

Council Meeting  
January 4, 2011

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3739**

**RECOMMENDATION:**

Second and Final Reading of **ORDINANCE NO. 3739** adding a new Section 88.2.16 and amending Sections 88.3.4, 88.3.5, 88.3.8, 88.4.1(A), 88.5.8, 88.5.14, 88.6.2, 88.6.7, 88.8.1, 88.8.2, 88.9.3, 88.10.1, 88.10.4(A), 88.11.7, and 88.11.8, and the title of Article 8 of Chapter 8 of Division 8 of the Torrance Municipal Code, transferring review and approval of signs from the Environmental Quality and Energy Conservation Commission to the Planning Commission.

**BACKGROUND:**

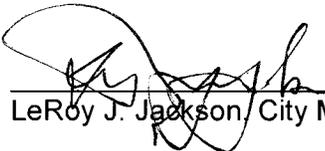
At the regular meeting of the City Council held on the 21st day of December 2010, this Ordinance was introduced and approved for its first reading by the following roll call vote:

AYES:	COUNCILMEMBERS:	Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,

  
 \_\_\_\_\_  
 Sue Herbers, City Clerk

NOTED:

  
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 LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3739  
 B: Ordinance summary

## ORDINANCE NO. 3739

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW SECTION 88.2.16 AND AMENDING SECTIONS 88.3.4, 88.3.5, 88.3.8, 88.4.1(A), 88.5.8, 88.5.14, 88.6.2, 88.6.7, 88.8.1, 88.8.2, 88.9.3, 88.10.1, 88.10.4(A), 88.11.7, AND 88.11.8, AND THE TITLE OF ARTICLE 8 OF CHAPTER 8 OF DIVISION 8 OF THE TORRANCE MUNICIPAL CODE, TRANSFERRING REVIEW AND APPROVAL OF SIGNS FROM THE ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION TO THE PLANNING COMMISSION**

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The City Council of the City of Torrance does ordain as follows:

### **SECTION 1**

The City Council of the City of Torrance finds, determines and declares as follows:

- A. To help ensure a more orderly and comprehensive planning process, the City Council wishes to transfer the authority to review and approve signs from the City's Environmental Quality and Energy Conservation Commission to the Planning Commission.
- B. This ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) in that it has no potential to have a significant effect on the environment.

### **SECTION 2**

That a new Section 88.2.16 is added to the Torrance Municipal Code, to read as follows:

"SECTION 88.2.16 – Director of Building and Safety

- a) For the purpose of this Chapter, the phrase "Director of Building and Safety" shall be replaced with "Community Development Director, or designee."

### **SECTION 3**

That the following sections of the Torrance Municipal Code are amended, to read in full as follows:

"Section 88.3.4 -- APPLICATION FOR SIGN PERMIT.

Application for sign permits shall be made to the Community Development Director of the City, accompanied by the filing fee in the amount provided for by Resolution for each development on which the sign or signs are to be erected with the application to be submitted to the Planning Commission and shall contain or have attached thereto the following information:

- a) Name, address and telephone number of the applicant;
- b) Location of building, structure or lot to which or upon which the sign or advertising structure is to be attached or erected;
- c) Position of the sign or advertising structure in relation to nearby buildings or structures;
- d) Two (2) blueprints of ink drawings of the plans and specifications and method of construction and attachment to the building or in the ground;

- e) Copy of stress sheets and calculations showing the structure is designed for deadload and wind pressure in any direction in the amount required by this and all other laws and ordinances of the City;
- f) Name of person, firm, corporation or association erecting structure or painting the sign;
- g) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected or sign to be painted when more than one occupancy can or does exist;
- h) Any electrical permit required and issued for such sign;
- i) Estimated sign evaluation;
- j) Detailed plans of all existing signs, including photos and/or other pertinent data which will aid in the determination of the site's conformance with this Chapter;
- k) Such other information as the Community Development Director shall require to show full compliance with this and all other laws and ordinances of the City;
- l) In addition to the filing fee, a Building Permit fee shall be collected in accordance with the evaluation schedule of the City Building Code."

"Section 88.3.5 - NONCONFORMING SIGNS.

All applications for sign permits for signs which do not conform to the provisions of this Code or are located on the same property or development on which other signs or all the signs do not conform with the provisions of this Code shall be submitted by the Community Development Director to the Planning Commission for review in accordance with the provisions of Article 8, Chapter 8, Division 8 of this Code."

"Section 88.3.8 - ISSUANCE OF PERMITS.

If it shall appear the proposed sign structure is in compliance with all the requirements of this Code and all other laws and ordinances of the City of Torrance and has received approval where necessary of the Fire Chief, and Planning Commission, the Community Development Director shall then issue the sign permit. If the work authorized under a sign permit has not been completed within one hundred twenty (120) days or a proper extension granted thereto after date of issuance, the said permit shall become null and void. Issuance of the sign permit shall be conditioned upon the applicant's acceptance of any conditions imposed thereon by the City. No sign permit issued with conditions shall be valid until all conditions have been complied with by the applicant."

"Section 88.4.1(a) - SIGNS; COMMERCIAL AND INDUSTRIAL.

- a) For signing purposes, frontage on private streets that serve as public thoroughfares and not just driveways may, with Planning Commission or City Council approval, be considered as qualified street frontage. Corner commercial lots which side on local residential streets may not consider the local street frontage as qualified street frontage."

"Section 88.5.8 - MEMORIAL SIGNS AND HISTORICAL TABLETS.

Memorial signs and historical tablets or plates commemorating a historical event or a memorial to a deceased person may be used with any building if not exceeding two (2) square feet in area and permanently fastened to the building surface; provided, however, larger signs may be permitted with approval by the Planning Commission."

"Section 88.5.14 - SIGN APPURTENANCES.

- a) All cabinets, conductors, transformers and other equipment shall be concealed.
- b) Exposed lamps, tubing, raceways, cross-overs or conduits will be permitted by Planning Commission approval only."

"Section 88.6.2 - TIME LIMIT ON TEMPORARY SIGNS.

- a) Except as otherwise provided, banners constructed of sturdy material may be used to advertise sales or special events for a period up to ninety (90) days during any one (1) calendar year. Extension beyond ninety (90) days is subject to Planning Commission approval subject to the following criteria:
  - 1) The extension of time will not affect the rights of adjacent property owners or tenants, or would constitute an adverse impact on them.
  - 2) The extension of time will not result in a material change in the concept or execution of the sign program as approved by Council, the Planning Commission, or other body or official.
  - 3) There is a hardship to the applicant if the extension of time is not granted.
  - 4) The extension of time will not be contrary to any established planning, zoning or sign policies of the Council, a Commission, body or official for the particular project under consideration as determined by a review of the minutes or other records of the original approval."

"Section 88.6.7 - SUBDIVISION SIGNS.

Ground signs advertising a subdivision for sale, rent or lease may be permitted upon approval of the Planning Commission, subject to the following criteria:

- a) Maximum area per sign to be three hundred (300) square feet.
- b) Minimum distance of five hundred (500) linear feet between signs.
- c) Signs to be located on subdivision parcel.
- d) A maximum of one (1) sign may be permitted for each street facing."

"Section 88.8.1 REVIEW BY THE PLANNING COMMISSION.

The Planning Commission shall have the power to review, consider, approve, modify or disapprove any sign program which does not conform to all the provisions of this Chapter. The Commission shall be guided by the following considerations:

- a) All signs are architecturally compatible with the buildings on the premises.
- b) Compatibility with the character of the established neighborhood.
- c) Proliferation of signs.

- d) The effect of the sign program on traffic safety.
- e) Land use of the subject and adjacent properties.”

“SECTION 88.8.2 - RIGHT OF APPEAL.

The decision of the Planning Commission may be appealed pursuant to the provisions of Article 5, Chapter 1, Division 1 of this Code, commencing at Section 11.5.1.”

“SECTION 88.9.3 - ABATEMENT OF NONCONFORMING SIGNS.

- a) A period of ten (10) years subsequent to the date of the adoption of this Chapter is hereby established for the abatement of signs legally existing prior to said date but which signs become nonconforming as a result of regulations contained herein. This provision applies to signs previously permitted by variance or other zoning exception as well as to signs otherwise established. Illegally erected signs are subject to immediate abatement.
- b) Nonconforming, painted, wall signs are subject, in addition to the abatement procedures set forth, to immediate abatement when the business occupying the premises changes to a different business or different owner necessitating repainting of the signs.
- c) Abatement periods established herein are subject to appeal before the Planning Commission and City Council.”

“Section 88.10.1 - APPROVAL OF PLANNING COMMISSION.

- a) Notwithstanding any other provision of this Chapter, except where a conditional use permit is required to construct a billboard, no billboard may be constructed unless a sign permit therefor has been issued with the approval of the Planning Commission.
- b) In making its determination, the Planning Commission shall consider, among other factors, whether or not the issuance of the permit:
  - 1) Will be materially detrimental to the public welfare;
  - 2) Will substantially interfere with the orderly development of the City as provided for in the land use element of the general plan and the zoning code;
  - 3) Will be compatible with the development of property of other persons located in the vicinity thereof;
  - 4) Will comply with the provisions of this Chapter.
- c) Applications therefor shall be filed and processed as provided for in Sections 88.3.4., 88.3.6. and 88.3.7.”

“Section 88.10.4(a) - SUBDIVISION BILLBOARDS.

The following provisions shall apply to billboards which have as their subject matter the location of a subdivision with improvements for sale:

- a) The applicant for a sign permit and for approval of the Planning Commission must be the owner of, or the agent of the owner of, such subdivision improvements.
- b) The subdivision must be located within the City of Torrance.

- c) Notwithstanding the provisions of Sections 88.10.2. and Section 88.10.3., such billboards shall not exceed more than ten (10) feet in height and twenty (20) feet in width.
- d) The billboard shall be removed at the end of a period no longer than six (6) months following the completion of the subdivision improvements being advertised for sale.
- e) The applicant shall post a bond in an amount not less than Five Hundred Dollars (\$500.00) guaranteeing the removal of the billboard at the end of said six (6) months period.”

“Section 88.11.7 - RIGHT OF APPEAL.

- a) Any person ordered to abate any sign pursuant to this Article may file a notice of appeal with the Planning Commission. If said notice to abate is stated to be for reasons of health and safety, said notice of appeal must be filed within twenty-four (24) hours after written notice to abate has been served, except that if said notice to abate is served on a Friday, or the day preceding a legal holiday, the notice of appeal may be filed the next business day with the Secretary of the Planning Commission.
- b) If said notice to abate states reasons other than health or safety, the notice of appeal may be filed within five (5) days of the date of service of the notice to abate.
- c) Upon receipt of the notice of appeal, the Secretary of the Planning Commission shall set the matter for hearing at the next regular meeting of said Commission provided the notice to abate has been for reasons of health or safety. If the notice to abate has been stated to be for other reasons, the Secretary may set the matter for hearing at a later meeting.
- d) The decision of the Planning Commission may be appealed to the City Council pursuant to the provisions of Article 5, Chapter 1, Division 1 of this Code, commencing at Section 11.5.1.”

“Section 88.11.8 - STAY OF ABATEMENT ON APPEAL.

- a) Temporary signs in violation of this Article shall be abated as required in this Article and will not be permitted to remain even if an appeal has been filed. If the Planning Commission finds that any temporary sign which has been ordered abated is in compliance with this Code, such sign may be displayed after the decision of the Planning Commission, even though an appeal of the decision of the Planning Commission has been filed with the City Council.
- b) Any sign or signs, other than temporary signs, will be permitted to remain while an appeal of the notice to abate is being processed by either the Planning Commission or the City Council. On denial of an appeal by the Planning Commission, the sign or signs, that were the subject of the appeal, must be abated within the time periods prescribed in Section 88.11.4. unless an appeal is filed with the City Council, in which case said sign or signs must be abated within the time periods prescribed in Section 88.11.4. if the appeal is denied by the City Council.”

**SECTION 4**

The title of Article 8 of Chapter 8 of Division 8 of the Torrance Municipal Code is amended to read as follows:

“ARTICLE 8 – PLANNING COMMISSION AND APPEAL PROCEDURE.”

**SECTION 5**

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are repealed.

**SECTION 6**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

**SECTION 7**

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED the 21st day of December, 2010.

ADOPTED AND PASSED this \_\_\_ day of January, 2011.

APPROVED AS TO FORM:  
JOHN FELLOWS III, City Attorney

\_\_\_\_\_  
Mayor Frank Scotto  
ATTEST:

by \_\_\_\_\_  
Patrick Q. Sullivan, Assistant City Attorney

\_\_\_\_\_  
Sue Herbers, City Clerk

**Ordinance Summary****TORRANCE CITY COUNCIL ORDINANCE NO. 3739**

On \_\_\_\_\_, 2011, the City Council of the City of Torrance adopted Ordinance No. 3739, which adds a new section 88.2.16 and amends sections 88.3.4, 88.3.5, 88.3.8, 88.4.1(A), 88.5.8, 88.5.14, 88.6.2, 88.6.7, 88.8.1, 88.8.2, 88.9.3, 88.10.1, 88.10.4(A), 88.11.7, and 88.11.8, and the title of article 8 of chapter 8 of division 8 of the Torrance Municipal Code to transfer authority to review and approve sign requests from the Environmental Quality and Energy Conservation Commission to the Planning Commission.

*Copies of the complete ordinance are available at the City Clerk's office, 3031 Torrance Bl., Torrance, CA 90503.*