



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: April 11, 2017
TO: Ordinance Committee
FROM: Planning Division, Community Development Department
SUBJECT: Re-establishment Of The Sign Committee

RECOMMENDATION:

That the Ordinance Committee:

- A. Review and consider draft ordinance amendments to Santa Barbara Municipal Code Chapter 22.70 (Sign Regulations) to re-establish the Sign Committee to full committee status; and
- B. Recommend that the ordinance amendments be forwarded to the City Council for adoption.

DISCUSSION:

Background

Beginning in 2009, in response to the economic downturn and staffing reductions, Community Development Department managers worked with an ad-hoc committee consisting of various Board and Commission members to develop a list of ideas to reduce workload and manage assignments. One idea proposed was a scaled-down and reconstituted Sign Committee, to allow for reduced staffing with anticipated lower revenue and workload volumes. As part of those discussions, the existing Sign Committee members agreed to support the reconstitution of the Sign Committee on a "temporary basis" so long as it would be re-established after the economy recovered.

In early 2010, Council was advised during budget discussions that the expected attrition of Planning Division staff would affect workloads and change work priorities. The Council Ordinance Committee was presented with specific changes as to how the City could adjust its application review process with less Planning staff. In November 2010, Council voted to reduce the Sign Committee from five members to four members and revised the membership criteria and meeting procedures. Prior to 2010, the stand-alone five-member Sign Committee met bi-weekly and had Planning and Administrative staff support to manage the agenda and prepare meeting minutes. In 2010, the committee was reduced to four members, two of which are concurrent Architectural Board of Review (ABR) and

Historic Landmarks Commission (HLC) members appointed by their respective bodies, and the Sign Committee meetings were changed to coincide with the regular ABR and HLC Consent Calendar review meeting days. The number of sign applications reviewed at the Conforming Review level was also expanded. These revisions to the Sign Committee composition were intended to be temporary.

Over six years later, current Sign Committee members have requested reinstatement of the Sign Committee to its full committee status, citing the improved economy and that a re-established Sign Committee will improve the consistency of sign application reviews.

Proposed Sign Committee

Some minor composition changes are proposed as part of the re-establishment of the Sign Committee. The Sign Committee is proposed to be reinstated to full committee status with three primary at-large members instead of five members. Two alternates, one each from ABR and HLC, would only be used if needed to meet quorum requirements. The change to eliminate the ABR and HLC members as regular Sign Committee members will reduce the time commitment for these already busy design board members (Attachment 1 – Draft Ordinance).

Staff recommends reducing the size of the Sign Committee from five members (as it existed from 1995 to 2010) to three members to address the ongoing challenge to recruit a sufficient number of citizen volunteers to serve. The timing of this proposal would allow for Sign Committee assignments to be made from the upcoming mid-year Advisory Board recruitment. The two existing Sign Committee members (Natalie Cope and Bob Cunningham) have agreed to continue serving as the two design professionals on the re-established committee. The upcoming recruitment effort would seek an at-large candidate who is a business owner or a real estate professional (Attachment 2 – Proposed Sign Committee Membership).

Finally, an update to the Sign Review Guidelines is proposed to reflect the minor changes to the sign review process and the re-established full Sign Committee. The Sign Committee would hold bi-weekly meetings, on Tuesdays at 9:00 a.m., in the David Gebhard Public Meeting Room.

Expected Impacts

As development activity in the City has increased over the past several years, ABR, HLC, and sign application workload has also increased, impacting the ABR and HLC Planning Technicians who currently split Sign Committee staffing duties. The re-establishment of the Sign Committee will result in some positive workload changes, including one less meeting per week and reassignment of Sign Committee duties back to a dedicated Planning Technician. Planning Division staff expects to be able to meet the staffing needs of a stand-alone Sign Committee, as the proposed composition would result in a decrease

in the number of meetings to review sign applications. Administrative staff support to the committee will increase slightly over the existing level of support, due to the need for clerical staff to attend the Sign Committee meetings and prepare minutes. Sign Committee members have not historically received a stipend; therefore, no significant expenditures are required. Some initial staff work will be necessary to implement these process changes.

Conclusion

The City of Santa Barbara has long recognized that signs are an integral part of the cityscape and, as such, can detract from or enhance the City's image and character. The reduction of the Sign Committee membership and the abbreviated sign review process enacted in 2010 was a result of the economic slowdown, and has functioned adequately on a temporary basis over the past six years. Planning staff supports the request from Sign Committee members to re-establish the Sign Committee and recognizes the importance of an engaged stand-alone Sign Committee to provide improved sign enforcement and consistent sign reviews. The goal of this change is to ensure better coordination of sign application reviews so all Sign Committee members are made aware of application decisions.

ATTACHMENTS: 1. Draft Ordinance Amendments to SBMC Chapter 22.70
2. Proposed Sign Committee Membership

PREPARED BY: Jaime Limón, Senior Planner II

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

**ORDINANCE COMMITTEE DRAFT APRIL 11, 2017
SHOWING CHANGES FROM EXISTING CODE
NEW PROVISIONS IN UNDERLINE
DELETIONS IN ~~STRIKE OUT TEXT~~**

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE 22 OF THE SANTA BARBARA MUNICIPAL CODE RELATING TO THE RECONSTITUTION OF THE SIGN COMMITTEE, AMENDING SECTION 22.70.050 OF TITLE 22 RELATING TO SIGN PERMITS

Section One. Section 22.70.050 of Title 22 of the Santa Barbara Municipal Code is hereby amended to read as follows:

22.70.050 Sign Permits.

A. **APPLICATION.** Any person desiring to construct, maintain or display a sign for which a permit is required shall submit an application to the Planning Division of the Community Development Department. The application shall be made upon forms provided by the Community Development Department and shall be accompanied by the following materials:

1. Two copies of a plan showing:
 - a. The position of each sign and its relation to adjacent buildings or structures.
 - b. The proposed design, size, colors, and location on the premises of each sign including the type and intensity of any proposed lighting.
2. A statement showing the sizes and dimensions of all signs existing on the premises at the time of making such application.
3. Such other information as the Director of the Community Development Department may require to show full compliance with this and all other ordinances of the City of Santa Barbara.
4. A written authorization to submit the sign permit application signed by the property owner or lessee.

B. **FEES.** The sign permit application shall be accompanied by the appropriate fee established by the City Council by resolution. If installation of a sign is commenced before an application for a permit is made or before the plans are approved by the Sign Committee, the applicant shall be charged an additional field inspection fee equal to the permit fee.

C. **PROCESSING APPLICATIONS.**

1. Community Development Department staff shall review the application and accept it as complete or reject it as incomplete within three (3) working days from the date of filing.
2. No sign permit application will be accepted if:
 - a. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of the submission of the application, each illegal sign has not been legalized, removed or included in the application; or
 - b. Any sign under the control of the applicant on the premises

of the proposed sign was installed in violation of this Chapter and at the time of submission of the application, each illegal sign has not been legalized, removed or included in the application; or

c. The sign permit application is substantially the same as an application previously denied by staff or the Sign Committee or, on appeal, by the Historic Landmarks Commission, the Architectural Board of Review, or the City Council, unless:

(i) Twelve (12) months have elapsed from the date of the final decision on the application; or

(ii) New evidence or proof of changed conditions is furnished in the new application.

3. Assignment of Level of Review. Community Development Staff will review each sign permit application and assign each complete application to one of ~~three~~ two review categories: conforming review, ~~consent review~~, or full board review. Sign permit applications will be assigned to conforming review based on the criteria found in Section 22.70.050.E. Most other sign permit applications will be assigned to ~~consent~~ full board review including ~~Sign permit~~ applications that involve multiple exception requests, a large number of signs, or a large volume of signage. ~~will be assigned to full board review. Prior to a hearing on Consent Review, any member of the Sign Committee, Architectural Board of Review, or the Historic Landmarks Commission may request that an application assigned for consent review be re-assigned for full board review.~~

D. **BUILDING AND ELECTRICAL PERMITS.** After a sign has been approved by the Sign Committee, the applicant shall obtain all required building and electrical permits from the Building and Safety Division of the Community Development Department.

E. **~~CONFORMING AND CONSENT SIGN REVIEW.~~**

1. Sign Conformance Determination. Applications for signs conforming to the Sign Ordinance and Sign Review Guidelines may be eligible for review and approval by the Chair or Vice-Chair of the Sign Committee or their designated alternate. Conforming signs which meet the following criteria shall be referred by Staff for Conforming Sign Review:

a. Signs where the size, shape, color, placement, and any lighting of the sign are consistent with adopted guidelines;

b. Signs located within El Pueblo Viejo Landmark District that comply with the requirements of Section 22.70.040.B and would be compatible with the required architectural style described in Section 22.22.104;

c. Minor wording, name, color and/or face changes which do not affect the character or location of a sign;

d. Signs for a commercial or industrial complex where a previously approved sign program is in effect and the proposed sign conforms to the program;

e. Thirty (30) day extension of temporary signage;

f. Conceptually approved signs, if all Committee conditions are met; and

g. Awning signs.

~~Sign~~ applications which do not meet ~~these~~ specific criteria above may be referred by Staff or the Chair, Vice-Chair or their designated alternate for Conforming Sign Review, if deemed appropriate. In addition, the full board Sign Committee may also direct some projects or portions of projects to Conforming Sign Review for approval.

2. Conforming Review. Conforming reviews are conducted by any one (1) member of the Sign Committee.

~~3. Consent Review. Consent reviews are conducted by any two (2)~~

~~members of the City Committee.~~

~~4. Standard of Review and Findings. Conforming Review and Consent Review are conducted using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.~~

~~F. FULL BOARD REVIEW. Full Board Review is conducted by the ABR or, if the sign is located in El Pueblo Viejo Landmark District or the sign is proposed on a site that is a designated historic resource or potential historic resource, the HLC. When conducting a Full Board Review of a sign permit application, the ABR or HLC shall assume the role of the Sign Committee, as provided in Chapter 22.70 and amended by this ordinance. The ABR or HLC shall employ the current adopted Sign Review Guidelines and shall conduct its review using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.~~

F. PERMITS REVIEWED BY THE SIGN COMMITTEE. The Sign Committee shall take action to approve, conditionally approve or deny an application within twenty one (21) days from the date of acceptance thereof. If no action is taken by the Sign Committee within said period or within any extension approved by the applicant, the application shall be deemed approved as submitted, provided the proposed sign otherwise complies with the provisions of this Chapter.

G. SIGN REVIEW CRITERIA.

1. In reviewing a sign permit application, staff and the Sign Committee shall apply the following criteria as the basis for action:

- a. The sign shall be in proportion with and visually consistent with the architectural character of the building.
- b. The sign shall not constitute needless repetition, redundancy or proliferation of signing.
- c. The location of the proposed sign and the design of its visual elements (lettering, colors, decorative motif, spacing and proportion) shall result in a sign which is legible under normal viewing conditions existing at the sign's proposed location.
- d. The sign shall not obscure from view or unduly detract from existing signing.
- e. If the proposed sign will be adjacent to, in or near a residential area, it shall be harmonious and compatible with the residential character of the area.
- f. The size, shape, color and placement of the sign and any lighting shall be compatible to and harmonious with the building which it identifies and with the area in which it will be located.
- g. If the sign is to be located in El Pueblo Viejo Landmark District, the sign shall comply with the requirements of Section 22.70.040.E and shall be compatible with the required architectural style described in Section 22.22.104.

2. If a sign permit application satisfies the above criteria and complies with the other provisions of this Chapter, it shall be approved.

H. **FINDINGS.** If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this Chapter shall be prepared in writing and mailed to the applicant or his agent and sign contractor within seven (7) days.

I. **APPEALS.** The applicant or any interested person may appeal decisions concerning sign permit applications as follows:

1. Appeals to the Architectural Board of Review or the Historic Landmarks Commission. Any action of the Sign Committee or of the

Division staff may be appealed by the applicant or any interested party to the Architectural Board of Review or, if the sign is in El Pueblo Viejo Landmark District or if the sign is proposed on a site that is a designated historic resource or potential historic resource, to the Historic Landmarks Commission. Said appeal shall be in writing, shall state reasons for the appeal and shall be filed with the staff of the Architectural Board of Review or the Historic Landmarks Commission within ten (10) days of the meeting at which the decision being appealed was rendered. A hearing shall be held by the Architectural Board of Review or the Historic Landmarks Commission, as appropriate, at the first available meeting of the Architectural Board of Review or the Historic Landmarks Commission following the filing of the appeal. Notice of the time and place of the hearing shall be sent to the applicant and appellant no later than five (5) days prior to said hearing. The Board or Commission may affirm, reverse or modify the decision of the Sign Committee or staff concerning the sign permit application. Said action shall take place within twenty-eight (28) days from the date of the filing of the appeal. Failure to act within said period will result in the sign permit application being deemed approved to the extent that it complies with the provisions of this Chapter. Upon such an automatic approval, the Division of Land Use Controls shall issue the permit. No member of the Board or Commission who is also a member of the Sign Committee and who participated in the decision of the Sign Committee shall act on the appeal.

2. Appeal to the City Council. An appeal to the City Council from the decision of the Architectural Board of Review or the Historic Landmarks Commission shall be made pursuant to the provisions of Section 1.30.050 of this Code.

J. **EXPIRATION OF PENDING APPLICATION.** Signs must be installed within six months of the date of approval or the approval is void, unless the applicant has requested and received an extension not exceeding six (6) months from the Community Development Director. (Ord. 5537, 2010; Ord. 5444, 2008; Ord. 5136, 1999; Ord. 4917, 1995; Ord. 4850, 1994; Ord. 4484, 1987; Ord. 4259, 1984; Ord. 4101, 1981.)

Membership	Three Members and Two Alternates
Qualifications	<p>At least two members shall possess professional experience in related fields, including but not limited to, landscape architecture, building design, structural engineering, or industrial design. One of the three members with experience as a business owner or real estate professional is highly desirable.</p> <p>One alternate member from the Architectural Board of Review shall be appointed annually by the Architectural Board of Review and who shall serve as backup to meet minimum quorum requirements.</p> <p>One alternate member from the Historic Landmarks Commission shall be appointed annually by the Historic Landmarks Commission and who shall serve as backup to meet minimum quorum requirements.</p>
Length of Term	<p>Four years and until successors are appointed and qualified. Staggered terms expire on December 31 of the appropriate year. No member shall serve for more than two consecutive four-year terms or an uninterrupted period of more than eight (8) years. Members from the ABR and Historic Landmarks Commission shall serve terms concurrent with their terms on said board or commission, and shall serve only so long as they are members of said board or commission.</p>
Meeting Schedule	The Committee meets biweekly, every other Tuesday at 9:00 a.m., in the David Gebhard Public Meeting Room, 630 Garden Street. Please check the meeting schedule on the City Calendar.
Time Involved	Approximately 6 – 8 hours per month for meetings and related activities.
Financial Disclosure Requirement	Members must file a Statement of Economic Interests upon appointment, annually and when leaving the advisory group.
Compensation	None
Staff	Design Review, Community Development Department, (805) 564-5578
Reference	City Charter Sections 800 - 805, and 817; Municipal Code Chapter 22.70; Resolution Nos. 10-092, 10-091, 06-084, 95-083, 90-028, 81-053, and 79-093; Ordinance No. 5537