

TABLE OF CONTENTS

DIVISION 1 - IN GENERAL	1
Sec. 35-1. Title.....	1
Sec. 35-2. Purpose	1
Sec. 35-3. Definitions.	2
Sec. 35-4. Prohibited Signs.....	7
Sec. 35-5. Architectural Projections and Sign Structures.....	8
Sec. 35-6. Height and Setback Regulations of Zone Districts.....	9
Sec. 35-7. Conflict With Other County Zoning Regulations.....	10
Sec. 35-8. Exempt Signs, Flags, And Devices.....	11
DIVISION 2 - PERMITS, OVERALL SIGN PLAN, MEASURING SIGN AREA, STREET FRONTAGE AND APPEALS	12
Sec. 35-9. Permits Issued by Planning Department.....	12
Sec. 35-10. Overall Sign Plan for Shopping Centers.....	14
Sec. 35-11. Measuring Sign Area.....	16
Sec. 35-11.1 Measuring Street Frontage.....	17
Sec. 35-12. Appeals.	18
DIVISION 3 - PERMITTED SIGNS	20
Sec. 35-13. Signs Permitted in All Districts.....	20
Sec. 35-14. Signs Permitted in Residential Districts	23
Sec. 35-15. Signs Permitted in Estate Districts	23
Sec. 35-16. Signs Permitted in Agricultural Districts.....	24
Sec. 35-17. Signs Permitted in Commercial and Industrial Districts Outside of Shopping Centers.....	25
Sec. 35-18. Signs Permitted in Shopping Centers.	28

Sec. 35-19. Signs Permitted in Heavy Commercial and Heavy Industrial Districts Outside of Shopping Centers.....	31
DIVISION 4 - CONDITIONAL USE PERMITS	32
Sec. 35-20. When May Conditional Use Permits Be Issued.	32
Sec. 35-21. Applications.....	32
Sec. 35-22. Fee.....	32
Sec. 35-23. Hearing.	32
DIVISION 5 - VARIANCES.....	34
Sec. 35-24. When May Variances Be Granted.	34
Sec. 35-25. Applications.....	34
Sec. 35-26. Fee.....	34
Sec. 35-27. Hearing.	34
DIVISION 6 - APPROVED MODIFICATIONS.....	35
Sec. 35-28. When May Approved Modifications be Granted.	35
Sec. 35-29. Applications.....	35
Sec. 35-30. Fee.....	35
Sec. 35-31. Hearing.	35
DIVISION 7 - NON-CONFORMING SIGNS.....	37
Sec. 35-32. Non-conforming Signs.....	37
Sec. 35-33. Abatement.....	37
Sec. 35-34. New Signs During Nine-Year Amortization Period.....	37
DIVISION 8 - VIOLATIONS, ENFORCEMENT, AND PENALTIES	40
Sec. 35-35. Violations.....	40
Sec. 35-36. Enforcement.....	40
Sec. 35-36.1. Recovery of Costs.....	40
Sec. 35-36.2. Processing Fee Assessment	43

Sec. 35-36.3. Violations of Conditions - Penalty	43
Sec. 35-37. Liability.....	43
Sec. 35-38. Cooperation of Other Officials.	44
Sec. 35-39. Right of Entry.	44
Sec. 35-40. Legal Action.	44
Sec. 35-41. Penalties.....	44
Sec. 35-42. Remedies Cumulative.....	44
DIVISION 9 - SPECIAL AREA REQUIREMENTS	45
Sec. 35-43. Summerland Sign Requirements.	45

DIVISION 1. IN GENERAL

Sec. 35-1. Title.

The regulations contained in this article shall be known and referred to as the "Sign Regulations of Santa Barbara County."

Sec. 35-2. Purpose

The purpose of this article is to harmonize by regulations the legitimate private purpose of signs; that is, the identification and promotion of the seller to the buyer, with the public purpose of public safety, health, and welfare. The public purposes most directly expressed in the regulation of signs in the County of Santa Barbara are traffic safety as related to the diversion of a vehicle driver's attention from the road, both in direction and time, and the economic and aesthetic welfare of the County as related to the existing and future economic significance of tourism; retirement income; and quality residential, recreational, commercial, and light industrial developments. All of these economic bases depend in large measure upon the County's ability to maintain its well established reputation as an attractive area, both as to natural and man-made features, in which to visit and to live.

While the regulations contained in this article serve both public purposes, they also may enhance the private purposes for the signs. For example, the prohibition against animated signs, roof signs, most projecting signs, marquee signs, and portable signs clearly serves both public purposes, but this prohibition also eliminates a jungle of competing signs in which the individual business's identity or message is lost to his potential customer. On the other hand, the permitted use, under this article, of wall signs, free-standing signs permitting changeable copy of multiple copy in place of portable signs, and under canopy signs will serve both public purposes while at the same time permit the more effective realization of the private objectives of signs.

Sec. 35-3. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this Section. The illustrations of the defined words or phrases are merely illustrative. If any conflict exists between the text of a definition and the corresponding illustration, the text shall govern.

ADVERTISING SURFACE: is Sign Area.

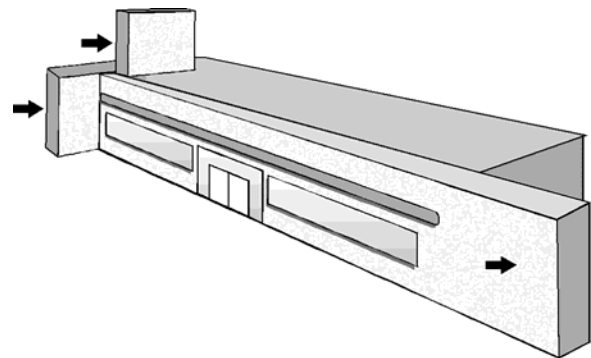
ANIMATED SIGN: A sign with action or motion, whether by flashing lights, color changes, wind, rotation, movement of any parts of the sign or letters or parts of the sign structure, or other motion. (Animated signs are not permitted in any District - See Sec. 35-4).

ARCADE: Arcade is a permanent roofed structure attached to the building, projecting over public property, and partially enclosed and supported by supports located on public property.

ARCADE SIGN: A sign located on the exterior of the arcade facing the street which does not extend above or below the arcade structure.

ARCHITECTURAL BOARD OF REVIEW: The Architectural Board of Review of the County of Santa Barbara.

ARCHITECTURAL PROJECTION: A projection not intended for occupancy and which extends beyond the face of an exterior wall or roof of a building, but not including signs.



ARCHITECTURAL PROJECTION

BUILDING: A structure having a roof supported by column or walls and intended for the shelter, housing, or enclosure of any person, animal or chattel.

BUILDING FACADE: That portion of any exterior elevation of a building extending from grade to the eaves or the top of the parapet wall and the entire width of the building elevation.

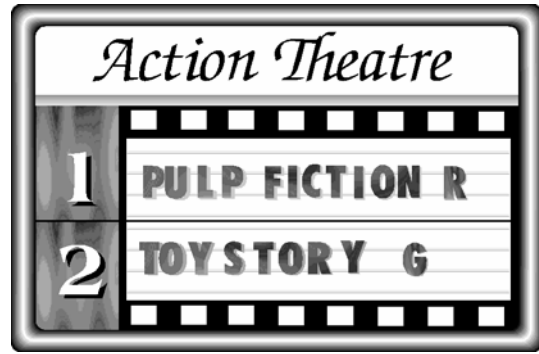
BUSINESS SIGN: Is an On-Premise Sign.

CANOPY: A permanent roof structure that does not project over public property, which may be freestanding, attached to a building, or supported in whole or in part by a building.

CANOPY SIGN: See Under Canopy Sign.

CERTIFICATE OF CONFORMANCE: A certificate issued by the Planning Department for a sign or sign structure which is in conformance with the provisions of this article.

CHANGEABLE COPY SIGN: A sign so constructed that the copy can be readily changed by use of movable letters or symbols.



CHANGEABLE COPY SIGN

COMBINATION FARM SIGN: A sign used for the purpose of identifying the owner or operator of a farm and the product produced on the farm, which sign may also incidentally identify the contract buyer of the product.

CONSTRUCTION SIGN: A temporary sign placed in advance of occupancy of a building or structure indicating the name of the building or structure, the architects, the contractors, and other information regarding the building or structure.

DIRECTIONAL AND INFORMATIONAL SIGN: A sign designed to guide or direct pedestrians or vehicles.



DIRECTIONAL AND INFORMATIONAL SIGN

DISTRICT: An area designated by a zoning ordinance of the County of Santa Barbara to be subject to the regulations of a particular district. For the purposes of this article, all the zone districts presently existing in the County are segregated into the following categories of residential, estate, agricultural, commercial, heavy commercial, industrial, and heavy industrial districts. These categories of districts, as represented by the district symbol, are as follows:

Residential*

DR R-3
PR R-4
R-1 SR-2
R-2 SR-4

Estate*

E-1
EX-1

Agricultural*

A-1 RA (Ord. #661)
A-1-X RA (Ord. #538)
AG U
AGI WA
AL

Commercial*

C-2 PC
C-2-L PI
CN SC
CH
CM

Industrial*

DMG
DMX
M-1-A
M-1-B
PM

Heavy Commercial*

C-3

Heavy Industrial*

M-1
M-I-X
M-2

**See new Articles II, III, and IV for replacement equivalent zone districts*

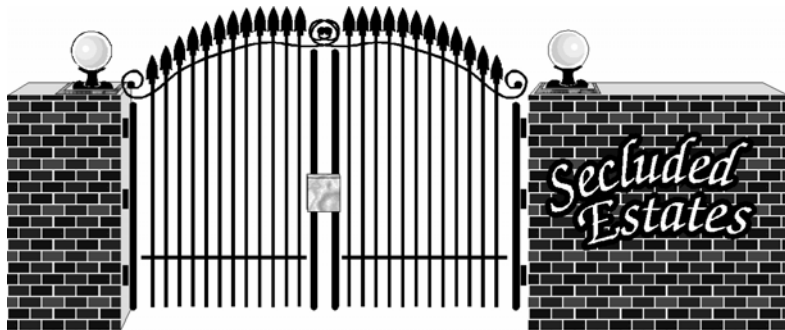
DEFINITIONS

DOUBLE FACE SIGN: A sign having only two display surfaces containing the same copy, backed against, parallel to, and not more than 24 inches between each other, one face of which is designed to be viewed from one direction and the other face from the opposite direction.

FARM ORGANIZATION SIGN: A sign used only for the purpose of indicating membership in a farm organization, such as Cattlemen's Association, 4-H Club, Farm Bureau.

FREE-STANDING SIGN: A sign supported by one or more poles, columns, uprights, or by other structural support separated from a building.

GATE OR ENTRANCE SIGN: A sign attached to an entrance gate or entrance structure to a residential building site or residential subdivision which identifies the site or subdivision.



GATE OR ENTRANCE SIGN

GROUND SIGN: A fixed sign containing only the words entrance

of exit which is supported on one or more uprights or braces in the ground.

IDENTIFICATION SIGN: A sign used only for the purpose of identifying the occupancy of a building, structure, or property.

INSTITUTIONAL SIGN: A sign used only for the purpose of identifying an institution.

MARQUEE: Marquee is a permanent roofed structure, other than an arcade, attached to and supported by the building and projecting over public property.

MARQUEE SIGN: A sign attached to or constructed in a marquee. (Marquee signs are not permitted in any District - See Sec. 35-4).

MENU BOARD FOR DRIVE-THROUGH RESTAURANT: A sign that is either affixed to a wall or freestanding, which may be illuminated, which indicates information that is essential for the efficient intake of orders from customers of a drive-through restaurant. *(Added by Ord. 4207, 11/7/95)*

MULTIPLE COPY SIGN: A sign which advertises other than the name of the business and principal product or service.

OFF-PREMISE SIGN: A sign not located on or supported by a structure located on the same premises as the business, product, service, or activity being identified or advertised by such sign.

DEFINITIONS

ON-PREMISE SIGN: A sign containing copy relating only to the business, product, service, or activity conducted or sold on the same premises as that on which the sign is located.

OUTDOOR ADVERTISING SIGN: is an Off-Premise Sign.

PERIMETER LIGHTING: A subdued method of illuminating a sign without illuminating the area outside the sign. For example, see illustration.

PERMANENT SIGN: A sign not specifically designated as being temporary.

PLANNING COMMISSION: The Planning Commission of the County of Santa Barbara.

PLANNING DEPARTMENT: The Planning and Development Department of the County of Santa Barbara. (*Amended by Ord. 3235, 8/31/81*)

POLITICAL SIGN: A sign promoting, advertising, or identifying a political party, candidate, or issue.

PORTABLE SIGN: A sign not affixed to the ground or to a building or structure affixed to the ground, for example, a sandwich board. (Portable signs are not permitted in any District, see Sec. 35-4)

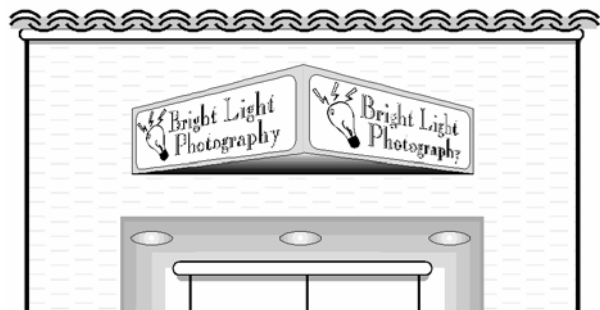
PROJECTING SIGN: A sign mounted on the facade or vertical surface of a building or structure in such a manner that all of the display surfaces are not parallel to the supporting surface.

PLANNING AND DEVELOPMENT DEPARTMENT: The Planning and Development Department of the County of Santa Barbara.

(*Added by Ord. 3235, 8/31/81*)

ROOF SIGN: A sign any portion of which extends more than six inches above a roof or parapet wall of a building and which is wholly or partially supported by the building on which it is located. Signs which are on pylons or other architectural projections and extend more than six inches above a roof or parapet wall are, for the purpose of this article, roof signs. (Roof signs are not permitted in any District - see Sec. 35-4).

SAFETY SIGN: A sign used only for the purpose of identifying and warning of dangers, such as slow, blind exit, turnoff your motor, no smoking, sound horn, children playing, and beware of dog.



PROJECTING SIGN

DEFINITIONS

SHOPPING CENTER: A retail commercial center, or group of retail commercial enterprises, planned, developed, managed, and maintained as a unit; with common off-street parking provided to serve all uses on the property.

SIGN: Any device and all parts thereof and any applied or projected image which is used: 1) To advertise enterprises, products, goods, services, or otherwise promote the sale of objects or identify objects for sale; 2) To identify, to direct, or to inform persons concerning enterprises, areas, entities, services, or dangers; or 3) To attract attention to the premises or other signs of a particular enterprise or entity, including but not limited to flares, flashing lights, color changes, flags, bunting, pennants, or other moving devices.

SIGN AREA: The area of the entire sign in square feet as measured by the Planning Department pursuant to the provision of Sec. 35-11 of this article.

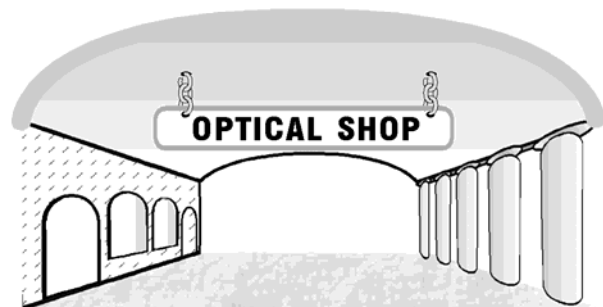
SIGN STRUCTURE: A structure which supports or is capable of supporting any sign as defined in this article.

STREET FRONTAGE: The footage of the property that abuts an improved street or streets open to public use to which the property has access. *(Amended by Ord. 2471, 7/30/73)*

TIME AND/OR TEMPERATURE SIGN: A changeable copy sign which indicates only the current temperature and/or time.

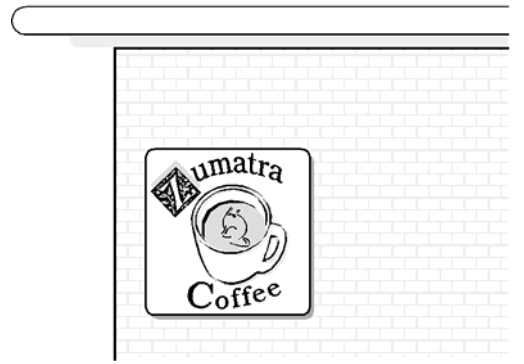
TEMPORARY SIGN: A sign intended to advertise community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis.

UNDER CANOPY SIGN: A sign attached to the underside of a canopy.



UNDER CANOPY SIGN

WALL SIGN: A sign affixed in any manner to any exterior wall of a building or structure and which is parallel to and projects not more than 18 inches from the building or structure wall and which does not extend more than six inches above the parapet wall or roof of the building on which it is located. Signs which are on architectural projections which do not extend more than six



WALL SIGN

inches above the roof or parapet wall of the building are, for the purpose of this article, wall signs.

ZONING ADMINISTRATOR: The Zoning Administrator in the Planning and Development Department of the County of Santa Barbara. *(Added by Ord. 3235, 8/3/81)*

Sec. 35-4. Prohibited Signs.

The following signs are prohibited in all districts within the unincorporated area of the County of Santa Barbara:

1. Animated Signs.
2. Roof signs.
3. Projecting signs, except as specifically permitted by this article - for symbols with or without words in paragraph 6 of Sec. 35-17, paragraph 5 of Sec. 35-18, and paragraph 1 of Sec. 35-19.
4. Marquee signs.
5. Portable signs.
6. More than one freestanding sign for any enterprise, except as specifically permitted by this article. (*Amended by Ord. 4207, 11/7/95*)
7. Changeable copy and multiple copy signs, except as specifically permitted by this article in:
 - a. Commercial, heavy commercial, industrial, and heavy industrial districts for freestanding signs.
 - b. Commercial, heavy commercial, industrial, and heavy industrial districts for wall signs for certain places of public entertainment.
 - c. Service stations in shopping centers.
 - d. Church changeable copy signs.
8. Political signs, except as they would be permitted as on-premise or off-premise signs for any non-political enterprise.

ARCH. PROJECTIONS AND SIGN STRUCTURES

Sec. 35-5. Architectural Projections and Sign Structures.

1. Architectural projections or sign structures shall not increase the number or area of permitted signs, nor shall they be used as a device which is, in itself, a sign, unless such a sign is a permitted sign under this article.
2. Sign structures shall be free of unsightly supporting features, such as bracing, angle iron, guy wires, and cables.

Sec. 35-6. Height and Setback Regulations of Zone Districts.

All signs and sign structures must meet the regulations as to height and setback imposed by the specific zone district in which they are located, if the specific zone regulations are more restrictive than those imposed by this article. Freestanding signs are structures for the purposes of this article and any zoning ordinance of the County of Santa Barbara.

CONFLICTS WITH OTHER REGULATIONS

Sec. 35-7. Conflict With Other County Zoning Regulations.

If any provision of this article, except for the height and setback regulations discussed in Sec. 35-6, conflicts with any provision of any regulation contained in any previously adopted zoning ordinance of the County of Santa Barbara, the provisions of this article shall be controlling.

Sec. 35-8. Exempt Signs, Flags, And Devices.

The following signs, flags, and devices are exempt from the provisions of this article:

1. Flags of a governmental entity or a civic, philanthropic, educational, or religious organization.
2. Signs and devices erected by a governmental entity.
3. Signs erected by a public utility or common carrier to warn of dangers, such as the location of underground facilities and railroad crossings.
4. Signs required to be maintained or posted by law or governmental order, rule, or regulation.
5. Signs within buildings.

DIVISION 2. PERMITS, OVERALL SIGN PLAN, MEASURING SIGN AREA, STREET FRONTAGE AND APPEALS

Sec. 35-9. Permits Issued by Planning Department.

1. Requirement for Certificate of Conformance.
 - a. Except for the signs set out in b), below, on any parcel of land within the unincorporated area of the County of Santa Barbara, no sign shall be erected, applied, installed, affixed, altered, relocated, or projected as an image and no copy shall be changed without a certificate of conformance issued by the Planning Department. No certificate of conformance is required to change copy in previously approved changeable copy signs and off-premise signs; nor to repair, maintain, or clean any existing sign.
 - b. The following signs must conform with the regulations of this article but may be erected, installed, affixed, altered, or relocated without a certificate of conformance from the Planning Department:
 1. For Sale, Lease, or Rent Signs.
 2. Farm Organization Signs.
 3. Sale of Farm Products Signs.
 4. Combination Farm Signs.
 5. Temporary lot identification signs for subdivisions.
 - c. No certificate of conformance shall be issued unless the Director of Planning and Development first determines that the property for which the certificate is requested is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height requirements, setbacks and any other applicable provisions of this Chapter, and such zoning violation enforcement fees as established from time to time by the Board of Supervisors have been paid. *(Amended by Ord. 3592, 10/6/86)*
2. Required Information.
 - a. Name, address, and phone number of the applicant.
 - b. Name and address of the activity for which the sign is intended and parcel number of land on which it is to be placed.

- c. Four copies of a dimensioned drawing showing type of sign as designated in this article; if lighted, method of illumination; and height above closest centerline of improved and accessible public right of way.
 - d. Four copies of a dimensioned plot plan, accurate as to scale, showing all structures, the abutting right-of-way line of each street, and location of proposed sign and each existing sign on the property.
 - e. If the sign is a wall sign, four copies of an elevation of the building facade. This elevation shall be fully dimensioned and accurate as to scale. It shall show the proposed sign and each existing sign.
 - f. One or more photographs (snapshots are adequate) showing the location of the proposed sign and its relationship to the remainder of the property.
 - g. A drawing showing the sign in proposed colors.
 - h. For temporary subdivision signs, written authorization to the County of Santa Barbara from the owner of the property on which the sign is to be located to enter upon the property and remove the said signs after the termination of the permitted one-year period or any extension thereof.
3. Fees and Deposits.
- a. A fee, as set by the Board of Supervisors, shall be paid at the time of application, to cover the cost of processing.
 - b. For each temporary sign in excess of ten square feet in sign area, a cashier's check made out to the County of Santa Barbara in the amount of \$50.00 shall be deposited with the Clerk of the Board of Supervisors (in addition to the filing fee) to insure removal at the end of the permitted life of the sign. This deposit will be returned when the sign is removed by the permittee.

OVERALL SIGN PLAN FOR SHOPPING CENTERS

Sec. 35-10. Overall Sign Plan for Shopping Centers.

1. Who shall Apply for Approval.

The developer, owner, or tenants occupying a majority of the floor area within a shopping center jointly or individually shall apply for approval of an Overall Sign Plan for a particular shopping center. Application for such approval shall be made to the Planning and Development Department. *(Amended by Ord. 3235, 8/3/81)*

2. Required Information.

- a. Two copies of the approved shopping center plan showing general location of all existing and proposed signs.
- b. Information sufficient to relate the size, shape, and distinctive characteristics of the signs to the buildings depicted on the approved shopping center plan.
- c. Information consisting of drawing and written matter concerning such features as letter types, materials, shapes, illumination, or colors of proposed signs.
- d. Such other information as the Architectural Board of Review finds is necessary to properly evaluate the Overall Sign Plan.
- e. If the shopping center is already in operation, the names and addresses of all tenants.

3. Fees.

A fee, as set by the Board of Supervisors, shall be paid at the time of application, to cover the cost of processing.

4. Procedure. *(Amended by Ord. 3235, 8/3/81)*

After the Planning and Development Department determines that the applicant has submitted all the required information, the application shall be placed on the agenda for the next regular meeting of the Architectural Board of Review. The Board shall consider the effect of the proposed Overall Sign Plan upon; a) the various parts of and enterprises within the shopping center, b) the streets and properties surrounding the shopping center, and c) the overall continuity of design of signs within the shopping center. The Board shall make its recommendations, such as the number, type, height, location, size, design, color, materials, and lighting of signs on the Overall Sign Plan to the Zoning Administrator.

If the size of wall or under canopy signs or the number, size, or height of freestanding signs provided for in the Overall Sign Plan is to be in excess of or more restricted than otherwise permitted by this article, the Board shall make specific

OVERALL SIGN PLAN FOR SHOPPING CENTERS

recommendations on any such modifications from the provisions of this article. The Secretary of the Board shall give a copy of the Board's recommendations to the applicant.

Once the recommendation of the Board has been received by the Zoning Administrator, the application shall be placed on the agenda of the Zoning Administrator for hearing and decision. The Zoning Administrator shall mail, with postage prepaid, written notice of the time and place of the hearing, including a general explanation of the matter to be considered and a general description of the shopping center affected, at least ten days before the hearing to the applicant; the owner, if he is not the applicant; all property owners owning property within 300 feet of the shopping center; and if the application affects an operating shopping center, all tenants within the shopping center. Names and addresses of property owners shall be taken from the last equalized assessment roll or from such other records of the assessor as contain more recent addresses. Names and addresses of tenants shall be supplied by the applicant.

At the hearing, the Zoning Administrator shall consider the effect of the proposed Overall Sign Plan upon a) the various parts of and enterprises within the shopping center, b) the streets and properties surrounding the shopping center, and c) the overall continuity of design of signs within the shopping center. The Zoning Administrator shall approve, disapprove, or conditionally approve the Overall Sign Plan. If the size of wall or under canopy signs or the number, size, or height of freestanding signs provided in the Overall Sign Plan is to be in excess of or more restricted than otherwise permitted by this article, the Zoning Administrator shall specifically approve or disapprove of such modifications. If a plan is disapproved, a new plan may be submitted at any time.

Sec. 35-11. Measuring Sign Area.

In applying the sign area standards of this article, the periphery of the sign shall be established by drawing not more than eight straight lines encompassing the extremities of the sign within the smallest possible area. In the case of freestanding signs, the entire background area shall be included in the sign area measurements. In the case of a double faced sign, only one face of the sign shall be included in the sign area measurement. Supporting structures so designed as to perform an advertising function shall be included in the sign area. In the case of wall signs, the background area shall be included in the sign area measurements only if it is of a distinctive color, material, texture, or shape, the primary purpose of which is to enhance the advertising value of the sign, as determined by the Planning Department.

MEASURING STREET FRONTAGE

Sec. 35-11.1 Measuring Street Frontage.

In computing street frontage for the purposes of determining whether the property is entitled to a freestanding sign. If the property abuts two or more such streets, only one such street shall be used in computing the footage. In choosing between two or more such streets, the street carrying the greater traffic shall be used in computing the footage, but if the traffic is equal on two or more streets, the longer street frontage shall be used in computing the footage. (*Added by Ord. 2471, 7/30/73*)

Sec. 35-12. Appeals. *(Amended by Ord. 3235, 8/3/81)*

1. What May Be Appealed.

Any decision or determination by the Planning and Development Department, Zoning Administrator or Planning Commission may be appealed. Any decision or determination of Zoning Administrator or the Planning Commission may be appealed to the Board of Supervisors.

2. Who May Appeal.

The applicant or any person or entity whose property or enterprise is adversely affected by a decision or determination may appeal the decision or determination.

3. When to Appeal.

Any appeal must be filed in writing with the Clerk or Secretary of the body to which the appeal is addressed within the ten days following the day on which the appealed decision or determination was made.

4. Fee.

A fee, as set by the Board of Supervisors, must be paid at the time of filing of an appeal to the Planning Commission with the Planning and Development Department and to the Board of Supervisors with the Clerk of the Board of Supervisors. *(Amended by Ord. 3235, 8/1/81)*

5. Report on Appeal.

Once an application for an appeal is received, the Clerk or Secretary of the appellate body shall immediately request that the Secretary of the Planning Commission or the Director of the Planning and Development Department prepare and submit to the appellate body a written report of the decision or determination appealed from and the reasons for the decision or determination. *(Amended by Ord. 3235, 8/1/81)*

6. Hearing on Appeal.

The Resource Management Commission shall hear and decide appeals at a regular public hearing, but no notice of said hearing is required.

The Board of Supervisors shall hear and decide appeals at a noticed public hearing and the Clerk of the Board shall mail, with postage prepaid, written notice of the time and place of the hearing, including a general explanation of the decision appealed from and a general description of the property affected, at least ten days before the hearing to the

applicant and any persons or entities that received notice of the hearing on the matter at the Planning Commission or Zoning Administrator or, if the appeal was not noticed at the Zoning Administrator, notice shall be given to the applicant, the appellant, and all property owners owning property within 300 feet of the property affected.

Names and addresses of property owners shall be taken from the last equalized assessment roll or from such other records of the assessor as contain more recent addresses.

At the hearing on an appeal, the evidence presented to the Planning and Development Department, Zoning Administrator, or the Planning Commission and any additional evidence not previously presented may be presented to the appellate body. The appellate body may reverse or affirm, wholly or partly, may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as should be made.

DIVISION 3. PERMITTED SIGNS

Sec. 35-13. Signs Permitted in All Districts.

1. Subdivision Signs.

For each subdivision of five or more lots which has been approved by the County of Santa Barbara.

- a. One temporary on-premise advertising sign.
 - 1. Not exceeding thirty-two square feet in area.
 - 2. Permitted for a one-year period.
- b. One additional temporary on-premise advertising sign.
 - 1. Where the subdivision abuts upon two or more streets which do not intersect at or near the subdivision.
 - 2. Subject to the same conditions as the first sign.
- c. Not to exceed three temporary off-premise directional and informational signs.
 - 1. Each not exceeding 12 square feet in area.
 - 2. Permitted for a one-year period.
- d. One temporary lot identification sign.
 - 1. For each undeveloped lot in the subdivision.
 - 2. Not exceeding one square foot in area.
 - 3. Containing only the subdivision lot number.
 - 4. Permitted until the lot is sold.

2. Directional and Informational Signs. *(Amended by Ord. 3235, 8/3/81)*

- a. County owned official signs in conformance with Resolution No. 72-848 of the Board of Supervisors, or any future superseding resolution or ordinance regulating the same subject.
- b. Other Directional and Information Signs.
 - 1. Subject to obtaining a Conditional Use Permit approved by the Zoning Administrator, and specifying size and location of such signs.
 - 2. Limited to those which, in the opinion of the Zoning Administrator, are necessary to direct or inform the public as to the location of:
 - a. Publicly owned facilities

PERMITTED SIGNS - ALL DISTRICTS

- b. Governmentally designated historical points of interest
 - c. Hospitals
 - d. Service Club Meetings
 - 1. The Zoning Administrator may require that permittees erect a structure designed to hold more than one service club sign.
 - 2. Must permit additional service club signs to be placed on the same structure when so required by the Zoning Administrator.
 - e. On-premise or off-premise parking areas if the location is not readily apparent to the public. *(Added by Ord. No. 2977, 10/31/77)*
3. Church Changeable Copy Signs.
Each church shall be permitted one on-premise changeable copy sign using perimeter lighting, not exceeding twenty-four square feet in area, and not exceeding a height of ten feet above ground level.
4. Institutional Signs.
Each church, school, hospital, lodge, monastery, club, museum, or other similar institution shall be permitted one on-premise institutional sign not exceeding 20 square feet in area.
5. Construction Signs.
On a building site during construction and to be removed prior to final building inspection: one on-premise, temporary, unlighted sign not exceeding eight square feet.
6. Ground Signs.
One on-premise sign for each entrance and exit but not exceeding three feet in height and two square feet in sign area.
7. Safety Signs.
On-premise signs, not exceeding two square feet in sign area, and subject to the approval of the Planning and Development Department as to the necessity for, number, location, and height of such signs.

PERMITTED SIGNS - ALL DISTRICTS

PERMITTED SIGNS - RESIDENTIAL AND ESTATE DISTRICTS

Sec. 35-14. Signs Permitted in Residential Districts

1. For Sale, Lease, or Rent Sign.
 - a. On any residential lot except for the initial sale in a subdivision.
 - b. One temporary, on-premise, unlighted sign not exceeding six square feet in sign area.
2. Identification Sign.
 - a. Limited to wall signs.
 - b. Not to exceed two square feet of sign area per residential dwelling unit.
 - c. Not to exceed a total of 20 square feet of sign area per building.
3. Gate or Entrance Signs.
 - a. Not to exceed two signs at any one entrance.
 - b. Not to exceed twenty (20) square feet in aggregate sign area at any one entrance.
 - c. Subject to issuance of Conditional Use Permit.

Sec. 35-15. Signs Permitted in Estate Districts

Signs permitted in Residential Districts as provided in paragraphs 2 and 3 of Sec. 35-14.

PERMITTED SIGNS - AGRICULTURAL DISTRICTS

Sec. 35-16. Signs Permitted in Agricultural Districts.

1. Farm Organization Signs.
 - a. Two on-premise signs.
 - b. Neither sign may exceed four square feet in sign area.
2. Sale of Farm Products Signs.
 - a. Advertising the permitted sale of farm products grown on the premises.
 - b. One on-premise, freestanding sign not to exceed 25 square feet in sign area.
3. Identification Signs.
 - a. Limited to identifying a ranch, farm, or other use existing and permitted on the property.
 - b. Two on-premise signs, each not exceeding 25 square feet in sign area.
4. Combination Farm Signs.
 - a. One for each farm or ranch.
 - b. An on-premise, freestanding sign not to exceed 25 square feet in sign area.
5. For Sale, Lease, or Rent Signs.
 - a. To advertise the sale, lease, or rent of any farm or ranch.
 - b. One temporary, on-premise, unlighted sign not exceeding 25 square feet in sign area.

PERMITTED SIGNS - COM/IND. DISTRICTS

Sec. 35-17. Signs Permitted in Commercial and Industrial Districts Outside of Shopping Centers.

1. All signs permitted in Residential Districts under paragraphs 2 and 3 of Sec. 35-14.
2. For Sale, Lease, or Rent Signs.
 - a. To advertise the sale, lease, or rent of any parcel or premises.
 - b. One temporary, on-premise, unlighted sign not exceeding 25 square feet in sign area.
3. Wall Signs. (*Amended by Ord. 3235, 8/3/81*)
 - a. One on each street frontage.
 1. Not to exceed one-eighth of the square footage of the building facade of that portion of the first floor occupied by the enterprise and upon which facade the wall sign is to be located.
 2. Not to exceed a maximum of 100 square feet in sign area unless approved by the Zoning Administrator as an Approved Modification, pursuant to Secs. 35-28 through 35-31.
 - b. For places of public entertainment where the public attraction is constantly changing, e.g., theaters, auditoriums, and sports arenas, changeable copy may be used on a wall sign and wall signs may exceed the permitted size under a Conditional Use Permit.
4. Under Canopy Signs.
 - a. One for each enterprise having entrance under or offering service under the canopy.
 - b. Not exceeding six square feet in sign area.
 - c. Lower edge of the sign must be at least eight feet above finished ground level.
5. Freestanding Sign Structures.
 - a. One on each parcel occupied by an enterprise, if the parcel has a street frontage of at least 125 feet.
 1. Not more than two separate signs may be placed on each freestanding sign structure.
 2. If only one sign is placed on a freestanding sign structure, it shall not exceed 100 square feet in sign area.
 3. If two signs are placed on a freestanding structure, the lower sign shall not exceed 20 square feet in sign area, the areas of the two signs, added together, shall not exceed 100 square feet in sign area, and the lower sign may be a changeable copy sign or a multiple copy sign.

PERMITTED SIGNS - COM/IND. DISTRICTS

4. The height shall not exceed 30 feet. Height shall be measured from the centerline of the improved portion of the public right of way to which the property has access and more specifically, from that point in the centerline which is closest to the sign. If the sign is located an equal distance from several centerlines, the 30 feet shall be measured from the highest of these centerlines.
 5. No part of the sign or supporting structure shall project over the street right-of-way.
 6. The base of the supporting structure shall be set back at least five feet from the street right-of-way line.
 - b. For places of public entertainment where the public attraction is constantly changing, e.g., theaters, auditoriums, and sports arenas, changeable copy may be used on a permitted freestanding sign, whether one or two signs are placed on the freestanding sign and the sign may exceed the permitted size under a Conditional Use Permit.
6. Projecting Signs.
- a. One on each street frontage.
 1. Consisting of only a symbol with or without words relating to the activity on the premises.
 2. Projecting no more than three feet beyond the building facade.
 3. Not exceeding three square feet in sign area.
 4. Lower edge of the sign must be at least eight feet above finished ground level.
 5. Not lighted.
7. Arcade Signs.
- a. One on each street frontage having an arcade.
 1. When the arcade obstructs the view from the street of the wall sign located under the arcade and the arcade exists under a valid encroachment permit from the County of Santa Barbara.
 2. Not exceeding ten square feet in sign area.
 3. Not lighted.
8. Menu Boards For Drive-Through Restaurant. (Added by Ord. 4207, 11/7/95)

PERMITTED SIGNS - COM/IND. DISTRICTS

- a. In addition to signs allowed pursuant to Section 35-17.3 and Section 35-17.5, menu boards for drive-through restaurants subject to the following:
1. Not to exceed two on-site, single face signs.
 2. Limited to locations adjacent to a vehicle queuing lane for the service point of the drive-through restaurant.
 3. Free-standing menu boards shall not exceed 8 feet in height as measured from the finished elevation of the vehicle queuing lane.
 4. Menu board wall signs shall not exceed the height of the eave of the roof over the wall on which the sign is located.
 5. Not to exceed thirty-six (36) square feet in the total combined area of both signs unless approved by the Zoning Administrator as an Approved Modification, pursuant to Sections 35-28 through 35-31.

PERMITTED SIGNS - SHOPPING CENTERS

Sec. 35-18. Signs Permitted in Shopping Centers.

1. Conformance with Overall Sign Plan.

All signs in a shopping center, except service station signs, shall be in substantial conformance, as determined by the Planning and Development Department with an Overall Sign Plan for that shopping center, approved as provided in Sec. 35-10 of this article. Signs for service stations shall be as provided for enterprises outside shopping centers in Sec. 35-17.

2. Wall Signs. *(Amended by Ord. 3235, 8/3/81)*

a. For each enterprise, one on each frontage on an area open to the public.

1. Not to exceed one-eighth of the square footage of the building facade of that portion of the first floor occupied by the enterprise and upon which facade the wall sign is to be located.

2. Unless otherwise provided in the approved Overall Sign Plan for the shopping center, not to exceed a maximum of 100 square feet in sign area, unless approved as an Approved Modification, pursuant to Secs. 35-28 through 35-31.

b. For places of public entertainment where the public attraction is constantly changing, e.g., theaters, auditoriums, and sports arenas, changeable copy may be used on wall signs and wall signs may exceed the permitted size under a Conditional Use Permit.

3. Under Canopy Signs.

a. One for each enterprise having entrance under or offering service under the canopy.

b. Unless otherwise provided in the approved Overall Sign Plan for the shopping center, not to exceed six square feet in sign area, provided, however, that the Zoning Administrator may approve a larger sign area as an architecturally harmonious size in relation to the size and location of the building area occupied by the enterprise.

c. Lower edge of the sign must be at least eight feet above finished ground level.

(Amended by Ord. 3235, 8/3/81)

4. Freestanding Signs. *(Amended by Ord. 3235, 8/3/81)*

a. One in each shopping center if the shopping center has, in addition to street frontage occupied by a service station, a street frontage of at least 125 feet.

1. Not more than one sign may be placed on each freestanding sign structure.

PERMITTED SIGNS - SHOPPING CENTERS

2. Sign shall only identify the shopping center and may not advertise or identify any enterprise or service conducted or merchandise sold within the shopping center.
 3. No changeable copy may be used.
 4. Not to exceed 100 square feet of sign area.
 5. The height shall not exceed 30 feet. Height shall be measured from the centerline of the improved portion of the public right of way to which the property has access and more specifically, from that point in the centerline which is closest to the sign. If the sign is located an equal distance from several centerlines, the 30 feet shall be measured from the highest of these centerlines.
 6. No part of the sign or sign structure shall project over the street right of way.
 7. The base of the supporting structure shall be at least five feet from the street right-of-way line.
 8. More than one freestanding sign, a larger sign, or a higher sign may be permitted if a) approved as an Approved Modification, pursuant to Sec. 35-28 through 35-31, or b) found to be in substantial conformance with an approved Overall Sign Plan for the shopping center.
5. Projecting Signs.
- a. When specifically permitted in the Overall Sign Plan, for each enterprise, one on each frontage on an area open to the public.
 1. Consisting of only a symbol, with or without words, relating to the activity on the premises.
 2. Projecting no more than three feet beyond the building facade.
 3. Not exceeding three square feet in sign area.
 4. Lower edge of the sign must be at least eight feet above finished ground level.
 5. Not lighted.
6. Menu Boards For Drive-Through Restaurant. *(Added by Ord. 4207, 11/7/95)*
- a. In addition to signs allowed pursuant to Section 35-18.2 and Section 35-18.4, menu boards for drive-through restaurants subject to the following:

PERMITTED SIGNS - SHOPPING CENTERS

1. Not to exceed two on-site, single face signs.
2. Limited to locations adjacent to a vehicle queuing lane for the service point of the drive-through restaurant.
3. Free-standing menu boards shall not exceed 8 feet in height as measured from the finished elevation of the vehicle queuing lane.
4. Menu board wall signs shall not exceed the height of the eave of the roof over the wall on which the sign is located.
5. Not to exceed thirty-six (36) square feet in the total combined area of both signs unless approved by the Zoning Administrator as an Approved Modification, pursuant to Sections 35-28 through 35-31.

Sec. 35-19. Signs Permitted in Heavy Commercial and Heavy Industrial Districts Outside of Shopping Centers.

1. All signs permitted in commercial and industrial districts outside of shopping centers, as provided in Sec. 35-17.

2. Off-Premise Signs.

No outdoor advertising sign (business signs excepted) shall have an advertising surface exceeding 12 feet, 6 inches in height nor 42 feet in width nor exceeding an overall height of 25 feet above the ground level at the sign, provided, however, that where warranted by unusual topographic conditions, the Zoning Administrator may permit a greater height above the ground level.

DIVISION 4. CONDITIONAL USE PERMITS

Sec. 35-20. When May Conditional Use Permits Be Issued.

Conditional Use Permit for directional and informational signs, gate or entrance signs, and wall signs and freestanding signs exceeding the otherwise permitted size for places of public entertainment where the public attraction is constantly changing may be granted under this article only if the Zoning Administrator determines that:

1. The sign is necessary to direct or inform the public as to the location or changing attraction of those uses specified in this article.
2. The location and size of the sign will not be detrimental to the safety, convenience, property value, and general welfare of the neighborhood.
3. If the sign informs the public concerning service club meetings, the permittee agrees in writing, if required by the Zoning Administrator, to permit additional service club signs to be placed on the same structure.

(Amended by Ord. 3235, 8/3/81)

Sec. 35-21. Applications.

An application for a Conditional Use Permit shall be made to the Planning and Development Department and shall be signed by the person or entity seeking to install or maintain the sign and a written consent to the application shall be signed by the owner of the property on which the sign is to be located, if the applicant is not the owner.

The application shall contain a description by address and assessor's parcel number of the property on which the sign is to be located, and such plans, elevations, descriptions, or other data as the Planning and Development Department may require.

(Amended by Ord. 3235, 8/3/81)

Sec. 35-22. Fee.

A fee, as set by the Board of Supervisors, shall be paid with the application to cover the cost of processing.

Sec. 35-23. Hearing.

The Zoning Administrator shall consider the application at a noticed public hearing. Notice of the time and place of the hearing, including a general explanation of the matter to be considered and a general description of the property affected shall be given by mail, with postage prepaid, at

least 10 days before the hearing to the applicant; the owner of the property, if not the applicant; and all persons owning property located within 300 feet of the property on which the proposed sign is to be located. Names and addresses of property owners shall be taken from the last equalized assessment roll or such other records of the assessor as contain more recent names or addresses.

(Amended by Ord. 3235, 8/3/81)

DIVISION 5. VARIANCES

Sec. 35-24. When May Variances Be Granted.

Variances from the terms of this article may be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

Sec. 35-25. Applications.

Applications for variance shall be made to the Planning and Development Department and shall contain a statement specifying 1) the street address and assessor's parcel number of the property on which the proposed sign is to be located, 2) the specific variance sought, and 3) the grounds upon which such variance is sought.

Applications shall be signed by the owner of the property on which the sign is to be located or by the tenant of said property with a statement of consent to the variance signed by the owner of the property.

Sec. 35-26. Fee.

A fee, as set by the Board of Supervisors, shall be paid at the time of the application to cover the cost of processing.

Sec. 35-27. Hearing.

The Zoning Administrator shall consider the application at a noticed public hearing. Notice of the time and place of the hearing, including a general explanation of the matter to be considered and a general description of the property affected, shall be given by mail, with postage prepaid, at least ten days before the hearing to the applicant, the owner of the property, if not the applicant, and all persons owning property located within 300 feet of property on which the proposed sign is to be located. Names and addresses of property owners shall be taken from the last equalized assessment roll or such other records of the assessor as contain more recent names or addresses. *(Amended by Ord. 4066, 8/18/92)*

DIVISION 6. APPROVED MODIFICATIONS

Sec. 35-28. When May Approved Modifications be Granted. *(Amended by Ord. 3235, 8/3/81)*

Wall signs and menu board for drive-through restaurants that exceed the sizes permitted in Division 3 may be permitted in commercial, heavy commercial, industrial, heavy industrial, and shopping centers, when the Zoning Administrator finds that the proposed size is architecturally harmonious in relation to the size and location of the building on which it will be placed and the size and location of the area on which the building is constructed. *(Amended by Ord.4207, 11/7/95)*

Freestanding signs that exceed the sizes, heights, and numbers permitted in Division 3 may be permitted in shopping centers, when the Zoning Administrator finds that the proposed size, height, or number is architecturally harmonious in relation to the size and location of the shopping center.

Sec. 35-29. Applications.

Applications for approved modifications shall be made to the Planning and Development Department and shall contain a statement specifying 1) the street address and assessor's parcel number of the property on which the proposed sign is to be located, 2) the proposed location of the sign on the property, 3) the specific approved modification sought, 4) such plans, elevations, descriptions, or other data as the Zoning Administrator may require, and 5) the grounds upon which such approved modification is sought. *(Amended by Ord. 3235, 8/3/81)*

Applications shall be signed by the owner of the property on which the sign is to be located or by the tenant of said property with a statement of consent to the approved modification signed by the owner of the property.

Sec. 35-30. Fee.

A fee, as set by the Board of Supervisors, shall be paid with the application to cover the cost of processing.

Sec. 35-31. Hearing.

The Zoning Administrator shall consider the application at a noticed public hearing. Notice of the time and place of the hearing, including a general explanation of the matter to be considered and a general description of the property affected, shall be given by mail, with postage prepaid, at least 10 days before the hearing to the applicant; the owner of the property, if not the applicant; and all persons owning property located within 300 feet of the property on which the proposed sign is to

MODIFICATIONS

be located. Names and addresses of property owners shall be taken from the last equalized assessment roll or such other records of the assessor as contain more recent names or addresses.

(Amended by Ord. 3235, 8/3/81)

DIVISION 7. NON-CONFORMING SIGNS

Sec. 35-32. Non-conforming Signs.

Any sign which was lawfully erected and maintained prior to the effective date of this article, May 28, 1970, or the effective date of any applicable amendment to this article, but which does not conform with the provisions, other than the certificate of conformance, of this article, or any amendments thereto, is a non-conforming sign. "Lawfully erected" shall include: signs erected before any sign regulations were applicable to the property, signs erected in conformance with the then applicable sign regulations, but not including the requirement for a land use permit or a zoning clearance, and signs erected pursuant to a variance, a conditional use permit, or an approved development plan. "Lawfully maintained" shall include: signs maintained in conformity with the applicable sign regulations existing immediately before the effective date of this article, including signs maintained pursuant to variances, conditional use permits, and approved development plans; and signs maintained as non-conforming signs with or without a termination date under an operative amortization period. Non-conformance may include, but is not limited to, sign use, type of sign, height, location, number, size, and failure to conform with an approved Overall Sign Plan for a shopping center. Non-conformance does not include failure to obtain either a zoning clearance or a land use permit or a certificate of conformance.

Sec. 35-33. Abatement.

All non-conforming signs may be continued and maintained for a reasonable nine-year period of amortization from the effective date of this article, or any amendment thereto, rendering them non-conforming. At the end of this nine-year amortization period, such non-conforming signs lose their status as non-conforming signs and become illegal signs in violation of the provisions of this article and shall be removed or brought into conformance with this article or any amendment thereto, by obtaining a certificate of conformance, a variance, a conditional use permit, or approved modification.

Sec. 35-34. New Signs During Nine-Year Amortization Period.

1. Outside of Shopping Centers and for Service Stations.

In all districts, except for non-service station uses in shopping centers, during a nine-year amortization period for non-conforming signs on any parcel, signs may be erected,

NON-CONFORMING SIGNS

installed, affixed, altered, relocated, applied, and projected as an image and copy may be changed on that parcel, provided:

- a. the signs will be in conformance with this article, and
- b. when added together, the non-conforming and conforming signs on the parcel will not exceed neither the total number of signs nor the total sign area for all signs permitted by this article, and
- c. a certificate of conformance is issued by the Planning and Development Department.

2. Within Shopping Centers, Except for Service Stations.

a. If no overall sign plan has been adopted for a shopping center, during a nine-year amortization period for non-conforming signs in the shopping center, signs may be erected, installed, affixed, altered, relocated, applied, and projected as an image and copy may be changed in the shopping center, and such signs or copy may be maintained for the remainder of the amortization period provided:

1. a certificate of conformance effective for the remainder of the nine-year amortization period is issued by the Resource management Department, and
2. the signs, except for the non-conformance to an overall sign plan, will be in conformance with this article, and
3. when added together, the non-conforming and conforming signs on the premises, either the premises of an individual business or those of the management controlled common premises, will not exceed either the total number of signs nor the total sign area for all signs permitted by this article.

b. If an overall sign plan has been adopted for a shopping center, during a nine-year amortization period for non-conforming signs in the shopping center, signs may be erected, installed, affixed, altered, relocated, applied, and project as an image and copy may be changed in the shopping center, provided:

1. A certificate of conformance is issued by the Planning and Development Department, and
2. The signs will be in conformance with this article, and
3. When added together, the non-conforming and conforming signs on the premises, either the premises of an individual business or those of the

NON-CONFORMING SIGNS

management controlled common premises, will not exceed either the total number of signs nor the total sign area for all signs permitted by this article.

DIVISION 8 VIOLATIONS, ENFORCEMENT, AND PENALTIES

Sec. 35-35. Violations.

Any sign set up, applied, erected, constructed, altered, affixed, repaired, installed, relocated, enlarged, converted, maintained or projected as an image contrary to the provisions of this article, shall be and the same is hereby declared to be unlawful and a public nuisance.

Sec. 35-36. Enforcement.

The Planning and Development Director, his or her Zoning Administrator, deputies, assistants and planning technicians are hereby authorized and directed to investigate all purported violations of any of the provisions of this article. If a violation is determined to exist or to be impending, the Planning and Development Director, his or her Zoning Administrator, deputies, assistants or planning technicians are hereby authorized and directed to take such measures as they deem necessary or expedient to enforce and secure compliance with the provisions of this article, including the signing of complaints and other legal documents. Where any sign work is being done contrary to the provisions of this article, the Planning and Development Director may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Planning and Development Director to proceed with the work. *(Amended by Ord. 3457, 8/6/84)*

Sec. 35-36.1. Recovery of Costs.

1. Purpose and Intent.

This section establishes procedures for the recovery of administrative costs, including staff time expended on the enforcement of the provisions of this Article in cases where no permit is required in order to cure a violation. The intent of this section is to recoup administrative costs reasonably related to enforcement.

2. Definitions.

For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them herein.

Department: The Department of Planning and Development of the County of Santa Barbara;

Director: The Director of the Department of Planning and Development, or any person within the Department authorized by the Director;

VIOLATIONS AND ENFORCEMENT

Owner: The record owner or any person having possession and control of the subject property;

Costs: Administrative costs, including staff time expended and reasonably related to enforcement, for items including site inspections, summaries, reports, telephone contacts and correspondence. Travel done for inspections shall not be included.

3. The Planning and Development Department shall maintain records of all administrative costs, incurred by responsible County Departments, associated with the processing of violations and enforcement of this Article and shall recover such costs from the property owner as provided herein. Staff time shall be calculated at an hourly rate as established and revised from time to time by the Board of Supervisors.

4. Notice.

Upon investigation and a determination that a violation of any of the provisions of this Article is found to exist, the Director, or any person within the department authorized by the Director, shall notify the record owner or any person having possession or control of the subject property by certified mail of the existence of the violation, the Department's intent to charge the property owner for all administrative costs associated with enforcement, and of the owner's right to a hearing on objections thereto. The notice shall be in substantially the following form:

NOTICE

The Department of Planning and Development has determined that conditions exist at the property at _____ which violate Section ____ of the County Code, to wit:

(description of violation)

Notice is hereby given that at the conclusion of this case you will receive a summary of administrative costs associated with the processing of this violation, at an hourly rate as established and adjusted from time to time by the Board of Supervisors. The hourly rate presently in effect is ___ per hour of staff time.

You will have the right to object to these charges by filing a Request for Hearing with the Department of Planning and Development within ten (10) days of service of the summary of charges, pursuant to Section 35-36.1.6.

*Sign Regulations - Chapter 35, Article I
March 1996; Replacement Page August 1998*

VIOLATIONS AND ENFORCEMENT

5. At the conclusion of the case, the Director shall send a summary of costs associated with enforcement to the owner and/or person having possession or control of the subject property by certified mail. Said summary shall include a notice in substantially the following form:

NOTICE

If you object to these charges you must file a Request for Hearing on the enclosed form within ten (10) days of the date of this notice.

IF YOU FAIL TO TIMELY REQUEST A HEARING, YOUR RIGHT TO OBJECT WILL BE WAIVED AND YOU WILL BE LIABLE TO THE COUNTY FOR THESE CHARGES, TO BE RECOVERED IN A CIVIL ACTION IN THE NAME OF THE COUNTY, IN ANY COURT OF COMPETENT JURISDICTION WITHIN THE COUNTY.

Dated: _____

Director

- In the event that (a) no Request for Hearing is timely filed or, (b) after a hearing the Director affirms the validity of the costs, the property owner or person in control and possession shall be liable to the County in the amount stated in the summary or any lesser amount as determined by the Director. These costs shall be recoverable in a civil action in the name of the County, in any court of competent jurisdiction within the County.
6. Any property owner, or other person having possession and control thereof, who receives a summary of costs under this section shall have the right to a hearing before the Director on his objections to the proposed costs in accordance with the procedures set forth herein.
- a. A request for hearing shall be filed with the department within ten (10) days of the service by mail of the Department's summary of costs, on a form provided by the Department.
 - b. Within thirty (30) days of the filing of the request, and on ten (10) days written notice to the owner, the Director shall hold a hearing on the owner's objections, and determine the validity thereof.
 - c. In determining the validity of the costs, the Director shall consider whether total costs are reasonable in the circumstances of the case. Factors to be considered

VIOLATIONS AND ENFORCEMENT

include, but are not limited to, the following: Whether the present owner created the violation; whether there is a present ability to correct the violation; whether the owner moved promptly to correct the violation; the degree of cooperation provided by the owner; whether reasonable minds can differ as to whether a violation exists.

- d. The Director's decision shall be appealable to the Board of Supervisors pursuant to Sec. 35-12.

Sec. 35-36.2. Processing Fee Assessment

Any person who shall erect, construct, alter, enlarge, move or maintain any building or structure, or institute a use for which a permit is required by this Article without first having obtained a permit therefor, shall, if subsequently granted a permit for that building, structure or use, or any related building, structure or use on the property, first pay such additional permit processing fees as established from time to time by the Board of Supervisors.

Sec. 35-36.3. Violations of Conditions - Penalty

If any portion of a privilege authorized by a Modification, Variance, Conditional Use Permit, or other permit approved under this chapter is utilized, the conditions of the Modification, Variance, Conditional Use Permit, or other permit approved under this chapter, immediately become effective and must be strictly complied with. The violation of any valid condition imposed by the Planning Commission, Board of Supervisors, Zoning Administrator, or Planning and Development Department in connection with the granting of any Modification, Variance, Conditional Use Permit, or other permit taken pursuant to the authority of Chapter 35, shall constitute a violation and shall be subject to the same penalties as defined in Section 35-41.

Sec. 35-37. Liability.

The Planning and Development Director, his or her Zoning Administrator, or deputies, assistants or planning technicians, charged with the enforcement of this article, acting in good faith and without malice for the County of Santa Barbara, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act of omission in the discharge of his duties. *(Amended by Ord. 3457, 8/6/84)*

Any suit brought against the Planning and Development Director, his or her Zoning Administrator, or deputies, assistants, or planning technicians, because of such act or omission

VIOLATIONS AND ENFORCEMENT

performed by him in the enforcement of any provisions of this article, shall be defended by County Counsel of the County of Santa Barbara until final termination of the proceedings.

(Amended by Ord. 3547, 8/6/84)

Sec. 35-38. Cooperation of Other Officials.

The Planning and Development Director may request and shall receive, so far as may be necessary in the discharge of his duties, the assistance and cooperation of other officials of the County.

Sec. 35-39. Right of Entry.

With the consent of the owner or occupier of any building, structure, or premises or under an inspection warrant issued pursuant to Sections 1822.50 to 1822.57 of the Code of Civil Procedure of the State of California, the Planning and Development Director, his or her Zoning Administrator, or assistants, or planning technicians, may enter at all reasonable times any building, structure, or premises in the County of Santa Barbara to perform any duty imposed upon him by this article.

(Amended by Ord. 3457, 8/6/84)

Sec. 35-40. Legal Action.

If unable to otherwise enforce the terms of this article, the Planning and Development Director shall refer the matter to the District Attorney or County Counsel of the County of Santa Barbara for appropriate legal action, civil, criminal or both.

Sec. 35-41. Penalties.

Any persons, firm or corporation whether as a principal, employee or otherwise, violating any provisions of this Article or the rules, regulations, order or permits issued thereunder, shall be guilty of an infraction and, upon conviction thereof, shall be punishable by 1) a fine not exceeding one hundred dollars (\$100.00) for a first violation; 2) a fine not exceeding two hundred dollars (\$200.00) for a second violation of the same ordinance within one year; and 3) a fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same ordinance within one year.

Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this article is committed, continued or permitted by such person, firm or corporation, and shall be punishable as herein provided.

(Amended by Ord. 2947, 4/25/77; Ord. 3591, 10/6/86)

Sec. 35-42. Remedies Cumulative.

The remedies provided for herein shall be cumulative and not exclusive.

*Sign Regulations - Chapter 35, Article I
March 1996; Replacement Page August 1998*

DIVISION 9 SPECIAL AREA REQUIREMENTS

Sec. 35-43. Summerland Sign Requirements. *(Added by Ord. 4033, 5/19/92)*

1. In General.

All signs within the Commercial, Industrial and Public Utility Zone Districts in the planning area of Summerland as shown on Summerland Community Land Use Map shall comply with the regulations of Division 1-8 of this Article, as well as the regulations of this Division.

If there is a conflict, the regulations of Division 9 shall apply notwithstanding the regulations of Division 1-8.

2. Permitted Signs.

Only those signs of each type listed below shall be permitted to be erected or maintained upon any building, lot or parcel of land located in the Commercial, Industrial and Public Utility Zone Districts:

a. Wall Signs.

One (1) or more wall sign(s) on each street frontage unlighted or indirectly lighted. Said sign(s) shall not exceed the lesser of the following areas: (1) one-tenth (1/10) of the square footage of the building facade of that portion of a single floor occupied by a business and upon which facade the wall sign is to be located; or (2) sixty (60) square feet. If more than one business occupies the building, the businesses may have separate signs or they may share the sign space, so long as the combined sign area does not exceed 1/10 of the square footage of the building facade or 60 square feet, whichever is less.

b. Identification Signs.

One (1) identification sign, unlighted or indirectly lighted, not to exceed ten (10) square feet in area, and no more than five (5) feet in height measured from the ground to the top of the sign, which identifies the business primarily being conducted on the premises.

c. Banner Signs.

One (1) banner sign, unlighted, not to exceed 16 square feet on the facade having street frontage of the building occupied by the business. The sign shall remain in the public view no longer than forty-five (45) days.

3. Special Standards for Neon Signs.

Neon signs may be considered approvable by the County Board of Architectural Review if the following criteria are incorporated:

- a. The sign is not within 100 feet of residentially zoned areas;
- b. The sign is not directed towards or visible from residentially zoned areas;
- c. The sign must be compatible with other uses on the property and in the immediate vicinity;
- d. The sign is appropriate for the type of building;
- e. The sign is appropriate for the type of business;
- f. The sign is artistic and subtle in the design and execution; and
- g. The sign is secondary in size and purpose to the primary signage of the business.

4. Sign Standards.

a. Construction.

The exposed face of all signs shall be either of wood (painted and/or carved) or of painted non-gloss material. Signs of any other material shall be deemed to be banner signs.

b. Illumination.

Illuminated signs shall be externally lit and the lighting source shall be screened or situated so as not to cast stray light beyond the property line wherein they are installed. The source of illumination shall be extinguished at closing time of the business.

5. Prohibited Signs.

It shall be unlawful to erect or maintain:

a. Internally Illuminated Signs.

Internally illuminated signs, e.g. fluorescent tube behind plastic.

b. Pole Signs.

Free-standing pole signs higher than five (5) feet measured from the ground at the base of the supporting structure to the top of the sign.

APPENDIX A

TABLE OF ORDINANCES WHICH ADOPTED ARTICLE I AND ALL SUBSEQUENT
AMENDMENTS

<u>ORD. NO</u>	<u>B/S ADOPTION DATE</u>	<u>SECTION(S)</u>
2077	4/27/70	Complete Ordinance
2116	9/14/70	Sec. 35-32
2471	7/30/73	Sec. 35-3; 35-11
2947	4/25/77	Sec. 35-41
2997	10/31/77	Sec. 35-13
3235	8/3/81	Sections 35-3; 35-10; 35-12; 35-13; 35-17; 35-18; 25-20; 35-21; 35-22; 35-23; 35-28; 35-29; 35-30; 35-31; 35-36; 35-37; 35-39; 35-41
3457	8/6/84	Sections 35-36; 35-37; 35-39
3591	10/6/86	Sec. 35-41
3592	10/6/86	Sec. 35-9
3593	10/6/86	Sec. 35-36
4033 (92-OA-7)	5/19/92	Sec. 35-43
4066 (92-OA-14)	8/18/92	Sec. 35-27
4207 (95-OA-006)	11/7/95	Sections 35-3; 35-4; 35-17; 35-18; 35-28