



Legislation Text

File #: 13-0676, **Version:** 2

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 21.15.2510, 21.15.2520, 21.15.2550, 21.15.2570, 21.15.2571, 21.15.2573, 21.15.2577, 21.15.2580, 21.15.2600, 21.15.2620, 21.15.2630, 21.15.2700, 21.15.2710; 21.15.2720, 21.15.2730, 21.15.2740, 21.15.2750, 21.15.2980, by amending and restating in its entirety Chapter 21.44, and by amending Section 21.52.229; by adding Sections 21.15.2570.5, 21.15.2575, 21.15.2595, 21.15.2665, 21.15.2721, 21.15.2723, 21.15.2743, 21.15.2745, and 21.15.2755; and by repealing Sections 21.15.2540, 21.15.2560, 21.15.2640, 21.15.2670, 21.15.2680, 21.15.2690, and 21.15.2725, all relating to signs, read and adopted as read. (Citywide)

On August 3, 2010, the City Council adopted a motion requesting staff to review the current sign ordinance and enforcement practices, determine what changes were necessary to prevent sign blight, and to encourage signs that present a positive image of the City to residents, businesses, and visitors. Planning staff has worked over several years to research and prepare an amendment to the Zoning Regulations (zoning code) pertaining to on-premises signs, regulated in Chapter 21.44 of the Municipal Code. This effort is now complete, and staff is pleased to present the new text to the City Council for review and consideration.

The revisions to the existing sign code relate to "on-premises" signs. On-premises signs include signs that identify a business, product, service, building, or other article that is located on the same site as the sign itself. This differentiates on-premises signs from what the zoning code considers to be billboards ("off-premises signs"), which convey a message related to an activity, service, or commodity found somewhere other than where the sign is located. The most common example of an on-premises sign would be a sign for a business, at the business location.

The intent of the new sign regulations is focused on three major areas: (1) modernizing the regulations to deal with a number of problems and shortcomings in the current zoning code; (2) enhancing the ability to facilitate creativity and allow flexibility in the design of signs; and (3) raising the standard for overall sign quality in the City.

Summary of Proposed Changes

A large amount of new text has been included in this zoning code update and the entire On-Premises Signs chapter is restated and completely reorganized on top of a new framework. The new framework, in particular, is designed to be reader-friendly and sensibly-organized, with much of the most important and commonly-used material up front, rather than scattered throughout the Ordinance as in the current code. Divisions are arranged by subject matter (major signs, minor signs, temporary signs, etc.). Additionally, staff has included new graphics for the Ordinance, replacing the outdated 1970s-vintage graphics currently in the code. Staff also intends to develop a brochure that summarizes major sign regulations in a graphically-engaging, easy-to-use format, which will be provided to customers at the 4th floor public counter and online after adoption of the Ordinance.

The proposed Ordinance would implement two new discretionary processes and remove an outdated one, as follows:

- The new Creative Sign Permit will replace the old Sign Standards Waiver process. It allows for a more expedited discretionary review of sign designs that exceed what would be allowed by zoning code, while at the same time using clear language to guide design in a way that will be creative, imaginative, and bold. The goal of the Creative Sign Permit is to allow the flexibility for exceptional signs that will add positive character to Long Beach. The strong design-oriented language will prevent approval of zoning code exceptions for poorly designed signs, and will help avoid negative impacts on the visual environment. The Site Plan Review Committee will have approval authority for Creative Sign Permits, with appeals going to Planning Commission.
- The new Historic Sign Process will exempt designated historic signs from most of the On-Premises Sign regulations, while guiding the maintenance and safekeeping of these important historic resources. This process will prevent historic signs from being treated as nonconformities, and will protect them from negative alteration or removal due to unintended code technicalities. The Site Plan Review Committee and Cultural Heritage Commission will have review authority over these requests.

The proposed Ordinance lays out overall performance and development standards, as well as overall design standards and criteria for all signs. These items are not contained in the existing code and represent a major step forward. The proposed Ordinance also contains design and development standards specific to each type of major sign. All of these measures are aimed at obtaining higher-quality sign designs. Major changes to standards include the following:

- Channel letters will be the preferred form of wall sign. Cabinet signs ("can signs") will be required to use "push-through" or "through-the-face"-style faces and lettering when the sign face is to be changed out. The proposed code leaves room for exceptions to be made when a cabinet sign is necessary, such as for oddly-shaped text or a logo that could not be rendered in channel letters, or as a push-through face.
- Freestanding signs (typically up to 25 feet tall) with bare metal pole supports will be prohibited. The new regulations would require supports to be at least half the width of the sign, and to be architectural in nature. Slab/monolith-type freestanding signs would be encouraged as well. Overall, freestanding signs would be allowed only in more intense commercial districts, and no longer be permitted in small-scale pedestrian-oriented commercial zones.
- Foam letter signs would continue to be permitted to give businesses an entrylevel low-cost sign option. However, they will be required to be plastic- or metalcoated to improve their visual quality. Unfaced/uncoated, plain foam letters would be prohibited.
- Wall signs made of flat sheet goods (e.g. a sign painted or lettered onto a sheet of plywood) would be prohibited. These represent some of the most poorlydesigned and visually-blighting signs that staff encounters. However, the proposed code specifically makes the Creative Sign Permit process available for consideration of a well-designed, visually high-quality sign of this type.
- Wall-painted signs, consisting of sign copy painted directly on a building wall, would be encouraged as a low-cost sign alternative to foam letter signs. They can be easily painted over later, and leave no marks on the building, unlike foam letters, which typically leave marks from glue or fasteners. To

encourage selection of wall-painted signs, a larger-than-normal sign area would be allowed (1.5 sq. ft. of sign area per linear ft. of building frontage, vs. 1 sq. ft. per 1 linear ft. for most other signs). However, in order to ensure appropriate design quality of wall-painted signs, a sign permit would be required (currently not required), and each one would be subject to a no-cost review by the Site Plan Review Committee before permit issuance.

- Roof signs, which were previously prohibited altogether, would be allowed through the Creative Sign Permit process only. Staff believes that well-designed roof signs can make a positive contribution to the built environment, and that the current rigid, restrictive blanket prohibition is counter-productive.
- Contact information on major signs, such as phone numbers and web addresses, are implicitly prohibited in the existing zoning code. In the interest of fairness to businesses, the proposed zoning code revisions would permit up to three square feet of the allowable sign area to be used to display contact information on all major signs. Display of contact information on minor and exempt signs (such as window signs) currently is allowed, and would not change.

The proposed Ordinance also seeks to address a number of sign nuisances that detract from the quality of the visual environment. These measures would include:

- Prohibition of all inflatable and air-blown signs (including large balloons typically seen on rooftops, and fan-driven sock-type signs that wave or appear animated).
- Flag signs, including those called "sails," "feathers," "bow banners," and the like.

These are prohibited under the current zoning code, but this will be made more explicit in the proposed Ordinance. Planning staff will work with Code Enforcement on an abatement program following adoption of the proposed Ordinance, as these flag signs have become a major problem in recent years.

- Decorative flags (typically blank, brightly-colored flags) whose only purpose is to draw attention to a site or business would be prohibited. This decorative flag clutter often is found at the site of larger buildings with units for lease or sale, and at standalone retail business locations. This regulation will not prohibit any noncommercial, freedom-of-expression flags of any type (this is stated explicitly in the proposed code language).
- Projected light signs (created by projecting focused light patterns onto a surface) would be prohibited. In other cities, businesses have used projected light signs on public sidewalks, streets, or other properties as surfaces for their signage. The proposed language seeks to prevent this proactively.

Staff also paid particular attention to the issue of temporary banners. Many comments received on this subject indicated frustration with banners as a frequent source of visual blight, but it was also apparent to staff from other comments that banners are a useful and necessary sign tool for local business. A number of changes to banner regulation are proposed, with the goal of making the banner permitting process fair and simple, while preventing blight from unpermitted or nonconforming banners.

- Temporary banners would be restricted to placement on a building only, eliminating the visual nuisance created by banner placement on fences, block walls, roofs, or suspended between poles, signs, trees, or buildings. They also would be prohibited from overhanging or obscuring windows.
- The current code allows a banner to be in place for 60 days, then requires that it be removed for 30 days, then allows the applicant to apply for another permit for a final 60 days, all within one calendar year. This system is confusing and frustrating to customers. Staff instead proposes to allow a business to display a banner for a total of gO days in a calendar year, with the ability to split this gO-day period into 30-day segments, all on a single permit.
- Unpermitted banners that have been in place for the full allowable time period would now be required to be removed, rather than be issued a permit. The current practice of issuing a permit to legalize the banner unfairly doubles the amount of time the banner could be in place, versus a banner that followed the correct permitting process from the beginning.
- Maximum sizes for real estate signs and banners on commercial and multi-family buildings would be reduced from 32 square feet to 16 square feet. Real estate banners currently are not subject to the gO-day time limit or permit requirement, and may be displayed for as long as the unit or property is available for sale or lease.
- Banners would be limited to a maximum aspect ratio (ratio of length vs. height) of 3 units length to one unit height. This is intended to prevent extremely long, skinny banners that technically comply with size limits, but have a derogatory effect upon the building.
- Banner permit fees would be reduced significantly beginning in FY14 to encourage the public to obtain permits for banners.

Staff has also put significant work into the regulation of electronic message center signs (EMCS). These on-premises signs display their messages using electronic, LED, or digital displays. They are frequently confused with and referred to as "electronic billboards." However, please note that there are no electronic billboards in Long Beach (billboards consist of off-site advertising). Staff is seeking tighter restrictions on EMCS to reduce the proliferation of these signs with their frequently negative impacts upon their surroundings. Proposed changes include:

- Requiring EMCS be located on the primary site of the business or institution owning it, and not on a secondary or accessory site or property.
- Limiting EMCS to major commercial zones (CCA and CHW), industrial zones (IL, 1M, IG, IP), and Park (P), Institutional (I), and Public Right-of-Way (PR) zones.
- Limiting EMCS to Major Arterial-class streets and above.
- Restrictive nighttime brightness standards, as well as message transition and 'duration standards.
- Additional spacing requirements.
- Requirement that a new Conditional Use Permit be obtained if the business at the site changes.

- Requirement that a Standards Variance be obtained for any exception to EMCS standards, demonstrating that a hardship exists and the exception is justified.

On May 2, 2013, the Planning Commission conducted a public hearing to review the proposed changes to the sign regulations. After taking all public comments, the Planning Commission requested several changes, and additional outreach efforts to the business community and sign companies. The Planning Commission then approved the ordinance in concept and forwarded it to the City Council with a recommendation for adoption. As a follow-up to the Planning Commission's request, staff met with local sign companies and business groups to gather input and comments on the proposed changes to the ordinance. Meetings were held with several major sign companies located in Long Beach, as well as business associations, including the Belmont Shore Business Association, 4th Street Business Association, Council of Business Associations and the Westside Project Area Council. Staff believes that the implementation of this ordinance would represent one of the largest steps forward in regulating and improving the visual environment in Long Beach in recent memory. Staff recommends that the City Council adopt these proposed changes into ordinance.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE) was prepared for the proposed project (Exhibit A - CE-13-041).

This matter was reviewed by Deputy City Attorney Kendra Carney on July 29, 2013 and by Budget Management Officer Victoria Bell on July 31, 2013.

Approve recommendation.

Staff recommends that action be taken on this Ordinance so that related changes to fees may be put in place in time for the 2014 fiscal year.

The proposed revisions to the sign code necessitate changes to the City's Master Fee Schedule. If the proposed action is approved, these changes will be considered during adoption of the City's Fiscal Year 2014 Budget when the City Council acts on the City's Master Fee schedule. The proposed fee changes include the elimination of the Sign Standards Waiver Permit fee, the reduction of the Promotional Activity Sign Permit fee from \$150 to \$75, and the addition of a Creative Sign Permit fee of \$750. There is no net fiscal impact associated with these fee changes. Fees charged for the processing of sign permits and entitlements will recover costs incurred by City staff.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 21.15.2510, 21.15.2520, 21.15.2550, 21.15.2570, 21.15.2571, 21.15.2573, 21.15.2577, 21.15.2580, 21.15.2600, 21.15.2620, 21.15.2630, 21.15.2700, 21.15.2710; 21.15.2720, 21.15.2730, 21.15.2740, 21.15.2750, 21.15.2980, BY AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 21.44, AND BY AMENDING SECTION 21.52.229; BY ADDING SECTIONS 21.15.2570.5, 21.15.2575, 21.15.2595, 21.15.2665, 21.15.2721, 21.15.2723, 21.15.2743, 21.15.2745, AND 21.15.2755; AND BY REPEALING SECTIONS 21.15.2540, 21.15.2560, 21.15.2640, 21.15.2670, 21.15.2680, 21.15.2690, AND 21.15.2725, ALL RELATING TO SIGNS

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APPROVED:

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