

**ORDINANCE COMMITTEE DRAFT APRIL 11, 2017
SHOWING CHANGES FROM EXISTING CODE
NEW PROVISIONS IN UNDERLINE
DELETIONS IN ~~STRIKE OUT TEXT~~**

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE 22 OF THE SANTA BARBARA MUNICIPAL CODE RELATING TO THE RECONSTITUTION OF THE SIGN COMMITTEE, AMENDING SECTION 22.70.050 OF TITLE 22 RELATING TO SIGN PERMITS

Section One. Section 22.70.050 of Title 22 of the Santa Barbara Municipal Code is hereby amended to read as follows:

22.70.050 Sign Permits.

A. **APPLICATION.** Any person desiring to construct, maintain or display a sign for which a permit is required shall submit an application to the Planning Division of the Community Development Department. The application shall be made upon forms provided by the Community Development Department and shall be accompanied by the following materials:

1. Two copies of a plan showing:
 - a. The position of each sign and its relation to adjacent buildings or structures.
 - b. The proposed design, size, colors, and location on the premises of each sign including the type and intensity of any proposed lighting.
2. A statement showing the sizes and dimensions of all signs existing on the premises at the time of making such application.
3. Such other information as the Director of the Community Development Department may require to show full compliance with this and all other ordinances of the City of Santa Barbara.
4. A written authorization to submit the sign permit application signed by the property owner or lessee.

B. **FEES.** The sign permit application shall be accompanied by the appropriate fee established by the City Council by resolution. If installation of a sign is commenced before an application for a permit is made or before the plans are approved by the Sign Committee, the applicant shall be charged an additional field inspection fee equal to the permit fee.

C. **PROCESSING APPLICATIONS.**

1. Community Development Department staff shall review the application and accept it as complete or reject it as incomplete within three (3) working days from the date of filing.
2. No sign permit application will be accepted if:
 - a. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of the submission of the application, each illegal sign has not been legalized, removed or included in the application; or
 - b. Any sign under the control of the applicant on the premises

of the proposed sign was installed in violation of this Chapter and at the time of submission of the application, each illegal sign has not been legalized, removed or included in the application; or

c. The sign permit application is substantially the same as an application previously denied by staff or the Sign Committee or, on appeal, by the Historic Landmarks Commission, the Architectural Board of Review, or the City Council, unless:

(i) Twelve (12) months have elapsed from the date of the final decision on the application; or

(ii) New evidence or proof of changed conditions is furnished in the new application.

3. Assignment of Level of Review. Community Development Staff will review each sign permit application and assign each complete application to one of ~~three~~ two review categories: conforming review, ~~consent review~~, or full board review. Sign permit applications will be assigned to conforming review based on the criteria found in Section 22.70.050.E. Most other sign permit applications will be assigned to ~~consent~~ full board review including ~~Sign permit~~ applications that involve multiple exception requests, a large number of signs, or a large volume of signage. ~~will be assigned to full board review. Prior to a hearing on Consent Review, any member of the Sign Committee, Architectural Board of Review, or the Historic Landmarks Commission may request that an application assigned for consent review be re-assigned for full board review.~~

D. **BUILDING AND ELECTRICAL PERMITS.** After a sign has been approved by the Sign Committee, the applicant shall obtain all required building and electrical permits from the Building and Safety Division of the Community Development Department.

E. **~~CONFORMING AND CONSENT SIGN REVIEW.~~**

1. Sign Conformance Determination. Applications for signs conforming to the Sign Ordinance and Sign Review Guidelines may be eligible for review and approval by the Chair or Vice-Chair of the Sign Committee or their designated alternate. Conforming signs which meet the following criteria shall be referred by Staff for Conforming Sign Review:

a. Signs where the size, shape, color, placement, and any lighting of the sign are consistent with adopted guidelines;

b. Signs located within El Pueblo Viejo Landmark District that comply with the requirements of Section 22.70.040.B and would be compatible with the required architectural style described in Section 22.22.104;

c. Minor wording, name, color and/or face changes which do not affect the character or location of a sign;

d. Signs for a commercial or industrial complex where a previously approved sign program is in effect and the proposed sign conforms to the program;

e. Thirty (30) day extension of temporary signage;

f. Conceptually approved signs, if all Committee conditions are met; and

g. Awning signs.

~~Sign~~ applications which do not meet ~~these~~ specific criteria above may be referred by Staff or the Chair, Vice-Chair or their designated alternate for Conforming Sign Review, if deemed appropriate. In addition, the full board Sign Committee may also direct some projects or portions of projects to Conforming Sign Review for approval.

2. Conforming Review. Conforming reviews are conducted by any one (1) member of the Sign Committee.

~~3. Consent Review. Consent reviews are conducted by any two (2)~~

~~members of the City Committee.~~

~~4. Standard of Review and Findings. Conforming Review and Consent Review are conducted using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.~~

~~F. FULL BOARD REVIEW. Full Board Review is conducted by the ABR or, if the sign is located in El Pueblo Viejo Landmark District or the sign is proposed on a site that is a designated historic resource or potential historic resource, the HLC. When conducting a Full Board Review of a sign permit application, the ABR or HLC shall assume the role of the Sign Committee, as provided in Chapter 22.70 and amended by this ordinance. The ABR or HLC shall employ the current adopted Sign Review Guidelines and shall conduct its review using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.~~

F. PERMITS REVIEWED BY THE SIGN COMMITTEE. The Sign Committee shall take action to approve, conditionally approve or deny an application within twenty one (21) days from the date of acceptance thereof. If no action is taken by the Sign Committee within said period or within any extension approved by the applicant, the application shall be deemed approved as submitted, provided the proposed sign otherwise complies with the provisions of this Chapter.

G. SIGN REVIEW CRITERIA.

1. In reviewing a sign permit application, staff and the Sign Committee shall apply the following criteria as the basis for action:

- a. The sign shall be in proportion with and visually consistent with the architectural character of the building.
- b. The sign shall not constitute needless repetition, redundancy or proliferation of signing.
- c. The location of the proposed sign and the design of its visual elements (lettering, colors, decorative motif, spacing and proportion) shall result in a sign which is legible under normal viewing conditions existing at the sign's proposed location.
- d. The sign shall not obscure from view or unduly detract from existing signing.
- e. If the proposed sign will be adjacent to, in or near a residential area, it shall be harmonious and compatible with the residential character of the area.
- f. The size, shape, color and placement of the sign and any lighting shall be compatible to and harmonious with the building which it identifies and with the area in which it will be located.
- g. If the sign is to be located in El Pueblo Viejo Landmark District, the sign shall comply with the requirements of Section 22.70.040.E and shall be compatible with the required architectural style described in Section 22.22.104.

2. If a sign permit application satisfies the above criteria and complies with the other provisions of this Chapter, it shall be approved.

H. **FINDINGS.** If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this Chapter shall be prepared in writing and mailed to the applicant or his agent and sign contractor within seven (7) days.

I. **APPEALS.** The applicant or any interested person may appeal decisions concerning sign permit applications as follows:

1. Appeals to the Architectural Board of Review or the Historic Landmarks Commission. Any action of the Sign Committee or of the

Division staff may be appealed by the applicant or any interested party to the Architectural Board of Review or, if the sign is in El Pueblo Viejo Landmark District or if the sign is proposed on a site that is a designated historic resource or potential historic resource, to the Historic Landmarks Commission. Said appeal shall be in writing, shall state reasons for the appeal and shall be filed with the staff of the Architectural Board of Review or the Historic Landmarks Commission within ten (10) days of the meeting at which the decision being appealed was rendered. A hearing shall be held by the Architectural Board of Review or the Historic Landmarks Commission, as appropriate, at the first available meeting of the Architectural Board of Review or the Historic Landmarks Commission following the filing of the appeal. Notice of the time and place of the hearing shall be sent to the applicant and appellant no later than five (5) days prior to said hearing. The Board or Commission may affirm, reverse or modify the decision of the Sign Committee or staff concerning the sign permit application. Said action shall take place within twenty-eight (28) days from the date of the filing of the appeal. Failure to act within said period will result in the sign permit application being deemed approved to the extent that it complies with the provisions of this Chapter. Upon such an automatic approval, the Division of Land Use Controls shall issue the permit. No member of the Board or Commission who is also a member of the Sign Committee and who participated in the decision of the Sign Committee shall act on the appeal.

2. Appeal to the City Council. An appeal to the City Council from the decision of the Architectural Board of Review or the Historic Landmarks Commission shall be made pursuant to the provisions of Section 1.30.050 of this Code.

J. **EXPIRATION OF PENDING APPLICATION.** Signs must be installed within six months of the date of approval or the approval is void, unless the applicant has requested and received an extension not exceeding six (6) months from the Community Development Director. (Ord. 5537, 2010; Ord. 5444, 2008; Ord. 5136, 1999; Ord. 4917, 1995; Ord. 4850, 1994; Ord. 4484, 1987; Ord. 4259, 1984; Ord. 4101, 1981.)