

CITY OF MCFARLAND PLANNING COMMISSION AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBERS
103 W. SHERWOOD AVE, MCFARLAND, CA

August 15, 2023
6:00 PM

In Person Meeting

How to submit public comments:

The meetings of the Planning Commission and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the city on any item listed on the agenda, or on any non-listed matter over which the city has jurisdiction. At special or emergency meetings, members of the public may only address the city on items listed on the agenda.

There is a time limitation of two minutes per person. For any item that is not on the agenda and within the jurisdiction or interest of the city, please come to the podium at this time. The Brown Act does not permit any action or discussion on items not listed on the agenda. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced, and the Chairman opens Public Comment on the item. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to Planning Commission, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Chairman finds that there is in fact willful disruption of any Planning Commission Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the Commission’s business without them present.

Americans with Disabilities Act:

In compliance with the ADA, if you need special assistance to participate in a city meeting or other services offered by the City, please contact the City Clerk’s office, at (661) 792-3091 ext. 2135. Notification of at least 48 hours prior to the meeting, or time when services are needed, will assist the city staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting or services.

CALL TO ORDER: Chairman Marco Martinez

ROLL CALL:

Chairman, Marco Martinez
Vice Chairman, Jose Hernandez Jr.
Commissioner, Jose “Jay” Hernandez
Commissioner, Luis Sarabia
Commissioner, Jim White

PLEDGE OF ALLEGIANCE

INVOCATION

INTERPRETATION: If you need an interpretation of your communications to the City Council from Spanish into English, please contact the City Clerk Department at 661-792-3091 ext 2135 or via email at falvarado@mcfarlandcity.org . Subject to availability, notifying at least 48 hours before will usually enable the City to make arrangements.

PRESENTATIONS

None

PUBLIC COMMENT: At regularly scheduled meetings, members of the public may address the city on any item listed on the agenda, or on any non-listed matter over which the city has jurisdiction. Commissioners may respond briefly to statements made or questions posed. They may ask a question for clarification; may refer the item to staff for further study or for placement on a future agenda. Speakers are limited to two minutes for each person. Please state your name and address for the record prior to making a presentation. Fifteen minutes total will be allowed for any one subject.

PUBLIC HEARINGS:

1. It Is Recommended That the Planning Commission Conduct a Public Hearing to Receive Public Input Regarding RESOLUTION NO. 2023-0003-PC A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING CITY COUNCIL APPROVE THE AMENDMENT OF MCFARLAND MUNICIPAL CODE CHAPTERS 17.142 OF TITLE 17 ZONING.
 - Staff Report
 - a. Open Public Hearing and Receive Public Testimony;
 - b. Close Public Hearing;
 - c. Motion to adopt Resolution No. 2023-0003-PC A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING CITY COUNCIL APPROVE THE AMENDMENT OF MCFARLAND MUNICIPAL CODE CHAPTERS 17.142 OF TITLE 17 ZONING.

CONSENT AGENDA: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless the Planning Commission removes a particular item.

2. Approval of February 7, 2023 Special Meeting Minutes

PLANNING DISCUSSION ITEMS:

3. City of McFarland Hazard Mitigation Plan Update
 - a. Dynamic Planning Presentation

COMMISSIONER COMMENTS:

On their own initiative, commission members may make an announcement or a report on their own activities. they may ask a question for clarification, make referral to staff, or take action to have staff place a matter of business on a future agenda (government code section 54954.2(a)).

ADJOURNMENT:

This Is to Certify This Agenda Was Posted at McFarland City Hall on August 11, 2023.

Francisca Alvarado
Francisca Alvarado, City Clerk

Kenneth Williams
Kenneth Williams, City Manager

The Next Regular Planning Commission Meeting: September 19, 2023.

The City of McFarland does not discriminate based on disability and complies with the provisions of the Americans with Disabilities Act (ADA). If you need special assistance to participate in this meeting, please contact the City Clerk's office at (661) 792-3091 ext. 2135 at least 48 hours prior to the meeting to make reasonable arrangements to ensure accessibility to this meeting.

All agenda item and/or supporting documentation is available for public review on the city website at www.mcfarlandcity.org and the office of the City Clerk of the City of McFarland, at 401 W, Kern Ave. McFarland, CA 93250 during regular business hours of 8:00 am – 5:00 pm Monday through Friday, following the posting of the agenda. Any supporting documentation related to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to the meeting will also be available for review at the same location and available at the meeting.

CITY OF MCFARLAND SPECIAL PLANNING COMMISSION MINUTES
In Person Meeting
February 07, 2023

CALL TO ORDER

Chairman Martinez called the meeting to order at 5:00 p.m.

ROLL CALL

Commissioners Present: M. Martinez, J. Hernandez Jr., Jay L. Hernandez, L. Sarabia

Commissioners Absent: J. White

Commissioner Sarabia joined the meeting at 5:03 p.m.

OFFICIALS PRESENT

City Manager/Chief of Police Williams, City Planner De Leon, Community Development Director Ronk,
City Clerk Alvarado

Officials Absent: None

PLEDGE OF ALLEGIANCE

Jose Hernandez Jr.

INVOCATION

M. Martinez

PRESENTATIONS AND PROCLAMATIONS

None

PUBLIC COMMENTS

Opened at: 5:02 p.m.

No comments from the public were presented during this time.

Closed at: 5:03 p.m.

DEPARTMENTAL REPORTS

None

PUBLIC HEARINGS

1. It is Recommended that the Planning Commission Conduct a Public Hearing to Receive Public Input of the Consideration, and Adoption of Resolution No. 2023-0001PC A RESOLUTION OF THE

PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING CITY COUNCIL APPROVE THE AMENDMENT OF MCFARLAND MUNICIPAL CODE CHAPTERS 17.84.020 B, 17.88.020 B, 17.84.020 B, AND 17.152.030 AND REMOVAL OF CODE CHAPTERS 17.08.045 AND 17.08.050.

- A. Opened the Public Hearing and Receive Public Testimony; 5:05 p.m.

Public Comments:

1. Phil Corr – Argument Against Approval of Resolution No. 2023-0001PC

Staff report was presented by: Community Development Director L. Ronk

Phil Corr requested an additional minute to speak after the staff report was presented.

Chairman Martinez granted Corr's request.

Corr request a map that would identify the areas that cannabis would be allowed.

2. Jesus Ramos – Questions regarding the function of the Cannabis committee.
Potential business loss to current established business due to cannabis sales in the same area.
3. Bobby Sharp- Against approval of Resolution No. 2023-0001PC.
4. Terry Ruddle – Against approval of Resolution No. 2023-0001PC.

- B. Closed the Public Hearing; 5:24 pm

- C. Motion to Approve Resolution No. 2023-0001PC, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING CITY COUNCIL APPROVE THE AMENDMENT OF MCFARLAND MUNICIPAL CODE CHAPTERS 17.84.020 B, 17.88.020 B, 17.84.020 B, AND 17.152.030 AND REMOVAL OF CODE CHAPTERS 17.08.045 AND 17.08.050.

Chairman Jay Hernandez motioned to approve but failed for lack of second motion.

*Chairman Martinez amended the motion from approval of Resolution No. 2023-0001PC to **disapproval** of Resolution NO. 2023-0001PC. Chairman Martinez called a roll call vote for **disapproval**.*

Roll Call:

Commissioner L. Sarabia- Aye

Commissioner J. Hernandez Jr. – Aye

Chairman M. Martinez- Aye

Commissioner Jay L. Hernandez- Aye

Stated for the record a typing error to ordinance chapter 17.84.020 was repeated, should have read 17.92.020B.

CONSENT AGENDA: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless the Planning Commission removes a particular item.

2. Approval of November 29, 2022, Special Planning Commission Meeting Minutes.

Motion was made by: Commissioner Sarabia to approve the Consent Agenda 2nd by: Commissioner Jay Hernandez.

AYES: L. Sarabia, J. Hernandez Jr., Jay L. Hernandez

NAYS: None
ABSTAIN: M. Martinez (not present on November 29, 2022, meeting)
ABSENT: White

PLANNING DISCUSSION ITEMS

None

COMMISSIONER COMMENTS

Martinez – Informed of the next regular scheduled planning commission meeting on February 21, 2023.

ADJOURNMENT

Motion was made by: Chairman Martinez to adjourn the meeting; 2nd by: Commissioner Jay L. Hernandez meeting adjourned at 5:28 p.m.

Francisca Alvarado, City Clerk



PLANNING COMMISSION STAFF REPORT
August 15, 2023

TO:	Chair and Planning Commissioners
FROM:	Paul Saldana Community Development Director Brianahi De Leon Senior City Planner
DATE:	August 15, 2023

Agenda Item	
Presentation	
Departmental Reports	
Consent Agenda	
Public Hearings	X
Discussion Items	
Other	
Action Requested	
Ordinance	
Resolution	X
Motion	
None	

PROJECT DESCRIPTION: Zoning Ordinance Amendment – Sign Ordinance

ENVIRONMENTAL DOCUMENT: None

APPLICANT: City of McFarland

SECTION: Sections 17.142 of Title 17 Zoning

STAFF RECOMMENDATION

The staff recommends the Planning Commission to consider and adopt the resolution for the presentation to City Council of the proposed adoption and amendment to Sections 17.142 of Title 17 Zoning that will regulate sign structures and create a clear procedure in the McFarland Municipal Code to the City Council.

PROJECT DESCRIPTION

The City of McFarland staff conducted an analysis of the sign ordinance within the McFarland Municipal Code and is recommending an amendment to reconstruct the procedure for sign reviews and regulate the type of signs that are allowed within the city limits. This analysis was completed by the Senior City Planner. Staff met with the Community Development Director, Planning Consultant, and Building Inspector to gain guidance and address any possible deficiencies that may arise in sign review application process. Staff took into consideration various sign types and sign ordinances from surrounding cities. The provided draft amendment was created with the best intentions for the City of McFarland and to help provide the city with design and procedure regulations. The repeal and replacement

made was ultimately the Community Development Department's route in developing verbiage that is clear while encouraging consistency in design throughout the city.

ENVIRONMENTAL REVIEW

None

FINDINGS

None

Attachment 1 – Resolution No 2023-0003PC

RESOLUTION NO. 2023-0003-PC
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF MCFARLAND RECOMMENDING CITY
COUNCIL APPROVE THE AMENDMENT OF
MCFARLAND MUNICIPAL CODE CHAPTERS 17.142 OF
TITLE 17 ZONING

WHEREAS, The City of McFarland (“City”) desires to codify it’s Municipal Code Chapter related to Sign Ordinance and;

WHEREAS, The Ordinance updates the Municipal Code to amend Sections 17.142 of Title 17. Title 17 Zoning that will regulate sign structures and create a clear procedure; and

WHEREAS, Adoption of this resolution will assist in providing uniformity and consistency to the regulations and standards related to sign review applications found throughout the McFarland Municipal Code; and

WHEREAS, Adoption of this resolution is in furtherance of the City’s goals and objectives while reducing the potentially negative impacts arising from potentially deficient and/or incomplete/incompatible Municipal Code Chapters and creating a design consistency within the City; and

WHEREAS, on August 15, 2023, following notice duly and regularly given as required by law, the Planning Commission of the City of McFarland held a public hearing to consider the approval of the recommendation for the City Council to adopt the amendment to the Municipal Code. The Planning Commission received a report from City Staff, oral and written testimony from the public, and deliberated on the project.

WHEREAS, all legal prerequisites to adoption of this resolution have occurred.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MCFARLAND DOES ORDAIN AS FOLLOWS:

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of McFarland as follows:

Section 1. That the foregoing Recitals are true and correct and constitute a substantive part of this Resolution.

Section 2. Recommendation to City Council to approve the amendments pertaining to Sign Ordinance.

- a. The Planning Commission finds that the Sign ordinance amendments were presented to the Planning Commission, that the Planning Commission has reviewed the Sign Ordinance

prepared for the Project, all staff reports pertaining to the Project, and all other pertinent documents relating to the preparation of the sign ordinance amendments.

- b. The Planning Commission finds that on the basis of the Sign Ordinance comments received, and the whole record that there is no substantial evidence that the Project will have a significant adverse impact on the environment.
- c. The Planning Commission finds that the amendments to the ordinances pertaining to Signs reflects the City's independent judgment and analysis.
- d. The Planning Commission hereby recommends that the City Council adopt amendments attached hereto as Exhibit A and incorporated herein by reference.

Section 3. Recommendation to City Council to approve the amendment to Sections 17.142 of Title 17 of the McFarland Municipal Code. It is hereby repealed and replaced in its entirety, to read as follows:

17.142.010 - Purpose and Intent

A. The purpose of this chapter is to promote the growth of the city in an orderly manner and regulate sign structures in compliance with the Outdoor Advertising Act as codified in Business and Professions Code sections 5200 et seq. Signs that cause distraction and represent potential safety hazards as well as aesthetic problems are either discouraged or prohibited. Although signs can be overwhelming and a nuisance, when managed properly they can be considered an essential economic and visual element of any community. It is the city's policy and intent to regulate all signs in a manner that is consistent with applicable state and federal laws. Through the following general objectives and provisions of the chapter, the city intends to:

1. Enhance the economic and aesthetic value of the community through regulation of such things as types, number, area, height, location, and illumination of signs.
2. Encourage signs that are harmonious with adjacent land uses and projects.
3. Enhance the character and attractiveness of commercial properties. As well as increasing property values by prohibiting obstructive or incompatible signs.
4. Ensure signs are expressive and serve primarily in identifying, attracting, and directing people to various activities and enterprises.
5. Regulate the number of signs to ensure quality of appearance and prevent sign clutter.
6. Promoting and maintaining healthy commercial centers and property values by minimizing unsightly competition among signs.
7. Encourage signs that are well-designed, aesthetic, provide an incentive, and are properly related and spaced.
8. Encourage a desirable urban character and small-town image.
9. Provide a reasonable amortization period for the removal of non-conforming signs.
10. All while preventing adversely effecting residential neighborhoods.

17.142. 020 – Definitions

- A. For the purposes of this chapter the following terms as used herein are defined as follows:
1. Sign: Any card, cloth, paper, metal, painted, stone, concrete or wooden surface of any character placed for purposes of delivering a message on or affixed to the ground or any wall, tree, bush, rock, fence, building, structure, or thing, either publicly or privately owned, which includes advertising signs as defined herein.
 2. Advertising Sign: Shall mean a rigidly assembled sign, display, or device attached or affixed to the ground or attached to the building or other inherently permanent structure, including the advertising display's supporting structure, which constitutes or is used for the display of a commercial message to the public which may or may not exclusively pertain to the premises on which the display is located.
 3. Display Surface: Is the area made available by the sign structure for the purpose of displaying the advertising message.
 4. Outdoor Advertising Business: Shall mean the business or occupation of placing, erecting, constructing, or maintaining of advertising signs.
 5. Off-Site Advertising Sign: All signs intended or used to advertise, inform, or attract the attention of the public to activities conducted on property other than the property where the sign is located.
 6. Nonconforming: Signs that were lawfully placed, but that do not conform to the provisions of this chapter that were enacted subsequent to the date of placing said sign. This also encompasses signs that were lawfully in existence outside the city limits prior to annexation of that property where the sign is located into the city and signs that were lawfully in existence prior to any zoning changes or amendments to this chapter rendering the signs not in compliance with this chapter.
 7. Conforming signs: Signs that are in accordance with a set of standards, expectations, or specifications of this ordinance.

17.142.030 - Permanent Sign Standards for allowable signs.

The following are standards for specific types of signs. Each sign must comply with the sign type, area, height, and other restrictions provided by this section, in addition to the provisions of section 17.142.040.

Table 1. Sign Regulations by Use

Sign Type	Maximum Number	Maximum Sign area	Maximum Sign height	Location	Lighting Allowed	Other Regulations
Commercial, Office, and Industrial Signs						
Wall signs	1 per street or parking lot frontage, plus 1 per	1 sq. ft. per lineal ft. of primary building. /Tenant	Below eave, below fascia, or Parapet wall	Centered on building. wall or tenant frontage.	Yes	Signs shall be placed flat against the wall.

	secondary bldg. frontage	frontage, plus 0.5 sq. ft. per lineal ft. of secondary building frontage.				
Freestanding monument	1 per street frontage	32 sq. ft.	6 ft.	5 ft. setback from R-O-W	Yes	
Awning and Canopy signs	1 per awning or canopy	50% of valance or canopy fascia with 8-inch maximum height letters	Awning valance flap or canopy fascia only	Awnings on 1 st story window and doors only	No	
Projecting Signs	1 per tenant frontage	6 sq. ft.	Bottom of sign minimum of 8 ft. above sidewalk	1 st floor of building, 3 ft. maximum projection over public sidewalk.	No	
Real Estate Signs	1 per street frontage	32 sq. ft.	Wall below eave, 6ft. for monument		Yes	
Permanent Window Sign	1 per 1 st story window or glass door	25% of each window glass area. Area is cumulative for both temporary and permanent signs		1st story window or glass door	No	

Pylon Signs, freestanding signs, or pole signs	1 per street frontage			5 ft. setback from R-O-W (Right of way)	Yes	-Multi-tenant shopping centers share sign monument or pylon sign. -Pylon signs listing food, goods, and services essential for motor vehicles are allowed in close proximity to freeway entrances.
Murals and Prints	1 per building	Same as a "Wall Sign"; however, the exception is when mural has no advertising	Same as a "Wall Sign"; however, the exception is when mural has no advertising	Murals shall only be permitted on the side or rear walls of buildings.	No	
Institutional, Churches						
Wall or monument	1 per property	32 sq. ft	Wall below eave, 6 ft. for monument		Yes	
Service Station Sign						
Freestanding monument	1 per street frontage	100 sq. ft., (fuel price signs not counted in maximum sign area)	20 ft.		yes	

17.142.040 - General Provisions for Permanent Signs

- A. Change or Vacation of Business. When the name of a business or the location changes, or upon vacating a business location, the business or property owner shall remove the sign copy that advertised the previous business. At no time shall a sign cabinet remain empty and without a copy panel so that the internal lighting and electrical fixtures are exposed. During any period when a sign cabinet is not being utilized for identification of a business, a blank opaque panel (face) shall be installed in the sign cabinet structure.
- B. Frontage Allocation Not Transferable. No sign or sign area allowed on one frontage shall be transferred to another frontage.
- C. Murals and prints. Prior to painting or installing a mural on any building in the City of McFarland, an application shall be submitted for review by the Community Development Department. The Community Development Department will then make recommendation to the Planning Commission who will approve, conditionally approve or deny any proposed mural.
 - 1. Murals shall only be permitted on the side or rear walls of buildings.
 - 2. No part of a mural shall be illuminated or contain electrical or mechanical components, or changing images, or automated methods that result in movement, the appearance of movement, or change of mural image or message.
 - 3. The mural's theme, content, scale and layout shall reflect consideration of its location, surrounding properties and the environment.
 - 4. Paint, or any other medium that is to be applied to the mural shall be appropriate for use in an outdoor setting for an artistic rendition and shall be of a permanent, long-lasting variety.
- D. Illumination of Signs. The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding public rights-of-way, street, roads, or neighboring properties. The following standards shall apply to all illuminated signs:
 - 1. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
 - 2. Signs shall not have exposed fluorescent tubes or incandescent bulbs exceeding fifteen watts.
 - 3. Light sources (e.g., light bulbs) used for externally illuminated signs shall not be visible within one hundred feet of any residential zoning district. Internally illuminated signs visible from any residential zoning district shall not be illuminated between the hours of 11:00 p.m. and 6:00 a.m. unless they identify as an establishment open for business during those hours.
 - 4. Electrical raceways and conduits shall be placed so that they are not within public view. Where this is physically impractical or doing so would damage significant architectural features or materials, the community development director may grant a waiver of this requirement, provided all conduits, raceways, and similar devices are kept as small as possible and are painted the same colors as adjacent wall surfaces.
 - 5. Signs with electrical components shall be constructed, inspected, and approved by the Underwriters Laboratories (UL), or equal, and a label of approval from the laboratory shall be affixed to the sign in plain view.
 - 6. Only energy conserving light sources – LED or equivalent.
- E. Maintenance

1. All signs and sign structures including those otherwise specifically exempt from the provisions of this chapter, including all parts, portions, and materials, shall be maintained in good repair and structurally sound. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Banners shall be replaced if tattered or worn. Any cracks, broken surfaces, malfunctioning lights, missing sign copy, or other unmaintained or damaged portion of a sign shall be repaired or replaced within thirty calendar days following notification by the city. Noncompliance with the notification shall constitute a public nuisance.
- F. Alterations.
1. Existing signs shall not be physically altered (except for routine general maintenance and repair), moved, or relocated unless the sign complies with all provisions of this chapter. Legal, nonconforming signs shall comply with the requirements of the Nonconforming Signs section.
- G. Removal.
1. When a sign is removed or replaced, all brackets, poles, and other structural elements that supported the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure.
- H. Businesses.
1. All businesses in C-0, C-1, C-2, M-1, M-2, and M-3 are required to have a sign identifying the business.

17.142.050 - Non-Conforming Signs

Nothing in this chapter prohibits the city of McFarland from enforcing the provisions of this chapter against non-conforming signs and conforming signs by exercising its power to remove the sign pursuant to California Business and Professions Code Section 5412.

The following provisions are applicable to non-conforming signs:

- A. Continuation and Maintenance.
1. A legal, non-conforming sign may be continued, except as provided in subsection (C) of this section, or unless ordered discontinued, modified, or removed as a public nuisance in compliance with the municipal code.
 2. Routine maintenance and repairs may be performed on a non-conforming sign.
 3. A non-conforming sign shall not be replaced, altered, reconstructed, relocated, or expanded in any manner unless and until the sign is made to conform with the provisions of this chapter. This shall not be construed to prevent ordinary maintenance and minor repairs as required by the building inspector.
- B. Alterations and Enlargements
1. Each non-conforming sign shall be made to conform to the provisions of this chapter or removed at the sole cost of the owner thereof when any of the following events occur:
 - a) There is a change in ownership of the property; inheritance by a member of a deceased owner's family shall not be deemed to constitute a change in ownership;'

- b) There is a change in ownership of the sign or advertising sign. If the sign is owned by an outdoor advertising business, any change of forty-nine percent or more of the ownership interest in the outdoor advertising business shall constitute a change in ownership of the sign or advertising sign;
 - c) A sign permit has been issued pursuant to the provisions of this chapter permitting the installation or construction of a new or additional sign on the property.
 - 2. Nonconforming signs shall not be altered or reconstructed so as to increase the discrepancy between existing conditions and current standards for sign area, height, setback, or illumination.
- C. Restoration.
 - 1. A non-conforming sign destroyed or damaged to an extent exceeding fifty percent of its replacement cost immediately prior to deconstruction or damage, shall not be continued in use or maintained thereafter and shall be removed or made to conform with the provisions of this chapter within thirty days of the date of said destruction or damage.
 - 2. If a non-conforming sign reaches a state of disrepair or dilapidation and is not removed or made to conform to the provisions of this chapter within thirty days of the date of said damage or destruction, whereby the same constitutes or tends to constitute a hazard to the health, safety and welfare of the citizens of the city of McFarland the same shall be declared a public nuisance and after due notice and opportunity for a hearing thereon be abated by removal thereof.
 - 3.

17.142.060 - Temporary Signs

A Temporary Sign Permit is required. A temporary sign permit, issued by the Community Development Department, shall be approved prior to the placement or erection of a promotional temporary sign in all nonresidential zoning districts.

- A. In recognition of the fact that provisions need to be allowed for temporary signs and signs notifying the public of services, events, and activities, the following specialized signs are allowed under the conditions stated:
 - 1. Event signs
 - a) Event signs may be approved by the Community Development Director as a means of publicizing events, such as grand openings, carnivals, parades, charitable events, community holiday activities, and other events. The events can be commercial or non-commercial. Special event signs shall be limited to the following provisions:
 - i. Special event signs within windows shall be limited to covering no more than twenty-five percent of the window area per building elevation of the ground floor only;
 - ii. Signs shall be limited per business or property owner to forty-five days per calendar year. This time may be utilized in any combination of durations; however, the number of special events shall not exceed five

per calendar year, and those single events shall not exceed a duration of fifteen consecutive days.

2. Sign shall not exceed a total area of one hundred feet, and may include the name, symbol or logo of the business or sponsor, but in no event shall such name or logo exceed one-fourth the total committed copy area.
 - a) Community Development Director shall determine whether or not sign comports to the purpose of the city's sign ordinance and the neighborhood surrounding its location and may limit the size and location of the sign to achieve the purpose of the sign ordinance.
- B. Durable materials required for temporary signs. They shall be constructed of durable, rigid material suitable to their location and purpose. Only interior window signs may be made of nonrigid (e.g., paper) material.
- C. Temporary signs for the purpose of advertising current specials may be permitted on an ongoing or permanent basis provided they are mounted in a permanent structure which is architecturally compatible with the building and site, and which was designed and is maintained specifically for such purpose.
- D. Temporary signs and their components shall be promptly removed at the expiration of the temporary use permit.
- E. Temporary signs shall not be illuminated.
- F. A total of three offsite advertising signs for a twelve-month period containing any commercial or non-commercial message may also be approved by the Community Development Director.
 1. The Community Development Director shall also determine whether or not the sign comports with the purpose of the city sign ordinance and the neighborhood surrounding its location and may limit the size and location of the signs to achieve the purposes of the sign ordinance.
 2. No temporary sign can be approved, which adversely affects neighboring properties.

17.142.070 - Prohibited Signs

- A. The following signs are inconsistent with the purposes and standards of this chapter and are prohibited in all zoning districts except where noted:
 1. Cabinet (can) signs that are mounted flush against a building wall, except for corporate logos. Cabinet signs with opaque backgrounds and illuminated letters are allowed as projecting signs only.
 2. Electronic message signs except time and/or temperature signs
 3. Signs that advertise an activity, business, service, or product no longer conducted or sold on the premises thirty days after the discontinuance or abandonment, except signs listed on, or eligible for, the city's vintage sign inventory.
 4. Signs that blink, flash, or move in any manner, have any portions that move, or have the appearance of moving, except for signs listed in the vintage sign inventory, clocks, time, and temperature displays, and public service signs.
 5. Balloons, lighter-than-air devices, and inflatable signs and objects, except as may be allowed through temporary sign permit.
 6. Banners, pennants, ribbons, spinners, streamers, or other similar devices, except as specifically allowed through a temporary sign permit.

7. Any type of sign mounted on the roof of a building, including mansard roofs, and similar architectural roof-like elements.
8. Advertising, banners, bills, cards, notices, placards, posters, signs, stickers, or other devices designated to attract attention of the public that are posted or otherwise affixed upon any street, street furniture, right-of-way, public sidewalk, crosswalk, curb, EV charging stations, lamppost, fencing, fire hydrant, tree, alley, telephone pole, public telephone, lighting system, or other public alarm, or communication system.
9. Signs emitting audible sounds, odors, or visible matter.
10. Signs which stimulate in color or design a traffic sign or signal, or which make use of words, symbols, or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic, as determined by the planning commission.
11. Signs utilizing paper, cloth, plastic, or any material that is permitted to hang loose or dangle from any sign.
12. Any advertising sign permanently attached or affixed to the ground that does NOT contain the name of the person owning or maintaining the same plainly displayed thereon.
13. Vehicle Signs of Any Type. Vehicles, including trailers, wagons and similar utility vehicles shall not be utilized as support for any mobile, portable, or stationary signs, or conspicuously parked or left standing so as to constitute a sign. There shall not be maintained on any vehicle or trailer parked in a public right of way, or on public or private property in order to be visible from a public right of way, which is attached to, located on or leaning against such vehicle or trailer, any sign for the purpose of providing advertisement of a business, service or products, directing people to a business activity located on the same or other property for any purpose. This prohibition shall not apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a commercial or business vehicle used in the conduct of such business provide it is not parked on the site being advertised abutting a public right of way, to bumper stickers, to placards identifying the vehicle itself as being for sale, or to window stickers on vehicles in any vehicle sales lot.
14. Other than allowed under [Section 17.142.080](#), no sign shall be placed or maintained on property adjacent to a freeway, highway or interstate highway within the city limits of the city of McFarland if the sign is designed to be viewed primarily by persons traveling on such freeway.
 - a) The sign will be deemed to be designed to be viewed primarily by persons traveling on such freeway, highway, or interstate highway if the display surface is angled ninety degrees or less to the centerline of the subject freeway, highway or interstate highway.
 - b) Centerline of the freeway, highway or interstate highway means a line equidistant from the edges of the median separating the main traveled way of a divided highway or freeway, or the centerline of the main traveled way of a non-divided highway or freeway.
 - c) For purposes of this chapter, the terms freeway, highway, and interstate highway are defined by the California Outdoor Advertising Act, Business and Professions Code sections 5212 (Freeway); 5213 (Highway) and 5215 (Interstate Highway). For the purposes of this chapter, these definitions are incorporated herein as though fully set forth.

15. All signs intended or used to advertise, inform, or attract the attention of the public to activities conducted on property other than the property where the sign is located or also known as offsite advertising signs.
16. Temporary signs shall not be illuminated.
17. Signs are not allowed at home occupations.

17.142.080 - Exemptions from the permit requirements

- A. The following signs are exempt from other requirements of this chapter if developed and maintained in compliance with the provisions of this section. All routine general maintenance and repair of signs shall be exempt from the building permit approval.
 1. Political election signs.
 - a) Political election signs are permitted to be placed on private property in the city subject to the following regulations.
 - i. Signs shall not be erected sooner than sixty days before the election and shall be removed within thirty days following the election;
 - ii. The owner of the property on which the sign is placed shall be responsible for removal;
 - iii. Signs shall not be placed on private property without the consent of the property owner. No such sign, either free-standing or posted on any object, shall be placed, or erected on public property, within a public right-of-way, or by any maintained parkway-landscaped area.
 - iv. Signs shall not exceed an area of twelve square feet and a height of six feet in residential districts, and twenty-four square feet and a height of eight feet in commercial/industrial/agricultural districts.
 - v. Political signs may not be attached to trees, fence posts, or utility poles except on private property where written permission from the property owner has been obtained.
 2. Signs within interior spaces.
 - a) Signs within an interior arcaded, courtyard, mall, stadium, ballpark, or other similar private or public recreational use, not intended to be seen from a public street or adjacent property.
 3. Accessory signs.
 - a) Signs manufactured as a standard integral part of a mass-produced accessory to a commercial or public or semi-public use, including automated teller machines, gasoline pumps, and EV charging stations. The signs may contain the company's name and/or logo only. No advertising message shall be provided.
 4. Affiliation signs.
 - a) Signs that provide notices of services (e.g., credit cards accepted, trade affiliations). Signs or notices shall not exceed one square foot in area for each sign, and no more than three signs shall be allowed for each business.
 5. City-owned signs.
 - a) Signs owned and operated by the city for community benefit. This includes City light post banners.
 6. Site address.

- a) Limited to two for each street address. Individual numbers and letters shall have a minimum height of four inches and width of two inches and shall not exceed a height of eight inches for residential uses and twenty-four inches for non-residential.
- 7. Identification signs on construction sites.
 - a) Such signs shall be limited to one directory or pictorial display sign per street frontage or entrance up to a maximum of two signs, identifying all contractors and other parties (including lender, realtor, subcontractors, etc.). Each sign shall not exceed thirty-two square feet in area and eight feet in height. Each sign shall be removed prior to issuance of certificate of occupancy.
- 8. Future tenant identification signs.
 - a) One wall or freestanding sign may be placed on vacant or developing property to advertise the future use of an approved project and where contact information may be obtained. One sign per street frontage, not to exceed thirty-two square feet in area and eight feet in height.
- 9. Residential Real Estate/ open house signs.
 - a) For residential sales, signs shall be limited to one per street frontage not exceeding four square feet in area and four feet in height, with no illumination.
- 10. Traffic control signs.
 - a) Any approved highway directional signs, railroad signal signs, public utility signs and other signs as required by law to regulate traffic and promote the public safety as long as the sign does not include a commercial business name or logo.
- 11. Banners.
 - a) Banners that are used on the property to which their message pertains and banners containing non-commercial messages that do not exceed fifty square feet in area may be used for a single period not to exceed thirty days. Banners, however, may not be displayed for more than sixty days in a single calendar year without first obtaining a permit pursuant to this chapter.
- 12. Public/community message signs.
 - a) Notices posted on public bulletin boards or public kiosk designed for such notices.
 - b) Community message signs that the city council may establish or erect, or have established and erected, on publicly owned non-residential property, other than a right-of-way, a community message sign.
- 13. Freeway Oriented Signs.
 - a) The planning commission may approve freeway-oriented signs identifying a premise where food, lodging and places of business engaged in supplying goods and services essential to the normal operation of motor vehicles, and which are directly dependent upon an adjacent freeway. These signs shall be subject to the following regulations in addition to the other regulations contained within this chapter:
 - i. The signs shall be within C1, C2, PCD, M1, M2 or M3 zone districts; and shall be within a close proximity to an off-ramp from State Highway 99;

- ii. The planning commission shall determine if the location and business and service offered satisfy the criteria and intent of this section, and the definition of a freeway oriented sign;
- iii. The planning commission shall also determine whether or not the sign comports with the purpose of the city's sign ordinance and the neighborhood surrounding its location and may limit the size and location of the sign to achieve the purpose of the sign ordinance;
- iv. The sign may be illuminated upon approval of the Planning Commission provided that the illumination does not adversely affect neighboring properties or streets.
- v. Maximum of 500 ft. from the on and off ramp.

17.142.090 – Construction and Maintenance

- A. All signs shall be constructed in compliance with all applicable building codes and electrical codes pertaining to construction and setbacks.
 1. Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this subsection. Bracing systems shall be designed and constructed to transfer lateral forces to the foundations.
 - a) Wind Loads. Signs and sign structures shall be designed and constructed to resist wind forces of twenty pounds per square foot of exposed surface.
 - b) Seismic Loads. Signs and sign structures shall be designed and constructed to resist seismic forces in compliance with the city of McFarland's Building Codes.
 2. Materials. Materials utilized for signs and sign structures shall be of the quality and grade specified for buildings in the Building Code.
 3. The space below or surrounding the base of any sign erected pursuant to this chapter shall be kept clear of any debris, cables, loose materials other than those reasonably necessary to support the structure.
 4. All signs and sign support structures, together with their supports, braces, guys, and anchors, shall be kept in repair and in a proper state of preservation. The display surface of all signs shall be kept neatly painted or posted at all times.

17.142.100 - Permits and permitting process.

- A. The permit requirements procedures are:
 1. Permits. A sign, except for those identified in 17.142.080 of this chapter, shall not hereafter be painted, placed, pasted, printed, tacked, fastened, constructed, erected, re-elected, installed, altered, or otherwise constructed or maintained without first obtaining a permit from the City of McFarland in accordance with the provisions of this chapter. A permit shall be required for signs as set forth in this chapter and a separate permit shall also be required for each group of signs on a single supporting structure. Additionally, electrical permits shall also be obtained from the building inspector for all electrified signs.
 2. Application for Sign Review and Permit. Application for sign review and permit shall be made in writing on forms furnished by the city clerk. The application shall

contain the location by street and number of the proposed sign structure, as well as the name and address of the owners of the sign structure and the real property where it is to be located and the sign contractor or erector. All sign applications shall include a scale drawing and be prepared in such a manner as to accurately reflect the final product and materials used. The Planning Commission may require the filing of plans or other pertinent information when such information is necessary to ensure compliance with this chapter.

3. Review of Sign Review Application. All sign applications will be reviewed by City Planner prior to going to Planning Commission for determination. Sign may also be reviewed by the City Engineer.
4. Sign Review Fees. A sign review fee shall be paid to the city at the same time the sign review application is submitted for consideration. The amount of the fees be in accordance with the fee schedule established by resolution of the city council. Sign review deposit is made with application submittal.
5. Timing of Decision on Permit Application. All applications for permits to erect, re-erect, construct, alter, or re-locate a sign within the city of McFarland will be voted on by the planning commission within one hundred twenty days of the receipt of the completed application and full payment of the application fees.
 - a) The applicant will be notified by the planning commission's decision in writing within fourteen days of this vote. Said notification will be sent via U.S. mail to the address stated in the application.
 - b) Should the planning commission request additional information or documentation from the applicant said time for voting will not commence to run until the applicant has complied in full with the planning commission's requests.
 - c) The failure of the planning commission to vote and/or to mail the notice of decision to the applicant as stated above will result in the automatic denial of the application which is immediately appealable to the city council of the city of McFarland.
6. Sign review Denial – Sign review Revocation and Appeals:
 - a) All rights and privileges acquired under a permit issued pursuant to this chapter or any amendment thereto, are mere licenses revocable at any time by the planning commission and all such permits shall contain this clause.
 - b) Permit issued in accordance with this chapter shall be revoked by the planning commission if it is found that the permit holder has erected and maintained any sign in violation of this chapter.
 - c) Should any applicant who has had his application for a permit denied or any permit holder who has had his permit revoked is dissatisfied with the planning commissions' decision, may, no later than ten days after the notice of such decision was deposited in the United States mail, make written objection to the City Council and filed with City Clerk. Said objection will be set on the agenda and addressed at the next regularly scheduled meeting of the city council of McFarland no later than ninety days following the filing of the objection with the city clerk of the city of McFarland. The applicant or permit holder shall be given written notice of the hearing no less than three days prior to the hearing.

The city council may sustain, suspend, or overrule the decision of the planning commission, which decision shall be final and conclusive.

- d) Pending the hearing, any sign existing pursuant to a permit that has been revoked may remain in place until a final decision is rendered by the City Council.
- 7. Sign Permit.
 - a) After Planning Commission determination, building inspector will review for permit consideration.
 - b) A permit fee will be due to the Building Inspector at time of permit issuance.
- 8. Signs Erected Pursuant to Permit. All signs constructed pursuant to a permit issued by the City of McFarland shall be subject to the requirements of the Building Codes and Ordinances of the City of McFarland.

Section 4. The City clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be posted within 15 days after its passage, in accordance with Section 36933 of the Government Code.

Section 5. If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of McFarland hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or word thereof, regardless of the fact that any one or more sections, subsections, clauses, phrases, or word might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

Section 6. The custodian of records for the resolution and all other materials which constitute the record of proceedings upon which the Planning Commission’s recommendation is based is the City Clerk of the City of McFarland. Those documents are available for public review in the Office of the City Clerk, which can be reached at 661-792-3091, and is located at 401 W. Kern Avenue, McFarland, CA 93250

Section 7. This Resolution shall take effect immediately upon its adoption pursuant to California Government Code section 36937.

Section 8. The City Clerk shall certify to the passage and adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of McFarland on the 15th day of August 2023 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

Francisca Alvarado, City Clerk

CITY OF MCFARLAND
PLANNING COMMISSION:

Marco Martinez, Chairman

I, _____, City Clerk of the City of McFarland, California, DO HEREBY CERTIFY that the foregoing resolution is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of McFarland on the date and by the vote indicated herein.

Francisca Alvarado, City Clerk

NOTICE OF PUBLIC HEARING

**Ordinance Amendment to Title 17 Zoning subject to Amending Sections 17.142 at City Council Chambers
(103 Sherwood Ave, McFarland)**

Notice is hereby given that the City Council of the City of McFarland will conduct a public hearing, at which time you may be heard to consider the following:

- Consideration and adoption of a Resolution of the McFarland Planning Commission Recommending Amendments to Sections 17.142 of Title 17 Zoning in the McFarland Municipal Code to the City Council.

Regular McFarland Planning Commission Public Hearing Information

Date: August 15, 2023

Time: 6:00 PM

Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

Join on-line: Facebook Webpage at:

<https://www.facebook.com/cityofmcfarland/>

Notice is further given that the City Council of the City of McFarland, California, will conduct a public hearing, at which time you may be heard to consider the following:

- Consideration and adoption of an Ordinance of the City Council of the City of McFarland Approving Amendment of Sections 17.142 of Title 17 Zoning in the McFarland Municipal Code to the City Council.

Regular McFarland City Council Public Hearing Information

Date: August 24, 2023

Time: 6:00 PM

Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

Join on-line: Facebook Webpage at:

<https://www.facebook.com/cityofmcfarland/>

Notice is hereby given that the City Council of the City of McFarland will conduct a public hearing, at which time you may be heard to consider the following:

- Consideration and adoption of an Ordinance of the City Council of the City of McFarland Approving Amendment of Sections 17.142 of Title 17 Zoning in the McFarland Municipal Code to the City Council.

Regular McFarland City Council Public Hearing Information

Date: September 14, 2023

Time: 6:00 PM

Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

Join on-line: Facebook Webpage at:

<https://www.facebook.com/cityofmcfarland/>

These meetings shall be held in person at the City of McFarland Council Chambers, located at 103 W. Sherwood Avenue, McFarland, CA 93250. Additionally, these meetings shall be broadcast for listening and/or viewing purposes only via Facebook. To access the meetings for viewing or listening purposes only, please use the following information:

Join on-line: Facebook Webpage at: <https://www.facebook.com/cityofmcfarland/>

Members of the public are encouraged to participate by providing public comment at the meetings. The agenda of the Regular City Council Meeting will be posted at least 72 hours prior to the meeting. The meeting the agendas will be posted at <https://www.mcfarlandcity.org/AgendaCenter>. Please check the agendas for any modifications to how the meetings may be conducted and for ways in which the public can participate.

Description of Project:

The City of McFarland staff conducted an analysis of the sign ordinance within the McFarland Municipal Code and is recommending an amendment to reconstruct the procedure for sign reviews and regulate the type of signs that are allowed within the city limits. This analysis was completed by the City Planner. Staff met with the Community Development Director, Planning Consultant, and Building Inspector to gain guidance and address any possible deficiencies that may arise in sign review application process. Staff took into consideration various sign types and sign ordinances from surrounding cities. The provided draft amendment was created with the best intentions for the City of McFarland and to help provide the city with design and procedure regulations. The repeal and replacement made was ultimately the Community Development Department's route in developing verbiage that is clear while encouraging consistency in design throughout the city.

Additional information on the proposed project and proposed environmental finding may be obtained from the City of McFarland, City Hall, 401 W. Kern Avenue, McFarland, CA 93250, or the City's web site at www.mcfarlandcity.org.

All persons interested in this topic who have questions, would like to provide feedback, or who have comments are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk, at or prior to, the public hearing. Address any communications or comments regarding the project to Francisca Alvarado, City Clerk, at 401 W. Kern Avenue, McFarland, CA 93250, (661) 792-3091, falvarado@mcfarlandcity.org