

1 any provision of this Ordinance, it is the intention of the City Council that any person
2 seeking to erect a sign in the City should be nonetheless subject to all remaining
3 requirements of the Ordinance or the City's Municipal Code, including, but not limited to
4 location, design, and building requirements and the revocation, violation, and penalty
5 provisions, which the City Council has already or would have adopted independent of any
6 other provision in this Ordinance

7 **SECTION 21 PUBLICATION** Pursuant to Sections 510 and 514 of the City
8 Charter, this Ordinance shall be introduced, passed and adopted at one and the same
9 meeting and shall become effective immediately The reasons for this urgency are set
10 forth in Paragraphs A – I, inclusive, of Section 1 of this Ordinance Pursuant to Sections
11 512 and 517 of the City Charter, prior to the expiration of fifteen (15) days after the
12 adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published
13 in the Culver City News and shall post this Ordinance or a summary thereof in at least
14 three places within the City

15 **APPROVED AND ADOPTED** this ____ day of _____, 2005
16
17

18 _____
19 ALBERT M VERA, Mayor
20 City of Culver City, California

21 ATTEST

APPROVED AS TO FORM

22
23
24 _____
25 CHRISTOPHER ARMENTA, City Clerk

26 _____
27 CAROL A SCHWAB, City Attorney
28

ATTACHMENT 2

ORDINANCE NO 2005-008

AN 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

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 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 necessary for the preservation of the public peace health, and safety The need for the Ordinance is based in part on the fact that (1) there is an ever-increasing and evolving body of case law governing the regulation of signs and billboards, (2) billboard interests have recently challenged sign ordinances in several jurisdictions within southern California as demonstrated by the decisions of the United States District Court in *Horizon Outdoor, LLC v City of Industry*, 228 F Supp 2d 1113 (C D Cal 2002) *Outdoor Media Group, Inc v City of*

1 *Beaumont*, 374 F Supp 2d 881 (C D Cal 2005), *Covenant Media of Cal* , L L C v
2 *City of Huntington Park*, 377 F Supp 2d 828 (C D Cal 2005) *Get Outdoors II, LLC*
3 v *City of San Diego*, 381 F Supp 2d 1250 (S D Cal 2005) *Get Outdoors II, L L C*
4 v *City of Lemon Grove*, 378 F Supp 2d 1232 (S D Cal 2005), (3) some billboard
5 companies have made it their practice to erect billboards in the middle of the night
6 without a permit or in a manner that is illegal or frustrates safety inspections, as
7 detailed in the case of *City of Riverside v Valley Outdoor, Inc* , 2005 WL 2233617
8 (Cal App 4 Dist) and by Ted Rohrlich, *Big Sign Firm Accused of Corruption*, Los
9 Angeles Times, October 23, 2005, at A1, and (4) it would be detrimental to the City,
10 its residents, and its business community if during the process of updating its sign
11 regulations, parties seeking to either evade the implementation of the new
12 regulations or challenge the City's existing regulations were able to place or install
13 signs without limitation or in a manner that would cause some or all of the very
14 threats to the public health, safety, and welfare that the City seeks to prevent by
15 regulating signs

16 C In developing this Ordinance, the City Council is mindful of legal
17 principles relating to content-neutral time, place, and manner regulations of signs,
18 billboards, and postings, and the City Council declares it does not intend to
19 suppress or infringe upon expressive activities protected by the United States and
20 California Constitutions Rather, the City Council intends to enact reasonable
21 content-neutral time, place, and manner regulations that are narrowly tailored to
22 serve its substantial and legitimate interests in protecting the public health, safety,
23 and welfare and leave ample alternative avenues for protected expression The City
24 Council takes legislative notice of various court decisions including the United States
25 Supreme Court decisions regarding local regulation of signs, billboards, and
26 postings in *Metromedia, Inc v City of San Diego*, 453 U S 490, 101 S Ct 2992, 69
27 L Ed 2d 800 (1981) and *Members of the City Council v Taxpayers for Vincent*,

1 466 U S 789, 104 S Ct 2118 80 L Ed 3d 772 (1984), the decisions of the United
2 States Court of Appeals for the Ninth Circuit in *Gerritsen v City of Los Angeles*, 994
3 F 2d 570 (9th Cir 1993) *Clear Channel Outdoor Inc v City of Los Angeles* 340
4 F 3d 810 (9th Cir 2003) and the state court of appeal decision in *City and County*
5 *of San Francisco v Eller Outdoor Advertising*, 192 Cal App 3d 643 (1987)

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

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

14 F A proper balancing of individual rights to free expression and the
15 substantial public interest protecting the public health, safety, and welfare requires
16 the prompt hearing and judicial review as to any requests to erect signs that are
17 denied The time allowances for appeal and judicial review of denials of sign permit
18 applications in this Ordinance are the shortest fixed periods compatible with the
19 balancing of sound land use planning and the protection of First Amendment
20 freedoms The City Council finds that these time frames are reasonable in that the
21 City is granting or denying a sign permit within thirty (30) days of the filing of a
22 completed application for such permit After the filing of an appeal the Planning
23 Commission or City Council conducts a public hearing on such appeal and renders
24 a decision within thirty (30) days of the filing of the appeal These time frames are
25 reasonably required based on facts that include but are not limited to (1) public
26 hearings are required for certain land use decisions and require ten (10) days
27 advance notice under Sections 65091 and 65905 of the California Government
28

1 Code (2) the City Hall for Culver City is closed to the public on various Fridays (3)
2 publication of a notice to the public regarding a hearing requires sufficient lead time
3 after request by the City for publication in a newspaper, and (4) Culver City is a
4 small jurisdiction and has a very limited staff These time allowances are necessary
5 to protect the free speech and due process rights of the applicant and the public to
6 speak regarding the issuance or denial of a sign permit

7 G Judicial review of an appeal relating to a First Amendment permit or
8 entitlement decision is available pursuant to Section 1094.8 of the California Code
9 of Civil Procedure, on an expedited basis

10 H The regulation of signs is a matter of City-wide importance and is
11 neither directed towards nor targeted at any particular parcel of property, person, or
12 organization

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

15 **17 330 005 – Intent**

16 This Chapter is a comprehensive system for the regulation of signs in the
17 City Sign regulation is enacted to serve the interests of community aesthetics,
18 vehicular and pedestrian safety, to protect and preserve property values, to improve
19 the visual environment of the City so as to promote commerce investment tourism
20 and visitation, and the overall quality of life for persons living in, doing business in,
21 or visiting the City The provisions of this Chapter are also intended to promote the
22 public health, safety and general welfare of persons driving parking biking, walking,
23 residing or conducting business within the City by reducing visual distractions to
24 motorists, by making signs and advertising displays more attractive, aesthetically
25 pleasing and more effective It is the further purpose of this Chapter that every use
26 of property within the City receives adequate identification The City intends to
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1 create a comprehensive balanced system of signs that is aesthetically pleasing and
2 compatible with the environment

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

6 **A Regulatory Interpretations** All regulatory interpretations of this
7 Chapter are to be exercised in light of the City's message neutrality policy Where a
8 particular type of sign is proposed in a permit application, and the type is neither
9 expressly allowed nor prohibited nor restricted by this Chapter, or whenever a sign
10 does not qualify as a "structure" as defined in the Uniform Building Code, then the
11 Director shall approve, conditionally approve or disapprove the application based on
12 the most similar sign type that is expressly regulated by this Chapter Architectural
13 compatibility shall be analyzed on the basis of size, location, color, construction
14 materials and design of the sign structure, without consideration of the message to
15 be displayed on a sign, other than the distinction between on-site and off-site
16 commercial messages

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

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

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

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

7 **SECTION 4 AMENDMENT Section 17 330 025 E 2** of the Culver City
8 Municipal Code is hereby amended to read as follows

9 2 An application for deviation from the size, location, height or
10 number restrictions contained in Table 3-5 may be submitted to the Director and
11 said deviation request shall be granted when the applicant establishes the presence
12 of unusual needs circumstances or conditions relative to restricted visibility, the
13 size of the property, or the number of access points that make the deviation
14 necessary

15 **SECTION 5 AMENDMENT Section 17 330 025 F 1** of the Culver City
16 Municipal Code is hereby amended to read as follows

17 1 An electronic message sign shall be displayed only if the
18 information displayed is public information

19 **SECTION 6 AMENDMENT Section 17 330 025 H 1 d** is hereby amended
20 to read as follows

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

25 **SECTION 7 AMENDMENT Section 17 330 025 K** of the Culver City
26 Municipal Code, Table 3-6A Standards for Temporary Signs, Row Heading of **Event Signs**

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(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 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 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 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 Number of Signs** (column 4) The text of this cell is hereby amended to read as follows

Number of signs shall be in keeping with the regulations in place for permanent signs allowed by this Chapter based on the size and lot configuration and ensuring no access or site impairment and without consideration of the message to be displayed on the temporary holiday 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** (row 4), Column Heading of **Additional Requirements** (column 6) The text of this cell is hereby amended to read as follows

Additional, more stringent regulations may be placed on special event signs through any discretionary land use approval or business tax certificate approval process required for special events by this Code based on issues of size,

1 location color, construction materials and design of the sign without consideration
2 the message to be displayed on the special events sign

3 **SECTION 11 AMENDMENT Section 17 330 025 K** of the Culver City
4 Municipal Code Table 3-6A Standards for Temporary Signs Row Heading of **Holiday**
5 **Signs** (row 7) Column Heading of **Maximum Sign Area** (column 2) The text of this cell is
6 hereby amended to read as follows

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

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

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

17 **SECTION 13 AMENDMENT Section 17 330 025 K** of the Culver City
18 Municipal Code, Table 3-6A Standards for Temporary Signs, Row Heading of **Holiday**
19 **Signs** (row 7) Column Heading of **Maximum Number of Signs** (column 4) The text of
20 this cell is hereby amended to read as follows

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

25 **SECTION 14 AMENDMENT Section 17 330 025 L 2 a** is hereby
26 amended to replace the word 'encouraged' with 'allowed'

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

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

6 **SECTION 16 AMENDMENT** Section 17 330 035 B is hereby amended to
7 delete the words "or through the approval of a master sign program" from the first
8 sentence

9 **SECTION 17 AMENDMENT** Section 17 330 050 is hereby repealed and
10 replaced as follows

11 **17 330 050 – Review Process and Appeals**

12 A Permits shall be required for the following sign types

13
14 1 All signs meeting the definition of "structure" within the
15 Uniform Building Code are subject to the structural requirements of
16 that Code, and may be mounted, erected or displayed only when a
17 valid building permit has been issued,

18 2 Signs included in the master sign program and multiple
19 business sign program as provided for in this Chapter,

20 3 Signs requiring a conditional use permit, variance or
21 modification as provided under this Chapter, and

22 4 Temporary banners as provided under this Chapter

23 **B Sign Related Decisions and Appeals**

24 1 **Administrative Authority** It is the responsibility of the
25 Director to enforce all provisions of this Chapter Notwithstanding any other
26 provisions of this Title, sign related decisions shall be governed by the procedures
27 outlined in this Chapter
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2 Sign Related Decisions Sign related decisions include decisions on applications for sign permits, master sign programs, repair or removal orders abatement orders amortization schedules requests for interpretations, and all other sign related matters requiring decision by the City

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

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

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

6 When Appeal Right Arises, Finality The right to appeal a sign related decision arises at the earliest of when written notice of the Director's administrative decision is deposited in the U S mail, postage prepaid, when an appellate decision is made by vote of the appellate body in a duly noticed hearing on the matter, when written notice of the decision is delivered or deposited in the U S mail, postage prepaid to the applicant or appellant, or at the expiration of the time in which the Director or appellate body is required to make a decision (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.

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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.

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

11 Conduct Constituting a Public Nuisance The construction, maintenance, or placement of any sign within the City in violation of any of the terms of this Chapter is hereby found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoyment thereof, in the manner provided by law, and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate or remove such illegal sign and to restrain and enjoin

1 any person(s) from conducting, operating or maintaining a sign contrary to the
2 provisions of this Article

3 **C Hardship Exemptions**

4 1 Where the owner/user of a proposed or existing sign
5 believes that compliance with the provisions of this Chapter, coupled
6 with unusual geographic or building design and configuration
7 conditions pertaining to the site, or contractual conditions limiting the
8 use thereof, would create an undue economic hardship on the use of
9 property, (s)he may apply to the Director for a hardship exemption
10 The Director's decision in such cases shall be based on one or more
11 of the following criteria

12 a The site is unusual in size, shape or topography

13 b Improvements on the site or on adjoining public or
14 private properties cause a visual obstruction

15
16 c The site is improved with a multiple business
17 development and is encumbered by an existing contractual
18 obligation that precludes the modification of one or more other
19 existing signs for other businesses at the same time as the
20 installation of a new sign or a modification to an existing sign on
21 the same sign structure is proposed for a business on the
22 premises

23 2 Approval of a hardship exemption may be subject to
24 time, place and manner conditions based on issues of size, location
25 color, construction materials and design of the sign without
26 consideration or restriction as to the message to be displayed on the
27 sign
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1 3 The applicant has the burden of proof to establish that
2 hardship exists based on the criteria found above

3 **D Comprehensive Sign Programs**

4 1 **Multiple Business Sign Programs**

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

9 b The submittal of a multiple business sign program
10 shall be required for each multi-tenant development that is
11 occupied by two or more separate businesses at the time the
12 first new permanent sign or first modification to an existing
13 permanent sign on the premises is proposed, except that a
14 multiple business sign program is not required for a project with
15 an approved master sign program

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

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

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

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

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

9 **2 Master Sign Programs**

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

15
16 b A master sign program may be

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

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

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

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

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

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

15
16 f The Director shall approve, conditionally approve,
17 or disapprove any application for a master sign program

18 g A new master sign program approval shall be
19 obtained for substantial revisions to the original approval, as
20 determined by the Director

21 **SECTION 18 ENVIRONMENTAL FINDINGS** Adoption of this Ordinance is
22 not subject to the California Environmental Quality Act ("CEQA"), Public Resources Code
23 § 21000 *et seq* The effect of the Ordinance will be to preserve the status quo with respect
24 to the time, place and manner in which signs may be erected in the City because the
25 Ordinance neither allows any sign that is currently prohibited by the Culver City Municipal
26 Code, nor prohibits any sign that is currently allowed by the Culver City Municipal Code
27 The City Council therefore finds that the Ordinance does not qualify as a "project" subject

1 to CEQA under Public Resources Code § 21065 because it will not result in either a direct
2 or reasonably foreseeable indirect physical change in the environment Independent of
3 this determination, the City Council also finds that the Ordinance qualifies for exemption
4 from CEQA under 14 Cal Code Regs § 15061(b)(3) because it can be seen with certainty
5 that there is no possibility that the Ordinance will have a significant effect on the
6 environment In accordance with Public Resources Code § 21152(b), the City will issue a
7 Notice of Exemption after the Ordinance is adopted The Notice of Exemption will be filed
8 with the County Clerk of the County of Los Angeles where it will be available for public
9 inspection pursuant to Public Resources Code § 21152(b)-(c)

10 **SECTION 19 SEVERABILITY** If any section, subsection, sentence, clause,
11 phrase or word of this Ordinance is for any reason held to be invalid by a court of
12 competent jurisdiction, such decision shall not affect the validity of the remaining portions
13 of this Ordinance The City Council hereby declares that it would have passed and
14 adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that
15 one or more provisions may be declared invalid Further, in the event of the invalidation of
16 any provision of this Ordinance, it is the intention of the City Council that any person
17 seeking to erect a sign in the City should be nonetheless subject to all remaining
18 requirements of the Ordinance or the City's Municipal Code, including, but not limited to,
19 location, design, and building requirements and the revocation, violation, and penalty
20 provisions, which the City Council has already or would have adopted independent of any
21 other provision in this Ordinance

22 **SECTION 20 PUBLICATION** Pursuant to Section 514 of the City Charter
23 this Ordinance shall take effect thirty (30) days after the date of its adoption Pursuant to
24 Sections 512 and 517 of the City Charter, prior to the expiration of fifteen (15) days after
25 the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be
26 published in the Culver City News and shall post this Ordinance or a summary thereof in at
27 least three places within the City

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