

CITY OF **LACAÑADA FLINTRIDGE**

**RESOLUTION NO. 17-07**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LA CAÑADA FLINTRIDGE  
APPROVING VARIANCE 16-06  
FOR A NEW MONUMENT SIGN  
CONSTITUING THE 2<sup>ND</sup> GROUND SIGN  
ON A LOT WITH LESS THAN 200 FEET OF FRONTAGE  
AND WITHIN 50 FEET OF AN EXISTING POLE SIGN  
AT 1537 FOOTHILL BLVD.  
AS REQUESTED BY  
LA CANADA IMPORTS**

WHEREAS, a request by La Canada Imports has been received for a new monument sign at 1537 Foothill Blvd., said request attached hereto and incorporated herein by reference; and

WHEREAS, the Design Commission, on January 19, 2017, held a public meeting and conducted a preliminary review of the request as advisory to Planning Commission entitlement review for a Variance; and

WHEREAS, the Design Commission, on February 2, 2017, adopted Resolution 17-02, recommending approval of Variance finding "E" as related to design and siting issues associated with the request; and

WHEREAS, the Planning Commission, on February 14, 2017, following public notice in the prescribed manner, held a public hearing and conducted a review of the request; and voted to approve the request, with direction to revise applicable findings prior to resolution adoption; and

WHEREAS, in compliance with the California Environmental Quality Act, the Planning Commission reviewed the Initial Study Questionnaire and related materials and hereby determines that the project will have no significant impact on the environment, and is Categorically Exempt from the requirements of the California Environmental Quality Act under Section 2.5(i)(1)(signs) of the City of La Canada Flintridge Guidelines for the Implementation of CEQA; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated February 14, 2017, regarding the application for Variance approval at 1537 Foothill Blvd. and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission makes the following findings:

- A. Because of special circumstances or exceptional characteristics applicable to the property, the strict application of this code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification because the request offers needed and reasonable compensation for loss of a corner pole sign that served the subject business for years, removal of which was mandated by the City due to the liability created by the sign's location within the City's public right-of-way (ROW), which has reduced the business's exposure and visibility. The subject property is of unique configuration because of its corner location and unusual shape, constrained by public ROW to the west and south and reduced frontage served by three driveways. As such, opportunities for the siting of a new monument sign are greatly reduced. The site is currently occupied by two businesses with established patterns of ingress/egress, which further justifies use of two separate monument signs in order to provide adequate tenant identification as seen from the City's primary commercial thoroughfare, Foothill Blvd. Across the street to the south, a property of similar size and configuration is distinguished by an excess number of ground signs, with which the request would be consistent. The removal of a nonconforming pole sign within the City's ROW and its replacement with a monument sign of improved scale and design is regarded as a special circumstance and worthy project and City benefit.
- B. The adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated because the requested Variance will not allow any modification of use beyond those permitted in the zone, and the consideration of signage outside of code limitations is justified by the uniqueness of the property and pre-existing circumstances, most notably removal of the long-standing corner pole sign. This relief is available on a case-by-case basis to all properties through the same variance process as needed, with said process previously utilized to grant deviation from code upon demonstration of exceptional circumstances and special need, as has been demonstrated in the case of the project.
- C. Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards because the size and unique configuration of the subject property along with the non-conforming pole sign currently precludes introduction of any new monument sign. As such, replacement of the business's long-standing pole sign at the corner is not possible at this time without some form of code relief. Due to these considerations, strict conformance to code would unduly limit tenant

identification and prevent attainment of aesthetic improvement within the project and immediate commercial district.

- D. Such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity because the new monument sign would be proximate to and visible from the street, but would be of improved scale and design, presenting no visual conflicts with other properties or businesses in the immediate area. With a sidewalk depth and corresponding setback from Foothill Blvd. of approximately 12-13 feet, no significant line-of-sight issues were identified with the sign's placement.
- E. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic values in the neighborhood because the sign would be properly scaled and reasonably sited when considering the site's constraints. It would also be of quaint and nuanced design, consistent with the character of the Old Town District. This in turn is complementary to the appearance of the subject property and larger commercial district, which benefits from removal of a non-conforming pole sign and the improved aesthetics of the new monument sign. The sign will also be built in compliance with all current building codes.

NOW, THEREFORE, be it resolved that the Planning Commission approves Variance 16-06 for a new monument sign at 1537 Foothill Blvd., subject to the conditions listed in Exhibit "A", attached to this resolution.

**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of February, 2017.

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Chair of the Planning Commission

ATTEST:

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Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**VARIANCE 16-06**  
1537 Foothill Blvd.  
La Canada Imports

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Variance 16-06.
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the project plans labeled Variance 16-06, except as otherwise stated in these conditions, or modified through further review by the Design Commission.
5. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
  - a. All zoning and related approvals are effective; and
  - b. All required building and grading permits for the project have been issued; and
  - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable

legal standards for determining when vested property rights to complete the project have arisen.

6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
7. This approval is subject to the applicant paying all fees, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. This includes payment for contracted staff services as invoiced to the City.
8. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
9. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Variance. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
11. All construction/contractor parking shall be on-site only. If it is deemed by the Community Development Director or the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development or Planning Commission. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of

construction materials shall occur on Sundays or City recognized holidays.

12. Prior to submittal for plan check and permits, final review and approval of the sign by the Design Commission shall be required.
13. The sign shall be sited entirely on private property, as verified by field markings subject to inspection prior to issuance of permits.
14. The adjacent parking space shall be preserved. Minor adjustments to the size and location of the sign shall be allowed to ensure this.
15. Exterior lighting of the sign shall be of appropriate intensity. Overly bright lighting shall not be allowed. Field verification to this effect by the Director of Community Development or his designee shall be required. Adjustments to said intensity, if deemed necessary, shall be completed prior to final clearance/approval.
16. Final sign location shall be reviewed and approved by Public Works for line-of-sight safety and visibility prior to permit issuance and installation.

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