

ORDINANCE NO. 1154

**AN ORDINANCE OF THE CITY OF FOLSOM REPEALING AND RE-ENACTING
SECTION 17.52.530 OF THE FOLSOM MUNICIPAL CODE
RELATING TO SIGNS IN THE NATOMA-RILEY-BIDWELL SUBAREA OF THE
HISTORIC DISTRICT**

The City Council of the City of Folsom hereby does ordain as Follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to repeal and re-enact Section 17.52.530.(I).(1) of the Folsom Municipal Code.

SECTION 2

Section 17.52.530.(I).(1) is repealed and re-enacted to the Folsom Municipal Code to read as follows:

Section 17.52.530.(I).(1).

Number, Type and Size of Signs. One non-illuminated freestanding sign per parcel or integrated development is allowed, subject to approval of a sign permit from the Historic District Commission or Community Development Department director, with the following requirements.

a. Freestanding signs: Retail uses and restaurants, which front on Natoma Street

Maximum sign size: 16 square feet excluding the base area (Base may not exceed 5.5 foot width, 2 foot depth, and 1 foot height. The width of sign shall be greater than the height of sign, excluding the base.)

Maximum sign width: 5.5 feet excluding the base area

Maximum sign height: 4 feet including the base area

Minimum setback: 6 feet behind sidewalk

Materials: Wood with raised, engraved, or painted letters. Base or standard need not be wood.

Freestanding signs permitted under this section that are 12 square feet or smaller in size shall be reviewed by the Community Development Director and freestanding signs permitted under this section that are larger than 12 square feet in size shall be reviewed by the Historic District Commission.

b. Freestanding signs: Uses other than retail uses and restaurants, which front on Natoma Street

Maximum height: 3 feet above finished grade, including base.

Maximum width: 4 feet (Base may not exceed 5.5 foot width, 2 foot depth, and 1 foot height.)

Minimum setback: 6 feet behind sidewalk

The foregoing instrument is a correct copy
of the original on file in this office.

ATTEST: Christa Freeman
City Clerk of the City of Folsom, California

Maximum message and background area: 2 foot height and 3 foot width

Materials: Wood with raised, engraved, or painted letters. Base or standard need not be wood.

c. Buildings at intersections may have, in addition to a freestanding sign, one wall or window sign, not exceeding 0.5 square feet in size for each lineal foot of primary building frontage, up to a maximum of 50 square feet. A wall sign may be placed on either street frontage but shall not exceed more than 75 percent of the building frontage on which it is placed. A window sign shall not cover more than 25 percent of a window.

If no freestanding sign is utilized, a business with two street frontages may place one wall or window sign on each frontage, provided that the total square footage of the two signs combined does not exceed the total square footage permitted based on the lineal feet of the principal wall frontage. The Sign Permit for corner properties is subject to approval of the Historic District Commission unless the authority to review is delegated to the Community Development Director pursuant to the FMC Section 17.52.395, except that if only one freestanding, non-illuminated sign that is 12 square feet or smaller in size is used, the Sign Permit may be approved by the Community Development Director.

d. For purposes of this chapter, "retail use" means a business primarily characterized by the sale of goods or merchandise to the local public and tourists for personal or household consumption, a business rendering services incidental to the sale of such goods, a business engaged in the sale of food and/or beverages for on-premises consumption, a business rendering personal services including barbers and beauty and nail salons. "Retail use" shall exclude the sales, fueling, repair, washing, or storage of motor vehicles. The Community Development Director shall determine whether an existing use or any proposed new use is a retail use for purposes of this chapter by considering whether the proposed use has the following retail characteristics:

i. The establishment is engaged to a significant degree in business to attract the general public to sell tangible goods to consumers for their own personal or household use, or to render personal services to customers on the premises.

ii. The business may process, repair, or manufacture some or all of the products it sells, such as jewelry, beverages, candy, baked goods, apparel, shoes, pottery, or consumer electronics, however, such processing, repair, or manufacturing shall be of items sold on the premises, whether or not also sold at wholesale, and shall be of a scale compatible with the retail component of the business.

iii. By way of illustration only, the following shall be retail uses:

General merchandise, such as apparel, books, arts and crafts, furniture, home furnishings, jewelry, antiques, records/compact discs/videos, consumer electronic equipment, hardware, athletic/recreational equipment, stationery and office supplies, toys, or convenience goods such as food and grocery stores, pharmacies, and drug stores;

Personal services, such as barber shops, beauty/nail salons, tailors/dress makers, laundries, florists, eye glass / hearing aid shops, and shoe repair shops, which include incidental sale of related goods; and

Museums and galleries.

iv. By way of further illustration, the following shall be considered nonretail uses:

Professional service businesses such as advertising, catering, grooming service, architecture, landscape architecture, engineering, planning, law, medicine, dentistry, music instruction/schools, interior design, accounting, insurance, real estate, mailing, telephone answering, finance and securities investments, travel agencies, and any similar type business;

Motor vehicle related uses, including sales, fueling, washing, repair, or storage;

Uses that require outside storage of stock, vehicles, or machinery;

Wholesale sales, other than those by a business also engaged in retail sales;

Child care centers and residential care homes for adults or children;

Religious institutions; and

Athletic, recreational, or entertainment facilities.

SECTION 3

Except as set forth in this ordinance, all other provisions of Chapter 17.52 of the Folsom Municipal Code remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held to be in valid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 5 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City of Folsom.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on September 27, 2011 and the second reading occurred at the regular meeting of the City Council on October 11, 2011.

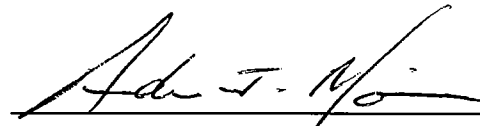
On a motion by Council Member Miklos, seconded by Council Member Howell, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 11th day of October, 2011 by the following vote, to wit:

AYES: Council Member(s): Sheldon, Starsky, Howell, Miklos, Morin

NOES: Council Member(s): None

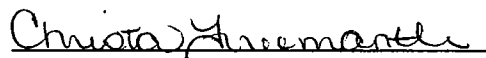
ABSTAIN: Council Member(s): None

ABSENT: Council Member(s): None



Andrew J. Morin, MAYOR

ATTEST:



Christa Freeman, CITY CLERK

Effective: November 10, 2011