

ORDINANCE NO. 2960

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING CHAPTER 18.76 (SIGN CONSTRUCTION AND PLACEMENT REQUIREMENTS) OF THE WHITTIER MUNICIPAL CODE PERTAINING TO ZONING CODE PROVISIONS FOR INSTITUTIONAL USE SIGNAGE. (CASE NO. ZONING CODE AMENDMENT 10-003; APPLICANT: CITY OF WHITTIER)

WHEREAS, the City Council has deemed it necessary and appropriate to amend Chapters 18.76 (Sign Construction and Placement Requirements) of the Whittier Municipal Code pertaining to new zoning code provisions for institutional signage;

WHEREAS, the Planning Commission conducted a duly noticed public hearing on Zoning Code Amendment 10-003 on October 4, 2010, and subsequently voted 5-0 (under PC Resolution 10-27) recommending approval of Zoning Code Amendment 10-003 to the City Council;

WHEREAS, the City Council conducted a duly noticed public hearing on December 14, 2010, on said Zoning Code Amendment 10-003;

WHEREAS, the City Council determined that Zoning Code Amendment 10-003 is consistent with the City's General Plan and that the implementation of the provisions of the draft ordinance will meet the City's goals for the development of the community;

WHEREAS, the project has been determined to be Categorically Exempt pursuant to Section 15061 (B)(3) of the California Environmental Quality Act;

WHEREAS, the City Council finds that the publication of the entire text of this ordinance in a newspaper of general circulation would cost significantly more than the cost of publishing other ordinances;

WHEREAS, pursuant to subdivision (c) of Section 36933 of the California Government Code, the City Council may publish a general natural summary of this ordinance in lieu of the entire text; and,

WHEREAS, The City Clerk published a summary of this ordinance in the Whittier Daily News and posted a certified copy of the full text of this ordinance in the City Clerk's Office at least five (5) days prior to the date of the City Council meeting at which this ordinance was adopted.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. 18.76.080 (Table 7) – Temporary On-Premises Signs, of Title 18 (Zoning), of the Whittier Municipal Code is hereby repealed and replaced in its entirety with the following text:

| | Residential Zones | C-0, C-1, C-2, C-3, and M Zones |
|---|--|--|
| A. Permit | 1. No temporary on-premises signs may be erected without a permit. | |
| | 2. Temporary sign permits may be obtained at the building division, and are issued pursuant to an expedited permit process. Permits for temporary signs that are in conformance with the applicable provisions of this chapter will be issued within 2 business days of application. | |
| | 3. Temporary sign permit applications must contain all the following information: | |
| | a. Proposed sign dimensions, fabrication, colors, and fonts. | |
| | b. Number of temporary signs per business. | |
| | c. Proposed placement of temporary signs. | |
| | d. Proposed time duration of sign placement. | |
| B. Permissible Temporary Signs | The following types of signs are only permissible for institutional uses: | The following types of signs are only permissible for nonresidential uses in all commercial zones: |
| | 1. Banners and pennants (institutional uses only) | 1. Banners; |
| | | 2. Portable signs; |
| | | 3. Painted window signs. |
| C. Temporary Outdoor Displays | | Only on lots > 75,000 square feet |
| | | 1. Banners; |
| | | 2. Festoons (no text); |
| | | 3. Pennants or pennant strings; |
| | | 4. Inflatable characters; |
| | | 5. Portable signs; |
| | | 6. Painted window signs; |
| | | 7. Commercial flags. |
| D. Maximum Sign Area; Number; Location | 1. Unless otherwise specified, temporary signs that have an area larger than 4 square feet are subject to all the provisions regulating permanent signs, including the permit requirements. | |
| | 2. Temporary signs may not exceed 1 such sign per ¼ of an acre of property, in all zones. | |
| | 3. All temporary signs must maintain a setback of at least 5 feet from the public right-of-way. The setback requirement is subject to maintenance of a line of sight for vehicular traffic, as determined by the city traffic engineer. | |

| | Residential Zones | C-0, C-1, C-2, C-3, and M Zones |
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| E. Prohibited Temporary Signs | 1. Balloon strings, with or without text. | |
| | 2. Vehicle-mounted signs, as defined in Section 18.72.020(62). This provision is not applicable to advertising displays on or in vehicles that provide mass transportation, whether publicly or privately owned or run. | |
| F. Time Limitations | 1. Temporary signs may not be displayed for longer than 30 consecutive days, as long as the sign remains in good condition throughout the period and is in compliance with any and all applicable provisions, nor for more than 4 such periods during any calendar year. Signs displayed for longer than permitted are not temporary signs and are therefore subject to all permanent sign regulations and permit requirements. Except as modified in Chapter 18.76.080, Section F. (Time Limitations) Section 3 below. | |
| | 2. The intent of this provision shall not be evaded by the intermittent placement and removal of temporary signs, or by the placement of the same or effectively similar signs by different persons or entities, or in any other manner so as to avoid the time limitations and thus the permit requirements of this chapter. Intermittent means that less than 60 days pass between removal of a sign and placement of the same or effectively similar sign in the same place or area. Except as modified in Chapter 18.76.080, Section F. (Time Limitations) Section 3 below. | |
| G. Temporary Sign Removal | Removal of temporary signs is the responsibility of the owner of the property on which the temporary sign is located. Failure to timely remove a temporary sign is subject to an administrative citation per sign removed, to offset the cost of removal by the city. Administrative citation amounts are determined by resolution of the city council. Property owners who can demonstrate by a preponderance of the evidence that they lacked actual knowledge of the presence of the temporary sign on their property will not be held to have violated the provisions of this section. | |
| H. Banners | 1. Must be constructed of plastic, vinyl, canvas, or other weather resistant material. Banners may not be constructed of paper, cardboard, clear plastic, or similar material. 2. May not be used in lieu of a permanent sign. 3. Must be located entirely within the subject property and may not project over property lines or into the public right-of-way. 4. Must be attached to an exterior building wall, located below the eave or roof parapet. No banners are allowed above the eave or roof line, on freestanding light fixtures, ancillary buildings, vehicles, landscape features, or plant materials. 5. Temporary banners may not exceed ½ square foot per each lineal foot of street frontage. 6. For multi-tenant commercial or manufacturing development, temporary banners may not exceed 1 square foot per lineal foot of street frontage for each tenant or unit space. 7. Must be clean and properly maintained. Torn, faded, sagging, or detached banners must be immediately removed, replaced, or repaired. | |

| | Residential Zones | C-0, C-1, C-2, C-3, and M Zones |
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| I. Window Signs | | 1. Only allowed within translucent windows or glazing of a building. Opaque windows may not contain window signs. |
| | | 2. Must be located on windows along the facade directly adjacent to the street frontage of the lot. |
| | | 3. The aggregate area of temporary window signs in each individual window may not exceed 25% of the area of that window or glazing panel. |
| J. Portable Signs (Fig. 8) | | 1. All portable signs must be professionally designed, and constructed of wood, fiberglass, or similar material, as approved by the planning division. |
| | | 2. Text, script, logos, or other information must be painted or applied in a manner consistent with the purpose and intent of this chapter to require quality signs. |
| | | 3. Portable signs may not extend into the public right-of-way or adjacent properties. |
| | | 4. Portable signs may not be placed within any required parking areas, parking lots, or planters. This restriction does not apply to portable signs placed upon one's person. |
| | | 5. Portable signs may not be located within required public access areas, which include on-site private walkways or sidewalks. Portable signs may be placed within building recesses or in a manner as not to obstruct pedestrian flow. |
| | | 6. Portable signs may not exceed 12 square feet in area. |
| | | 7. Portable signs may not exceed 4 feet in height. |
| K. Pennants/Pennant Strings | | 1. Only allowed for outdoor display uses located on lots 75,000 square feet or greater. |
| | | 2. Must be entirely located within the subject lot. Pennant strings may not extend beyond perimeter property lines and may not be attached to structures located on adjacent properties. |
| | | 3. May not contain any text or image. |
| | | 4. Installation is subject to the promotional sign program approval process per Section 18.76.090. |
| L. Festoons | | 1. Only allowed for outdoor display uses located on lots 75,000 square feet or greater. |

| | Residential Zones | C-0, C-1, C-2, C-3, and M Zones |
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| | | 2. May be placed on light standards or other vertical elements located on the subject property, located over the outdoor display area of the subject lot. |
| | | 3. May project into the public right-of-way a maximum 12 inches with a minimum clearance of 8 feet from the adjacent sidewalk. |
| | | 4. May not contain any text or images intended to convey a message or information. |
| | | 5. Installation is subject to the promotional sign program approval process per Section 18.76.090. |
| M. Inflatable Characters (Fig. 9) | | 1. Only allowed for outdoor display uses located on lots seventy-five thousand square feet or greater, and subject to the following standards: |
| | | a. Inflatable characters must be located on and anchored to the ground, and in no event may be placed on the roof of any structure on the lot. |
| | | b. Inflatable characters must not contain any text or images intended to convey a message or information. |
| | | c. Inflatable characters, and their installation, are subject to the promotional sign program approval process, per Section 18.76.090. |
| N. Commercial Flags | | 1. Commercial flags may only be displayed for special events or promotions. |
| | | 2. Flag poles may be 1.5 times the height of the building, but not more than 50 feet tall. |
| | | 3. Commercial flags may not contain any text, but may contain a corporate logo or representation. |
| O. Maintenance of Temporary Signs in Nonresidential Zones | | Temporary signs must be properly maintained at all times. Any faded, torn, ripped, detached, defaced, or otherwise damaged temporary sign must be promptly repaired, replaced, or removed. |
| P. Seasonal or Holiday Displays | | 1. Seasonal or holiday displays may include painted window signs, twinkle or holiday lights, light standard decorations, flags, or other similar ornamentation approved by the planning division. 2. Seasonal or holiday displays, other than window signs, do not require a permit. 3. Seasonal or holiday display window signs require a permit, pursuant to Section 18.76.090(D) and this section. |

| | Residential Zones | C-0, C-1, C-2, C-3, and M Zones |
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| | | <p>4. Window signs used as seasonal or holiday displays are subject to the size limitations of temporary window signs, per Section 18.76.090(D).</p> <p>5. No seasonal or holiday display may extend into the public right-of-way, adjacent properties, or public street or alley.</p> <p>6. No seasonal or holiday display may be placed so as to obstruct visibility of ingress or egress to the site.</p> <p>7. Seasonal or holiday displays may not be exhibited longer than 90 consecutive days.</p> <p>8. Seasonal or holiday displays may not extend into the public right-of-way, adjacent properties, or public</p> |

SECTION 2. 18.76.140 – Table 8 - Institutional Wall Signs, of Title 18 (Zoning), of the Whittier Municipal Code is hereby added as follows:

| | Sign(s) fronting on a local street(s) | Sign(s) fronting on a collector street(s) | Sign(s) fronting on a Major or Minor Arterial Street(s) |
|----------------------------------|--|--|---|
| A. Number | 1. 1 sign per business or building use identification per primary façade; and 2. 1 sign per business or building use identification on 1 secondary facade ≤ 50% size primary facade sign. | | |
| B. Location | 1. Attached parallel to and in front of exterior wall. | | |
| | 2. May not protrude more than 12" from wall. | | |
| | 3. May not project above parapet or eave line, nor below sign placement area. | | |
| | 4. Not allowed on freestanding exterior walls or fences. | | |
| | 5. May not cover significant architectural details. | | |
| C. Background Sign Area (Fig. 2) | ≤ 1/3 square foot per lineal foot of facade. | ≤ 1 square foot per lineal foot of facade. | ≤ 2 square feet per lineal foot of facade. |
| D. Sign Length | ≤ 75% of horizontal length of facade where sign is placed. | | |
| E. Letter Height | ≤ 75% of height of sign placement area, and not less than 12". | | |
| F. Fabrication | 1. Individual letters and sculpted panels must be recessed, framed, or otherwise add relief to design. 2. No painted wall signs. 3. Other fabrication methods will be reviewed for consistency with design guidelines of this chapter. | 1. Individual channel letters (including reverse channel letters), sculpted cabinet signs only, no "can" signs. 2. Individual letters and sculpted panels must be recessed, framed, or otherwise add relief to design. 3. No painted wall signs. 4. Other fabrication methods will be reviewed for consistency with design guidelines | |

SECTION 3. 18.76.140 – Table 9 - Institutional Freestanding Signs, of Title 18 (Zoning), of the Whittier Municipal Code is hereby added as follows:

| | Residential Zones (R-1, R-2, R-3 and R-4) | C-0 and C-1 | C-2, C-3, Lots < 2 acres | C-2 and C-3, Lots 2 to 30 acres | C-2, C-3, and M Lots > 30 acres |
|-------------------------|--|--|--------------------------|---------------------------------|---------------------------------|
| A. Approval | Conditional use only when in a Residential Zone. | Same as shown in Table 6, Section “A.” | | | |
| B. Number | One sign per street frontage for each lot that is part of the same development. | Same as shown in Table 6, Section “B.” | | | |
| C. Type of Sign Allowed | Monument (single or double face) | Same as shown in Table 6, Section “C.” | | | |
| D. Location | <p>1. Freestanding signs shall be set back a minimum of 5 feet from the property line along the primary or secondary street frontage. (Fig. 5).</p> <p>2. Monument signs may extend up to 3 feet into the required 5 foot setback when placed within a landscaped planter area that contains and automatic irrigation system that has been reviewed and approved by the City of Whittier’s Parks/Recreation/Community Services department. (Fig. 5).</p> <p>3. No setback is required for directional signage, except as may be required by the City Traffic Engineer for vehicular sight distance visibility.</p> <p>4. No freestanding sign may project into the public right-of-way.</p> <p>5. Must be placed a minimum of 10 feet from any driveway or point of ingress/egress on the property or any adjacent property.</p> <p>6. Must be placed a minimum of 10 feet from any other sign located on the side lot/shared property line separating two independent parcels not part of the same development.</p> | <p>1. Same as shown in Table 6, Section “D.”</p> <p>2. No setback is required for directional signage, except as may be required by the City Traffic Engineer for vehicular sight distance visibility.</p> | | | |

| | Residential Zones (R-1, R-2, R-3 and R-4) | C-0 and C-1 | C-2, C-3, Lots < 2 acres | C-2 and C-3, Lots 2 to 30 acres | C-2, C-3, and M Lots > 30 acres |
|---|--|--|--------------------------|---------------------------------|---------------------------------|
| | <p>7. Minimum 150 feet between freestanding signs (except for directional signage) on the same lot, or contiguous lots under the same ownership.</p> <p>8. All setback minimums may be increased, as necessary, subject to maintenance of a line-of-sight for vehicular traffic, as determined by the City Traffic Engineer.</p> | | | | |
| E. Maximum Aggregate Background Sign Area | <p>1. Maximum sign area of 24 square feet per each sign face for each monument sign on a local street, regardless of lot size.</p> <p>2. Maximum ½-square foot per linear foot of street frontage, up to 50 square feet per each sign face, for each monument sign that is placed on a lot (or an overall development) that is less than 2 acres and situated along a collector, minor arterial or arterial street.</p> <p>3. Maximum of ½-square foot per each lineal foot of street frontage, up to 120 square feet of sign area per sign face, for each monument sign that is placed on a lot (or an overall development) that is over 2 acres and located on a collector, minor arterial or arterial street.</p> | Same as shown in Table 6, Section “E.” | | | |
| F. Maximum Aggregate Background Sign Area/Corner Lots | <p>1. See maximum aggregate background sign area regulations for specifications of allowed sign area per frontage, above.</p> <p>2. The aggregate sign area for the primary and secondary frontages must be calculated separately, based upon the dimensions of each individual frontage. A use with both primary and secondary street frontages may not aggregate the allowable sign area from both frontages in order to erect a larger sign than these provisions allow.</p> <p>3. Maximum aggregate background sign area is not transferable between street frontages.</p> | | | | |

| | Residential Zones (R-1, R-2, R-3 and R-4) | C-0 and C-1 | C-2, C-3, Lots < 2 acres | C-2 and C-3, Lots 2 to 30 acres | C-2, C-3, and M Lots > 30 acres |
|----------------------------|--|-------------|--|---------------------------------|---------------------------------|
| | 4. Unless required otherwise, signs placed along the secondary frontage shall not to exceed 60% of the allowable square footage for signs permitted along the primary frontage. | | | | |
| G. Maximum Sign Height | 1. For projects with one or more contiguous lots forming part of the same development, the following sign heights are permitted as follows: a) Maximum 4 feet along a designated local street. b) Maximum 6 feet when adjacent to a designated collector or secondary street c) Maximum 8 feet when adjacent to a major or minor arterial street. 2. Maximum sign height may be exceeded by 12-inches to allow for architectural features or pedestal base only. | | Same as shown in Table 6, Section “G.” | | |
| H. Business Identification | 1. All freestanding signs must include, at a minimum, the numerical street address designed with Arabic numerals, and the name of the business the sign relates to in English characters, both a minimum of 6-inches in height. The purpose of this requirement is to make the business or property easy to find for emergency personnel. 2. Street numbers and the business name shall complement the style and font used for the main lettering on the sign. | | | | |

| | Residential Zones (R-1, R-2, R-3 and R-4) | C-0 and C-1 | C-2, C-3, Lots < 2 acres | C-2 and C-3, Lots 2 to 30 acres | C-2, C-3, and M Lots > 30 acres |
|--|--|--|--|--|---|
| | <p>3. Content may also include the name of an accessory use or building use, with the optional addition of a logo, character representation, or other decorative feature.</p> <p>4. Minimum 8-inch letter height for the name of the institutional use.</p> <p>5. Minimum 6-inch letter height for the name(s) of any secondary, accessory use, associated with the primary institutional use on-site (example: daycare facility, etc.)</p> <p>6. Minimum 4-inch margin of blank space between sign copy and edge of sign panel.</p> <p>7. When designed with removable plexiglass panels, standard panel length, height, font, and background color must be established for the freestanding sign design, unless otherwise expressly approved as part of any master sign program.</p> | <p>3. Same as shown in Table 6, Items 2 through 5.”</p> <p>4. Minimum 4-inch margin of blank space between sign copy and edge of sign panel.</p> | | | |

| | Residential Zones (R-1, R-2, R-3 and R-4) | C-0 and C-1 | C-2, C-3, Lots < 2 acres | C-2 and C-3, Lots 2 to 30 acres | C-2, C-3, and M Lots > 30 acres |
|---|--|----------------|--------------------------------|--|--|
| I. Fabrication | <p>1. Only monument signs are permitted. There shall be no pylon or pole signs permitted.</p> <p>2. All copy on freestanding signs must be of individual channel letters, routed push-through letters or logos, sculpted cabinets with opaque background material, or other three-dimensional designs as approved by the planning manager. Approval of copy type and design not listed above shall not be unreasonably withheld.</p> <p>3. All freestanding signs must have a base element. The base elements of a monument sign shall consist of materials that reflect the architectural style and materials of the buildings to which they relate.</p> <p>4. The pedestal base element of monument signs must be designed to "ground" the sign through materials, including but not limited to, rock, masonry, or wood, or through decorative treatment consistent with that on the associated building. Base materials and colors must differ from those materials used for the background area of the sign.</p> <p>5. Any other fabrication methods of freestanding signs, including but not limited to wires, brackets, or any other kind of exposed hardware, must be reviewed for consistency with the architecture of the subject building and the design guidelines found within this chapter.</p> | | | | |
| J. Sign Illumination | <p>1. External, low-profile, floodlighting is permitted.</p> <p>2. Internal illumination of sign copy is permitted.</p> <p>3. Internal illumination of sign background is prohibited along local streets.</p> <p>4. The use of backlit (halo lighting) letters is encouraged.</p> <p>5. Exposed neon is prohibited.</p> <p>6. Exposed raceways are prohibited.</p> | | | | |
| K. Readerboard Signs and Changeable Copy Signs | <p>1. Permitted along a minor or major arterial street only. However, only one readerboard/changeable copy sign shall be permitted for the entire development.</p> <p>2. A readerboard/changeable copy sign may comprise up to a maximum of 30 square feet per each sign face.</p> <p>3. All readerboard/changeable copy sign shall be maintained in good operating condition at all times.</p> <p>4. All readerboard/changeable copy signs shall display each message for a minimum of five seconds. Fading in or out, or scrolling of text shall be permitted as message transitions.</p> | | | | |

| | Residential Zones (R-1, R-2, R-3 and R-4) | C-0 and C-1 | C-2, C-3, Lots < 2 acres | C-2 and C-3, Lots 2 to 30 acres | C-2, C-3, and M Lots > 30 acres |
|-----------------------------------|--|----------------|--------------------------------|--|--|
| | <p>5. The electronic message display shall not be operated between the hours of 10:00 p.m. and 6:00 a.m. if the reader board sign is located within any residential zone.</p> <p>6. Readerboard/Changeable copy signs are limited to institutional land uses, as defined in Section 18.72.020(32).</p> <p>7. Readerboards/changeable copy signs may not be used for commercial advertising.</p> <p>8. Readerboard/Changeable copy signs are subject to all the provisions of this code regarding permanent signs, unless specified otherwise.</p> <p>9. Readerboard/changeable copy signs shall not do any of the following: display neon or day-glo colors, incandescent lighting, or any illumination resulting in light spillover or excessive glare. Signs shall not display any flashing or blinking messages, or lights, nor create sound.</p> <p>10. All readerboards shall have night time dimmer capabilities, which may be controlled and adjusted at the request of the City, to ensure appropriate sign intensity levels.</p> <p>11. The intensity level (brightness level) of any new LED reader board signs shall require the review and approval by the Director of Community Development prior to the finalization of any building permit.</p> | | | | |
| L. On-Premises Directional Signs | <p>1. Directional signs shall not exceed six (6) square feet in background sign area and shall not exceed six (6) feet in height.</p> <p>2. Directional signs may include the name/logo of the institutional use it serves. However, any sign or logo may not exceed a maximum of 50 percent of the sign area containing the directional information (i.e., "enter," "exit," "parking," a "display arrow," etc.).</p> | | | | |
| M. Off-Premises Directional Signs | Off-premises directional signs are prohibited. | | | | |

SECTION 4. The City Council hereby ordains the adoption of the provisions contained within Zoning Code Amendment 10-003 to be incorporated within the Whittier Municipal Code.

SECTION 5. If any section, subsection, sentence, clause, portion, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, portions, or phrases of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, portion, or phrase without

regard to whether any other section, subsection, sentence, clause, portion, or phrase of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause a display advertisement of at least one-quarter of a page to be published once in the official newspaper within 15 days after the adoption of the Ordinance, which advertisement indicates the general nature of the Ordinance and information about the Ordinance, including how to obtain copies of the complete text of the Ordinance. This ordinance shall become effective thirty (30) days after its adoption.

APPROVED AND ADOPTED this ____ day of _____ 2011.

J. GREG NORDBAK, Mayor

ATTEST:

KATHRYN A. MARSHALL
City Clerk – Treasurer

CITY OF WHITTIER)
) SS
STATE OF CALIFORNIA)

I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Whittier on the 14th day of December 2010, and adopted at a regular meeting of the City Council of the City of Whittier on the 11th day of January 2011 by the following roll call vote:

AYES: J.A. Vinatieri R.L. Henderson C. Warner
 J.G. Nordbak
NOES: O. Newcomer
ABSENT: None

WITNESS my hand and the official seal of the City of Whittier, California, this
_____ day of _____ 2011.

KATHRYN A. MARSHALL
City Clerk-Treasurer

Published as required by law: January 25, 2011