

Agenda Report

TO: CITY COUNCIL

DATE: JULY 22, 2002

FROM: CITY MANAGER

SUBJECT: ZONING CODE AMENDMENT TO REVISE THE SIGN REGULATIONS, MODIFY THE SIGN DESIGN GUIDELINES IN OLD PASADENA AND THE CENTRAL DISTRICT, AND CONSOLIDATE THE GUIDELINES INTO ONE SET OF CITY-WIDE SIGN DESIGN GUIDELINES

RECOMMENDATION:

It is recommended that, the City Council:

1. Find that the proposed code amendment is consistent with the General Plan as outlined in this report; and
2. Adopt a Negative Declaration of environmental impacts indicating that there are no significant adverse impacts associated with the proposed code amendment; and
3. Approve the code amendment to the Draft Sign Regulations, and the changes to the Sign Design Guidelines consolidating the existing guidelines into one set of city-wide Sign Design Guidelines, and
4. Direct the City Attorney's office to draft an ordinance amending the Zoning Code that would codify the approved code amendment.

DESIGN AND PLANNING COMMISSION RECOMMENDATION:

At the February 11, 2002 meeting, the Design Commission reviewed the Final Draft of the Sign Ordinance. At that meeting the Commission recommended that the Planning Commission and City Council approve the revised Sign Ordinance and Sign Design Guidelines.

At the February 13, 2002 meeting, the Planning Commission also reviewed the Final Draft of the Sign Ordinance. At that meeting, the City Attorney's office recommended minor changes to the draft ordinance due to issues related to First Amendment concerns. The Planning Commission recommended that the City Council approve the Sign Ordinance and Sign Design Guidelines subject to changes related to First Amendment issues, clarification to the number and size of signs permitted in single-family residential districts, and minor modifications to the sign maintenance provisions to differentiate between what constitutes general maintenance and

alterations of a existing signs. Staff concurred with the Planning Commission's recommended changes and has included these changes into the Sign Ordinance.

The draft sign ordinance contains revised wording to the sign provisions regarding temporary banner signs. The Planning and Design Commissions have not had the opportunity to comment on the revised wording but it is staff's assessment that the changes are consistent with the recommendations of both Commissions on the project.

EXECUTIVE SUMMARY:

Sign regulations are currently contained in two separate chapters of the Zoning Code -- Chapter 17.72 contains the sign regulations for all but the downtown area of the City and Chapter 17.33 contains the sign regulations for the downtown (Central District). Additionally, the sign regulations for Old Pasadena are contained in the Design Guidelines for Old Pasadena, and are presently incorporated within the zoning code by reference. The attached revisions seek to consolidate the various sign requirements of the zoning code into a single chapter and to create a more comprehensive sign ordinance that presents regulations in an easy to understand format.

BACKGROUND:

On May 6, 2002, City Council reviewed an agenda report outlining proposed changes to the sign ordinance and various sign guidelines. Following discussion, Council requested that staff respond to questions regarding regulations for temporary banner signs and inflatable balloons. After further review, staff has revised the recommendation for temporary banners and deleted the option of flexible display periods. Concerns regarding the regulation of the display of balloons as advertising have been addressed administratively and are described below.

In addition, the City Attorney's Office has requested a few minor editorial changes to the draft Sign Regulations. Those changes are included in the attached draft ordinance and are discussed below.

Temporary Banner Regulations

Based on comments from the May 6, 2002 City Council meeting and additional input from the business community, staff recommends revised temporary banner standards that provide a reasonable number of days throughout a calendar year that such a sign can be displayed, but do not provide for unlimited flexibility.

The revised regulations are as follows:

- Subject to the approval of a Temporary Sign Permit.
- Maximum Number – One banner sign per street frontage.
- Maximum Area – 30 square feet.
- Maximum Height – 20 feet or the bottom of the lowest second floor window.
- Duration – 3 times per calendar year not to exceed a total of 90 days, maximum length of individual display 30 days, and a minimum of 30 days between displays.
- Staff has deleted the section that states "The Zoning Administrator may approve a Temporary Sign Permit on an annual basis, which allows the applicant to tailor the duration and the number of days of the permit to meet the particular needs of the

business as long as the totals number of days in a calendar years does not exceed 90 days.”

In all districts, the current sign regulations allow temporary signs if they comply with the sign area and sign standards, and the duration of the display does not exceed 60 days. The sign regulations do not specify the number of times a year such a temporary sign may be displayed and as such, a sign permit may be issued continually throughout the year. The current code does not specify the procedures for the issuance of a sign permit for temporary signs. As a result, the Zoning Administrator issues an approval letter when a written request is received and complies with the regulations in regard to size and placement.

At the City Council meeting on May 6, 2002, a number of the Councilmembers questioned the need for temporary banner signs as a form of advertisement. It was their opinion that such signs, due to their temporary nature and construction, degrade the visual appearance of commercial districts. It was the opinion of other Councilmembers that temporary banners are a necessary form of advertisement, however, there was some concern about the number of days such a sign permit would be permitted.

Subsequent to the May 6, 2002 Council meeting, staff contacted the Business Improvement Districts and the Chamber of Commerce again. Based on their understanding of the draft Sign Regulations, the business community is in support of staff's recommendation on temporary banners. It is the business community's opinion that temporary banners are a very important tool for businesses throughout the city. This mechanism allows the temporary advertisement in the form of grand openings, holiday sales, and special events. This allows for additional advertisement above and beyond permanent signage.

Inflatable Signs

The current Sign Regulations strictly prohibits inflatable or lighter than air devices as an advertisement tool in all districts of the City. At the May 6, 2002 Council meeting, information was requested regarding City regulations for long strings of balloons typically seen at auto dealerships. Subsequent to a discussion with Code Compliance, the City has classified the long strings of balloons as inflatable or lighter than air advertisement that is strictly prohibited per the current and proposed Sign Regulations. This type of temporary advertisement is in violation of the Sign Regulations and is currently being addressed by Code Compliance.

City Attorney Revisions

Subsequent to additional review of the draft Sign Regulations, the City Attorney's Office has requested a few minor editorial changes to the draft document. The minor changes were to ensure that the sign regulations were content neutral and would not deprive a person their first amendment right of freedom of speech, and that any references to signs in the public right-of-ways be removed. Specifically, in the temporary sign provisions for temporary construction signs, the code cannot specify the content of the sign such as the architect, engineer or contractor's business name. In the temporary sign provisions, the Holiday Decorations regulations were deleted since it would infringe upon freedom of religion. In regard to signs in the public right-of-way, since the sign regulations in the Zoning Code regulate signs on private

property, any reference to signs in the public right-of-way was deleted. It is Title 12 of the PMC that regulates signs in the public right-of-way.

OVERVIEW OF ORDINANCE CHANGES:

Late in 1998 Urban Design Studio/RBF Consulting was hired to help the City in the revisions to the sign requirements contained in Title 17 (The Zoning Code) and converting the existing guidelines for signs in Old Pasadena to a set of city-wide standards. The planning effort has six objectives:

1. Consolidate the various sign requirements of the zoning code into a single chapter,
2. Create consistent sign standards for all commercial districts understanding that there may be some differences between the central district and other commercial district in the city;
3. Wherever possible, streamline and simplify regulations creating a more comprehensive sign ordinance, present the regulations in an easy to read and understandable format;
4. Include simple tables and charts have been added as a way to convey sometime confusing development standards, and provide quality graphics to illustrate code requirements and design guidelines;
5. Add a comprehensive definition section has been added to allow better understanding of sometimes confusing planning or sign industry terminology;
6. Update the sign design guidelines for Old Pasadena and the Central District and consolidate the guidelines into one set of citywide Sign Design Guidelines.

The recommended changes to the sign ordinance are listed below:

- The Central District Sign Ordinance, the Sign Provisions for Old Pasadena, and the City-wide Sign Ordinance have been combined into a consolidated comprehensive sign ordinance including definitions, tables, graphics, and the sign exception process. This is necessary to create one user-friendly document so that staff and the general public do not have to refer to numerous section of the zoning code for information regarding the installation of signs. The addition of tables and graphics will make sometimes confusing sign terminology easier to understand.
- The allowable sign area for wall signs has been reduced from two square feet of sign area for one linear foot of building frontage, to one and a half square foot of sign area for every one linear foot of building frontage. In addition, a limit has been set as to the maximum building frontage a sign can occupy. This is designed to minimize sign clutter and prevent signs on one building running into the signs on another abutting building.
- Modify the freestanding sign requirements. At the study sessions for this project, concerns were raised regarding the size and appearance of freestanding signs throughout the City. It was conveyed to staff that the current regulations allow freestanding signs that are too tall. Moreover, most freestanding signs in the city were poorly designed. New standards are being proposed that limit the height. The existing sign regulations currently permit a 30-foot high freestanding sign on any commercial property. The

recommended height of a freestanding sign would be based on the width of the street frontage with a maximum height of 20-feet. For lots with 100-feet of street frontage or less, one monument sign not to exceed 8-feet in height would be permitted. For lots between 100 and 200-feet of street frontage, one freestanding pylon sign not to exceed 15-feet in height would be permitted. For lots greater than 200-feet, one freestanding pylon sign not to exceed 20-feet in height would be permitted. New design standards have also been included. The majority of the freestanding signs in the city are large internally illuminated cabinets set on tall narrow metal poles. In essence, it is a large lollipop with sign elements that are not proportional to one another. Staff recommends good quality well designed freestanding monument signs and/or pylon signs as an alternative to the older outdated pole signs.

- Eliminate the installation of new wall mounted internally illuminated cabinet/can signs for individual channel letter signs. The current trend regarding wall signs is to only permit individual channel letter signs instead of an enclosed cabinet sign. Cabinet signs tend to convey excessive usage of signage and are considered to be a less appealing alternative. More specifically though, internally illuminated cabinet signs utilize an excessive light source that appears to be too bright. The use of channel letter wall signs is more in keeping with the high quality of design the City looks for throughout the community.
- A provision has been added to the nonconforming section of sign that allows the sign face of a nonconforming cabinet sign to be changed so long as the new sign face is opaque and only the letters are illuminated. This is designed to be business friendly and to provide some flexibility when existing nonconforming cabinet signs are being changed.
- Eliminate the installation of new internally illuminated projecting signs without an opaque sign face. Requiring an opaque background with illuminated letters will minimize glare impacts associated with completely illuminated clear sign faces.
- Addition of a Master Sign Plan process. This process has been added to ensure quality signage on large commercial sites. This provision also adds some flexibility to the sign standards when the proposed sign design is superior to what would typically occur pursuant to the sign ordinance.
- Addition of a Creative Sign Permit process. This process has been added to encourage signs of unique design that exhibit a high degree of thoughtfulness, imagination and inventiveness.
- Improved the general maintenance provisions of the sign ordinance. Additional wording has been included clarifying how signs should be maintained, and what constitutes an abandoned sign. This section has been improved to allow better code compliance related to dilapidated or abandoned signs.

- Reduced the sign area permitted for window signs from 55 percent to 25 percent. This is to minimize sign clutter, improve aesthetic, and allow better visibility into businesses by the Police for security related reasons.
- Establish a Temporary Banner Permit process. There is currently no existing process for temporary banner signs. Moreover, there is currently no permit requirement which makes it difficult to track permitted and non-permitted banners. The new standards will help ensure better control and enforcement while creating more flexibility with the time allotment for banners.
- Added Citywide Sign Design Guidelines. This is to encourage quality signs through out the city.
- Continue to prohibit Portable/Sidewalk/Sandwich Board Signs. The current sign regulations do not permit portable/sidewalk signs anywhere in the city. As a request from the general public at the study sessions for this project, staff considered amending the sign regulation to permit portable/sidewalk signs. Although it appears to be an appropriate tool for businesses to advertise, there are many problems and/or issues that arise when portable signs are located in the public right-of-way. Some of the issues include, but are not limited to:
 1. There are liability issues that the city must address. For each sidewalk sign permitted in the public right-of-way, an encroachment permit or contract must be obtained from Public Works and Transportation. At this time, there is no formalized process that would permit such a sign in the public right-of-way.
 2. Many of the sidewalks in the public rights-of-way are narrow and cluttered with sidewalk dining areas, bus benches, trash receptacles, newspaper racks, light standards, trees et cetra. Sidewalk signs would add to the existing clutter.
 3. Unlike other permanent signs, sidewalk/portable signs require constant monitoring. Sidewalk signs can be a tremendous code enforcement problem. Although such a sign would only be permitted in front of the business for which they advertise, they have a tendency to migrate to intersection where they are more visible.

Subsequent to lengthy discussion on this matter, the proposed sign regulations will continue to prohibit portable/sidewalk signs.

- Considered regulating Election Signs. The current Sign Ordinance only references election signs in the Central District Sign Ordinance and classifies them a “Temporary Political Signs”. A complaint had been made to the City that temporary election signs were not being removed after the election ended. A request was then made requesting that a limitation be set on the number of days a temporary election sign can be displayed. Subsequent to a discussion with the City Attorney’s office, the City Attorney informed staff that election sign can be construed as political sign which are protect by the First Amendment and as such, the City cannot regulate them. Moreover, the City’s Sign

Consultant confirmed this issue and informed staff that it is common practice in many cities not to regulate temporary election signs for the same reasons conveyed to staff by the City Attorney. As such, the revised sign ordinance does not include standards on temporary election and/or political signs.

PUBLIC OUTREACH:

Throughout the process of identifying sign related issues and amending the sign ordinance and sign design guidelines, staff held a number of different meeting with City Commissions, and interest groups. There were two joint sign workshops/study sessions with the Planning and Design Commission the first on July 14, 1999 and the second on July 11, 2001. Draft copies of the sign ordinance and sign design guidelines were distributed for comment to the Chamber of Commerce, South Lake Business District, Playhouse District and the Old Pasadena Business Improvement District. For those that were interested, staff held meetings to discuss the proposed changes.

GENERAL PLAN DETERMINATION:

The proposed project is consistent with the City's General Plan. Specifically, the proposed zoning code amendment and sign design guidelines are consistent with several provisions of the 1994 Land Use Element of the City's General Plan.

Change will be harmonized to preserve Pasadena's historic character and environment. Citywide design principles will be established so that new development blends with the old; historically and architecturally significant buildings will be preserved; new public spaces will be acquired; and we will act as stewards of our natural environment.

Policy 5.1 Urban Design Principles: Apply city-wide urban design principles to complement the scale and quality of the best of our architectural and urban design traditions.

Policy 5.5 Architectural and Design Excellence: The City shall actively promote architectural and design excellence in buildings, open space and urban design and shall discourage poor quality development.

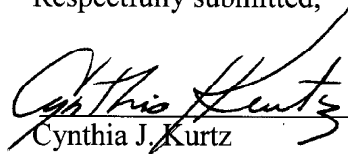
ENVIRONMENTAL DETERMINATION:

Prior to a decision on this project, a determination under the California Environmental Quality Act must be made for the project. An Initial Study has been prepared and posted for this case. The Initial Study concluded that there would not be significant adverse impacts as a result of the proposed project.

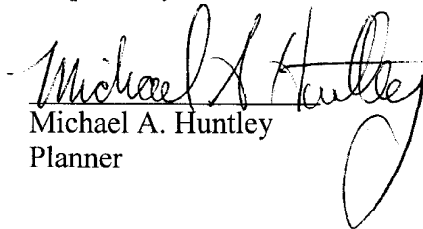
FISCAL IMPACT:

There will be no fiscal impacts associated with the proposed code amendment since the ongoing monitoring of signs throughout the City is currently addressed in the Planning and Development Department work program.

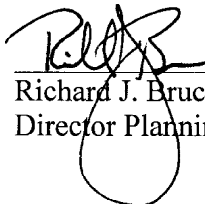
Respectfully submitted,


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LIST OF ATTACHMENTS

ATTACHMENT A – DRAFT SIGN ORDINANCE AND SIGN DESIGN GUIDELINES