

## **ORDINANCE NO. 916**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA APPROVING MUNICIPAL CODE AMENDMENT 11-02 AMENDING SECTION 17.104.050 RELATING TO SIGNS ON PUBLIC PROPERTY.**

**WHEREAS**, Section 17.116.020 of the Rosemead Municipal Code sets forth procedures and requirements for municipal code amendments; and

**WHEREAS**, the City of Rosemead has adopted the General Plan and Zoning Ordinance, including specific development standards, to control development; and

**WHEREAS**, Section 17.116.010 of the City of Rosemead Municipal Code authorizes the City Council to approve municipal code amendments whenever the public necessity, convenience, general welfare, or good zoning practices justify such action; and

**WHEREAS**, Municipal Code Amendment 11-02 revises regulations for the placement of signs on public property in the Rosemead Municipal Code; and

**WHEREAS**, on May 27, 2011, an Initial Environmental Study for the proposed Municipal Code Amendment 11-02 was completed, finding that the proposed project could not have a significant effect on the environment and a Negative Declaration was prepared in accordance with the guidelines of the California Environmental Quality Act, and local environmental guidelines; and

**WHEREAS**, on June 20, 2011, the Planning Commission held a public hearing to receive testimony, and after hearing all testimonies from the public, the Commission adopted Resolution No. 11-08 recommending approval to the City Council of Municipal Code Amendment 11-02; and

**WHEREAS**, a notice was published in the San Gabriel Valley Tribune on July 1, 2011, and notices were posted in six (6) public locations, specifying the availability of the application, plus the date, time, and location of the City Council public hearing pursuant to California Government Code Section 65091(a)(3); and

**WHEREAS**, on July 12, 2011, the City Council held a public hearing to receive public testimony relative to Municipal Code Amendment 11-02; and

**WHEREAS**, the City Council has sufficiently considered all testimony presented to them and hereby make the following determination:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rosemead as follows:

**SECTION 1.** The City Council hereby makes a finding of adequacy with the Negative Declaration and HEREBY ADOPTS the Negative Declaration, as the environmental clearance for Municipal Code Amendment 11-02.

The City Council, having final approval authority over this project, has reviewed and considered all comments received during the public review period prior to the approval of this project.

**SECTION 2.** The City Council HEREBY FINDS AND DETERMINES that Municipal Code Amendment 11-02 is in the best interest of the public necessity and general welfare, and good city planning practice dictates and supports the proposed Municipal Code Amendment in that the change to the Rosemead Municipal Code will provide a superior level of planning and protection to the quality and character of the city.

**SECTION 3.** The City Council FURTHER FINDS AND DETERMINES that Municipal Code Amendment 11-02 is consistent with the Rosemead General Plan as follows:

California State law requires zoning to be compliant with the goals, objectives, and policies of the General Plan. Municipal Code Amendment 11-02 will accomplish this requirement. The revised sign regulations will support General Land Use Plan Policy 5.6 to capitalize “on the high visibility provided by the adjacent freeway through high quality design and signage” for developments adjacent to the freeway by allowing improved signage opportunities adjacent to the freeway.

The public necessity, convenience, and general welfare will be served by the adoption of the revised signage regulations that provide for limited opportunities for freeway adjacent signage on public property to support local businesses

**SECTION 4. Code Amendment.** Section 17.104.050 (Signs prohibited in any zone) of the Rosemead Municipal Code is HEREBY AMENDED to read as follows:

**17.104.050 Signs prohibited in any zone.**

- A. Signs that create a safety hazard to pedestrian and vehicular traffic;
- B. Any ground or roof sign if the proposed sign would adversely affect access to air, light or visual corridors by adjacent residential property;
- C. Any portable, folding, A-frame or box sign, or similar signs on rollers, casters or otherwise designed to be portable;
- D. Signs on any utility poles, traffic sign posts, traffic signals, or signs on any parkway or sidewalk, except for freestanding signs on public property located in redevelopment project areas (though the signs may remain after redevelopment of the project area has been completed), are within 200 feet of property zoned P-D and within 75 feet of the Interstate 10 (San Bernardino) Freeway, the physical characteristics, including but not limited to height and total area of which are subject to the approval of the City Council;

- E. Freestanding signs displayed from trucks, autos, trailers or other vehicles except public buses;
- F. Revolving and/or flashing signs.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any 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 passed and adopted Ordinance No. 916 and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6. Publication.** The City Clerk shall cause this ordinance to be published in the manner required by law.

**SECTION 7. Effective Date.** The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This ordinance shall go into effect and be in full force and effect thirty (30) days from its date of adoption.

PASSED, APPROVED AND ADOPTED this 26th day of July, 2011.

Steven Ly, Mayor  
City of Rosemead, CA

ATTEST:  
Gloria Molleda, City Clerk  
City of Rosemead, California

APPROVED AS TO FORM:  
Rachel Richman, City Attorney