

ORDINANCE NO. 2021-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO SIGN REGULATION UPDATES

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. INTENT. Article IX Planning - Zoning of the Lakewood Municipal Code is hereby amended as provided in this Ordinance to update and clarify sign regulations, pursuant to Public Hearings before the Planning and Environment Commission and the City Council.

SECTION 2. PURPOSE. The purpose of this ordinance is to update, clarify and modify Lakewood sign regulations in order to streamline the sign review process and to reflect current trends in commercial signage. The proposed ordinance conforms with current court rulings on sign content, corrects some internal conflicts within the regulations and will assist businesses in recovering by encouraging acceptable advertising practices. Increased clarity in regulation will facilitate both better compliance and enforcement of these regulations.

SECTION 3. Section 9502.2. of Article IX of the Lakewood Municipal Code regarding the definition of Advertising Sign is hereby repealed in its entirety and replaced to read as follows:

9502.2. ADVERTISING SIGN. Any sign which is not any of the following: an identification sign, a directional sign, an official notice, a legal notice, or a sign required by law, ordinance, or a City permit approval.

SECTION 4. Section 9502.3. of Article IX of the Lakewood Municipal Code, regarding the definition of Aerial Sign, is hereby repealed in its entirety and replaced to read as follows:

9502.3. AERIAL SIGN. Any sign that is attached to, painted on, or suspended from a balloon, kite, or similar airborne or inflated object, or simply consists of such an airborne, air-infused, or air-inflated object secured to property within the City of Lakewood.

SECTION 5. Section 9502.5. of Article IX of the Lakewood Municipal Code regarding the definition of Average Ground Level is hereby repealed in its entirety and replaced to read as follows:

9502.5. AVERAGE GROUND LEVEL. The mean ground level of a building site and building elevation.

SECTION 6. Section 9502.13. of Article IX of the Lakewood Municipal Code regarding the definition of Height of Sign is hereby amended to read as follows with the related diagrams:

9502.13. HEIGHT AND WIDTH OF SIGNS. The height of a sign shall be the overall height of the sign, including all portions of the sign structure above the curb grade or the crown of the adjacent roadway to which it is oriented, whichever is higher. The height and area of signs shall be as illustrated below.

SECTION 7. Section 9502.15. of Article IX of the Lakewood Municipal Code regarding the definition of Identification Sign is hereby repealed in its entirety and replaced to read as follows:

9502.15. IDENTIFICATION SIGN. A sign identifying the address, use, logo or name of the building, facility or complex name or the name of the business or residents who occupy the lot or the building where the sign is placed.

SECTION 8. Section 9502.16. of Article IX of the Lakewood Municipal Code regarding the definition of Illegal Sign is hereby repealed in its entirety and replaced to read as follows:

9502.16. ILLEGAL SIGN. A sign which lacks one or more of the following if required at-the time of erection or alteration: Development Review Board approval, any planning approval, Building and Safety plan check approval or a building permit with a successful final inspection. Illegal signs include those with an expired permit or a sign that was nonconforming but is now illegal as specified in this Part, or has otherwise been constructed, erected, or altered in violation of the provisions of this Part.

SECTION 9. Section 9502.17. of Article IX of the Lakewood Municipal Code regarding the definition of Incidental Signs is hereby repealed in its entirety and replaced to read as follows:

9502.17. INCIDENTAL SIGN. An information sign that may include, but is not limited to, hours of operation, open/closed signs, accepted credit cards, contact and delivery information.

SECTION 10. Section 9502.18. of Article IX of the Lakewood Municipal Code regarding the definition of Integrated Commercial Site is hereby repealed in its entirety and replaced to read as follows:

9502.18. INTEGRATED COMMERCIAL SITE. Any site within a commercial or manufacturing zone, regardless of the number of lots or individual tenants thereof, that is developed with common parking, layout, architecture, or design features as determined and approved by the Community Development Director or designee.

SECTION 11. Section 9502.18.a. of Article IX of the Lakewood Municipal Code regarding the definition of Light Pole Banner is hereby repealed in its entirety and replaced to read as follows:

9502.18.a LIGHT POLE BANNER. Any banner fabricated, installed, and maintained as authorized and pursuant to Section 9516 of this Part, including any brackets, hardware and poles necessary for attaching banners to a parking lot light standard. “Banner” as used herein does not include Signs as defined in Section 9502.34 or any regulation in this part pertaining to signs, except as provided in Section 9516, regarding Light Pole Banner Program.

SECTION 12. Section 9502.32. of Article IX of the Lakewood Municipal Code regarding the definition of Roof Sign is hereby repealed in its entirety and replaced to read as follows:

9502.32. ROOF SIGN. A roof sign is any sign which has a point of attachment to the roof of a building, erected upon or above a roof or a parapet wall of a building or placed above the apparent flat roof or eaves of a building.

SECTION 13. Section 9502.36. of Article IX of the Lakewood Municipal Code regarding the definition of Temporary Sign is hereby repealed in its entirety and replaced to read as follows:

9502.36. TEMPORARY SIGN. Any sign that is only intended for temporary use, regardless of materials used. Temporary signs may be included in an approved annual temporary sign permit program for recurrent temporary sign uses such as a drive-thru restaurant with seasonal promotional sign programs.

SECTION 14. Section 9502.40. of Article IX of the Lakewood Municipal Code regarding the definition of Width of Sign is hereby repealed in its entirety and replaced to read as follows:

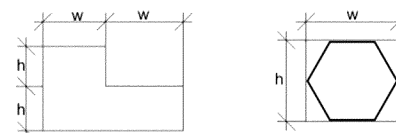
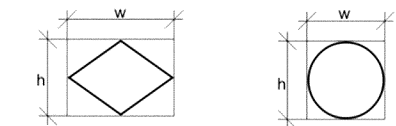
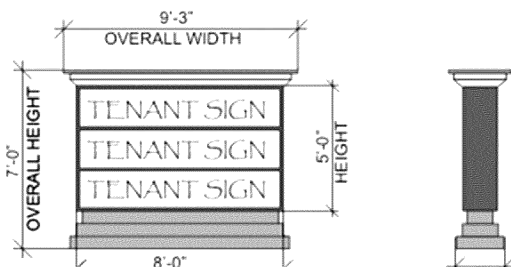
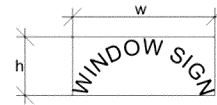
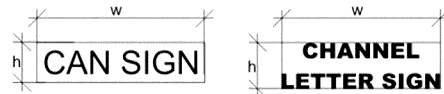
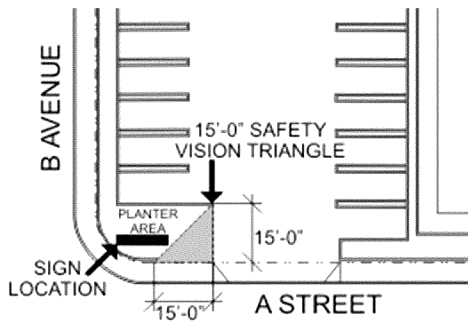
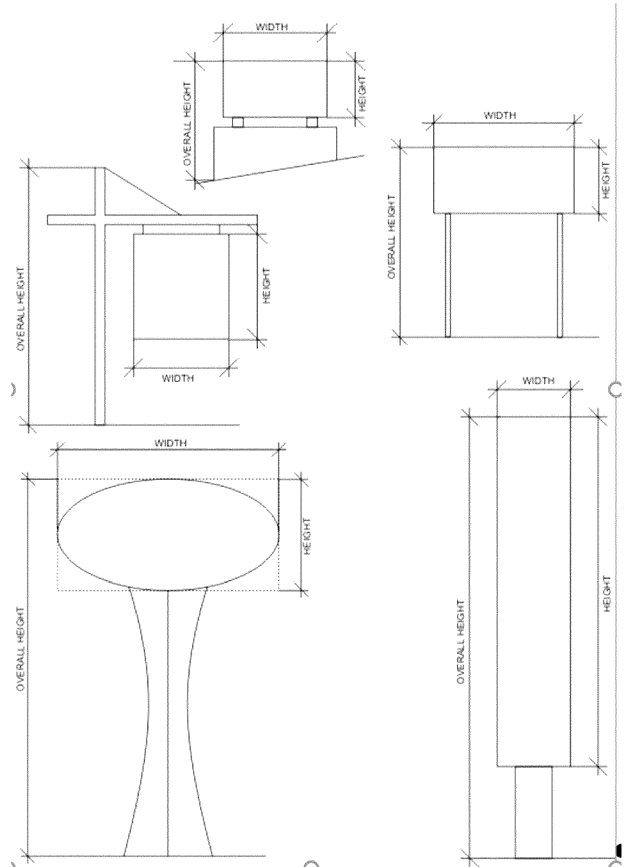
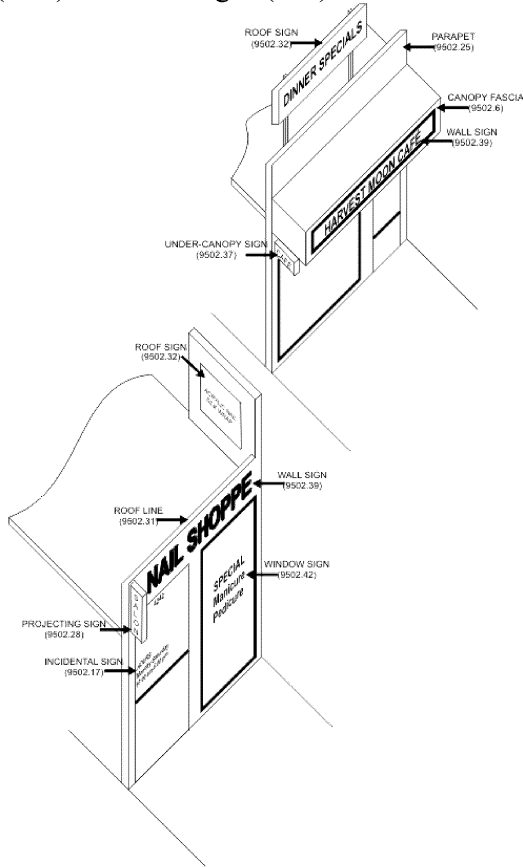
9502.40. WIDTH OF SIGN. The width of a sign shall be the overall width of the sign, including all portions of the sign structure.

SECTION 15. Section 9502.41. of Article IX of the Lakewood Municipal Code regarding the definition of window area, is hereby repealed in its entirety and replaced to read as follows:

9502.41. WINDOW AREA. Any building area covered with clear or translucent material such as glass or plexiglass, which has not been permanently covered by an opaque covering such as paint or wood. However, if such an area has been covered and serves as a background for a sign, then such opaque area will be considered a window area and the sign a window sign for the purposes of calculating window area and allowed window signs. Signs enclosed in glass encasements such as movie poster marquees shall not be defined as window signs and may be approved as a portion of allowed permanent or temporary signage.

SECTION 16. Section 9502.43. of Article IX of the Lakewood Municipal Code regarding Sign Illustrations, is hereby added to be displayed as follows. The illustrations contained previously in Sections 9502.4 Area of Sign, 9502.6 Canopy Fascia, 9502.13 Height of Sign and 9502.42 Window Sign are hereby repealed and replaced by the illustrations displayed below. This action does not affect any text in the above referenced sections. Such text remains in full force and affect, unless otherwise amended by another section of this ordinance.

9502.43. SIGN ILLUSTRATIONS. The purpose of these sign illustrations is to provide a visual reference and guide to implementation of the Lakewood sign regulations, including those regarding the height, width, area, and type of signs allowed. The illustrations indicate the width (“w”) and the height (“h”) measurements that are necessary to calculate sign area.



SECTION 17. Section 9503.A. of Article IX of the Lakewood Municipal Code regarding the General Regulations Prohibited Signs is hereby repealed in its entirety and replaced to read as follows:

9503. GENERAL REGULATIONS.

A. PROHIBITED SIGNS. The following signs are not allowed, except as otherwise provided in this Part; Any flag-type A-frame, H-wire frame, or other moveable sidewalk signs, pennants, balloons, inflated, air-infused, any mechanical mannequin or human sign holders or twirlers and any vehicles or trailers being used as portable signs. No sign, except as otherwise provided by this Part, shall be erected, maintained, approved, or permitted where the sign:

1. Illumination exceeds .5-foot candles at any residential property line.
2. Interferes with the reasonable use and enjoyment of a residential property, as determined by the Director of Community Development.
3. Emits sound, smoke, visible particles, or odors, except that speakers on drive-through facilities shall be permitted.
4. May, by reason of its size, color, design, content, location or means of illumination, be construed as, or confused with, any official traffic control device, street signs, or signal which interferes with safe vehicle operations and pedestrian safety.
5. Has any visible moving parts or any portion that moves, rotates, or in any way gives the illusion of motion, including all aerial signs and air injected objects designed to attract attention, except those signs approved with changeable messages. This includes a person holding or twirling an advertising sign on a public sidewalk, alleyway or roadway.
6. Encroaches into any public right-of-way or property, except as herein provided.
7. Is attached to any public utility pole or structure, light pole, or tree.
8. Is erected, placed, suspended, attached, or maintained over any public street or other public way or place, including any cloth or canvas sign or banner for any purpose whatsoever without a permit from the City.

SECTION 18. Section 9504.D. of Article IX of the Lakewood Municipal Code regarding Exempt Signs, Real Estate Signs is hereby repealed in its entirety and replaced to read as follows:

D. REAL ESTATE SIGNS. Signs advertising the sale, lease or rent of the property upon which it is located and the identification and contact information of the person or firm handling such sale, lease or rent shall comply with the following:

1. One unlighted, free-standing real estate sign per frontage, not exceeding 8 square feet in area per face and not exceeding 7 feet in height from grade level pertaining only to the sale, lease, or rental of the particular building or property upon which displayed, in an R-1, M-F-R, R-A, or A zone.
2. One unlighted real estate sign for each 300 feet of frontage and allow one sign per frontage, not exceeding 32 square feet in size, pertaining only to the sale, lease, or rental of the particular building or property in a commercial, manufacturing, or open space zone.
3. Unlighted such real estate sign is displayed, up to 4 square feet in area per face, and pennants used for an open house activity, provided that a real estate agent is

present at the site for sale and no signs encroach on the public right-of-way.

SECTION 19. Section 9504. H. of Article IX of the Lakewood Municipal Code regarding Exempt Signs, Church Signs, is hereby repealed in its entirety and replaced to read as follows:

H. CHURCH SIGNS. Signs, not more than one per street frontage, pertaining to, and where located on, the premises of a church establishment. Such signs shall not exceed 32 square feet in area per face and 7 feet in height, exclusive of architectural features.

SECTION 20. Section 9504.I. of Article IX of the Lakewood Municipal Code regarding Exempt Signs, Temporary Window Signs is hereby repealed in its entirety and replaced to read as follows:

I. WINDOW SIGNS. In the commercial and manufacturing zones the combination of temporary and permanent advertising signs located on windows, shall not exceed 25% of the total area of the first 25 feet in height of the building elevation upon which they are placed, except as follows or as part of a temporary sign permit program. Seasonal window decorations and graphics are allowed and are not subject to any percentage restrictions. Perforated window screening material that shades windows with or without graphics and that allow a view of the outside from the building interior are allowed and are not subject to percentage restrictions.

SECTION 21. Section 9504.N. of Article IX of the Lakewood Municipal Code regarding Exempt Signs, Political Signs, is hereby added to read as follows:

N. POLITICAL SIGNS. Unlighted political signs shall be allowed without permit prior to an election and up to ten (10) days after the same election, provided that no sign is located within the vision clearance triangle specified in Section 9503.D or is otherwise maintained in a manner that makes it an obstruction or nuisance. The candidate and/or campaign manager shall be responsible for removal of signs.

SECTION 22. Section 9505. of Article IX of the Lakewood Municipal Code regarding Limitations on Permanent Signs is hereby repealed in its entirety and replaced to read as follows:

9505. LIMITATIONS ON PERMANENT SIGNS. Permanent signs which are not exempted by Section 9504 shall be subject to the following conditions and limitations, in addition to the general prohibitions contained in Section 9503.

A. ILLUMINATION.

1. No sign over 4 square feet in area shall be wholly or partially illuminated by unshielded lighting of any type.
2. No sign shall use mirrors reflecting a direct light source, or utilize flashing, blinking, or "running" lights, except as authorized in changeable message signs.

B. MATERIALS.

1. All signs and their supporting structures shall be composed of metal, wood, plastic, paint, or comparable weather-resistant material.
2. The background façade behind each proposed wall sign or other sign type

attached to a building shall be properly patched and fully repainted one continuous color prior to installation of the sign.

3. All portions of signs, including the display surface and the sign supports, braces, guys, anchors, and electrical equipment, shall be kept in good repair and maintained in safe, neat, clean, and attractive condition at all times.

4. Any graffiti shall be removed within 3 days of notice by the city.

C. CONSENT OF PROPERTY OWNER. No person, except a public officer or employee in the performance of a public duty, or a private person in giving a legal notice, shall paste, post, paint, nail, or tack or otherwise fasten, any card, banner, handbill, sign, poster, advertisement or notice of any kind upon any property without the written consent of the owner, holder, lessee, agent, or trustee thereof.

D. SIGN REVIEW. Approval of the size, design, location, and any required landscaping planter is required for all of the following signs by the Community Development Director or designee or by referral to the Development Review Board by the Director:

1. **Allowed Signs.** Directional, warning, or information signs or sign structures required by, allowed by, or authorized by, Federal or State law or regulation, or by a City ordinance, resolution, regulation, or minute order, a planning approval, or by administrative guidelines established by and on file with the Community Development Director. These signs shall be allowed, subject to approval of the size, design, and placement.

2. **Readerboards or Electronic Message Boards** on church or private school sites.

3. **Drive-Through Signs.** Signs such as advance order and menu boards, on the interior driveways of drive-through facilities.

4. **Flag Canopies.** Flag canopies erected and maintained at automobile sales lots.

E. OTHER GENERAL PROVISIONS.

1. Colors for all signs shall be harmonious with the area and the store where the signs are located.

2. All signs and their supporting structures shall be enclosed as to prevent infestation by birds and vermin, shall be structurally safe, and shall be maintained in good condition at all times.

3. Logos or identification symbols shall be considered signs and shall conform to all provisions of this Part.

SECTION 23. Section 9506. of Article IX of the Lakewood Municipal Code regarding Signs in Commercial and Manufacturing Zones is hereby repealed in its entirety and replaced to read as follows:

9506. SIGNS IN COMMERCIAL AND MANUFACTURING ZONES. Any sign not prohibited by Section 9503 or exempted by Section 9504 shall be allowed in any commercial or any manufacturing zone, subject to the general provisions of Section 9505 and, in addition, shall be subject to the following conditions and limitations.

A. FREE-STANDING SIGNS.

1. The number of free-standing signs permitted shall be one sign for each street frontage, unless otherwise approved with a conditional use permit.

2. No free-standing sign shall be placed closer than 25 feet from another freestanding sign, except where this would prohibit a property from having one such sign. No portion of a sign shall be closer than 1 foot from a common property line.
3. No individual free-standing sign shall exceed 25 feet in height.
4. The area of any free-standing sign shall not exceed 120 square feet, unless otherwise authorized by this Part.

B. NON-FREE-STANDING SIGNS

1. **Prohibited.** No sign except those exempted by Section 9504 may be placed on a building elevation which faces a residential zone less than 20 feet away from that sign.
2. **Primary Elevation.** The primary elevation of a business shall be directly abutting either a street or a parking area. If there is a choice, a business owner may choose which elevation is considered the primary elevation, except that in a multi-tenant building the owner must choose an elevation which is adjacent to a contiguous business primary elevation.
3. **Secondary Elevations.** Any elevation of a building not determined to be a primary elevation shall be considered a secondary elevation.
4. **Allowable Sign Area.** Allowable sign area will be determined for each business or commercial enterprise requesting a sign. The sign area to be allowed on any building face or elevation of a business shall be calculated as a percentage of the area of that elevation occupied by the business. All permanent signs, including permanent window signs and excepting exempt signs and those signs specified in Section 9505.A.4, shall be included in summing the area of actual signage.
 - a. The allowable permanent sign area for a primary elevation of a one or two-story business shall not exceed 20% of the area of the first 25 feet in height of that elevation and shall not exceed a maximum of 200 square feet.
 - b. The allowable permanent sign area for a secondary elevation of a one or two-story business shall not exceed 5% of the area of the first 25 feet in height of that elevation and shall not exceed a maximum of 100 square feet.
 - c. The allowable permanent sign area for a three or more-story commercial or manufacturing building shall not exceed 20% of the total area of the elevation to which they are attached and shall not exceed a maximum of 500 square feet for all signs on a single elevation and no one sign shall exceed 400 square feet in area.
 - d. The total area of permanent window signs on a particular elevation may not exceed 25% of the total window area on that elevation.
 - e. Projecting signs shall not exceed 4 square feet in area per face.
 - f. Under canopy signs shall not exceed 4 square feet in area per face.
5. **Location of Signs.**
 - a. No sign shall project above the parapet, canopy fascia, or wall to which it is attached, nor above the roofline if it is attached to the roof, unless otherwise approved by the Development Review Board and shall not exceed 10 feet above such building elements.
 - b. Wall and roof signs shall not project horizontally more than 18 inches from

their attachment to the building.

- c. Projecting and under canopy signs shall have a minimum clearance above grade of 8 feet over walkways and 12 feet over driveways.

6. **Dimensions of Signs.** Sign dimensions shall be consistent with the limitations on sign area and location mentioned herein. Projecting and under canopy signs shall be no larger than 12 inches thick from face to face.

7. **Signs for Buildings from 40,000 to 75,000 Square Feet in Gross Floor Area.** Buildings from 40,000 to 75,000 square feet of gross floor area, located in the C-4 (General Commercial) zone and less restrictive zones may have non-freestanding identification signs of a maximum 200 square feet in area on two elevations. No such sign shall exceed 20% of any elevation.

8. **Signs for Buildings over 75,000 Square Feet in Gross Floor Area**

Buildings of over 75,000 Square Feet of gross floor area, located in the C-4 (General Commercial) zone and less restrictive zones may have non-free standing identification signs of a maximum 200 square feet in area on three elevations. No such sign shall exceed 20% of any elevation.

SECTION 24. Section 9507.of Article IX of the Lakewood Municipal Code regarding Signs in Manufacturing Zones is hereby repealed in its entirety and is not replaced as such signs are addressed in Section 9506.

SECTION 25. Section 9509.of Article IX of the Lakewood Municipal Code regarding Signs in the M-F-R and PD Zones is hereby repealed in its entirety and replaced to read as follows:

9509. SIGNS IN THE M-F-R AND PD ZONES. No advertising signs for any products or services are to be displayed in or on any yards, or windows, walls, or doors of structures except for temporary signs posted by licensed contractors during the term of their work at the property. The following signs, if not prohibited by Section 9503 or exempted by Section 9504, shall be allowed in any M-F-R or PD zones subject to the general provisions of Section 9505 and the following conditions and limitations:

A. One unlighted sign for each multiple unit development of five units or more, not to exceed 32 square feet in area or 8 feet in any dimension. Said sign shall contain only the name of the development and the street address. In addition, if said sign is freestanding, it shall not exceed a height of 7 feet.

B. One unlighted directory type sign for each multiple unit development of five units or more, not exceeding 8 square feet in area or 4 feet in any dimension or 7 feet in height, provided such sign is located within an interior court and adjacent to an internal walkway as described in Section 9332.1 (Interior Walkways).

SECTION 26. Section 9510. of Article IX of the Lakewood Municipal Code regarding Signs in the O-S Zone is hereby repealed in its entirety and replaced to read as follows:

9510. SIGNS IN THE O-S ZONE. The following signs, if not prohibited by Section 9503 or exempted by Section 9504, shall be allowed in any O-S zone, subject to the general provisions of Section 9505 and the following conditions and limitations:

A. One low free-standing type sign shall be permitted for each parcel of land on record, provided that the exclusive use of the sign is to identify the primary use of the parcel, the maximum height of any sign shall be 7 feet from the finished grade to top of the sign, and the sign area shall not exceed 32 square feet.

B. One wall sign shall be permitted per building provided that the sign shall not exceed 20% of the area of the building elevation and it does not project more than 18 inches horizontally from the wall of the building.

SECTION 27. Section 9511 of Article IX of the Lakewood Municipal Code regarding Signs Requiring Conditional Use Permit is hereby repealed in its entirety and replaced to read as follows:

9511. SIGNS REQUIRING CONDITIONAL USE PERMIT.

A. Conditional Use Permit Required. It is the intent of the City to enhance the business environment, as well as the aesthetics and image of the community through proper sign control, to prevent harmful effects and to promote the public convenience, health, safety, and general welfare. The following additional signs shall be permitted subject to a conditional use permit (CUP), as hereinafter provided.

B. On-Premises Signs in the commercial and manufacturing zones with CUP, as follows:

1. **Electronic Message Boards** or other changeable copy signs, provided:
 - a. No such changeable non-free-standing sign shall exceed 50% of the overall allowable sign area for the elevations upon which they are placed.
 - b. No sign shall be located within 50 feet of any land zoned for residential use.
 - c. No sign shall exceed a height of 25 feet.
2. **Over Height High Freestanding Signs** in excess of 25 feet in height may be allowed with CUP, provided:
 - a. No more than one sign in excess of 25 feet shall be permitted per site.
 - b. No free-standing sign over 25 feet in height shall be erected, constructed, or maintained, which is 600 feet or further from a freeway off-ramp.
 - c. No free-standing sign shall exceed a maximum height of 50 feet, as measured from the crown of the roadway to which it is oriented.
 - d. The Planning and Environment Commission shall make a finding in each case, determining optimum height in consideration of the lot, use, location, streetscape, adjacent properties, and exposure.
3. **Additional High or Low Free-Standing Signs** in excess of the one allowed per street frontage per site may be allowed with CUP, provided:
 - a. The Planning and Environment Commission shall make a finding determining the need for additional high or low free-standing signs in consideration of lot size, number of tenants thereon, lot configuration, streetscape, and exposure.
 - b. No more than one additional high free-standing sign shall be granted a conditional use permit per each integrated commercial center with less than 1200 linear feet of frontage.
 - c. More than one additional low free-standing sign may be allowed per street frontage with justification to the Planning and Environment Commission.

d. Removal or elimination of pre-existing sign clutter and nonconforming signs shall be encouraged.

4. **Wall Graphic.** A property owner of a commercial or manufacturing zoned property may propose a wall graphic or mural whose area exceeds the maximum allowed for a non-free-standing wall sign subject to a CUP, provided:

a. The Development Review Board reviews and decides to make a positive recommendation to the Planning and Environment Commission, regarding the size, location, neighborhood compatibility and appropriateness of such.

b. The Planning and Environment Commission reviews and decides to approve with a positive finding that the proposal is acceptable in terms of the size, location, and neighborhood compatibility, and overall appropriateness.

C. Off-Premises Advertising and Billboards are permitted with CUP, provided:

1. All freeway oriented off-premises advertising structures shall conform to the size, location, and standards established by the State Outdoor Advertising Act.

2. No off-premises advertising shall be in the public right-of-way.

3. No sign shall be located within 50 feet of a residential zone and such signs shall be not oriented towards residential areas if possible.

4. No more than one off-premises sign per site.

5. No off-premises sign shall exceed a height of 25 feet, as measured from the crown of the roadway to which it is oriented.

SECTION 28. Section 9512. of Article IX of the Lakewood Municipal Code regarding Temporary Signs is hereby repealed in its entirety and replaced to read as follows:

9512. TEMPORARY SIGNS. Temporary signs are permitted as follows:

A. SUBDIVISION SIGNS. Unlighted subdivision signs shall be allowed with a temporary sign permit for a non-renewable period of up to one (1) year, provided that one sign is allowed per project and the sign area per face does not exceed 120 square feet, it is erected only for the purpose of announcing the subdivision and sale or rental of the property where located.

B. OTHER TEMPORARY SIGNS. The Director of Community Development or designee shall review and take an action to approve, approve with conditions or not approve an application for a temporary sign and/or a temporary sign program. The review shall determine the size, location, method of attachment and reasonable duration of the temporary sign or temporary sign program permit. Such signs shall be subject to any required fees or deposits, as adopted by the city and shall comply with administrative guidelines established by, and on-file, with the Director of Community Development. A temporary sign permit may be renewed and extended at the discretion of the Director of Community Development.

SECTION 29. Section 9513. of Article IX of the Lakewood Municipal Code regarding Sign Review is hereby repealed in its entirety and replaced to read as follows:

9513. SIGN REVIEW. Sign reviews are conducted by the Community Development Department for the purpose of monitoring conformity of signs with the purposes and regulations of this Part.

A. Sign Review Required. No permanent or temporary sign or other advertising structure not exempted by Section 9504 shall be erected, relocated, posted, or painted, except for routine maintenance which does not materially alter the structure, and does not alter the copy, by any person until such person has first submitted an application, paid applicable fees, received review and approval from the City Community Development Department and obtained a properly issued building permit if required.

B. Staff Review of Signs. All applications for permanent and temporary signs shall be reviewed by the Community Development Department staff for compliance with this Part. The staff may approve, approve with conditions, or deny any sign application, as follows:

1. **Permanent sign applications** shall require:
 - a. A completed application form that fulfills the submittal requirements of the Community Development Department.
 - b. Any applicable fees, as established by the City.
2. **Temporary sign applications** shall require:
 - a. A completed application form that fulfills the submittal requirements of the Community Development Department. The application shall contain the location, size, and proposed duration of all temporary signs.
 - b. Each temporary sign approval shall specify a duration with a final date for the sign to be removed. The approval shall also require that the temporary sign be removed, repaired, or replaced if it becomes damaged, frayed or is in any manner objectionable or unsightly, as determined by the Community Development Department.
 - c. Any applicable processing fees and/or any required surety deposits, as established by the Community Development Director to assure immediate removal of the temporary signs after the specified duration of the temporary sign permit has lapsed. The deposit shall be forfeited upon failure to remove the temporary sign within five (5) days of the final day authorized by the permit.
3. **General Code Compliance.** Each staff sign review shall include confirmation that the commercial or industrial tenant space and the center, if any, in which it is located, is in compliance with normal site maintenance, accessibility and the trash collection and storage requirements for such uses, established by applicable law, regulation or administrative directive. A signed agreement by the property owner or property manager to correct any such non-complying situations within a reasonable period of time as determined and acknowledged by the Director of Community Development, shall be sufficient to authorize approval for such signs. The signed agreement shall be provided to the Community Development Department, prior to the issuance of permits for such signs or other improvements related to the use.

C. Appeal. Any Community Development Department decision regarding permanent or temporary signs or related conditions of approval may be appealed, within 19 days of the decision, by application to the Planning and Environment Commission.

D. BUILDING PERMITS REQUIRED. No section of this Part may be construed as an exemption from obtaining proper building permits as required from the Building and Safety Section. Final inspection of all permanent signs, including painted signs, shall be conducted by a building official for compliance with an approved precise plan of design.

SECTION 30. Section 9514. of Article IX of the Lakewood Municipal Code regarding Non-Conforming Signs is hereby repealed in its entirety and replaced to read as follows:

9514. NON-CONFORMING SIGNS.

A. NON-CONFORMING SIGN BECOMES ILLEGAL SIGN. A non-conforming sign becomes an illegal sign and must be removed, altered, or changed to comply with all provisions of this Part, when:

1. The non-conforming status expires in accordance with Section 9392 of this Code.
2. It is structurally altered or expanded so as to extend its useful life.
3. There is damage or destruction of more than 50% of the value of the original permit.
4. The site is vacant or unoccupied, not offered for sale or lease and there is no active use of the property for one year or more.
5. Any sign which pertains to any occupant or business unrelated to the premises' present occupant or business, or a sign which pertains to a time, event or purpose which no longer applies shall be either removed or replaced with a blank panel within 10 days following the business closing or following the referenced time, date, event, or other purpose. This action will not render a non-conforming sign illegal and a new business occupying the premises may apply to install new sign copy without losing nonconforming status of the sign.

B. EXISTING SIGNS. Notwithstanding any provision in this chapter to the contrary, any sign other than an off-premise sign, which was lawfully erected, or altered or maintained at the date of the adoption of the ordinance enacting this section, may continue as a legal nonconforming sign in accordance with Section 9392 and of Section 9505.C of the Lakewood Municipal Code, with the exception that Section 9392.B (Amortization of Nonconforming Buildings, Uses or Structures) shall be inapplicable.

C. OFF-PREMISE SIGNS. Notwithstanding any provision in this chapter to the contrary, any off-premise sign which was lawfully erected or altered or maintained at the date of the adoption of the ordinance enacting this section, may continue as a legal nonconforming sign subject to the provisions Section 9392.

SECTION 31. Section 9516. of Article IX of the Lakewood Municipal Code regarding Light Pole Banner Program is hereby repealed in its entirety and replaced to read as follows:

9516. LIGHT POLE BANNER PROGRAM. Light pole banners may be installed and maintained within commercial and manufacturing zoned parking lots subject to the following:

- A.** The banners shall be located and maintained only on light poles in parking lots located in commercial and manufacturing zones.
- B.** No banner or part thereof may encroach into the public right-of-way.
- C.** No such banner shall be placed or maintained on any permanent structure, free-standing sign or utility pole used exclusively for supporting electrical or communication lines.
- D.** All banners shall be fabricated and installed in accordance with the diagrams and standards approved by, and on file in, the office of the Director of Community Development.

E. Such light pole banners shall be in accordance with, and subject to, a Light Pole Banner Program authorized or approved by the owner of person or persons in charge of the integrated commercial site and by the Director of the Community Development Department. A Light Pole Banner Program shall include a site plan showing all light pole banner locations and the type(s) of light pole banners that will be installed at each location in accordance with the standards on file in the office of the Director of Community Development. The Light Pole Banner Program shall include a color drawing or image of each type of light pole banner and the proposed Program duration.

F. No Program duration shall exceed 4 months within any calendar year.

G. Any banner that becomes damaged or falls into a state of disrepair shall be repaired, replaced, or removed as directed by the Director of Community Development.

H. The approved Light Pole Banner Program, including the fabrication and installation of the banners and the copy to be displayed on the banners, shall be filed in the office of the Director of Community Development. The person to whom said approved Light Pole Banner Program is issued shall sign an agreement, in the form approved by the City Attorney, which shall include, among other things, the following:

1. A provision that if any banner has become damaged or falls into a state of disrepair, as determined by the Director of Community Development, the same shall be repaired, replaced, or removed as directed by the Director of Community Development.
2. If any person with an approved Light Pole Program should fail to repair, replace or remove the banners, as aforementioned, on the direction of the Director of Community Development, or should fail to remove said banners at the termination of the Program as specified in the approval, the City is authorized to enter the integrated commercial site and to remove and dispose of all banners and paraphernalia, in which event, the owner or manager who has received approval of the Program agrees to hold the City free and harmless from any liability for damage to the property of such manager or owner.

SECTION 32. CEQA. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. This ordinance has no impact on the physical environment as it will only modify administrative procedures and not result in any changes to the physical environment.

SECTION 33. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase 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, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 34. CONTINUITY. To the extent the provisions of the Lakewood Municipal Code, as amended by this ordinance, are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 35. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance and shall post a certified copy of this ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause the ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by ordinance.

SECTION 36. EFFECTIVE DATE. This Ordinance shall be posted or published as required by law and shall take effect thirty (30) days after its adoption.

APPROVED AND ADOPTED this 25th day of May, 2021, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	<u>X</u>	_____	_____
Council Member Pe	<u>X</u>	_____	_____
Council Member Rogers	<u>X</u>	_____	_____
Council Member Stuckey	<u>X</u>	_____	_____
Mayor Wood	<u>X</u>	_____	_____

Mayor

ATTEST:

City Clerk