

ORDINANCE NO. 2846

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-005-2014 AMENDING TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE, CHAPTER 20, TO ESTABLISH STANDARDS AND REQUIREMENTS PERTAINING TO ELECTRONIC CHANGEABLE COPY IN SIGNS AND REVISING MONUMENT SIGN REGULATIONS

City Attorney Summary

This Ordinance approves a text amendment to Chapter 20 of Title 9 of the Garden Grove Municipal Code to update and revise regulations pertaining to monument signs and to establish standards and requirements pertaining to monument signs containing electronic changeable copy for specified land uses.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the subject case, initiated by the City of Garden Grove, proposes to amend Chapter 20 of Title 9 of the Garden Grove Municipal Code to establish standards and requirements pertaining to electronic changeable copy in signs, and to revise the existing monument sign regulations;

WHEREAS, following a Public Hearing held on August 21, 2014, the Planning Commission adopted Resolution No. 5810-14 recommending approval of Amendment No. A-005-2014;

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the proposed adoption of this Ordinance was held by the City Council on October 14, 2014, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter; and

WHEREAS, the City Council hereby makes the following findings regarding Amendment No. A-005-2014:

A. The proposed Code Amendment is internally consistent with the goals, policies, and elements of the General Plan. The proposed Amendment includes amendments to Chapter 20 of Title 9 of the Garden Grove Municipal Code to update and revise regulations pertaining to monument signs, and to expressly permit monument signs with electronic changeable copy as an incidental use to certain legally established land uses, subject to the reasonable standards and requirements concerning their construction, location, and operation. The General Plan does not contain specific policies pertaining to monument signs and/or electronic changeable copy in signs. However, General Plan Policy LU-6.6 directs the City to ensure appropriate and compatible signage is provided within commercial centers. Furthermore, Section 9.20.010.A provides that the purpose and intent of the sign code is to "provide minimum, reasonable sign control by recognizing that the

attractiveness of the community is an important factor to protect property values, to provide equal access to channels of commercial communications, and to protect the general welfare of the citizens of the City. The revisions to the monument sign regulations and proposed electronic changeable copy restrictions will ensure compatibility of signage and land uses, and will support the purpose and intent of the sign code.

B. The proposed Code Amendment will promote the public health, safety and welfare. The amendments to the regulations pertaining to monument signs simplify, clarify, and make more uniform the standards for design, size, and placement of monument signs. The standards and requirements established for signs with electronic changeable copy ensure that the signs do not create nuisances to the public and adjacent properties.

C. Allowing signs with changeable copy for only service stations, churches and other religious centers, public and non-profit educational institutions and schools, movie theaters, public buildings, public recreational facilities, and private clubs and lodges is reasonable because service stations are required by State law to provide gasoline pricing information that may change daily, and churches and other religious centers, public and non-profit educational institutions and schools, movie theaters, public buildings, public recreational facilities, and private clubs and lodges provide programming and activities that change more often than most other uses of property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: The above recitals are true and correct.

SECTION 2: The City Council finds that the proposed Code Amendment is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Sections 15303 (Small New Accessory Facilities) and 15311 (Minor Structures) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.).

SECTION 3: Amendment No. A-005-2014 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5810-14, a copy of which is on file in the Office of the City Clerk, and which is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 4: The definition of "Monument Sign – Standard" in Subdivision C (Definitions) of Section 9.20.020 of Chapter 20 of Title 9 of the Garden Grove Municipal Code is hereby amended as follows (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

"Monument Sign - Standard" means a free-standing sign permanently attached directly to a planter or pedestal base and which does not exceed a height of ~~four~~ **six** feet.

SECTION 5: Subdivision A.2 (Monument Sign) of Section 9.20.040 of Chapter 20 of Title 9 of the Garden Grove Municipal Code is hereby amended as follows (deletions shown in ~~strikethrough~~, additions shown in **bold-italics**):

2. Monument Sign. ~~Maximum height for Monument signs shall be measured from the established grade and meet the following standards,~~ **except as it may otherwise be provided for in Section 9.20.060:**
 - a. **Maximum height and length (inclusive of all structural elements) and maximum display surface area for monument signs shall be as follows:**
 1. **Standard Monument Signs:** Maximum height shall be ~~four~~ **six** feet, as measured from established ~~on-site~~ **grade at the centerline of the sign**; maximum length shall be eight feet if ~~located within the required setback area;~~ **maximum area of display surface shall be thirty-two (32) square feet;**
 2. **Tall Monument Signs:** **Maximum height shall be twelve feet, as measured from grade at centerline of sign; maximum length shall be six feet; maximum area of display surface shall be fifty-four (54) square feet;**
 - b. ~~Maximum height shall be six feet, as measured from established on-site grade; maximum length shall be eight feet if located outside the required setback;~~ **Each monument sign shall include a base at least one foot in height, as well as other structural elements and design features necessary to make the sign architecturally compatible with the site and/or area on which it is located, such as columns and/or a cap to enhance and frame the display surface. The base, cap, columns, and other structural elements or design features of a sign shall be included in the maximum height and length calculations;**
 - c. **Unless located on a corner lot development, monument signs shall be located along the street frontage, provided they are placed in compliance with all other development standards in this Chapter and do not obscure corner vision clearance from any driveway.** No monument sign shall be located within twenty-five feet of an

adjacent property line, nor less than one hundred feet from another monument sign on the same lot or development site;

- d.** Monument signs for corner lot developments shall be located a minimum of twenty-five feet from an adjacent property line and one hundred feet from another monument sign, measured parallel to the subject property lines. ***Monument signs on corner lot development may be placed at the corner, provided they are placed in compliance with all other development standards in this Chapter and do not obscure corner vision clearance from any driveway;***
- e.** ***Monument signs may be placed parallel or perpendicular to the street right of way, set back a minimum of three feet from the ultimate right of way;***
- f.** ***Monument signs may be double-sided.***

SECTION 6: Section 9.20.050 (Signs: Design Elements) of Chapter 20 of Title 9 of the Garden Grove Municipal Code is hereby amended as follows (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

- A. Single Channel Letters. The use of single channel letters is encouraged.
- B. Sign Boxes/Cans. The use of sign boxes or cans will be permitted if recessed or architecturally integrated so as to be flush with the building facade.
- C. The incorporation of the sign face within the architecture or a structure is encouraged.
- D. Illumination. Signs may be illuminated through either indirect or internal illumination. Bare bulb illumination is expressly prohibited.
- E. Architecture. Signs shall be architecturally a part of the design of the building, and should not be an independent feature in conflict with the integrity of building design.
- F. Consistency. Signs located adjacent to one another, or within the same development, should be consistent or compatible in terms of color, material, and design.
- G. Reader boards are specifically prohibited on monument or pylon signs. Center identification and up to three tenants may be permitted on pole or pylon signs. Site address(es) shall be included on all monument and pylon signs.

- H. Sign Colors. Sign programs should include a single uniform background color and no more than three colors for sign letters.
- I. Standard Sign Letters. Sign programs should have identifiable, uniform lettering size and style for each tenant type (e.g., major, in-line, etc.)
- J. ***Electronic Changeable Copy. Notwithstanding Subdivision G above, monument signs with electronic changeable copy are allowed on sites legally established with the following uses: service stations, churches and other religious centers, public and non-profit educational institutions and schools, movie theaters, public buildings, public recreational facilities, and private clubs and lodges. In addition to the general conditions and design standards and elements for signage required under this Chapter, signs with electronic changeable copy shall comply with the following requirements. Modifications of existing signs to replace its copy with an electronic changeable copy shall require a new permit per Section 9.20.030.G.***
 - 1. ***For service stations, only those portions of the display surface containing pricing information pursuant to Section 9.20.070 of this Chapter may utilize electronic changeable copy.***
 - 2. ***Electronic changeable copy on a sign shall be operated only between the hours of 7:00 a.m. to 10:00 p.m. The sign shall remain dark and unlit between the hours of 10:00 p.m. and 7:00 a.m.***
 - 3. ***A sign with electronic changeable copy shall incorporate both an automatic light sensitive dimmer and a manual dimmer for reducing the intensity of light output in the evening hours (sunset to 10:00 p.m.)***
 - 4. ***The maximum intensity of the light output produced by a sign with electronic changeable copy shall be established in relation to the immediate ambient lighting (darker areas require less intense light levels in the evening hours) and the intensity of light output shall be automatically or manually dimmed in the evening hours (sunset to 10:00 p.m.) so as to minimize impacts to adjacent uses. Under no circumstances may the maximum measurable light output of the electronic changeable copy exceed 0.3 foot-candles above ambient light levels in the evening, to be measured as follows. First, at least 30***

minutes past sunset, with the electronic display turned on, a light level reading in foot-candles will be taken with a light meter aimed directly at the electronic display from 100 feet. Second, with the electronic display turned off, showing all black copy or blocked, the light meter will be used at the same location to measure the area ambient light level in foot-candles. The difference between the two readings shall not exceed 0.3 foot-candles.

5. *Any lot containing a sign with electronic changeable copy shall have a minimum lot frontage of 160 feet.*
6. *A sign with an electronic changeable copy shall be located at least 150 feet from another sign with electronic changeable copy, as measured from the base of each such sign.*
7. *A sign with an electronic changeable copy shall be located at least 80 feet from the property line of any residential property.*
8. *The electronic changeable copy shall consist only of static letters, symbols and/or numbers (no bright, flashing, moving, strobe type effects or graphics) of a single color against a black (or unlit) background, and shall change no faster than once every 20 seconds.*
9. *Light intensity changes of the electronic changeable copy (other than between daylight and evening hours) are not permitted.*

SECTION 7: Subdivision A of Section 9.20.060 (Permitted Signs) of Chapter 20 of Title 9 of the Garden Grove Municipal Code is hereby amended to remove the "H-R" column of the table, revise the "monument sign-standard" row of the table to permit monument signs in the R-1 and R-2 zones subject to restrictions, and add a footnote, as follows (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

A. The following table lists those sign types permitted in the respective zoning classifications and subject to the regulations of the division.

SIGN TYPES	R-1	R-2	R-3	O-P	C-1	C-2	C-3	CC	GGMU -1,2,3	AR	NMU	M-1	M-P	H-R	O-S
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SIGN TYPES	R-1	R-2	R-3	O-P	C-1	C-2	C-3	CC	GGMU -1,2,3	AR	NMU	M-1	M-P	H-R	O-S
Directional	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Marquee/Canopy	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--
Nameplate	P	P	P	P	--	--	--	P	P	P	P	--	--	--	--
Pole	--	--	--	P	P	P	P	--	--	--	--	--	--	--	--
Pylon	--	--	--	P	P	P	P	--	P	P	P	--	--	--	--
Political	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
Wall	--	--	--	P	P	P	P	P	P	P	P	P	P	P	--
Monument-Standard	P**	P**	P	P	P	P	P	P	P	P	P	P	P	--	--
Monument-Tall	--	--	--	--	--	--	--	P*	P	--	P	--	--	--	--
Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
Community Message Center	--	--	--	P	P	P	P	P	--	--	P	P	P	P	P
Window	--	--	--	--	P	P	P	P	P	P	P	--	--	P	--
Sales/Lease/Rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
Temporary Real Estate	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
Temporary Construction	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
Projecting/Blade	--	--	--	--	--	--	--	P	P	P	P	--	--	P	--
Corporate Flag	--	--	--	P	P	P	P	P	P	P	P	P	P	--	--
Under Canopy/Walkway	--	--	--	P	P	P	P	P	P	P	P	P	P	P	--
Directory	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P

* Only permitted in the CC-3 zone.

** **Only permitted for the uses listed in Section 9.20.050.J.**

SECTION 8: Subdivision C of Section 9.20.060 (Permitted Signs) of Chapter 20 of Title 9 of the Garden Grove Municipal Code is hereby amended to revise the criteria for monument signs in the R2-R3 and O-P land use designations and to remove the "H-R" row of the table, as follows (deletions shown in ~~strikethrough~~, additions shown in **bold-italics**):

- C. The following **table sets forth additional criteria and limitations applicable to certain types of signs permitted in specified zoning districts** shall be permitted subject to the following criteria.

Zone	Type	Criteria
R-1	Nameplate	1 sign, 1 sq. ft.
	Sale/lease	1 sign, 6 sq. ft.

Zone	Type	Criteria
R-2, R-3	Nameplate	1 sign per unit not exceeding 2 sq. ft.
	Sale/lease	0--4 units: 12 sq. ft., 5--15 units: 16 sq. ft., 16+ units 20 sq. ft.
	Monument	20 sq. ft. display surface , not greater than 5 feet in height; 32 sq. ft. display surface, not greater than 6 feet in height, for the uses listed in Section 9.20.050.J only.
O-P	Nameplate	1 square foot per business.
	Directory	1 square foot per business.
	Sales/lease/rental	2 signs not to exceed an aggregate display of 20 square feet.
	Wall Signs	40 square feet, identifying the building, site or project, per 10,000 square feet of building area, not to exceed 200 square feet.
	Monument	1 or 2 story building 1 sign identifying the project, building, or site not to exceed a sign face of 40 square feet and a maximum height of five feet; or
		1 sign identifying the project, building or site and up to 3 individual tenants with a sign face not to exceed 40 square feet with a maximum height of five feet. Each tenant may be permitted a maximum display area of eight (8) square feet on the monument sign with a minimum letter height of 8 inches and a maximum of 10 inches. The portion of the monument sign identifying the site shall be a minimum of 16 square feet.
		3 or more stories 1 sign identifying the project, building, or site not to exceed a sign face of 40 square feet and a maximum height of five feet.
C-1, C-2, C-3	Sales/lease/rental	2 signs not to exceed 20 sq. ft.
	Group A	
	One-Story Building	2 sq. ft. per 1 lineal foot of building frontage or 1.5 sq. ft. per 1 lineal foot of lot frontage.
	Two-Story Building	(1) Same as above if no second story signs are permitted in the sign program.
		(2) In order to specifically encourage the limitation of second story signs the following incentive may be used:
		1 monument center identification sign or major tenant sign or combination thereof is permitted for

Zone	Type	Criteria
		each street frontage and calculated on a 1 sq. ft. per 1 lineal foot of building frontage not to exceed 100 sq. ft. for a two story building or 200 sq. ft. for a three story building.
		(3) If two or three story signs are permitted, 1 sq. ft. per 1 lineal foot of storefront per floor would be allowed.
M-1	Rental, Lease	2 signs not to exceed 20 sq. ft.
	Group A	2 sq. ft. per 1 lineal foot of building frontage or 1 sq. ft. per 1 lineal foot of lot frontage.
M-P	Rental, Lease	2 signs not to exceed 20 sq. ft.
	Group A	Building site area
		less than 20,000 sq. ft. 50 sq. ft.
		20,000 to 29,999 75 sq. ft.
		30,000 to 1 acre 100 sq. ft.
		greater than 1 acre 125 sq. ft. PLUS 10 sq. ft. additional acre
H-R	Group A	3 sq. ft. per lineal foot of building frontage not to exceed 300 sq. ft.
	Rental, Lease	2 signs not to exceed 20 sq. ft.
O-S		All signs shall be subject to criteria established for the proposed use in accordance with any discretionary permit controlling such use.

SECTION 9: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any 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, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 10: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on October 14, 2014, with a vote as follows:

AYES: COUNCIL MEMBERS: (5) BEARD, JONES, NGUYEN, PHAN, BROADWATER
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE