

City of Piedmont
CITY COUNCIL AGENDA REPORT

DATE: April 7, 2025

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Public Hearing – Introduction and First Reading of Ordinance 779 N.S. Adopting Amendments to the Zoning Ordinance related to Signs (CEQA Review: exempt under PRC Sec 21065 and CEQA Guidelines Section 15378(b)(5))

RECOMMENDED ACTION

- 1) Conduct a First Reading of Ordinance 779 N.S., Attachment A, amending division 17.36 Signs to bring the City Code into compliance with State and Federal regulations and implement staff recommended updates that provide code clarity and improve permit processes.
- 2) Find the Ordinance 779 N.S. exempt under California Environmental Quality Act (CEQA) Guidelines 15378(b)(5), and Public Resources Code §21065, as provided in Attachment A.
- 3) Approve the list of special events authorized for signage placement in the public right-of-way, as detailed in Exhibit A.

EXECUTIVE SUMMARY

Sign regulations are essential for maintaining public safety, preserving community character, and assisting with wayfinding. Sign permits serve as a critical regulatory tool to ensure that signs comply with safety standards, zoning requirements, and aesthetic guidelines. Recent case law necessitates updates to Piedmont's Sign Code. In addition, staff recommends other revisions on a limited scale that provide clarity regarding permit requirements.

The proposed amendments to the sign regulations are beneficial due to several factors:

- **Increased signage:** City-led events, as well as general event activity at City-owned facilities, including Piedmont Park and Community Hall, the property at 801 Magnolia Avenue, and the Veterans' Memorial Building, have led to more event signage throughout the City.

- **Lack of oversight:** Currently, there is no formal review process for signs associated with City-led or hosted events, resulting in inconsistent signage practices.
- **Ambiguity of construction sign regulations:** Construction signs are a common sight across the City and clear regulations will help to address visual clutter.
- **Illuminated commercial signage:** The City's regulations for commercial signs with interior illumination need to address modern technology and provide specific standards governing their design, placement, and intensity.
- **Prohibited signage:** Best practices include listing types of signs that are prohibited with the goal of maintaining visual quality and community character.
- **Enforcement challenges:** To ensure compliance, the sign regulations require clarification and strengthened enforcement provisions for illegal signs.

Proposed revisions to the Sign Code include the following:

- Updating sign categories to conform with best practices.
- Streamlining the sign permit review process for City-initiated projects.
- Expanding permitted locations for temporary signs on public property.
- Clarifying regulations related to construction-related signs and prohibited sign types.
- Updating design review criteria for signs located on nonresidential parcels.
- Updating enforcement procedures for violations.

In addition to the need for the City's Sign Code to comport with State and Federal law, the proposed revisions are informed by the day-to-day implementation of the current regulations, and a review of industry best practices.

This agenda item follows one Planning Commission and one City Council study session covering the same material. Comments and direction provided by both bodies have informed preparation of a final draft of the Sign Code changes.

PLANNING COMMISSION DISCUSSION AND RECOMMENDATION

On March 10, 2025, the Planning Commission held a public hearing to consider the proposed amendments to the Zoning Ordinance. After careful review, the Commission unanimously recommended that the City Council:

- 1) Adopt the proposed updates to the Zoning Ordinance (Sign Code), and
- 2) Reconsider a limit on temporary freestanding noncommercial signs allowed on private residential parcels that is either numeric or spatial as provided in City Code Section 17.36.040.B.1.

No public comments were received. Following the Planning Commission's recommendation, and after further consultation with the City Attorney, staff recommends the following amendment to the Sign Code:

- To implement the Commission's recommendation for a reasonable limit on temporary freestanding noncommercial signs, City Code section 17.36.040.B.1 could be revised to specify a maximum of five (5) such signs.

The above recommended change has not been made to the Zoning Ordinance presented for Council's consideration tonight.

STUDY SESSIONS SUMMARIZED

On September 9, 2024, the Planning Commission held a study session on the proposed revisions to the Sign Code. While supportive of the proposed updates, the Commissioners generally favored increasing the number of construction signs and found the current limit on noncommercial signs too restrictive, requesting staff to research best practices in other cities. Commissioners also sought to clarify and potentially streamline the review process for non-profit signage on public property promoting community events.

On October 7, 2024, the City Council held a study session on proposed revisions to the Sign Code. The City Council directed staff to develop several amendments to the proposed language, including:

- **Flags:** Continuing a design review permit for flagpoles.
- **Construction Signs:** Defining "construction sign" as a commercial sign providing information about contractors working on a construction project. Allowing one construction sign per contractor/professional, with no overall cap on the number of signs.
- **Noncommercial Signs on Private Property:** Allowing unlimited temporary freestanding noncommercial signs. Requiring removal of event-related signs within 10 days of the event's completion and removal of non-event-related signs upon six months.
- **Signs on Public Property:** Adding 801 Magnolia Avenue to the approved locations list (17.36.030.B.4). Establishing a process for extending the duration of signage at approved locations (including city right-of-way) for City-sponsored or City-permitted events, with an annually updated list of such events.

Looking ahead to potential Code revisions at a future date, the Council suggested reviewing the Code through an environmental lens, researching eco-friendly sign options, and developing objective sign standards for nonresidential parcels to potentially streamline the approval process.

ZONING ORDINANCE AMENDMENTS

Provided below is an outline and description of the draft revisions to the Sign Code. A redlined version of the edits to the current Sign Code is included as Attachment B to this report.

1) Updating sign categories.

The proposed revisions bring the Sign Code into conformance with the principles established in *Reed v. Town of Gilbert*. This landmark Supreme Court case underscored that content-based regulations on speech are subject to strict scrutiny. By treating all noncommercial signs equally, including but not limited to campaign signs, student graduation signs and non-profit group affiliation signs, this revision eliminates content-based distinctions and ensures compliance with the First Amendment. See Sign Code section 17.36.010.B and 17.36.040.A.2.

2) Revised provisions on signage posted by the City (section 17.36.030).

Current regulations require the Director of Public Works to approve City-installed signs on City property and in the public right-of-way, subject to Piedmont Design Standards. However, a formal review process and standards for approval are lacking despite the ongoing need for such signage. After conferring with the Public Works Director, staff proposes exempting all City-posted signs from permit requirements and design standards.

3) New provisions on signage on private property (section 17.36.040).

Staff proposes adding two new sections to regulate construction-related signs and prohibit specific sign types on private property.

Temporary, construction-related signs (those advertising a contractor, architect or other professional) are a common sight throughout the City and oftentimes do not comply with current regulations. To help address this issue, staff recommends clarifying the standards for construction-related signs, establishing clear limitations on size, height, and duration. These revisions are intended to provide clarity to construction professionals, property owners, community members and City officials.

Currently, the City's Sign Code limits temporary free-standing signs to a maximum of two per parcel. Per Council direction, limits on the number of signs have been removed. Instead, a timeframe for temporary freestanding noncommercial signage has been added. Event related signs shall be removed 10 days after the referenced event. All other signs must be removed 6 months after the posting of the sign.

Currently, the City's Sign Code lacks provisions identifying types of signs and sign locations the City might find beneficial to prohibit. To align with best practices and improve public safety, staff recommends that certain types of signs be prohibited. These types of signs are not currently common to Piedmont. However, it would be beneficial for the Sign Code to address them.

- **Signs that mimic official traffic control devices.** These signs are confusing to drivers and can be a safety hazard. Additionally, they can erode public trust, making people less likely to comply with traffic regulations.

- **Roof signs.** These signs, if poorly constructed or maintained, can pose a risk to pedestrians and motorists, and negatively impact property values.
- **Balloons or inflatable signs.** These signs can be easily blown away by strong winds, posing a risk to pedestrians, motorists, and property. They can also obstruct the view of drivers, traffic signals, and important road features. In some cases, they are made of materials harmful to the environment (such as plastic).
- **Animated, moving, or audio-equipped commercial signs.** These signs can be distracting and confusing to drivers.
- **Ground signs exceeding 15 feet in height.** These signs are considered unsightly and can detract from the visual appeal of a community.

Attachment C at the end of this report includes photo examples of the proposed prohibited signs.

4) Other revisions to several sections of Division 17.36.

To align with current City practices and industry best standards, staff recommends several revisions to the Sign Code, including:

- **Permitted Event Signs** are now also allowed on 801 Magnolia Avenue (section 17.36.030.B.3), and in the public right-of-way.
- **New Location for Sign Display on Public Property and a Sign Review Process for Signs on Specific Public Property Locations (Section 17.36.030.B.4):** The bridge railing near the Piedmont Community Hall is a common location for City event signage and is added to the list of permitted sign locations. Additionally, staff has added a review process for signs on certain locations on public property. The new process will require that the signs comply with the requirements of the City's policy and application procedure for sign display. This policy and procedure will be drafted upon the adoption of this Sign Code amendment.
- **Interior-Illuminated Standards for Commercial Signs (Section 17.36.040.C.2):** A new standard establishing a luminance threshold is recommended to guide the review body decisions.
- **Illegal Sign Definition (Section 17.26.070):** Staff recommends that an unpermitted "illegal sign" be clearly defined, and that "illegal signs" be explicitly classified as nuisances subject to abatement procedures outlined in Chapter 6 of the Piedmont City Code.

The proposed revisions to the Piedmont Sign Code aim to bring the City into compliance with First Amendment principles, address safety concerns, and improve the overall visual appeal of the community. By updating sign categories, revising provisions on City-posted signage, adding new regulations for private property signage, and making other amendments to various sections, the proposed Code seeks to provide a clear and enforceable framework for signage in Piedmont.

5) Revisions made to Sign Code after the Planning Commission Recommendation

Following the Commission's recommendation as noted in the section above and upon further review of the updates proposed to the Sign Code, staff has made the following updates to the Ordinance:

- Section 17.36.030.B.4.e has been reworded to say, "*Within public right-of way for events approved by City Council annually.*" The modification best insulates the Code from future amendments based on time. This year, the special events list is presented in April for potential action as a result of Code adoption.
- The last paragraph of Section 17.36.030.B.4 has been rewritten to say, "*Said signs shall comply with the City's Special Event Signage Program. Notwithstanding the provisions of Section 17.36.030 of this Chapter, permits may be issued by the Public Works Director or the Director's designee for signs that are advertising special promotions.*" This modification allows the City to develop and update procedures and standards, as needed, to regulate posting of signage in public right-of-way.

SPECIAL EVENT SIGNAGE IN PUBLIC RIGHT-OF-WAY

In accordance with proposed amendments to Section 17.36.030.B.4.e of the sign code, Exhibit A, appended to this report, enumerates the special events authorized for signage placement within the public right-of-way. Special event signage is subject to the standards outlined in the City's Special Event Signage Program. Staff will develop the Program's standards and supplementary information subsequent to this meeting.

CALIFORNIA ENVIRONMENTAL QUALITY ANALYSIS (CEQA REVIEW)

The proposed Sign Code amendments are not considered a "project" under the California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000 et seq.), specifically exempt under Section 15378(b)(5). This exemption applies because the amendments primarily involve changes to local ordinances and regulations, such as those governing signage, and do not involve any physical development or direct impacts on the environment. Therefore, the amendments are not subject to further CEQA review.

CITY CHARTER

The proposed modifications to the City Code would be in conformance with the City Charter,

including section 9.02. No zones would be reduced or enlarged, and no zones would be reclassified. City Charter provisions are expressly referred to in City Code division 17.02.C.

FISCAL IMPACT

If adopted by City Council, the proposed Code revisions are not anticipated to result in a fiscal impact. The proposed amendments to the City Code are a routine component of project review and approval administered by the Planning & Building Department, which collects fees established in the Master Fee Schedule to help cover the costs of the services provided. The Master Fee Schedule will need to be amended to include any new applications as a result of new City policy regulating and permitting signs in the public right-of-way and on public property. Staff will seek Council's consideration of Fee Schedule amendments. Cities are obligated to expend resources needed to regulate development in compliance with both local goals and State law. City staff will develop application materials using existing resources and personnel.

CITY ATTORNEY REVIEW

The proposed amendments to the Sign Code have been reviewed by the City Attorney.

PUBLIC PARTICIPATION

The study sessions held by the Planning Commission and City Council, and the March 10, 2025, Planning Commission meeting provided opportunities for public comments. No written or verbal comments were received. In addition, public hearing notice of this agenda item was posted on March 21, 2025. This report, information on the proposed changes to the Sign Code, and methods to submit comments on the proposed Ordinance can be found on the City's website at: https://piedmont.ca.gov/government/city_council/staff_reports.

CONCLUSION AND NEXT STEPS

As noted above, the proposed updates to Piedmont's Sign Code are a response to recent case law and enhance clarity, consistency, and overall effectiveness of the City's sign regulations.

The City Council is the decision-making body for the adoption of proposed amendments to the City Code. Should the Council approve a first reading of the recommended ordinance on April 7, 2025, a second reading could occur as soon as April 21, 2025, and the Code amendments would go into effect thirty days after that time.

Staff recommends that the City Council adopt the resolution as recommended by the Planning Commission and consider the recommended amendment to City Code section 17.36.040.B.1, and other updates made to Section 17.36.030.B.4, thereby adopting amendments to the Sign Code.

Report By: Kevin Jackson, Director of Planning & Building
Gopika Nair, Associate Planner

ATTACHMENTS AND RELEVANT DOCUMENTS

	<u>Pages</u>	
A	9-19	Attachment A- Ordinance Updating the Sign Code
	20	Exhibit A – List of Special Events 2025
B	21-29	Redline Edits of the Proposed Sign Code
C	30	Photo Examples of Proposed Prohibited Signs

LINKS TO RELEVANT DOCUMENTS:

Link to October 7, 2024, City Council Staff Reports:

https://piedmont.ca.gov/government/city_council/staff_reports

Link to September 9, 2024, and March 10, 2025, Planning Commission Staff Reports:

https://piedmont.ca.gov/government/commissions__committees/planning_commission

Link to all meeting videos:

https://piedmont.ca.gov/news/kcom-tv/live_content_and_video_archive

Piedmont City Code Chapter 17, Planning and Land Use:

https://piedmont.ca.gov/government/charter__city_code

ORDINANCE NO. 779 N.S.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PIEDMONT AMENDING
DIVISION 17.36 SIGNS OF CHAPTER 17 OF THE PIEDMONT CITY CODE**

WHEREAS, pursuant to section 7 of article XI of the California Constitution, the City of Piedmont (“City”) is charged with responsibility for the health, safety, and welfare of its citizens; and

WHEREAS, the City’s sign regulations are currently codified in Division 17.36 of the City’s Municipal Code (“Sign Code”); and

WHEREAS, the Sign Code regulates signs located on property within the City over which the City has regulatory authority; and

WHEREAS, the Sign Code minimizes the possible adverse effects on signs placed on private property and public property, including publicly-owned facilities, streets, and rights-of-way; and

WHEREAS, caselaw supports the use of content-neutral regulations to address aesthetic and safety concerns relating to signs, such as location, quantity, quality and durability of materials, size, illumination, and portability; among other things; and

WHEREAS, caselaw allows different levels of protection for noncommercial speech and commercial speech; and

WHEREAS, signs may significantly impact the aesthetic appeal and the visual environment of the City; and

WHEREAS, signs may significantly impact safety, traffic, and circulation issues by creating distractions to motorists or blocking motorists’ line of sight; and

WHEREAS, signs may significantly impact pedestrian access and safety by blocking sidewalks and other walkways; and

WHEREAS, the City desires to update the Sign Ordinance to ensure that signs continue to be regulated in an even-handed manner while also furthering the City’s aesthetic and public health, welfare, and safety concerns; and

WHEREAS, the proposed amendments comply with recent and longstanding California State and Federal regulations related to signage; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and has taken public testimony on the proposed amendments to City Code Chapter 17 on March 10, 2025, consistent with existing City Code section 17.72.040 and recommended that the City Council adopt

the proposed amendments to the Sign Code and reconsider a numerical limit on temporary freestanding noncommercial signs allowed on private residential parcels; and

WHEREAS, the City Council has held a duly noticed public hearing and took public testimony on the proposed amendments to City Code Chapter 17 on [to be inserted], consistent with existing City Code section 17.72.050.

NOW, THEREFORE, the City Council of the City of Piedmont hereby ordain, based on the oral and written staff report, all oral and written comments received, and all other evidence in the record, as follows:

SECTION 1 – BACKGROUND AND INTENT

Sign regulations are essential for maintaining public safety, preserving community character, and assisting with wayfinding. Sign permits serve as a critical regulatory tool to ensure that signs comply with safety standards, zoning requirements, and aesthetic guidelines. Recent case law necessitates updates to Piedmont's Sign Code. While addressing this update, staff recommends other revisions on a limited scale that provide clarity and improve permit requirements.

Proposed revisions to the Sign Code include the following:

- Updating sign categories to conform with best practices.
- Streamlining the sign permit review process for City-initiated projects.
- Expanding permitted locations for temporary signs on public property.
- Clarifying regulations related to construction-related signs and prohibited sign types.
- Updating design review criteria for signs located on nonresidential parcels.
- Updating enforcement procedures for violations.

In addition to the need for the City's Sign Code to comport with state and federal law, the proposed revisions are informed by the day-to-day implementation of the current regulations, and a review of industry best practices.

SECTION 2 – FINDINGS

The City Council hereby makes the following findings:

- A. The above recitations are true and correct and incorporated herein by reference.
- B. The proposed sign code amendments are not considered a "project" under the California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000 et seq.), specifically exempt under Section 15378(b)(5). This exemption applies because the amendments primarily involve changes to local ordinances and regulations, such as those governing signage, and do not involve any physical development or direct impacts on the environment. Therefore, the amendments are not subject to further CEQA review.
- C. The proposed revisions implement amendments related to signs.

D. The proposed amendments further public health, safety, and welfare of the community.

SECTION 3 – AMENDMENT OF DIVISION 17.36

Division 17.36 Signs, of the City Code is deleted and replaced in its entirety with the following:

“DIVISION 17.36 SIGNS.

Sections:

17.36.010	Applicability; Definition
17.36.020	Purpose
17.36.030	Public property
17.36.040	Private property
17.36.050	Substitution of message
17.36.060	Nonconforming signs
17.36.070	Enforcement

17.36.010 Applicability; Definitions

A. Applicability. This division applies to any sign located on real property and visible to the public. This division does not apply to:

1. a sign held or otherwise mounted on a person;
2. a sign posted on the interior of a building or structure (except windows visible to the public);
3. a sign posted on property owned by the Piedmont Unified School District; or
4. any sign mandated, regulated, or expressly permitted by law including the City Code, permits issued by other public agencies, the California Building Code, and the California Manual on Uniform Traffic Control Devices.

No variance is authorized under this division.

B. Definitions. In this division:

Commercial message means a message by a speaker likely to be engaged in commerce targeting an audience of actual or potential customers where the content of the message is commercial in character.

Commercial sign means any sign containing a commercial message.

Construction sign means any sign displayed at a site under construction and providing information on contractors or professionals working on the project along with contact information for the contractors or professionals.

Director of Public Works means the Director or his or her designee.

Nit means a measurement of brightness of light.

Noncommercial message means any message except for a commercial message.

Noncommercial sign means a sign including but not limited to a campaign sign, student graduation announcement, baby announcement, or non-profit group affiliation sign, that does not contain a commercial message.

Nonresidential parcel means all parcels except for residential parcels.

Residential parcel means a parcel of real property containing a single-family residence, accessory structure or associated use, or a multi-family residential project.

Sign means one or more visual figures, including but not limited to words, letters and numbers, other writings, designs, pictures and illustrations, or any combination of those, which are erected, placed on, fixed to, painted or represented on or above a building or structure, window, sidewalk, street or other way, on the ground or any part of a building or structure, or in any other manner so as to be visible to the public. Sign includes, but is not limited to, a banner, handbill, pennant, insignia, bulletin board, ground sign, billboard, poster, mural, electronic advertising and information device, illuminated sign, and marquee.

Temporary freestanding sign means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, wood or other light materials, with or without frames, supported by one or more upright poles or rock, block, A-frame, or masonry base in or upon the ground and not attached to a building.

17.36.020 Purpose.

The purposes and intent of this division is to:

- A. Regulate signs located on all real property in the City over which the City has zoning and land use regulatory power.
- B. Maintain and enhance the City's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination, and maintenance of signs.
- C. Serve the City's interests in maintaining and enhancing its visual appeal for residents, tourists, and other visitors by preventing the degradation of visual quality which can result from excessive and poorly designed, located, or maintained signage.
- D. Generally limit commercial signs to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public.
- E. Limit the size and number of signs to levels that reasonably allow for the identification of a residential, public, or commercial location and the nature of any such commercial business.
- F. Encourage signs that are appropriate for the property on which they are located and consistent with the permitted uses of that property.

- G. Minimize the possible adverse effects of signs on nearby public and private property, including sidewalks, streets, roads, and highways.
- H. Protect the investments in property and lifestyle quality made by persons who choose to live, work, or do business in the City.
- I. Protect and improve pedestrian and vehicular traffic safety by balancing the need for signs that facilitate the safe and smooth flow of traffic (e.g., directional signs and on-site signs) without an excess of signage which may distract drivers or overload their capacity to quickly receive information.
- J. Reduce hazardous situations, confusion and visual clutter caused by the proliferation, placement, illumination, animation and excessive height, area, and bulk of signs which compete for the attention of pedestrian and vehicular traffic.
- K. Regulate signs in a manner so as to not physically interfere with or obstruct the vision of pedestrian or vehicular traffic.
- L. Avoid unnecessary and time-consuming approval requirements for certain minor or temporary signs that do not require review for compliance with the City's building and electrical codes, while limiting the size and number of such signs so as to minimize visual clutter.
- M. Respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational, and other noncommunicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety.
- N. Enable the fair, consistent, and efficient enforcement of the sign regulations of the City.
- O. Regulate signs in a constitutional manner, which is content neutral as to Noncommercial signs and viewpoint neutral as to Commercial signs. All administrative interpretations and discretion are to be exercised in light of this policy and consistent with the purposes and intent stated in this section.
- P. Recognize that properties owned by the Piedmont Unified School District serve many functions, including as places of learning, athletic venues, and community centers, and reserve for the Piedmont Unified School District the discretion to regulate the posting of signs on its properties in a manner that balances the need to maintain safe and aesthetically attractive facilities with the need to create environments that promote learning and foster civic engagement.

17.36.030 Public Property.

- A. Prohibition. Except as permitted under section (B) below, no person may display a sign on public property or within the public right-of-way, including, but not limited to, a street, sidewalk, flight of stairs, pathway, lane, roof, or alley. No person may paint, mark, or write on,

or post or otherwise affix a sign to or on a street lamp post, hydrant, tree, shrub, tree stake, or guardrail, public utility structure or poll, wire system, street sign, traffic sign, traffic signal, wall, fence, or other structure located on public property or within the public right-of-way.

B. Exceptions.

1. Signs Posted by the City. The signs posted by the City of Piedmont are not subject to any permit requirements or design standards.

2. Sidewalks. A temporary freestanding sign no larger than four square feet on a side (excluding the frame) may be placed on a City sidewalk or curbside planting strip on Saturdays and Sundays between 12 p.m. and 5 p.m., as long as the sign does not impede pedestrian or vehicular traffic or otherwise constitute a safety hazard.

3. Piedmont Park, 801 Magnolia Avenue City Building, and Veterans' Memorial Building. A group or individual hosting a permitted event in Piedmont Park, at the City-owned property at 801 Magnolia Avenue, or at the Veterans' Memorial Building may place up to two temporary freestanding signs no larger than four square feet on a side (excluding the frame) in Piedmont Park, on the grounds of 801 Magnolia Avenue, on the grounds of the Veterans' Memorial Building, or on the curbside strips adjacent to these properties as long as the sign does not impede pedestrian or vehicular traffic or otherwise constitute a safety hazard. The signs may be displayed during the permitted event and for a period not to exceed 2 hours before the start of the permitted event and 2 hours after the conclusion of the permitted event.

4. Other public property. The Director of Public Works or the Director's designee may issue a sign permit to temporarily display one or more signs in the following locations:

- a. Across Magnolia Avenue at the intersection of Highland Avenue and Magnolia Avenue.
- b. On the fence enclosing the Piedmont Corporation Yard.
- c. On backstops or fences within or surrounding Coaches Field, Beach Playfield, Hampton Field, Corey Reich Tennis Center, the City pool, and other City-owned recreation facilities.
- d. On bridge railings near Piedmont Community Hall.
- e. Within the public right-of-way for events approved by City Council annually.

It is the City's intent that these locations constitute a non-public forum to promote community events benefiting residents and provide residents with information, including noncommercial matters of general community interest. Said signs shall comply with the City's Special Event Signage Program. Notwithstanding the provisions of §17.36.030 of this Chapter, permits may be issued by the Public Works Director or the Director's designee for signs that are advertising special promotions.

17.36.040 Private property.

A. Generally

1. Consent required. The consent of the property owner or the person in control of the property is required before placing any sign on private property.

2. Noncommercial signs. This division shall not prohibit owners or occupants of private property to post noncommercial signs on their property. Noncommercial signs placed on residential parcels shall comply with subsection B below. Noncommercial signs placed on nonresidential parcels shall comply with subsection C below. A noncommercial sign related to an event and posted on private property shall be removed no later than ten days after the event is completed. A noncommercial sign not related to an event and posted on private property shall be removed no later than six months from the day the sign was first posted.

3. Real estate signs. This division shall not limit the right of property owners or their agents to place real estate signs on their property pursuant to Civil Code § 713.

4. Construction signs. Construction signs with a maximum total size not exceeding 8 square feet each, are exempt from the regulations of this division. No freestanding construction sign shall exceed five feet in height. One construction sign is allowed per contractor or design professional for construction performed with a building permit. Construction signs shall not be erected until a building permit has been issued and shall be removed immediately following approval of a building permit final inspection or the expiration of a building permit, whichever comes first.

5. Prohibited signs. Unless otherwise exempt, the following signs and locations of signs are prohibited:

- i. A sign with lighting, colors, design or text that could be confused with a public traffic directional sign or traffic control device.
- ii. A roof sign, including a roof-mounted sign.
- iii. Balloon or similar inflated sign.
- iv. Commercial signs that are animated and/or moving or include an audio component, including mechanically or human powered or held signs within the public right-of-way or on private property, given that the movement associated with such signs is particularly distracting to motorists and thus, poses traffic safety hazards.
- v. Ground signs tethered to the ground and taller than 15 feet.

B. Residential parcels. No person may display a sign on a residential parcel (including contiguous property held by the same owner), unless the sign conforms to the following requirements:

1. Temporary freestanding noncommercial signs.

Number	No limit
Size	Maximum of 4 square feet per sign
Height	Maximum (including frame) is 4 feet
Location	Street yard of a residential parcel, but not in the public right of way
Lighting	No illumination

2. Noncommercial window signs.

Number	Maximum of 2
Size	Maximum of 4 square feet per sign
Location	Street yard-facing windows

3. Noncommercial entryway signs.

Number	Maximum of 2
Size	Maximum of 1 square foot per sign
Location	Attached to the front door, front gate to the parcel, front porch, or entryway to the residence
Lighting	No illumination

4. Multifamily developments. Notwithstanding subsections (1) and (2) above, the resident(s) of each unit of a multifamily development may display two noncommercial signs, not to exceed a total of four square feet in area per sign, in the windows of that unit. If the unit in a multifamily development includes a patio, deck, balcony, or other outdoor space in the exclusive possession of the resident(s) of that unit, the resident(s) may display up to two temporary freestanding noncommercial signs that satisfy the size, height, and lighting requirements of subsection (B)(1) of this section in that outdoor space. If the unit in a multifamily development includes a front gate to the unit, front porch, or entryway to the unit that is in the exclusive possession of the resident(s) of that unit, the resident(s) may display up to two noncommercial signs that satisfy the requirements of subsection (B)(3) of this section.

C. Private, Nonresidential Parcels. No person may display a sign on a nonresidential parcel, unless the sign conforms to the following requirements:

1. Signs Permitted as a Matter of Right.

a. Temporary freestanding signs. One temporary freestanding sign is permitted for each private nonresidential parcel that has frontage within forty feet of the curb line of a publicly-maintained street. The sign may be placed on private property, or within the first eighteen inches of any public property that is directly in front of the individual private nonresidential parcel. The sign may not exceed four square feet per side (excluding frame). A minimum passageway width of forty-eight inches must be maintained along the sidewalk in front of such sidewalk display sign. No temporary freestanding sign may be illuminated or placed outside a business during non-business hours.

b. Window signs. For each window on all private nonresidential parcels, signs may cover a maximum of 25 percent of the total window area within a single window frame.

2. Design review.

a. General. Each sign other than a sign permitted as a matter of right requires a design review permit by the Planning Commission.

b. Application; Planning Commission review; Standards for approval. An applicant shall submit an application for sign design review permit and the Planning Commission shall hold a hearing on the application in accordance with the application, notice and hearing requirements and procedures set forth in section 17.66.050. The decision of the Planning Commission may be appealed to the City Council in accordance with the appeal procedures of division 17.78. The hearing body will not approve the design of signage on a private nonresidential parcel unless the sign conforms to the purpose of this division, as stated in section 17.36.020, and meets the following standards:

- i. Approval of the sign design review permit will not result in more than one wall-mounted sign per applicant for each building façade;
- ii. Each sign shall be simple in design. Graphic depictions related to the nonresidential use are appropriate;
- iii. Each sign shall be compatible in design, color and scale to the front of the building, adjoining structures and general surroundings;
- iv. The sign shall be oriented toward the pedestrian and vehicular traffic;
- v. The sign shall be constructed of sturdy materials;
- vi. If illuminated, the sign shall be illuminated internally at the lowest level with adequate identification and readability. Digital signs shall not exceed a surface brightness of 5,000 nits when measured from the sign face at its maximum brightness during daylight hours and 100 nits from sunset to sunrise. Signs shall not have exposed fluorescent tubes or incandescent bulbs; and
- vii. The design of the sign is consistent with the City's General Plan and Piedmont Design Standards and Guidelines.

D. Mixed use developments. No person may display a sign on a mixed use development parcel, unless the sign conforms to the following requirements:

- 1. A sign displayed by owners and occupants of nonresidential portions of a mixed use development must comply with section 17.36.040(C).
- 2. Signs displayed by owners and occupants of residential portions of a mixed use development must comply with section 17.36.040(B).

17.36.050 Substitution of message

A noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any approved sign allowed under this division. No special or additional approval from the City is required to substitute a noncommercial message for any other message on an allowable sign provided the sign design is already approved or exempt from

the approval requirements of this division and no design, structural, or electrical changes are being made.

17.36.060 Nonconforming signs

A permanently-located sign lawfully existing prior to the readoption of this code is permitted without conforming to this division, except that if the sign is altered, relocated, partially demolished, or reconstructed, this division applies. Normal repairs and maintenance which do not change the location or appearance of the sign are permitted without requiring conformity.

17.36.070 Enforcement

A. Illegal sign. An illegal sign is a sign in violation of this division and constitutes a public nuisance. An illegal sign includes, but not limited to:

1. A sign erected or displayed without a sign permit, unless the sign is exempt under the provisions of this division;
2. A sign prohibited under or violates the provisions of this division; or
3. A sign which is a danger to the public or which is unsafe.

B. Summary abatement. Upon the determination of the Director of Public Works that a sign placed on public property or within the right-of-way is unsafe or in violation of this division, the City may immediately remove and store the illegal sign without prior notice. The City shall immediately provide written notice of the removal to the owner and/or person responsible for placing the sign on public property or within the right-of-way, if known to the City. If the sign remains unclaimed for a period of fifteen days after removal, it will be deemed unclaimed personal property and may be disposed of by the City in accordance with applicable law. In the case of an unsafe or illegal sign removed by the City, the costs of such removal and storage will be borne by the owner and/or person responsible for placing the sign on public property or within the right-of-way, and may be collected by the City in the same manner as it collects any other debt or obligation. No sign that has been removed and stored by the City may be released until the costs of removal and storage have been paid. The determination by the Director of Public Works made under this subsection (B) and the costs of removal and storage of the sign may be appealed in accordance with Section 17.78 of the City code.

C. Abatement of illegal signs on private property. Illegal signs on private property are considered a nuisance and shall be abated under the provisions of Piedmont City Code Chapter 6.”

SECTION 4 – CONFLICTS

If a previous City Council ordinance or resolution is in conflict with this ordinance, that ordinance or resolution is superseded, and the provisions of this ordinance prevail.

SECTION 5 – SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of

the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

SECTION 6 – CODIFICATION

The City Clerk is directed to codify this ordinance in a manner which reflects the legislative intent of the City Council

SECTION 7 – POSTING, EFFECTIVE DATE, AND SUBMISSION

This Ordinance will be available at City Hall after its second reading by the City Council for at least 30 days and shall become effective 30 days after the second reading. The City Clerk is directed to submit a copy of this ordinance to the Department of Housing and Community Development in the manner required by law.

[END OF ORDINANCE]

List of Special Events with Signage Approved in Public Right-of-Way for the Year 2025

- 1) Piedmont Food Festival**
- 2) Oktober Festival**
- 3) Pumpkin Patch**
- 4) Turkey Trot**
- 5) Christmas Tree Lot**

Sign locations and sizes must be approved by Public Works Director.

DIVISION 17.36**SIGNS.**

Sections:

- 17.36.010 ___ Applicability; Definition
- 17.36.020 ___ Purpose
- 17.36.030 ___ Public property
- 17.36.040 ___ Private property
- 17.36.050 ___ Substitution of message
- 17.36.060 ___ Nonconforming signs
- 17.36.070 ___ Enforcement

17.36.010 Applicability; Definitions

A. Applicability. This division applies to any sign located on real property and visible to the public. This division does not apply to:-

1. a sign held or otherwise mounted on a person;
2. a sign posted on the interior of a building or structure (except windows visible to the public);
3. a sign posted on property owned by the Piedmont Unified School District; or
4. any sign mandated, regulated, or expressly permitted by law including the City Code, permits issued by other public agencies, the California Building Code, and the California Manual on Uniform Traffic Control Devices.

No variance is authorized under this division.

B. Definitions. In this division:

~~Campaign sign means a sign that is designed to influence the passage or defeat of any measure on a ballot or to influence voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state, or local election.~~

Commercial message means a message by a speaker likely to be engaged in commerce targeting an audience of actual or potential customers where the content of the message is commercial in character.

Commercial sign means any sign containing a commercial message.

Construction sign means any sign displayed at a site under construction and providing information on contractors or professionals working on the project along with contact information for the contractors or professionals.

Director of Public Works means the Director or his or her designee.

Nit means a measurement of brightness of light.

Noncommercial message means any message except for a commercial message.

Noncommercial sign means a sign including but not limited to a campaign sign, student graduation announcement, baby announcement, or non-profit group affiliation sign,- that does not contain a commercial message.

Nonresidential parcel means all parcels except for residential parcels.

Residential parcel means a parcel of real property containing a single-family residence, accessory structure or associated use, or a multi-family residential project.

Sign means one or more visual figures, including but not limited to words, letters and numbers, other writings, designs, pictures and illustrations, or any combination of those, which are erected, placed on, fixed to, painted or represented on or above a building or structure, window, sidewalk, street or other way, on the ground or any part of a building or structure, or in any other manner so as to be visible to the public. Sign includes, but is not limited to, a banner, handbill, pennant, insignia, bulletin board, ground sign, billboard, poster, mural, electronic advertising and information device, illuminated sign, and marquee.

Temporary freestanding sign means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, wood or other light materials, with or without frames, supported by one or more upright poles or rock, block, A-frame, or masonry base in or upon the ground and not attached to a building.

17.36.020 Purpose.

The purposes and intent of this division is to:

- A. ~~regulate~~Regulate signs located on all real property in the City over which the City has zoning and land use regulatory power.
- B. ~~maintain~~Maintain and enhance the City's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination, and maintenance of signs.
- C. ~~serve~~Serve the City's interests in maintaining and enhancing its visual appeal for residents, tourists, and other visitors by preventing the degradation of visual quality which can result from excessive and poorly designed, located, or maintained signage.
- D. ~~generally~~Generally limit commercial signs to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public.
- E. ~~limit~~Limit the size and number of signs to levels that reasonably allow for the identification of a residential, public, or commercial location and the nature of any such commercial business.
- F. ~~encourage~~Encourage signs that are appropriate for the property on which they are located and consistent with the permitted uses of that property.

- G. ~~minimize~~Minimize the possible adverse effects of signs on nearby public and private property, including sidewalks, streets, roads, and highways.
- H. ~~protect~~Protect the investments in property and lifestyle quality made by persons who choose to live, work, or do business in the City.
- I. ~~protect~~Protect and improve pedestrian and vehicular traffic safety by balancing the need for signs that facilitate the safe and smooth flow of traffic (e.g., directional signs and on-site signs) without an excess of signage which may distract drivers or overload their capacity to quickly receive information.
- J. ~~reduce~~Reduce hazardous situations, confusion and visual clutter caused by the proliferation, placement, illumination, animation and excessive height, area, and bulk of signs which compete for the attention of pedestrian and vehicular traffic.
- K. ~~regulate~~Regulate signs in a manner so as to not physically interfere with or obstruct the vision of pedestrian or vehicular traffic.
- L. ~~avoid~~Avoid unnecessary and time-consuming approval requirements for certain minor or temporary signs that do not require review for compliance with the City's building and electrical codes, while limiting the size and number of such signs so as to minimize visual clutter.
- M. ~~respect~~Respect and protect the right of free speech by sign display, ~~particularly the important role that campaign signs play in the political process,~~ while reasonably regulating the structural, locational, and other noncommunicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety.
- N. ~~enable~~Enable the fair, consistent, and efficient enforcement of the sign regulations of the City.
- O. ~~regulate~~Regulate signs in a constitutional manner, which is content neutral as to ~~Noncommercial~~Noncommercial signs and viewpoint neutral as to ~~commercial~~Commercial signs. All administrative interpretations and discretion are to be exercised in light of this policy and consistent with the purposes and intent stated in this section.
- P. ~~recognize~~Recognize that properties owned by the Piedmont Unified School District serve many functions, including as places of learning, athletic venues, and community centers, and reserve for the Piedmont Unified School District the discretion to regulate the posting of signs on its properties in a manner that balances the need to maintain safe and aesthetically attractive facilities with the need to create environments that promote learning and foster civic engagement.

17.36.030 Public Property.

- A. Prohibition. Except as permitted under section (B) below, no person may display a sign on public property or within the public right-of-way, including, but not limited to, a street,

sidewalk, flight of stairs, pathway, lane, roof, or alley. No person may paint, mark, or write on, or post or otherwise affix a sign to or on a street lamp post, hydrant, tree, shrub, tree stake, or guardrail, public utility structure or poll, wire system, street sign, traffic sign, traffic signal, wall, fence, or other structure located on public property or within the public right-of-way.

B. Exceptions.

1. Exemption to Signs Posted by the City. The signs posted by the City of Piedmont are exempt from are not subject to any permit requirements or design standards.

2. Sidewalks. A temporary freestanding sign no larger than four square feet on a side (excluding the frame) may be placed on a City sidewalk or curbside planting strip on Saturdays and Sundays between 12 p.m. and 5 p.m., as long as the sign does not impede pedestrian or vehicular traffic or otherwise constitute a safety hazard.

3. Piedmont Park, 801 Magnolia Avenue City Building, and Veterans' Memorial Building. A group or individual hosting a permitted event in Piedmont Park, at the City-owned property at 801 Magnolia Avenue, or at the Veterans' Memorial Building may place up to two temporary freestanding signs no larger than four square feet on a side (excluding the frame) in Piedmont Park, on the grounds of 801 Magnolia Avenue, on the grounds of the Veterans' Memorial Building, or on the adjacent curbside strips adjacent to these properties as long as the sign does not impede pedestrian or vehicular traffic or otherwise constitute a safety hazard, or. The signs may be displayed on the exterior of the Veterans' Memorial Building during the permitted event and for a period not to exceed 2 hours before the start of the permitted event and 2 hours after the conclusion of the permitted event.

4. Other public property. The Director of Public Works or the Director's a designee may issue a sign permit to temporarily display a-one or more signs in the following locations:

- a. Across Magnolia Avenue at the intersection of Highland Avenue and Magnolia Avenue.
- b. On the fence outside of enclosing the Piedmont Corporation Yard.
- c. On backstops or fences within or surrounding Coaches Field, Beach Playfield, Hampton Field, Corey Reich Tennis Center Vista Street tennis courts, the City pool, and other City-owned recreation facilities.
- d. On bridge railings near Piedmont Community Hall.
- e. Within the public right-of-way for events included insapproved by City Council annually.

It is the City's intent that these locations constitute a non-public forum to promote community events benefiting residents and provide residents with information, including on non-partisan or noncommercial matters of general community interest. Said signs shall comply with the City's Special Event Signage Program. Notwithstanding the provisions of §17.36.030 of this Chapter, permits may be issued by the Public Works Director or his or her the Director's designee for signs that are advertising special promotions.

Signs in these locations will serve to notify citizens and visitors of upcoming events that are (i) City-sponsored, (ii) City co-sponsored, (iii) sponsored by any other local governmental or educational entity, (iv) sponsored by a local non-profit, or (v) sponsored by a local business.

~~Signs in these locations must conform to the Piedmont Design Standards and Guidelines and the stated purpose of this division.~~

~~(Ord. 769 N.S., 10/2023)~~

17.36.040 Private property.

A. Generally

1. Consent required. The consent of the property owner or the person in control of the property is required before placing any sign on private property.
2. Noncommercial Campaign signs. This division shall not ~~limit-prohibit the right of~~ owners or occupants of private property to post noncommercial~~campaign~~ signs on their property. ~~Campaign-Noncommercial~~ signs placed on residential parcels shall comply with sub-section B below. ~~the same size, height, location, and lighting restrictions applicable to noncommercial signs placed on residential parcels.~~ Campaign-Noncommercial signs placed on nonresidential parcels shall comply with sub-section C below. ~~the same size, height, location, and lighting restrictions applicable to noncommercial signs placed on nonresidential parcels.~~ Any person who posts a noncommercial campaign sign related to an event and posted on private property relating to an event shall be removed the campaign noncommercial sign within no later than ten days after the day of the election to which it pertainsevent is completed. A noncommercial sign not related to an event and posted on private property shall be removed no later than six months from the day the sign was first posted.
3. Real estate signs. This division shall not limit the right of property owners or their agents to place real estate signs on their property pursuant to Civil Code § 713.
4. Construction signs. Construction signs with a maximum total size not exceeding 8 square feet each (and maximum of 2) per individual frontage for commercial, office and mixed-use land uses, and 4 square feet each (and maximum of 2) per frontage for residential uses, areis exempt from the regulations of this division. No freestanding construction sign shall exceed five feet in height. One Gconstruction sign is allowed per contractor or design professional,s are only allowed for construction performed with a building permit. Construction signs shall not be erected until a building permit has been issued and shall be removed immediately following approval of a building permit final inspection or the expiration of a building permit, whichever comes first.
5. Prohibited signs. Unless otherwise exempt, the following signs and locations of signs are prohibited:
 - i. A sign with lighting, colors, design or text that could be confused with a public traffic directional sign or traffic control device.
 - ii. A roof sign, including a roof-mounted sign.
 - iii. Balloon or similar inflated sign.

- iv. Commercial signs that are animated and/or moving or include an audio component, including mechanically or human powered or held signs within the public right-of-way or on private property, given that the movement associated with such signs is particularly distracting to motorists and thus, poses traffic safety hazards.
- v. Ground signs tethered to the ground and taller than 15 feet.

B. Residential parcels. No person may display a sign on a residential parcel (including contiguous property held by the same owner), unless the sign conforms to the following requirements:

1. Temporary freestanding noncommercial signs.

Number	~~Maximum of 2~~ No limit
Size	Maximum of 4 square feet per sign
Height	Maximum (including frame) is 4 feet
Location	Street yard of a residential parcel, but not in the public right of way
Lighting	No illumination

2. Noncommercial window signs.

Number	Maximum of 2
Size	Maximum of 4 square feet per sign
Location	Street yard-facing windows

3. Noncommercial entryway signs.

Number	Maximum of 2
Size	Maximum of 1 square foot per sign
Location	Attached to the front door, front gate to the parcel, front porch, or entryway to the residence
Lighting	No illumination

4. Multifamily developments. Notwithstanding subsections (1) and (2) above, the resident(s) of each unit of a multifamily development may display two noncommercial signs, not to exceed a total of four square feet in area per sign, in the windows of that unit. If the unit in a multifamily development includes a patio, deck, balcony, or other outdoor space in the exclusive possession of the resident(s) of that unit, the resident(s) may display up to two temporary freestanding noncommercial signs that satisfy the size, height, and lighting requirements of subsection (B)(1) of this section in that outdoor space. If the unit in a multifamily development includes a front gate to the unit, front porch, or entryway to the unit that is in the exclusive possession of the resident(s) of that unit, the resident(s) may display up to two noncommercial signs that satisfy the requirements of subsection (B)(3) of this section.

C. Private, Nonresidential Parcels. No person may display a sign on a nonresidential parcel, unless the sign conforms to the following requirements:

1. Signs Permitted as a Matter of Right.

a. Temporary freestanding signs. One ~~commercial or noncommercial~~ temporary freestanding sign is permitted for each private nonresidential parcel that has frontage within forty feet of the curb line of a publicly-maintained street. The sign may be placed on private property, or within the first eighteen inches of any public property that is directly in front of the individual private nonresidential parcel. The sign may not exceed four square feet per side (excluding frame). A minimum passageway width of forty-eight inches must be maintained along the sidewalk in front of such sidewalk display sign. No temporary freestanding sign may be illuminated or placed outside a business during non-business hours.

b. Window signs. For each window on all private nonresidential parcels, ~~commercial or noncommercial~~ signs may cover a maximum of 25 percent of the total window area within a single window frame.

2. Design review.

a. General. Each sign other than a sign permitted as a matter of right requires a design review permit by the Planning Commission.

b. Application; Planning Commission review; Standards for approval. An applicant shall submit an application for sign design review permit and the Planning Commission shall hold a hearing on the application in accordance with the application, notice and hearing requirements and procedures set forth in section 17.66.050. The decision of the Planning Commission may be appealed to the City Council in accordance with the appeal procedures of division 17.78. The hearing body will not approve the design of signage on a private nonresidential parcel unless the sign conforms to the purpose of this division, as stated in section 17.36.020, and meets the following standards:

i. Approval of the sign design review permit will not result in more than one wall-mounted sign per applicant for each building façade;

ii. Each sign shall be simple in design. Graphic depictions related to the nonresidential use are appropriate;

iii. Each sign shall be compatible in design, color and scale to the front of the building, adjoining structures and general surroundings;

iv. The sign shall be oriented toward the pedestrian and vehicular traffic;

v. The sign shall be constructed of sturdy materials;

vi. If illuminated, the sign shall be illuminated internally at the lowest level with adequate identification and readability. Digital signs shall not exceed a surface brightness of 5,000 nits when measured from the sign face at its maximum brightness during daylight hours and 100 nits from sunset to sunrise. Signs shall not have exposed fluorescent tubes or incandescent bulbs; and

vii. The design of the sign is consistent with the City's General Plan and Piedmont Design Standards and Guidelines.

D. Mixed use developments. No person may display a sign on a mixed use development parcel, unless the sign conforms to the following requirements:

1. A sign displayed by owners and occupants of nonresidential portions of a mixed use development must comply with section 17.36.040(C).
2. Signs displayed by owners and occupants of residential portions of a mixed use development must comply with section 17.36.040(B). ~~(Ord. 743 N.S., 05/2018)~~

17.36.050 Substitution of message

A noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any approved sign allowed under this division. No special or additional approval from the City is required to substitute a noncommercial message for any other message on an allowable sign provided the sign design is already approved or exempt from the approval requirements of this division and no design, structural, or electrical changes are being made.

17.36.060 Nonconforming signs

A permanently-located sign lawfully existing prior to the readoption of this code on November 3, 2010 is permitted without conforming to this division, except that if the sign is altered, relocated, partially demolished, or reconstructed, this division applies. Normal repairs and maintenance which do not change the location or appearance of the sign are permitted without requiring conformity.

17.36.070 Enforcement

A. Illegal sign. An illegal sign is a sign in violation of this division and constitutes a public nuisance. An illegal sign includes, but not limited to:

1. A sign erected or displayed without a sign permit, unless the sign is exempt under the provisions of this division;
2. A sign prohibited under or violates the provisions of this division; or
3. A sign which is a danger to the public or which is unsafe.

B. Summary abatement. Upon the determination of the Director of Public Works that a sign placed on public property or within the right-of-way is unsafe or in violation of this division, the City may immediately remove and store the illegal sign without prior notice. The City shall immediately provide written notice of the removal to the owner and/or person responsible for placing the sign on public property or within the right-of-way, if known to the

City. If the sign remains unclaimed for a period of fifteen days after removal, it will be deemed unclaimed personal property and may be disposed of by the City in accordance with applicable law. In the case of an unsafe or illegal sign removed by the City, the costs of such removal and storage will be borne by the owner and/or person responsible for placing the sign on public property or within the right-of-way, and may be collected by the City in the same manner as it collects any other debt or obligation. No sign that has been removed and stored by the City may be released until the costs of removal and storage have been paid. The determination by the Director of Public Works made under this subsection (B) and the costs of removal and storage of the sign may be appealed in accordance with Section 17.78 of the City code.

C. Abatement of illegal signs on private property. Illegal signs on private property are considered a nuisance and shall be abated under the provisions of Piedmont City Code Chapter 6.

Roof Signs



Balloon or Inflated Signs



Animated Moving or Audio Equipped Sign



Signs that Mimic Traffic Control Devices



Ground sign tethered to ground

