

ORDINANCE NO. 2008-06
AN ORDINANCE OF THE LEMOORE CITY COUNCIL
AMENDING CHAPTER 14 OF THE CITY ZONING ORDINANCE –
(ALSO KNOWN AS TITLE 9, CHAPTER 14 OF THE LEMOORE MUNICIPAL CODE)

(Zoning Ordinance Amendment 2008-01)

The City Council of the City of Lemoore does ordain as follows:

Section 1. Chapter 14 of Title 9 of the Lemoore Municipal Code is amended in full to read as follows:

CHAPTER 14
SIGNS

SECTION:

- 9-14-1: Purpose
- 9-14-2: Definitions
- 9-14-3: General Provisions
- 9-14-3-1: General Requirements For Signs In All Zone Districts
- 9-14-3-2: Computation Of Sign Area
- 9-14-3-3: Signs Prohibited In All zone Districts
- 9-14-4: Sign Standards
- 9-14-4-1: Signs In All Zone Districts
- 9-14-4-2: Signs In The RSC, UR, RA, R and RM Zone Districts
- 9-14-4-3: Signs In The PO Zone District
- 9-14-4-4: Sign In The CC And CS Zone Districts
- 9-14-4-5: Signs In The CH And M Zone Districts
- 9-14-4-6: Highway-Oriented Signs
- 9-14-5: Administrative Provisions
- 9-14-5-1: Administrative Approval For Signs
- 9-14-5-2: Construction, Operation, And Maintenance
- 9-14-5-3: Applicability
- 9-14-5-4: Violations And Enforcement
- 9-14-5-5: Modifications To Provisions

9-14-1: **PURPOSE:** The purpose of this Chapter is to establish sign regulations that are intended to protect the general health, safety, welfare and aesthetic integrity of the community; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to encourage individuality amongst businesses through signage; to improve pedestrian and traffic safety; to minimize the possible adverse effect of unsightly, inharmonious and hazardous signs on nearby public and private property; and to provide for the fair and consistent enforcement of these sign regulations. (Ord. 2005-05, 10-18-2005)

9-14-2: **DEFINITIONS:** The various words and terms used in this Chapter are defined below. Words or terms defined in the plural include the singular, and vice versa.

AREA IDENTIFICATION SIGN: A permanent sign intended to identify a neighborhood, subdivision, complex or other area composed of more than one ownership (allowed in all zone districts).

BANNER/STREAMER /INFLATABLE OBJECTS:	Any canvas, cloth, flexible plastic, paper or other type of material suspended across, upon or from private or public property or from a building or structure (limited use in various zone districts as specified in this Chapter)
BILLBOARD:	A structure of any kind or character, erected or maintained for outdoor advertising purposes and upon which any outdoor advertising may be installed, located on a site other than the site on which the advertised use is located, the advertised service is provided or the advertised product is produced (prohibited in all zone districts).
CANOPY SIGN:	A sign painted on or applied to the surface of an awning or canopy or suspended from the underside of a canopy or awning and supported by such canopy or awning (allowed in CC and CS zone districts).
CHANGEABLE COPY SIGN:	A sign that is designed so that characters or letters can be changed or rearranged manually, mechanically, electronically or by any other means without altering the face or surface of sign, not including the time or temperature portion of a sign.
CHANGEABLE-FRAMED WALL SIGN:	A sign that can be changed out in its entirety so long as it is kept within a permanently mounted frame flush to a wall and does not sag within the frame. Such sign shall not be illuminated (allowed in CH, CC and CS zone districts, subject to an initial approval process only).
CONSTRUCTION SIGN:	A sign giving the names of contractors, architects, engineers, lending institutions or other participants responsible for construction work on the site where the sign is placed (allowed in all zone districts and exempt from approval process but must meet the requirements of this Chapter). Employment opportunity signs for the soon to open business can also be utilized.
DIRECTIONAL SIGN:	A sign, containing no commercial message, to guide pedestrians or vehicles into or out of driveways, parking areas or other areas of the site on which the sign is located.
DIRECTIONAL KIOSK SIGN:	An architecturally enhanced freestanding sign structure that provides removable panel inserts that each contain directional arrows and identifies new residential subdivisions, City parks/buildings and other uses to indicate the location of such places.
DRIVE UP BOXES/MENUS/ /MISCELLANEOUS:	A freestanding sign which is located outside a restaurant or other commercial establishment for the purpose of placing an order or utilizing a service (i.e. drive up ATM or pharmacy) and can include a voice response system (allowed in CH and CC zone districts) which shall not count against the freestanding sign limit nor the cumulative sign area.

ELECTION SIGN:	A sign promoting election or defeat of a candidate for an elected office, supporting or opposing a ballot measure, or making a political statement by or on behalf of a political party or otherwise, in connection with any election (allowed in all districts and exempt from the approval process but must meet the requirements of this Chapter).
ENTRY SIGN:	A sign that is located at gateway entrances to the City, generally shown in the General Plan, and identify the City's name and is decorative in nature.
FLAG:	The official flag of a civic, philanthropic, educations or religious organization with no commercial messages.
FREESTANDING SIGN:	A sign supported by a structure other than a building or wall and attached permanently to the ground as allowed in specified zone districts. Such signs cannot incorporate unadorned poles for its support.
FRONTAGE:	The portion of a building occupied by a business that is abutting a street, highway or alley/parking area or that portion of a parcel/site that is abutting a street, highway or alley/parking area, as defined in the specific sections of the Sign Chapter. Generally used to help determine the maximum cumulative sign area allowed for a particular property or site, not necessarily the amount of signage allowed on each building side.
GARAGE SALE OR YARD SALE SIGN:	A sign intended to announce the date, time and location of a garage sale or yard sale on the site that it occurs not exceeding 6 square feet in size per Section 3-8-4 of the Lemoore Municipal Code (exempt from the approval process but must meet the requirements of the City Municipal Code).
HIGHWAY-ORIENTED SIGN:	A freestanding sign structure with multi-tenant advertisements located within 1,200 feet of a State Highway in PO, CH, M and future Mixed Use and Neighborhood Commercial districts, and which is not considered a 'billboard'.
INFORMATION SIGN:	A sign, containing no commercial message, which provides direction to public facilities and placed for convenience of the public (exempt from the approval process but must meet the requirements of this Chapter).
INSTITUTIONAL SIGN:	A sign intended to identify an institution such as, but not limited to, a school, church, library or other public use.
MARQUEE SIGN:	A sign with a permanent roof-like structure, extending along and projecting over an entrance to a building, which may include changeable copy (allowed in CC and CS zone districts).
MODEL HOME SIGN:	A sign intended to indicate the name or type and other pertinent information about a particular model home, placed in front of the model home in a residential development (exempt from the approval process but must meet the requirements of this Chapter).

MONUMENT SIGN:	A sign generally located flush with the ground or upon a base but otherwise having a clearance from the ground of not more than 2 feet and supported by a solid base and is required to be surrounded by landscaping, predominantly for the Downtown area but can be allowed where freestanding signs are allowed.
MOVING SIGN:	A sign or any part of a sign capable of rotating, revolving, gyrating, turning, whirling, circulating or any other type of movement (prohibited in all districts).
NAMEPLATE SIGN:	A sign, containing no commercial message, placed on residential units or professional offices, which contains the name and address of the occupant and of any business which is conducted on the premises (exempt from the approval process but must meet the requirements of this Chapter).
OPEN HOUSE SIGN:	An off-site temporary sign which provides direction to an open house and may indicate that a salesperson is available to represent the property for sale, lease or rental (exempt from the approval process but must meet the requirements of this Chapter).
PENNANT:	A flag located in subdivisions or commercial properties for the purpose of locating a site. Shape is generally rectangular and contains no commercial messages. This does not include pennant streamers which are not allowed in any zone district.
POLE SIGN:	A sign supported by a single or double unadorned pole structure and attached permanently to the ground (not allowed in any zone district).
PORTABLE SIGN:	A sign not permanently affixed to the ground, a building or other permanent structure and which is reasonably capable of being moved. (allowed in the CC and CS zone districts and subject to the approval process)
PROJECTING SIGN:	A sign which is attached to and projects from a structure or building face and is not parallel to the structure or building to which it is attached (not allowed for commercial advertising purposes and allowed in limited instances by zone district)
PUBLIC OR CIVIC EVENT SIGN:	A temporary sign advertising an event sponsored by a public agency, school, civic or fraternal organization or similar noncommercial organization, or by an organization qualified under section 501(C)(3) of the Internal Revenue Code of the United States, which may utilize banners, flyers posted in business windows, and other similar types of signs (exempt from the approval process).
PUBLIC UTILITY SIGN:	Non-advertising signs as required in their operations providing services for the health, safety and welfare of the general public which may include directional signs, notification to the public of "danger", "emergency", or "construction" and the like. Such signs shall not be attached to private utility company poles and/or light standards or supports without prior permission from the utility company (exempt for the approval process).

REAL ESTATE SIGN:	A sign advertising the sale, lease or rental of particular real property, or a building or structure located on the site of the particular real property, which sign may include the name of the contact person, the name of the real estate or other firm offering the sale, lease or rental, the contact phone number and similar information and shall not be a banner sign and shall not exceed eight (8) square feet in area unless otherwise noted in this Title (exempt from the approval process but must meet the requirements of this Chapter).
ROOF SIGN:	A sign erected or constructed wholly upon and/or over the roof of any building and supported solely on the roof structure (allowed in CH and M zone districts).
ROOFLINE:	The eave line of a pitched roof or the flat portion of a roof behind a parapet wall.
SALE SIGN:	A sign which announces a special sale occurring at a business that does not include normal services available throughout the year.
SANDWICH A-FRAME SIGN:	A portable sign consisting of two (2) panels which connect at the top of the sign, and which is supported by the panels or two (2) sets of legs which are attached to the panels (allowed in CC and CS zone districts and is exempt to the approval process).
SHOPPING CENTER IDENTIFICATION SIGN:	A sign defining the name of the shopping center and up to three tenants on a site that is at least 7 acres in size.
SIGN:	Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing for the purpose of advertising, promoting or attracting the attention of the public. Color used for architectural enhancement of building structures shall not be considered signage.
STICK SIGNS:	An advertising sign mounted to a stick or metal frame that can be easily stuck into the ground (prohibited in all districts, unless it is an election sign).
SUBDIVISION:	A group of more than four (4) single family lots or condos for sale or an apartment complex that leases/rents more than twenty five (25) units.
SUBDIVISION SIGN:	A sign which includes the name of the subdivision and is intended to announce, advertise or identify the location of a residential subdivision project.
TEMPORARY SIGN:	A sign which is not permanently mounted or affixed to the ground or any part of a building or other permanent structure and shall not be permanently mounted or affixed for no more than 30 days per calendar year.
VIEW-SHED:	The area in which a highway oriented sign can be seen from the highway; generally less than 1,200 feet away from the highway.

WALL SIGN: A sign painted on or fastened parallel to a wall which does not project more than fourteen inches (14") from the wall in any direction, it is not a banner as defined in this section.

WINDOW SIGN: A sign placed inside or upon a window facing the outside which is to be viewed from the exterior allowed in CC and CS zone districts (allowed in CC and CS zone districts exempt from approval requirements in conformity with this Chapter). (Ord. 2005-05, 10-18-2005)

9-14-3: GENERAL PROVISIONS:

9-14-3-1: GENERAL REQUIREMENTS FOR SIGNS IN ALL ZONE DISTRICTS:

The following regulations shall apply to signs in all districts:

- A. No sign shall be placed within thirty feet (30') of intersecting curb lines of a street intersection unless it is no more than three feet (3') above the adjacent grade as provided in subsection B below.
- B. The maximum allowable height of a sign shall be as measured from the immediately adjacent natural grade of the ground to the highest part of the sign including its supporting structure.
- C. No sign or any portion of a sign shall be located in or project over a public right of way, except sandwich A-frame, canopy or wall signs located in the Downtown Area or information, marquee, open house signs, or directional kiosk signs in other areas of the community after an encroachment permit is obtained from the Public Works Department.
- D. A sign placed on a building facade or wall shall be installed parallel to the face of the building and shall not project more than fourteen inches (14") from the wall or facade in any direction.
- E. No sign shall be attached to utility poles or traffic sign supports or be located in or project over a utility easement unless approved by the Planning Department and an encroachment permit is obtained from the Public Works Department. Any sign which reduces the vertical or horizontal clearance from communication or energized electric power lines will not be allowed.
- F. A freestanding or monument sign for a business, industry, or institution shall have around its base a landscape strip at least five feet (5') in width and length to the greatest dimension of the sign. Plantings shall be done to create a landscaped area with a minimum plant material coverage of 75% within one (1) year of planting and may incorporate decorative rock and/or water features and not include turf or weeds. The landscaped area shall be approved by the Planning Department and properly maintained in perpetuity. Curbing, railroad ties, fencing or other type of vehicle barriers acceptable to the Planning Department shall be placed around the landscaped strip for protection when needed.
- G. Directional Kiosk Signs. The purpose of the directional kiosk signs is to direct the traffic related to new residential subdivisions, City parks, government buildings, or similar uses determined by the Planning Department in a manner that minimizes visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high quality image of the City. When originally placed, kiosk signs will require a sign permit reviewed by the Planning Director, or designee, and shall conform to the following requirements and specifications:

1. Kiosks shall include removable sign panels that identify the names of at least two (2) civic locations, if needed by the City, and the remainder for residential subdivisions. Panels shall only include the developer's name or logo or other branding identification or civic location and directional arrows. Sign panels shall not exceed seven and one-half square feet in sign area, and shall be no greater than eighteen (18) inches in height and sixty (60) inches in width. A permittee shall allow a panel, subject to available space for same, however no more than one panel per residential subdivision or specific location on a kiosk sign is permitted. No other advertising is allowed.
2. Kiosks shall not exceed eighty (80) square feet in sign area (which includes a City identification header piece), twelve (12) feet in height, and five (5) feet in width with signage at least 36" off the ground. Proposed kiosks exceeding these dimensions require approval through the conditional use permit process.
3. No directional kiosk may be located within one thousand five hundred (1,500) feet of another directional kiosk except in the case of signs on different corners of an intersection, unless an unusual situation causes the need for a deviation as determined by the Planning Director.
4. All directional kiosk signs shall be placed on private property with written consent of the property owner or on City right-of-way / Lighting Landscape Maintenance District area / Public Facility Maintenance District area pursuant to approval by the Planning Department and an encroachment permit is obtained by the Public Works Department.
5. The review of a proposed directional kiosk will include size, height, design, materials and colors of the proposed kiosk and be consistent with other approved and active directional kiosk signs, and show its proposed location(s). The kiosk must be designed as an architecturally-enhanced structure that may include features such as a decorative cap and cornice detail, stone-clad or masonry-clad columns, stone-clad or masonry-clad foundation, carved/sculptured wood construction, or other similar architectural features as determined to be appropriate by the Planning Department. The Planning Director may from time to time adopt a standard design consistent with the requirements of this section which will be utilized for all approved directional kiosk signs.
6. The directional kiosk sign may only be located in a manner that does not obstruct the view of traffic or safety signs, encroach within vision triangles, or otherwise pose a traffic or safety hazard.
7. There shall be no additions, tag signs, streamers, balloons, flags, devices, display boards, or appurtenances, added to the subdivision kiosk signs as originally approved.
8. The Planning Director may deny an application for a directional kiosk permit or revoke an existing permit where an applicant, permittee, or developer with a panel on a kiosk fails to comply with these provisions or fails to properly maintain such structure or weeds at the base of the structure.
9. Panels on directional kiosk signs may not be displayed after a subdivision developer has completed the sale of all units in the development. Each developer shall be responsible for their removal.

10. The Planning Director may deny an application for a permit for a directional kiosk sign, or revoke an existing permit, where it has been determined that the applicant, permittee, or developer with a panel on a kiosk, is maintaining residential subdivision advertising or directional signage on a parcel adjacent to the City which does not conform with the requirements of this Chapter, or if the applicant, permittee, or developer with a panel on a subdivision kiosk sign maintains any residential subdivision advertising or directional signage in Kings County which does not conform with the requirements of their Zoning Ordinance.

11. Approval of a sign location shall not authorize the continuous use of that location when right-of-way improvements necessitate removal of such sign or the sign interferes with the use of the property upon which it is located. If possible, an alternate location in close proximity shall be allowed, subject to the procedures identified in subsection (6)(a)(iii) of this section.

- H. Signs shall be designed in scale (generally no more than 10% of front vertical building façade) and in harmony with the architectural design of the sites, buildings or structures on which they are located or to which they are attached.
- I. Signage approved by the Planning Commission or City Council with a conditional use permit or site plan review shall be subject to this Chapter and the requirements imposed by those decision making bodies.

9-14-3-2: **COMPUTATION OF SIGN AREA:**

- A. Single-Faced Signs: The area of a sign with a single face shall be computed by means of the smallest rectangle that will encompass the limits of the writing, emblem, or other display. Any material or colored area forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure on which it is placed shall also be included in the sign area. Supporting framework or bracing shall not be included in sign area computations.
- B. Multi-Faced Signs: The area of a sign with more than one face shall be computed by adding together the area of all faces of the sign which can be seen at any one point. Back to back signage shall be computed as the area of one side of the sign. The effective sign area of a ball or spheres shall be calculated as a two-sided square sign. (Ord. 2005-05, 10-18-2005)

9-14-3-3: **SIGNS PROHIBITED IN ALL ZONE DISTRICTS:** The following signs are prohibited in all districts:

- A. Any sign located on private property, which developed property has been vacant for eighteen (18) months or more, except for properties on which highway oriented signs are allowed.
- B. Any sign which pertains to an event or activity which has been completed or cancelled and for which the information on the sign is no longer relevant.
- C. Signs which imitate or are placed in a manner that they may be confused with traffic-control signs or devices. No red, green or amber light or illuminated sign or outdoor advertising structure illuminated by or including flashing lights shall be placed in such position that it could interfere with or be confused with any official traffic control device, traffic signal, or official directional guide sign.

- D. Signs with any statements or words of an obscene, indecent or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency, or any other matter or thing of an obscene, indecent or immoral character.
- E. Signs painted on fences.
- F. A flashing, moving, reflecting or other type of sign with similar effects obtained by varying the intensity, color, pattern or illumination, not including barber polls of maximum eighteen inches (18") height, and time or temperature signs.
- G. Banners and streamers other than those intended to announce a public or civic event, grand opening or sales where permitted by the sign standards for the various zone districts in this Chapter.
- H. Stick signs.
- I. Legal non-conforming signs in accordance with Sections 9-11-2, 9-11-3, 9-11-4A, 9-11-7A, and 9-11-8A. of this Title.
- J. Pole Signs, however, the internal structure of the sign may be supported by pole(s), but not visible.
- K. Video screens and streaming video display.
- L. Billboards.

9-14-4 **SIGN STANDARDS:**

9-14-4-1: **SIGNS IN ALL ZONE DISTRICTS:** The following signs shall be permitted in all districts:

- A. Area Identification Signs: One area identification sign shall be permitted along each street frontage subject to following conditions:
 - 1. A single sign area shall not exceed thirty (30) square feet and total area of all signs on one site shall not exceed sixty (60) square feet.
 - 2. The material utilized for sign construction and support shall be as maintenance-free as practicable.
- B. Construction Signs: One non-illuminated construction sign shall be permitted along each street frontage. No such construction sign shall exceed sixty (60) square feet in area or twelve feet (12') in height. Such sign shall be removed within thirty (30) days after a notice of completion or cessation is recorded with respect to such construction or, if no such notice is recorded, within thirty (30) days after the Public Works Director notifies the owner or contactor that the construction has been completed or abandoned.
- C. Directional Signs: Directional signs, located on an "as needed" basis, shall be permitted adjacent to driveways or within parking areas. No directional sign shall exceed six (6) square feet in area or forty two inches (42 ") in height.
- D. Election Signs: Election signs shall be erected no sooner than sixty (60) days before the election and shall be taken down within seven (7) days following the election. Election signs shall be of such design and at such locations that they do not obstruct vision of motorists or create any hazard to vehicular or pedestrian traffic using public streets or rights of way, as determined by the Public Works Director.

- E. Flags: Displays of the official flag of a civic, philanthropic, educational or religious organization shall be permitted, provided no commercial messages are contained on any such flag.
- F. Garage Sale Or Yard Sale Signs: Garage Sale or Yard Sale signs, not exceeding six (6) square feet in area, shall be permitted on-premises not more than two (2) days prior to the date of commencement of the sale. Such signs shall be removed within one day after the end of the sale. The sale to which the signs relate must be duly authorized under Title 3, Chapter 8 of this Code.
- G. Information Signs: Information signs may be placed in public right of way subject to the approval of the Public Works Director.
- H. Nameplates: One indirectly illuminated nameplate shall be permitted for each single-family residence, each dwelling unit in a multi-family building, and each commercial, office or industrial business in a building. The nameplate shall be mounted on the wall and shall not exceed two (2) square feet in area. This is the type of sign allowed for home occupations.
- I. Official And Legal Notices: Official and legal notices issued by government agencies or a court shall be permitted.
- J. Open House Signs: A maximum of four (4) open house signs, which may be sandwich A-frame signs, shall be permitted in street rights of way for the purpose of providing direction to an open house. These signs shall not be placed on the roadway or sidewalk or in any way as to interfere with vehicular or pedestrian traffic, and shall be in place no earlier than one hour before the open house begins and no later than one hour after the open house ends. No such sign shall exceed eight (8) square feet in area or three and one-half feet (3 1/2') in height. All open house signs shall be placed in a manner so as not to create a public safety hazard, as determined by the Public Works Director. (Ord. 2005-, 10-18-2005).
- K. Entry Signs: Shall be allowed for the purpose of welcoming persons to Lemoore and include landscaping, street trees and street lights in the general locations described in the Community Design element of the 2030 General Plan to accentuate entry points to Lemoore.

9-14-4-2: **SIGNS IN THE RSC, UR, RA, R AND RM ZONE DISTRICTS:**

The following signs shall be permitted in RSC, UR, RA, R and RM Districts:

- A. Institutional Signs: One on-site institutional sign shall be permitted on each street frontage of a permitted or conditionally permitted institutional use such as a school, church, library or other public use (generally a freestanding or wall sign). No such sign shall exceed forty (40) square feet in area or ten feet (10') in height. Such sign may be indirectly illuminated, may include information on any upcoming events and may incorporate changeable copy.
- B. Public And Civic Event Signs: Public and civic event signs, which may incorporate banners announcing events shall be permitted. Such signs shall not exceed 20 square feet in size and shall be located so as to not obscure vision or create other public safety hazards, as determined by the Public Works Director. Such signs shall be first displayed no earlier than thirty (30) days before the event and shall be removed within two (2) days after the event has ended.

- C. Real Estate Signs: One non-illuminated real estate sign shall be permitted on each street frontage of the property on which the sign is displayed. No such sign shall exceed eight (8) square feet in area or five feet (5') in height and shall not be a banner.
- D. Subdivision Signs (on-site): One non-illuminated on-site subdivision sign at each street entrance to the subdivision, or one non-illuminated on-site subdivision sign for every fifty (50) lots in the subdivision, to a maximum of five (5) signs per subdivision, shall be permitted. No such sign shall exceed eighty (80) square feet in area or fifteen feet (15') in height.

One model home sign, not exceeding fifteen (15) square feet in area or five feet (5') in height, shall be permitted per model home.

Pennant flags on poles shall be permitted for the purpose of advertising single family subdivisions and new or substantially renovated apartment or condominium complexes (as long as multi-family ones are displayed less than six months after opening). Pennant pole height shall not exceed twenty five feet (25') and surface flag area shall not exceed twenty (20) square feet. Five (5) pennants on poles shall be allowed per street frontage not to exceed fifteen (15) in total. Pennants shall be removed or replaced when faded or tattered. Poles shall be removed when pennants are no longer displayed.

Banners not exceeding three (3) in number, shall be permitted on the site announcing grand opening of a subdivision. Such banners shall be displayed for a maximum period of thirty (30) days.

The location, height and size of such banner will require approval from the Planning Department before they are placed on the site.

All subdivision signs, model home signs, and subdivision pennants and poles shall be removed within ten (10) days after all lots in the subdivision are sold. The City may require the subdivider or developer to submit a performance deposit or other form of security to ensure compliance with the above standards.

Off-site Subdivision Signs are covered in Section 9-14-3-1-G : General Provisions.

- E. Also refer to sections 9-14-3 : General Provisions, 9-14-4-1 : Sign Standards in all zone Districts, and 9-14-5 Administrative Provisions (which includes exemptions from approval requirements)

9-14-4-3: **SIGN IN THE PO ZONE DISTRICT:** The following signs shall be permitted in PO District:

- A. Institutional Signs: One institutional sign shall be permitted on each street frontage of a permitted or conditionally permitted institutional use such as a religious building, a hospital or similar facility. No such sign shall exceed forty (40) square feet in area or ten feet (10') in height. The sign may be indirectly illuminated and may incorporate changeable copy.
- B. Freestanding Signs: If an institutional sign is not applicable, one freestanding sign shall be permitted for locations announcing multiple-tenants so long as it is no more than four feet (4') in height in a style and a color which compliment the building and surrounded by landscaping.

- C. Grand Opening Signs: A grand opening sign or banner for a new business will be permitted for 30 days. These signs shall be placed in a manner so as not to create a hazard to vehicular or pedestrian traffic, as determined by the Public Works Director.
- D. Public And Civic Event Sign: Public and civic event signs, which may incorporate banners, announcing such events as homecoming, farmer's market and parades, shall be permitted. Such signs shall be located so as to not obscure vision or create other public safety hazards, as determined by the Public Works Director. Such signs shall be first displayed no earlier than thirty (30) days before the scheduled date of the event and shall be removed within two (2) days after the event has ended.
- E. Real Estate Signs: One non-illuminated onsite real estate sign shall be permitted on each street frontage. No such sign shall exceed thirty (30) square feet in area or ten feet (10') in height.
- F. Wall Signs: One wall sign shall be permitted eight (8) square feet in size, if freestanding sign not utilized. However sign must be in scale and designed in harmony with the building to which it is attached which may reduce the sign size. In areas adjacent to highway view shed, signage shall be allowed as outlined in Section 9-14-4-4-K.
- G. Also refer to sections 9-14-3 : General Provisions, 9-14-4-1 : Sign Standards in all zone Districts, and 9-14-5 Administrative Provisions (which includes exemptions from approval requirements) of this chapter.
- H. Downtown Area Overlay: Some PO areas are located in the Downtown District and will be subject to additional requirements listed in Section 9-14-4-4-O.

9-14-4-4: **SIGNS IN THE CC AND CS ZONE DISTRICTS:** The following signs shall be permitted in CC and CS Districts:

- A. Canopy Signs: One canopy sign, not exceeding twenty-five percent (25%) of the surface area shall be permitted for each business. The bottom of such sign shall hang at least seven feet (7') above the sidewalk immediately below the sign.
- B. Changeable Framed Wall Sign: Sign(s) shall be allowed so long as they are in scale with the building and site and color scheme of the frame and the sign is complementary to the building as approved by the Planning Department. After initial approval of the size, location and style of sign, the business can change out the copy as needed.
- C. Drive up Boxes/Menus/Miscellaneous: A maximum of 60 square feet of signage space shall be allowed per business for their drive up service (i.e. fast-food restaurant, car wash, pharmacy, ATM) and shall not be counted towards the cumulative area nor count against the freestanding sign limit. The height shall not exceed six feet (6'), the maximum allowable size per freestanding sign shall not exceed 50 square feet, and landscaping shall be located around or adjacent to the sign(s) to screen its view from the public right-of-way. Multiple signs will only be allowed if they are warranted and the approval and placement of such is determined by the Planning Department to reduce any negative impacts. New drive up signs in the downtown area shall only be allowed after receiving Architectural Design Review approval. Any alteration or additions to the exterior of the sign structure shall not be allowed
- D. Grand Opening or Sale Signs: A grand opening sign or banner for a new business will be permitted for 30 days. A maximum of two (2) temporary signs which may incorporate banners, announcing a sale or special promotion, shall be permitted for a maximum of twelve (12) days at a time (one per street frontage), provided no banner was located on the site for a minimum of 30 days prior to display and no banner will be displayed for a minimum of 30 days after. Display of such signs announcing a grand opening or sale

shall not be day-glow or fluorescent in color, shall not exceed one square foot per lineal foot of building frontage or tenant space frontage (not to exceed 100 square feet), and shall be constructed of materials that can withstand outdoor weather conditions (such as cloth, canvas, or vinyl plastic but not paper or cardboard).

- E. Institutional Signs: One institutional sign not exceeding forty (40) square feet in area or ten feet (10') in height shall be permitted on each street frontage of a permitted or conditionally permitted institutional use. The sign may be illuminated and incorporate changeable copy.
- F. Marquee Signs: One marquee sign which may be illuminated and incorporate changeable copy, to announce movies, performances or similar events, shall be permitted for each theater, theater complex or auditorium. There shall be at least seven feet (7') of clearance between the bottom of the sign and the sidewalk immediately below the sign. No such sign shall project over the public right of way closer than five feet (5') to the curb line of a street or have a sign area exceeding one hundred (100) square feet. The area of the sign shall be counted in the permitted cumulative sign area for the theater, theater complex or auditorium.
- G. Public And Civic Event Signs: Public and civic event signs, which may incorporate banners, announcing such events as homecoming, farmers markets and parades, shall be permitted. Such signs shall be located so as to not obscure vision or create other public safety hazards, as determined by the Public Works Director. Such signs shall be first displayed no earlier than thirty (30) days before the event and shall be removed within two (2) days after the event has ended.
- H. Real Estate Signs: One non-illuminated on-site real estate sign shall be permitted on each street frontage of the property on which the sign is displayed. No such sign shall exceed thirty (30) square feet in area or ten feet (10') in height.
- I. Portable and Sandwich A-Frame Signs: One sandwich A-frame sign or portable sign shall be permitted for each business located on the premises on which the sign is displayed. No such sign shall exceed eight (8) square feet in area or four feet (4') in height, unless its unique design warrants an exception. Such sign shall be done in a professional looking manner and uniqueness and individuality are encouraged (use of poster board or cardboard is not acceptable). Such sign shall be placed immediately adjacent to the building or other structure in which the business is located and shall be removed during all times when the business is closed. In case of multiple businesses having a common entrance, only one such sign shall be permitted at the door entrance regardless of the number of businesses served by the entrance.
- J. Shopping Center Identification Signs: One freestanding sign displaying identification information for a shopping center shall be permitted for each street or highway frontage of the shopping center on a site greater than 7 acres and less than 15 acres, with a maximum of two (2) signs per shopping center allowed where the site is larger than 15 acres (15 acres). Such signs may be internally illuminated and include the name of the shopping center, and the names of up to three (3) major tenants. Each such sign shall have a maximum area of three hundred (300) square feet, shall not be higher than the highest building roofline in the shopping center and shall be set back at least ten feet (10') from the property lines.
- K. Wall Signs: Wall signs, which may be illuminated, shall be permitted if mounted parallel to the wall and do not project above the roofline (this does not include banner-type signage). If illuminated such signs shall not be rectangular box framed signs and shall

have individually lighted letters, or light shining onto individual letters, and may use external raceway bar behind the letters painted to match the building surface.

- L. Freestanding Signs On Site With Buildings: One on-site freestanding sign shall be permitted on each site having one or more buildings and three hundred feet (300') or more of street frontage for an individual business site or can utilize multiple adjoining properties where a joint use easement is in place. The main freestanding sign shall have a maximum one hundred (100) square foot signage area, excluding design elements, and shall be no higher than the highest building roofline on the site may be illuminated, and may not be located closer than 1,000 feet from any other commercial freestanding or highway oriented sign on the same side of the freeway. This subsection does not apply to Highway Oriented signs.
- M. Window Signs: Signs used in the window display as advertisement and sales promotions should take up no more than twenty five percent (25%) of the window area and shall be counted towards the maximum cumulative area calculation. Such signs should enhance the aesthetic appearance of the City and shall be placed in an area to promote the safety of the community and should not unduly block customer's visual views from the inside of the building.
- N. Downtown Area Overlay: In addition to these regulations, all businesses located in the "Downtown Area" (starting at the corner of Fox Street and the alleyway between "G" and "F" Street thence easterly through the alley to Lemoore Avenue, thence south to the alleyway between "C" and "B" Streets, thence westerly through the alley to Hill Street, thence north to "D" Street, thence west to Olive Street, thence north to the railroad tracks, thence east to Fox Street, thence north back to the point of beginning)_are also subject to the Lemoore Downtown Architectural Design Guidelines. All signs in the Downtown area need to be architecturally interesting to the individual storefronts as well as the downtown core and include the following characteristics:
1. Freestanding signs shall be less than four feet (4') in height in a style and a color which compliment the building in conformance with the historic color palette and be surrounded by landscaping. Freestanding pole signs, pylon-mounted signs, and animated and moving signs are not allowed.
 2. All signs should be carefully integrated with the design style of the building and should not be box type signs, and be compatible with the building color and materials. Those that are not compatible with the adopted historic color palette or building design are subject to Architectural Design Review (Ord. No. 2005-04).
 3. Neon light signs may be used provided they are compatible with the design character of the building and consistent in size with these sign criteria.
 4. Lighting should be spot light type and concealed from view (this does not allow self illuminated or backlighted signs). Light fixtures that illuminate large areas should be avoided. Lighting used to illuminate store signs should be soft hued and non-glaring. Bulbs should not be exposed and should focus light directly onto the sign and should be warmer incandescent halogen, metal halide, or "daylight" fluorescent bulbs. Cold (blue tinted) lamp types are not appropriate.
 5. Projecting Signs, no larger than 3' x 8' shall be permitted as approved by the Planning Department and the submittal shall include details of the structure which will hold the flag, banner or sign. Such signs shall not contain commercial messages and an encroachment permit shall be required. Downtown Merchant Banners are allowed to be changed out seasonally and utilize colors outside of the historic color palette without Architectural Design Review Committee approval.
 6. Any alteration or addition of a mural must be approved by the Architectural Design Review Committee.

7. Portable and Sandwich A-Frame signs must incorporate decorative design features on sign structure and/or sign.
- O. Cumulative Sign Area: The total cumulative area of the signs for an individual building shall not exceed the limits determined as follows:
1. Primary Frontage On Public Street: The maximum allowed cumulative sign area shall be two (2) square feet for each lineal foot of primary frontage. The primary frontage of the building, for this purpose, shall be considered as the side of the building on the public street closest to the entrance.
 2. Secondary Frontage On Public Street or Alley or Parking Lot: A building which has secondary frontage upon an intersecting public street, or alley or parking lot shall be permitted an additional aggregate sign area of one and one-half (1 ½) square feet for each lineal foot of secondary building frontage. The secondary frontage of a building for this purpose shall be considered as the side of the building with a secondary or no entrance to the building or a business, or rear customer entrance.
- Total cumulative sign area for an individual business, and excluding exterior menu signs, multi-tenant freestanding and highway oriented signs, shall not exceed two hundred (200) square feet. The area of any individual sign shall not exceed one hundred (100) square feet except for highway oriented signs.
- P. Also refer to sections 9-14-3 : General Provisions, 9-14-4-1 : Sign Standards in all zone Districts, 9-14-5 Administrative Provisions (which includes exemptions from approval requirements), and 9-14-5-3 : Applicability.

9-14-4-5: **SIGNS IN CH AND M ZONE DISTRICTS:** The following signs shall be permitted in CH and M Districts:

- A. Changeable Framed Wall Sign: Sign(s) shall be allowed in the CH zone district so long as they are in scale with the building and site and color scheme of the frame and the sign is complementary to the building as approved by the Planning Department. After initial approval of the size, location and style of sign, business can change out the copy as needed.
- B. Drive up Boxes//Miscellaneous: A maximum of 60 square feet of signage space shall be allowed per business for their drive up service (i.e. fast-food restaurant, car wash, pharmacy, ATM) and shall not be counted towards the cumulative area nor count against the freestanding sign limit. The height shall not exceed six feet (6'), the maximum allowable size per freestanding sign shall not exceed 50 square feet, and landscaping shall be located around or adjacent to the sign(s) to screen its view from the public right-of-way. Multiple signs will only be allowed if they are warranted and the approval and placement of such is determined by the Planning Department to reduce any negative impacts. Any alteration or additions to the exterior of the sign structure shall not be allowed.
- C. Grand Opening or Sale Signs: A grand opening sign or banner for a new business will be permitted for 30 days. A maximum of two (2) temporary signs which may incorporate banners, announcing a sale, shall be permitted for a maximum of twelve (12) days at a time (one per street frontage), provided no banner was located on the site for a minimum of 30 days prior to display and no banner will be displayed for a minimum of 30 days after. Display of such signs announcing a grand opening or sale shall not be day-glow or fluorescent in color, shall not exceed one square foot per lineal foot of building frontage or tenant space frontage (not to exceed 100 square feet), and shall be

constructed of materials that can withstand outdoor weather conditions (such as cloth, canvas, or vinyl plastic but not paper or cardboard).

- D. Public And Civic Event Signs: Public and civic event signs, which may incorporate banners, announcing such events as homecoming, farmers markets and parades shall be permitted for a maximum period of thirty (30) days or for the duration of the event. These signs shall be located so as not to obscure vision or create other public safety hazards as determined by the Public Works Director.
- E. Real Estate Signs: One non-illuminated real estate sign shall be permitted for each street frontage of the property on which the sign is displayed. No such sign shall exceed thirty (30) square feet in area or ten feet (10') in height.
- F. Roof Signs: Roof signs shall be permitted, provided they are not higher than the highest point of any building. Roof signs may be illuminated but shall not be in the form of a banner.
- G. Freestanding Signs, on site with buildings: One freestanding sign, which may be illuminated, displaying identification information for a business (commercial or industrial) located at one site, shall be permitted on a site with three hundred feet (300') or more of street frontage for an individual business site or can utilize multiple adjoining properties where a joint use easement is in place. Such sign shall be no higher than the highest building roofline may incorporate changeable copy, shall not exceed one-hundred (100) square feet in area and shall not be located closer than 1,000 feet from any other highway oriented or commercial freestanding sign on the same side of the freeway. This subsection does not apply to Shopping Center signs or Highway Oriented signs.
- H. Shopping Center Identification Signs: One freestanding sign displaying identification information for a shopping center shall be permitted on a site greater than 7 acres and less than 15 acres, with a maximum of two (2) signs per shopping center allowed where the site is larger than 15 acres. Such signs may be internally illuminated and include the name of the shopping center, and the names of up to three (3) major tenants. Each such sign shall have a maximum area of three hundred (300) square feet, and shall not exceed forty feet (40') in height and shall be set back at least ten feet (10') from the property lines. Exceptions shall only be allowed when approved by the Planning Commission or City Council in order to coordinate multiple business signs and reduce clutter that might be experienced along the highway.
- I. Wall Signs: Wall signs, which may be illuminated, shall be permitted if mounted parallel to the wall and shall be in scale and design with the building they are mounted to. If illuminated such signs shall not be rectangular box framed signs and shall have individually lighted letters, or lighting shining onto individual letters, and may use external raceway bar behind the letters painted to match the building surface. Scale should generally not exceed 10% of the vertical building surface area.
- J. Flags: Flags shall be permitted and their area shall not be counted toward the maximum cumulative signage calculation, provided that each flag does not contain any commercial message and does not exceed twenty-five (25) square feet in area, the maximum height where it is located does not exceed twenty-five feet (25') and their combined area does not exceed 40% of the maximum cumulative sign area allowed for the site.
- K. Cumulative Sign Area: The total cumulative area of all signs, except freestanding and highway oriented signs and flags, located on an individual site in a CH or M District shall not exceed the limit determined as follows:

1. In a CH Zone District, two (2) square feet of area for each linear foot of property line adjoining each individual street or highway frontage. If a side is greater than 400 square feet, then it shall be reduced to 400 for that side. The cumulative sign area per frontage shall not exceed four hundred (400) square feet.

2. In an ML or MH Zone District, one square foot per each linear foot of property line adjacent to a street or highway or one hundred (100) square feet of area per acre of site area in use, whichever is greater. The cumulative sign area for each site or use shall not exceed six hundred (600) square feet.

- L. Also refer to sections 9-14-3 : General Provisions, 9-14-4-1 : Sign Standards in all zone Districts, and 9-14-5 Administrative Provisions (which includes exemptions from approval requirements)

9-14-4-6: HIGHWAY-ORIENTED SIGNS: Permitted in the PO, CH, M AND Future Mixed-Use and Neighborhood Commercial Districts within Highway View Sheds.

A. Purpose: The intention is to promote creative and well designed signs that contribute in a positive way to the City's visual environment, express local character and help develop a distinct image for the City. Highway-Oriented Signs should be consolidated into fewer shared use structures to avoid clutter. The guiding provisions are used to capture the essence of community design, ensuring that the size, height and placement of signs and logos convey a positive representation of the City and protect the public.

B. General Provisions

1. Eligibility: Highway-Oriented Signs are only allowed on parcels in the Neighborhood Commercial, Mixed-Use, Professional Office, Regional Commercial and Industrial Districts that are within the View-Shed of State Highway 198 or State Highway 41 (generally 1,200 feet from the highway). Entry Signs are also allowed in these districts.
2. Illumination: All Highway-Oriented Signs must be internally lit. Signs shall not have blinking, flashing or fluttering lights or other illuminating devices that have a changing light, brightness or color. Changeable copy LED lights are allowed so long as they change no more than every twenty four (24) hours.
3. Tenants: Each Highway-Oriented Sign shall have a minimum of three (3) tenants per sign to minimize clutter and allow co-location. If a tenant is removed from a structure, it must be replaced or appear to blend in with the rest of the sign. Blank lit advertisement spots are not allowed.
4. Site Indication: Highway-Oriented Signs should have commercial center name or logo and exit location (i.e. – exit 19th Avenue off Hwy 198) for off-site signs in order to enhance driver's awareness.
5. Highway-Oriented Sign Height: The height of Highway-Oriented Signs may be one-and-a half (1 ½) times the height of an adjacent building up to forty (40) feet, which ever is greater. If a sign is proposed to be taller than this, a Conditional Use Permit (CUP) must be approved. The maximum height of any Highway-Oriented Sign/structure shall not exceed sixty (60) feet above grade.
6. Highway-Oriented Sign locations: No highway-oriented sign shall be located closer than 1,000 feet from any other multi-tenant or commercial freestanding sign on the same side of the highway.

7. Highway-Oriented Sign Positioning: All signs must be setback between thirty (30) feet to a maximum of three hundred (300) feet from the Highway right-of-way. All Highway-Oriented signs must be distanced from any residential district by a minimum of twelve (12) feet for every one (1) foot of structure/sign height (1:12 ratio).

Example of a 1:12 residential setbacks for signs, measured in feet.

Height of Sign	10	20	30	40	50	60
Distance from Residential District	120	240	360	480	600	720

8. Sign location must not inhibit pedestrian or vehicular visibility. The advertising structure should encourage pedestrian oriented amenities at its base as appropriate (i.e. covered benches, sculptures, artwork, enhanced landscaping, and/or area beautification).
9. The advertisement area that any one tenant can have on a Highway-Oriented Sign structure shall be between 33 to 100 square feet, and maximum of two (2) freestanding, non-monument type, signs per tenant in the Highway-Oriented districts. The maximum accumulated signage on a Highway-oriented structure on one-side shall not exceed 600 square feet. The total tenants shall not exceed seven (7) per side per structure.
10. Architecture and Aesthetics: Highway-Oriented Signs shall be composed of materials and design that are aligned with the purpose of this chapter and the Community Design Element of the General Plan. Examples of exterior sign materials include, but are not limited to stucco, brick, wood panels, marble, aluminum and roof structures.
11. These signs shall not be counted towards the cumulative sign area allowed for an individual business.
12. Also refer to sections 9-14-3 : General Provisions, 9-14-4-1 : Sign Standards in all zone Districts, and 9-14-5 Administrative Provisions.

9-14-5: **ADMINISTRATIVE PROVISIONS:**

9-14-5-1: **ADMINISTRATIVE APPROVAL FOR SIGNS:**

- A. Any proposed sign, except those listed in subsection B of this Section, shall require approval of the Planning Department prior to its erection or installation. Once the submittal is deemed complete, such review and determination shall be made within 7 working days for non-complex submittals as determined by the Planning Department.

Three (3) copies of fully dimensioned drawings of the plan, elevation and location of the sign, drawn to appropriate scale, shall be submitted to the Planning Department with the appropriate fee and sign application form. The drawings shall include information on the material and colors of the sign, any illumination proposed, and landscaping. The Planning Department shall approve the drawings if deemed in compliance with all applicable laws, codes, and regulations. Upon approval, the Planning Director shall sign the drawings and return one copy to the applicant and forward a copy to the Building Department.

All permits, fees and inspections for exterior signs and outdoor advertising structures shall be subject to the provisions of the most recent edition of the Uniform Sign Code, published by the International Conference of Building Officials, as adopted and/or amended by the City.

- B. All Highway-Oriented Sign applications must include infield visual representation of surroundings with proposed signage to scale from several key vantage points in order to determine impacts to surrounding areas as determined by Planning Director.
- C. The Site Plan Review process in Section 9-15C-1 with Planning Commission approval will be required for Highway-Oriented signs for the initial structure approval.
- D. The following signs shall be exempt from the approval requirements of this Section:
 1. Construction signs not exceeding thirty-two (32) square feet
 2. Election signs not exceeding thirty-two (32) sq feet located on private property
 3. Official flag of a civic, philanthropic, educational or religious organization
 4. Garage sale and yard sale signs (also see Title 3, Chapter 8)
 5. Grand opening and sales banners in conformance with this Ordinance
 6. Information signs
 7. Model Home signs
 8. Nameplates
 9. Official and legal notices
 10. Open house signs
 11. Public and civic event signs
 12. Public Utility signs
 13. Real estate signs (Ord. 9508, 12-5-1995)
 14. Non-illuminated Open/Close signs
 15. Residential seasonal flags, containing no commercial messages
 16. Window signs in conformance with this Chapter
 17. A-frame signs in conformance with this Chapter

9-14-5-2: **CONSTRUCTION, OPERATION, AND MAINTENANCE:** Signs and sign structures shall be constructed, operated and maintained in such a manner as to comply with all applicable Federal, State, and local statutes, ordinances and regulations. Every sign and all its associated parts, portions and materials shall be kept neatly painted, clean and free of rust and corrosion, as determined by the Planning Department. Any missing copy, malfunctioning light, crack, tearing, fading, broken surface or other unmaintained, deteriorated or damaged portion of a sign shall be repaired or replaced within thirty (30) days following notification from the Planning Department.

9-14-5-3: **APPLICABILITY:** Notwithstanding any other provision of this Chapter, this Chapter shall apply only to regulations of new signs and sign structures that are constructed, installed or erected after the date the Ordinance enacting this Chapter is adopted by the Council. **Any pre-existing sign or sign structure which complies with applicable City Code, ordinances and regulations in effect prior to the effective date of the Ordinance enacting this Chapter will be allowed to continue to exist until the sign or the sign structure is removed, replaced or expanded.** For purposes of this Section, a new sign or sign structure is one which, as of the date of such adoption, has not been permanently affixed to its intended premises. Nothing in this Section is intended to limit, restrict or impair the City's authority to: 1) require that signs and sign structures constructed, erected or installed before the date of such adoption comply with all City codes, ordinances and regulations in effect prior to the effective date of the Ordinance enacting this Chapter, 2) require that all signs and sign structures, regardless of when constructed, installed or erected, comply with all other applicable Federal, State or local statutes, ordinances and regulations, or 3) enforce such codes, statutes, ordinances and regulations.

- 9-14-5-4: **VIOLATIONS AND ENFORCEMENT:** The creation, erection or maintenance of any sign inconsistent with the provisions of this Chapter shall be a violation of the Zoning Ordinance, is hereby declared to be unlawful and a public nuisance and shall be subject to any and all enforcement remedies and penalties provided by Section 9-15-3 of this Title, by Section 1-4-1 of the Lemoore Municipal Code, or by applicable State law.

Where a prohibited sign is not removed in conformance with these provisions, the City shall cause the sign to be removed and shall, to the extent permitted and in the manner required by applicable State law, assess to the owner of or other persons responsible, to recover the costs of such removal.

- 9-14-5-5: **MODIFICATIONS TO PROVISIONS:** Notwithstanding other provisions of this Chapter, the Planning Director may, but shall have no obligation to, modify the application of the regulations in this Chapter to a particular sign or site in order to prevent or lessen substantial hardship or results inconsistent with the purposes of this Chapter that is caused by a strict or literal interpretation and enforcement of such regulations. Such modification shall apply only to the particular instance and shall be granted only according to the following procedure:
- A. The applicant shall pay appropriate fees set by City Council and request such modification from the Planning Director, in writing, specifying the reasons therefore within the meaning of this Section.
 - B. Upon receipt of such request, the Planning Director or designated representative shall schedule an administrative hearing to consider the requested modification. The hearing shall be held no later than forty-five (45) days after the date the request is received. The Planning Director shall cause written notice, to be given to the applicant and each owner of property immediately adjacent to the subject site at least seven (7) days before the scheduled date of the hearing. The applicant and adjacent property owners shall be given an opportunity to submit written or oral comments on the request for modification.
 - C. Upon completion of the hearing, the Planning Director shall approve, approve with modifications or deny the request. The decision shall be stated in writing. If the decision is to approve or approve with modifications, the decision shall be supported by written findings of fact showing how the request satisfies the criteria for modification set forth in this Section. A copy of the decision shall be personally delivered or sent by first class mail to the applicant and each adjacent property owner. The decision shall be appealable to the Council without additional fees and without additional public hearing. (Ord. 2005-, 10-18-2005)

Section 2:

This Ordinance shall take effect thirty (30) days after its adoption and the City Clerk is further directed to cause this ordinance or a summary thereof to be published by one insertion in the Lemoore Advance, a newspaper of general circulation, published in the City of Lemoore, within fifteen (15) days after its adoption. The City Clerk is directed to cause this ordinance to be codified after its adoption.

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the 18th day of August, 2008 and was passed and adopted at a Regular Meeting of the City Council held on the 16th day of September, 2008, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

APPROVED:

John F. Murray, Mayor

ATTEST:

**Nanci C.O. Lima, CMC
City Clerk**

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Nanci O. Lima, City Clerk of the City of Lemoore, do hereby certify the foregoing Ordinance was duly introduced at a Regular Meeting of the City Council of the City of Lemoore held on the ____ day of _____, 2008 and passed and adopted at a Regular Meeting of the City Council held on the _____ day of _____, 2008.

DATED: _____, 2008

Nanci O. Lima, CMC
City Clerk