Section I. Background

WHEREAS, the Town Council held a public hearing on November 28, 2006 to introduce the Sign Ordinance, received comments from staff and the audience, and took the following action: 1) Introduced the Sign Ordinance as Title 10, Chapter 9: Signs on Private Properties, waived the initial reading, and continued for adoption at their meeting on December 12, 2006; and 2) Referred the draft Sign Ordinance Title 10, Chapter 10: Signs on Town Properties back to staff to prepare in the form of a Town Council Resolution concerning “Signs on Town Properties”, and to amend the draft language for Street Banners and the Hub Sign; and

WHEREAS, the Town Council held a public hearing on December 12, 2006 to consider a Resolution Setting Policy for Signs on Town Properties, received comments from staff and the audience, and referred the draft Resolution back to staff for amendments; and

WHEREAS, the Town Council held a public hearing on January 9, 2007, received comments from staff and the audience, and considered a Resolution setting policy for Signs on Town Properties. Now, therefore, the San Anselmo Town Council now adopts the following Resolution as a statement of the Town’s Policy regarding signs on Town Property.

Section II. Authority, Purposes and Intent

A. Authority

This policy is adopted pursuant to the Town’s general powers, property rights, Government Code Sections 65850(b), 38774, 38775, Business and Professions Code Sections 5200 et seq., and Penal Code Section 556 et seq.;

B. Capacity

In adopting this Resolution, the Town Council acts in its proprietary capacity as to Town Property, as defined herein.

C. Intent and Scope

This Section states the policies, rules and regulations regarding private party placement of signs on property owned or controlled by the Town, and on all public rights of way. However, signs used in conjunction with parades, protests, festivals, street closures, demonstrations, street fairs, and other outdoor assemblies are not within the scope of this Resolution; instead, they are regulated by San Anselmo Municipal Code Title 3, Article 5. Signs used in parades and other events involving street closures are stated in San Anselmo
D. Intent

The purposes and intents of this Section include, but are not limited to:

(a) To preserve and enhance the aesthetic appearance and natural beauty of the Town;
(b) To serve the public interest in safety, both pedestrian and traffic;
(c) To safeguard and protect the public health, safety, and welfare through appropriate prohibitions, regulations, and controls on the design, location, and maintenance of signs on Town Property;
(d) To enhance the visual attractiveness of the Town, for residents and visitors.
(e) To accommodate the need for orderly expression in traditional public forum areas, such as streets, parks and sidewalks; and
(f) To advance the goals, strategies and policies of the General Plan.
(g) To allow private parties to place banners on certain areas of Town Property, subject to the rules and policies stated herein.

Section III. Basic Policies

A. Compliance Required

As to private parties and governmental units other than the Town, only signs authorized by this Resolution may be built, displayed, erected or maintained on Town Property, as defined herein. Authorization shall take the form of a permit requirement or an exemption from the permit requirement as explicitly stated in this Policy.

B. Enforcement

The Planning and Building Director is authorized and directed to enforce and administer the provisions of this Resolution.

C. Partial Incorporation of Sign Ordinance

The portions of the San Anselmo Municipal Code Title 10, Chapter Nine dealing with permits, appeals and sign-related decisions on private property, are incorporated herein to the extent they are relevant and consistent with the policies stated herein.

D. Interpretations

Interpretations of this Resolution shall be made initially by the Planning and Building Director, whose decision may be appealed in the same manner as any other sign-related decision, under the appeal procedures detailed in the Sign Ordinance.

E. Intent as to Public Forum

The Town declares its intent that all Town Property shall not function as a designated public forum, unless some specific portion of Public Property is designated herein as a
public forum of one particular type; in such case, the declaration as to public forum type shall apply strictly and only to the specified area and the specified time period.

Section IV. Definitions

A. Partial Incorporation of Sign Ordinance Definitions

All definitions from the Sign Ordinance (Chapter 9 of Title 10 of the San Anselmo Municipal Code) are incorporated, unless they are limited or modified by this Resolution.

B. Special Definitions

The following definitions apply to this Policy.

Hand-held sign. A sign that is held by a natural person, not including insignia on apparel or aspects of personal appearance.

Hub Sign. A sign made of material similar to plywood, masonite, or other like substance and located on a structure at the Creek Park entrance at the Hub, to which signs have traditionally been attached.

Merchants Association. Organization representing retailers and related businesses to promote local businesses.

Ross Valley. Incorporated and Unincorporated San Anselmo, Fairfax, and Ross.

Street Banner. A sign made of material similar to heavy canvas or reinforced plastic, and attached to poles which are located across Sir Francis Drake Boulevard near 1000 Sir Francis Drake Boulevard and across Tunstead Avenue near 3 Tunstead Avenue, to which banner signs have traditionally been attached.

Temporary sign: a structure or device used for the public display of visual messages or images, which is easily installed with common hand tools, or without tools, and which is not intended for or suitable for long term or permanent display, due to the lightweight or flimsy construction materials.

Traditional Public Forum: the surfaces of Town-owned streets, Town-owned parks, sidewalks which are connected to the Town's main pedestrian circulation system, and the pedestrian area immediately surrounding Town Hall (not including the interior thereof). In consultation with the Town Attorney, the Director shall interpret this phrase for compliance with court decisions.

Town property: land or other property in which the Town of San Anselmo holds a present right of possession and control, plus all public rights of way, regardless of ownership.

Section V. Traditional Public Forum Areas

A. Applicability
This Section applies only in traditional public forum areas and when San Anselmo Municipal Code Title 3, Article 5, dealing with special events (parades, street closures, etc.) does not apply.

B. Display Right

In areas qualifying as traditional public forums, private persons may display non-commercial message signs without a permit, but subject to:

(a) The signs must be personally held by a person, or personally attended by one or more persons.
(b) The signs may be displayed only during the time period of sunrise to 10 p.m., except on occasions when the Town Council and/or the Planning Commission are holding public hearings or meetings; on such occasions, the display period is extended to thirty minutes after such meeting is officially adjourned.
(c) The maximum aggregate size of all signs held by a single person is six square feet. For purposes of this rule, apparel and other aspects of personal appearance do not count towards the maximum aggregate sign area.
(d) The maximum size of any one sign which is personally attended by two or more persons is 50 square feet, measured one side only.
(e) The sign must have no more than two display faces and may not be inflatable or air-activated.
(f) In order to serve the Town's interests in traffic flow and safety, persons displaying signs under this Article may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give at least four feet width clearance for pedestrians to pass by. Signs and persons holding signs may not block the free and clear vision of drivers, bicyclists and pedestrians.
(g) So long as the foregoing rules are followed, no permit is required for display of signs authorized by this section.
(h) The message substitution policy of the Sign Ordinance applies only to the traditional public forum areas and is subject to the rules stated in this Section.

Section VI. Official Signs

The following signs may be erected and displayed on Town Property, subject to the rules set herein:

(a) Traffic control and traffic directional signs erected by the Town or another governmental unit;
(b) Official notices required or authorized by law;
(c) Signs placed by the Town in furtherance of its governmental functions.

No permit is required for the signs authorized by this Section VI.

Section VII. Street Banner and Hub Sign

A. Intent as to Forum
In adopting this Section, the Town Council does not intend to open or designate a forum for expression on controversial topics of public debate, but instead intends to allow private parties to display Street Banners and Hub Signs to announce special events which are local in nature and which do not involve the use of Town Property for the advocacy of controversial causes.

B. Parties

The use of the Sir Francis Drake Boulevard Street Banner, The Tunstead Avenue Street Banner, and the Hub Sign is limited to: Town sponsored events, Ross Valley accredited or licensed schools (pre kindergarten through 12th grade, both public and private schools); Ross Valley Youth Organized Sporting and Cultural events, organizations located in Ross Valley which have received tax exempt status pursuant to Internal Revenue Code Section 501 (6) and merchants associations located in the incorporated San Anselmo and established as of the adoption date of this Resolution. However, the Town reserves the right to refuse to issue a permit on the grounds that the Street Banner or Hub Sign pertains to public debate of a controversial topic; in the event of such denial, the applicant may appeal directly to the Town Council, which shall hear the matter at the next meeting when it can be properly noticed. For all categories, Ross Valley is defined as incorporated and unincorporated areas of San Anselmo, Fairfax and Ross.

C. Qualifying Events; Copy Rules

This Section authorizes private party Street Banners and Hub Signs only for special events; the copy on the Street Banner or Hub Sign may include only the title of the event (including the sponsoring organization(s)), time, and location of the event.

D. Permit Required

A Street Banner and Hub Sign application form shall be available at Town Hall and such form shall address required submittals, fees, and signatures.

Signatures of approval shall include all of the following: Town Manager, Police Chief/Assistant Town Manager, Recreation Director, and Planning and Building Director. Once such street banner has been approved under this system, a same event sign for a subsequent event shall require only the signature of the Recreation Director.

E. Safety Rules

Such Street Banners and Hub Signs shall be subject to safety rules regarding construction methods and materials, and mounting methods, to be promulgated by the Building Official.

Section VIII. A-FRAMES ON TOWN PROPERTY

A. A-Frame Policy

A-Frame signs, displayed by parties other than the Town, are not allowed on Town Property.
Section IX. Encroachments

A. Encroachment Policy

With the exception of those signs described in Section VIII of this Resolution, signs which are mounted on private property but which project over the public right of way, or otherwise extend into or over Town Property, are authorized subject to:

(a) The sign must satisfy all requirements of the Sign Ordinance;
(b) The sign may not project over the public right of way more than forty-two inches;
(c) The sign must be mounted so as to provide a ground clearance of at least eight feet;
(d) The message substitution policy of the Sign Ordinance shall apply to signs authorized by this Section;

Section X. Town Street Banners and Hub Sign

Nothing in this Resolution limits in any way the Town’s ability to use Town property for expression of its own messages, or the messages of other parties which it may adopt as its own message, such as, by way of illustration only, by co-sponsorship of an event.

Section XI. Cross Reference from Sign Ordinance

The Town Council of the Town of San Anselmo intends for this Policy Resolution to satisfy the reference in the Sign Ordinance, which states: “10-9.103 Scope. This Chapter regulates all signs which are not regulated by Chapter 10 (10-10, Signs on Town Property).”

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo establishes the Policy for Signs on Town Properties.

I, the undersigned, hereby certify that the foregoing is a full, true, and complete copy of a resolution duly passed and adopted by the Town Council of the Town of San Anselmo at a regular meeting thereof held on the 9th day of January, 2007, by the following vote:

AYES: Breen, Cooper, Freeman, House, Thornton

NOES: None

ABSENT: None

Wayne Cooper, Mayor

ATTEST:

Barbara Chambers, Town Clerk