

REPORT TO CITY COUNCIL

DATE: APRIL 27, 2005

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: SIGN ORDINANCE REVISIONS - CONDUCT A PUBLIC HEARING AND INTRODUCE ORDINANCE NO. 05-330; AMENDING CHAPTER 6, PART 2, DIVISION 5-SIGN REGULATIONS, §9655-9655.8 AND PART 3, DIVISION 6-VARIANCE AND MODIFICATION, APPLICATION PROCEDURES, §9676.2, PART 6, OA - OLD AGOURA DESIGN OVERLAY DISTRICT, §9554.5 SIGNS, IN THE CITY OF AGOURA HILLS MUNICIPAL CODE AND ADOPTION OF SIGN DESIGN GUIDELINES

On March 23, 2005, the City Council held a public hearing to consider a comprehensive update to the City's sign regulations and the adoption of sign design guidelines. Since the City Council requested a number of changes to the ordinance, the ordinance was not introduced by the Council and staff was directed to return at a future date after further research on the issue items was completed. Staff re-noticed the public hearing and the Council will need to open the public hearing to discuss the proposed revisions.

Revisions to the code sections regarding variance/modification, and the Old Agoura Overlay were also considered as they apply to signs. A final copy of the proposed revisions to the sign regulations (Attachment B), Variance and Modifications (Attachment C), Old Agoura Overlay (Attachment D) and Sign Design Guidelines (Attachment F) are attached.

Staff has created a redline of the changes made to the sign regulations and sign design guidelines since the March 23rd hearing. These changes address comments received from the Council members and additional review by staff. Attachment G provides options for proposed language to address temporary commercial and business park real estate signs.

During the March 23rd public hearing, the Council raised several issues which staff has summarized below. All of the Councilmembers raised issues regarding temporary real estate signs for commercial and business park buildings so this item is addressed in a separate section of the staff report.

Summary of Council Comments

Mayor Corridori expressed concern about the following items: temporary real estate signs, allowing multi-tenant freeway facing signs, regulations of vending machines and provisions related to the Director's approval. The issue of multi-tenant real estate signs is addressed in Section 9655.8 B.j. which indicates only one freeway facing sign is allowed for each building. This will prevent multiple signs on multi-tenant buildings. All freeway facing signs, including the illumination thereof, must be approved by the Planning Commission through a sign program which adds further protections on the number and design of freeway facing signs. Also, freeway facing signs are limited to 25 square feet or 50 square feet if a primary sign facing a public street is eliminated.

Director approval is limited to sign permits which are typically over the counter signs approved consistent with an approved sign program. The current language in the revised Ordinance allows sign modifications to increase size or height up to 30% only with Planning Commission approval. The Director would not be allowed to approve changes to an approved sign unless that approval is set forth in the conditions of approval which typically allow the Director to make minor design changes.

Staff researched the issue of regulating signs located on vending machines. If the Council wished to regulate these signs, staff would recommend exempting the sign for a sign permit if they met the following standards. This language is used in other cities to address the issue of signs on vending machines.

“Vending Machine Signs: Permanent signs painted on or attached to vending machines, gas pumps, ice containers or similar dispensing devices, may be displayed without permit so long as they are oriented primarily to pedestrians on the property and not towards the street, and the message or copy thereon relates to the items vended by such machine. Vending machine signs may not display off site commercial messages.”

However, one of the concerns raised by Mayor Corridori dealt with the visual prominence of vending machines and the illumination. If the Council wished to further regulate vending machines, staff will return at a later date with recommendations on regulating vending machines as the sign ordinance may not be the best place to regulate issues such as placement and illumination.

Councilmember Edelston raised the following issues: temporary real estate signs, maintenance of signs, creating separate standards for lighting in Old Agoura, advertising of lease opportunities for commercial properties on the City's web page and working with surrounding cities to educate businesses located in their City that place unauthorized signage in the City of Agoura Hills. The maintenance of signs is addressed in Section 9655.6 F. of the proposed Ordinance. This issue is handled through code enforcement when a sign is in obvious disrepair (broken, warped, etc.) and in fact, staff has required the removal and/or repair of signs in the past. However, in some instances the maintenance is more subjective and is harder to enforce. This would be the case, for example, if the lettering on a wood sign was starting to fade.

The Summary of Changes (Attachment H) addresses the issue of lighting of signs both in Old Agoura and citywide. Requiring lighting of signs to be turned off both in Old Agoura and citywide will increase the need for code enforcement. On the issue of placing information about the lease or sale of commercial real estate on the City's web page or working with other cities regarding the regulation of businesses located in their cities, if directed by the Council, staff will contact local commercial real estate brokers and surrounding cities to determine if there is interest in participating in those efforts.

The issue of temporary commercial and business park real estate signs was addressed by Councilmember Kuperberg who discussed the fact that the proposed temporary real estate signs language would not address the issue of the design of the sign and Councilmember Weber who wanted to require smaller temporary real estate signs. Councilmember Reinhardt expressed an interest in requiring addresses to be placed on all monument signs and questioned whether the City could seek reimbursement for sign violations. The issue of temporary real estate signs is addressed below. The City Attorney advised that while the City could require payment of a security deposit at time of sign issuance, if the City wanted to keep any of the deposit due to a sign code violation; they would need to hold a hearing. Staff is seeking direction whether Council wanted to require addresses on all monument signs. While addresses can be valuable to public safety personnel, typically shopping centers or business complexes are often identified by the major tenant or name of the center or complex.

Temporary Real Estate Signs

At the conclusion of the March 23rd hearing, the City Council directed staff to complete further research on temporary for lease or sale signs located in commercial and business park complexes in order to develop additional options for regulating them. The City Council felt that many "temporary" real estate signs remain up permanently and are installed using temporary materials (such as plywood) without regard to established design criteria. This same concern was expressed by the Sign Committee and Planning Commission.

The Planning Commission had recommended that all commercial real estate signs be required to obtain a Temporary Use Permit which would allow staff to monitor the length of time the sign is installed and require the removal of the sign after an established time period. The City Council felt additional regulations were needed because many multi-tenant buildings often have numerous vacancies that occur over time which would allow the temporary sign to remain up for long periods of time without regard to the design or maintenance of the sign.

Staff has developed the following options for City Council consideration:

- 1) Require a sign permit for a temporary sign as originally recommended by the Planning Commission and Sign Committee but reduce the size and height of each sign from the existing sixteen (16) square feet (four (4) feet by four (4) feet) and six (6) feet in height to nine (9) square feet (three (3) feet by three (3) feet) and four (4) feet in height.

Smaller, shorter signs will have less visual presence as viewed from the street. In addition, since these types of signs are meant to target a very narrow audience, i.e., those seeking to lease /buy tenant space or property, there is no need for them to be so large.

- 2) Limit the amount of time a real estate sign can be placed on a property in any one year to four (4) times a year not to exceed thirty (30) consecutive days. If additional time is needed beyond thirty (30) days, signs could remain up for a maximum of 120 days with a corresponding decrease in the number of times per year a sign would be allowed (i.e. if the sign is in place for 120 consecutive days, only one (1) display a year would be allowed or if a sign is displayed for ninety (90) consecutive days, only two (2) additional displays (30 days each) would be allowed) If an additional sign was needed within a one-year period, a permanent sign structure not to exceed four (4) feet in height would be required through the issuance sign permit.

This option would allow those properties that utilize temporary signs for short periods while a vacancy exists, the ability to utilize a temporary sign without the construction of a permanent structure. This is often the situation for single tenant commercial or industrial buildings.

- 3) Require each shopping center and multi-tenant business park to construct a permanent sign structure not to exceed four (4) feet in height and designed consistent with the design of the center on which the real estate signs could be placed and reduce the allowed sign area and height.

The advantage to this option is that real estate signs will not look temporary and could be integrated with the design of the building. Selecting this option, however, would also mean that every commercial or business park in the City that has a vacancy would likely need to install a permanent sign structure. This would mean some of the permanent sign structures may remain with for lease/sale signs for long periods even if the building remains fully leased.

- 4) Leave the provision as currently recommended by the Planning Commission but direct staff to return to the Council within six (6) months to report on whether the provision has been successful. At that time, further revisions could be made to the Code if the Council deemed appropriate. This would also allow the Council the ability to receive a comprehensive report on all the new provisions in the Sign Ordinance after staff has had an opportunity to use the new provisions for a period of time.

Staff is seeking direction from the City Council on which of the options or combination of options the Council feels would be most appropriate. Given the large number of real estate signs currently located in the City, staff is recommending a provision that would require that all such signs be brought into conformance with the new provisions within six (6) months after the effective date of the Ordinance.

If the City Council wishes to introduce the Ordinance with provisions for temporary real estate signs, staff has created Attachment H provides language that would be inserted into the Code for each of the options and the provision requiring compliance with the new Ordinance.

Environmental Review

An Addendum to the General Plan Environmental Impact Report was prepared for this application. The Addendum was prepared because no significant impacts are anticipated that were not contemplated in the prior General Plan EIR and no additional substantial mitigation planning is necessary for project implementation.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and introduce Ordinance No. 05-330; amending Chapter 6, Part 2, Division 5-Sign Regulations, §9655-9655.8 and Part 3, Division 6-Variance and Modification, Application Procedures, §9676.2, Part 6, OA - Old Agoura Design Overlay District, §9554.5 Signs, in the City of Agoura Hills Municipal Code and adoption of Sign Design Guidelines.

ATTACHMENTS:

- A. Draft Ordinance
- B. Sign Regulations (Reline)
- C. Variance and Modification Code Section
- D. Old Agoura Overlay District Sign Regulations
- E. Map of Old Agoura Area Subject to Lighting Restrictions
- F. Sign Design Guidelines (Redline)
- G. Options for Commercial and Business Park Real Estate Sign Language
- H. Summary of Changes
- I. City Council Staff Report from March 23, 2005
- J. Addendum to General Plan EIR