

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** JUNE 12, 2006

**FROM:** CITY MANAGER

**SUBJECT:** ZONING CODE AMENDMENTS – NONCOMMERCIAL SIGNS IN  
RESIDENTIAL DISTRICTS

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**RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the Initial Study, De Minimis Impact Finding on the State Fish and Wildlife Habitat and the Negative Declaration for the proposed Zoning Code Amendments (Attachments A and B) and direct the City Clerk to file a Notice of Determination;
2. Approval of a finding of consistency with the General Plan as contained in this report;
3. Approval of the proposed Zoning Code Amendment as contained in this report, and
4. Direct the City Attorney's office to prepare an ordinance codifying these amendments and return within 60 days for first reading.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of this amendment.

**BACKGROUND:**

The City reviewed its sign code when an issue arose as to the size limitation of signs on residential property. The specific signs exceeded the size limitations and expressed a political view and under the current code would have been required to obtain a permit.

**ANALYSIS:**

The current code allows for temporary signs and permanent signs. Temporary signs include: yard sale signs, real estate signs, and construction signs. It also includes

election signs (called event signs) which must be removed within 10 days after an election. There is no limitation on the number of temporary event (election) signs but there are limitations on the number of other temporary signs (i.e., real estate, yard sale, etc.).

Currently, there are limitations on the size and number of permanent signs. An example of this type of sign includes signs for a small or large family day care homes or adult day care uses. For single-family and RM-12 (duplexes) districts, the allowance is four, one foot square signs, limited to 10 ft. in height which must be located below the top edge of the roof. In multi-family districts, the maximum sign area is 20 sq. ft. with a limitation of one wall sign per property frontage and one monument sign per project. These signs must also be located below the top edge of the roof and a monument sign cannot be more than 5 ft. in height.

This amendment will expand the type of signs allowed in residential districts to include noncommercial signs and establish standards for these signs. Noncommercial signs will be defined and some of the sign requirements for other types of signs will be modified for consistency. The recommendation comes after considering current case law analyzing limitations on sign size, and attempts to balance the needs for first amendment protected rights, with potential impacts on neighborhoods and the City.

Noncommercial signs will be defined as signs that are designed to express political, religious, or other ideological sentiment that does not advertise a product or service. Noncommercial signs will not be required to get a building permit. In addition to the definition of noncommercial signs, the definition of political signs will have to be modified so that such definition includes only temporary election signs. It should be noted that temporary election signs will continue to be required to be removed ten days after the election. The following development standards are recommended as a requirement for all signs in residential districts.

#### *Size and Number*

The recommendation is to allow a cumulative maximum of 25 square feet for all signs including noncommercial, permanent and temporary signs. The current limitations on the size of permanent and temporary signs (i.e., for sale signs, garage sales, etc.) will remain.

For noncommercial signs, no single sign would be allowed to exceed 16 square feet. There will be no limitation on the number of signs; however the total square footage for all signs (including permanent, commercial and temporary) will be limited to 25 square feet. There will be no change in maximum size of temporary event (including election) signs which is 4.5 square feet maximum.

#### *Height and Location*

The recommendation is to apply to the current Code requirement to noncommercial signs that no sign shall be higher than ten feet (measured from existing grade) in height

and the sign shall not be located above the edge of the roof. The current code has no requirement on the location of a sign other than it cannot create a safety hazard. Since the allowable sign size is being changed, the recommendation is to set a minimum setback requirement for signs. The recommendation is to require that signs in residential districts be located a minimum of five feet from the front property line in order to ensure pedestrian safety.

#### *Lighting and Maintenance*

The current Code requires that signs in a residential district shall be permitted to be externally illuminated only and shall be shielded to limit direct illumination of any object other than the sign. There are no limitations on the brightness of the illumination. An additional requirement that will be applicable to all signs is that the lighting on the sign shall not exceed one foot candle in order to reduce the potential impact on light and glare. The Code requires signs shall be maintained (17.48.100.E.1). This requirement will apply to noncommercial, temporary and permanent signs.

#### *Other Changes*

In order to treat signage consistent in residential neighborhoods, the notification sign requirements will be modified. Currently, the Code requires that the notification sign be located adjacent to the property line. Under these modifications, the sign will be located a minimum of five feet from the front property line but not more than ten feet from the front property line.

#### **ENVIRONMENTAL REVIEW:**

An Initial Study and Negative Declaration for previous code amendments (that included sign changes), were reviewed and recommended for adoption by the Planning Commission on February 22, 2006.

#### **GENERAL PLAN CONSISTENCY:**


The proposed revisions to the Zoning Code are consistent with the following objectives and policies of the General Plan:

**Objective 7 – Residential Neighborhoods:** Preserve the character and scale of Pasadena's established residential neighborhoods.

#### **FISCAL IMPACT:**

There will be no fiscal impact as a result of the approval of this code amendment.

Respectfully Submitted,


  
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CITY MANAGER

Prepared by:



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Reviewed by:



RICHARD BRUCKNER  
DIRECTOR OF PLANNING AND DEVELOPMENT

## **LIST OF ATTACHMENTS**

**ATTACHMENT A – INITIAL STUDY, NEGATIVE DECLARATION**

**ATTACHMENT B – DE MINIMIS IMPACT FINDINGS**