

ORDINANCE 1168

AN ORDINANCE AMENDING SECTIONS 10.08.4440, 10.08.4460, AND 10.08.4510 OF THE TRACY MUNICIPAL CODE REGARDING FREESTANDING SIGNS AND ELECTRONIC READERBOARD SIGNS FOR SCHOOLS

WHEREAS, The Tracy Municipal Code (TMC) contains zoning regulations related to signs (TMC Chapter 10.08, Article 35), and

WHEREAS, A number of Tracy public schools have installed Freestanding or Monument Signs using electronic readerboard signs that flash or change color, and

WHEREAS, The City Council wishes to allow schools (whether public or private) to construct Freestanding or other signs containing electronic readerboard displays that flash or change color to advertise on-site, non-commercial activities and events;

NOW, THEREFORE, The City Council hereby ordains as follows:

SECTION 1: Section 10.08.4440, Definitions, of the Tracy Municipal Code, is amended by adding a definition of “electronic readerboard sign” in alphabetical order, to read as follows:

“Section 10.08.4440 Definitions

...

“Electronic readerboard sign” shall mean a changeable, moving message sign consisting of a matrix of lamps, light emitting diodes (LEDs), or similar devices.”

SECTION 2: Section 10.08.4460, Standards by Sign Type, subsection (h), of the Tracy Municipal Code, is amended to read as follows:

“Section 10.08.4460, Standards by Sign Type

(h) Freestanding Signs

(1) Maximum height: Fifteen feet (15') feet.

(2) Maximum area: One hundred (100) square feet.

(3) Calculation of permitted area: One-half square foot of sign area for each lineal foot of parcel frontage.

(4) Permitted locations: zones CS, CBD, GHC, M-1, M-2, and HS; and school sites as described in subsection (7)(v), below.

(5) Sign permit needed: Yes.

(6) Sign location: No freestanding sign may be erected closer than fifteen (15') feet to any property line or closer than fourteen (14') feet to any driveway, alley, or vehicular access.

(7) Freestanding signs may only be permitted on the following sites or conditions:

(i) Shopping centers with four (4) or more individual establishments;

(ii) Office complexes including eight (8) or more suites or exceeding 15,000 square feet of floor area;

(iii) Any parcel with 200 or more feet of street frontage;

(iv) As part of an overall sign program or plan; and

(v) Upon issuance of a conditional use permit, a school containing any of grades 1 through 12, where the school site is one-half acre or more, and advertising is only for on-site, non-commercial activities or events.”

SECTION 3: Section 10.08.4510, Prohibited Signs and Locations, subsection (i) of the Tracy Municipal Code is amended to read as follows:

“Section 10.08.4510, Prohibited Signs and Locations.

The following signs shall be absolutely prohibited:

...

(i) Any sign which flashes, blinks, moves, changes color, appears to change color, changes intensity, or contains any part of an attachment which does the same, except for:

(1) Standard barber poles and time and temperature signs shall be permitted in the commercial and industrial zones; and

(2) Upon issuance of a conditional use permit, one electronic readerboard sign on the property of a public or private school if the site is one-half acre or more and the school contains any of grades 1 through 12, to advertise only non-commercial, on-site activities and events. In evaluating the conditional use permit (TMC Section 10.08.4250 and following), the Commission shall consider appropriate hours of illumination, brightness, size, height, and other sign characteristics as they relate to the sign’s location and surrounding land uses. Any electronic readerboard sign or other sign that flashes, blinks, moves, changes color, appears to change color, changes intensity, or contain any part of an attachment which does the same shall be removed within 90 days after the site is no longer used as a qualifying school;”

SECTION 4: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 5: This Ordinance shall be published once in the Tri Valley Herald, a newspaper of general circulation, within fifteen (15) days from and after its final passage and adoption.

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The foregoing Ordinance 1168 was introduced at a regular meeting of the Tracy City Council on the 1ST day of May 2012, and finally adopted on the 15th day of May 2012, by the following vote:

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| AYES: | COUNCIL MEMBERS: ABERCROMBIE, ELLIOTT, MACIEL, RICKMAN, IVES |
| NOES: | COUNCIL MEMBERS: NONE |
| ABSENT: | COUNCIL MEMBERS: NONE |
| ABSTAIN: | COUNCIL MEMBERS: NONE |

Signed: Brent H. Ives, Mayor

Attest: Sandra Edwards, City Clerk