

MEETING DATE
AGENDA ITEM

11/28/05

Consideration of 1) Adoption of an Urgency Ordinance Amending Chapter 17 330 of the Culver City Municipal Code Pertaining to Processing and Permitting of Signs, and 2) Introduction of an Ordinance Amending Chapter 17 330 of the Culver City Municipal Code Pertaining to Processing and Permitting of Signs

ATTACHMENTS

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2 Ordinance (non-urgency) Amending Chapter 17 330 pertaining to processing and permitting of signs	20-38
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4 Cases and article cited in the Proposed Ordinances (On file with the City Clerk and available for public inspection Individual copies provided to all Council Members)	66-296

ORDINANCE NO 2005-008

AN URGENCY ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA, AMENDING CHAPTER 17 330 OF THE
CULVER CITY MUNICIPAL CODE PERTAINING TO
PROCESSING AND PERMITTING OF SIGNS AND
DECLARING THE URGENCY THEREOF TO TAKE EFFECT
IMMEDIATELY UPON ADOPTION

The City Council of the City of Culver **DOES HEREBY ORDAIN** as follows

SECTION 1 FINDINGS The City Council of the City of Culver City (the
"City") hereby finds, determines, and declares that

A It is necessary and appropriate to immediately amend Chapter 17 330
of the Culver City Municipal Code titled "Signs" to refine and update its regulations
of the time, place, and manner of the placement of signs The City has an
overriding interest in planning and regulating the placement of signs on both public
and private property within City in order to (1) protect the free speech rights of
individuals and organizations, (2) regulate signs in a constitutional manner, (3) serve
the interest of community aesthetics, (4) preserve vehicular and pedestrian traffic
safety, (5) protect and preserve property values, (6) improve the visual environment
of the City, and (7) ensure the overall quality of life for persons living, working and
visiting within Culver City Without a revised and effective sign ordinance
residential, commercial, industrial and other sections of the City can quickly
deteriorate, with detrimental consequences to social, environmental, and economic
values

B This Ordinance is adopted as an urgency measure pursuant to Section
510 of the Culver City Charter, and in accordance with California Government Code
§ 36937, for the immediate preservation of the public peace, health and safety The
Ordinance shall become effective immediately upon passage by at least four
affirmative votes, which is equivalent to a four-fifths vote of the City Council

1 C This Urgency Ordinance is necessary for the immediate preservation
2 of the public peace, health and safety. The immediate need for the Ordinance is
3 based in part on the fact that (1) there is an ever-increasing and evolving body of
4 case law governing the regulation of signs and billboards, (2) billboard interests
5 have recently challenged sign ordinances in several jurisdictions within southern
6 California as demonstrated by the decisions of the United States District Court in
7 *Horizon Outdoor, LLC v City of Industry*, 228 F Supp 2d 1113 (C D Cal 2002),
8 *Outdoor Media Group, Inc v City of Beaumont*, 374 F Supp 2d 881 (C D Cal
9 2005), *Covenant Media of Cal , L L C v City of Huntington Park*, 377 F Supp 2d
10 828 (C D Cal 2005), *Get Outdoors II, LLC v City of San Diego*, 381 F Supp 2d
11 1250 (S D Cal 2005), *Get Outdoors II, L L C v City of Lemon Grove*, 378
12 F Supp 2d 1232 (S D Cal 2005), (3) some billboard companies have made it their
13 practice to erect billboards in the middle of the night without a permit or in a manner
14 that is illegal or frustrates safety inspections, as detailed in the case of *City of*
15 *Riverside v Valley Outdoor, Inc*, 2005 WL 2233617 (Cal App 4 Dist) and by Ted
16 Rohrich, *Big Sign Firm Accused of Corruption*, Los Angeles Times, October 23
17 2005, at A1 and (4) it would be detrimental to the City its residents, and its
18 business community if during the process of updating its sign regulations, parties
19 seeking to either evade the implementation of the new regulations or challenge the
20 City's existing regulations were able to place or install signs without limitation or in a
21 manner that would cause some or all of the very threats to the public health, safety,
22 and welfare that the City seeks to prevent by regulating signs

23 D In developing this Ordinance, the City Council is mindful of legal
24 principles relating to content-neutral time, place, and manner regulations of signs
25 billboards and postings and the City Council declares it does not intend to
26 suppress or infringe upon expressive activities protected by the United States and
27 California Constitutions. Rather, the City Council intends to enact reasonable
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1 content-neutral time place, and manner regulations that are narrowly tailored to
2 serve its substantial and legitimate interests in protecting the public health, safety,
3 and welfare and leave ample alternative avenues for protected expression The City
4 Council takes legislative notice of various court decisions including the United States
5 Supreme Court decisions regarding local regulation of signs, billboards, and
6 postings in *Metromedia, Inc v City of San Diego*, 453 U S 490, 101 S Ct 2992, 69
7 L Ed 2d 800 (1981), and *Members of the City Council v Taxpayers for Vincent*,
8 466 U S 789, 104 S Ct 2118, 80 L Ed 3d 772 (1984), the decisions of the United
9 States Court of Appeals for the Ninth Circuit in *Gerritsen v City of Los Angeles*, 994
10 F 2d 570 (9th Cir 1993), *Clear Channel Outdoor, Inc v City of Los Angeles*, 340
11 F 3d 810 (9th Cir 2003), and the state court of appeal decision in *City and County*
12 *of San Francisco v Eller Outdoor Advertising*, 192 Cal App 3d 643 (1987)

13 E The City finds and declares that it has a substantial and legitimate
14 interest in regulating signs in the interest of the public health, safety and welfare of
15 the City and its residents in order to preserve, protect, and promote the (1)
16 constitutionally protected free speech rights of individuals and organizations, (2)
17 safety of vehicles, bicyclists and pedestrians, (3) commercial and residential
18 property values, (4) community aesthetics and the visual environment of the City so
19 as to promote commerce, investment, tourism and visitation, and (5) the overall
20 quality of living for persons residing or doing business in, or visiting the City Off site
21 signs, including but not limited to billboard and large supergraphic signs, threaten
22 serious harms to Culver City s aesthetics, as well as the safe and efficient flow of
23 vehicular and pedestrian traffic and property values Further, the very massive size
24 of billboards and supergraphics threaten visibility and light impairment Any new or
25 additional off site signs would immediately threaten the public health, safety and
26 welfare of the City by negatively impacting community aesthetics and the safe and
27 efficient flow of vehicular and pedestrian traffic It is a fundamental land use policy
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1 of Culver City to prohibit the construction erection or use of any off site signs, other
2 than those which legally exist in the City when the prohibition was first adopted in
3 1995, or for which a valid permit has been issued

4 F Ample alternative avenues of communication exist for the
5 dissemination of both commercial and non-commercial messages Alternative
6 avenues include, but are not limited to personal communication, pamphleting, direct
7 mail, television, radio, and internet communications With regard to the internet, the
8 City Council further finds and declares that (1) the United States Supreme Court has
9 recognized that "From the publishers' point of view, [the internet] constitutes a vast
10 platform from which to address and hear from a worldwide audience of millions of
11 readers viewers, researchers, and buyers " *Reno v American Civil Liberties Union*
12 521 U S 844, 853, 117 S Ct 2329, 138 L Ed 2d 874 (1997), and (2) the California
13 Court of Appeal has found that 63% of adults in the United States were using the
14 internet as of 2003, and that, "the average computer blogger has in effect, his or her
15 own printing press to reach the world " *In re Stevens*, 119 Cal App 4th 1228, 1235-
16 1236 (2004) The City Council therefore finds as the United States Court of Appeals
17 for the Fourth Circuit did, that the internet is an ample alternative avenue of
18 communication when other mediums are subject to reasonable content-neutral time,
19 place, or manner restrictions *Anheuser Busch v Schmoke*, 101 F 3d 325 (4th Cir
20 1996) *cert denied* 520 U S 1204 (1997)

21 G A proper balancing of individual rights to free expression and the
22 substantial public interest protecting the public health, safety and welfare requires
23 the prompt hearing and judicial review as to any requests to erect signs that are
24 denied The time allowances for appeal and judicial review of denials of sign permit
25 applications in this Ordinance are the shortest fixed periods compatible with the
26 balancing of sound land use planning and the protection of First Amendment
27 freedoms The City Council finds that these time frames are reasonable in that the
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1 City is granting or denying a sign permit within thirty (30) days of the filing of a
2 completed application for such permit After the filing of an appeal the Planning
3 Commission or City Council conducts a public hearing on such appeal and renders
4 a decision within thirty (30) days of the filing of the appeal These time frames are
5 reasonably required based on facts that include but are not limited to (1) public
6 hearings are required for certain land use decisions and require ten (10) days
7 advance notice under Sections 65091 and 65905 of the California Government
8 Code (2) the City Hall for Culver City is closed to the public on various Fridays, (3)
9 publication of a notice to the public regarding a hearing requires sufficient lead time
10 after request by the City for publication in a newspaper, and (4) Culver City is a
11 small jurisdiction and has a very limited staff These time allowances are necessary
12 to protect the free speech and due process rights of the applicant and the public to
13 speak regarding the issuance or denial of a sign permit

14 H Judicial review of an appeal relating to a First Amendment permit or
15 entitlement decision is available pursuant to Section 1094.8 of the California Code
16 of Civil Procedure, on an expedited basis

17 I The regulation of signs is a matter of City-wide importance and is
18 neither directed towards nor targeted at any particular parcel of property, person, or
19 organization

20 **SECTION 2 URGENCY MEASURE** Pursuant to City Charter Section 510
21 and Government Code § 36937, it is hereby declared that this Ordinance is necessary as
22 an emergency, urgency measure for preserving the public health, safety and welfare

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1 **SECTION 3 AMENDMENT Section 17 330 005** of the Culver City
2 Municipal Code is hereby repealed and replaced as follows

3 **17 330 005 – Intent**

4 This Chapter is a comprehensive system for the regulation of signs in the
5 City Sign regulation is enacted to serve the interests of community aesthetics
6 vehicular and pedestrian safety, to protect and preserve property values to improve
7 the visual environment of the City so as to promote commerce, investment, tourism,
8 and visitation, and the overall quality of life for persons living in, doing business in
9 or visiting the City The provisions of this Chapter are also intended to promote the
10 public health, safety and general welfare of persons driving, parking, biking, walking,
11 residing or conducting business within the City by reducing visual distractions to
12 motorists, by making signs and advertising displays more attractive, aesthetically
13 pleasing and more effective It is the further purpose of this Chapter that every use
14 of property within the City receives adequate identification The City intends to
15 create a comprehensive balanced system of signs that is aesthetically pleasing and
16 compatible with the environment

17 The regulations of this Chapter are not intended to permit any violations of
18 the provisions of any other lawful ordinance, nor to prohibit the use of any sign
19 required by any law superior to that of this Ordinance

20 **A Regulatory Interpretations** All regulatory interpretations of this
21 Chapter are to be exercised in light of the City's message neutrality policy Where a
22 particular type of sign is proposed in a permit application, and the type is neither
23 expressly allowed nor prohibited nor restricted by this Chapter, or whenever a sign
24 does not qualify as a "structure" as defined in the Uniform Building Code, then the
25 Director shall approve, conditionally approve or disapprove the application based on
26 the most similar sign type that is expressly regulated by this Chapter Architectural
27 compatibility shall be analyzed on the basis of size, location, color, construction
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1 materials and design of the sign structure, without consideration of the message to
2 be displayed on a sign other than the distinction between on-site and off-site
3 commercial messages

4 **B Discretionary Approvals** Whenever a sign or proposed sign is
5 subject to any discretionary approval process, including but not limited to variance
6 conditional use permit or administrative use permit, then no consideration will be
7 given to sign copy or message to be displayed, other than a determination as to
8 whether the message will constitute off-site commercial copy This principle applies
9 equally at all levels of approval, from the Director to the City Council

10 **C Non-communicative Aspects of Signs** All rules and regulations
11 concerning the non-communicative aspects of signs, such as location, size, height
12 illumination, spacing, orientation, and so forth, stand enforceable independently of
13 any permit or approval process

14 **SECTION 4 AMENDMENT Section 17 330 020 B** of the Culver City
15 Municipal Code, Table 3-5 titled Sign Standards for Non-Residential Zoning Districts Row
16 Heading of Directional Signs (row 4), Column Heading of Maximum Number of Signs
17 (column 4) The text of this cell is hereby amended to read as follows

18 Shall be approved by the Director based on issues of safety, line of site and
19 site conditions to ensure safe pedestrian and vehicular movement

20 **SECTION 5 AMENDMENT Section 17 330 025 E 2** of the Culver City
21 Municipal Code is hereby amended to read as follows

22 2 An application for deviation from the size, location, height or
23 number restrictions contained in Table 3-5 may be submitted to the Director and
24 said deviation request shall be granted when the applicant establishes the presence
25 of unusual needs, circumstances, or conditions relative to restricted visibility, the
26 size of the property, or the number of access points that make the deviation
27 necessary
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SECTION 6 AMENDMENT Section 17 330 025 F 1 of the Culver City

Municipal Code is hereby amended to read as follows

1 An electronic message sign shall be displayed only if the
information displayed is public information

SECTION 7 AMENDMENT Section 17 330 025 H 1 d is hereby amended

to read as follows

d An application for additional or larger gasoline station price
signs may be submitted to the Director and shall be granted if the applicant
establishes that such is necessary to meet the minimum requirements established
by County State or Federal law

SECTION 8 AMENDMENT Section 17 330 025 K of the Culver City

Municipal Code, Table 3-6A Standards for Temporary Signs Row Heading of **Event Signs**
(row 4), Column Heading of **Maximum Sign Area** (column 2) The text of this cell is
hereby amended to read as follows

Sign area shall be in keeping with the regulations in place for
permanent signs allowed by this Chapter and without consideration of the message
to be displayed on the temporary event sign

SECTION 9 AMENDMENT Section 17 330 025 K of the Culver City

Municipal Code, Table 3-6A Standards for Temporary Signs Row Heading of **Event Signs**
(row 4) Column Heading of **Maximum Sign Height** (column 3) The text of this cell is
hereby amended to read as follows

Sign height shall be in keeping with the regulations in place for
permanent signs allowed by this Chapter and without consideration of the
message to be displayed on the temporary event sign

SECTION 10 AMENDMENT Section 17 330 025 K of the Culver City

Municipal Code, Table 3-6A Standards for Temporary Signs Row Heading of **Event Signs**

1 (row 4) Column Heading of **Maximum Number of Signs** (column 4) The text of this cell
2 is hereby amended to read as follows

3 Number of signs shall be in keeping with the regulations in place for
4 permanent signs allowed by this Chapter based on the size and lot
5 configuration and ensuring no access or site impairment and without
6 consideration of the message to be displayed on the temporary holiday sign

7 **SECTION 11 AMENDMENT Section 17 330 025 K** of the Culver City
8 Municipal Code, Table 3-6A Standards for Temporary Signs, Row Heading of **Event Signs**
9 (row 4) Column Heading of **Additional Requirements** (column 6) The text of this cell is
10 hereby amended to read as follows

11 Additional, more stringent regulations may be placed on special event
12 signs through any discretionary land use approval or business tax certificate
13 approval process required for special events by this Code based on issues of size,
14 location, color, construction materials and design of the sign without consideration of
15 the message to be displayed on the special events sign

16 **SECTION 12 AMENDMENT Section 17 330 025 K** of the Culver City
17 Municipal Code, Table 3-6A Standards for Temporary Signs, Row Heading of **Holiday**
18 **Signs** (row 7), Column Heading of **Maximum Sign Area** (column 2) The text of this cell is
19 hereby amended to read as follows

20 Sign area shall be in keeping with the regulations in place for
21 permanent signs allowed by this Chapter and without consideration of the
22 message to be displayed on the temporary holiday sign

23 **SECTION 13 AMENDMENT Section 17 330 025 K** of the Culver City
24 Municipal Code, Table 3-6A Standards for Temporary Signs Row Heading of **Holiday**
25 **Signs** (row 7) Column Heading of **Maximum Sign Height** (column 3) The text of this cell
26 is hereby amended to read as follows

1 Sign height shall be in keeping with the regulations in place for
2 permanent signs allowed by this Chapter and without consideration of the
3 message to be displayed on the temporary holiday sign

4 **SECTION 14 AMENDMENT Section 17 330 025 K** of the Culver City
5 Municipal Code, Table 3-6A Standards for Temporary Signs, Row Heading of **Holiday**
6 **Signs** (row 7), Column Heading of **Maximum Number of Signs** (column 4) The text of
7 this cell is hereby amended to read as follows

8 Number of signs shall be in keeping with the regulations in place for
9 permanent signs allowed by this Chapter based on the size and lot
10 configuration and ensuring no access or site impairment and without
11 consideration of the message to be displayed on the temporary holiday sign

12 **SECTION 15 AMENDMENT Section 17 330 025 L 2 a** is hereby
13 amended to replace the word "encouraged" with "allowed"

14 **SECTION 16 AMENDMENT Section 17 330 035 B 4** is hereby amended
15 to read as follows

16 **Freeway-oriented signs** As used herein, are on-site signs that are
17 directed essentially to be visible only from a freeway and are prohibited
18 without a permit issued by the Director pursuant to master sign program

19 **SECTION 17 AMENDMENT Section 17 330 035 B** is hereby amended to
20 delete the words "or through the approval of a master sign program" from the first
21 sentence

22 **SECTION 18 AMENDMENT Section 17 330 050** is hereby repealed and
23 replaced as follows

24 **17 330 050 – Review Process and Appeals**

25 A Permits shall be required for the following sign types
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1 All signs meeting the definition of "structure" within the
2 Uniform Building Code are subject to the structural requirements of
3 that Code, and may be mounted, erected or displayed only when a
4 valid building permit has been issued,

5 2 Signs included in the master sign program and multiple
6 business sign program as provided for in this Chapter,

7 3 Signs requiring a conditional use permit, variance or
8 modification as provided under this Chapter, and

9 4 Temporary banners as provided under this Chapter

10 **B Sign Related Decisions and Appeals**

11 1 **Administrative Authority** It is the responsibility of the
12 Director to enforce all provisions of this Chapter. Notwithstanding any other
13 provisions of this Title, sign related decisions shall be governed by the procedures
14 outlined in this Chapter

15 2 **Sign Related Decisions** Sign related decisions include
16 decisions on applications for sign permits, master sign programs, repair or removal
17 orders, abatement orders, amortization schedules, requests for interpretations, and
18 all other sign related matters requiring decision by the City

19 3 **Incomplete Applications** If the Director finds that any
20 application for a sign permit is incomplete, the applicant shall be so notified not
21 more than fifteen (15) calendar days after the application is received. The notice
22 shall detail all known points of incompleteness. Such writing shall be deposited in
23 U.S. mail, postage prepaid, immediately upon determination that the application is
24 incomplete. Within fifteen (15) business days following the receipt of an amended
25 application or supplemental information, the Director shall again determine whether
26 the application is complete in accordance with the procedures set forth above.
27 Evaluation and notification shall occur as provided above until such time as the
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1 application is found to be complete If the Director fails to provide notice of
2 incompleteness within fifteen (15) business days then the application shall be
3 deemed complete

4 **4 Review/Standard** All matters of enforcement,
5 interpretation and application of this Chapter, including all sign related decisions,
6 shall be made initially by the Director as an administrative matter, with no public
7 hearing required Any effected person may appeal the Director's sign related
8 decisions to the Planning Commission for public hearing and decision Any decision
9 of the Planning Commission, except appeals of an incompleteness determination,
10 may be appealed to the City Council for public hearing The City Council's decision
11 is final as to the City, but is subject to judicial review In reaching a decision, neither
12 the Director, Planning Commission nor City Council shall be bound by the formal
13 rules of evidence

14 **5 Perfecting Appeal, Time Limit for Appeal** An appeal
15 is effective when delivered to the City Clerk, within the required time, on a form
16 prescribed by the Director, accompanied by any applicable appeal fee (in an amount
17 set by Resolution of the City Council), signed by the appellant, identifying the matter
18 or decision appealed from, and stating the grounds of appeal All notices of appeal
19 on all sign related decisions, must be filed with the City Clerk within ten (10)
20 calendar days of when the appeal right arises

21 **6 When Appeal Right Arises, Finality** The right to
22 appeal a sign related decision arises at the earliest of when written notice of the
23 Director's administrative decision is deposited in the U S mail, postage prepaid,
24 when an appellate decision is made by vote of the appellate body in a duly noticed
25 hearing on the matter, when written notice of the decision is delivered or deposited
26 in the U S mail, postage prepaid to the applicant or appellant, or at the expiration of
27 the time in which the Director or appellate body is required to make a decision
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(unless timeliness of decision is waived by the applicant or appellant) Any sign related decision which is not properly appealed within the required time is final At each level of review, written notice of any sign related decision shall be sent via United States mail to the applicant within five (5) calendar days of the decision

7 Timeliness of Decision, Waiver of Time At each level of review, all sign related decisions (which includes any hearing when procedurally required) shall be made within thirty (30) calendar days of when the permit application is complete, the request for interpretation has been received, or when the appeal has been timely and properly filed The timeliness requirements may be waived by the applicant or appellant The failure of the Director, Planning Commission or City Council to render any decision within the time frames established in any part of this section shall be deemed to constitute a denial and the applicant or appellant shall have the immediate right to appeal

8 Maintenance of Status Quo While a sign related decision is pending, the status quo shall be maintained until the review or appeal has run its full course, unless the subject sign is in such physical condition that it presents a serious or immediate threat to the public health and safety, in which case it may be abated as a public nuisance No building, electrical, plumbing, mechanical or grading permit shall be issued for a proposed sign until the appeal process has run its full course

9 Appeals The filing of an appeal within the time limit shall stay the effective date of the decision appealed from When any related decision is timely appealed to the Planning Commission or City Council, the appellate body shall hold a hearing on the matter and decide the matter within the required time period, unless the applicant or appellant waives time The decision shall be in writing and shall state facts from the record which support any findings made

1 **10 Judicial Review** Following exhaustion of all available
2 appellate procedures within the City, any applicant or appellant may seek judicial
3 review of the City's final decision pursuant to California Code of Civil Procedure §
4 1094.8. This provision does not limit an applicant's or appellant's ability to seek
5 judicial review by other means.

6 **11 Conduct Constituting a Public Nuisance** The
7 construction, maintenance or placement of any sign within the City in violation of
8 any of the terms of this Chapter is hereby found and declared to be a public
9 nuisance and the City Attorney or the District Attorney may in addition or in lieu of
10 prosecuting a criminal action hereunder, commence an action or proceeding for the
11 abatement, removal and enjoyment thereof, in the manner provided by law, and
12 shall take other steps and shall apply to such courts as may have jurisdiction to
13 grant such relief as will abate or remove such illegal sign and to restrain and enjoin
14 any person(s) from conducting, operating or maintaining a sign contrary to the
15 provisions of this Article.

16 **C Hardship Exemptions**

17 1 Where the owner/user of a proposed or existing sign
18 believes that compliance with the provisions of this Chapter, coupled
19 with unusual geographic or building design and configuration
20 conditions pertaining to the site, or contractual conditions limiting the
21 use thereof, would create an undue economic hardship on the use of
22 property, (s)he may apply to the Director for a hardship exemption.
23 The Director's decision in such cases shall be based on one or more
24 of the following criteria:

- 25 a The site is unusual in size, shape or topography
26 b Improvements on the site or on adjoining public or
27 private properties cause a visual obstruction
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c The site is improved with a multiple business development and is encumbered by an existing contractual obligation that precludes the modification of one or more other existing signs for other businesses at the same time as the installation of a new sign or a modification to an existing sign on the same sign structure is proposed for a business on the premises

2 Approval of a hardship exemption may be subject to time, place and manner conditions based on issues of size, location, color, construction materials and design of the sign without consideration or restriction as to the message to be displayed on the sign

3 The applicant has the burden of proof to establish that a hardship exists based on the criteria found above

D Comprehensive Sign Programs

1 Multiple Business Sign Programs

a The purpose of a multiple business sign program is to achieve design compatibility amongst all signs displayed on a single ownership parcel that is occupied by two or more separate businesses

b The submittal of a multiple business sign program shall be required for each multi-tenant development that is occupied by two or more separate businesses at the time the first new permanent sign or first modification to an existing permanent sign on the premises is proposed, except that a

multiple business sign program is not required for a project with an approved master sign program

c A multiple business sign program or the equivalent approved prior to the effective date of this Chapter or any amendment to this Chapter, shall be revised if necessary, to conform to this Chapter at the time the first new permanent sign or modification to an existing permanent sign is proposed on the premises

d A multiple business sign program shall be submitted by or with the consent of the property owner or master lessor

e A multiple business sign program shall consist of plans and text describing the details of all signs, existing-to-remain, modified, and new signs, that are and that may be displayed on the premises

f Only the types of signs allowed by the regulations of this Chapter shall be approved under a multiple business sign program

g The Director shall approve conditionally approve or disapprove any application for a multiple business sign program

2 Master Sign Programs

a The purpose of a master sign program is to provide a mechanism by which the sign regulations established in this Chapter can be modified to ensure that signs for a uniquely planned or designed development or area are most appropriate for that particular development or area

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b A master sign program may be

i Required by the Director for any development that requires a Site Plan Review in compliance with Chapter 17 540, or a similar discretionary review, or

ii Requested by the owner or master lessor of a development, or

iii Initiated by the City or the Culver City Redevelopment Agency for a particular area in furtherance of a specific plan, revitalization program, overlay zone, or other area wide planning tool

c A master sign program may include provisions that are more and/or less restrictive than the regulations established in this Chapter as related to issues of size, location, color, construction materials and design of the sign but without consideration as to the message to be displayed on the sign based on the particular unique features of the development

d Each master sign program applicant shall show why the modifications requested are warranted and how the total sign proposal for the development meets, on balance, the general purpose and intent of this Chapter

e A master sign program, or the equivalent, that was approved by the City or Redevelopment Agency prior to the effective date of this Chapter or any amendment to this Chapter, shall be deemed to conform to this Chapter

1 f The Director shall approve, conditionally approve
2 or disapprove any application for a master sign program

3 g A new master sign program approval shall be
4 obtained for substantial revisions to the original approval as
5 determined by the Director

6 **SECTION 19 ENVIRONMENTAL FINDINGS** Adoption of this Ordinance is
7 not subject to the California Environmental Quality Act ("CEQA") Public Resources Code
8 § 21000 *et seq* The effect of the Ordinance will be to preserve the status quo with respect
9 to the time, place, and manner in which signs may be erected in the City because the
10 Ordinance neither allows any sign that is currently prohibited by the Culver City Municipal
11 Code nor prohibits any sign that is currently allowed by the Culver City Municipal Code
12 The City Council therefore finds that the Ordinance does not qualify as a 'project' subject
13 to CEQA under Public Resources Code § 21065 because it will not result in either a direct
14 or reasonably foreseeable indirect physical change in the environment Independent of
15 this determination, the City Council also finds that the Ordinance qualifies for exemption
16 from CEQA under 14 Cal Code Regs § 15061(b)(3) because it can be seen with certainty
17 that there is no possibility that the Ordinance will have a significant effect on the
18 environment In accordance with Public Resources Code § 21152(b), the City will issue a
19 Notice of Exemption after the Ordinance is adopted The Notice of Exemption will be filed
20 with the County Clerk of the County of Los Angeles where it will be available for public
21 inspection pursuant to Public Resources Code § 21152(b)-(c)

22 **SECTION 20 SEVERABILITY** If any section, subsection, sentence clause,
23 phrase or word of this Ordinance is for any reason held to be invalid by a court of
24 competent jurisdiction, such decision shall not affect the validity of the remaining portions
25 of this Ordinance The City Council hereby declares that it would have passed and
26 adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that
27 one or more provisions may be declared invalid Further in the event of the invalidation of
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