

ORDINANCE O2021-__

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING NAPA MUNICIPAL CODE SECTION 17.55.070 "SIGN PROGRAMS; VARIANCES" AND SECTION 17.55.100 "PERMANENT SIGNS" TO MAKE MINOR CLARIFICATIONS AND CORRECT THE NUMBER OF PERMITTED PERMANENT SIGNS AND NUMBER OF SIGNS THAT MAY BE PERMITTED WITH A UNIFORM SIGN PROGRAM AND CREATIVE SIGN PROGRAM

WHEREAS, the City has authority to adopt sign regulations pursuant to the State Constitution Article XI, Sections 5 and 7, the Charter of the City of Napa, California Government Code Sections 65000 *et seq.*, 38774, 38775, 65850(b), California Business and Professions Code Section 5200 *et seq.*, 5230, 5490 *et seq.*, 13530 *et seq.* and 13540, Penal Code 556 and other applicable State laws; and

WHEREAS, the City Council finds that unregulated and uncontrolled construction and erection of signage and lack of maintenance of signage in the City will result in excessive and inappropriate signage, which will have an adverse impact on the overall visual appearance of the City and on property values. Unregulated and inappropriate signage can also increase risks to drivers, bicyclists and pedestrians by creating hazards and unreasonable distractions. It is, therefore, necessary to enact sign regulations to safeguard and preserve the health, property and public welfare of City residents through control of the design, construction, location and maintenance of signs as an information system, which preserves and enhances the aesthetic character and environmental values of the City, its residential neighborhoods and commercial/industrial districts consistent with the goals, policies, and strategies of the General Plan while providing an effective means for members of the public to express themselves through the display of signs consistent with the First Amendment. This Sign Ordinance Amendment will minimize visual clutter, enhance safety through design and placement of signs, and preserve the aesthetics and character of the community. By adopting this Ordinance, the City Council intends to balance the needs of the City's residents, businesses, institutions, and visitors for adequate identification, communication, and advertising with the objectives of protecting public safety and welfare and preserving and enhancing the aesthetic character and environmental values of the community; and

WHEREAS, the City of Napa adopted Ordinance No. O2019-001 on January 15, 2019, establishing signage regulations in Napa Municipal Code ("NMC") Chapter 17.55 ("Sign Ordinance"); and

WHEREAS, on February 4, 2021, the Planning Commission held a noticed public hearing on the proposed amendment to the Sign Ordinance in accordance with NMC Section 17.66.090; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Napa as follows:

SECTION 1: The City Council hereby makes the following findings:

1. The proposed Sign Ordinance Amendment is consistent in principle with the General Plan.

The proposed Sign Ordinance Amendment is consistent with the General Plan which sets forth policies that encourage a mix of well-located uses to serve the needs of the community (LU-5) and specifically carries out Implementation Program LU-5.B that encourages the development of standards, including signage, that will improve the appearance and function of commercial and office areas.

2. The public health, safety and general welfare are served by the adoption of the proposed amendment.

The proposed Sign Ordinance Amendment reasonably regulates the structural, locational and other noncommunicative (time, place, and manner) aspects of signs, generally for the public health, safety, welfare, and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety.

3. If a rezoning to a district with a larger minimum lot size is proposed, effectively reducing the planned residential density, the City shall also find that the remaining sites in the Housing Element are adequate to accommodate the jurisdiction's share of the regional housing need pursuant to California Government Code section 65584; or if not, that it has identified sufficient additional, adequate and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

The proposed Sign Ordinance Amendment does not rezone land, including residential land identified as contributing to the City's ability to accommodate its share of the regional housing needs.

SECTION 2: Amendment. Napa Municipal Code Section 17.55.070(A)(4) is hereby amended by adding the following, "and an increase in the number of signs not to exceed 100 percent more than the maximum requirements of this chapter." ; so that the entirety of Subsection 17.55.070(A)(4) will read as follows: "The proposed uniform sign program is in compliance with all requirements of this chapter; except that, it is within the discretion of the Planning Commission to approve minor deviations to the area, height, or locational placement of signs that do not exceed 10 percent more than the maximum requirements

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of this chapter and an increase in the number of signs not to exceed 100 percent more than the maximum allowances of this chapter, if the Planning Commission finds that the minor deviations contribute to the character and vitality of the project, do not negatively impact surrounding properties, and will not be detrimental to the health, safety, and general welfare of the public..”

SECTION 3: Amendment. Napa Municipal Code Section 17.55.070(B) is hereby amended by adding, “and an increase in the number of signs not to exceed 100 percent more than the maximum requirements of this chapter” to the first sentence of the first paragraph so that the first paragraph of Section 17.55.070(B) will read as follows: “Creative Sign Program. A creative sign program is a discretionary entitlement decided by the Planning Commission which allows an applicant to request deviations to the area, height, or locational placement of signs that do not exceed 20 percent more than the maximum requirements of this chapter and an increase in the number of signs not to exceed 100 percent more than the maximum allowances of this chapter. The process for application, review, hearing, decision, and appeal regarding a creative sign program is provided in Chapter 17.68 (General Permit Process, Public Hearing Notice). Modifications to any creative sign program must be made in the same manner as the original approval.”

SECTION 4: Amendment. Napa Municipal Code Section 17.55.070(B)(5) is hereby amended by adding “and an increase in the number of signs not to exceed 100 percent more than the maximum requirements of this chapter” so that Section 17.55.070(B)(5) will read as follows: “The proposed creative sign program is in compliance with all requirements of this chapter; except that, it is within the discretion of the Planning Commission to approve deviations to the area, height, or locational placement of signs that do not exceed 20 percent more than the maximum requirements of this chapter and an increase in the number of signs not to exceed 100 percent more than the maximum allowances of this chapter, if the Planning Commission finds that the deviations contribute to the character and vitality of the project, do not negatively impact surrounding properties, and will not be detrimental to the health, safety, and general welfare of the public.”

SECTION 5: Amendment. Napa Municipal Code Section 17.55.100 is hereby amended by deleting Table 17.55 -1 “Permanent On-Site Signs and Dimensions by Zoning District” in its entirety and replacing it with the following:

TABLE 17.55-1 PERMITTED PERMANENT ON-SITE SIGNS AND DIMENSIONS BY ZONING DISTRICT			
ZONING DISTRICT	DEVELOPMENT TYPE	BUILDING-ATTACHED SIGNS	FREESTANDING SIGNS
RESIDENTIAL DISTRICTS			
Single-Family Residential District (RS) Traditional Residential Infill District (RT) Single-Family Infill District (RI)	Individual home	Not permitted	Not permitted, except for Bed & Breakfast Inns (Section 17.52.060) and Cottage Food Operations (Section 17.52.105)
	Neighborhood	Not permitted	2 monument signs for neighborhood identification with a maximum area of 24 square feet each and a maximum

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			height of 4 feet
Multifamily Residential District (RM)		1 identification sign per street frontage with a collective sign area of 12 square feet	1 monument sign with a maximum area of 12 square feet and a maximum height of 4 feet
Non-Residential Uses in Residential Districts		1 identification sign per street frontage with a collective sign area of 24 square feet	1 monument sign with a maximum area of 12 square feet and a maximum height of 4 feet
OFFICE DISTRICTS			
Medical Office District (OM) Commercial Office District (OC) Residential Office District (RO)	Stand Alone Business	1 sign per street frontage with a maximum sign area of 40 square feet; maximum letter height: 24" with a maximum of 3 signs	1 monument or pylon sign with a maximum sign area of 12 square feet and a maximum height of 4 feet
	Business within Integrated Development	1 sign with a maximum sign area of 24 square feet; maximum letter height: 24"	Not permitted except for a nameplate on multi-tenant monument sign as part of an integrated development
	Integrated Development	In addition to signage for individual businesses, 1 sign per street frontage with a maximum sign area of 12 square feet for integrated development identification	1 monument or pylon sign per street frontage with a maximum sign area of 24 square feet and a maximum height of 6 feet
INDUSTRIAL DISTRICTS			
Light Industrial District (IL) Industrial Park District (IP)	Stand Alone Business	1 sign per street frontage with a maximum sign area of 40 square feet; maximum letter height: 24" with a maximum of 3 signs	1 monument or pylon sign with a maximum sign area of 12 square feet and a maximum height of 4 feet
	Business within Integrated Development	1 sign with a maximum sign area of 24 square feet; maximum letter height: 24"	Not permitted except for a nameplate on multi-tenant monument sign as part of an integrated development
	Integrated Development *	1 sign per street frontage with a maximum sign area of 12 square feet for each integrated development identification	1 monument or pylon sign per street frontage with a maximum sign area of 24 square feet and a maximum height of 6 feet
<p>* Note: See individual currently adopted sign program for integrated developments in Industrial Park (IP-A, IP-B, and IP-C) Zoning Districts</p> <p>*Adult-Oriented Businesses – As outlined in Section 17.52.030(D)</p>			
COMMERCIAL DISTRICTS			
Community Commercial District (CC) Tourist Commercial District (CT)	Stand Alone Business	1 sign per street frontage with a maximum sign area of 1 square foot per lineal foot of primary building frontage up to a maximum of 150 square feet with a maximum of 3 signs	1 monument or pylon sign (including an electronic message sign) with a maximum sign area of 24 square feet and a maximum height of 6 feet
	Business within Integrated Development		Not permitted except for a nameplate on multi-tenant monument sign as part of an integrated development

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	Integrated Development	1 sign per street frontage with a maximum sign area of 12 square feet for integrated development identification	1 monument or pylon sign (including an electronic message sign) with a maximum sign area of 40 square feet and a maximum height of 10 feet
Local Commercial District (CL)	Stand Alone Business	1 sign per street frontage with a maximum sign area of 1 square foot per lineal foot of primary building frontage up to a maximum of 100 square feet with a maximum of 3 signs	1 monument or pylon sign with a maximum sign area of 12 square feet and a maximum height of 4 feet
	Business within Integrated Development		Not permitted except for a nameplate on multi-tenant monument sign as part of an integrated development
	Integrated Development	1 sign per street frontage with a maximum sign area of 12 square feet for integrated development identification	1 monument or pylon sign with a maximum sign area of 32 square feet and a maximum height of 8 feet
Downtown Core Commercial District (DCC) Downtown Mixed-Use District (DMU) Downtown Neighborhood District (DN) Oxbow Commercial District (OBC)	Stand Alone Business	1 projecting sign with a maximum sign area of 6 square feet per frontage 1 wall sign with a maximum area of 20 square feet per frontage 1 canopy sign with a maximum sign area of 20 square feet per frontage 1 under canopy sign with a maximum sign area of 6 square feet per frontage	Not permitted except as part of an approved uniform sign program or creative sign program
	Business within Integrated Development		
	Integrated Development		Permitted only as part of an approved uniform sign program or creative sign program

SECTION 6: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

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SECTION 7: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a municipal corporation

MAYOR: _____

ATTEST: _____
CITY CLERK OF THE CITY OF NAPA

STATE OF CALIFORNIA }
COUNTY OF NAPA } SS:
CITY OF NAPA }

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 16th day of March, 2021, and had its second reading and was adopted and passed during the public meeting of the City Council on the 6th day of April, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to Form:

Michael W. Barrett
City Attorney