



**TOWN OF LOS GATOS**  
**SPECIAL MEETING OF THE TOWN COUNCIL: STUDY SESSION AGENDA**  
**AUGUST 15, 2023**  
**110 EAST MAIN STREET AND VIA TELECONFERENCE**  
**TOWN COUNCIL CHAMBERS**  
**6:00 PM**

*Maria Ristow, Mayor*  
*Mary Badame, Vice Mayor*  
*Matthew Hudes, Council Member*  
*Rob Moore, Council Member*  
*Rob Rennie, Council Member*

**PARTICIPATION IN THE PUBLIC PROCESS**

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Town Council meeting.

Effective Proceedings: The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Town Council without first being recognized; interrupting speakers, Town Council or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Clerk’s Office no later than 3:00 p.m. on the day of the Council meeting.
- Persons wishing to submit written comments to be included in the materials provided to Town Council must provide the comments as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Council meeting
  - For inclusion in any Addendum: by 11:00 a.m. the Monday before the Council meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the Council Meeting

***Town Council Meetings Broadcast Live on KCAT, Channel 15 (on Comcast) on the 1st and 3rd Tuesdays at 7:00 p.m.***  
***Rebroadcast of Town Council Meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays at 7:00 p.m.***  
***Live & Archived Council Meetings can be viewed by going to:***  
***[www.LosGatosCA.gov/TownYouTube](http://www.LosGatosCA.gov/TownYouTube)***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***

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**IMPORTANT NOTICE**

This is a hybrid meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through the Zoom webinar application (log-in information provided below). Members of the public may provide public comments for agenda items in-person or virtually through the Zoom webinar by following the instructions listed below. The live stream of the meeting may be viewed on television and/or online at [www.LosGatosCA.gov/TownYouTube](http://www.LosGatosCA.gov/TownYouTube).

This meeting will be teleconferenced pursuant to Government Code Section 54953(b)(3). Council Member Rob Rennie will be participating from a teleconference location at 16879 Prospect Avenue, Thousand Island Park, New York, 13693. The teleconference location shall be accessible to the public and the agenda will be posted at the teleconference locations 72 hours before the meeting.

**PARTICIPATION**

To provide oral comments in real-time during the meeting:

- Zoom webinar: Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: <https://losgatosca.gov.zoom.us/j/81374685936?pwd=d1JZR1E0ZEZFUWFFmeDZjL2d3MTdMZz09> Passcode: 626091 You can also type in 81374685936 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
  - When the Mayor announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press \*9 on your telephone keypad to raise your hand.
- Join by telephone: Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100
  - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- In-Person: If you wish to speak during the meeting, please complete a “speaker’s card” located on the back of the chamber benches and return it to the Town Clerk. If you wish to speak to an item on the agenda, please list the item number. The time allocated to speakers may change to better facilitate the Town Council meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for speakers at a Council meeting.

If you are unable to participate in real-time, you may email to [Clerk@losgatosca.gov](mailto:Clerk@losgatosca.gov) the subject line “Public Comment Item #\_\_” (insert the item number relevant to your comment). Comments

received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

## **MEETING CALL TO ORDER**

## **ROLL CALL**

**APPROVE REMOTE PARTICIPATION** *(This item is listed on the agenda in the event there is an emergency circumstance requiring a Council Member to participate remotely under AB 2449 (Government Code 54953)).*

## **RULES OF DECORUM AND CIVILITY**

To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- Addressing the Town Council without first being recognized;
- Interrupting speakers, Council Members, or Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the microphone when directed to do so;
- Repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code Section 403.

**VERBAL COMMUNICATIONS** *(Members of the public may address the Town Council only on the agenda items. Unless additional time is authorized by the Mayor, remarks shall be limited to three minutes.)*

## **OTHER BUSINESS**

1. Receive and Discuss Information Regarding a Recommended Update to the Town's Sign Ordinance Provisions Regarding Temporary Signs and Provide Direction to the Town Attorney.

## **ADJOURNMENT**

*Writings related to an item on the Town Council meeting agenda distributed to members of the Council within 72 hours of the meeting are available for public inspection at the front desk of the Los Gatos Town Library, located at 100 Villa Avenue, and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Council at the meeting are available for review in the Town Council Chambers.*

*Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.*



**TOWN OF LOS GATOS  
COUNCIL STUDY SESSION  
REPORT**

MEETING DATE: 08/15/2023

ITEM NO: 1

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DATE: August 10, 2023  
TO: Mayor and Town Council  
FROM: Gabrielle Whelan, Town Attorney  
SUBJECT: Receive and Discuss Information Regarding a Recommended Update to the Town's Sign Ordinance Provisions Regarding Temporary Signs and Provide Direction to the Town Attorney

**RECOMMENDATION:**

Receive and discuss information regarding a recommended update to the Town's sign ordinance provisions regarding temporary signs and provide direction to the Town Attorney.

**BACKGROUND:**

The Town's sign ordinance is codified at Sections 29.10.100 – 29.10.140 (Attachment 1) of the Town Code and was most recently amended in 1994.<sup>1</sup> Since then, a number of court decisions affecting sign regulations have been issued. These court decisions discuss the First Amendment and "freedom of speech." The most significant of these decisions is *Reed v. Gilbert*, 576 U.S. 155 (2105). In *Reed v. Gilbert*, the court overturned a local ordinance that imposed content-based regulations. A government regulation of speech is considered to be "content-based" if the law applies to particular speech because of the topic discussed on the idea or message expressed.

The level of judicial review differs based on whether a sign is located in a "public forum," which is a place typically used for expressive conduct such as streets or sidewalks, or a "non-public forum," which is a place not typically used for expressive conduct such as private property. If a regulation affecting signs in the public right-of-way is "content-based," a court will only uphold the regulation if it: 1) serves a compelling government interest; and 2) is narrowly tailored to

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<sup>1</sup> The Town also has adopted "Signage Guidelines" in its "Commercial Design Guidelines," which pertain to permanent commercial signage as opposed to temporary signs.

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Community Development Director, Parks and Public Works Director, and Finance Director

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BACKGROUND (continued):

serve that interest. A regulation affecting signs on private property will be upheld if it is: 1) reasonable; and 2) content-neutral.

DISCUSSION:

The Town's sign ordinance currently includes content-based regulations for several types of temporary signs. Examples of this are regulations that are specific to "political signs," real estate open house signs, "grand opening" banners, and event signs. The best practice is to have a category for "temporary signs" and apply the same regulations to all forms of temporary signs.

Case law does authorize the Town to impose "time, place, and manner" regulations on signage. Examples of "time, place, and manner" regulations are those related to size, location, and time limits for display. In order to develop proposed "time, place, and manner" regulations, the Town Council's input is sought on the following questions:

- 1) Should all temporary signs in the public right-of-way be prohibited?<sup>2</sup>
  - a. Alternatively, should temporary signs be prohibited only in the median and on the sidewalk?<sup>3</sup> In other words, should temporary signs be permitted in any grassy areas in front of or beyond the sidewalk?
- 2) Should there be a distance requirement between temporary signs in the public right-of-way? For example, some jurisdictions require at least a 50-foot distance between temporary signs in the public right-of-way but allow one temporary sign at each corner of an intersection on weekends.
- 3) Should there be a limited duration for the display of temporary signs?<sup>4</sup> For example, some jurisdictions limit the placement of temporary signs to 45 days before the event related to the sign and 10 days after. The Town's regulations for event signs/banners currently limit them to no more than 14 days prior to the event, and require removal within 24 hours after the event.
- 4) What should the size limit be for temporary signs that are allowed in the public right-of-way? For example, some jurisdictions limit temporary signs in the public right-of-way to a maximum of six square feet and 3 feet in height, which helps maintain a line of sight for vehicular traffic and does not impede access for people with disabilities.

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<sup>2</sup> Sandwich boards are currently prohibited. During COVID, the Town did not enforce this prohibition but anticipates doing so now unless the Town Council directs otherwise.

<sup>3</sup> Temporary signage on sidewalks is currently prohibited. If allowed, the ordinance would need to allow for a three-foot wide path of travel in accordance with the Americans with Disabilities Act.

<sup>4</sup> Town Code Section 29.10.120 currently provides that "grand opening" signs are permitted for a maximum of 45 days. This is a content-based regulation, which should be adjusted to apply to all temporary signs.

DISCUSSION (continued):

- 5) What should the size limit be for temporary signs that are allowed on private property? The Town currently has different limits for different types of temporary signs on private property, allowing, for example to a range of between 18 and 25 square feet for subdivision signs, with a 15-foot height limit, and requires that they be located at least 15 feet away from the edge of the public right-of-way. Other temporary signs are limited based on the same formula(s) used for permanent signage. Some jurisdictions contain a maximum square footage for all signage and a maximum square footage for each individual sign.<sup>5</sup>

CONCLUSION:

After the Town Council has provided direction, the Town Attorney will prepare a draft ordinance with possible revisions to the Town's Sign Code, conduct public outreach, bring the matter before the Planning Commission for its recommendation, and set a public hearing for Town Council consideration.

COORDINATION:

This report was coordinated with the Town Manager's Office and the Community Development Department.

FISCAL IMPACT:

This study session will not have fiscal impact.

ENVIRONMENTAL ASSESSMENT:

Because the Town Council is providing direction rather than taking action, this study session is not a project subject to CEQA, and no further action is required.

Attachment:

1. Town of Los Gatos Sign Ordinance

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<sup>5</sup> One example would be to impose a limit of 10 square feet for total signage in all residential zones and 16 square feet for total signage in all other zones – with a limit of 6 square feet for each individual sign.

## **DIVISION 3. - SIGNS**

### **Sec. 29.10.100. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned sign* means a sign located on a parcel of land or on a structure either of which is vacant for a period of ninety (90) days, a sign pertaining to a past occupant or business different from the present occupant of or business on the premises, a sign pertaining to a past event or any sign abandoned as the term is used in state law.

*Arcade* means a covered passageway with business establishments along at least one (1) side.

*Attached sign* means a sign which is affixed to and made an integral part of a building or structure. Attached signs include, but are not limited to wall signs, roof signs, and projecting signs, to distinguish them from freestanding and ground signs.

*Attraction board* is a sign constructed so that letters or other advertising material can be changed, and which relates to businesses or organizations which depend, on a large part, upon trade and attendance generated by temporary, independent and frequently changing events or showing, such as those engaged in providing live or filmed entertainment or sporting events.

*Awning* is synonymous with marquee.

*Billboard* means a sign, other than a directional sign, which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a place other than where the sign is erected. Included are signs erected upon benches.

*Bulletin board* is a sign located on the same premises and used solely in connection with activities of a church, school, hospital, or public building, and allowing changeable messages.

*Business frontage* is that portion of a building which faces a street, parking lot, pedestrian mall, arcade or walkway. The primary business frontage is one which contains a customer entrance or which includes a glass-enclosed showroom facing the street. If a building has more than one (1) business frontage with a customer entrance, the property owner must designate one (1) of them as the primary business frontage. Unless otherwise stated, the phrase "business frontage" means "primary business frontage." All other business frontage is secondary frontage. As used in this section, "parking lot" means either a publicly owned and operated parking lot or a parking lot located on the same zoning plot as the business frontage.

*Canopy* is synonymous with marquee.

*Conformance* means the state of being in conformity with the provisions of this division, either because of reconstruction or modification pursuant to a sign permit, or because of removal or obliteration.

*Construction sign* is a sign located on a construction site during the course of construction, which identifies the architects, engineers, contractors, financiers or other persons and other individuals or firms involved with the construction, or announcing the building, enterprise or function for which the construction is intended.

*Convenience sign* is a sign which facilitates traffic flow and safety, not erected by a governmental agency, such as entrance-exit, caution, parking, right or left turns only, stop, drive-up window, or towaway zone.

*Entity* means any person and any distinct business enterprise even where adjacent business enterprises are owned or operated by a single person.

*Erect* means to construct, place, relocate, enlarge, alter, attach, suspend, paint, post, display, hang, or affix.

*Face of a sign* is the portion or portions of the exterior surface of a sign intended to or particularly adapted either to display an advertising message or to attract attention to the sign. The face of a sign is often the front, but may be any surface including a rear or blank portion. A sign may have more than one (1) face and may be virtually all face. The fact that no message is imprinted on a portion of a sign does not necessarily prevent that portion from being a face, as in the case of a flat sign erected near and perpendicular to a street. Such sign would have two (2) faces even if one (1) were blank. In determining what constitutes a sign face, weight will be given to whether the particular aspect in question is readily viewable from public property or any premises other than those where the sign is erected, but a sign face may exist even where the face is visible only from some part of the premises where the sign is erected if the face is viewable from out-of-doors and the other elements of the definition of face are present. Usually, all of one (1) face is visible from one (1) point. Where, for example, several "boards" of a sign are erected on a single plane or parallel planes, they together comprise one (1) face, and are measured within a single perimeter, including the spaces between them.

*Freestanding sign* is a sign which is wholly or partly supported by a structural element which is not an integral part of a building.

*Ground sign* is a freestanding sign less than seven (7) feet high.

*Height* of a freestanding sign is the elevation above finished grade of the highest point of either the sign or the stand, poles, wall or other structure upon which it is mounted. Finished grade is the general finished ground surface where the sign is erected, not taking into account mounding or other alterations to the surface made in regard to the sign. However, where finished grade is below the elevation of the top of the curb on the frontage where the sign is erected, or if there is no curb below the elevation of the margin of the street surface, height is the elevation above the top of the curb, or at the margin of the street surface if there is no curb. The point on the curb or the margin of the street surface to be used as a base point for measurement is the point



intersected by a line drawn perpendicular to the centerline of the street which intersects the center of the base of the sign.

*Lot frontage* means the property line of a lot abutting on a public street which affords access to the lot. In the case of a corner lot and other lots which are bordered on more than one (1) side by a street, lot frontage is the lot line in respect to which the business for which the sign is provided has its primary business frontage.

*Marquee* means a temporary or permanent structure attached to or supported by a building, designed for shelter over a pedestrian or vehicular way and which may or may not project over public property.

*Neighborhood identification sign* is a ground sign situated where a street enters a residential neighborhood, which serves only to identify the neighborhood.

*Nonconforming sign* is one which was lawfully erected but which does not comply with this division because of:

- (1) Annexation of territory to the Town;
- (2) Amendment to the zoning ordinance;
- (3) Rezoning, other than rezoning when the application for rezoning is made by or joined in by the owner of the real property where the sign is located.

However, a sign which was lawfully erected but which does not comply with this division because of:

- (1) Division of real property where the sign is located;
- (2) Alterations to any building on the lot, parcel or zoning plot where the sign is located; or
- (3) Rezoning, when the application for rezoning was made by or joined in by the owner of the real property where the sign is located;

is not a nonconforming sign. A sign may be a nonconforming sign because of a single characteristic, such as height or brightness, correction of which may result in conforming status for the sign, or a new amortization date. This section does not list all classes of signs which are not nonconforming signs.

*Off-premises sign* is any sign not located on the same zoning plot as the entity it advertises.

*Pedestrian directional sign* is an on-premises sign which shows the direction to or location of a customer entrance to a business.

*Political sign* is any sign which is intended to influence the vote for the passage or defeat of a measure, or nomination, election or defeat of a candidate in any governmental election.

*Portable sign* is a sign which is movable, not structurally attached to the ground, nor to a building, structure, or sign. "A"-frame and sandwich signs are portable signs.

*Projecting sign* is any sign erected on the wall of a building or structure, or suspended from an overhang, with display surfaces generally not parallel to the wall.

*Roof sign* is an attached sign erected on a roof or projecting above the eave or rake of a building or coping of a parapet. A sign erected on top of a canopy, arcade, awning or marquee is a roof sign.

*Sign* is any thing, or element of a thing, located out of doors or in a place where it is visible from out of doors, created, adapted, or installed, by a person for the primary and apparent purpose of conveying a visible advertising message, and may include supports, standards and fixtures. A color scheme or special lighting effect on the exterior of a building is a sign where the placement of the colors or lighting effect in relation to the building create a primary effect of advertising. Exceptions:

(1) Merchandise on display is generally not a sign because merchandise is ordinarily possessed for the primary purpose of permitting sales from stock on hand. A merchandise display located at a distance from the point of sale or displayed in the unusual manner might constitute a sign.

(2) A structural element of a building or the supports, standard, or fixtures of a sign would not be a sign where the element is related to reasonable structural necessity, and the circumstances show that the element is not intended to be identified by viewers with the sale or promotion of goods or services.

(3) Nighttime, white illumination, within reasonable brightness limitations, of a building or of merchandise is not of itself a sign, where the result is only to make visible without undue emphasis that which can be seen in the daytime.

*Sign area* is the total area of the face or faces of a sign. Each face is measured by determining the smallest area within a single perimeter composed of not more than eight (8) straight lines drawn by the applicant enclosing the extreme limits of the face. Where a sign consists of letters or symbols on a wall, the wall is not designed so that one (1) of its main purposes is to support a sign, and the sign's background is an indistinguishable part of a wall. For the purposes of measurement a six-inch margin around all of the words and symbols will be included in the perimeter composed of not more than eight (8) straight lines.

*Sign permit* is the permit issued by the Planning Director to evidence approval by any of the bodies or person authorized by this division to erect a sign.

*Temporary sign* is a sign, usually constructed of cloth or fabric, cardboard, wallboard, wood or other light materials, intended to be displayed for a short period of time as set forth in [section 29.10.120](#).

*Time and temperature sign* is a sign which shows time and/or temperature and which contains no advertising.

*Vehicular directional sign* is an off-premises sign which shows the direction to or location of a use or activity.

*Wall* is a surface which has a slope steeper than one (1) foot horizontal to two (2) vertical.

*Wall sign* is a sign erected on a wall or fascia of a building or structure (other than a structure, one (1) of whose main purposes is to support a sign), the face of which is generally parallel to the wall or fascia and all of which is below the coping of the parapet, below the rake, the top of the fascia, the eave line, or in any event, below the top of the structure. A sign which meets the definition of this section but is erected between posts, pillars, or columns which support a roof or second story, rather than on a wall, is also a wall sign. A sign which is erected on and incidental to a freestanding wall or fence, including any gateway portion of a wall or fence, is also a wall sign.

*Window sign* is a sign which is displayed in or through a window, is less than twenty-four (24) inches inside glass, and is visible from a street, walkway, parking lot, or pedestrian plaza, any of which is accessible to the public.

(Ord. No. 1316, §§ 3.31.010—3.31.190, 6-7-76; Ord. No. 1363, 8-1-77; Ord. No. 1519, 10-26-81)

#### **Sec. 29.10.105. - Generally.**

(a) *Application.* The regulations in this division apply to all signs in all zones. Regulations of the number and area of signs refer to the signs allowed on a zoning plot, except where the regulations prescribe the number and area of signs allowed on a business frontage.

(b) *Intent.* The intent of this division is as follows:

(1) The Town is a predominantly residential community of natural beauty, distinctive architecture and historic character. The economic stability of the Town is dependent upon its high quality and Town-oriented, commercial and residential environment. Unregulated and uncontrolled erection and maintenance of advertising structures tends to create a garish and gaudy atmosphere which is not in harmony with the character and environment of the business or residential community.

(2) The purpose of a sign is to inform the general public that a business enterprise and function exists in the Town.

(3) This chapter recognizes the right of the public to be directed, warned, advised, and informed; and also recognizes the economic need for a sign to function as a means of identification, expression of business character, and positive notification of product and service availability for consumption.

(4) This chapter regulates the location, height, width, shape, proportion, design, illumination and construction (except as provided by building codes) of signs for the purpose of insuring that they are architecturally compatible with the planned image of the Town.

(5) The purpose of this chapter is to assist in the continuation of existing and introduction of new commercial activities in architectural harmony with the existing and planned Town, to take advantage of the unusual character of the Town and to encourage proper maintenance and rehabilitation of real property. To accomplish this:

a. Local public values must be balanced with general public rights and economic functions related to signs.

b. The size of a sign must be prevented from overpowering its surroundings or becoming a determinant factor in consumer evaluation of competitive enterprises.

c. The shape of a sign must not conflict with the architectural lines of its setting.

d. A sign must be prevented from overpowering its surroundings through hue, saturation, and brilliance or close combination of incompatible colors.

e. Normal maintenance and speedy repair is required for all signs.

(c) *Permits*. Sign permits must be obtained before erection of all signs, except as provided by [section 29.10.110](#). A building permit may be required by another ordinance.

(d) *Variances*. The provisions of this chapter concerning variances are not available to modify the terms of this division.

(e) *Authority to erect*. No sign shall be erected without the express permission of the landowner. A lease to a lessee would be sufficient evidence of the authority to erect a sign.

(Ord. No. 1316, §§ 3.30.010—3.30.070, 6-7-76; Ord. No. 1363, 8-1-77)

#### **Sec. 29.10.110. - Exceptions.**

A sign permit is not required for the signs described in this section. The number and area of these signs are regulated only by this section and they are allowed in addition to signs of other classes.

(1) *House numbers, traffic, etc.* House numbers, street names, signs warning against danger, railroad crossing signs, authorized traffic or parking signs and rural delivery boxes.

(2) *Nameplates*. Nameplates having an area not over one and one-half (1½) square feet, affixed flat against the wall of a building, which only show the name or address of a person or persons or entity occupying the area, up to a limit of six (6) plates per building.

(3) *Building directories.* Building directories for buildings with more than six (6) tenants, the sign having an area not over nine (9) square feet, affixed flat against the wall of a building, which only show the name or address of the persons or entities occupying the building.

(4) *Plaques.* Solid metal plaques or cut inscriptions, either erected by recognized historical agencies, or which show names of buildings and dates of erection, provided the sign does not exceed four (4) square feet in area.

(5) *Real estate.* One (1) nonilluminated sign on each street frontage for any lot or building which serves solely to advertise the sale, lease or rental of or an offer to build to suit on the premises where the sign is located, provided the sign does not exceed twelve (12) square feet in area if the sign is in a commercial, professional or industrial zone, or six (6) square feet in area if the sign is in a residential zone. This exception is only available when all or part of the premises is actually available for the transaction advertised.

(6) *Open house.* Nonilluminated, off-site, portable signs directing customers to the location of an open house which is for sale are permitted, unlimited in total number, but limited to one (1) double-faced sign per corner of an intersection or zoning plot. The signs shall not exceed an area of one (1) square foot per face and shall not be more than four (4) feet high. Open house signs shall contain no individual, or individual company advertising. Prior permission shall be obtained from the property owner if the sign is to be placed on a privately owned parcel. The signs shall be removed each day after the closing of the open house. Open house signs are an exception to the rule prohibiting off-premises signs and signs on public property.

(7) *Interior signs.* Signs in the interior of a building, enclosed lobby or court, not visible from the outside and signs not visible from off the premises.

(8) *Convenience signs.* Convenience signs not exceeding two (2) square feet in area and containing no advertising material. Exception: Hospital emergency signs may be as large as four (4) square feet and may be illuminated.

(9) *No trespassing signs.* "No trespassing" or "no dumping" signs not exceeding three (3) square feet in area.

(10) *Window signs.* Window signs not exceeding twenty-five (25) percent of the window area.

(11) *Parking signs.* Not more than one (1) parking control sign for each parking entrance, not exceeding an area of two (2) square feet. Parking control signs may contain the name(s) of the business(es) controlling the parking lot.

(12) *Public notices and warnings.* Notices posted by a public officer in the performance of a public duty, or by any person for the purpose of giving legal notice, and warning or informational signs required or authorized by governmental regulations.

(13) *Recycling and vending facilities.* Recycling and vending facility signs shall not exceed two (2) square feet, plus one (1) square foot for every one hundred (100) square feet of facility or machine in excess of one hundred (100) total square feet of floor area.

(14) *Other public agency signs.* Street signs, traffic signs, emergency warnings, and the like erected by a public agency.

(15) *Political signs.* Any number of nonilluminated political signs, either freestanding or attached, is permitted, limited to a total sign area not exceeding six (6) square feet in residential zones and not exceeding eighteen (18) square feet in other zones. There is no area limit for political window signs, and their area is in addition to that allowed for other political signs. No political sign shall be erected an unreasonable period of time in advance of the election or convention, and all persons who erect political signs or who own or control the premises where political signs are erected, are jointly and severally liable to remove such signs within ten (10) days after the election or convention to which the sign pertains.

(16) *Special event signs.* Any sign permitted by a special event permit issued under Article X of [Chapter 14](#) of this Code.

(Ord. No. 1316, §§ 3.32.010—3.32.070, 6-7-76; Ord. No. 1446, 11-19-79; Ord. No. 1731, 7-6-87; Ord. No. 1737, § VI, 11-2-87; Ord. No. 1738, 11-2-87; Ord. No. 1908, § III, 7-20-92)

#### **Sec. 29.10.115. - Prohibited signs.**

Except as otherwise provided in this chapter, the signs described in this section are prohibited.

(1) *Flags, etc.* Flags, banners, pennants, balloons, and similar objects designed to move with the wind, except the American flag, the flag of any nation or governmental entity, or house flags when flown in conjunction with the American flag, either on the same staff or a separate staff, and when the house flag is smaller than or equal in size to the American flag.

(2) *Lighted signs.* Lighted signs that flash on and off, fluctuate or appear to move.

(3) *Moving signs.* Signs that rotate or move in any fashion, except barber poles.

(4) *Excessively bright signs.* Lighted signs whose brightness is detrimental to the reasonable enjoyment of surrounding property or are a traffic hazard.

(5) *Obstructing signs generally.* Signs which prevent free use of a door, window or fire escape, or obstruct the view from any living area in the building to which the sign is attached.

(6) *Signs obstructing standpipes, etc.* Signs attached to a standpipe or fire escape.

(7) *Signs obstructing traffic devices.* Signs located so as to obstruct the view of a traffic sign, signal, or device.

(8) *Confusing signs.* Signs which might be mistaken for or confuse the viewers of a traffic light or a signal.

(9) *Posters.* Placards, posters, announcement and similar signs erected on any fence, pole, tree, pavement, wall, bus stop, bench, or any other object in a public thoroughfare, except those of an official nature as provided in [section 29.10.110](#)(12).

(10) *Portable signs.* Portable signs and signs erected on parked vehicles or trailers, when such vehicles or trailers are parked in such a location or manner that it is clear the intention is to advertise the services of a business.

(11) *Freeway signs.* Signs erected for the dominant purpose of being seen by travelers on a freeway.

(12) *Off-premises signs.* Off-premises signs, except those authorized by sections [29.10.110](#)(6), (15), [29.10.120](#)(2), (4), and [29.10.130](#)(1).

(13) *Indecent signs.* Signs containing matter which is obscene under State law.

(14) *Projected light signs.* Signs which are flashed or projected onto walls or other structures by means of a projector or other device.

(15) *Billboards.* Any billboard sign.

(16) *Unauthorized signs.* Any sign not specifically authorized in sections [29.10.110](#), [29.10.120](#) and [29.10.130](#).

(Ord. No. 1316, §§ 3.33.010—3.33.090, 6-7-76; Ord. No. 1363, 8-1-77; Ord. No. 1446, 11-19-79)

#### **Sec. 29.10.120. - Temporary signs.**

Every sign described in this section, regardless of the manner of its construction, is a temporary sign. The number and area of such signs are regulated only by this section and are in addition to the allowed number and area for other classes of signs.

(1) *Grand opening sign.* Temporary signs used in conjunction with a grand opening are permitted as long as the grand opening does not exceed forty-five (45) calendar days. The total area of temporary signs may be equal to or less than the total sign area permitted for the business by [section 29.10.135](#). The permit shall state the maximum sign area allowed and the date the sign is to be removed as set by the erector of this chapter, whichever is more restrictive.

(2) *Subdivision signs.* Nonilluminated, on-site signs advertising a residential subdivision are permitted, limited to one (1) double-faced sign not exceeding an area of twenty-five (25) square feet per face, placed at a right angle to the street, or two (2) single-faced signs not exceeding an area of twenty-five (25) square feet each placed parallel to a street. The signs shall not be more than fifteen (15) feet high and shall be erected at least fifteen (15) feet from a street right-of-

way line. Additional signs containing information about the model name or number, floor plan, area or price are permitted in residential subdivisions provided there is not more than one (1) such sign for each model (not one (1) sign for each example of a model). Signs concerning models shall have an area not exceeding three (3) square feet, nor a height of more than four (4) feet, and shall be located in the immediate vicinity of an example of the model to which they refer. Off-premises subdivision signs advertising subdivisions which are not located on a major arterial street as defined by the Town general plan are permitted, limited to one (1) sign per subdivision. The signs shall not exceed eighteen (18) square feet in area, shall not be more than fifteen (15) feet high and shall be erected at least fifteen (15) feet from a street right-of-way line and shall be in a commercial or industrial zone. Signs authorized by this section shall not be erected until the subdivision map is recorded and building permits are issued for the construction of the project. Signs authorized under this section shall be removed when occupancy permits have been granted for ninety (90) percent of the dwelling units in the development. Off-premises subdivision signs are an exception to the rules prohibiting billboards and off-premises signs.

(3) *Lease and rental signs.* One (1) single-faced sign, advertising the rental or lease of a commercial, office, or industrial development to be built in the future. The sign shall not have an area exceeding twenty (20) square feet, shall not be more than fifteen (15) feet high, and shall be erected parallel to a street, at least fifteen (15) feet from a street right-of-way line. The sign shall not be erected until a Development Review Committee approval is granted for the erection of the building or buildings and the sign shall be removed when seventy (70) percent of the floor area of the project is occupied.

(4) *Event signs.*

a. Subject to the conditions of this section, a permit may be issued for a temporary sign promoting a civic, political, charitable, cultural, recreational, educational or religious event as follows:

- (i) An event in town sponsored by a non-profit organization; or
- (ii) An event sponsored by a non-profit organization with its principal business address in Town; or
- (iii) An event sponsored by a public school; or
- (iv) An event sponsored by a non-profit organization to which the Town contributes funds; or
- (v) An event co-sponsored by the Town.

b. If a non-profit organization's event does not qualify under subsection (a), the non-profit organization may submit an application to the Town Planning Director for a temporary sign if the organization can demonstrate to the satisfaction of the Planning Director that the event will occur within Santa Clara County and the proceeds from the event will be used to benefit



residents of Los Gatos. The Planning Director shall review the application and determine whether to grant the application based upon whether the proceeds from the event will benefit residents of Los Gatos. If the Director denies the application, the applicant may appeal the decision to the Town Council within ten (10) days of the Director's decision.

c. Application. The event sponsor shall submit an application with applicable fee to the Planning Director. The application shall specify the proposed location for each sign for which approval is requested, a calculation of the total sign area proposed and permitted under [section 29.10.135](#), and a description of the sign material and means of posting proposed.

d. Conditions of approval.

(i) The sign may not be erected more than fourteen (14) days prior to the event and shall be removed within twenty-four (24) hours after the event.

(ii) An event sign shall be no larger than permitted under [section 29.10.135](#).

(iii) No more than a total of three (3) signs per event shall be allowed in the Town. Within this limit of three (3) signs, the following restrictions apply:

A. Except as provided under subsection (B) below, no more than one sign per event shall be permitted in the Downtown Area.

B. No more than one sign shall be permitted at the event site. Should the event have a number of locations or not have a fixed location, the event site sign shall be placed within five hundred (500) feet of the beginning or end of the event. Should the event site be located within the Downtown Area, the sign at the event site shall not count against the limitation imposed by subsection (A) above.

(iv) Event signs shall be secured at all four (4) corners to avoid flapping.

(v) No temporary structure may be erected for the purpose of displaying an event sign.

e. General restrictions.

(i) No more than three (3) event signs in total shall be permitted at any one time within five hundred (500) feet of any intersection in Town.

(ii) The square footage of an event sign shall not exceed the calculation of total sign area permitted under [section 29.10.135](#).

(iii) No more than one sign is permitted on any one property at one time.

f. For purposes of this section, "non-profit organization" is defined as:

(i) A non-profit corporation existing under Division 2 of Title 1 of the Corporations Code; or

(ii) A non-profit association as defined in Corporations Code section 21000; or

(iii) A non-profit corporation existing under the laws of another State governing non-profit corporations and which is permitted to do business in California under California law.

g. For the purposes of this section, Downtown Area means the C-2 zone.

(5) *Construction signs.* One (1) construction (nonilluminated) sign on a zoning plot of not more than thirty-two (32) square feet in total area. No construction sign shall be erected prior to the issuance of a building permit, and each shall be removed as soon as a certificate of use and occupancy is issued.

(Ord. No. 1316, §§ 3.34.010—3.34.035, 6-7-76; Ord. No. 1375, 11-21-77; Ord. No. 1908, § I, 7-20-92; Ord. No. 1980, § II, 5-23-94)

#### **Sec. 29.10.125. - Standards.**

The following standards prescribed in this section shall apply to all sign approvals.

(1) *Copy.* Signs are limited to naming the entity and the kind of activity conducted on the premises and products and services offered there. Signs may refer to matters not on the premises only when sections [29.10.105](#) through [29.10.140](#) expressly provide.

(2) *Trade names or logos.* Signs may show trade names or logos that are not the name of the entity on the premises, but only when such trade name or logo is that of a product or service which is a major part of the sales or services conducted on the premises.

(3) *Compatibility with surroundings.* The design, color and location of each sign shall be compatible with the architecture of the buildings on the premises, and in harmony with the structures and other improvements on the property.

(4) *Shopping centers.* In a shopping center or multi-tenant building, each sign shall be related to the other signs in the same center or building by incorporating at least four (4) of the following six (6) identical elements:

a. Material.

b. Letter style.

c. Color.

d. Illumination.

e. Method used for structural support of attachment.

f. Shape of the entire sign and its components.

(5) *Backs and supports.* The backs and supports of all signs shall be subdued.

(6) *Illumination generally.* No portion of the surface of any illuminated sign nor any visible lamp illuminating a sign shall have a brightness exceeding one hundred fifty foot-lamberts.

(7) *Illumination near residential districts.* Illuminated signs with a brightness more than thirty foot-lamberts shall not be erected nearer than fifty (50) feet from any point in a residential district unless the face of the sign is not visible from the residential district.

(8) *Roof signs.* Roof signs must:

- a. Be erected only on a roof whose pitch is at least one (1) vertical to four (4) horizontal.
- b. Have a face no more than two (2) feet measured vertically.
- c. Be located so the face is parallel to the eave in front of the sign.
- d. Be set no more than eight (8) inches above the roof.
- e. Be designed and erected so that no part of its face is higher than either the peak or an elevation five (5) feet above the eave in front of the sign.
- f. Have architecture and site approval.

Architecture and site approval may only be issued on the basis of findings that a wall sign is not feasible because the wall of the building is set back beneath and obscured by the porch or roof overhang which is an extension of and integral with the sloping roof of the building, and that the sign cannot be suspended between posts or columns supporting the roof without obstructing safe passage for pedestrians.

(9) *Projecting signs.* Projecting signs shall not project more than thirty-six (36) inches from the wall of a building nor more than twelve (12) inches into any public right-of-way. The projection is measured on a line perpendicular to the wall. All projecting signs which project over a walkway or public right-of-way shall have a clearance of nine (9) feet above grade.

(10) *Signs suspended from a marquee.* All signs suspended from a single marquee shall be uniform in size, shape, placement and background color. Such signs shall have a clearance of at least eight (8) feet above grade.

(11) *Signs for theaters.* The traditional methods of theater advertising require a unique type of sign program so the size, location, and number of signs, including attraction boards for a theater, are subject only to the limitations and provisions in the conditional use permit for the theater. Whenever a theater is operated lawfully but has no conditional use permit the signs of that theater which have been erected on or before the effective date of this chapter are nonconforming signs and a conditional use permit authorizing the signs must be obtained or the signs must be abated in the manner provided in [section 29.10.140](#).

(Ord. No. 1316, §§ 3.35.010—3.35.065, 6-7-76; Ord. No. 1363, 8-1-77; Ord. No. 1375, 11-21-77; Ord. No. 1460, 3-3-80)

**Sec. 29.10.130. - Signs which may be erected in all zones.**

A sign permit is required for the signs described in this section. The number and area of such signs are regulated only by this section and they are allowed in addition to signs of other classes.

(1) *Directional signs (vehicular).* Nonilluminated vehicular directional signs showing the direction to or location of the civic center, hospitals, public parking lots, and any publicly owned facility. A sign showing the direction to a private facility that serves the general public (other than a church) may also be permitted upon findings by the Planning Director that there is a public interest in making the facility easy to find; that the public would have great difficulty finding the facility without a sign; and that the sign would not have a detrimental effect on the neighborhood. Signs erected under this section may be erected in the public right-of-way by express permission, but shall in all cases meet the following requirements:

- a. The sign must be located on an arterial street.
- b. The sign shall not exceed six (6) square feet in area, nor a height of ten (10) feet.
- c. The sign shall be erected at least one hundred (100) feet from any other directional sign.

(2) *Directional signs (pedestrian).* For each customer entrance, one (1) nonilluminated pedestrian directional sign which does not exceed one (1) square foot in area.

(3) *Bulletin boards.* Bulletin boards not exceeding eighteen (18) square feet in area, nor height of six (6) feet, when located on the premises of, and used solely in connection with activities of a church, school or public building.

(4) *Community bulletin boards and kiosks.* Community-oriented bulletin boards and kiosks, including service club directories, may be located on public property after review and approval as provided by sections [29.20.745](#) and [29.20.755](#).

(Ord. No. 1316, §§ 3.37.010—3.37.025, 6-7-76; Ord. No. 1363, 8-1-77; Ord. No. 1375, 11-21-77; Ord. No. 1519, 10-26-81)

**Sec. 29.10.135. - Zone regulations.**

(a) *Scope.* This section specifies the signs which may be erected in each zone, other than signs which by the express provisions of this chapter may be erected in all zones. Except where this section specifies, nonconforming uses shall have only those signs allowed for the zone and not signs which might otherwise be allowed for similar uses in other zones.

(b) *Residential zones.* In residential zones (defined by [section 29.40.010](#)) the following signs may be erected:

EXPAND

Land Use		Class of Sign	Number of Signs	Total Area
1. Multiple Family Developments:				
a.	Less than 10 units	wall signs	one per lot frontage	18 sq. ft.
b.	10 units or more	wall signs	one per lot frontage	<u>24</u> sq. ft.
2. Authorized Nonresidential Uses (including recreational activities, schools, churches, public utilities, lawful nonconforming uses, etc.)		ground signs	one per zoning plot	<u>24</u> sq. ft.
		wall signs	one per lot frontage	<u>24</u> sq. ft.
3. Neighborhood Identification Signs (only for neighborhoods with an area of 3 acres or more)		ground signs	number and location subject to determination by the deciding body	<u>24</u> sq. ft.

(c) *Nonresidential zones.* The rules for nonresidential zones (defined by [section 29.50.010](#)) are specified in this section, and by number in the following list, table and footnotes. Rules 1 and 2 govern the calculation of the area of attached signs for each entity. Rules 3 through 9 govern the calculation of the total area of all signs for each zoning plot. The following paragraph applies to all nonresidential zones. The numbered rules apply only where the table so indicates. The maximum sign area for attached signs on any frontage may not exceed the area derived from the calculation for that frontage. Attached signs may be erected on any wall of the building, however, the area of a sign on a wall that is not a business frontage may not exceed twenty-five (25) percent of the sign area predicated on the primary business frontage. In addition, signs cannot be erected on a nonbusiness frontage wall if the zoning plot is contiguous to a residential zone and if the wall faces that zone.

(1) Allowed sign area is one (1) square foot for each lineal foot of primary business frontage plus one (1) square foot for each lineal foot of secondary business frontage provided that the sign area generated by each secondary business frontage cannot exceed fifty (50) percent of the sign area generated by the primary business frontage.

(2) Allowed sign area is one (1) square foot for each lineal foot of primary business frontage plus one-half square foot for each lineal foot of secondary business frontage.

(3) For vehicle sales the area of freestanding signs is not restricted by any rule limiting total sign area on the zoning plot.

(4) The total area of all signs on a zoning plot shall not exceed one (1) square foot of sign area for each lineal foot of lot frontage.

(5) The total area of all signs on a zoning plot is limited to the area derived from the business frontage calculation.

(6) For shopping centers the area of a ground sign is not restricted by any rule limiting total sign area on the zoning plot.

(7) For shopping centers the area of a freestanding sign is not restricted by any rule limiting total sign area on the zoning plot.

(8) The area of time and temperature signs is not restricted by any rule limiting total sign area.

(9) The area of any attraction board shall be included in the calculation of the area of signs of the same class and in the calculation of the total area of signs on a zoning plot.

# TABLE OF SIGN REGULATIONS

ZONES	O	C-1	C-2	CH	LM	CM
<b>ATTACHED SIGNS</b>						
Wall	X	X	X	X	X	X
Roof		X	X	X		
Projecting		X	X	X		
Suspended from a Marquee (limited to one per entity)	X	X	X	X		
Formulas for Area Calculations	Rule 1	Rules 1 & 8	Rules 2 & 8	Rule 1	Rule 1	Rule 1
<b>TIME &amp; TEMPERATURE SIGNS</b> (limited to one per zoning plot)						
Area per Face (sq. ft.)		12	12	12		
Total Area (sq. ft.)		24	24	24		
<b>GROUND SIGNS</b> (limited to one per zoning plot except in the O and CM District - See Note 3)						
Area per face (sq. ft.)	16	20	16	20	20	20
Total Area (sq. ft.)	32	40	32	40	40	40
May be used as a Tenant Directory	X		X		X	X
<b>FREESTANDING SIGNS</b> (limited to one per zoning plot except in the CH District - See Note 2)						
Area per Face (sq. ft.)		For shopping centers only		FIRST SIGN SECOND SIGN See Note 2		
Total Area (sq. ft.)		50		125 75		
Height (ft.)		100		250 150		
<b>ATTRACTION BOARDS</b>						
Rules for Calculating Total Sign Area of Zoning Plot	Rule 4	Rules 5, 6, 7, 8 & 9	Rules 5, 6, 8 & 9	Rules 3, 5, 8 & 9	Rule 4	Rule 4

Note 1: Shopping centers may have a ground sign in addition to a freestanding sign if the center has more than one lot frontage.

Note 2: Zoning plots which exceed one acre and have more than one lot frontage may have an additional freestanding sign.

Note 3: Zoning plots which have a lot frontage exceeding 300 feet may have a ground sign for each 300 feet of frontage or fraction thereof.

(d) *Planned development overlay zone.* The signs shown on the official development plan referred to in division 2 of article VIII of this chapter may be erected in the PD zone.

(Ord. No. 1316, §§ 3.38.010—3.38.040, 6-7-76; Ord. No. 1328, 8-2-76; Ord. No. 1344, 1-17-77; Ord. No. 1363, 8-1-77; Ord. No. 1375, 11-21-77; Ord. No. 1446, 11-19-79)

**Sec. 29.10.140. - Nonconforming signs.**

(a) *Scope.* This section regulates the use and removal of nonconforming, unlawful, and abandoned signs.

(b) *Modifications to nonconforming signs.* The following modifications to nonconforming signs are allowed:

(1) Changes in sign copy.

(2) Modifications that reduce the extent to which the sign does not comply with this chapter.

No modification of a nonconforming sign shall have any effect on the length of the amortization period for the sign.

(c) *Record of nonconforming signs.* The Planning Director shall prepare a list of all signs in the Town which are nonconforming signs.

(d) *Mailing of notices.* The Planning Director shall mail a notice by certified return receipt mail to the occupant business, if known, and to the owner (as shown on the last equalized assessment roll) of the land where each nonconforming sign is located. The notice shall contain:

(1) A description of the land where the sign is located and a description of the sign, both in terms reasonably sufficient for the owner to identify the sign.

(2) A statement that the sign is a nonconforming sign.

(3) The applicable date for removal of the sign under the provisions of subsection (f).

Information concerning more than one (1) sign, and information concerning separate amortization dates for different characteristics of one (1) or more single signs, separately stated, may be included in a single notice. If the Planning Director subsequently learns that for any reason notice has not been given in a timely manner, or that notice given is defective in any way, the Planning Director shall promptly mail a proper notice to the occupant and owner, even if the regular time for notification has expired. Notice mailed after the time required by this subsection meets the requirements of subsection (e) and is effective to start the time period provided in subsection (f).

(e) *Effect of mailing of notices.* Notice mailed as provided in subsection (d) is deemed to be notice to the owners of nonconforming signs and to all persons having any right, title or interest therein. The mailing of notices is intended as a convenience to sign owners. However, no failure to give notice shall invalidate any proceeding to enforce this chapter to abate any sign, or to punish any sign violation.

(f) *Duration of nonconforming signs.* A nonconforming sign which becomes nonconforming shall be a nonconforming sign for the applicable period shown on the following schedule:

(1) Painted on wall signs, excessive brightness of signs, roof signs, signs suspended from a marquee: two (2) years.



(2) Freestanding signs, wall signs, projecting signs and all signs not otherwise specified in this section: five (5) years.

(3) Signs where total area of all signs on a building or zoning plot exceed permitted area: five (5) years.

(g) *Notification and other procedures concerning subsequent nonconforming signs.* Within six (6) months of the date when a sign described in subsection (f) becomes a nonconforming sign, the Planning Director shall add the sign to the list of nonconforming signs and mail notices in the manner specified in subsection (d), and such notices shall have the same effects as the notices provided for other nonconforming signs.

(h) *Extension of nonconforming sign status.* During the deliberations on the provisions of this chapter concerning signs, it was determined that this chapter should not include provisions for granting extensions of nonconforming status since the basic periods for nonconforming status were extended by the same number of years originally proposed for allowable extension.

(i) *Removal of unlawful signs.* Any sign erected or maintained contrary to the provisions of this division or any other ordinance of the Town including unlawfully erected signs, and formerly nonconforming signs whose nonconforming status has terminated, is in its entirety an unlawful sign. The provisions of sections [29.20.950](#) and [29.20.955](#) are applicable to unlawful signs, and to those who erect or maintain them.

(j) *Abandoned signs.* The owner must have all copy removed from an abandoned sign and the sign shall remain blank until a new entity has occupied the premises. Further, if any sign has been abandoned for a period of one (1) year the owner shall remove the sign and any appurtenant structures.

(k) *Maintenance.* All signs shall be maintained and kept in repair and shall be painted and repainted at reasonable intervals. If the owner fails to comply, after ten (10) days' written notice by the Planning Director, or duly appointed deputy, to so maintain such signs, the Planning Director shall have the sign removed at the owner's expense.

(Ord. No. 1316, §§ 3.39.010—3.39.070, 6-7-76; Ord. No. 1380, 1-23-78)



**TOWN OF LOS GATOS  
COUNCIL STUDY SESSION  
REPORT**

MEETING DATE: 08/15/2023

ITEM NO: 1

ADDENDUM

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DATE: August 14, 2023  
TO: Mayor and Town Council  
FROM: Gabrielle Whelan, Town Attorney  
SUBJECT: Receive and Discuss Information Regarding a Recommended Update to the Town's Sign Ordinance Provisions Regarding Temporary Signs and Provide Direction to the Town Attorney

**REMARKS:**

Staff has prepared a PowerPoint presentation for the report.

**Attachment received with the Staff Report:**

1. Town of Los Gatos Sign Ordinance

**Attachments received with this Addendum:**

2. PowerPoint Presentation

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Community Development Director, Parks and Public Works Director, and Finance Director

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# Town Council Meeting Study Session August 15, 2023

Discuss “Temporary Sign” Regulations



## “Temporary Sign” Regulations



# Town Code

• • •

Sections 29.10.110 and  
29.10.120 address temporary  
signs

Update needed to render  
“temporary sign” regulations  
“content-neutral”

## “Temporary Sign” Regulations



# Temporary Signs

• • •

Goal: Adopt “time, place, and manner” regulations that can be applied to temporary signs without regard to content:

Location

Distance Between Signs

Duration of Display

Size and Height

“Temporary Sign”  
Regulations



# Location

• • •

- 1)** Should all temporary signs in the public right-of-way be prohibited?
  - a.** Prohibited only in median and on sidewalks?
  - b.** Permitted in any grassy areas in front of or beyond the sidewalk?

## “Temporary Sign” Regulations



# Distance

• • •

- 2) Should there be a distance requirement between temporary signs in the public right-of-way?
- a. For example, some require at least 50-foot distance between temporary signs
  - b. Allow one temporary sign at each corner of an intersection on weekends

## “Temporary Sign” Regulations



# Duration of Display

• • •

- 3) Should there be a limited duration for the display of temporary signs?

“Temporary Sign”  
Regulations





# Size (Public Right-of-Way)

• • •

- 4) What should the size limit be for temporary signs that are allowed in the public right-of-way?
  - a. For example, some limit to a maximum of six square feet and 3 feet in height

## “Temporary Sign” Regulations



# Size (Private Property)

• • •

5) What should the size limit be for temporary signs that are allowed on private property?

“Temporary Sign”  
Regulations



# FOR MORE INFORMATION



- **STAFF CONTACT:**
  - Gabrielle Whelan, Town Attorney