

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PALMA AMENDING CITY ZONING CODE (CHAPTER 44 OF THE LA PALMA MUNICIPAL CODE) SECTIONS 44-391 TO 44-402, 44-874 TO 44-877, 44-487 AND 44-409 PERTAINING TO THE REGULATION OF SIGNS AND SIGNBOARDS

WHEREAS, the City Council of the City of La Palma wishes to protect and preserve the quality of the residential and commercial areas of the City, as well as the quality of life throughout the City, through effective land use and planning; and,

WHEREAS, the City Council of the City of La Palma desires to amend the La Palma Municipal Code to ensure that all provisions of the Sign Ordinance are legally defensible and consistent with State and Federal Law, with the most pertinent issue for the City to address being the signage in the public right-of-way (the "PROW"); and,

WHEREAS, on March 2, 2021, the City Council of the City of La Palma conducted a study session on temporary signage in the PROW and directed that the City Attorney and Staff bring back an Ordinance that prohibits temporary signage on even number years, for ten weeks prior to the election; and,

WHEREAS, the proposed ordinance is consistent with and is supportive of policies of the City of La Palma General Plan, and La Palma Municipal Code; and,

WHEREAS, notice of the City Council Public Hearing concerning this Ordinance was duly published in a local newspaper at least ten (10) days prior to the November 2, 2021, hearing and posted at City Hall, Central Park, and the Library; and,

WHEREAS, City staff have analyzed and determined that these revisions are not considered a "project" pursuant CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3); and,

WHEREAS, on November 2, 2021, the City Council of the City of La Palma introduced and conducted a first reading of this Ordinance, held a duly noticed Public Hearing with respect thereto, and considered testimony and evidence at the Public Hearing; and,

WHEREAS, on December 7, 2021, the City Council of the City of La Palma conducted a second reading and adoption of the Ordinance, and considered testimony and evidence at the Public Hearing held with respect thereto.

NOW, THEREFORE, the City Council of the City of La Palma resolves as follows:

SECTION 1. The foregoing Recitals are incorporated herein and made a part hereof.

SECTION 2. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15060(c)(2) and 15061(b)(3) in that the proposed changes are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment nor will they have the potential of creating a significant effect on the environment.

SECTION 3: In accordance with La Palma Municipal Code Section 44-672, the City Council of the City of La Palma finds as follows:

- (a) The proposed ordinance is consistent with all of the applicable objectives, policies, general land uses, programs, and actions of all applicable elements in the General Plan.
- (b) The proposed ordinance shall not be detrimental to the public convenience, health, safety, or general welfare of the City.
- (c) The proposed ordinance is in compliance with the provisions of the California Environmental Quality Act (CEQA).
- (d) The proposed ordinance is internally consistent with other applicable provisions of the City's Municipal Code.

SECTION 4: Sections 44-391 to 44-402, Division 5. – Signs and Signboards of Chapter 44 of the La Palma Municipal Code is hereby amended to read in its entirety as follows:

“DIVISION 5. - SIGNS AND SIGNBOARDS^[3]

Footnotes:

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State Law reference— Authority of City Council to regulate outdoor advertising, Government Code § 38774.

Sec. 44-391. - Purpose.

This division is intended to guarantee the rights of persons to use their properties for private gain under reasonable limits, while also protecting the public interest as it relates to signs. Installation or continued use of signs that unduly distract the attention of motorists from driving, create traffic hazards, constitute a danger to vehicular or pedestrian traffic, or constitute an obstacle to effective fire and police protection are prohibited. Recognizing the rights of businesses and the importance of proper design, placement, and maintenance of signs to the appearance of the community, it is the intent of these sections to ensure that:

- (1) *Sign design.* Signs shall be designed, erected, and maintained in a manner that enhances the appearance of the community.

- (2) *Sign maintenance.* Signs erected within the City shall be properly maintained and kept in an attractive and clean condition.
- (3) *Sign removal.* Failure to properly maintain a sign shall be reason for the City to revoke the permit and cause the sign to be removed. Cost of such removal shall be charged against the owner of the property upon which the sign is located. (See Section 44-638.)
- (4) *Sign materials.* Signs must be made of a durable material. With the exception of political signs, cardboard or paper signs shall not be allowed.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-392. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Billboard. Shall mean an advertising sign structure which advertises goods, products, services or facilities that are not, or only incidentally, sold, produced, manufactured or furnished on the premises on which the sign structure is located (also known as outdoor advertising, off-premises sign or off-site sign).

Digital display billboard. A billboard with an electronic "message center" advertising display that is located at the top of a monopole structure where the message is changed more than once every two minutes, but no more than once every six seconds.

Official sign. A sign installed by governmental jurisdiction when acting in its governmental capacity.

Pole sign. A sign located at the top of a monopole structure or pylon that promotes or advertises a business, goods, products, services and/or facilities sold, produced, manufactured or furnished on the premises on which the sign structure is located. Pole signs may not use a digital display.

Sign. Any medium of visual communication, including copy, structure, component parts, and humans which is used or intended to be used to attract attention to and identify an establishment, product, service, activity, location, or to provide information.

Signboard. A pole sign or digital display billboard oriented toward motorists on SR 91 Freeway within the FO District.

Temporary sign. A sign not permanently attached to the ground, a wall or a building, and not designed or intended for permanent display.

Traffic safety triangle. A triangular shaped area on a corner parcel as defined in Section 44-276.

Window sign. A sign posted, painted, placed, or affixed in, on, or within five feet of the interior window face of a window exposed to public view. Merchandise used in a window display is not considered a window sign.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-393. - Sign permits.

- (a) *Required.* A sign permit is required for all signs.
- (b) *Application.* An application for a sign permit shall be made to the Community Development Department upon a form provided by the Community Development Department in conformance with Section 44-876.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-394. - Temporary sign permit.

- (a) *Required.* Unless specifically exempted, a permit shall be obtained from the Community Development Department for temporary signs, subject to the limitations provided in this section.
- (b) *Approval authority.* The Community Development Department shall examine and approve each temporary sign for which a permit is required as to materials, method of construction, attachment, and location, before it may be placed or erected within the City.
- (c) **Temporary Sign on Non-Residential Property.** Temporary Signs on Non-Residential Property, such as commercial or industrial property, require a permit from the Community Development Department and must comply with the following standards:
 - (1) *Duration.* Temporary signs (including banners and flags) may be displayed for a total of 63 days within a calendar year.—If the sign relates to an event, it must be taken down no later than ten days after the event.
 - (2) *Size.* Temporary sign size shall not be greater than the size permitted for permanent building-mounted signage contained in Table III — 10.
 - (3) *Location.* The location of temporary signs shall be the same general area as permitted for permanent signs. Temporary signs over three feet high shall not be located within the traffic safety triangle.
- (d) **Temporary Sign on Residential Property.** Temporary Signs on Residential Property do not require a permit, but must comply with the following standards:
 - (1) *Duration.* Temporary signs (including banners and flags) may be displayed for a total of 63 days within a calendar year. If the sign relates to an event, it must be taken down no later than ten days after the event.
 - (2) *Size.* Temporary sign size shall not be greater than ten square feet and the maximum height shall not be more than three feet above grade.
- (e) **Temporary Sign on Public Right-Of-Way.** Temporary Signs on the Public Right-Of-Way do not require a permit, but must comply with the following standards:

- (1) *Duration.* Temporary signs (including banners and flags) may be displayed for a total of 63 days within a calendar year. If the sign relates to an event, it must be taken down no later than ten days after the event. Temporary signs are not permitted between September 1 and November 10 in years when an election is held.
- (2) *Size.* Temporary sign size shall not be greater than six square feet and the maximum height shall not be more than three feet above grade.
- (3) *Location.* Placement shall be prohibited on all median strips, center dividers, roadway islands or safety zones. Placement cannot reduce in size, or interfere with, the required disabled access path of travel or impede pedestrian, bicycle, or vehicular travel; and, the sign shall not be affixed to traffic control devices, government signs, light standards, utility poles, bus shelters, or other structures, posts, fences, shrubs or trees.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-395. - Master sign plan.

- (a) *Purpose.* The purpose of a master sign plan is to integrate a project's signs with the structure's design into a unified architectural statement of high quality. It is expected that the design quality of signs proposed under a master sign plan will be of a superior quality and creativity as those that might result through the normal sign permit process.
- (b) *Applicability.* The approval of a master sign plan in accordance with Article V, Division 7 shall be required whenever any of the following circumstances exist:
 - (1) Whenever three or more separate nonresidential tenant spaces are created on the same parcel.
 - (2) Whenever three or more signs are proposed for a single use.
 - (3) Whenever a pole sign is proposed on a parcel in the Freeway Overlay District.
 - (4) Whenever the Community Development Department or the Development and Circulation Committee determines that a Master Sign Plan is needed because of special project characteristics (e.g., the size of proposed signs, limited site visibility, a business within a business, or the location of the site relative to major transportation routes).
- (c) *Modification of regulations.* A variance pursuant to Article V, Division 11 shall be obtained for any deviations from the regulations of this section.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-396. - Prohibited signs.

The following signs are inconsistent with the purposes and standards of this division and are prohibited in all zoning districts:

- (1) Signs erected or maintained without the consent of the owner of the land upon which the sign is located.
- (2) Tract directional signs that advertise property developed outside of the City.
- (3) Signs placed, attached, or hung from any vehicle to advertise goods or services, except signs on common carriers or names, trademarks, and addresses permanently placed on business vehicles.
- (4) Abandoned signs that advertise goods or services that have not been available for a period of 60 days or more.
- (5) Permanent signs not made of durable materials or not appropriately constructed, such as the following:
 - a. Signs made of cloth, paper, or plywood.
 - b. Sandwich, A-frame, freestanding, or movable signs.
 - c. Signs placed on the ground or propped against a vehicle or object in the public right-of-way or in a parking lot.
 - d. Signs attached to light standards, trees, and similar items.
 - e. Signs painted directly on a wall of a building or structure.
- (6) Projecting signs, roof signs, electronic signs, and animated signs. Electronic signs are conditionally permitted in the public/institutional zone only and digital display billboards and pole signs are permitted in the Freeway Overlay District as specified in this division.
- (7) Subdivision or tract directional signs within 500 feet of the following: Valley View Street, Walker Street, Moody Street, Orangethorpe Avenue, La Palma Avenue, Crescent Avenue, or the SR 91 freeway.
- (8) Signs that may obstruct fire escapes or stairways or interfere in any way with public or private safety enforcement.
- (9) Signs related to outdoor merchandising or display unless explicitly approved by an outdoor display and incidental seating permit.
- (10) Signs may not be placed in City parks, City Hall property, or other City property (with the exception of temporary signs in the public right-of-way (PROW) and any City of La Palma signs).

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-397. - Sign standards.

The sign standards provided in Table III-10 are intended to apply to signs in all zoning districts, unless otherwise approved pursuant to a master sign plan in accordance with Section 44-39. Only signs authorized by this section shall be allowed unless otherwise expressly provided in this chapter or by an approved master sign plan. Refer to the regulations for specific types of signs (e.g., monument and wall) that follow Table III-10.

TABLE III-10: SIGN STANDARDS					
Use	Sign Type	Maximum Number	Maximum Sign Area	Maximum Height	Remarks
Neighborhood Commercial	Wall or Marquee	One sign per street frontage	0.5 sq. ft. per lineal foot of building frontage	Not above the parapet on a flat roof or the eave on a pitched roof.	No building shall be given credit for more than two street frontages.
	Window	One per window	Not to exceed 25% of aggregate window area		Window signs shall be counted in the aggregate sign area allowed for wall signs.
	Monument	One per street frontage	0.5 sq. ft. per lineal foot of building frontage Max. 150 sq. ft. per face	8 ft.	Shall not be in "safety triangle area". Shopping Centers with two street frontages can have two signs (one per frontage) as approved in a Master Sign Plan.
	On-site Directional	As needed for traffic safety	8 sq. ft. total all signs	3 ft.	Shall not be in "safety triangle area"
	Flag Pole	Four per project	Not applicable	Shall not exceed either the height of the building or 35 ft., whichever is less.	Shall not be in "safety triangle area"
Planned Neighborhood Development	Wall or Marquee	As required by Master Sign Plan (Section 44-395)			
	Window	As required by Master Sign Plan (Section 44-395)			
	Monument	As required by Master Sign Plan (Section 44-395)			
	On-site Directional	As required by Master Sign Plan (Section 44-395)			
	Flag Pole	As required by Master Sign Plan (Section 44-395)			

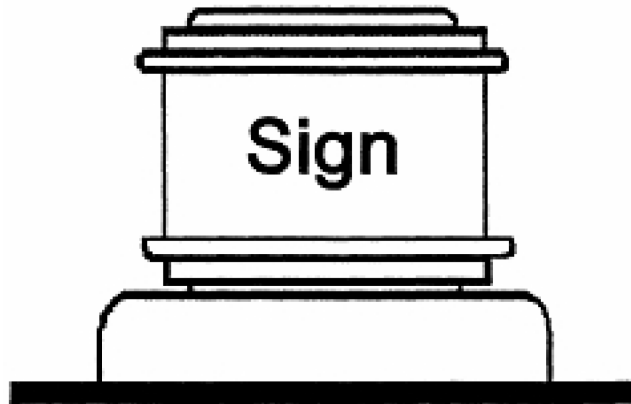
Office Professional	Wall	One per street frontage	0.5 sq. ft. per lineal foot of building frontage Max. 75 sq. ft.	Not above the parapet on a flat roof or the eave on a pitched roof.	Logos are permitted.
	Window	One per window	Not to exceed 25% of aggregate window area		Window signs shall be counted in the aggregate sign area allowed for wall signs.
	Monument	One per project	Max. 75 sq. ft.	8 ft.	Shall not be in "safety triangle area"
	Office Directory	Two signs to subject approval of a Master Sign Plan	Max. 100 sq. ft. or 50 sq. ft. per face	8 ft.	Each name panel within the directory sign shall not exceed 15 sq. ft. Location shall not be within the front setback area.
	Flag Pole	Four per project	Not Applicable	Shall not exceed either the height of the building or 35 ft.	Shall not be in "safety triangle area"
Public Institutional or	Wall	One per street frontage	0.5 sq. ft. per lineal foot of building frontage	Not above the parapet on a flat roof or the eave on a pitched roof.	
	Monument	One per street frontage	100 sq. ft. per face	8 ft.	Shall not be in "safety triangle area" Electronic monument signs shall not exceed 50% of the permitted sign area and shall require a precise plan permit and comply with the specific provisions under subsection (1)(f) of this section.

	Flag Pole	Four per project	Not Applicable	Shall not exceed either the height of the building or 35 ft.	Shall not be in "safety triangle area"
General Industrial	Wall or Marquee	As required by Master Sign Plan (Section 44-395)			
	Window	As required by Master Sign Plan (Section 44-395)			
	Monument	As required by Master Sign Plan (Section 44-395)			
	On-site Directional	As required by Master Sign Plan (Section 44-395)			
	Flag Pole	As required by Master Sign Plan (Section 44-395)			
Multi-Use Business	Wall or Marquee	As required by Master Sign Plan (Section 44-395)			
	Window	As required by Master Sign Plan (Section 44-395)			
	Monument	As required by Master Sign Plan (Section 44-395)			
	On-site Directional	As required by Master Sign Plan (Section 44-395)			
	Flag Pole	As required by Master Sign Plan (Section 44-395)			
Freeway Overlay	Pole Sign (single or double faced)	One per freeway adjacent parcel occupied by a commercial retail establishment	160 square feet per face	Maximum 18 feet above adjacent finished grade of the SR 91 Freeway to bottom of sign face	As required by Master Sign Program (Sec 44-395).
	Billboard Sign (single or double faced)	One per 1,000 lineal feet on each side of SR 91 Freeway	1,200 square feet per face	Maximum 55 feet above adjacent finished grade of the SR 91 Freeway to bottom of Digital Display Billboard	Sign shall require approval of a Precise Plan (Section 44-138); a conditional use permit (Section 44-848); a development agreement (or other similar type of agreement with the City), and shall be consistent with Chapter 44 Sections 398 through 401.
Service Station	As required by Master Sign Plan (Section 44-395)				

Multifamily Residential	Monument	One per street frontage	35 sq. ft. per face	8 ft.	Shall not be in "safety triangle area"
	Flag Pole	Three per project	Not Applicable	Shall not exceed either the height of the building or 20 ft.	Shall not be in "safety triangle area"
Single Family Residential	Flag Pole	One	Not Applicable	20 ft.	Shall not be in "safety triangle area"

(1) *Monument signs.*

- a. Monument signs are allowed only for frontages adjoining a public street and shall be located in compliance with the traffic safety triangle requirements of Section 44-276.



Monument Sign

- b. There shall be a minimum ten feet between a monument sign and any other structure that exceeds ten feet in height.
- c. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign or 75 square feet, whichever is greater. For example, 40 square feet of sign area equals 80 square feet of landscaped area.
- d. Signs shall contain an address plate identifying the project or use by specific street address or range of addresses. Numbers shall be a minimum of six inches in height and shall be clearly visible from the adjacent street. Address plates shall not be calculated against the allowed sign area.
- e. The height of monument signs shall be measured from the nearest sidewalk grade.
- f. Electronic monument signs in the public/institutional zoning district shall also comply with the following:

1. Sign shall not contain content that creates a distraction or confusion to vehicular traffic, with such words as "stop," "go," "look," "danger," etc.
2. Message content shall not blink, flash, or continuously scroll.

(2) *Wall signs.*

- a. Signs shall be located only on a building frontage and shall not extend above an eave or parapet or above or below a fascia on which they are located, unless approved by a precise plan, conditional use permit or master sign plan.
- b. Can or cabinet signs are not allowed. Signs shall use channel letters or have the appearance of channel letters.
- c. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than 12 inches. The Community Development Department may waive this requirement in special circumstances when an especially creative and unique sign design is proposed.

(3) *Directional signs.*

- a. On-site directional signs are intended to aid vehicle and pedestrian traffic to maneuver safely onto and within the site. Copy shall relate only to the provision of directions for motorists and pedestrians.
- b. Directional signs shall not exceed two square feet in area and three feet in height.

(4) *Flags.*

- a. A building permit must be obtained prior to erecting a freestanding flagpole.
- b. Flags shall be displayed only on flagpoles or staffs designed and constructed specifically and exclusively for flag display. No flag shall be displayed or attached in any manner to light poles, sign poles, trees, or similar structures or objects.
- c. The vertical length of a permitted flag on a flagpole shall not exceed 30 percent of the length of the pole upon which the flag is hung. For single-family residential use, the gross surface area of a flag shall not exceed 24 square feet.
- d. No portion of a flag shall project over any property line or contact any other structure when fully extended. For the purposes of this section, a structure shall include trees, shrubs, and landscaping.
- e. Flags shall not be mounted on roofs. Wall-mounted flags shall be displayed from flag poles not to exceed ten feet in length, and such poles shall not extend above the roof line. In a single-family residential zone, building-mounted flagpoles shall not exceed five feet in length.

- f. Official flags should be displayed in accordance with the Flag Code, Title 36. U.S.C. Chapter 10, as amended by P.L. 344, 94th Congress, approved July 7, 1976, or as amended from time to time.
- g. Flags shall be maintained in an orderly fashion and in good condition. Tattered or torn flags shall be removed or replaced.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-398. - Signboards, purpose.

These regulations in this division concerning signboards are established to permit larger on-site and off-site signage on properties within the Freeway Overlay District (FO) in a manner that furthers the following:

- (1) Promotion of the economic advantage of the SR 91 Freeway within the City while ensuring an attractive business climate for businesses and agencies along the SR 91 Freeway corridor;
- (2) Protection of La Palma rights-of-way street views by strategically limiting pole and billboard signs to the parcels within the FO District;
- (3) Limitation of visual clutter by providing regulations as to the number, size and location of signboards;
- (4) Provision of clear development standards pursuant to which allowable signboards may be designed and installed within the FO District;
- (5) Support of revenue generating commercial uses and activities that add economic benefit to the City and its residents without causing the City to incur municipal expenses that exceed the tax revenue attributable to those uses;
- (6) Promotion of the public's health, safety and welfare.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-399. - Signboards, general provisions.

The regulations applicable to the land use designations underlying the FO District shall apply to property within the FO District with the exception of the subject matters regulated in Sections 44-399 through 44-402, which shall be known as the La Palma Signboard Code. Signboards in the FO District shall comply with all applicable provisions of the Federal Highway Beautification Act of 1965, the California Outdoor Advertising Act, the California Vehicle Code, all other applicable laws and regulations, and all of the following:

- (1) No signboard shall imitate or resemble any official traffic sign, signal, or device.
- (2) No signboard shall obstruct or interfere with an official sign, as that term is defined in this chapter.

- (3) No signboard shall be larger than 25 feet in height and 60 feet in width, excluding border, trip, and supports.
- (4) Signboards shall not include flashing, intermittent lights, moving lights, and shall not emit light that could obstruct or impair the vision of a driver.
- (5) Signboards shall not display any statements, words or depictions of an obscene, indecent, or immoral nature, as provided for in the California Business and Professions Code and the California Code of Regulations.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-400. - Application.

Applications for new signboard permits in the FO District shall be filed in compliance with Article V, Division 6 (Sign Permits), and shall contain the additional information listed below, based on the type of signboard being requested.

- (1) Applications for a pole sign shall include all of the following:
 - a. Lot survey with topographic data that extends to the centerline of the abutting SR 91 right-of-way.
 - b. View simulations of the area of the project site and surrounding area.
 - c. A vicinity map showing where in the FO District the project is located. Map must show the project is located in compliance with all applicable California Department of Transportation (Caltrans) regulations, the California Outdoor Advertising Act and the federal Highway Beautification Act if project is located within 660 feet of the SR 91 right-of-way.
 - d. A master sign plan package for all existing and proposed signage at the site.
 - e. Elevation drawings of the site that include any building(s) and proposed structures, with the lowest and highest points identified for height measurement purposes.
 - f. Title report for the parcel on which the pole sign is proposed to be erected.
 - g. Any other information reasonably requested by the Community Development Department.
- (2) Applications for a digital billboard shall include all of the following:
 - a. Lot survey with topographic data that extends to the centerline of the abutting SR 91 right-of-way.
 - b. View simulations of the area of the project site and surrounding area.
 - c. A vicinity map showing where in the FO District the project is located. Map must show the project is located in compliance with all applicable Caltrans regulations,

the California Outdoor Advertising Act and the federal Highway Beautification Act. Map must show the project is located within 660 feet of the SR 91 right-of-way.

- d. Elevation drawings of the site that include any building(s) and proposed structures, with the following identified:
 - 1. The lowest adjacent grade to the billboard support (datum point),
 - 2. The finished grade elevation of the SR 91 right-of-way perpendicular to the billboard support, and
 - 3. The elevation of the highest point of the billboard.
- e. Luminance documentation demonstrating compliance with Caltrans luminance standards.
- f. Title report for the parcel on which the billboard is proposed to be erected.
- g. Any other information reasonably requested by the Community Development Department.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-401. - Regulations for signboards in the FO District.

- (a) *Pole signs.*
 - (1) Pole signs shall only be allowed on parcels in the FO District occupied by a commercial retail establishment.
 - (2) The allowable sign area for the face of a pole sign shall be a maximum of 160 square foot for each sign face, with a total aggregate area not to exceed 320 square feet for each double-sided pole sign.
 - (3) No more than one pole sign per parcel in the FO District.
 - (4) Each pole sign shall utilize only one support post which shall be clad with an architectural finish.
- (b) *Billboard signs.* Only digital display billboards are permitted in the FO District, subject to approval of a conditional use permit and development agreement (or other similar type of agreement with the City), and subject to the following standards:
 - (1) *Quantity.* The number of billboards located within the FO District shall not exceed a total of four, with a maximum of two faces per billboard.
 - (2) *Spacing.* No digital display billboard may be located within 1,000 feet of another digital display billboard on the same side of the SR 91 right-of-way.

- (3) *Height.* The maximum height of each digital billboard shall be 55 feet above the adjacent pavement level of the SR 91 freeway to the bottom of the digital display.
- (4) *Size.* The maximum size of each digital billboard face display area shall be 25 feet in height and 60 feet in width, with the area of each face not to exceed an overall maximum of 1,500 square feet, including border and trim.
- (5) *Location.*
 - a. Digital display billboards may be free-standing or located on the wall or roof of another structure.
 - b. Digital display billboards shall not be erected on properties zoned as:

R-1 — Single-family district residential,

R-3 — Multiple family residential districts,

VO — Village residential overlay district, or

OS — Open-space/Recreation district.
- (6) *Design.*
 - a. Each digital display billboard shall utilize only one support post which shall be clad with an architectural finish.
 - b. All digital display billboards shall either be double faced or include covered backs or facings.
- (7) *Brightness.* Digital display billboards must comply with all applicable laws and regulations concerning brightness and illumination, including, without limitation, California Vehicle Code § 21466.5.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-402. - Interpretation

- (a) The provisions of this division are not intended to nullify any easements, covenants or other existing agreements which are more restrictive than the provisions of this division.
- (b) Subject to the property owner's consent, a non-commercial message of any type may be substituted in whole or in part for the message displayed on any sign authorized pursuant to this division, without consideration of message content. This paragraph is intended to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This does not allow for the substitution of an off-premises commercial message in the place of an on-premises commercial message, or the substitution of a commercial message for a noncommercial message.

- (c) Whenever the application of this division is uncertain due to ambiguity of its provisions, the question shall be referred to the Community Development Department for a determination. This decision may be appealed to the City Council. The Community Development Department shall then authorize signs which best fulfill the intent of this ordinance.

Secs. 44-403—44-422. - Reserved.”

SECTION 5: Section 44-874 to 44-877, Article V Division 6. – Sign Permits of Chapter 44 of the La Palma Municipal Code is hereby amended to read in its entirety as follows:

“DIVISION 6. SIGN PERMITS

Sec. 44-874. Purpose.

The purpose of this division is to provide a process for the review and approval of signs.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-875. Authority.

The approval authority designated in Section 44-487, Table IV-3, the sign review authority, may grant approval of sign permits.

(Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-876. Applications for sign permits.

Applications for sign permits shall be filed in compliance with Division 1 of this article. In addition, the sign permit application shall include three copies of:

- (1) A site plan;
- (2) Appropriate building elevations indicating the street frontage;
- (3) Dimensions of the building;
- (4) Photographs of the building and any freestanding signs; and
- (5) Sign plans drawn to scale indicating the following:
 - a. Overall sign dimensions.
 - b. Sign location.
 - c. Letter colors.

- d. Background colors.
 - e. Trim cap color.
 - f. Letter styles.
 - g. Method of illumination.
 - h. Method of attachment
 - i. Typical cross section.
 - j. Timer or on/off switch.
- (6) Property Management or Property Ownership approval.
- (Ord. No. 2015-01, § 3, 5-5-2015)

Sec. 44-877. Applications for temporary sign permits.

Applications for temporary sign permits on Non-Residential Property, such as commercial or industrial property, shall be filed in compliance with Division 1 of this article. In addition, the temporary sign permit application shall include three copies of:

- (1) Contact information of the applicant, property owner and main contact for the sign(s).
- (2) A site plan with address and legal description such as assessor's parcel number.
- (3) Sign plans drawn to scale indicating the following:
 - a. Overall sign dimensions.
 - b. Sign location.
 - c. Method of attachment.
 - d. Sign height dimension above grade.
 - e. Sign compliance with traffic safety triangle.
- (4) Proposed display dates and number of signs.
- (5) Purpose of the sign(s).
- (6) Property Management or Property Ownership approval."

SECTION 6: Section 44-487, Article IV Division 1. – Sign Review Authority of Chapter 44 of the La Palma Municipal Code is hereby amended to read in its entirety as follows:

“Sec. 44-487. Sign review authority.

Table IV-3 identifies the City official or authority responsible for reviewing and making decisions on each type of sign application as required by this chapter.

TABLE IV-3. SIGN REVIEW AUTHORITY		
Type of Sign	Approval	Appeal
Building-Mounted	Community Development Department	Development and Circulation Committee
Monument	Community Development Department	Development and Circulation Committee
Electronic Monument (1)	City Council	
On-Site Directional	Community Development Department	Development and Circulation Committee
Window	Community Development Department	Development and Circulation Committee
Flag Poles	Community Development Department	Development and Circulation Committee
Master Sign Plan	Development and Circulation Committee	City Council
Temporary Sign on Non-Residential Property	Community Development Department	Development and Circulation Committee

* N/A—Not Applicable

- (1) Electronic monument signs are allowed in the public/institutional zoning district only and are subject to a precise plan permit. The bodies with decision making and appeal authority for a precise plan permit are identified in Table IV-1 in Section 44-485, and the decision-making body will consider applications based upon recommendations of both the Community Development Department and the Development and Circulation Committee.

(Ord. No. 2015-01, § 3, 5-5-2015; Ord. No. 2016-06, § 22, 5-3-2016)”

SECTION 7: Section 44-909, Article V Division 7. – Revisions to master sign plans of Chapter 44 of the La Palma Municipal Code is hereby amended to read in its entirety as follows:

“Sec. 44-909. Revisions to master sign plans.

Revisions to master sign plans may be approved by the Community Development Department if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new master sign plan by the review authority.

(Ord. No. 2015-01, § 3, 5-5-2015)”

SECTION 8. City staff is hereby authorized and directed to file a Notice of Exemption with respect to the adoption of this Ordinance.

SECTION 9: If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid by a final judgment of a court of 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, subdivision, sentence, clause, phrase, or portion of this Ordinance irrespective of the fact that one or more sections, subdivisions, sentences, clauses, phrases, or portions of this Ordinance be declared invalid.

SECTION 10: All required proceedings and consideration precedent to the adoption of this Ordinance have been regularly taken in accordance with applicable law.

SECTION 11: The City Clerk is authorized and directed to publish this Ordinance or a summary thereof in the manner provided by law and in accordance with procedures normally taken.

SECTION 12: The City Clerk shall certify to the passage of this Ordinance and cause the same to be published as required by law, and the Ordinance shall take effect thirty (30) days after adoption.

SECTION 13: Upon the effective date of this Ordinance, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed and declared to be of no further force and effect.

APPROVED AND ADOPTED by the City Council of La Palma at a regular meeting on the 7th day of December 2021.

Michele Steggell
Mayor

ATTEST:

Kimberly Kenney, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF LA PALMA)

I, KIMBERLY KENNEY, City Clerk of the City of La Palma, California, DO HEREBY CERTIFY that the foregoing Ordinance was adopted by the City Council of said City at a regular meeting of said City Council held on the 7th day of December 2021 and that it was so adopted by called vote as follows:

AYES: Baker, Goodman, Patel, Steggell, and Waldman

NOES: None

Kimberly Kenney, CMC
City Clerk