

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370



December 18, 2014

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TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: CHARLES LESTER, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the action by the City of Carlsbad, certifying the City's Local Coastal Program Amendment No. CAR-MAJ-2-13B (Sign Ordinance Revisions), is adequate to effectively certify its local coastal program (for Commission review at its meeting of January 7-9, 2015)

BACKGROUND

At its June 12, 2014, meeting, the Coastal Commission certified, with suggested modifications, the City of Carlsbad Local Coastal Program Amendment No. CAR-MAJ-2-13B regarding the Sign Ordinance Revisions. By its action adopting Ordinance No. CS-261 on September 23, 2014, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed the following: height of tall freestanding signs and shopping center directory signs to be consistent with the 15 foot height limit established within the City's existing LCP; prohibition of all digital display signs; the sign area calculation language for wall, fascia, awning, window and landscape/hardscape feature signs; the sign area calculation language for monument, freestanding and suspended signs; and the requirement to obtain a CDP (unless exempt) for new signage within the Coastal Zone portion of Carlsbad.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of Carlsbad is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13554 of the Commission's Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



January 12, 2015

Mayor Matt Hall
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

RE: Certification of the City of Carlsbad Local Coastal Program Amendment
No. CAR-MAJ-2-13B (Sign Ordinance Revisions)

Dear Mayor Hall:

The California Coastal Commission has reviewed the City's Ordinance No. CS-261 together with the Commission's action of June 12, 2014, certifying City of Carlsbad Local Coastal Program Amendment No. CAR-MAJ-2-13B, pertaining to Sign Ordinance Revisions. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the City's actions are legally adequate, and the Commission has concurred at its meeting of January 7-9, 2015.

By its action on September 9, 2014, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications addressed the following: height of tall freestanding signs and shopping center directory signs to be consistent with the 15 foot height limit established within the City's existing LCP; prohibition of all digital display signs; the sign area calculation language for wall, fascia, awning, window and landscape/hardscape feature signs; the sign area calculation language for monument, freestanding and suspended signs; and the requirement to obtain a CDP (unless exempt) for new signage within the Coastal Zone portion of Carlsbad. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

Charles Lester
Executive Director

ORDINANCE NO. CS-261

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA APPROVING A ZONE CODE AMENDMENT AND LOCAL COASTAL PLAN AMENDMENT TO MODIFY THE STANDARDS IN MUNICIPAL CODE CHAPTER 21.41 (SIGN ORDINANCE), AND THEREBY ACCEPTING AND ADMINISTERING THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO LCPA 11-04.

CASE NAME: SIGN ORDINANCE AMENDMENT SUGGESTED MODIFICATIONS

CASE NO.: ZCA 11-03(A)/LCPA 11-04(A)

WHEREAS, the Planning Commission did on November 21, 2012 and April 17, 2013, hold duly noticed public hearings as prescribed by law to consider Zone Code Amendment (ZCA 11-03) and Local Coastal Program Amendment (LCPA 11-04) to repeal and reenact the city's Sign Ordinance, Chapter 21.41 of the Zoning Ordinance; and

WHEREAS, the Planning Commission adopted Resolutions No. 6927 and 6928, recommending to the City Council approval of ZCA 11-03 and LCPA 11-04; and

WHEREAS, the City Council, on August 27, 2013, held a duly noticed public hearing as prescribed by law to consider ZCA 11-03 and LCPA 11-04, and introduced Ordinance No. CS-226 to approve ZCA 11-03, and adopted Resolution No. 2013-214, to approve LCPA 11-04; and

WHEREAS, the City Council, on September 10, 2013, passed, approved and adopted Ordinance No. CS-226; and

WHEREAS, the approval of both Ordinance No. CS-226 and Resolution No. 2013-214 is subject to Coastal Commission approval (certification) of LCPA 11-04; and

WHEREAS, on June 12, 2014, the California Coastal Commission approved LCPA 11-04 conditioned upon the city making certain changes and modifications"; and

EXHIBIT NO. 1
APPLICATION NO. CAR-MAJ-2-13B
(Sign Ordinance Revisions)
Ordinance
 California Coastal Commission

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WHEREAS, accepting and administering the California Coastal Commission's suggested modifications, as set forth in this ordinance, is necessary to comply with the California Coastal Act and California Administrative Code; and

WHEREAS, some of the California Coastal Commission suggested modifications are substantial modifications, however, as described in Zoning Ordinance Section 21.52.050 A.3. do not require further review by the city's Planning Commission.

NOW, THEREFORE, the City Council of the City of Carlsbad does ordain as follows:

SECTION I: That Section 21.41.020 (Definitions), Subsection 21.41.020 A.79. of the Carlsbad Municipal Code, as previously approved pursuant to Ordinance No. CS-226, is modified to read as follows:
79. "Tall freestanding sign" means a monument or pole sign that is greater than fifteen feet in height.

SECTION II: That Section 21.41.030 (Prohibited signs), Subsection 21.41.030 A.8. of the Carlsbad Municipal Code, as previously approved pursuant to Ordinance No. CS-226, is modified to read as follows:

8. Digital display signs;

SECTION III: That Section 21.41.050 (Application and permit procedures), Subsection 21.41.050 A.5. of the Carlsbad Municipal Code, as previously approved pursuant to Ordinance No. CS-226, is modified to read as follows:

5. In the Coastal Zone, unless otherwise exempt under applicable policies of the city's certified LCP, any person proposing signage governed by this Chapter shall also obtain a coastal development permit with the exception of a new wall sign or the change of copy of an existing wall sign both of which shall be exempt from this requirement.

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SECTION IV: That Section 21.41.070 (General sign standards), Subsection 21.41.070 A.1. of the Carlsbad Municipal Code, as previously approved pursuant to Ordinance No. CS-226, is modified to read as follows:

A. Sign Area.

1. Sign area is computed as follows:

a. Wall, Retaining Wall, Fascia, Awning, Window and Landscape/Hardscape Feature Signs.

i. Sign area shall be computed by measuring the smallest square, rectangle, triangle, circle or combination thereof, that will encompass the extreme limits of the graphic image, writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the message or display or otherwise used to differentiate the sign from the backdrop or structure against which it is placed.

ii. Sign area does not include any supporting framework or bracing unless such is designed in a way as to function as a communicative element of the sign.

b. Pole Signs.

i. Sign area shall be computed as the area of the surface(s) upon which the sign message is placed including the supporting column(s) if decorated or displayed with advertising.

c. Multi-Faced Signs.

i. The sign area for a two-sided or multi-faced sign shall be computed by adding together the area of all sign faces visible from any one point.

ii. When two sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same structure, the sign area shall be computed by the measurement of one of the faces.

iii. In the case of a sign of spherical or cylindrical shape, the area of the sign shall be one-half of the surface area.

d. Flags, Banners, Pennants, etc.

i. Sign area is the entire surface area, one side only.

e. Monument, Freestanding and Suspended Signs.

i. Sign area shall be computed by measuring the entire area contained within the frame, cabinet, monument, monument base or fixture.

SECTION V: That Section 21.41.090 (Coastal zone sign standards), Subsection 21.41.090 A.2. of the Carlsbad Municipal Code, as previously approved pursuant to Ordinance No. CS-226, is modified to read as follows:

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A. The following sign restrictions apply to properties in the coastal zone except the Agua Hedionda Lagoon and Carlsbad Village Review segments. If there is a conflict between the coastal zone sign standards of this section and any regulations of this chapter, the standards of this section shall prevail. Otherwise, within the coastal zone, the sign regulations of this chapter shall apply.

- 1. Each business or establishment shall be entitled to one façade sign.
- 2. Each shopping complex shall have only one directory sign which shall not exceed fifteen feet in height, including mounding.
- 3. Monument sign height including mounding shall not exceed eight feet and shall apply where three or fewer commercial establishments exist on a parcel.
- 4. Tall freestanding and roof signs shall not be allowed.
- 5. Off-premises signs shall not be allowed.

SECTION VI: That Table "B" of Section 21.41.095 (Permitted permanent signs), of the Carlsbad Municipal Code (relating to Regional Commercial Centers), as previously approved pursuant to Ordinance No. CS-226, is modified to read as follows:

Table B

Permanent Signs Permitted by Type of Development and Zone With a Sign Permit

Type of Development and/or Zone	Type of Sign	Maximum Number of Signs	Maximum Sign Area	Maximum Sign/Letter Height	Location	Additional Sign Standards – See Sections 21.41.070 – 21.41.090 and those listed below
Regional Commercial Center	Pole	1 per center	150 square feet per sign	35 feet above average grade	Primary project entrance or in a location approved by the city planner.	1. Pole sign is allowed in addition to other signs permitted for Commercial Centers.

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EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the city clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption. *(Notwithstanding the preceding, this ordinance shall not be effective until approved by the California Coastal Commission.)*

INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City Council on the 9th day of September 2014, and thereafter.

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PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of
the City of Carlsbad on the 23rd day of September, 2014, by the following vote to wit:

- AYES: Council Members Hall, Packard, Wood, Schumacher, Blackburn.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

APPROVED AS TO FORM AND LEGALITY


CELIA A. BREWER, City Attorney


MATT HALL, Mayor

ATTEST:

BARBARA ENGLESON, City Clerk



Coastal Commission Suggested Modifications

21.41.020 Definitions.

A. Whenever the following terms are used in this chapter, they shall have the meaning established by this section:

79. "Tall freestanding sign" means a monument or pole sign that is greater than ~~fourteen~~ fifteen feet in height.

21.41.030 Prohibited signs.

A. The following signs, as defined in this chapter, are prohibited in all zones of the city, unless a more specific provision or city policy allows them at certain times and places:

8. Digital display signs, ~~except at regional commercial centers that satisfy all of the following criteria: a) are designated Regional Commercial (R) by the General Plan, b) are located within a Master Plan or Specific Plan and c) have frontage on a freeway (I-5 or SR 78);~~

21.41.050 Application and permit procedures.

A. Sign Permit Required

5. In the Coastal Zone, unless otherwise exempt under applicable policies of the city's certified LCP, any person proposing signage governed by this Chapter shall also obtain a coastal development permit with the exception of a new wall sign or the change of copy of an existing wall sign both of which shall be exempt from this requirement.

21.41.070 General sign standards.

The following sign standards shall apply to all signage within the city.

A. Sign Area.

1. Sign area is computed as follows:

a. Wall, Retaining Wall, ~~Monument, Suspended~~, Fascia, Awning, Window and Landscape/Hardscape Feature Signs.

i. Sign area shall be computed by measuring the smallest square, rectangle, triangle, circle or combination thereof, that will encompass the extreme limits of the graphic image, writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the message or display or otherwise used to differentiate the sign from the backdrop or structure against which it is placed.

ii. Sign area does not include any supporting framework or bracing unless such

is designed in a way as to function as a communicative element of the sign.

b. Pole Signs.

i. Sign area shall be computed as the area of the surface(s) upon which the sign message is placed including the supporting column(s) if decorated or displayed with advertising.

c. Multi-Faced Signs.

i. The sign area for a two-sided or multi-faced sign shall be computed by adding together the area of all sign faces visible from any one point.

ii. When two sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same structure, the sign area shall be computed by the measurement of one of the faces.

iii. In the case of a sign of spherical or cylindrical shape, the area of the sign shall be one-half of the surface area.

d. Flags, Banners, Pennants, etc.

i. Sign area is the entire surface area, one side only.

e. Monument, Freestanding and Suspended Signs.

i. Sign area shall be computed by measuring the entire area contained within the frame, cabinet, monument, monument base or fixture.

21.41.090 Coastal zone sign standards.

A. The following sign restrictions apply to properties in the coastal zone except the Agua Hedionda Lagoon and Carlsbad Village Review segments. If there is a conflict between the coastal zone sign standards of this section and any regulations of this chapter, the standards of this section shall prevail. Otherwise, within the coastal zone, the sign regulations of this chapter shall apply.

1. Each business or establishment shall be entitled to one façade sign.
2. Each shopping complex shall have only one directory sign which shall not exceed ~~fourteen~~ fifteen feet in height, including mounding.
3. Monument sign height including mounding shall not exceed eight feet and shall apply where three or fewer commercial establishments exist on a parcel.
4. Tall freestanding and roof signs shall not be allowed.
5. Off-premises signs shall not be allowed.

21.41.095 Permitted permanent signs.

Table B states the criteria for a permit for permanent signs for each type of development and/or corresponding zones. In addition to the type of sign permitted, Table B provides the maximum number, maximum sign area, maximum sign height and letter height, permitted location and other standards.

Table B
Permanent Signs Permitted by Type of Development and Zone With a Sign Permit

Type of Development and/or Zone	Type of Sign	Maximum Number of Signs	Maximum Sign Area	Maximum Sign/Letter Height	Location	Additional Sign Standards – See Sections 21.41.070 – 21.41.090 and those listed below
Regional Commercial Center	Pole	1 per center	150 square feet per sign	35 feet above average grade	Primary project entrance or in a location approved by the city planner.	1. Pole sign is allowed in addition to other signs permitted for Commercial Centers.

Table B

Permanent Signs Permitted by Type of Development and Zone With a Sign Permit (Continued)

	Digital Display					Regional commercial centers that satisfy all of the following criteria: a) are designated Regional Commercial (R) by the General Plan, b) are located within a Master Plan or Specific Plan and c) have frontage on a freeway (I-5 or SR 78) may include digital display sign(s) subject to the approval of a conditional use permit (CUP) by the City Council. The CUP will include detailed digital display sign development standards and is subject to required findings by the City Council.
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