

ORDINANCE NO. 2024 - 638

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE TO AMEND TITLE XV, LAND USAGE, CHAPTER 153 (ZONING), SECTION 153.500 (SIGNS) OF THE WOODSIDE MUNICIPAL CODE

WHEREAS, Woodside Municipal Code Section 153.500, Signs, includes regulations related to political signs (153.507) and temporary signs (153.503);

WHEREAS, the Town adopted the Municipal Code provisions related to political signs in 2002 pursuant to Ordinance 2002-516 and has not subsequently amended those provisions;

WHEREAS, since adoption of the Municipal Code provisions regulating political signs, the United States Supreme Court issued its decision in Reed v. Town of Gilbert, 576 U.S. 155 (2015), related to the regulation of signs;

WHEREAS, Town staff recommends that the Town amend the Signs Ordinance to bring the Town's regulations of temporary signs in line with the decision in Reed by adopting standard regulations for all type of temporary signs, including temporary political signs;

WHEREAS, the Town Council held study sessions on March 26, 2024 and April 23, 2024 to study sign regulations and provided direction to Town staff regarding its preferred sign regulation policies;

WHEREAS, on May 15, 2024, the Planning Commission conducted a duly noticed public hearing to initiate the amendment of Municipal Code Chapter 153, Section 153.500 et seq., to revise the Zoning Code's provisions related to signs, at which time oral and written comments and a staff recommendation were presented to the Planning Commission for its review and consideration; and,

WHEREAS, the Planning Commission recommends that the Town Council find that the adoption of the proposed ordinance amendment is exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15061(b)(3) (no possibility that the activity may have a significant impact on the environment), of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations); and,

WHEREAS, the Town Council has reviewed the provisions of Chapter 153 and finds it appropriate to update its provisions to reflect changes in law.

NOW THEREFORE, IT IS HEREBY ORDAINED, by the Town Council of the Town of Woodside to amend Woodside Municipal Code Chapter 153 as follows:

153.500 - SIGNS

Sec. 153.501 - Purpose.

It is the purpose of this subchapter to protect each person's right to freedom of speech and expression while reasonably regulating the display of identification, directional, advertising, and temporary *signs* to assure the following objectives:

- (A) To protect the public health, safety and welfare;
- (B) To preserve the natural beauty and resources of the *Town* and to maintain its essentially rural residential character;
- (C) To maintain the attractive aesthetic quality of the *Town* by encouraging *signs* which are:
 - (1) Well designed, clearly legible, and visually pleasing; and
 - (2) Adequate but not excessive in size or design for their intended purpose;
- (D) To protect the scenic amenities and corridors adjacent to the *Town's* roads by prohibiting the erection or construction of outdoor advertising *signs* or displays on either public or private property, except as provided for in this chapter;
- (E) To protect office and *commercial uses* from the loss of visual identity resulting from poorly designed or excessive *signs* on nearby sites; and
- (F) To identify businesses in a manner which is harmonious with an aesthetic and functional *Town* commercial center.

Sec. 153.502 - Signs permitted in all districts.

The following *signs* shall be permitted in all zoning districts:

- (A) Personal nameplates not exceeding 1½ square feet in area;
- (B) Announcement *signs* or bulletin boards for public, charitable, or religious institutions provided such *signs* or bulletin boards shall be located on the premises of such institution and shall not exceed 12 square feet in area;
- (C) *Signs* advertising nonconforming businesses and industries provided such *signs* do not exceed 12 square feet in area; are attached flat against the *wall* of the *building* in which such nonconforming business or industry is located; and have been approved by the Architectural and Site Review Board as being in conformance with the goals of the General Plan and within the other applicable limitations of this chapter;
- (D) Warning *signs* and signals. Such *signs* may be illuminated by other than reflected light when required for the public safety or convenience, subject to the approval of the *Planning Director*;

- (E) Highway and traffic markers, road name *signs*, and such *signs* and markers as public utility companies by law may be required to display;
- (F) Commemorative symbols, memorial plaques, and historical tablets when placed by organizations or historical societies and when approved by the *Planning Director*;
- (G) *Signs* designating entrances, trespass, exits, or conditions of use of *parking areas*; providing, however, no single *sign* shall exceed eight square feet in area, and its location shall have been approved by the *Planning Director*;
- (H) Directional *signs* for *public* or *quasi-public uses*, such as those indicating the location of rest rooms, telephones, and underground utilities; provided, however, no individual *sign* shall exceed two square feet in area;
- (I) *Signs* indicating business hours, emergency telephone numbers, and credit cards and service station *signs* indicating gas prices; provided, however, no individual *sign* shall exceed 1½ feet in area, and the total area of all such *signs*, at any single establishment, shall not exceed four square feet in area;
- (J) Bulletin or announcement boards attached to commercial and institutional *buildings* for posting personal or public notices not exceeding the size limitations established for the CC District; and
- (K) Flags of the United States and the State of California.

Sec. 153.503 - Temporary signs.

(A) ***Definitions.***

COMMERCIAL SIGN. A *sign* advertising a business, service, or goods for sale, or that encourages commercial activity.

ELECTION SIGN. A *sign* that advocates for or against a particular candidate or item appearing on a ballot, a *sign* that encourages votes in a particular election, or a *sign* that otherwise references the date or occurrence of an election.

TEMPORARY SIGN. A *sign* which is not permanently affixed to the ground or *structure* and intended to be displayed for a temporary period, including but not limited to, *signs* related to events and political causes.

- (B) To maintain public safety, minimize debris from displacement of temporary signs by wind or other action, and to maintain the rural character and high aesthetic standards of the Town, *temporary signs* shall be permitted in all zoning districts subject to the following requirements:
- (1) *Temporary signs* shall not exceed twenty-four (24) square feet in area per printed side.
 - (2) *Temporary signs* may be freestanding or temporarily affixed to a *building, structure, fence, or tree* on private property. Freestanding *temporary signs* shall not be erected to exceed an overall height of eight (8) feet from *finished*

grade. A *Temporary sign* affixed to *building, structure, or fence* shall not project above the height of the *building, structure, or fence*. *Temporary signs* affixed to trees on private property shall not exceed eight feet (8') from *grade*.

- (3) *Temporary commercial signs* shall not be displayed in any zoning district other than the Community Commercial (CC) or Planned Community Commercial (PCCD) districts, except as otherwise provided in this section.
 - (4) No *temporary sign* shall be placed or affixed on, or extend over public property, or be affixed to any traffic signal, street light, *utility pole, utility pole* guide-wire, mail box or traffic sign.
 - (5) No *temporary sign* shall be placed within the public right-of-way, except that the owner or leaseholder of any parcel adjacent to public right-of-way may display *temporary signs* no closer than two (2) feet from the paved driving surface of a roadway or sidewalk within the public right-of-way along their adjoining property line. Notwithstanding the foregoing, any *temporary sign* within the public right-of-way that blocks normal paths of travel or constitutes a hazard in the discretion of the *Town Manager* may be immediately moved or removed by the *Town*.
 - (6) *Temporary signs* shall not block access to, or hinder use of, areas designated for public parking.
 - (7) *Temporary signs* shall not be lighted directly and shall not be indirectly illuminated unless placed on or near a *structure* already providing said illumination.
 - (8) No *temporary sign* shall be placed where it will obstruct or impede traffic visibility.
 - (9) *Temporary signs* shall not be affixed to trees on public property or in the public right-of-way.
 - (10) *Temporary signs* placed on private property must have the express consent of the property owner.
 - (11) *Election signs* may not be displayed more than ninety (90) calendar days prior to the election date or more than ten (10) calendar days after the election date.
 - (12) The *Town Manager* or designee shall have the right to immediately remove any *temporary sign* posted in violation of this section on public property or in the *public right-of-way*.
- (C) *Signs* advertising the sale or lease of property may be displayed only on the property for sale or lease and shall not exceed six square feet in area for each *lot or parcel* advertised. *Signs* advertising the sale or lease of more than one lot or parcel shall not exceed an aggregate of 50 square feet in area. However, no individual *sign* shall be larger than 12 square feet. A renewable permit valid for six months, with a maximum of a six-month extension, shall be secured from the *Planning Director* prior to placement; and
- (D) One *sign* not exceeding six square feet in area may be placed on each commercial, institutional, or residential construction project authorized by a valid *building permit*. Such *signs* shall be removed upon the completion of the project, and responsibility for the maintenance and removal thereof shall be that of the property owner.

Sec. 153.504 - Sign permits and design review.

Except as otherwise specified, all non-*temporary signs* in the CC District shall require the issuance of a *sign* permit. The design and placement of *signs* permitted in the CC District, and *signs* advertising permitted nonconforming uses in the residential districts, shall be reviewed in accordance with Sections 153.911 through 153.918 of this chapter prior to the issuance of a permit for the installation, construction, or erection of any such sign. A separate *sign* permit is not required for *signs* installed, constructed, or erected pursuant to a *sign* program included within an approved use permit.

Sec. 153.505 - Signs permitted in the community commercial district.

The following *signs* shall be permitted in the Community Commercial District:

- (A) A maximum of two permanent identification *signs* pertaining to a use conducted on the site. The total aggregate *sign* area permitted for any individual site shall be calculated as follows:
 - (1) One and one-half square feet of *sign* area for each linear foot of *building* frontage, not to exceed a maximum area of 32 square feet; or
 - (2) A maximum of 13 percent of the total area of the front *building* elevation, not to exceed 32 square feet in area; and
- (B) Any *sign* permitted by Section 153.502.

Sec. 153.506 - General requirements.

The following regulations shall apply to all *signs*:

- (A) *Signs*, except personal nameplates, house numbers, and all *signs* permitted under Section 153.502, shall be attached to a *building wall* suspended from the eaves or soffit or from the ceiling of a covered walkway. Such *signs* shall not project more than three feet from the face of the *building* and shall not be less than seven feet above the ground level.
- (B) *Signs* shall not extend laterally beyond the *building wall* to which they are mounted, except when the *Planning Commission* determines that the *sign* is an integral part or feature of the building structure or design.
- (C) *Signs* shall not project beyond any property line.
- (D) Floodlights, flags, banners, and objects which rotate or move by wind action shall not be permitted, except for national or state flags flown with the flag of the United States of America.
- (E) No sign, with the exception of barber poles, shall contain visibly moving parts or simulate movement by means of fluttering, spinning, or reflecting devices.
- (F) No *sign* shall have blinking or flashing lights or any other illuminating device which has a changing or alternating light intensity, brightness, or color.

- (G) *Signs* may be illuminated only by a light source reflecting off the sign. The intensity of the light source shall be approved by the *Planning Director*.
- (H) No *sign* shall be erected or maintained which is designed or illuminated so that it resembles or may be mistaken for a traffic light or signal.
- (I) Freestanding facility identification *signs* outside of the Community Commercial District for open space, institutional, and quasi-public uses shall not exceed 12 square feet, and no more than two *signs* are permitted.

Sec. 153.507 – Holiday Displays.

Holiday lighting and holiday displays, which do not advertise any product or sale, may be displayed on private property in any zoning district, provided they are erected no earlier than 31 days prior to the holiday and are removed no later than 14 days after the holiday.

SECTION ONE: In the event that any provision of this ordinance is in conflict with any other ordinances of the Town of Woodside or the Woodside Municipal Code, the provisions of this ordinance shall prevail.

SECTION TWO: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of the Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

SECTION THREE: Pursuant to Section 36937 of the Government Code of the State of California, the Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

SECTION FOUR: The Town Clerk shall cause this Ordinance to be published in accordance with the requirements of Section 36933 of the Government Code of the State of California.


* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 2024-638 of the Town of Woodside entitled as above; that it was introduced on the 11th day of June, 2024, and was passed and adopted by the Town Council on the 25th day of June, 2024, by the following vote:

AYES,	Councilmembers:	Brown, Dombkowski, Fluet, Goeld, Shaw, and Mayor Wall
NOES,	Councilmembers:	
ABSENT,	Councilmembers:	
ABSTAIN,	Councilmembers:	


Clerk of the Town of Woodside

APPROVED:

DocuSigned by:

3792BC1A739D4AB...

Mayor of the Town of Woodside