more than one sign that is not located on the same site as its associated use, in addition to any such signs that may be allowed by this section.
 - b. A sign program shall not include a prohibited sign.

D. **Design Requirements.**

1. Sign programs shall be designed so that all signs have visually compatible themes and placement.
2. Signs shall draw from a common palette of materials, colors, shapes, lettering types and sizes, and illumination methods. This common palette shall be compatible with the architecture and scale of the site's buildings, ~~as well as the architecture and design of buildings and signs on other nearby properties.~~

E. **Review of Sign Programs.** All sign programs shall be subject to development review, in accordance with the requirements of Section 26-53 (Development Review) of this chapter and the requirements of this section. The review authority for development review shall approve a sign program only upon determining that:

1. The signs included in the sign program have one or more common design elements, such as their placement, colors, materials, illumination, sign type, sign shape, letter size and lettering type.
2. The colors, materials, size and placement of the signs included in the sign program are compatible with the materials, architecture and scale of the buildings and signs on the site, ~~and on other sites in the area.~~
3. ~~The number and placement of signs included in the sign program is compatible with the number and placement of signs on other nearby properties.~~
4. ~~The signs included in the sign program conform to the requirements of this section, as well as any applicable specific plan or design guidelines adopted by the City Council.~~

26-19.090 Temporary Signs

- A. **Intent.** The City recognizes that temporary signs provide an important medium through which to convey a variety of noncommercial and commercial messages. The intent of this section is to balance the right of individuals to convey their messages through temporary signs and the right of the public to be protected against the aesthetic nuisances, traffic hazards and detriments to property values that can result from the unrestricted proliferation of temporary signs.
- B. **General Requirements.**
1. Except as specified, no sign permit shall be required for the temporary signs described in this section, provided that the signs comply with all applicable requirements of this section.
 2. Temporary signs that are exempted by this section from obtaining a sign permit shall not include any form of lighting or illumination in association with the sign, nor shall any permanent structure be constructed in association with the temporary sign.
- C. **Development Signs.** Temporary development signs, such as those identifying a construction project, indicating the parties involved in a construction project or providing sales information for a subdivision, shall be allowed subject to the following requirements:
1. On a site with an area of less than 1 acre, a maximum of one temporary development sign, with a maximum area of 36 square feet and a maximum height of 6 feet, may be displayed on-site. On a site with an area of 1 acre or greater, a maximum of two temporary development signs, each with a maximum area of 50 square feet and a maximum height of 10 feet, may be displayed on-site.
 2. One directional sign, with a maximum area of 6 square feet, may be displayed on another site for each on-site temporary development sign that is allowed by this section, provided that permission to exhibit such signs shall be obtained from the owner of the premises upon which such signs are placed. These directional signs shall be installed on private property.
 3. Temporary development signs shall be removed within 30 days of the completion of construction or the sale of all available parcels or units, as applicable.
 - ~~2.4.~~ A temporary sign that indicates the future use of a building being constructed/remodeled on the premises may be permitted if it does not exceed the total permitted sign area of the district requirements. Such sign may be permitted for a period of one year or until completion of the construction / remodel of the building, whichever first occurs.
- D. **Real Estate Signs.** One temporary real estate sign, with a maximum area of 32 square feet, may be displayed on the premises of a building or property that is for sale, lease, or rent.
- E. **Portable Signs.** Portable signs, such as “A” frame signs and sandwich boards, shall be allowed in non-residential districts, subject to the following requirements:
1. A business may display one portable sign, with a maximum area of 8 square feet on each face and a maximum of two faces. The sign shall be displayed on ~~a sidewalk adjacent to private,~~ the property on which the business is located.

2. Portable signs shall have a maximum height of ~~3-4~~ feet and a maximum width of 2 feet; ~~and they shall occupy no more than 6 square feet of ground area.~~
3. Portable signs shall not be placed within 10 feet of any other portable sign.
4. ~~Portable signs shall not be placed on any sidewalk or pedestrian path that is narrower than 8 feet. In addition, portable signs shall not be placed where they would cause the usable width of a sidewalk or pedestrian path to become narrower than 5 feet or would otherwise obstruct the movement of pedestrians.~~
- 5.4. For multiple-tenant buildings, a maximum of one ~~temporary portable~~ sign for each three tenants may be displayed at any given time, up to a maximum total of three ~~temporary portable~~ signs.
- 6.5. ~~Portable sign shall be able to withstand wind gusts or must be removed during inclement weather.~~
- 7.6. ~~For portable signs in the Downtown Historic Overlay District please reference Section 26-19.XXX.~~

F. **Special Function Signs.** Temporary signs for special functions, such as special sales, grand openings and fundraising drives, shall be allowed subject to the following requirements:

1. ~~The display of flags or other decorations for nationally recognized and celebrated holidays are permitted.~~
- 1.2. A maximum of two temporary special function signs, each with a maximum area of 25 square feet, may be displayed. The signs shall be located on private property.
2. ~~A maximum of four of the following wind-driven signs may be displayed on the site, subject to a temporary sign permit as provided in Section 26-19.100 (Temporary Sign Permit) of this chapter:~~
 - a. ~~A string of any length with attached pennants or streamers.~~
 - b.a. ~~A cluster of no more than five balloons, each with a diameter no greater than 14 inches. The maximum height of the balloons shall be 10 feet above the finished grade.~~
3. ~~Wind-driven signs are permitted as follows:~~
 - a. ~~Inflatable signs, with the exception of balloons with a diameter no greater than 14 inches and height no greater than 10 feet above the finished grade, shall require a temporary sign permit.~~
 - b. ~~Signs that rotate or revolve are not permitted.~~
 - c. ~~Pennants, ribbons, streamers and balloons are permitted subject to the requirements as found in this section.~~
- 4.3. Temporary signs for special functions shall not be displayed more than 60 days prior to, or 7 days after, the function or event.
4. Signs displayed in or placed on a window shall not obstruct more than 25 percent of the window's area.
5. ~~Street banners strictly advertising a public event that has obtained a street closure / special event permit are permitted without regard to other requirements of this chapter.~~

6. Garage/yard sale signs placed in compliance with the size and height requirements of Section 26-19.110 (Requirements for Residential Districts) located on private property. Signs may be on-site or off-site with the property owner's permission. All garage/yard sale signs are to be removed within 24 hours of the conclusion of the sale.

- G. **Temporary Uses.** A maximum of two signs, each with a maximum area of 20 square feet, may be displayed on the site of an allowed temporary use. The signs shall be located on private property, and they shall be removed immediately upon cessation of the temporary use.
- H. **Political Signs.** Temporary political signs shall be allowed subject to the following requirements:
1. In residential districts, a maximum of two non-illuminated signs, each with a maximum area of 8 square feet and maximum height of 4 feet, may be displayed. In non-residential districts, a maximum of two signs, each with a maximum area of 16 square feet and maxium height of 6 feet, may be displayed.
 2. The signs shall be located on private property and are prohibited within the public right-of-way.
 3. ~~The signs shall be removed within 14 days following the election.~~ Signs shall be installed no earlier than 90 days prior to the election and removed no later than 7 days following the election.

26-19.100 Temporary Sign Permits

- A. **Permit Required.** Temporary sign permits shall be required for certain temporary signs as specified in Section 26-19.090 (Temporary Signs) of this chapter.
- B. **Frequency of Permits.** For any site, no more than four temporary sign permits shall be issued within any 12-month period.
- C. **Application.**
1. Application for a temporary sign permit shall be submitted to the Zoning Administrator in a form approved by the Zoning Administrator, accompanied by any fee established by resolution of the City Council. The application shall contain all of the following information:
 - a. The location by street and number of the proposed sign.
 - b. The name and address of the owner of the site, and of the person requesting the permit.
 - c. The business or event for which a permit is being requested.
 - d. The specific type of temporary sign for which a permit is being requested.
 - e. The dates and times on which the temporary sign will be displayed.
 - f. Any other pertinent information that is necessary to ensure compliance with this section.
 2. An application for a temporary sign permit shall be approved or denied in accordance with the procedure relating to an administrative permit, as provided in Section 26-50.020 (Administrative Permits) of this chapter.

26-19.110 Requirements for Residential Districts

In all residential districts, signs may be provided as follows:

- A. **Dwelling-Single-Family Units and Multiple-Family Developments.**
1. Each ~~dwelling units~~single-family residence may display one wall, window, banner, canopy or freestanding sign, with a maximum area of 5 square feet. No lighting shall be provided for the sign.
 - ~~4.2.~~ Any monument, freestanding or other sign not affixed to a building shall not exceed four (4) feet in height.
 - ~~2.3.~~ In a multiple-family residential development that contains at least four dwelling units, one additional wall, window, banner, or canopy sign, with a maximum area of 10 square feet, shall be allowed for the entire development. This sign shall not be internally illuminated.
- B. **Subdivision Signs.** A maximum of two monument signs shall be allowed at up to two entrances to a residential subdivision, or to a multi-family residential development with at least four dwelling units. Each sign shall have a maximum area of ~~48-30F~~ square feet and a maximum height of 6 feet. The signs shall not be internally illuminated.
- C. **Non-Residential Uses.** Any non-residential use in a residential district may provide ~~one-a~~ wall, window, banner, canopy, or monument sign. The maximum area of all the signs shall ~~be~~ not exceed 10 feet, and the signs shall not be internally illuminated.

26-19.120 Requirements for Commercial and Mixed-Use Districts

- A. **Signs in CN and MXN Districts.** In CN and MXN districts, signs shall be permitted as specified in Table 26-19.120-1.
- B. **Signs in C-1, OF, and MXD Districts.** In C-1 and MXD districts, signs shall be permitted as specified in Table 26-19.120-2.
- C. **Signs in C-2, CLM, CH, and MXC Districts.** In C-2, CLM, CH, and MXC districts, signs shall be permitted as specified in Table 26-19.120-3.
- D. **Dwelling Units in Commercial and Mixed-Use Districts.**
1. Any dwelling unit in a commercial or mixed-use district may display one wall, window, banner, or canopy sign, with a maximum area of 5 square feet. No lighting shall be provided for the sign.
 2. For mixed-use developments that contain at least four dwelling units, one additional wall, window, banner, or canopy sign, with a maximum area of 10 square feet, shall be allowed for the entire development. This sign shall not be internally illuminated. (Ord. 1763)

26-19.130 Requirements for Industrial Districts

- A. **Signs in Industrial Districts.** In all industrial districts, signs shall be permitted as specified in Table 26-19.130-1.

- B. **Dwelling Units in Industrial Districts.** Any dwelling unit in an industrial district may display one wall, window, banner or canopy sign, with a maximum area of 5 square feet. No lighting shall be provided for the sign.

26-19.140 Requirements for Special Purpose Districts

- A. **Signs in OS Districts.** In OS districts, the following requirements shall apply:
1. Signs that identify the site and provide information of use to visitors, such as the hours of operation, shall be permitted. These site identification signs shall not be subject to a sign permit.
 2. No signs that are subject to a sign permit shall be permitted in an OS district.
- B. **Signs in PQ Districts.** In PQ districts, signs shall be permitted as provided in Table 26-19.140-1.

26-19.150 Requirements for Downtown Historic Overlay (DH-O) Districts

- A. **Development Review.** In any case where a sign permit is required in a DH-O district, development review of the sign shall also be required.
- B. **Types of Signs.** Freestanding signs and monument signs shall be prohibited in DH-O districts.

TABLE 26-19.120-1: ALLOWED SIGNS IN CN AND MXN DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements	
Awning signs	No maximum	<u>Determined by maximum total sign area permitted</u>	1 square foot for each linear foot of building frontage fronting a street, public way or public or customer parking area, or 150 square feet, whichever is less [2]	No maximum	Yes; internal illumination prohibited	Section 26-19.070 (Requirements for Specific Types of Signs)	
Banner signs	1 per frontage			<u>Below eave or below sill of second floor window 20 feet [3]</u>	No	—	
Canopy signs	No maximum			<u>Below eave or below sill of second floor window 20 feet [3]</u>	Yes; internal illumination prohibited	—	
Monument signs	1 per frontage			6 feet	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)	
Projecting signs	1 per tenant on each frontage			<u>Below eave or below sill of second floor window 20 feet [3]</u>	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)	
Wall signs	No Maximum			10% of wall area	<u>Below eave 20 feet [3]</u>	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Window signs	No maximum			25% of window area	No maximum	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] The maximum total area shall not be lower than 25 square feet.

[3] ~~Maximum sign height of 20 feet may be exceeded subject to the approval of the Planning Commission. (Ord. 1796)~~

TABLE 26-19.120-2: ALLOWED SIGNS IN C-1, OF, AND MXD DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	<i>Less than 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 300 square feet, whichever is less[2]	No maximum	Yes; internal illumination prohibited	Section 26-19.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	40 square feet		20 feet [5]	No	—
Canopy signs	No maximum	5 square feet per face	<i>At least 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 350 square feet, whichever is less[3]	20 feet[5]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		8 feet [4]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Monument signs	1 per frontage	Determined by total area	<i>40,000 to 80,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 400 square feet, whichever is less[4]	8 feet	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet	<i>80,000 to 140,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 450 square feet, whichever is less	20 feet[5]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Wall signs	No maximum	10% of wall area		20 feet[5]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area	<i>140,000 to 200,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 500 square feet, whichever is less.	No maximum	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] For a gross floor area less than 20,000 square feet, the maximum total area shall not be lower than 50 square feet.

[3] For a gross floor area of at least 20,000 square feet, the maximum total area shall not be lower than 75 square feet.

[4] Freeway-oriented businesses, sites contiguous to Oroville Dam Boulevard, as well as other C-1 and MXD properties may have 1 freestanding sign with additional height as specified in Section 26-19.070 (Requirements for Specific Types of Signs).

[5] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission. (Ord. 1763, 1796)

TABLE 26-19.120-3: ALLOWED SIGNS IN C-2, CH, CLM, AND MXC DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	<i>Less than 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 300 square feet, whichever is less[2]	No maximum	Yes; internal illumination prohibited	Section 26-19.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	40 square feet		20 feet [6]	No	—
Canopy signs	No maximum	5 square feet per face	<i>At least 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 350 square feet, whichever is less[3]	20 feet[6]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		8 feet [5]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Marquee Signs	1 per frontage	Determined by total area	<i>40,000 to 80,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 400 square feet, whichever is less[4]	10 feet	Yes	—
Monument signs	1 per frontage	Determined by total area		8 feet	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet	<i>80,000 to 140,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 450 square feet, whichever is less	20 feet[6]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Wall signs	No Maximum	10% of wall area		20 feet[6]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area	<i>140,000 to 200,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 500 square feet, whichever is less.	No maximum	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.
 [2] For a gross floor area less than 20,000 square feet, the maximum total area shall not be lower than 50 square feet.
 [3] For a gross floor area between 20,000 and 40,000 square feet, the maximum total area shall not be lower than 75 square feet.
 [4] For a gross floor area more than 40,000 square feet, the maximum total area shall not be lower than 100 square feet.
 [5] Freeway-oriented businesses, sites contiguous to Oroville Dam Boulevard, as well as other C-1 and MXD properties may have one freestanding sign with additional height as specified in Section 26-19.070 (Requirements for Specific Types of Signs).
 [6] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission.
 (Ord. 1763, 1796)

TABLE 26-19.130-1: ALLOWED SIGNS IN INDUSTRIAL DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	<p><i>Less than 20,000 square feet of gross floor area on site: 1.5 square feet for each linear foot of building frontage, or 300 square feet, whichever is less[2]</i></p> <p><i>At least 20,000 square feet of gross floor area on site: 1.5 square feet for each linear foot of building frontage, or 350 square feet, whichever is less[3]</i></p>	No maximum	Yes; internal illumination prohibited	Section 26-19.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	40 square feet		20 feet [5]	No	—
Canopy signs	No maximum	5 square feet per face		20 feet[5]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		8 feet [4]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Monument signs	1 per frontage	Determined by total area		8 feet	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet		20 feet [5]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Wall signs	No Maximum	10% of wall area		20 feet [5]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area		No maximum	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] For a gross floor area less than 20,000 square feet, the maximum total area shall not be lower than 50 square feet.

[3] For a gross floor area between 20,000 and 40,000 square feet, the maximum total area shall not be lower than 75 square feet.

[4] Freeway-oriented businesses, sites contiguous to Oroville Dam Boulevard, as well as other C-1 and MXD properties may have one freestanding sign with additional height as specified in Section 26-19.070 (Requirements for Specific Types of Signs).

[5] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission. (Ord. 1763, 1796)

TABLE 26-19.140-1: ALLOWED SIGNS IN PQ DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	1 square foot for each linear foot of building frontage, or 100 square feet, whichever is less [2]	No maximum	Yes; internal illumination prohibited	Section 26-19.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	30 square feet		20 feet [3]	No	—
Canopy signs	No maximum	4 square feet per face		20 feet[3]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		6 feet	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet		20 feet [3]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Wall signs	No Maximum	10% of wall area		20 feet [3]	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area		No maximum	Yes	Section 26-19.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] The maximum total area shall not be lower than 25 square feet.

[3] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission. (Ord. 1796)

- C. **Lighting.** Internally illuminated signs shall be prohibited in DH-O districts. Externally illuminated signs shall be allowed, subject to the requirements found in Section 26-19.060(F) (Location, Placement, and Design of Signs, Lighting).
- D. **Exemption for Historic Signs.** Any sign that is a contributing feature of a DH-O district, and that does not advertise a business that is currently in operation, shall not require a sign permit. In addition, any such sign shall not be counted towards the allowable sign area or number of signs for a building or use.
- E. **“A” Frame Signs.** One “A” frame sign is permitted, per business, in the DH-O in the public right-of-way. All signs shall:
1. be able to withstand wind gusts or must be removed during inclement weather
 2. be located directly in front of the business;
 3. not unreasonably interfere with or impede the flow of pedestrian or vehicular traffic;
 4. not create visibility hazards for pedestrians or vehicular traffic;
 5. not interfere with the ingress into or egress from any residence or place of business;
 6. not be attached or secured in any way to any object in the public right-of-way;
 7. not endanger the safety of persons or property;
 8. not restrict the use of poles, posts, traffic signs or signal, utility access vaults, manholes, hydrants, mailboxes or other objects permitted at or near such a location;
 9. have any balloons, streamers, pennants or other objects designed and fastened in such a manner as to move upon being subjected to pressure by wind or breeze;
 10. obstruct a wheelchair ramp or violate any pedestrian path of travel or other requirements as may be required by the Americans with Disabilities Act.

26-19.160 Creative Signs

- A. **Purpose.** This Section establishes standards and procedures for the design, review, and approval of creative/artistic signs. The purposes of this section are to:
1. Encourage signs of unique design, and that exhibit a high degree of originality, thoughtfulness, imagination, inventiveness, and creativity; and
 2. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the property, the surrounding area, and the overall image of the city, while mitigating the impacts of large or unusually designed signs.
- B. **Applicability.** An applicant may request approval of a sign permit to authorize creative signs that employ standards that differ from the other sign provisions. Approval of creative signs permitted shall not be construed to reduce the number and type of signs that are otherwise permitted by this Chapter.

C. Authority. The Development Review Committee shall review and approve applications for creative signs.

~~26-19.160~~26-19.170 Nonconforming Signs

A. **Allowances and Requirements for Conformance.** Any existing sign that does not comply with the requirements of this section but which was constructed, operated and maintained in compliance with all regulations at the time of its placement shall be regarded as a~~Existing~~ legal nonconforming sign and shall be allowed to remain in use, except as follows:

1. If the electrical or structural elements associated with a nonconforming sign are reconfigured or replaced, immediate conformance with the requirements of this section shall be required.
2. If a business or use for which the nonconforming sign is provided has been discontinued for a continuous period of more than 1 year, the sign and its associated structures shall be removed or brought into conformance with the requirements of this section. For multiple-tenant buildings, this requirement shall apply when more than 50 percent of the multiple-tenant building's gross floor area has been unoccupied for 1 year.
3. If more than 50 percent of a nonconforming sign is destroyed, and structural repairs are required to restore the sign to good condition, the sign shall be removed or brought into conformance with the requirements of this section.

~~3.4.~~ If a nonconforming sign is removed during construction activities, such as facade improvements, any nonconforming sign removed shall not be re-installed.

B. **Exceptions.**

1. If the Planning Commission finds, based on substantial evidence, that the provisions of this section would significantly affect the economic ability of a business to continue, because of the impossibility of locating a new sign in a ~~position~~ location where it would not be ~~completely substantially~~ obstructed ~~or able to serve its purpose as a sign~~ by existing signs, the Commission may grant a variance allowing a nonconforming sign to be retained or modified, or a new nonconforming sign to be erected.
2. A sign that is part of a landmark or landmark site shall be deemed nonconforming only if at least one of the following conditions applies:
 - a. The sign does not contribute to the historic significance of the landmark or landmark site.
 - b. The sign poses an immediate threat to public safety. If the sign is deemed nonconforming solely because it threatens public safety, the sign shall be repaired or modified, if possible, rather than removed.

~~26-19.170~~26-19.180 Removal of Signs

A. **Removal of Permanent Signs.** The Zoning Administrator may order the removal of any permanent sign, including its associated structural elements, that has been erected or maintained in violation of this section.

1. The Zoning Administrator shall give written notice to the owner of the building, structure or premises upon which the sign is located, requiring the owner to remove the sign or to bring it into compliance with this section.
 2. If the owner does not comply with the City's notice within 30 days, the City may proceed to enter the premises and remove the sign and its structural elements. The cost of the removal shall be assessed to the record owner of the premises upon which the sign is situated.
 3. With the prior written approval of the City Attorney, the Building Official may remove any sign immediately, without notice, if the condition of the sign presents an immediate threat to public safety. The Building Official shall notify the Zoning Administrator in writing of any such action.
- B. **Removal of Temporary Signs.** The Zoning Administrator may order the removal of any temporary sign erected or maintained in violation of this section, without any notice requirement.
- C. **Storage of Removed Signs.** Any sign removed by the Zoning Administrator shall be stored for 10 days, during which time the owner or other party responsible for posting the sign may recover the sign upon payment to the City of the costs of removal and storage.
- D. **Cost of Sign Removal.** If a permanent sign is not recovered within the storage period required by this section, the City shall mail a notice to the last known record owner of the premises at the address set forth upon the last equalized assessment roll. The notice shall be of a form approved by the Zoning Administrator and City Attorney, and it shall set forth the cost of removing the sign and notify the owner of the City Council hearing at which the cost of sign removal will be assessed against the property.
- E. **Removal of Portion of a Sign.** Where practical, the Zoning Administrator may require the removal or screening of only a portion of a nonconforming sign, rather than the removal of the entire sign face and all of its associated structural elements.

~~26-19.180~~26-19.190 **Violations and Penalties**

- A. **Violation.** It shall be unlawful for any person or entity to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, ~~occupy~~, or maintain any signs in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this section.
- B. **Penalties.** Any person or entity violating any of the provisions of this section shall be guilty of an infraction and shall be deemed guilty of a separate offense for each day during which any violation of the provisions of this section is committed, continued, or permitted. Upon conviction of any such violation, the violator shall be subject to a fine of not more than \$1,000.