



City of Huntington Beach Planning and Building Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: October 25, 2011

**SUBJECT: ZONING TEXT AMENDMENT NO. 11-001 (Amending Chapter 233 Signs-
Political Signs)**

APPLICANT: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

LOCATION: Citywide

STATEMENT OF ISSUE:

- ◆ Zoning Text Amendment No. 11-001 request:
 - Amend Chapter 233 Signs of the Huntington Beach Zoning and Subdivision Ordinance to change the regulations for temporary political signs to reduce the posting and removal time periods and to allow for removal of the signs on public property by anyone after a specified period.

- ◆ Staff's Recommendation:

Approve Zoning Text Amendment No. 11-001 based upon the following:

 - Amendment is consistent with the General Plan goals and policies by reducing visual clutter in the public right of way
 - Amendment does not alter zoning of any property and does not change or affect the compatibility of uses allowed and established by the General Plan and Zoning designations
 - A community need is demonstrated to assure the visual enhancement of the City by reducing visual blight during peak summer season by reducing the potential proliferation of political signs
 - Amendment is consistent with the General Plan Urban Design Element goals and policies to ensure that visual blight is reduced by reducing the duration of the display period for political signs and the timely removal of signage

RECOMMENDATION:

Motion to:

“Approve Zoning Text Amendment No. 11-001 with findings (Attachment No. 1) and forward Draft Ordinance (Attachment No. 2) to the City Council for adoption.”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Zoning Text Amendment No. 11-001 with findings for denial.” (Maintains all existing code provisions for political signs)
- B. “Continue Zoning Text Amendment No. 11-001 and direct staff accordingly.”
- C. “Approve Zoning Text Amendment No. 11-001 with findings and suggested modified wording to eliminate all timeframes for posting signs before and after an election and forward to the City Council for adoption.” (All political signs would be allowed year-round)
- D. “Approve Zoning Text Amendment No. 11-001 with findings and suggested modified wording to prohibit signs in the public right-of-way, including perimeter walls, and forward to the City Council for adoption.” (Changes to timeframes would be included).

PROJECT PROPOSAL:

Zoning Text Amendment No. 11-001 represents a request by City Council to amend Chapter 233 (Signs), Section 233.08 Exempt Signs (Political) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) pursuant to Chapter 247, Amendments for the purpose of reducing visual clutter. The sign code amendment does the following:

- Reduces time period for the posting of Political Signs in advance of the election day from 75 days to a range from 54-66 days.
- Reduces the time period for the removal of Political Signs following the election day from 15 days to 5 days.
- Permits the removal of Political Signs in the public right-of-way by anyone beginning the Friday after Election Day.

Background:

In 2008 City Council adopted Zoning Text Amendment No. 08-003 (Amending Chapter 233 Signs) attempting to eliminate content-based restrictions from Section 233.08 Exempt Signs and providing further clarification regarding types of signs and permitted placement of temporary signs. The display duration of political signs was not altered as a result of this amendment; however, it did clarify that the location of these signs shall not create traffic or safety hazards.

At the City Council meeting held on January 18, 2011, revision to the City’s Sign Ordinance as it relates to political signs was discussed by the City Council (Attachment No. 4). Concerns were expressed regarding the proliferation of these signs within the public right-of-way, the duration of posting and the time period for removal of said signs. The City Council directed the City Attorney’s Office to draft an ordinance reducing the time period whereby political signs could remain and requested that the City of Fountain Valley political sign ordinance also be analyzed. Generally, the City Council had the following recommendations:

1. Candidate Elections:
 - a. Reduce the posting of political signs from 75 days to 54-60 days commencing with the first Monday of September. This eliminates the time Huntington Beach residents and visitors must view signs during the traditional “summer season,” while still maintaining the candidate’s freedom of speech and allowing signs to go up well before absentee ballots are distributed and/or cast.
 - b. Reduce time period that signs shall be removed from 15 days to 5 days following an election. If signs are not removed by the third day anyone is allowed to remove the signs.
2. For all other elections:
 - a. Political signs may be posted no sooner than 60 days before an election and must be taken down no later than 10 days after Election Day.

ISSUES:

Subject Property and Surrounding Land Use, Zoning and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Citywide	All Land Use Categories	All Zoning Categories	All Land Uses

General Plan Conformance:

The proposed Zoning Text Amendment is consistent with the goals, policies, and objectives of the City’s General Plan as follows:

Urban Design Element

Policy UD 1.2.3: Coordinate the design of public and private signs and graphics on a citywide basis.

Policy UD 1.3.2: Provide for the implementation of streetscape and landscape improvements along the major commercial corridors...c) Discourage the excessive use of temporary signage including bunting and commercial banners.

The Urban Design Element of the General Plan has identified that Huntington Beach has some visual elements that weaken the community’s identity. One element is signage, which unless issues of design, coordination, visual clutter and image are addressed will not promote a positive image of the City.

Zoning Compliance: Not applicable

Urban Design Guidelines Conformance: Not applicable

Environmental Status:

The proposed project is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act.

Coastal Status:

This project would be considered a minor amendment to the City’s Local Coastal Program and will be forwarded to the California Coastal Commission with other minor amendments.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The draft ordinance has been prepared by the City Attorney’s office. Planning staff including the Code Enforcement Division have reviewed and provided comments on the zoning text amendment to Chapter 233 Signs, Section 233.08. Because of potential legal issues, the City Attorney recommends against these changes to the political sign code. There are no comments from other departments.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on October 13, 2011, and notices were sent to individuals/organizations requesting notification (Planning Division’s Notification Matrix) and interested parties, including candidates from the City Council 2010 election. As of October 18, 2011, no communication supporting or opposing the request has been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
August 17, 2011

MANDATORY PROCESSING DATE(S):
Legislative Action - Not Applicable

ANALYSIS:

The intent of the proposed zoning text amendment is to reduce visual clutter associated with political signs. In order to gauge the extent of political sign proliferation throughout the City, staff contacted the City Clerk’s Office to obtain the number of candidates in recent elections. In the four elections occurring from 2004 to 2010 a total of 58 candidates ran for office, and in the 2010 election alone there were 23 candidates. The associated signage can dominate the street scene, particularly at intersections. To address this and improve the City image, the amendment proposes to reduce the time period for the posting and removal of political signs. The reduced time period is designed to not allow the display of political signs during the peak summer season in an effort to improve aesthetics for visitors, as well as residents. The zoning text amendment changes do not affect the zoning of any property and are in keeping with good zoning practice and provide an increase in compliance with the goals and policies of the General Plan Urban Design Element.

City Council directed staff to review the political sign regulations for the City of Fountain Valley in preparing the attached ordinance. Staff’s analysis revealed that Fountain Valley’s code has no time restriction for the posting of political signs and allows up to 10 days for the removal of the signs. However, in Fountain Valley political signs are only permitted on private property. Staff also

reviewed the political sign regulations for three other Orange County cities. Attachment No. 5 provides a table comparing the key aspects of the regulations, which shows that there is a wide variation among the cities. Nonetheless, the existing City of Huntington Beach regulations are generally more permissive than those of the comparison cities with respect to the removal time period but somewhat in the middle of the spectrum for duration of posting given that two of the cities do not have any restriction on this. The proposed amendment would result in the City's regulations being one of the more restrictive with respect to posting and removal period. However, unlike the other cities, Huntington Beach does not have a size limitation and has comparatively permissive regulations for political signs in the public right-of-way.

Planning Commission Study Session

The Planning Commission had various suggestions and questions at their Study Session on September 27, 2011. The items are responded to below.

Suggestions: Commissioners suggested that the exact time for the required removal of all political signs be added to the ordinance, with input that it be 12:01 A.M.; that some minor clean-up be done to uniformly refer to "Election Day," rather than just "Election;" and that the City consider regulating the size of all political signs.

Response: The draft ordinance can be modified to reflect these items if recommended by the Planning Commission and would be forwarded to the City Council as such. With respect to size of signs, of the cities surveyed, only Huntington Beach does not have size restrictions. However, this was not an aspect of the regulations that City Council discussed changing.

Questions: Commissioners inquired about provisions if candidates want to keep their signs and whether the location of political signs on public property should be restricted?

Response: The City Council's direction was to give candidates two full days after an election to remove their signs before anyone can legally remove them. With respect to the location of signs, the City's current ordinance states that political signs cannot create traffic or safety hazards. Based on direction from the City Council no changes to restrictions on sign location were considered by staff. As shown in the comparison table, the majority of the cities do allow signs in the public right-of-way.

Alternative Actions

Based on the sign regulations of the other jurisdictions and the Planning Commission discussion, the Planning Commission may want to consider other alternatives, as identified at the beginning of this report. Alternative Action C would eliminate the timeframe for posting signs before and after an election day; they would be permitted year-round. Alternative Action D would include all of the proposed restrictions but also prohibit signs in the public right-of-way, including perimeter walls owned by the City. The Planning Commission may consider and recommend another combination of changes to City Council as deemed appropriate.

Staff recommends that the Planning Commission approve and forward Zoning Text Amendment No. 11-001 amending the political sign regulations to the City Council for adoption because the changes are consistent with the General Plan and would assist in improving the aesthetics of the city.

ATTACHMENTS:

1. Suggested Findings of Approval
2. Draft Ordinance No. _____ HBZSO Chapter 233, Section 233.08 (Exempt Signs)
3. Legislative Draft – Huntington Beach Zoning and Subdivision Ordinance Chapter 233 Signs
4. City Council Memo Dated January 10, 2011
5. Survey: Political Sign Regulations of Other Cities with Sign Ordinances

SH:MBB:RM:kd

ATTACHMENT NO. 1

SUGGESTED FINDINGS FOR APPROVAL

ZONING TEXT AMENDMENT NO. 11-001 **(Political Signs)**

SUGGESTED FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 11-001:

1. Zoning Text Amendment No. 11-001 amends Chapter 233 Signs, Section 233.08 Exempt Signs (Political) of the Huntington Beach Zoning and Subdivision Ordinance, to reduce the time period for the posting of political signs in a manner consistent with the goals, policies and objectives specified in the General Plan. The amendment controls the proliferation of visual clutter in the public right-of-way addressing the display and removal time period of signage through concise regulatory language.
2. In the case of the general land use provisions, the amendments proposed are compatible with the uses authorized in, and the standards prescribed for the Zoning districts for which they are proposed. The changes do not affect zoning of any property by altering allowed land use or the development standards thereof. Therefore, the changes do not affect the compatibility of uses allowed and established by the General Plan and Zoning designations.
3. A community need is demonstrated for the proposed amendment to ensure a sign code that is protective of the City's goals for enhancing the visual image of the city. The amendment to Chapter 233 Signs affects the visual blight resulting from the display of political signage. For four elections between 2004 and 2010 a total of 58 candidates applied for political office, each displaying signage announcing their candidacy. This demonstrates that there continues to be a potential proliferation of political signs. The reduced display period for political signs will not conflict with the City's peak summer season, and will reduce visual blight.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because the General Plan Urban Design Element goals and policies indicate the desire to protect the aesthetic appearance of the City and reduce a weak visual image. The adoption of this amended ordinance will ensure that visual blight is reduced by reducing the duration of the display period, not permitting display of political signs until after the peak summer season and the timely removal of signage.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 233 OF THE HUNTINGTON BEACH ZONING
AND SUBDIVISION ORDINANCE RELATING TO SIGNS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Subsection O. of Section 233.08 of Chapter 233 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

233.08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233.04. These signs shall not be restricted by content and no fee, permit or application is required: (3334-6/97, 3826-4/09)

- A. Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure. (3334-6/97, 3826-4/09)
- B. Signs not exceeding 0.5 square feet each posted by commercial establishments. (3334-6/97, 3826-4/09)
- C. Flags posted by any governmental agency. (3334-6/97, 3826-4/09)
- D. Signs posted by neighborhood safety organizations. (3334-6/97, 3826-4/09)
- E. Notices posted by a utility or other quasi-public agent in the performance of a public duty. (3334-6/97, 3826-4/09)
- F. Signs or notices posted by any court, public body or officer. (3334-6/97, 3826-4/09)
- G. Signs posted by property owners on private property, as required by law (including no trespass and legal notices). (3334-6/97, 3826-4/09)
- H. One sign, not over six (6) square feet in area, may be posted at each door, loading dock, or other entrance facing a public street. (3334-6/97, 3826-4/09)
- I. One double-faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height. (3334-6/97, 3826-4/09)
- J. Signs erected by a public agency. (3334-6/97, 3826-4/09)
- K. Signs manufactured as a standard, integral part of a mass-produced product accessory or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps. (3334-6/97, 3826-4/09)

- L. Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December). No window sign shall be displayed above the second story. (3334-6/97, 3360-12/97, 3826-4/09)
- M. Signs required by the Americans with Disabilities Act (ADA). (3360-12/97, 3826-4/09)
- N. Two (2) signs (including, but not limited to, street numerals and "no solicitation" notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street. (3334-6/97, 3826-4/09)
- O. Temporary signs. Temporary signs are permitted where the property owner has granted permission for its display. Temporary signs are permitted in public rights-of-way, but not permitted in street medians or dividers. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. In addition, signage shall be permitted as follows: (3334-6/97, 3826-4/09, 3881-8/10)

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	(3826-4/09) OTHER STANDARDS
<u>Election Signs or Political Signs</u>	F/S or Wall	N/A (3881-8/10)	N/A	N/A	1. Cannot create traffic or safety hazards. 2. For November elections occurring in even number years, political signs may first be posted the first Tuesday after Labor Day (first Monday of September) and must be taken down by midnight on Sunday immediately following the Election Day. Signs on public property may be removed by anyone beginning the Friday after Election Day. For all other elections, political signs may be posted no sooner than 60 days before an election and must be taken down no later than 10 days after the Election Day. (3826-4/09)
<u>Real Estate</u> Residential	F/S or Wall	One per site	8 sq. ft.	6 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. No sign may be attached to the perimeter walls of residential communities. (3826-4/09)

<u>Real Estate</u> <u>Commercial</u> <u>Office Dist.</u>	F/S or Wall	1 per site	20 sq. ft.	10 ft. 12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> <u>Commercial</u> <u>Industrial</u>	F/S or Wall	1 per site	30 sq. ft.	12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> <u>All other</u> <u>Districts</u>	F/S or Wall	1 per site	20 sq. ft.	10 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. Signs shall not be attached to the perimeter walls of residential communities. (3826-4/09)
<u>Construction</u> <u>Signs</u>	F/S or Wall	1 per site	32 sq. ft.	None	1. Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first. (3826-4/09)
<u>Open House</u> <u>Signs</u>	F/S or Wall	1 per site	6 sq. ft.	4 ft.	1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected. 2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way. (3826-4/09)
<u>Open House</u> <u>Sign</u>	Flags	3 per site	2.5 sq. ft.	6 ft.	1. Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access from an arterial. (3826-4/09)

<u>Pennants</u>			30 sq. ft.		1. Must be placed on light standards located on private property. 2. Must have an eight (8) foot clearance from the ground. 3. Must be removed within five (5) business days of the completion of the City-sponsored event or theme. (3826-4/09)
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SECTION 2. All other provisions of Chapter 233 not amended hereby remain in full force and effect.

SECTION 3. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

Mayor

ATTEST:

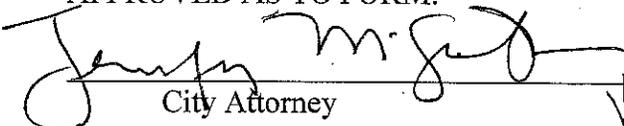
INITIATED AND APPROVED:

City Clerk

Director of Planning and Building

REVIEWED AND APPROVED:

City Manager

APPROVED AS TO FORM:


City Attorney JCS
1/23/11

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ORDINANCE NO. _____

LEGISLATIVE DRAFT
(changes to subsection O. Election Signs or Political Signs only)

233.08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233.04. These signs shall not be restricted by content and no fee, permit or application is required: (3334-6/97, 3826-4/09)

- A. Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure. (3334-6/97, 3826-4/09)
- B. Signs not exceeding 0.5 square feet each posted by commercial establishments. (3334-6/97, 3826-4/09)
- C. Flags posted by any governmental agency. (3334-6/97, 3826-4/09)
- D. Signs posted by neighborhood safety organizations. (3334-6/97, 3826-4/09)
- E. Notices posted by a utility or other quasi-public agent in the performance of a public duty. (3334-6/97, 3826-4/09)
- F. Signs or notices posted by any court, public body or officer. (3334-6/97, 3826-4/09)
- G. Signs posted by property owners on private property, as required by law (including no trespass and legal notices). (3334-6/97, 3826-4/09)
- H. One sign, not over six (6) square feet in area, may be posted at each door, loading dock, or other entrance facing a public street. (3334-6/97, 3826-4/09)
- I. One double-faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height. (3334-6/97, 3826-4/09)
- J. Signs erected by a public agency. (3334-6/97, 3826-4/09)
- K. Signs manufactured as a standard, integral part of a mass-produced product accessory or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps. (3334-6/97, 3826-4/09)
- L. Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December). No window sign shall be displayed above the second story. (3334-6/97, 3360-12/97, 3826-4/09)
- M. Signs required by the Americans with Disabilities Act (ADA). (3360-12/97, 3826-4/09)

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- N. Two (2) signs (including, but not limited to, street numerals and “no solicitation” notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street. (3334-6/97, 3826-4/09)
- O. Temporary signs. Temporary signs are permitted where the property owner has granted permission for its display. Temporary signs are permitted in public rights-of-way, but not permitted in street medians or dividers. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. In addition, signage shall be permitted as follows: (3334-6/97, 3826-4/09, 3881-8/10)

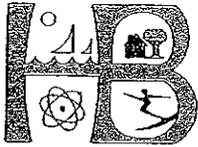
SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	(3826-4/09) OTHER STANDARDS
<u>Election Signs or Political Signs</u>	F/S or Wall	N/A (3881-8/10)	N/A	N/A	1. Cannot create traffic or safety hazards. 2. May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election <u>For November elections occurring in even number years, political signs may first be posted the first Tuesday after Labor Day (first Monday of September) and must be taken down by midnight on Sunday immediately following the Election Day. Signs on public property may be removed by anyone beginning the Friday after Election Day. For all other elections, political signs may be posted no sooner than 60 days before an election and must be taken down no later than 10 days after the Election Day.</u> (3826-4/09)
<u>Real Estate</u> Residential	F/S or Wall	One per site	8 sq. ft.	6 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. No sign may be attached to the perimeter walls of residential communities. (3826-4/09)

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<u>Real Estate</u> <u>Commercial</u> <u>Office Dist.</u>	F/S or Wall	1 per site	20 sq. ft.	10 ft. 12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease rental, and is removed immediately after the sale, lease, or rental of the property which is defined the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> <u>Commercial</u> <u>Industrial</u>	F/S or Wall	1 per site	30 sq. ft.	12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease rental, and is removed immediately after the sale, lease, or rental of the property which is defined the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> <u>All other</u> <u>Districts</u>	F/S or Wall	1 per site	20 sq. ft.	10 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease rental, and is removed immediately after the sale, lease, or rental of the property which is defined the close of escrow or execution of lease or rental agreement. 3. Signs shall not be attached to the perimeter walls of residential communities. (3826-4/09)
<u>Construction</u> <u>Signs</u>	F/S or Wall	1 per site	32 sq. ft.	None	1. Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first. (3826-4/09)
<u>Open House</u> <u>Signs</u>	F/S or Wall	1 per site	6 sq. ft.	4 ft.	1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected. 2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way. (3826-4/09)
<u>Open House</u> <u>Sign</u>	Flags	3 per site	2.5 sq. ft.	6 ft.	1. Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access

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					from an arterial. (3826-4/09)
<u>Pennants</u>			30 sq. ft.		1. Must be placed on light standards located on private property. 2. Must have an eight (8) foot clearance from the ground. 3. Must be removed within five (5) business days of the completion of the City-sponsored event or theme. (3826-4/09)



CITY OF HUNTINGTON BEACH

City Council Interoffice Communication

To: Honorable Mayor and City Council Members
From: Keith Bohr, City Council Member
Date: January 10, 2011
Subject: **CITY COUNCIL MEMBER ITEM FOR JANUARY 18, 2011, CITY COUNCIL MEETING – REVISION OF CITY'S SIGN ORDINANCE AS IT RELATED TO POLITICAL SIGNS**

STATEMENT OF ISSUE:

It seems every two years during the election season that many of our Huntington Beach residents grow more irritated by the display of "visual blight" caused by the thousands of legally and illegally posted political signs. Huntington Beach's current code allows political signs to be displayed 75 days before election and requires them to be removed no later than 15 days after the election for a total of 90 days of visibility.

I respectfully suggest that the City Council consider a modest revision to our ordinance as follows:

1. For ~~November~~ elections occurring in even numbered years:
 - Political signs may first be posted the first Tuesday after Labor Day (first Monday of September). This eliminates the time Huntington Beach residents and visitors must view signs during the traditional "summer season," while still maintaining the candidate's freedom of speech and allowing signs to go up well before absentee ballots are distributed and/or cast.
 - Signs must be taken down by the end of the day on Sunday after Election Day. This gives everybody five (5) full days to remove signs, giving candidates and their supporters adequate time to remove all their signs. It may be worth further establishing that anybody can remove any and all signs they see beginning the Friday after Election Day. This gives candidates that want to retain their signs for reuse two (2) days to retrieve their signs. This will allow for a more efficient mass removal of all signs by candidates, volunteers, or anybody else who is willing to take the time to remove and dispose of the now meaningless visual blight.
 - As proposed, the current 75 days prior to election would be reduced to a range of 54 to 66 days before election day, dependent upon which day Labor Day falls each year, totaling a reduction of 9 to 21 days, accordingly. Post election would be reduced from 15 to 5 days.
2. For all other elections:
 - Political signs may be posted no sooner than 60 days before an election and must be taken down no later than 10 days after Election Day.

RECOMMENDED ACTION:

Motion to direct the City Attorney to bring back to the City Council a revised ordinance as outlined above for their consideration.

xc: Fred Wilson, City Manager
Paul Emery, Deputy City Administrator
Bob Hall, Deputy City Administrator

Jennifer McGrath, City Attorney
Joan Flynn, City Clerk

ATTACHMENT NO. 4.1

15. Submitted by Councilmember Connie Boardman - Consider changing the start time of Study Sessions to 5:00 p.m. and City Council meetings to 7:00 p.m. for the first nine (9) weeks of the year (through May 2, 2011)

Recommended Action:

The City Charter (section 303a) allows the City Council to set the meeting time by ordinance or resolution. I request that staff prepare a resolution changing the meeting time **of the Study Session** from ~~6:00~~ **4:00** p.m. to ~~7:00~~ **5:00** p.m. for the first nine meetings of the year (through May 2, 2011). ~~and that the Study Sessions begin at 5:00 p.m., with the Closed Session following the Study Session.~~ City Council meetings will continue to start at 6:00 p.m. for the rest of the year.

Approved as amended 7-0

16. Submitted by Councilmember Devin Dwyer - Request directing the Police Department to post Arrest Log information on the City website, and "Habitual Drunk Drivers" information on the Police Department's Facebook page

Recommended Action:

~~Direct the Police Department to begin posting their Arrest Log on the Police Department website as soon as practicable, and place an internet accessible computer in the Police Department lobby to allow individuals to access the information if they have no other means to access the website. Also, Direct the Police Department Chief NOT to post information regarding the arrest of "Habitual Drunk Drivers" and their photo on the Police Department Facebook page.~~

Approved as amended 4-3 (Harper, Hansen, Dwyer no)

17. Submitted by Councilmember Keith Bohr - Direct City Attorney to revise City's sign Ordinance as it relates to political signs

Recommended Action:

Direct the City Attorney to bring back to the City Council a revised ordinance as outlined for their consideration **and to have the City Attorney analyze Fountain Valley's political sign ordinance.**

Approved as amended 6-1 (Harper no)

COUNCILMEMBER COMMENTS (Not Agendized)
Harper, Carchio, Bohr, Dwyer, Boardman reported.

ADJOURNMENT – 9:48 PM

Adjournment to a Special Meeting on Monday, January 24, 2011, at 5:00 PM in the Council Chambers, 2000 Main Street, Huntington Beach, California.

Survey: Conducted August 2011: ZTA No. 11-001 (Temporary Signs) Political Signs Survey Table

Orange County Cities	Existing Huntington Beach Regulations	Proposed Huntington Beach Regulations	*Fountain Valley	*Irvine	*Tustin	*Costa Mesa
1. Duration of Sign Posting	Existing: 75 days prior to election	Proposed: 54-66 days	No Restriction	90 days prior to election	45 days prior to election	No Restriction
2. Max Number of Signs Permitted	No Restriction	No Change	No Restriction	No Restriction	No Restriction on private property, limited to 3 in Public Parkway	No restriction if not more than 5 sf.
3. Max Number of Days to Remove	Existing: 15 Days	Proposed: 5 Days November Elections 10 Days All Other Elections	10 Days. Signs not removed shall be removed by City at expense of candidate or issue advocate on sign	10 Days Signs not removed shall be removed by City at expense of candidate or issue advocate on sign	5 calendar days. Signs posted more than 6 calendar days after election shall be deemed abandoned.	10 days Following the date of any election.
4. Size - Square Footage Limitation	N/A No Restriction	No Change	9 sf at 6 feet tall max (2ft from PL)	3 sf if located within 150 of an intersection. 12 sf if not located within 150 feet of an intersection.	<u>Private Property</u> : 32 sf max at 10 feet tall max. <u>Public R-O-W</u> : 6 ft x 4 ft in height	5 sq ft max at 3 ft in tall per sign. 15 ft from edge of any driveway or intersection of an alley, street, highway or hydrant.
5. R-O-W Regulations (Allowed/Not Allowed)	Allowed	No Change	Not Allowed (Sign Code Attached)	Allowed with Restrictions (Sign Code Attached)	Allowed (Public Parkway) - (Sign Code Attached)	Allowed (Public Parkway) (Sign Code Attached)
a. Location: Traffic Signal, Utility Pole, Traffic Control Device, Stop signs or Trees	a. Cannot create traffic or safety hazards. b. Prohibited c. Restricted d. Restricted		a. Prohibited b. Prohibited c. No City Owned Walls d. Prohibited	a. Prohibited b. Prohibited c. Prohibited d. Restricted	a. Prohibited b. Prohibited c. Restricted Adjacent to Residential d. Permitted	a. Prohibited b. Prohibited c. Prohibited adjacent to Residential Zones d. Restricted
b. Medians						
c. City Perimeter Walls & Landscaped Planters						
d. Intersections						

*City Sign Codes Attached

Bold: Proposed Amendments

— Fountain Valley Municipal Code

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[Title 21 ZONING](#)
[Chapter 21.24 SIGNS](#)

21.24.060 Exemptions from sign permits.

The following signs are exempt from the permit requirements of this chapter, provided they conform with the standards provided herein.

- (1) Bus Bench Sign. Bus bench signs and bus shelter signs that are erected for public transit with the city's approval;
- (2) Notices. Notices required to be posted by law;
- (3) Community Interest Events. Signs related to civic, patriotic, seasonal or special events of community interest subject to approval of the director;
- (4) Official Flags. Official flags of the nation, the state of California and other official government flags. Not more than one each of local, state and national governmental flags per business. Flagpoles shall not exceed thirty-five feet in height;
- (5) Noncommercial Signs.
 - (A) Signs required for the discharge of a government function or required by law.
 - (B) Noncommercial signs shall be allowed in residential areas provided they are the same dimensions as residential real estate signs as described in subsection (8) of this section. Political signs, provided they are installed on private property with permission of the property owner and are not installed within any public right-of-way. Political signs related to an election or elective office shall be removed within ten days following the election pertaining to the candidate/issues advertised by the signs. Signs not removed within ten days shall be removed by the city at the expense of the political candidate or responsible organization.
- (6) Project Signs. One project sign shall be allowed per street frontage. Signs may be externally illuminated only. For sites less than one acre: maximum sign area, thirty-two square feet; maximum height, eight feet. For sites one acre or larger: maximum sign area, sixty square feet; maximum height, fifteen feet. Signs shall be set back a minimum of five feet from any property line.
- (7) Real Estate Signs—Commercial.
 - (A) Number and Size. Not more than one commercial real estate sign with a maximum size of sixteen square feet per sign face, advertising property for sale, rent or lease shall be allowed per commercial or industrial parcels. However, corner commercial or industrial parcels shall be allowed two commercial real estate signs, one along each street frontage, with a maximum size of sixteen square feet per sign face each. No more than a total of nine square feet of rider signs shall be attached to a commercial real estate sign. Commercial real estate signs shall be a maximum of eight feet in height.
 - (B) Materials and Illumination. Commercial real estate signs shall not be illuminated and shall be constructed with a wood, plastic or metal face.
 - (C) Time Periods. Commercial real estate signs shall be removed within seven days after the property has been sold or rented, or the sale or rent is terminated. Maximum time period shall be one hundred eighty days from the date the sign permit is issued, unless otherwise extended by the director upon submittal of proof that the property is still on the market.
- (8) Residential Real Estate Signs. All residential real estate signs shall be subject to the following requirements:

ATTACHMENT NO. 5.2

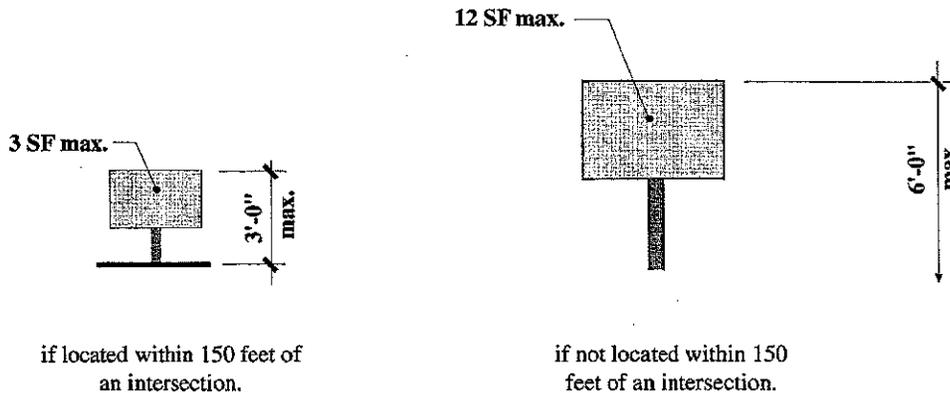
City of Irvine

SIGN TYPE #107 TEMPORARY POLITICAL SIGNS

- Sign purpose:** Temporary ground-mounted sign related to an upcoming political campaign.
- Sign use:** Only allowed for political campaigns for which Irvine voters are eligible, to be removed no later than 10 days following an election.
- Sign location:** In public right-of-way; or on private property with owner's consent.
Not on City traffic signs, signals, or devices including directional signs, advisory signs, and regulation signs.

Outside of sight distance triangles and not obstructing regulatory signs, traffic signal controllers, or driver's view.

Maximum of one sign per intersection per candidate or ballot measure.
- Maximum sign size:** 3 square feet, if located within 150 feet of an intersection.
12 square feet, if not located within 150 feet of an intersection.
- Maximum sign height:** 3 feet above grade if located in public right-of-way within 150 feet of an intersection.
6 feet above grade, but not located within 150 feet of an intersection.
20 feet above grade for wall sign, if not located in public right-of-way.
- Sign illumination:** None.
- Sign removal:** Must be removed no later than 10 days after election. If a sign is not removed 10 days after election, then the City may recover costs from sign removal from the candidate or issue advocated on the sign.
- Permit required?** No.



Sign Type 107

- (g) The responsible party for signs erected in the public parkway area shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.
- (h) Open house signs in the public parkway area shall be subject to the following additional criteria:
- (1) Signs shall only include a directional arrow, the address of the open house, and the text "open house." Address letters and numbers shall be between two (2) and four (4) inches in height.
 - (2) Along public streets, a maximum of one (1) sign shall be posted per open house per change of direction.
 - (3) The sign shall provide directions to a house that is available and open for inspection in Tustin and the Tustin Sphere of Influence only.
12. Light bulb strings are permitted on a temporary or permanent basis, provided all of the following limitations are met:
- (a) Maximum number—One hundred (100) light bulbs.
 - (b) Minimum separation between lights—Six (6) inches.
 - (c) Maximum size bulb—Three (3) inches in length, seven (7) watt.
 - (d) Color—Clear or white.
 - (e) Location—Not permitted on the exterior of a building or structure. May be located within twelve (12) inches of the interior of a window. Light bulb strings located more than twelve (12) inches from the interior of a window are not regulated by this Code.
 - (f) All such lights shall not flash, blink, chase or be otherwise animated.
 - (g) Standards above do not apply to decorative holiday lighting as permitted by section 9403e5.
13. Political signs, subject to the following criteria:
- (a) No person shall affix a political sign on any traffic signal, utility pole, traffic control device, or tree.
 - (b) Written permission of the property owner is required for political signs placed on private property.
 - (c) Political signs on private property shall be limited to a maximum of thirty-two (32) square feet in size, and ten (10) feet in height.
 - (d) The name, address and telephone number of the responsible party for posting the political sign shall be included on the sign.

- (e) Political signs in the public parkway area are subject to the following additional criteria:
- (1) No more than three (3) identical political signs shall be permitted in the public parkway area abutting any one (1) parcel of property.
 - (2) Political signs shall be limited to a maximum of six (6) square feet in size and four (4) feet in height above grade.
 - (3) Political signs shall not be installed or maintained in any manner so as to impede vehicles or permitted parking adjacent to curb, pedestrian walkways, hinder disabled access, or constitute a hazard to or endanger persons using the sidewalks.
 - (4) Political signs shall not be located in any visual clearance area.
 - (5) Any person, party or group posting such political signs shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.
 - (6) All political signs pertaining to a particular election shall not be erected more than forty-five (45) days prior to the election to which the sign pertains and shall be removed within five (5) calendar days after the date of the election.
 - (7) Any political sign posted in the public parkway area that is directly adjacent to a single-family residence shall require the approval of the owner of the single-family residence.
 - (8) If the Community Development Director finds that any political sign has been posted or is being maintained in violation of the provisions of this section, the responsible party shall be given notice to remove said sign(s) within twenty-four (24) hours from the time of said notice. The notice shall include a brief statement of the reasons for requiring removal. If the person so notified fails to correct the violation or remove the sign(s), the Community Development Director may cause said sign(s) to be removed without further notice. If the responsible party for the sign cannot in good faith be located within a reasonable time, the sign shall be deemed abandoned.
 - (9) Any political sign that remains posted for more than six (6) calendar days after the election to which it pertains shall also be deemed abandoned. The Community Development Director may cause such abandoned signs and any signs, which constitute an immediate peril to persons or property to be removed summarily and without prior notice. The City shall assess a charge against any person, candidate, entity, party or group posting or placing signs in violation of this section for the cost incurred in the removal.
 - (10) Political signs in the public parkway area in violation of this section shall be subject to removal by City in accordance with section 9405e1(b) of this Code.

TABLE 13-115 SIGN REGULATIONS (CONTINUED)

TEMPORARY SIGNS

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
CONSTRUCTION SIGNS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	<ol style="list-style-type: none"> One per street frontage. 64 sq. ft. maximum. 16 ft. high maximum. Must be removed within 1 year after installation, or within 30 days of final inspection, whichever occurs first. 			
REAL ESTATE SIGNS (No permits are required.)				
FOR SALE SIGNS	<ol style="list-style-type: none"> One per street frontage. 5 sq. ft. maximum. 6 ft. high maximum. 	<ol style="list-style-type: none"> One per street frontage. 32 sq. ft. maximum. 12 ft. high maximum. 		
OPEN HOUSE SIGNS	<ol style="list-style-type: none"> One per street frontage. 3 sq. ft. maximum. 5 ft. high maximum. 	Prohibited		
POLITICAL CAMPAIGN SIGNS ON PRIVATE PROPERTY	<ol style="list-style-type: none"> 5 sq. ft. maximum per sign. Subject to Section 13-123.			Subject to Section 13-123.
PORTABLE SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY	Subject to Section 13-123.5.			
TEMPORARY SIGNS ON PUBLIC PROPERTY	Subject to Section 13-118.1			
PERMIT REQUIRED				

ATTACHMENT NO. 5.6

~~*~~ARTICLE 6. POLITICAL CAMPAIGN SIGNS

Sec. 13-123. POLITICAL CAMPAIGN SIGNS

- (a) Any person, party, entity, or group posting political campaign signs within the boundaries of the City shall first file a statement with the City Clerk designating the person or entity responsible for posting the political campaign signs in the City and liable for the estimated actual cost of removal of the political campaign signs to ensure compliance with the provisions of this ordinance, and such statement shall certify to the City Clerk that consent has been obtained from the owners, lessees or occupants of non-publicly owned real property prior to placement of political campaign signs thereon. Only one political campaign sign statement is required of any party or group, regardless of the number of individuals posting signs on its behalf.
- (b) All political campaign signs shall be removed not later than 10 days following the date of any election to which they pertain, if any.
- (c) No political campaign sign shall be placed or posted on any public property or utility pole, except on or within a public right-of-way pursuant to the provisions of Section 13-123.5 Portable Signs within Public Right-of-Way.
- (d) No political campaign sign shall be lighted, either internally or externally.
- (e) No political campaign sign shall be placed in a manner that would obstruct visibility to pedestrian or vehicular traffic.

~~ARTICLE~~ 6.5 PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY

Sec. 13-123.5 PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY.

- (a) **Standards.** A portable sign may be placed on or within the public right-of-way without a permit, provided it complies with the following requirements:
- (1) **Size and height.** The maximum size shall not exceed five square feet and the maximum height shall not be more than three feet above grade.
 - (2) **Identification.** The owner of the sign(s) shall affix its name, address and telephone number to the sign prior to installation of the sign.
 - (3) **Location.** The location for installation of a portable sign within the public right-of-way shall be subject to the following:
 - a. The sign may be placed in any landscaped parkway but not within the center median of any street or highway. Tree wells shall not be considered a landscaped parkway for the purposes of this section;
 - b. The sign shall not overhang any street, curb, sidewalk, or driveway;
 - c. The sign shall not be within 15 feet of any fire hydrant;
 - d. The sign shall not be within 15 feet of the edge of any driveway nor within 15 feet of any intersection of an alley, street, or highway, as measured from the midpoint of the corner radius;
 - e. The sign shall not be placed within the public right-of-way adjacent to any property zoned I & R, or I & R-S;
 - f. 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.
 - (4) **Installation.** The installation of the portable sign shall not cause damage to the public right-of-way;
 - (5) **Time period.** A portable sign shall only be displayed during the time period between 6 a.m. on Friday to 6 p.m. on Sunday of any week period.
 - (6) **Number.** The total number of portable signs per owner or its agent pursuant to this section shall not exceed 10 signs in the city at any one time.
- (b) **Exceptions.** The requirements of this section shall not apply to a portable sign with a total area of not more than five square feet that is carried by a person within the public right-of-way unless prohibited by Section 13-112.