City of Loma Linda Official Report

Floyd Petersen, Mayor
Stan Brauer, Mayor pro tempore
Robert Christman, Councilmember
Robert Ziprick, Councilmember
Charles Umeda, Councilmember

COUNCIL AGENDA: January 10, 2006

TO: City Council

VIA: Dennis R. Halloway, City Manager

FROM: Deborah Woldruff, AICP, Community Development Director

SUBJECT: DEVELOPMENT CODE AMENDMENT (DCA) NO. 05-03 (OFF-SITE SUBDIVISION DIRECTIONAL SIGNS)

RECOMMENDATION

The recommendation is that the City Council take the actions, as follows:

1) Open public hearing and take public testimony;
2) Waive reading of the proposed ordinance in its entirety;
3) Direct the Clerk to read by title only; and,
4) Adopt resolution on roll call vote.

BACKGROUND

On December 13, 2005, the City Council adopted the revisions to the Chapter 17.18.190 of the Loma Linda Municipal Code (Off-Site Subdivision Directional Signs), which currently limits the number of off-site subdivision directional signs to 12. The resolution proposes to increase the number of placed kiosk signs to 18. The Council scheduled the public hearing for the resolution and the second reading of the ordinance for the meeting on January 10, 2005.

ATTACHMENTS

A. Ordinance
B. Resolution

I:\Project Files\DCA\DCA 05-03 (Off-site Subdivision Directional Signs)\CCSR 1-10-06 2nd.doc

AGENDA ITEM 5 a-b

Attachment A
(Ordinance)

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA AMENDING CHAPTER 17.18.190 OF TITLE 17 OF THE LOMA LINDA MUNICIPAL CODE TO AMEND THE REQUIREMENT THAT LIMITS THE NUMBER OF OFF SITE SUBDIVISION DIRECTIONAL SIGNS.

THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the Land Use Element of the Loma Linda General Plan requires the City to encourage a harmonious mix of residential, commercial and industrial land uses which will generate sufficient tax revenues to pay the costs of maintaining the desired levels of services and adequate infrastructure facilities, and it also states that the City will "Require that the design and siting of new residential development meet locational and development standards that ensure compatibility with adjacent land uses and community character", and

WHEREAS, the proposed amendment to the Land Use Development Code is consistent with the goals and policies of the City of Loma Linda General Plan, and

WHEREAS, the City has a responsibility to assure adherence to the General Plan in meeting the needs and desires of its residents and the community in general, and

WHEREAS, the Planning Commission of the City has considered these proposed amendments at a duly noticed public hearing on December 7, 2005, and recommended that the City Council adopt the proposed amendments, and

WHEREAS, the Department of Community Development of the City has evaluated the potential environmental impacts that could result from the adoption of an ordinance establishing standards and review procedures for residential kiosk directional signs in the City, and has found that the proposed zoning regulations are not subject to the California Environmental Quality Act (CEQA) and CEQA Guidelines, and

WHEREAS, the City Council has reviewed and considered the information in the Agenda Report, as well as public testimony presented at the hearing.

THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES ORDAIN AS FOLLOWS:

Section 1. Findings, Purpose and Intent.

A. This Ordinance is adopted by the City Council pursuant to the City's police powers to protect the health, safety, and welfare of the public.

B. The Land Use Development Code provides for the orderly use and development of all property in the City and for the creation of locational and development standards that ensure greater compatibility with surrounding land uses and community character. The City Council finds that it is desirable to review and consider the amendment to the sign ordinance as part of the City's development code.

C. The new ordinance eliminates the potential clutter of illegal signs by continuing to establish specific guidelines for the construction, design, and placement of off-site subdivision directional signs.

D. The City Council finds that the recent accession of residential tracts facilitates the need to revise the sign code to include the ability to reestablish the number of allowable off-site subdivision directional signs through a resolution.

E. The City Council finds that the overall use and development of land should be designed for the protection of the public health, safety and welfare; that it is important to ensure that the establishment of the new sign ordinance conforms to a plan of logical and orderly development of the land.

Section 2. Chapter 17.18.190 is amended in Title 17 of the Loma Linda Municipal Code, to read as follows:

17.18.190 Off-site subdivision directional signs.

A. **Off-site subdivision directional signs** may be used to lead customers to the subdivision sites within the city. **The number and locations of such signs shall be as set forth by resolution of the City Council**.

B. Signs shall be no longer than sixty inches by nine inches and shall be grouped on a two-sided sign structure as shown in "Exhibit A," attached to Ordinance 322. Such structure shall contain no more than seven tract identifications.

C. An off-site subdivision directional sign structure shall be located not less than six hundred feet from another off-site subdivision directional sign structure site. Further, each sign may only contain the name of the subdivision, and a directional arrow.

D. The placement of each sign structure shall be reviewed and approved by community development director **and is subject to a sign permit**.

E. A right-of-way encroachment permit shall be obtained from the director of community services prior to the placement of all signs.

F. A sign location shall be submitted to and approved by the director of community services prior to the placement of all signs.

G. Any such sign approved for a particular subdivision within the city shall not be changed to advertise another subdivision without prior approval of the community development director.

H. There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances added to the sign as originally approved. Further, no other directional signing may be used such as posters, or trailer signs.

I. The sign shall be allowed until the subdivision is sold out.

J. The off-site subdivision sign program may be implemented and installed through the Building Industry Association (BIA) if an agreement is approved for the regulation and control between the city and BIA. All off-site subdivision signs shall be regulated and installed per the agreement and approvals between the BIA and the city. The BIA shall not install new structures without the express written consent of the community development director.

Section 3. Penalties. If any person shall violate any of the provisions of this Ordinance, or fail to comply with any of the mandatory requirements of this Ordinance, he shall be guilty of an infraction. Any person convicted of an infraction under the provisions of a City Ordinance shall be punishable by (1) a fine of not more than one hundred dollars ($100.00) for a first violation; (2) a fine not exceeding two hundred

dollars ($200.00) for a second violation of the same Ordinance within one year and (3) a fine not exceeding five hundred dollars ($500.00) for each additional violation of the same Ordinance within one year. Each such person shall be deemed guilty of a separate offense for every day during such portion of which any violation of this Ordinance is committed, continued or permitted by such person, and shall be punishable therefore as provided by this Ordinance.

Section 4. Validity. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 5. Posting. Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such purpose by the City Council.

Section 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portion 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 section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unlawful.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the 13th day of December 2005 and was adopted on the _____ day of _____ by the following vote to wit:

Ayes: _____

Noes: _____

Abstain: _____

Absent: _____

_____
Floyd Petersen, Mayor

Attest:

_____
Pamela Byrnes-O'Camb, City Clerk

Attachment B
(Resolution)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA DESIGNATING THE ALLOWABLE NUMBER OF AND LOCATIONS FOR PLACEMENT OF OFF SITE DIRECTIONAL SUBDIVISION SIGNS.

WHEREAS, the City Council adopted Ordinance No. ____, on _____, amending Chapter 17.18.190 of the Loma Linda Municipal Code to limit the number of approved locations of off-site subdivision directional signs to twenty-two (22) and the number of signs placed at any given time to eighteen (18); and

WHEREAS, off-site subdivision directional signs should be located so that the potential clutter of illegal signs is eliminated by the establishment of specific guidelines for the construction, design, and placement of off-site subdivision directional signs;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA does hereby authorize the placement of off-site directional subdivision signs as shown on Exhibit A attached hereto and made a part hereof.

APPROVED AND ADOPTED this 13th day of December 2005 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

_____
Floyd Petersen, Mayor

ATTEST:

_____
Pamela Byrnes-O'Camb, City Clerk