

ORDINANCE NO. 2023- 05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PALMA AMENDING SECTION 44-396 OF THE LA PALMA MUNICIPAL CODE TO PROHIBIT SIGNS ON BLOCK WALLS FACING THE PUBLIC RIGHT-OF-WAY

WHEREAS, the City Council of the City of La Palma wishes to protect and preserve the quality of the residential and commercial areas of the City, as well as the quality of life throughout the City, through effective land use and planning; and,

WHEREAS, the City Council of the City of La Palma desires to allow signage within the City that is visually pleasing and does not pose a potential traffic safety issue;

WHEREAS, the City Council of the City of La Palma is particularly concerned with the use of signage on free-standing block walls that face the public right-of-way (the "PROW"), which pose unique issues in terms of aesthetics and traffic safety;

WHEREAS, the proposed ordinance is consistent with and is supportive of policies of the City of La Palma General Plan, and La Palma Municipal Code; and,

WHEREAS, notice of the City Council Public Hearing concerning this Ordinance was duly published in a local newspaper at least ten (10) days prior to the hearing and posted at City Hall, Central Park, and the Library; and,

WHEREAS, City staff have analyzed and determined that this Ordinance is not considered a "project" pursuant CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3).

WHEREAS, on November 7, 2023, the City Council of the City of La Palma introduced and conducted a first reading of this Ordinance, held a duly noticed Public Hearing with respect thereto, and considered testimony and evidence at the Public Hearing; and,

WHEREAS, on December 12, 2023, the City Council of the City of La Palma conducted a second reading and adoption of the Ordinance, and considered testimony and evidence at the Public Hearing held with respect thereto.

NOW, THEREFORE, the City Council of the City of La Palma resolves as follows:

SECTION 1. The foregoing Recitals are incorporated herein and made a part hereof.

SECTION 2. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15060(c)(2) and 15061(b)(3) in that the proposed changes are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment nor will they have the potential of creating a significant effect on the environment.

SECTION 3: In accordance with La Palma Municipal Code Section 44-672, the City Council of the City of La Palma finds as follows:

- (a) The proposed ordinance is consistent with all of the applicable objectives, policies, general land uses, programs, and actions of all applicable elements in the General Plan.
- (b) The proposed ordinance shall not be detrimental to the public convenience, health, safety, or general welfare of the City.
- (c) The proposed ordinance is in compliance with the provisions of the California Environmental Quality Act (CEQA).
- (d) The proposed ordinance is internally consistent with other applicable provisions of the City's Municipal Code.

SECTION 4: Sections 44-396 Prohibited Signs of Chapter 44 of the La Palma Municipal Code is hereby amended to read in its entirety as follows:

Sec. 44-396. - Prohibited signs.

The following signs are inconsistent with the purposes and standards of this division and are prohibited in all zoning districts:

(1) Signs erected or maintained without the consent of the owner of the land upon which the sign is located.

(2) Tract directional signs that advertise property developed outside of the City.

(3) Signs placed, attached, or hung from any vehicle to advertise goods or services, except signs on common carriers or names, trademarks, and addresses permanently placed on business vehicles.

(4) Abandoned signs that advertise goods or services that have not been available for a period of 60 days or more.

(5) Permanent signs not made of durable materials or not appropriately constructed, such as the following:

a. Signs made of cloth, paper, or plywood.

b. Sandwich, A-frame, freestanding, or movable signs.

c. Signs placed on the ground or propped against a vehicle or object in the public right-of-way or in a parking lot.

d. Signs attached to light standards, trees, and similar items.

e. Signs painted directly on a wall of a building or structure.

(6) Projecting signs, roof signs, electronic signs, and animated signs. Electronic signs are conditionally permitted in the public/institutional zone only and digital display billboards and pole signs are permitted in the freeway overlay district as specified in this division.

(7) Subdivision or tract directional signs within 500 feet of the following: Valley View Street, Walker Street, Moody Street, Orangethorpe Avenue, La Palma Avenue, Crescent Avenue, or the SR 91 freeway.

(8) Signs that may obstruct fire escapes or stairways or interfere in any way with public or private safety enforcement.

(9) Signs related to outdoor merchandising or display unless explicitly approved by an outdoor display and incidental seating permit.

(10) Signs may not be placed in City parks, City Hall property, or other City property (with the exception of temporary signs in the public right-of-way (PROW) and any City of La Palma signs).

(11) Signs that are attached to, placed on, draped over, or otherwise affixed to a block wall and facing the PROW. For purposes of this paragraph, a block wall shall mean a free-standing masonry wall constructed of cinder or concrete blocks along the perimeter of a property.

SECTION 5. City staff is hereby authorized and directed to file a Notice of Exemption with respect to the adoption of this Ordinance.

SECTION 6: If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subdivision, sentence, clause, phrase, or portion of this Ordinance irrespective of the fact that one or more sections, subdivisions, sentences, clauses, phrases, or portions of this Ordinance be declared invalid.

SECTION 7: All required proceedings and consideration precedent to the adoption of this Ordinance have been regularly taken in accordance with applicable law.

SECTION 8: The City Clerk is authorized and directed to publish this Ordinance or a summary thereof in the manner provided by law and in accordance with procedures normally taken.

SECTION 9: The City Clerk shall certify to the passage of this Ordinance and cause the same to be published as required by law, and the Ordinance shall take effect thirty (30) days after adoption.

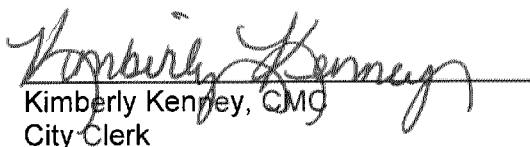
SECTION 10: Upon the effective date of this Ordinance, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed and declared to be of no further force and effect.

APPROVED AND ADOPTED by the City Council of La Palma at a regular meeting on the 12th day of December, 2023.



Marshall Goodman
Mayor

ATTEST:




Kimberly Kenney, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF LA PALMA)

I, KIMBERLY KENNEY, City Clerk of the City of La Palma, California, DO HEREBY CERTIFY that the foregoing Ordinance was adopted by the City Council of said City at a regular meeting of said City Council held on the 12th day of December, 2023 and that it was so adopted by called vote as follows:

AYES: Baker, Conklin, Goodman, Patel, and Waldman

NOES: None


Kimberly Kenney, CMC
City Clerk