

## **ORDINANCE NO. 22-02**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTIONS 13.20.030, 13.20.130, AND 13.20.160 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO SIGN REGULATIONS, AND DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**WHEREAS**, the City Council wishes to amend the Laguna Woods Municipal Code to permit the use of light-emitting diode technology in any permanent sign for any purpose when approved by the City Council as part of a sign program; and

**WHEREAS**, to implement the City Council's wishes, staff has recommended amendments of the Laguna Woods Municipal Code as set forth in the attached Exhibit A to this Ordinance (the "Code Amendments"); and

**WHEREAS**, the Community Development Director or his/her/their designee prepared an exhibit, including proposed language and terminology for the proposed Code Amendments and any additional information and documents deemed necessary for the City Council to take action, and such exhibit was available for public inspection at City Hall and, upon request, was supplied to all persons desiring a copy, at least 10 days prior to the scheduled City Council public hearing date; and

**WHEREAS**, on September 21, 2022, the City Council held a duly noticed public hearing on the proposed Code Amendments at which it considered all of the information, evidence, and testimony presented, both written and oral.

### **THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** The City Council hereby finds and determines that (i) each of the recitals to this Ordinance are true and correct, and are adopted herein as findings; (ii) the Code Amendments comply with all applicable requirements of State law; (iii) the Code Amendments will not adversely affect the health, safety, or welfare of the residents within the community; (iv) the Code Amendments are in the public interest of the City of Laguna Woods; and, (v) the Code Amendments are consistent with the Laguna Woods General Plan and its various elements.

SECTION 3. After reviewing the entire project record, the City Council hereby determines and certifies that it can be seen with certainty that this Ordinance has no possibility of having a significant effect on the environment. In the absence of any pending application for any signs that might implicate the Ordinance, any specific environmental effects would be speculative. Therefore, the adoption of the Ordinance is not a project subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. Signs prospectively approved under the Ordinance may be categorically exempt from the CEQA pursuant to Section 15311 of Title 14 of the California Code of Regulations, if they consist of approvals related to the construction or placement of on-premise signs, which are minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

SECTION 4. Sections 13.20.030, 13.20.130, and 13.20.160 of the Laguna Woods Municipal Code are hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 5. This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 6. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 7. The Mayor shall sign this Ordinance.

SECTION 8. The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

SECTION 9. All of the above-referenced documents and information have been and are on file with the City Clerk of the City.

PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of October 2022.

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CAROL MOORE, Mayor

ATTEST:

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YOLIE TRIPPY, CMC, City Clerk

APPROVED AS TO FORM:

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ALISHA PATTERSON, City Attorney

STATE OF CALIFORNIA       )  
COUNTY OF ORANGE       ) ss.  
CITY OF LAGUNA WOODS    )

I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 22-02** was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 21<sup>st</sup> day of September 2022, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 19<sup>th</sup> day of October 2022 by the following vote to wit:

AYES:       COUNCILMEMBERS: Hatch, Horne, Tao, Connors, Moore  
NOES:       COUNCILMEMBERS: -  
ABSENT:     COUNCILMEMBERS: -

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YOLIE TRIPPY, CMC, City Clerk

## EXHIBIT A CODE AMENDMENTS

*The definition of “Electronic message board sign” in Section 13.20.030(a) (“Definitions”) of Chapter 13.20 (“Sign Regulations”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (deletions shown with ~~strike through~~):*

*Electronic message board sign shall mean a sign with a fixed or changing display composed of a series of lights. ~~(Does not include time and temperature displays.)~~*

*Section 13.20.130 (“Prohibited signs”) of Chapter 13.20 (“Sign Regulations”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike through~~):*

### **Sec. 13.20.130. - Prohibited signs.**

The following types of signs are prohibited unless specifically permitted in this chapter:

- (1) Temporary signs not specifically allowed in this chapter.
- (2) Signs held, worn, waved, or rotated by any individual, or attached or affixed to any animal, and used to attract attention for the purpose of promoting products and/or services or to direct individuals to a particular location.
- (3) Signs that emit any noise.
- (4) Balloons, blimps, hot air balloons, or similar devices.
- (5) Electronic message board signs, or light-emitting diode (LED) signs displayed on the exterior of any property, except when approved as part of a sign program.
- (6) Signs that use florescent colors or paints.

(7) ~~Light emitting diode (LED) or n~~ Neon signs displayed on the exterior of any property.

(8) Flashing, blinking, rotating, revolving, wind motion, inflatable, laser beam, searchlight, or spotlight signs.

(9) Billboards.

(10) Portable signs.

(11) Roof signs.

(12) Signs that display, imply, identify, or advertise activities which are illegal under federal, state, or local laws.

(13) Signs that display, imply, identify, or advertise graphic sexual activities or images or contain profane copy or nude images.

(14) Signs that simulate or imitate in size, color, content, coloring or design any traffic signal, sign or device, or which makes use of the words "Stop," "Look," "Warning," "Caution," "Danger" or any other words, phrases, symbols or characters in a manner to interfere with, mislead, or confuse traffic.

(15) Signs that are located on, attached to, extending into or over, or impeding any fire hydrants, legal fire lanes, or City property, including but not limited to traffic signals, streetlights, and utility poles.

(16) Signs that are unsafe or constitute a direct and immediate hazard to public health, safety or welfare by reason of design, construction, location, condition, orientation, or any other factor.

(17) Abandoned signs.

(18) Advertising device/display.

***Section 13.20.160(c) ("Sign programs") of Chapter 13.20 ("Sign Regulations") of Title 13 ("Zoning") of the Laguna Woods Municipal Code is amended to read***

*as follows (additions shown with underlining and deletions shown with ~~strike-through~~):*

(c) *Sign program required.* Sign programs shall be required for:

(1) Each new or remodeled commercial center, office complex, business park, or similar multi-tenant site, regardless of parcelization; ~~and~~

(2) Each building that proposes any combination of three or more permanent signs or any permanent signage that would not comply with this chapter; ~~and~~ and

(3) Any use of one or more electronic message board signs, or the display of one or more light-emitting diode (LED) signs on the exterior of any property.

*Section 13.20.160(e) (“Sign programs”) of Chapter 13.20 (“Sign Regulations”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike-through~~):*

(e) *Findings.* The City Council shall approve a sign program if it can make all of the following findings:

(1) The proposed signs are well-designed, consistent with any design criteria otherwise applicable to the sign property, compatible with community character and harmonious with surrounding properties, buildings, and streetscapes;

(2) The proposed signs are clear and legible in the circumstances in which they are seen, including for purposes of promoting awareness of local businesses and activities;

(3) The proposed signs are appropriate to the type of business or activity to which they pertain; ~~and~~

(4) The proposed signs are displayed in a manner that does not harm public health, safety and welfare; ~~and~~ and

(5) For sign programs including any use of one or more electronic message board signs, or the display of one or more light-emitting diode (LED) signs on the exterior of any property. The proposed signs are displayed, programmed, or otherwise operated in a manner that effectively minimizes glare at all times when illuminated.