

CITY COUNCIL ORDINANCE 24-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00946138-PZC TO AMEND SECTION 7-3-3 OF CHAPTER 7-3 OF DIVISION 7 OF ZONING ORDINANCE RELATING TO SIGN TYPE #107 TEMPORARY NON-COMMERCIAL SIGNS

WHEREAS, the City of Irvine (the "City") is a municipal corporation and a Charter City, pursuant to which the City has the right and power to make and enforce all laws and regulations in respect to municipal affairs and certain other matters in accordance with and as more particularly provided in Section 3, 5, and 7 of Article XI of the Constitution of the State of California and Section 200 of the charter of the City (the "Charter"); and

WHEREAS, signs are an essential element of any community, and that with proper regulation they may be designed and displayed to effectively communicate their message and add a sense of vitality and originality to a site while continuing to be appropriate to their surroundings; and

WHEREAS, the City has adopted comprehensive regulations, located in the City's Zoning Ordinance, concerning signs within the City to protect the public health, safety and welfare, including through the promotion of traffic safety and community aesthetics interests; and

WHEREAS, the proposed Zone Change will amend portions of Zoning Ordinance Section 7-3-3 regarding Sign Type #107 Temporary Non-Commercial Signs to limit the length of time that a non-event based sign is in place to thirty-nine (39) days; change timing before a specific event that a sign may be installed from sixty (60) days to thirty-nine (39) days; clarify that the term "event" for an election is election day itself rather than the beginning of the early voting period; and indicate that for a District-based election, signs related to that event are only allowed within the District that is subject of the election and not City-wide; and

WHEREAS, to provide efficient service to the community, if a candidate uses less than two hundred fifty (250) signs for an election, City staff will collect those signs after the election at no expense to the candidate; and

WHEREAS, the full text of the proposed changes is attached to this Ordinance as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the City Council of the City of Irvine considered the proposed Zone Change and information presented by City staff and the public at a duly-noticed public hearing held on January 14, 2025; and

WHEREAS, the City has determined that the amendments contemplated herein are not considered a "project" pursuant to CEQA, and if a project are exempt from CEQA pursuant to applicable CEQA Guidelines.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY ORDAIN as follows:

SECTION 1. The Recitals set forth above are incorporated herein by this reference.

SECTION 2. Section 7-3-3 of the Zoning Ordinance related to Sign Type #107 Temporary Non-Commercial Signs is amended and replaced to read in its entirety as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. If a candidate uses less than two hundred fifty (250) signs for a specific election, City staff will collect those signs after the election at no expense to the candidate.

SECTION 4. Pursuant to the reservation of powers in Section 200 of the Charter of the City of Irvine and the carve-out for applicability to charter cities in Government Code section 65803, which applies to all Articles (1 through 4, inclusive) and Sections (65800 through 65912, inclusive) of Chapter 4 of Division 1 of Title 7 of the Government Code, and based on the nature of planning and zoning as a municipal affair, the consideration and adoption of this Ordinance is exempt from the procedures set forth in Article 2 of Chapter 4 of Division 1 of Title 7 of the Government Code related to the adoption of planning and zoning regulations.

SECTION 5. The City Council hereby exempts this Ordinance only from the requirements of Irvine Zoning Code section 2-38-5 based on the unique nature of the sign regulation revisions proposed in Exhibit "A."

SECTION 6. The City Council finds and declares as follows:

- a. The proposed zone change is consistent with the City of Irvine General Plan in that it will maintain existing sign regulations but impose new geographic and timing requirements that will benefit overall aesthetics in the City.
- b. The proposed zone change does not implicate any applicable concept plan.
- c. The proposed zone change does not involve any program for the dedication for permanent open space through a specified phased implementation program.
- d. The proposed zone change is in the best interest of the public health, safety, and welfare of the community in that it will preserve the ability to display non-commercial sign when and where appropriate without unnecessarily cluttering public spaces at other times.

- e. The proposed zone change does not implicate the adequacy of sewer and water lines, utilities, sewage treatment capacity, drainage facilities, police protection, fire protection/emergency medical care, vehicular circulation and school facilities.
- f. To the extent the proposed zone change affects land located within the coastal zone, it will comply with the provisions of the land use plan of the certified local coastal program.


SECTION 7. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15060(c)(2) and 15061(b)(3) in that the proposed changes are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment and it can be seen with certainty that they will not have the potential of creating a significant effect on the environment.

SECTION 8. 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, then such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Irvine hereby declares the Council would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that anyone or more sections, subsections, sub-divisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional, invalid, or ineffective.

SECTION 9. This Ordinance shall take effect 30 days from the date of its adoption.

SECTION 10. The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to the passage and adoption of this Ordinance and cause this Ordinance to be published using the alternative summary and posting procedure authorized under Government Code Section 36933.

PASSED AND ADOPTED by the City Council of the City of Irvine at an adjourned regular meeting held on the 14th day of January 2025.

  
MAYOR OF THE CITY OF IRVINE

ATTEST:

  
CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)  
COUNTY OF ORANGE ) SS  
CITY OF IRVINE )

I, CARL PETERSEN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was introduced for first reading on the 12th day of December 2024, and duly adopted at an adjourned regular meeting of the City Council of the City of Irvine, held on the 14th day of January 2025.

AYES: 6 COUNCILMEMBERS: Carroll, Go, Liu, Mai, Treseder, and Agran  
NOES: 0 COUNCILMEMBERS: None  
ABSENT: 0 COUNCILMEMBERS: None  
ABSTAIN: 0 COUNCILMEMBERS: None

  
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CITY CLERK OF THE CITY OF IRVINE

# EXHIBIT A

§7-3-3

CITY OF IRVINE ZONING CODE

## SIGN TYPE #107 TEMPORARY NON-COMMERCIAL SIGNS

|                                |   |
|--------------------------------|---|
| Sign location:                 | <p>In public right-of-way; or on private property with owner's consent. Not on City traffic signs, signals, or devices including directional signs, advisory signs, and regulation signs.</p> <p>Not attached to any object located in the public right-of-way. Outside of sight distance triangles and not obstructing regulatory signs, traffic signal controllers, or driver's view. Maximum of one substantially similar sign per intersection. Signs located in the public right-of-way must be spaced a minimum of 12 inches from another sign.</p>   |
| Maximum sign size:             | <p>3 square feet, if located within 150 feet of an intersection. Dimensions of the sign shall be 18 inches by 24 inches.</p> <p>12 square feet, if not located within 150 feet of an intersection. Dimensions of the sign shall not exceed 3 feet by 4 feet.</p>  |
| Maximum sign height:           | <p>Top of sign may be 3 feet above the ground if located in public right-of-way within 150 feet of an intersection.</p> <p>Top of sign may be 6 feet above the ground, but not located within the public right-of-way and not within 150 feet of an intersection.</p> <p>Top of sign may be 20 feet above the ground for a wall-mounted sign, if not located in public right-of-way.</p>  |
| Sign illumination:             | None.   |
| Sign installation and removal: | <p>Signs unrelated to a specific event may remain in place for 39 days and must immediately thereafter be removed. If a sign is not removed immediately after the end of the 39-day period, then the City may recover costs of sign removal from the person/organization to which the sign relates. Signs related to a specific event (e.g., election) may be installed no earlier than 39 days prior to the event to which the sign relates and must be removed no later than 10 days after the event to which the sign relates. If a sign is not removed within the 10-day period, then the City may recover costs of sign removal from the person/organization to which the sign relates. In addition, if a sign is installed earlier than 39 days prior to the event to which the sign relates, then the City may recover costs of sign removal from the person/organization to which the sign relates. In the case of an election, the event</p> |

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# EXHIBIT A

is election day rather than the start of the early voting time period. In the case of a District election, signs are only allowed within the boundaries of the District that is the subject of the election, and not City-wide. The above provisions are subject to the following exceptions: (1) no more than four signs on City-owned public property within 250 yards of any freeway onramp or offramp shall be permitted, and (2) no more than four signs may be placed on public property at or within 250 yards of a vote center on days when the vote center is open.

Permit required?

No.

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)  
COUNTY OF ORANGE ) ss  
CITY OF IRVINE )

I, CARL PETERSEN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that on the 14th day of January 2025, I caused to have published and posted a foregoing true and correct copy of Ordinance No. 24-23 of the City of Irvine in the following public places in the City:

- 1) Digital Board at Main Entrance of City Hall, Irvine.
- 2) Digital Board at Lakeview Senior Center, Alton Avenue and Lake Road, Irvine.
- 3) Digital Board at Northwood Community Center, Yale at Bryan Avenue, Irvine.
- 4) Digital Board at Rancho Senior Center, at Ethel Coplen Way, Irvine.
- 5) Digital Board at William Woollett Jr. Aquatics Center, at Walnut Avenue, Irvine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City Council of the City of Irvine, California, the 14th day of January 2025.

  
CITY CLERK OF THE CITY OF IRVINE