

Article 16. Signs

9-5.1601 Purpose.

The purpose of this article is to regulate signs as an information system that expresses the character and environment of Emeryville while recognizing the importance of business activity to the City. Specifically, these regulations are intended to:

- (a) Encourage communications which aid orientation and promote economic vitality.
- (b) Enhance and preserve the aesthetic character of the City.
- (c) Apply basic principles of good design and sensitivity to community appearance.
- (d) Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians or drivers.
- (e) Ensure that the constitutionally guaranteed right of free speech is protected.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1602 Applicability.

This article establishes the sign regulations. These regulations shall apply to all signs in the City, except signs on the public sidewalk, which are regulated by Chapter [34](#) of Title [5](#); signs for certified farmers' markets, which are regulated by Section [5-35.06](#); and signs adjacent to landscaped freeways, which are regulated by Chapter [15](#) of Title [8](#). Nothing in this article shall be construed to allow any signs for a Home Occupation except as allowed by Article 8 of this chapter.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013; Sec. 4 (part), Ord. 16-008, eff. Jan. 1, 2017)

9-5.1603 Procedure.

- (a) Review by Director. All sign proposals shall be subject to review by the Director to determine whether they are prohibited, exempt, or require approval of a minor design review

permit, major design review permit, or Master Sign Program.

- (b) Prohibited Signs. A prohibited sign, as listed in Section [9-5.1604](#), is not allowed. Any such sign, other than a nonconforming sign pursuant to Section [9-5.1614](#), is hereby declared to be a public nuisance and shall be removed immediately.

- (c) Exempt Signs. An exempt sign, as listed in Section [9-5.1605](#), does not require design review approval and may be installed without further planning review if the Director determines that it meets all the requirements for an exempt sign. Note, however, that such a sign may still require a building permit pursuant to the building regulations in Title [8](#).

- (d) Individual Establishment Signs. Individual establishment signs that are neither prohibited nor exempt shall require a design review permit from either the Director or the Planning Commission and shall be processed pursuant to Section [9-5.1612](#).

- (e) Master Sign Programs. A proposal for a Master Sign Program shall require approval by the Planning Commission pursuant to Section [9-5.1613](#).

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1604 Prohibited Signs.

The following types of signs, materials, designs, messages, and locations are prohibited:

- (a) Cabinet Signs. One (1) or two (2) sided internally illuminated signs consisting of a translucent message panel or panels, usually rectangular, mounted on a frame enclosing the illumination fixtures; also known as “panel,” “can,” or “box” signs.
- (b) Electronic Signs. Electronic signs with changeable copy and/or animation; also known as “reader boards.” This prohibition does not include small signs oriented to pedestrians and providing public transportation and other noncommercial information.
- (c) Mobile Billboards. Any sign carried or conveyed by a vehicle for the primary purpose of advertising excluding signs on taxis and buses.
- (d) Outdoor Advertising Signs. Billboards and any other off-premises outdoor advertising signs which convey a commercial message as their primary purpose.
- (e) Signs Creating Traffic Hazards.
 - (1) Signs located in such a manner as to constitute a traffic hazard or obstruct the view of traffic, any unauthorized traffic sign or signal device, or any sign that may be confused with any authorized traffic sign, signal, or device; or that makes use of the words “stop,” “look,” “danger,” or any other word, phrase, symbol, or character that interferes with, misleads, or confuses vehicular drivers in their use of roads.
 - (2) Signs which may pose a traffic hazard due to glaring or varying illumination.
 - (3) Signs within five feet (5') of a fire hydrant, street sign, or traffic signal if such placement could create a safety hazard.
- (f) Signs for Vacated Uses. Signs for activities which have vacated a site or premises for ninety (90) days or more.
- (g) Signs on Public Property. Signs on public property unless posted by public personnel in the performance of their duties.
- (h) Signs That Produce Noise or Emissions. Signs that produce noise or sounds that can be heard at the lot line and signs that emit visible smoke, vapor, particles, or odor.
- (i) Streamers, Pennants or Inflatable Signs. Streamers, pennants, and other signs made of lightweight fabric or similar material, designed to rotate or move with the wind, or inflatable signs or displays.
- (j) Vehicle-Mounted Signs. Vehicle-mounted signs of a commercial nature, except when attached to vehicles being used for bona fide delivery and other vehicular purposes away from a fixed place of business.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1605 Exempt Signs.

The following signs or modifications to signs do not require design review, and, except for business signs, the area of such signs shall not be included in the maximum allowable sign area measurement for the purposes of this article. The owner of an exempt sign is responsible for its safe and attractive erection and maintenance, for obtaining a building permit where applicable, and for complying with applicable provisions of this article or any other requirements of this title.

- (a) A-Frame Signs. Portable freestanding signs in the shape of the letter “A” as viewed from the side, typically with two (2) sides facing opposite directions. Under this exemption, such signs may only be displayed on private property. No more than one (1) sign is permitted per individual establishment. Such sign may not exceed three feet (3') in height with no more than six (6) square feet of sign area on each side. See Chapter [34](#) of Title [5](#) for regulations pertaining to the display of such signs on the public sidewalk.

- (b) Address Signs. Address identification signs of no more than two (2) square feet per address.
- (c) Apartment and Condominium Identification Signs. Nonilluminated identification signs on apartment and residential condominium buildings of no more than six (6) square feet per address.
- (d) Business Signs. Business establishment identification signs, restricted to one (1) sign not exceeding six (6) square feet in area for each establishment. Such signs shall be included in the aggregate sign area as specified in Section 9-5-1609(b)(1).
- (e) Business Information Signs. Signs not exceeding six (6) square feet in aggregate area per business establishment containing such information as “open/closed,” “credit cards accepted” or items such as directories and menus.
- (f) Change of Business Signs. A temporary attachment or covering of wood, plastic, or canvas over a permanent sign indicating a change of ownership or activity may be displayed for no longer than forty-five (45) days following the change of ownership or activity for which the sign is intended. The sign shall be no larger than the previously permitted permanent sign.
- (g) Commemorative Signs. Commemorative plaques, memorial signs or tablets, or signs indicating names of buildings and dates of building erection, either attached to or cut into the surfaces of buildings; provided, that no such sign exceeds four (4) square feet in area.
- (h) Construction Signs. A temporary construction sign may be erected on a construction site for the duration of construction activities; provided, that it is immediately removed after issuance of a certificate of occupancy for the project, or abandonment of work. A temporary construction sign may not exceed eight (8) square feet in area and five feet (5') above finished grade to the top of the sign in the RM Medium Density Residential zone or eighteen (18) square feet in area and six feet (6') above finished grade to the top of the sign in other zones.
- (i) Decorative Holiday Displays. Noncommercial decorative holiday displays; provided, that such displays are removed within forty-five (45) days of their installation.
- (j) Directional Signs. Signs to direct on-site traffic circulation, not exceeding six (6) square feet in area, and with an aggregate area not exceeding one-fifth (1/5) of a square foot per linear foot of site frontage, and publicly installed off-site directional signs to facilitate traffic flow to and from high-volume private facilities.
- (k) Flags. Noncommercial flags flown from flagpoles or otherwise displayed. Flagpoles shall be subject to the applicable height limits in Section [9-4.202](#).
- (l) Information Signs. Noncommercial informational signs not exceeding four (4) square feet in area erected for the safety and convenience of the public, such as signs identifying restrooms or telephones, “no parking” and “no trespassing” signs.
- (m) Interior Signs. Signs located in interior areas of a building or site that are not intended to be visible from public streets, public open space, or adjacent properties.
- (n) Kiosk and Mobile Vendor Signs. Signs fixed to mobile vending carts that identify or advertise the name, product, or service provided by the vendor. Each mobile vending cart is limited to a maximum sign area of eight (8) square feet.
- (o) Official Government Signs. Official notices issued by a court, public body or office; official notices posted by a utility or public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; public hearing or meeting notices; or other signs required or authorized by law.

(p) **Public Service and Civic Identity Signs.** Signs erected on public or private property to promote City-sponsored activities or other community events. Signs may include district identification banners; temporary signs or banners erected above streets or attached to lamp posts or utility poles; or temporary banners posted to fences at public schools.

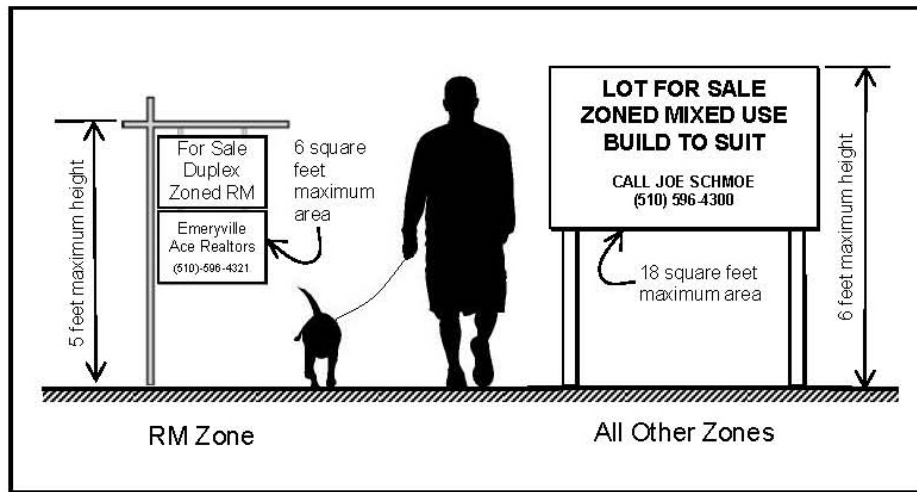


Figure 9-5.1605(q)(1): On-Site Real Estate Signs

(q) **Real Estate Signs.**

(1) **On-Site Real Estate Signs.** On-premises signs conveying information about the sale, rental, or lease of the appurtenant lot, premises, dwelling, or structure; provided, that they comply with the following standards:

- a. No more than one (1) real estate sign per lot in the RM Medium Density Residential zone, or one (1) real estate sign per public street frontage per lot in other zones, may be displayed at any one (1) time.
- b. The sign or signs shall not exceed an aggregate area of six (6) square feet in the RM Medium Density Residential zone or eighteen (18) square feet in all other zones. See Figure 9-5.1605(q)(1).
- c. Wall signs shall not be higher than seven feet (7') above finished grade to the top of the sign in the RM Medium Density Residential zone or fifteen feet (15') in all other zones. Ground signs shall not exceed five feet (5') in height to the top of the sign in the RM Medium Density Residential zone or six feet (6') in height in all other zones. See Figure 9-5.1605(q)(1).
- d. Signs shall not be illuminated.
- e. Signs shall not be placed on rooftops or above parapet or eave lines.
- f. All signs shall be removed within seven (7) days after the sale, lease, or rental of the property has been completed.

(2) **Directional Signs for Open Houses.** Off-site signs located on the public sidewalk and directing the public to "open house" events for the viewing of lots, premises, dwellings or structures that are for sale, lease, or rent shall be regulated by the applicable provisions of Chapter 34 of Title 5.

(r) **Small Noncommercial Signs.** Noncommercial signs, each no larger than six (6) square feet in area, attached to a freestanding sign structure, a window, or a building wall. All businesses and residences may display up to two (2) such signs, which may include, but are not limited to, freedom of speech signs, political signs, and organization identification signs. Such signs may be located on the ground floor or upper floors of buildings and shall not be located in the public right-of-way.

(s) Temporary Window Signs. Window signs, subject to the following provisions:

- (1) Temporary window signs not exceeding ten percent (10%) of the area of window and transparent door frontage on any ground floor or second floor building facade in nonresidential use are permitted.
- (2) Temporary window signs may be displayed for no more than ninety (90) consecutive days with at least ninety (90) consecutive days between display periods.
- (3) Temporary window signs shall not be included in the aggregate sign area as specified in Section 9-5-1609(b)(1).
- (4) Any interior sign either hung within two feet (2') of a window or attached to a display located within two feet (2') of a window, and which faces outward, is considered a window sign.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1606 General Provisions for All Sign Types.

(a) Calculation of Sign Area. The area of an individual sign shall be calculated as follows:

- (1) Single-Faced Signs. Sign area shall include the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign elements, including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures such as sign bases and columns are not included in sign area; provided, that they contain no lettering or graphics except for addresses. The calculation of sign area for various types of single-faced signs is illustrated in Figure 9-5.1606(a)(1).

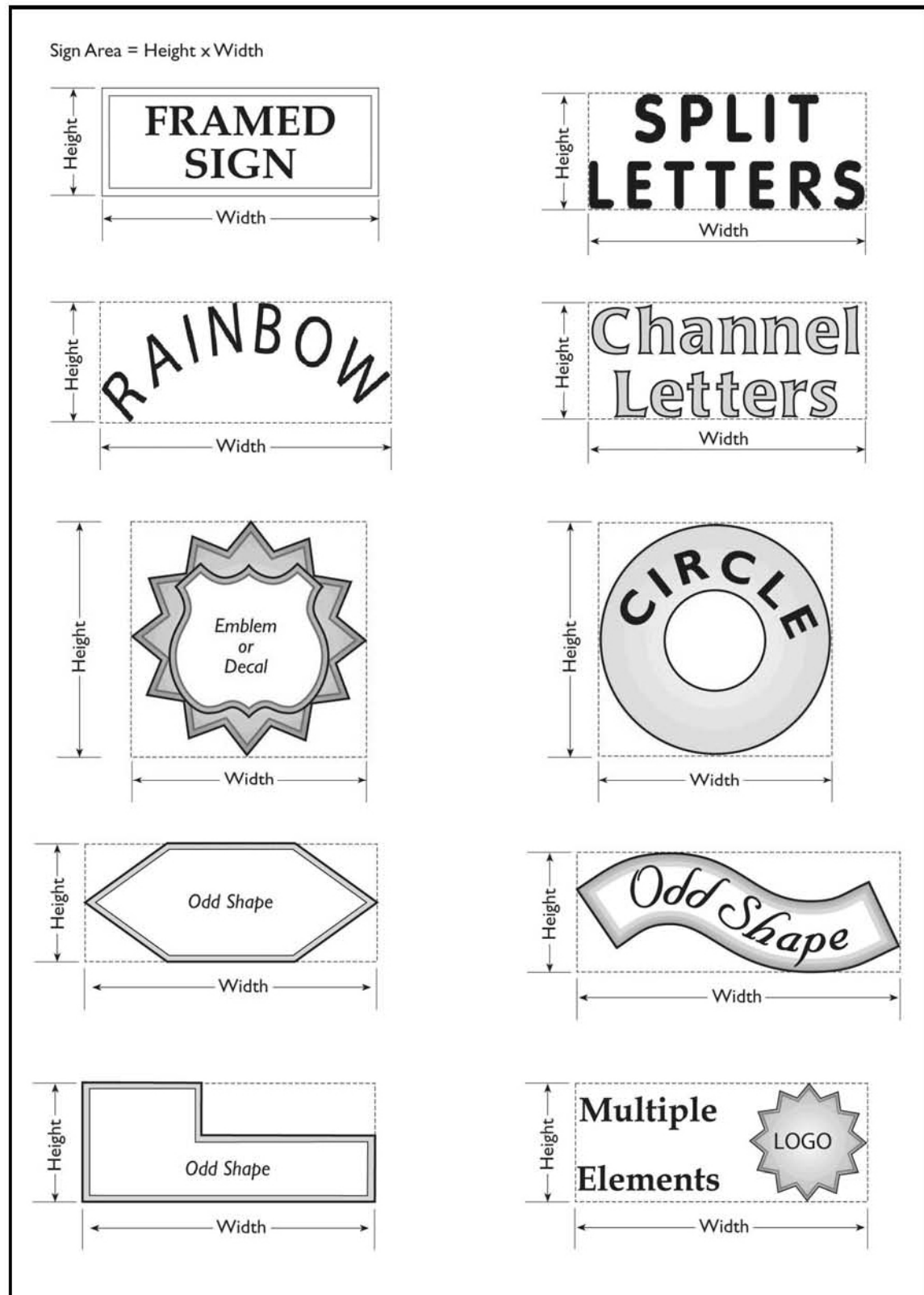


Figure 9-5.1606(a)(1): Area of Single-Faced Signs

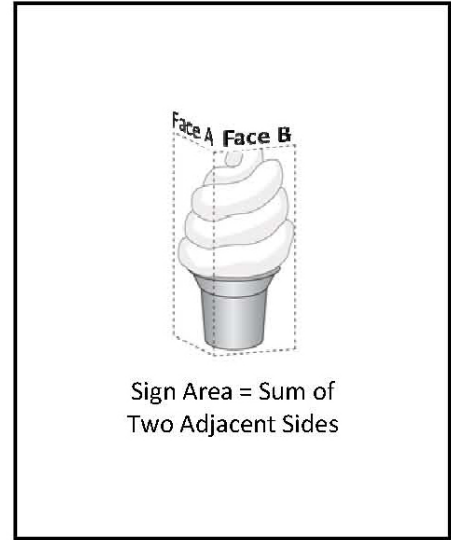
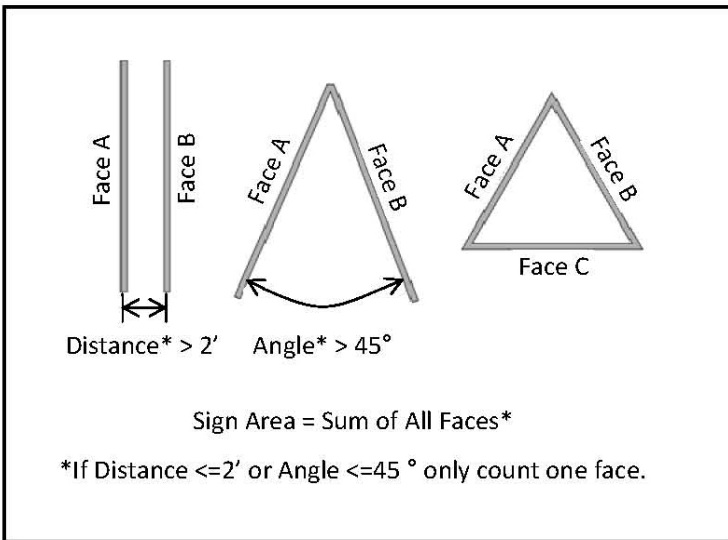


Figure 9-5.1606(a)(2-3): Area of Double-Faced and Multi-Faced Signs **Figure 9-5.1606(a)(4): Area of Three (3) Dimensional Signs**

(2) Double-Faced Signs. Where two (2) faces of a double-faced sign are located two feet (2') or less from one another at all points, or located at an interior angle of forty-five (45) degrees or less from one another, the sign area shall be computed as the area of one (1) face. Where the two (2) faces are not equal in size, the larger sign face shall be used. Where two (2) faces of a double-faced sign are located more than two feet (2') or forty-five (45) degrees from one another, both sign faces shall be counted toward sign area. See Figure 9-5.1606(a)(2-3).

(3) Multi-Faced Signs. On a three (3) faced sign, where at least one (1) interior angle is forty-five (45) degrees or less, the area of two (2) faces (the largest and smallest face) shall be summed to determine sign area. In all other situations involving a sign with three (3) or more sides, sign area shall be calculated as the sum of all faces. See Figure 9-5.1606(a)(2-3).

(4) Three (3) Dimensional Signs. Signs that consist of, or have attached to them, one (1) or more three (3) dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), shall have a sign area of the sum of all areas using the four (4) vertical sides of the smallest cube that will encompass the sign. See Figure 9-5.1606(a)(4).

(b) Materials. Signs shall be constructed of durable and attractive materials. Paper, cardboard, or other material subject to rapid deterioration shall be limited to temporary interior window signs. Fabric and vinyl signs shall be restricted to public service and civic identity signs, awning signs, banner signs, and temporary signs permitted pursuant to Section [9-5.1610](#).

(c) Construction and Maintenance.

(1) All signs and supporting structures shall be installed in accordance with applicable provisions of the building regulations in Title [8](#).

(2) All signs, together with all supporting structures, shall be maintained in the following manner:

- a. Signs shall be kept free of rust, dirt and chipped, cracked or peeling paint.

- b. All hanging, dangling, torn or frayed parts of signs shall be promptly repaired, and graffiti and unauthorized attachments shall be removed.
- c. Burned-out illumination shall be promptly replaced.
- d. Sign areas shall be kept free and clear of all noxious substances, rubbish and weeds.

(3) If a sign is removed from its supporting structure for longer than ninety (90) days, the supporting structure shall be removed.

(d) Illumination. The illumination of signs, from either an internal or external source, shall be designed to avoid negative impacts on neighboring rights-of-way and properties. The following standards apply to all illuminated signs:

- (1) Sign lighting shall not be of an intensity or brightness, or generate glare, that will create a public or private nuisance.
- (2) External light sources shall be directed, shielded, and filtered to limit direct illumination of any object other than the sign.
- (3) Illuminated roof signs and high-rise identification signs shall be dimmable, and shall be dimmed if necessary to address complaints of glare from occupants of buildings in a direct line of sight to the sign. Other sign types may also be required to be dimmable as a condition of approval.
- (4) Exterior LED signs shall be subject to major design review pursuant to Section [9-5.1612\(c\)](#), and shall be evaluated for conformance with the "Recommended Night-Time Brightness Levels for On-Premise Electronic Message Centers (EMC's)" dated April 2011 prepared by the International Sign Association.

(e) Changeable Copy Other Than Permitted Marquee Signs. Nonelectronic changeable copy shall cover no more than twenty percent (20%) of an establishment's total allowed aggregate sign area, except for the following uses which are allowed up to seventy-five percent (75%) of sign area to be changeable copy: all public and civic uses, indoor theaters, other public assembly uses, and fuel price signs.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1607 Standards for Specific Sign Types.

Except as otherwise specified, all permanent signs shall comply with the standards in Table 9-5.1607. Signs erected on a site may be any combination of permitted sign types, subject to the limitations for individual sign types listed in this section, and any other applicable provisions of this article including, but not limited to, aggregate sign area. See Figure 9-5.1607 for illustrations of projecting, shingle, monument, and awning signs.

Table 9-5.1607: Standards for Specific Sign Types

Sign Type	Maximum Number Permitted	Maximum Area per Individual Sign	Maximum Height to Top of Sign	Location Requirements	Additional Regulations
(a) Individual Establishment Signs Allowed with Minor Design Review					

Sign Type	Maximum Number Permitted	Maximum Area per Individual Sign	Maximum Height to Top of Sign	Location Requirements	Additional Regulations
(1) Awning Sign	3 per nonresidential tenant or use	10 sq. ft. or 25% of surface area of awning, whichever is less	25' or top of second floor of building, whichever is less	Lowest point must be at least 9' above public sidewalk. Awnings permitted only on first and second floors of building.	May project no more than 4' from building wall and no more than 1/3 width of public sidewalk
(2) Banner Sign	3 per nonresidential tenant or use per street frontage	15 sq. ft.	25'	No portion may extend above highest point of parapet wall or eave line. Lowest point must be at least 9' above public sidewalk.	May project no more than 4' from building wall and no more than 1/3 width of public sidewalk
(3) Monument Sign	1 per nonresidential lot per street frontage	60 sq. ft. per face; no more than 2 faces	6'	N/A	Larger sign may be approved as part of Master Sign Program for overall site signage only
(4) Projecting Sign	1 per nonresidential tenant or use per street frontage	15 sq. ft.	25'	No portion may extend above highest point of parapet wall or eave line. Lowest point must be at least 9' above public sidewalk.	May project no more than 4' from building wall and no more than 1/3 width of public sidewalk
(5) Shingle Sign	1 per nonresidential tenant or use	4 sq. ft.	N/A	Lowest point must be at least 9' above public sidewalk	Illumination not permitted
(6) Wall Sign	1 per nonresidential tenant or use per street frontage	50 sq. ft. or 15% of tenant facade area, whichever is less	25'	Width may not exceed 75% of tenant facade width, or 25', whichever is less	Larger signs may be approved as part of Master Sign Program for overall site signage only

Sign Type	Maximum Number Permitted	Maximum Area per Individual Sign	Maximum Height to Top of Sign	Location Requirements	Additional Regulations
(7) Window Sign	1 per window or transparent door per nonresidential tenant or use	No more than 10% of area of window or transparent door	N/A	Ground floor or second floor only	N/A
(b) Individual Establishment Signs Allowed with Major Design Review					
(1) Entry Gateway	1 per nonresidential lot per street frontage	To be determined by Planning Commission			N/A
(2) High-Rise Identification Sign	2 per nonresidential building; 1 on any facade	1% of area of building facade on which sign is located	No portion of sign above top of parapet	Top story of building	Only permitted on buildings over 75' high. Changeable copy not permitted.
(3) Marquee Sign	1 per nonresidential building	To be determined by Planning Commission			May only contain changeable copy and images related to on-premises events
(4) Roof Sign	1 per nonresidential building	To be determined by Planning Commission			N/A
(c) Signs Allowed Only as Part of a Master Sign Program as Part of Overall Site Signage					
(1) Ground Sign	1 per nonresidential lot per street frontage	To be determined by Planning Commission			N/A
(2) Tower Sign	1 per nonresidential lot per street frontage	To be determined by Planning Commission			N/A
(3) Wall Sign exceeding maximum dimensions specified in (a) (6) of this table	To be determined by Planning Commission				N/A

Sign Type	Maximum Number Permitted	Maximum Area per Individual Sign	Maximum Height to Top of Sign	Location Requirements	Additional Regulations
(4) Monument Sign over 6' in height and/or 60 sq. ft. in area	1 per nonresidential lot per street frontage	To be determined by Planning Commission			N/A

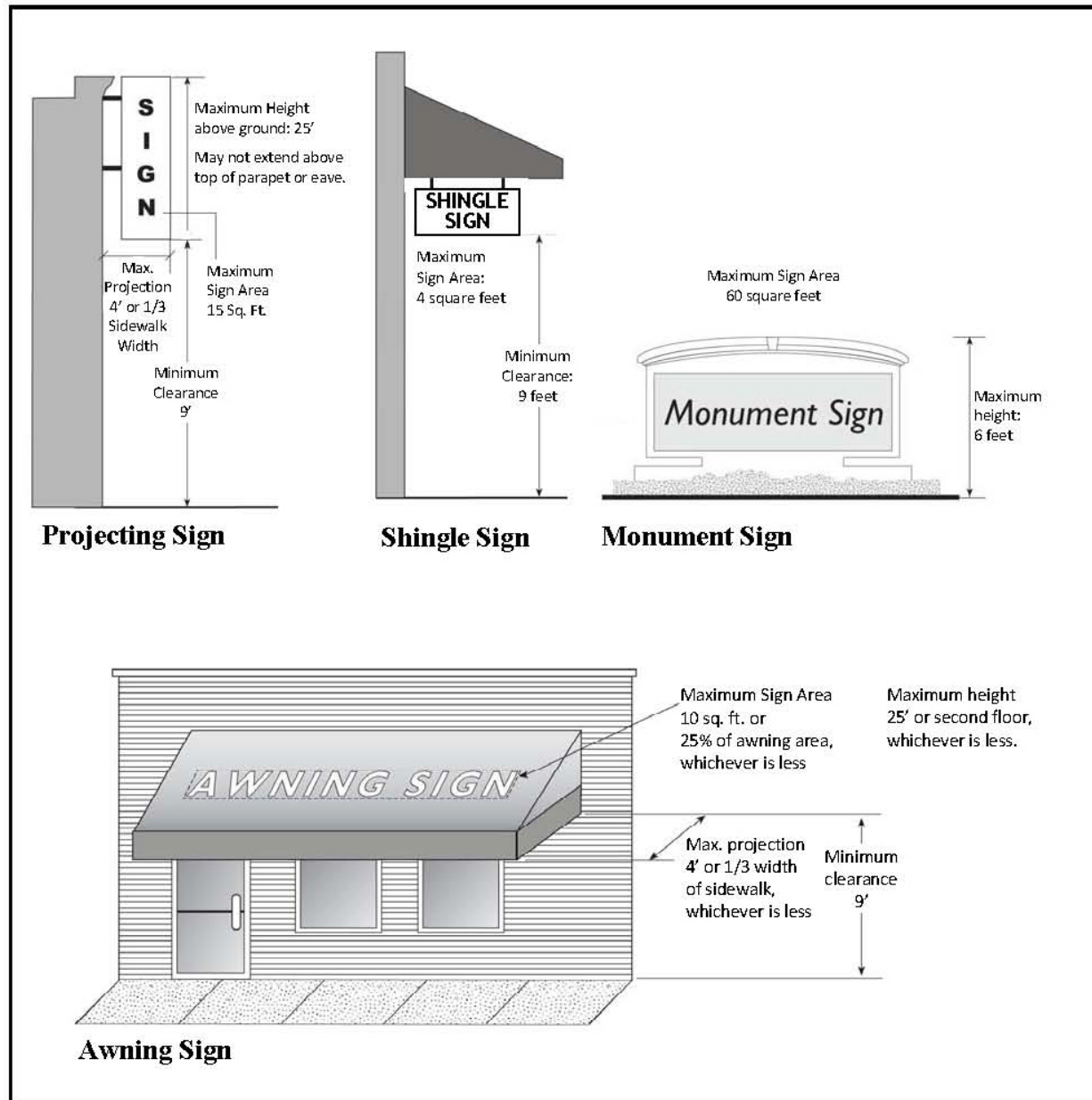


Figure 9-5.1607: Illustration of Projecting, Shingle, Monument, and Awning Signs

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013; Sec. 3 (part), Ord. 14-001, eff. Mar. 6, 2014)

9-5.1608 Sign Regulations in the RM Medium Density Residential Zone.

(a) Permitted Signs. In addition to the exempt signs listed in Section [9-5.1605](#), commercial establishments are allowed one (1) sign of up to ten (10) square feet per establishment, subject to minor design review approval pursuant to Section [9-5.1612](#).

(b) Standards for Specific Sign Types. Signs shall conform to the standards listed in Table 9-5.1607 except as modified by subsection (a) of this section.

(c) Illumination. No sign illumination is permitted except downward facing indirect illumination. No sign shall be internally illuminated.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1609 Sign Regulations in All Other Zones.

(a) Permitted Signs. In addition to the exempt signs listed in Section [9-5.1605](#), all sign types listed in Table 9-5.1607 are permitted, subject to the standards in the table. Sign types not listed in Table 9-5.1607, or signs not in conformance with the standards in Table 9-5.1607, may be considered on a case-by-case basis. If the applicant proposes that such signs be included in the aggregate sign area allowed by subsection (b) of this section, they may be considered by the Director under the minor design review procedure at Section [9-5.1612\(b\)](#). If the applicant proposes that such signs not be included in the aggregate sign area allowed by subsection (b) of this section, they shall be considered by the Planning Commission under the major design review procedure at Section [9-5.1612\(c\)](#).

(b) Aggregate Sign Area.

(1) Individual Establishments.

a. The maximum aggregate sign area for individual establishments is one (1) square foot of sign area per linear foot of public frontage. "Public frontage" refers to either building frontage on a public street or, if the establishment does not front on a public street, the building facade of the establishment accessible to the public on which the main entrance to the establishment is located. In a multi-tenant property, the frontage is typically measured from lease-line to lease-line.

b. If an establishment has frontage on more than one (1) public street or more than one (1) publicly accessible facade, all such frontages may be included in the calculation of aggregate sign area, except service roads, alleys, and similar accessways intended primarily for service vehicles.

c. The following shall not be included in aggregate sign area:

i. Exempt signs other than business signs.

ii. Roof signs, high-rise identification signs, marquee signs, and entry gateway signs approved by the Planning Commission pursuant to Section [9-5.1612\(c\)](#).

iii. Signs that identify individual establishments but are part of the overall site signage of a Master Sign Program approved pursuant to Section [9-5.1613](#).

d. For any individual establishment, the total area of all signs, including exempt business signs but excluding all other signs listed in subsection (b)(1)(c) of this section, shall not exceed the aggregate sign area calculated pursuant to this section.

(2) Site Signage. The aggregate sign area allowance for sites with multiple individual establishments shall be determined on a case-by-case basis by the Planning Commission as part of the approval of a Master Sign Program. The aggregate sign area for overall site signage shall be no more than is necessary to adequately identify the site and its major tenants, and shall not include the aggregate sign area of individual establishments, as determined pursuant to subsection (b)(1) of this section.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013; Sec. 3 (part), Ord. 14-001, eff. Mar. 6, 2014)

9-5.1610 Temporary Commercial Signs.

Temporary commercial signs meeting the requirements of this section may be permitted in all zones other than the RM Medium Density Residential zone upon the approval of a minor design review permit pursuant to Section [9-5.1612\(b\)](#). This section does not apply to temporary change of business signs, which are exempt from design review pursuant to Section [9-5.1605\(f\)](#).

- (a) **Number.** A maximum of two (2) temporary commercial signs may be displayed by any individual establishment at the same time.
- (b) **Area.** The total area of all such temporary commercial signs shall not exceed thirty-two (32) square feet per individual establishment. This sign area shall not be included in the calculation of aggregate permanent sign area pursuant to Section [9-5.1609\(b\)](#).
- (c) **Materials.** Temporary commercial signs shall be constructed of durable and attractive materials. Paper, cardboard, or other material subject to rapid deterioration shall not be used. Fabric and vinyl signs are permitted.
- (d) **Location.** Temporary commercial signs may be located anywhere on the site of the individual establishment, subject to minor design review approval. If located in windows or transparent doors, no more than twenty percent (20%) of the total area of any window or transparent door shall be covered by any combination of temporary commercial signs, exempt temporary window signs pursuant to Section [9-5.1605\(s\)](#), and permanent window signs pursuant to (a)(7) in Table 9-5.1607.
- (e) **Duration.** The time limit for display of a temporary commercial sign shall be forty-five (45) days, which may be renewed for one (1) additional period of forty-five (45) days upon payment of a second application fee. Two (2) consecutive forty-five (45) day periods may be approved at one (1) time upon the payment of two (2) fees, but may not be further extended.
- (f) **Illumination.** Temporary signs shall not be illuminated.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013; Sec. 3 (part), Ord. 14-001, eff. Mar. 6, 2014)

9-5.1611 Design Principles.

The following design principles shall be used as criteria for review and approval of design review for individual signs and Master Sign Programs.

- (a) **Architectural Compatibility.** A sign (including its supporting structure, if any) shall be designed as an integral design element of a building's architecture and shall be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that covers a window or that spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings is detrimental to visual order and generally is not permitted.
- (b) **Legibility.** The size and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, shall be selected based on the average distance and average travel speed of the viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors chosen for the sign text and/or graphics shall have sufficient contrast with the sign background in order to be easily read during both day and night hours.
- (c) **Design Guidelines.** All signs shall be subject to the applicable provisions of the Emeryville Design Guidelines, including but not limited to those pertaining to signs and to the area of the City in which a proposed sign is to be located, and to any other applicable design guidelines.

- (d) **Animated and Moving Signs.** Animated, flashing, blinking, reflecting, revolving, or other similar signs, or signs with visibly moving or rotating parts or visible mechanical movement of any kind, are generally discouraged unless they add appropriate visual interest compatible with their surroundings.
- (e) **Deviations from Design Principles.** The Director may approve signs that do not adhere to the principles established in this section if he or she finds that the sign exhibits exceptional design quality or is of significance to the area where it will be displayed.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1612 Procedures for Individual Establishment Signs.

(a) **Application.** Application for a design review permit for individual establishment signs shall be submitted to the Planning and Building Department on a form provided by the Director, accompanied by the fee as set forth in the Master Fee Schedule and application materials as determined necessary by the Director, including but not limited to the following:

- (1) A site plan that is fully dimensioned and drawn to scale showing all sign locations and elevations of buildings and signs.
- (2) A fully dimensioned color drawing of each proposed sign indicating construction details and sign copy.
- (3) Proposed colors, materials and methods of illumination.

(b) **Minor Design Review.**

(1) **Types of Signs Eligible.** The following types of signs shall be reviewed by the Director pursuant to the minor design review procedures in Article 4 of Chapter 7 and the applicable provisions of this article:

Wall signs.

Projecting signs.

Banner signs.

Shingle signs.

Awning signs.

Window signs.

Monument signs no more than six feet (6') tall
and sixty (60) square feet in area.

Temporary commercial signs.

(2) **Findings.** To approve a minor design review permit for individual establishment signs as listed in subsection (b)(1) of this section, all of the following findings must be made in addition to the findings required by Article 4 of Chapter 7:

- a. The proposed signs will comply with all the applicable provisions of this article, including but not limited to aggregate sign area, standards for specific sign types, and design principles.
- b. The size, materials, colors, graphic style, illumination and other features of the proposed signs are in keeping with the visual character of the area.

- c. The signs will be readable, taking into account the proportion between different parts of the sign, its visibility from important vantage points, and other relevant design features.
- d. The signs will relate well to the design of the building and be compatible with its architectural features, colors and textures.

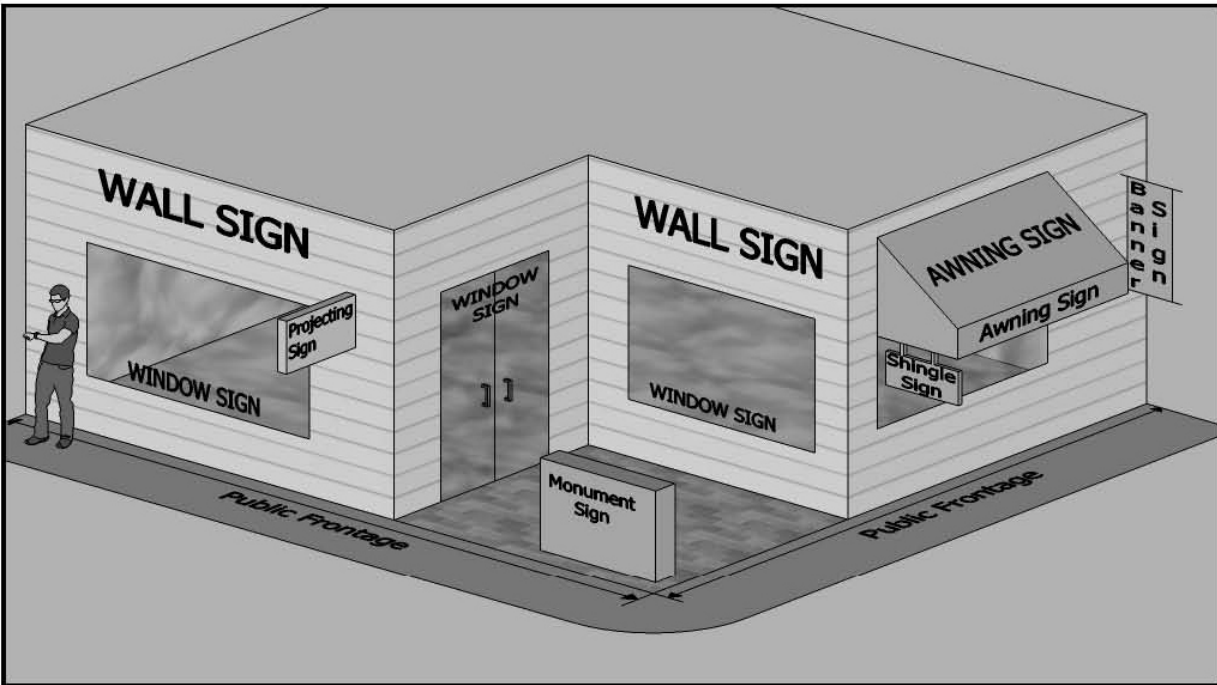


Figure 9-5.1612(b): Examples of Individual Establishment Signs Allowed with Minor Design Review.*

*** Note: This drawing is for illustrative purposes only; a typical establishment will not have all signs illustrated here. Total area of all signs may not exceed aggregate sign area pursuant to Section [9-5.1609\(b\)](#).**

(c) Major Design Review.

(1) Types of Signs Eligible. The following types of signs shall be reviewed by the Planning Commission pursuant to the major design review procedures in Article 4 of Chapter 7 and the applicable provisions of this article:

- Roof signs.
- High-rise identification signs.
- Marquee signs.
- Entry gateways.
- Exterior LED signs.

(2) Findings. To approve a major design review permit for individual establishment signs as listed in subsection (c)(1) of this section, all of the following findings must be made in addition to the findings required by Article 4 of Chapter 7:

- a. The proposed sign is necessary because of the nature of the establishment and its location.
- b. The proposed sign is no larger than is necessary to adequately identify the establishment, or the sign is of extraordinary design significance justifying its size.

- c. The proposed sign will comply with all the applicable provisions of this article, including but not limited to design principles.
- d. The size, materials, colors, graphic style, illumination and other features of the proposed sign are in keeping with the visual character of the area.
- e. The sign will be readable, taking into account the proportion between different parts of the sign, its visibility from important vantage points, and other relevant design features.
- f. The sign will relate well to the design of the building and be compatible with its architectural features, colors and textures.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1613 Master Sign Programs.

(a) General.

- (1) **When Required.** A Master Sign Program is required for all developments including five (5) or more retail tenant spaces, and is optional for any other multi-tenant nonresidential or mixed use development.
- (2) **Types of Signs Eligible.** A Master Sign Program may include any type of sign eligible for individual establishment signs as indicated in Section [9-5.1612](#). In addition, the following types of signs may only be allowed as part of a Master Sign Program, and only as overall site signage for the development:

Ground signs.

Tower signs.

Wall signs exceeding maximum dimensions at (a)
(6) in Table [9-5.1607](#).

Monument signs exceeding six feet (6') in height
and/or sixty (60) square feet in area.

- (b) **Application.** Application for a Master Sign Program shall be submitted to the Planning and Building Department on a form provided by the Director, accompanied by the fee as set forth in the Master Fee Schedule and application materials as determined necessary by the Director, including but not limited to the following:

- (1) Text and drawings, including plans drawn to scale, which identify all signs proposed for the development, establishing their location, size, function and other characteristics needed to evaluate the extent of the signage proposed. Plans and drawings shall include a site plan, typical building elevations, and drawings of proposed overall site signage and generic sign types for individual establishments. Any anticipated recurring temporary signs shall be included.
- (2) Computation of allowable area for all signs for each individual establishment, and of total area of all proposed signage. Maximum allowable aggregate area for individual establishments shall be no more than allowed by Section [9-5.1609\(b\)\(1\)](#). Maximum allowable aggregate area for overall site signage shall be in addition to this and shall be shown separately. The maximum area of such overall site signage shall be no more than is necessary to adequately identify the development and its major tenants.
- (3) Design criteria for individual establishment signs dealing with colors, materials, illumination, graphic styles, placement, size, and other pertinent sign features.

- (4) A written program of standards for individual establishment signs to be distributed to future tenants, including color, size, illumination, construction details, sign placement and size.
- (c) Findings. In order to approve a Master Sign Program, the Planning Commission must make all of the following findings in addition to the findings required by Article 4 of Chapter 7:
- (1) The proposed Master Sign Program will promote visual harmony and a cohesive appearance for the development while allowing an appropriate level of individuality for each establishment.
 - (2) The proposed Master Sign Program will promote signs that relate well to the design of the buildings in the development in terms of compatibility with architectural features, colors and textures.
 - (3) The proposed Master Sign Program will promote signage that is in keeping with the visual character of the surrounding area.
 - (4) The total aggregate sign area allowed under the proposed Master Sign Program for each individual establishment does not exceed that allowed by Section [9-5.1609\(b\)\(1\)](#).
 - (5) The height, size, and total aggregate area of overall site signage allowed under the proposed Master Sign Program is no more than is necessary to adequately identify the development and its major tenants.
 - (6) The proposed Master Sign Program will comply with all the applicable provisions of this article, including but not limited to standards for specific sign types and design principles.
- (d) Review of Individual Signs under a Master Sign Program. A proposal for individual signs under a Master Sign Program shall be reviewed by the Director for conformance with the requirements of the Master Sign Program and this article pursuant to the zoning compliance review procedures in Article 3 of Chapter 7. If the Director determines that the proposal conforms to the requirements of the Master Sign Program and this article, a zoning compliance approval shall be issued. If the Director determines that the proposal does not conform to the requirements of the Master Sign Program and this article, a zoning compliance approval shall not be issued, and the applicant shall be advised as to how the proposal could be brought into compliance. The Director's determination of compliance or noncompliance may be appealed to the Planning Commission pursuant to Article 14 of Chapter 7.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1614 Nonconforming Signs.

- (a) Continuance and Maintenance. Nonconforming signs that were legal when first installed, and which have not been modified so as to become illegal, may be continued, and routine maintenance and repairs may be performed.
- (b) Alterations and Additions to Nonconforming Signs. No nonconforming sign shall be moved, altered, or enlarged unless required by law or unless the moving, alteration or enlargement will result in the elimination of the nonconformity.
- (c) Abandonment of Nonconforming Sign. Whenever a nonconforming sign has been abandoned, or the use of the property has been discontinued for a continuous period of ninety (90) days, the nonconforming sign shall be removed.
- (d) Restoration of a Damaged Sign.
- (1) Whenever a nonconforming sign is destroyed by fire or other calamity to the extent of fifty percent (50%) or less of the sign's replacement value, the sign may be restored and the nonconforming use of the sign may be resumed; provided, that restoration is started within six (6) months of the damage and diligently pursued to completion.

(2) Whenever a nonconforming sign is destroyed by fire or other calamity to a greater extent than fifty percent (50%) of the sign's replacement value, or is voluntarily removed or is required by law to be removed, the sign shall not be restored except in full conformity with the requirements of this article.

(e) **Illegal Signs.** A sign that was not legally established under the regulations that were applicable at the time it was established, whether before or after the adoption of these planning regulations, is an illegal sign. Any such illegal sign is hereby declared to be a public nuisance and shall be removed or legalized immediately.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)

9-5.1615 Definitions.

(a) **Signs Generally.** "Sign" means a structure, fixture, device, or material containing any combination of written copy, graphics, or symbols intended to promote a business, product, commodity, service, idea, or person, or to provide direction, identification, or information. "Sign" may include flags, streamers, pennants, banners, and balloons if their intent is as stated above. Noncommercial works of art, including but not limited to murals, are not signs.

(b) **Sign Types.** The following definitions shall apply throughout this article, in addition to definitions contained elsewhere in this article, including, but not limited to, the prohibited signs listed in Section [9-5.1604](#) and the exempt signs listed in Section [9-5.1605](#).

(1) "Animated sign" means a sign which, by method or manner of illumination, flashes on or off, or blinks with varying light intensity, shows motion or creates the illusion of motion, or revolves to create the illusion of being on or off.

(2) "Awning sign" means a sign affixed permanently to the outside surface of an awning.

(3) "Banner sign" means a sign made of fabric or any nonrigid material with no enclosing framework, usually supported by horizontal poles protruding from a building wall.

(4) "Blade sign" means a projecting sign.

(5) "Business sign" means a sign that directs attention to the principal business, profession or industry located on the premises where the sign is displayed, to products sold, manufactured or assembled, or to services or entertainment offered on such premises.

(6) "Changeable copy sign" means a sign whose informational content can be changed or altered manually.

(7) "Channel letters" means three (3) dimensional individual letters or figures, with an open back or front, illuminated or nonilluminated, that are affixed to a building or to a freestanding sign structure.

(8) "Construction sign" means a temporary sign that describes in words and/or drawings a planned future development project on a property.

(9) "Entry gateway sign" means a sign permanently affixed to an arch or other structure spanning over an entrance to a property.

(10) "Freedom of speech sign" means a noncommercial sign expressing an idea.

(11) "Freeway-oriented sign" means a sign that is oriented primarily to the traveling public using a freeway, and installed for the sole purpose of identifying major business locations in close proximity to the freeway.

(12) "Ground sign" means a sign that is permanently supported upon the ground by poles or braces and is not attached to any building or other structure. These may include freestanding pole signs.

- (13) "High-rise identification sign" means a sign located on the top story of a building that is over seventy-five feet (75') tall and identifying the name of the building, its owner, a tenant of the building, or any entity associated with the building.
- (14) "Marquee sign" means a sign with a changeable message that advertises events, performances, or services, and that is displayed on a permanent structure made of rigid materials supported by and extending from the facade of a building.
- (15) "Monument sign" means a low-profile freestanding sign erected upon or supported solely by a planter, pedestal base, or similar ground structure approximately the same width as the sign.
- (16) "Moving sign" means a sign or any portion thereof that rotates, moves, or appears to move in some manner by mechanical, electrical, natural, or other means.
- (17) "Noncommercial sign" means a sign that does not promote a business, commodity, service, entertainment, product, or other attraction.
- (18) "Organization sign" means a sign that identifies a nonprofit or other noncommercial organization.
- (19) "Permanent sign" means a sign made of durable materials and intended to be displayed for an indefinite time period.
- (20) "Political sign" means a sign that promotes a political candidate, party, or issue.
- (21) "Projecting sign" means a sign, the surface of which is not parallel to the face of the supporting wall and which is supported wholly by the wall. This definition includes V- or wing-type signs. Also known as a "blade sign."
- (22) "Roof sign" means a sign located above any portion of any roof of a building, including a canopy or other overhang.
- (23) "Shingle sign" means a sign that hangs from a canopy or awning or from the ceiling of an arcade or passageway.
- (24) "Temporary sign" means a sign that is intended to be displayed for a limited time period.
- (25) "Tower sign" means a sign that is supported by a tall framework or structure, whether or not attached to a building, typically intended to identify a multi-tenant commercial complex and its major tenants.
- (26) "Wall sign" means a sign painted on or affixed to, and wholly supported by, a building or other wall in such a manner that its exposed face is approximately parallel to the plane of such building or wall.
- (27) "Window sign" means a sign painted or installed on a glass window or door and intended to be seen from the exterior of the structure in which the window or door is located, or an interior sign located within two feet (2') of the inside of a window or door in a manner that it can be viewed from the exterior of the structure.

(Sec. 2 (Exh. A) (part), Ord. 13-001, eff. Mar. 7, 2013)