CITY OF SAN ANSELMO

Ordinance No. 602

AN ORDINANCE REPEALING CHAPTER 7 (SIGNS) TITLE 9
OF THE SAN ANSELMO MUNICIPAL CODE AND RE-ENACTING
CHAPTER 7 WITH NEW REGULATIONS FOR THE CONSTRUCTION,
ERECTION AND MAINTENANCE OF ADVERTISING AND OTHER
SIGNS IN THE CITY.

The City Council of the City of San Anselmo do ordain as follows:

Section 1. The provisions of Chapter 7, Title 9 of the San Anselmo
Municipal Code are hereby repealed.

Section 2. Chapter 7, Title 9 of the San Anselmo Municipal Code is re-
enacted as follows:

ARTICLE 1 - PURPOSES

9-7.101. Purposes. The purposes of this chapter include, but are not
limited to the following:
(a) Protection of the public's ability to identify uses and premises
without confusion.
(b) Elimination of unnecessary distractions which may diminish driv-
ing safety.
(c) Promotion of safe construction of signs.
(d) Protection of the natural beauty of San Anselmo.
(e) Enhancement and improvement of properties and their neighborhoods
by encouragement of signs which are compatible with and complimentary to
related buildings and uses and harmonious with their surroundings.

ARTICLE 2 - DEFINITIONS

9-7.201. Definitions. For the purposes of this chapter certain words
are phrases are defined as set forth below.

(a) Sign. A sign is any display, device, or thing which is in-
tended to or may, in the judgment of the Planning Director or the Design
Review Committee, communicate an advertisement, announcement, direction,
identify, or other message to, and or attract, distract, hold, direct, or
focus the attention of persons on public property or on private property
generally open to members of the public. A sign includes any moving part,
lighting, sound equipment, framework, background material, structural
supports, or other parts thereof. A display, device, or thing need not
contain any lettering to be a sign, but the mere display of merchandise
in a store window shall not cause that window to be considered a sign.

(b) "Erect and Maintain". The phrase "erect and maintain" and
variations thereof used in this chapter with respect to signs includes,
but is not necessarily limited to, the placing, construction, establish-
ment, alteration, repair, location, and/or continuation of temporary and
permanent signs and the parking or other placement of any vehicle or other
portable object to which a sign is affixed.

(c) Primary Building Face. The "Primary Building Face" is that
wall of a building which contains the principal entrance or entrances to
the building. If there are principal entrances in more than one wall, the
longest of the walls in which principal entrances are located is the pri-
mary building face. The primary building face includes not only the wall
itself, but all doors, windows, or other openings therein, and projections
therefrom.
(d) Use. A "use" is each business, administrative, professional, industrial, or other establishment which is separate from another establishment both in fact and in the appearance presented to the public.

ARTICLE 3 - PERMITTED SIGNS

9-7.301. Permitted Signs. It shall be unlawful for any person or entity, other than an appropriate governmental body, to erect or maintain a sign in the City of San Anselmo except as permitted by this chapter. All signs are prohibited except those (i) expressly allowed by this Article 3 and erected and maintained in accordance with Article 4 (General Regulations); if applicable; (ii) approved by Sign Review pursuant to Article 5 (after the granting of a variance pursuant to Article 6, if applicable) or (iii) permitted by Article 9 (Non-conforming Signs). Unless Sign Review is specifically required, any sign permitted by this Article 3 may be erected and maintained without Sign Review so long as it conforms with the provisions of this chapter and any other applicable governmental enactments.

9-7.302. Permanent Use Identification Signs. Subject to the general regulations set forth in Article 4 of this chapter, the uses specified below may be identified by the permanent signs specified below:

(a) Single Family Dwelling: One name plate, containing only the name of the resident of the dwelling and not exceeding one (1) square foot, which may be free-standing.
(b) Home Occupation: One sign, not exceeding one (1) square foot, which may be free-standing.
(c) Multiple Family Dwelling: One name plate, containing only the name and/or address of the building, not exceeding six (6) square feet, which may be free-standing, with an overall height of not more than four (4) feet.
(d) Professional: One sign containing the address and/or name of the building or group not exceeding four (4) square feet, and one (1) name plate per individual occupant, containing only the name and profession of the individual occupant, not to exceed one (1) square foot for each individual occupant's name plate sign. If the name plate signs are incorporated into one overall sign containing both the address and/or name of the building or group and name plate signs, the total area of said signs shall not exceed four (4) square feet plus one (1) square foot for each individual occupant and such sign may be free-standing upon approval of Sign Review. In addition, each individual occupant may have one sign on an exterior door, which sign shall contain only the individual occupant's name and profession and which sign shall not exceed one (1) square foot.

(e) Cemetery, country club, dog kennels, golf course, riding academy, stables, tennis courts, and other uses determined by the Planning Director to be similar: One sign, not exceeding twelve (12) square feet, which may be free-standing. Subject to Sign Review.

(f) Institutions of an educational, religious, charitable, or civic nature; hospitals, rest homes, and sanitariums; and uses determined by the Planning Director to be similar: One sign, not exceeding twenty (20) square feet, which may be free-standing. Subject to Sign Review.

(g) Service Stations: Not more than three signs, the total area of such signs not to exceed one hundred (100) square feet. One of said signs may be free-standing, provided its area does not exceed forty (40) square feet and it displays only the oil company name and/or emblem. Subject to Sign Review.

(h) Other business, administrative, and industrial uses - ground floor uses: Not more than two signs per use, to be located on the primary building face, the total area of such signs not to exceed one (1) square foot for each linear foot of the primary building face devoted to that use, up to a maximum total sign area of one-hundred (100) square feet, except that:
(1) If a single use extends from one street, through a building, to another street opposite and generally parallel to the first, or if a use is conducted on a corner, each of the building(s) facing a street shall be considered a primary building face for purposes of determining the area and location of the signs permitted such use, but the total area of permitted signs shall nevertheless not exceed one hundred (100) square feet per use.

(2) A use shall be permitted two signs, located on the primary building face, and having a total area not exceeding one-and-one-half (1 1/2) square feet for each lineal foot of primary building face devoted to that use, up to a maximum of 150 square feet per use, if that use faces on a street (or on two or more adjacent parallel streets) having a total of four or more lanes of traffic.

(3) Where the primary building face does not face a public street one sign per building may be erected and maintained on one building face (if there is any) which does face a public street, but the area of such sign shall be no greater than would be permitted if such building face were the primary building face and the area of such sign shall be subtracted from the area of any signs otherwise permitted on the primary building face. All signs permitted under this clause (h) are subject to Sign Review.

(i) Other business, administrative, and industrial uses - second floor and third floor uses different from ground floor use: One sign per use except that the total number of signs on the second or third floor of any building (including any professional signs permitted by clause (d) of this section 7.302) shall not exceed one (1) sign for each ten (10) lineal feet of primary building face of the building. Each such sign shall be located on the primary building face and no such sign shall have an area greater than one (1) square foot. The area of signs permitted for second and third floor uses shall be in addition to the area of signs permitted for first floor uses in the building.

(j) Other business, administrative, and industrial uses - uses not conducted in a building: One sign per use, parallel to the street, the area of such sign not to exceed one-half (1/2) square foot for every front foot of land occupied by the use, up to a maximum of fifty (50) square feet. May be free-standing. Subject to Sign Review.

9-7.303. Temporary Signs: Subject to the general regulations set forth in Article 4 of this chapter, the following signs (which may be freestanding unless this section 7.303 indicates to the contrary) are permitted in addition to those permitted by other provisions of this chapter:

(a) Real estate sale and lease:

(1) Dwelling or dwelling site: One sign not exceeding four (4) square feet for a period ending not more than ten (10) days after an agreement is entered into for the sale or lease of the property, or ten (10) days after the property is removed from the market, whichever occurs first.

(2) Other property: One sign not exceeding twelve (12) square feet for a period ending not more than ten (10) days after an agreement is entered into for the sale or lease of the property, or ten (10) days after the property is removed from the market, whichever is earlier.

(3) Additional subdivision identification: One sign, not exceeding thirty-six (36) square feet, for a period not exceeding two (2) years except that the sign may, in the discretion of the Design Review Committee, be permitted to remain in place for not more than an additional two years. Subject to Sign Review, except that the Planning Commission may, by specific resolution, approve such a sign as part of a subdivision application approved by it.
(b) Construction: One sign identifying the proposed use and/or building and persons or firms involved in the building's erection, not exceeding four (4) square feet in the case of a single family dwelling and not exceeding twenty-four (24) square feet in other cases. May be maintained only during the period of actual, substantial construction.

(c) Sale: Temporary signs, announcing sales or special features, attached, painted, or otherwise placed on the surfaces of ground floor store windows provided the total area of such signs does not exceed twenty-five percent (25%) of the ground floor windows located in the primary building facade. Such signs shall be removed immediately after the end of the sale or event and the same signs shall not be maintained for a total of more than ten (10) days except that a use may leave such signs in place for up to thirty (30) days if the use does not display any other temporary signs for a period of sixty (60) days before and sixty (60) days after said thirty day period. May not be free standing. Not permitted in residential districts.

Each such temporary sign shall include the date on which it was placed on or in the store window.

(d) Holiday decorations: Bunting, displays, lights, and other decorations which contain no commercial message, which are erected and maintained in connection with a holiday established by an Act of the United States Congress and which are removed within fifteen (15) days following their erection, or within forty-five (45) days following their erection in the case of Christmas decorations.

(e) Political Activities: One sign area not exceeding six (6) square feet, located by an individual on his own residence, and not more than two such signs on the premises of any other use. Such signs may not be free-standing. Signs relating to specific elections shall be removed within five (5) days after the election to which they pertain.

(f) Christmas tree lots: Not more than two (2) signs per lot, the total area thereof not to exceed forty (40) square feet.

(g) Fairs, carnivals, and other special events - on site: Not more than two (2) signs, located on the premises on which the event is to be conducted, containing not more than forty (40) square feet in the aggregate, provided that the signs are displayed not more than fifteen (15) days in advance of the beginning of the event and are removed immediately at the conclusion of the event.

(h) Fairs, carnivals, and other special events - off site: Posters, containing not more than six (6) square feet each, displayed in a ground floor window, for not more than thirty days, advertising civic, religious, or other non-profit meetings, fairs, plays, athletic contests, or similar events, so long as no more than two such posters are displayed by any one use at any time. May not be free-standing. Not permitted in residential districts.

9-7.304: Miscellaneous Signs. Subject to the general regulations set forth in Article 4 of this chapter, the following signs are permitted in addition to those permitted by other provisions of this chapter:

(a) Flags and emblems of governmental jurisdiction not used for commercial advertising.

(b) Address numbers not exceeding six inches (6") per number in height and width.

(c) Symbols, including barber poles for barber shops, pictures, illumination, and other items not containing lettering which are approved as architectural ornamentation or decoration by the Design Review Committee.

(d) Signs identifying a neighborhood, district, or community area. May be free-standing. Subject to Sign Review.

(e) Historical plaques erected and maintained by non-profit organizations, memorials, building cornerstones, and erection date stones not
more than one (1) square foot in area.

(f) Signs indicating association membership, credit card system, trading stamps given, and other matters which are determined by the Planning Director to be similar: Not more than one (1) sign for each, no sign to exceed one (1) square foot and the total area of all such signs not to exceed four (4) square feet. All signs to be located flush on the primary building face.

(g) Signs permanently affixed to a vehicle for advertising or identification purposes except that such signs shall not: (i) be illuminated, have changeable copy, or any moving part; (ii) be designed or used to direct persons to a specific place of business, or other place, whether by means of an arrow, written instructions or other means (except that the street address of the business may be included), nor (iii) extend or project beyond the normal functional structure of the vehicle.

(h) One posted restaurant menu, adjacent to the main public entrance identical in size and in all other respects to those made available to diners.

(i) One sign not exceeding one square foot, located on or adjacent to the main entrance to the use showing the business hours of the establishment and containing the words "open" and "closed" or similar wording.

(j) Permanent signs consisting of a framed or unframed surface, free-standing or attached to a wall or fence or other structure, designed and located only for display of announcements of coming performances of cultural, educational, and athletic events if located on the real property on which such event is to take place. Subject to Sign Review.

(k) Private parking area traffic directional signs not exceeding four (4) square feet each and not containing any advertising message or name.

(1) Signs not exceeding one (1) square foot per face, containing no product advertising, with letters not exceeding six inches (6") in height, for identification of telephones, service entrances, rest rooms, litter receptacles, underground public utility lines, and other uses which are determined by the Planning Director to be similar.

(m) Signs identifying service and religious organizations when combined in a single sign at a community entrance. May be free-standing. Subject to Sign Review.

(n) Legal notices, licenses, permits, and other signs required by law.

(o) Signs, suspended at least twenty (20) feet above public streets, for a period of not more than fifteen days, advertising events of general interest to the public which are conducted by non-profit organizations and the proceeds (if any) from which events are to be used for charitable or civic purposes. Subject to obtaining a written permit from the Chief of Police.

**ARTICLE 4 - GENERAL REGULATIONS**

9-7.401. General Regulations. The following regulations shall govern the erection and maintenance of signs in the City of San Anselmo.

9-7.402. Area. The area of a sign shall consist of the message, background, and any frame or outline but does not include any material used exclusively for structural support. Where a sign message has no background material or where the background is an undifferentiated wall, the area of the sign shall consist of the sum of the areas of the 2 smallest adjoining rectangles which encompass the total message. The area of a multifaced sign shall be the sum of the areas of its faces, but all faces together shall constitute only one sign. The area of a conical, cylindrical, or spherical sign shall be the area of its surface.
9-7.403. Location.

(a) Unless a different location is specifically permitted by Article 3, or under Section 7.408 of this Article, each sign shall be located on, and parallel to, the primary building face of the building (if any) in which the use is conducted.

(b) The following signs are prohibited:

1. Private use signs located on public land or in a public right-of-way except as specifically permitted by this chapter.
2. Signs, cut, burnt, or otherwise marked on a cliff, hillside, or tree, or in any other manner affixed to a tree.
3. Any sign which obstructs, in any degree, the use of any door, window, or fire escape in or on any building.
4. Any free-standing sign nearer than two (2) feet to any other sign, building, or structure, or nearer the street than the setback line established by law.
5. Signs erected or maintained at or near the intersection of any street in such manner as to obstruct free and clear vision, or at any location where, by reason of position, shape, or color they may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal.

9-7.404. Height.

(a) Signs on buildings: No sign located on a building or other structure shall extend to an elevation higher than the lowest of the following:

1. The window sills (or bottom window line) of the floor above the floor on which the lowest portion of the sign is located unless a sign extending higher would not impair the function of the windows nor be incompatible with the facade details;
2. The top of the wall to which it is attached; or
3. Twenty (20) feet above the finished grade, except for second or third floor use signs otherwise permitted by this chapter.

(b) Free-standing signs: No permanent free-standing sign shall extend to an elevation higher than fifteen (15) feet above the level of the street nearest to which it is located nor any temporary free-standing sign to higher than eight (8) feet above such level. Signs may be free-standing only if specifically permitted to be free-standing by this chapter or by the Design Review Committee pursuant to Article 6 or to section 7.403.

9-7.405. Illumination and Sound.

(a) No sign shall flash, blink, or emit a varying intensity of light or color; or make or emit sound; or emit smoke or any other substance.

(b) Light sources shall be concealed or shielded to prevent light spillage, glare, momentary blindness, or other annoyance, disability, or discomfort to persons within view of the light sources.

(c) Exposed light sources such as light bulbs, neon tubes, and flourescent tubes, or any interior lighted sign with transparent or translucent faces shall be permitted only if specifically approved by Sign Review.

Final approval shall be withheld until inspection of the installed sign by a City official designated by the Design Review Committee and until any adjustment has been made which such official requires to insure that the sign's light, in relation to surrounding light, is not so intense that the sign is rendered ineffective, or causes glare, or other annoyance to the passersby or neighbors.
   (a) Signs intended for changeable copy are prohibited except for those (i) theaters, auditoriums, meeting halls, churches, plant nurseries or other uses determined by the Planning Director to be similar which have changing programs or events; and (ii) office buildings, shopping centers, and other multi-use premises, but in such cases limited to a listing of uses containing not more than ten (10) square feet.
   (b) Signs (including but not limited to billboards) are prohibited which have more than ten percent (10%) of their area devoted to one or more product emblems, trademarks, or brand names other than the name under which the use is conducting its business.

   (a) All signs erected or maintained hereunder must be firmly anchored, must comply with all reasonable requirements for public safety, and must meet the requirements of all other applicable governmental enactments.
   (b) The following signs are prohibited:
      (1) Signs containing reflective or fluorescent material.
      (2) Banners, pennants, and/or streamers, except that the same may be displayed for not more than ten (10) days during the operation of a temporary fair, carnival, circus, or athletic event.
      (3) Signs (other than a street clock with a face not more than five feet in diameter) constructed so that any part of the sign moves or appears to move or to be animated.
      (4) Signs affixed to vehicles or other movable objects except as specifically permitted by Article 3 of this chapter.
      (5) "Signs imitating or resembling an official traffic control device."

   Notwithstanding the foregoing provision of this Article 4, the Design Review Committee may under the circumstances set forth below, take the following action without granting a variance.
   (a) It may exclude frames, borders and other similar architectural amenities from the computation of the area of a sign if it finds that (i) the failure to so exclude such amenities would unreasonably restrict the sign message area permitted the applicant and (ii) the amenities so excluded would serve primarily to enhance or compliment the overall appearance of the building rather than to emphasize the sign message.
   (b) It may transfer a sign from the primary building face to another wall or to a free-standing sign location if it finds that such alternate location is necessary to overcome a disadvantage caused by an unfavorable orientation of the primary building face to the street or by an exceptional setback. In such cases the sign application shall clearly indicate that the alternate location would be more practical, effective, and complimentary to the design of the building.
   (c) It may permit a sign to project at right angles from the primary building face if it finds that (i) such projecting sign would enhance the appearance of the building or would promote the public safety to a greater extent than would a sign parallel to the primary building face and (ii) such projecting sign would not have the effect of cancelling out any other existing permitted sign nor of making it more difficult to identify any other business located in the area. Any projecting sign so permitted shall be of natural or stained wood, shall bear only carved, painted or applied letters, shall extend not more than forty-two (42) inches into the public right-of-way, shall contain not more than six (6) square feet on each side and be not more than six (6) inches thick and shall, at its lowest point, be no less than ten (10) feet above grade.
9-7.501. Design: Whenever this chapter specifies that a sign is subject to Sign Review, the person or entity proposing to erect and maintain such sign shall submit an application to the Planning Department in accordance with Article 7 of this chapter. The design proposed for such sign shall thereafter be reviewed by the Design Review Committee or, in the case of any sign having an area of twenty (20) square feet or less, by the Planning Director, in light of the criteria set forth in section 7.502. Where Article 3 specifies that a sign is subject to Sign Review but does not specify any size limit for such sign, size limitations which are appropriate in light of the criteria set forth below shall be imposed by the reviewing authority if necessary. Each Sign Review application shall be approved (with or without modifications), conditionally approved, or disapproved by the Design Review Committee or Planning Director as applicable. Guarantees, sureties, or other means of insuring compliance with the requirements of the reviewing authority or of any applicable governmental enactment may be required with or as a condition of any approval.

9-7.502. Criteria for review: In reviewing each sign application the Design Review Committee or Planning Director, as applicable, shall determine that the significant elements of the proposed sign and of its design:

(a) Are of a size, shape, material, style, letter type, and color appropriate for the use, and aesthetically compatible with the premises and with existing improvements and natural elements in the surrounding area.

(b) Will not impair or interfere with the orderly and pleasing development, use, or enjoyment of other property in the surrounding area, including public lands and right-of-ways.

(c) Will minimize or eliminate adverse physical or visual effects which might otherwise result due to the relation and juxtaposition of said sign to:

(1) The scale, mass, height, area, and materials of adjacent buildings and structures, including other signs;

(2) Areas and right-of-ways for the containment, movement, or general circulation of persons, animals, and vehicles; and

(3) Other developments or improvements which may suffer a diminution or elimination of sun and light exposures, views, vistas, and privacy.

ARTICLE 6 - VARIANCES

9-7.601. Variances: Subject to the limitations set forth below, the Design Review Committee may grant one or more variances in order to permit the erection and/or maintenance of signs not otherwise permitted by this chapter. The Committee shall not grant any variance unless it finds that:

(a) Strict application of the provisions of this chapter would result in unreasonable practical difficulties, or in unnecessary hardships for the applicant, which difficulties or hardships are unique to the particular applicant and his use, and are not present generally; or that strict application of the provisions of this chapter would bring about results inconsistent with the purposes and intent of this chapter; and

(b) That the granting of such application would not adversely affect the public health, safety, or welfare or be detrimental to or endanger or depreciate the property located in the surrounding area.

In considering each application for a variance the Design Review Committee shall interpret the provisions of this section 7.601 narrowly in order to give maximum effect to the other provisions of this chapter and shall require the applicant to demonstrate by clear and convincing evidence his entitlement to each variance sought.

Notwithstanding the foregoing provisions of this Article, no variance may be granted which would permit any of the following, unless the granting of such variance (1.) is unanimously approved by the members of the Design Review Committee in attendance at the meeting at which the variance is duly considered or (2.) is approved by the City Council.

(1) Any use to erect or maintain more than three Permanent Use Identification Signs as defined in Article 3:

(2) Any use to erect or maintain Permanent Use Identification Signs having a total area of more than one-hundred fifty (150) square feet;

(3) Any free-standing sign more than twenty-five (25) feet in height; or
(4) Any projecting sign not otherwise permitted under the provisions of this chapter.

The granting of one or more variances shall not, by itself, constitute an approval of the design of a sign but rather the Design Review Committee shall also consider, in the manner provided in Article 5 of this chapter, the design of each sign for which it grants a variance. The foregoing notwithstanding, any variance granted shall be applicable only to the particular design of the sign as eventually approved by the Design Review Committee in its conduct of Sign Review and any sign erected pursuant to a variance shall be erected upon the express understanding and condition that upon any change in the use of the premises associated with the sign, the sign shall be removed unless the Design Review Committee expressly grants an appropriate variance for a sign for the new use.

ARTICLE 7 - SIGN APPLICATIONS

9-7.701. Form and Fees: Each person or entity desiring to erect or maintain a sign which is subject to Sign Review or which requires a variance shall make written application to the Planning Director on an application form designated by the Planning Director. Such application shall (a) include plans of the sign drawn to scale and show the proposed location of the sign; (b) contain a complete color scheme for the sign (including accurate color samples); (c) contain sufficient other details of the proposed sign to show that it complies with the provisions of this chapter (or to indicate those respects in which it does not comply and for which a variance is sought - including without limitation a complete listing of all variances sought); and (d) include such other information and be submitted in such reasonable number of copies as is from time to time required by the regulations of the Design Review Committee.

All applications shall be accompanied by the written consent of the record owner of the property upon which the sign is proposed to be erected or by other evidence that the applicant is entitled to erect and maintain the sign. Where several signs are proposed for the same use, all such signs may be included on a single application. A minimum fee of $5.00 shall be paid at the time of filing each sign application, but the fee shall be $10.00 if the signs applied for contain a total area of over twenty (20) square feet, or the same amount as then specified for a variance application under the zoning ordinance if a sign variance is sought by the application. When erection of a sign is commenced prior to obtaining the required approval, the minimum fee shall be $50.00.

9-7.702. Filing Date: The filing date of a sign application shall be the date on which the Planning Department receives the last plan or other material required as a part of that application.

9-7.703. Action on Application: The Planning Director shall act on an application for Sign Review which is within his jurisdiction within ten (10) days after the filing is completed. Applications for a variance or for Sign Review by the Design Review Committee shall be placed on the agenda for the next meeting of the Design Review Committee, or, if the closing date for that agenda has passed, then on the agenda of the following meeting of said Committee. Any of the foregoing periods may be extended by written agreement between the applicant and the Planning Director.

Design approval and/or one or more sign variances may be granted by the Design Review Committee in conjunction with its approval of plans for improvement of the premises on which it is proposed to erect the sign but the regulations, criteria, and other provisions of this chapter (other than those requiring a separate sign application) shall nevertheless be fully applicable to the sign or signs. Any such action with respect to a sign must be specifically stated in the applicable resolutions of the Design Review Committee and neither design approval nor any variance shall be deemed to have been granted for a sign simply because sign plans or other details were included as part of a larger submission and were not specifically disapproved. No approval of a sign design or granting of a sign variance shall constitute a finding that a sign complies with any requirements other than those specifically set forth in this chapter nor shall any such approval constitute a waiver of any such other requirements.
9-7.704. Expiration and Extension of Sign Review Approval: Each sign Review approval and each sign variance shall expire six (6) months after the date it is granted unless, prior to such expiration date, the erection of the sign approved or for which the variance was granted has been completed or is under way on such date and is thereafter diligently pursued to completion. Prior to the original expiration date of a Sign Review approval or sign variance, the applicant may apply for an extension of such approval for up to six (6) months from the date of expiration. One such extension shall be granted by the Design Review Committee (with such minor modifications as the Committee deems desirable) unless it finds that there has been a substantial change in circumstances which make such extension inappropriate, but no more than one such extension may be granted.

ARTICLE 8 - APPEALS

9-7.801. Appeals: Any person in interest may file with the City Council an appeal of any approval, disapproval, interpretation, or similar action by the Planning Director or the Design Review Committee pursuant to this chapter. Such appeal shall be subject to the same provisions as are set forth in the Design Review Ordinance with respect to appeals. Any such approval, disapproval or interpretation which is not so appealed shall become final upon the expiration of ten (10) days after such action is taken.

ARTICLE 9 - NON-CONFORMING SIGNS

9-7.901. Non-conforming Signs: Any sign legally erected and maintained prior to the effective date of this chapter and which does not conform with the provisions of this chapter may continue until the happening of the first of the following events, at which time the sign shall be removed, or modified to conform with the provisions of this chapter:

(a) The building upon which such sign is located is repainted, repaired, altered, modified, or changed in any manner, unless the cost of such work does not exceed five percent (5%) of the Assessor's most recent appraisal of fair market value of the building.

(b) Such sign is repaired, altered, modified, or changed in any manner except that normal painting and maintenance which does not change the advertising on the surface sign space nor change letters, figures, or characters on the sign, shall not require correction of the non-conformity.

(c) Three years have elapsed since initial erection of the sign or, if the original cost of the sign was more than $300, seven years have elapsed since its original erection, provided however, that nothing in this clause (c) shall require the removal or modification, before one year after the effective date of this chapter, of any sign which originally cost more than $300.

The foregoing notwithstanding, any sign heretofore painted on a building face which sign does not conform with the provisions of this chapter, shall be painted out to match the colors of the surrounding building surface within one-hundred eighty (180) days after the effective date of this chapter.

Following the occurrence of the event requiring removal or modification of a sign, the Planning Director shall give final notice of non-conformance to the owner. The sign shall be removed within sixty (60) days after such notice.

ARTICLE 10 - INTERPRETATION AND ENFORCEMENT

9-7.1001. Interpretation: The Design Review Committee, at the request of the Planning Director or upon the request of an actual or potential sign applicant, shall decide any question involving the interpretation of any provision of this chapter.
9-7.1002. Removal of unsafe, unlawful, or unnecessary signs: Any sign which (a) becomes unsafe, insecure, or a menace to the public, (b) is constructed, erected, or maintained in violation of this chapter, (c) no longer advertises a bona fide business being conducted on the premises on which it is located, or (d) falls into disrepair or takes on a disreputable appearance due to lack of maintenance, may be determined by the Planning Director to be a public nuisance.

9-7.1003. Compliance with other laws: Compliance with the provisions of this ordinance shall not relieve any person or entity from complying with any applicable provisions of any other governmental enactment or order, including without limitation, those of the California Public Utilities Commission.

Section 2. This ordinance shall be published once in full within fifteen (15) days from and after its passage and adoption in The Reporter, a newspaper published and of general circulation in the City of San Anselmo.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its adoption.

The foregoing ordinance was introduced at a regular meeting of the San Anselmo City Council held on November 24, 1970, and was thereafter at a regular meeting of the City Council held on December 8, 1970, duly passed and adopted by the following vote:

AYES COUNCILMEN: Perry, Capurro, Anderson, Stewart, Reed

NOES COUNCILMEN: None

ABSENT COUNCILMEN: None

[Signature]

JAMES REED, MAYOR

ATTEST:

[Signature]

ANITA GANNON, CITY CLERK