

## ORDINANCE 2026-###

### ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING THE SAN PABLO REGULATORY SIGN ORDINANCE, CHAPTER 18.04 OF THE SAN PABLO MUNICIPAL CODE, SECTION 18.04.050, PROHIBITED SIGNS, SUBSECTION A.9, TO ALLOW FUEL PRICING SIGNS AS AN EXCEPTION TO THE IDENTIFIED LIST OF PROHIBITED DIGITAL SIGNS AND DIGITAL DISPLAYS, IN ORDER TO ALLOW FOR CHANGEABLE FUEL PRICING SIGNS

The City Council of the City of San Pablo does ordain as follows:

**Section 1.** The City Council makes the following findings, pursuant to Section 17.22.040 of the San Pablo Municipal Code:

- A. On May 18, 2015, the City of San Pablo adopted Ordinance 2015-003 adopting the City of San Pablo Sign Ordinance as Title 18 of the Municipal Code.
- B. Section 18.04.050 of the San Pablo Regulatory Sign Ordinance identifies prohibited signs and lists digital signs and digital displays as a form of prohibited sign, except under limited circumstances (i.e. new billboards on city property allowable under Chapter 18.06, clocks or temperature signs).
- C. The exclusion of fuel pricing signs in the list of digital sign exceptions has created practical difficulties for local gas stations to display their changeable fuel prices on free standing or monument signs and has created limitations on recent promotion of green fuel options and pricing, as manual changing of pricing signs is no longer practical.
- D. Inclusion of fuel prices in the list of permissible digital signage would accommodate a recent request from HP Gas on San Pablo Dam Road to include pricing on their freestanding and monument signs and would bring other existing fuel signs in San Pablo into conformity with the Regulatory Sign Ordinance.
- E. City of San Pablo staff prepared a focused amendment to Section 18.04.050.A.9 of the Regulatory Sign Ordinance to allow for use of digital displays for fuel pricing.
- F. On March 24, 2026, the Planning Commission conducted a duly and properly noticed public hearing and adopted Resolution PC Resolution 26-03 to recommend amending Chapter 18.04 of the San Pablo Municipal Code, Section 18.04.050, Prohibited Signs, Subsection A.9, to allow fuel pricing signs as an exception to the identified list of prohibited digital signs and digital displays, in order to allow for changeable fuel pricing signs.

- G. Pursuant to San Pablo Municipal Code section 17.22.040, the Ordinance is consistent with the following goals, policies, and implementation programs of the General Plan 2035:

LU-G-1

*Promote a sustainable, balanced land use pattern that responds to existing and future needs of the City, as well as physical and natural constraints.*

LU-G-9

*Retain and enhance commercial, industrial, employment, and entertainment land use areas to strengthen San Pablo's economic base.*

LU-I-47

*Support the continued viability of regional retail and entertainment uses in San Pablo and strengthen their role as destinations for San Pablo residents and visitors to shop, dine, and gather.*

LU-I-53

*Ensure that shopping centers and commercial developments are designed in a manner compatible with adjacent residential areas.*

- H. The Ordinance is consistent with the purposes of the Zoning Ordinance:

*According to San Pablo Zoning Code Section 17.01.020, the purpose of the Zoning Code is to promote growth of the city in an orderly manner and to promote and protect the public health, safety, peace, comfort, and general welfare in conformance with the general plan. The proposed amendment complies with this stated purpose in that it would allow for the limited and orderly posting of digital fuel price signage for existing and new businesses without causing undue disruption to surrounding properties or persons.*

- I. The Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15311 (On-Premises Signs), and 15061(b)(3) (the "common sense" exemption) because the proposed amendment involves only a minor change to the existing sign ordinance to allow digitization of gas station signage related to gas prices, so it can be seen with certainty that there would be no significant effect on the environment.
- J. The proposed amendments comply with state law governing zoning ordinance amendments at Government Code sections 65853 through 65857.
- K. Notice of this public hearing was published in the West County Times newspaper (West Contra Costa edition of the East Bay Times) on Tuesday, March 31, 2026, in accordance with the requirements of Government Code Section 65091.

**Section 2.** Section 18.04.050, Prohibited signs, of the San Pablo Regulatory Sign Ordinance, is hereby amended to read as follows, with revised text indicated by means of strikeouts and underlines.

**§ 18.04.050. Prohibited signs.**

- A. Unless specifically authorized under other sections of this title, the following types of signs are prohibited in all zoning districts:
1. Unprotected speech. Any message or image which is outside the protection of the First Amendment to the U.S. Constitution and/or the corollary provisions of the California Constitution is prohibited. Examples include threats against the President or Vice President of the United States, material that meets the legal definition of obscenity, misleading or deceptive commercial messages, messages which promote illegal products or services, etc.
  2. Abandoned signs.
  3. A-frame, H-frame, and I-frame signs.
  4. Animated signs.
  5. Signs using banners, flyers, pennants, pinwheels, or two or more light bulbs in a wire string, except as set forth by Section 18.04.070.
  6. Billboards, except for new billboards as permitted on city property under Chapter 18.06, and mobile billboard vehicles.
  7. Confusing signs. Signs (other than when used for traffic direction) which contain or are an imitation of an official traffic sign or signal, or contain the words "stop," "go," "slow," "caution," "danger," "warning," or similar words, or signs which imitate or may be confused with other public notices, such as zoning violations, building permits, business licenses, and the like.
  8. Despoliation of nature. Signs tacked, posted, cut, burnt, limed, painted or otherwise affixed on trees, fields, vegetation, rocks, fences, utility poles or utility structures, or other natural features.
  9. Digital signs and digital displays, except as authorized for new billboards on city property under Chapter 18.06; electronic or manual reader board sign with movable text; animated signs or flashing signs other than clocks, temperature, or fuel pricing signs that are consistent with state and federal law regulating fuel advertisements; and signs that have moving parts or parts so devised that the sign appears to move or to be animated, and that blink, flash or emit a varying intensity of color or light which could cause glare, momentary blindness or other annoyance, disability or discomfort to persons on surrounding properties or driving by.

10. Permanent signs containing fluorescent or day-glow colors as all or part of their copy, and signs illuminated by exposed light globes, i.e., clear light bulbs not turned away or properly shrouded or shielded from the viewer.
11. Hazardous signs. Any sign erected in any manner that would create a hazardous condition to pedestrians or traffic, either by obstructing the free use of exits, buildings or sites, or by creating visual distractions by using color, sound or glare.
12. Stored signs may not be located on premises so as to be visible from beyond the property line after removal, prior to erection, or in storage.
13. Vandalized signs. Any sign damaged, defaced or painted by acts of vandalism must be repaired and restored by the sign owner or responsible party, or removed within three days.
14. Moving signs including but not limited to rotating signs that turn on an axis, allowing different faces or images to be viewed from a single location.
15. Off-site signs.
16. Signs that exceed the height of a roofline and signs mounted on a roof or false roof.
17. Signs painted on fences, walls, or roofs.
18. Permanent sale or come-on signs.
19. Vinyl fabric signs.
20. Lettering or symbols on back-lit awnings.
21. Statuary or representative figures used for advertising purposes.
22. Signs encroaching more than six inches from the face of a building into a public right-of-way, when the sign or individual sign letters are mounted directly on the face of a building at the property line, except where allowed by an adopted planned sign program, pursuant to Section 18.04.100.
23. Bus bench or bus shelter signs, except as provided by Section 18.04.060.
24. Balloons and other inflatable devices or intended to attract attention; streamers, bunting, banners, except as allowed by Section 18.04.070; wind signs, abandoned signs, and any other sign deemed illegal.
25. Signs emitting sound, odor, or visible matter and sign lighting that produces significant glare; signs that use lighting that flashes, blinks, or uses intermittent lighting; this rule does not apply to signs using digital

displays.

26. Signs of any size announcing home occupations, except for cottage food operations as provided in Section 18.04.080(B).
  27. Signs that have rust; chipped, cracked or peeling paint; hanging, dangling, torn or frayed parts; permanently burned-out bulbs; illegible letters or numbers; and graffiti.
  28. Signs for prohibited uses. An on-site commercial sign proposed for a business that is a prohibited use and which has not been established as a legal nonconforming use is prohibited.
  29. Signs for unpermitted uses. An on-site commercial sign proposed for an unpermitted use (e.g., a business that has not obtained appropriate permits such as a conditional use permit as required under this code) is prohibited.
  30. Dangerous or defective signs. No person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign that is in a dangerous or defective condition. Signs located in such a manner as to constitute a hazardous, dangerous condition or a traffic hazard or view obstruction of traffic control devices shall immediately be removed or repaired by the owner of the sign or the owner of the premises.
  31. Any vehicles parked within the public right-of-way or in a location on private property that is visible from a public thoroughfare and to which is attached any advertising sign except a sign painted directly upon or permanently affixed to the body or other integral part of the vehicle for permanent decoration, identification, or display.
  32. Pole signs.
  33. Signs in excess of the number, sign area, or height specified by this chapter.
- B. Planned sign programs. Unless otherwise indicated in subsection A of this section, the signs listed in subsection A of this section shall not be allowed by Section 18.04.100, Planned sign program.

**Section 3. Severability.**

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

**Section 4. Effective Date and Publication.**

This Ordinance shall become effective thirty (30) days following its adoption. The City Clerk’s Office shall publish and post the Ordinance in accordance with California Government Code section 36933.

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First introduced at a regular meeting of the City Council of the City of San Pablo on April 20, 2026, and finally passed and adopted at a second meeting of the City Council held on May 4, 2026, by the following votes:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

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Dorothy Gantt, City Clerk

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Elizabeth Pabon-Alvarado, Mayor