

REPORT TO CITY COUNCIL

DATE: MARCH 23, 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

While there have been a number of incremental amendments to the Sign Ordinance over the years, there has never been a comprehensive review and update since the initial adoption of the Sign Ordinance in 1987. The item before the City Council represents a comprehensive review and update to Chapter 6, Division 5 (Sign Regulations), in the Zoning Ordinance and the adoption of sign design guidelines. In addition, revisions to the code sections regarding variance and modifications and the Old Agoura Overlay are proposed as they apply to signs. And finally, as part of the Sign Ordinance update, separate sign design guidelines have been created. These guidelines will be incorporated into the City's existing *Architectural Design Standards and Guidelines*. A 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.

Background

The City Council established a Sign Committee consisting of one Councilmember, one Planning Commissioner, and one Architectural Review Panel member. The Sign Committee (Councilmember Denis Weber, Planning Commissioner Curtis Zacuto, and Architectural Review Panel member Gary Roller) met five (5) times to review the proposed changes. The proposed changes were then forwarded to the Planning Commission who discussed the proposed changes during five (5) public hearings. The Planning Commission is now recommending approval of the proposed changes to the Council. Additional information concerning the project background and community involvement is included as Attachment G.

Purpose of Proposed Revisions

Generally the changes are being proposed to (1) provide a more logical organization, (2) ensure that the language is clear and the ordinance is more readable, (3) revise some of the sign entitlement standards, (4) ensure that all signs in the City are of high quality and (5) update the Code consistent with new case law relative to signs. Many of the revisions do not change the substance of the ordinance but make it more “user friendly” and remove internal inconsistencies and redundancy. Obsolete sections have also been removed and generally the entire Sign Ordinance has been substantially compressed. Given the fact that these changes included moving, combining, and deleting entire sections of the ordinance, it has been difficult to produce a meaningful redline version. In other words, the existing Sign Ordinance will get replaced in its entirety with the new version. However, to assist the Council in its review, staff did create a redline version of the sign regulations, variance and modifications, and Old Agoura Overlay sections. The redline documents are included as Attachment I.

Proposed Revisions

Since the proposed revisions to the Sign Ordinance represent a comprehensive amendment to the ordinance, it is impossible to point out all the proposed changes. However, staff has summarized the key changes to the Sign Ordinance in Attachment H. These key changes include changes to Exempt Signs/General Entitlement, Sign Standards, Monument and Directory Signs, Freeway Facing Signs, Sign Lighting, Sign Modifications and Tree Canopy Conflicts, Real Estate Signs, and Nonconforming Signs,

This staff report will only focus on the two areas that generated the most discussion which were freeway facing signs and sign lighting.

Freeway facing signs - The Sign Committee had recommended allowing the Director to approve illuminated freeway facing signs, but the Planning Commission felt that all freeway facing signs, including the lighting thereof, should be reviewed and approved by the Planning Commission given the importance of the scenic corridor. A more detailed discussion of the existing Code, including a description of a freeway facing sign, can be found in Attachment H.

This new provision (requiring Commission approval of all freeway facing signs) will probably not have a significant impact because a Sign Program will be required for all new development projects and the Planning Commission is the approval body for Sign Programs. Thus, the new provision will mainly impact existing buildings that do not have Sign Programs that are requesting a freeway facing sign.

Lighting of signs - The Sign Committee recommended removing an existing Code provision that required sign lighting to be turned off at 11:30 p.m. or close of business whichever occurs last. The Planning Commission recommended this provision be left in the Code based in part on the City Council’s expressed desire in the past to minimize the amount of illuminated freeway oriented signage in the City. In the past the City’s policy has been to encourage a “dark corridor” with minimal lighting through the City.

During their review of the sign regulations in the Old Agoura Overlay (the Sign Committee did not review this section of the Code), the Planning Commission recommended that signs in a certain geographic area in Old Agoura be turned off at 9:30 p.m. or close of business. This provision was requested by the Old Agoura Homeowners Association (OAHA). The OAHA has advised staff that it is not a light pollution issue but more of a visual ambience that they are interested in creating.

The Planning Commission recommended the following language be added to the Old Agoura Overlay District.

“Signs located in the area shown on the following exhibit shall be turned off at close of business or 9:30 p.m., whichever occurs last.”

The referenced “following exhibit” (Attachment E) covers lots generally fronting on Agoura Road, Dorothy Drive and Lewis Road on the south side of the freeway. This area is characterized by offices, equestrian retail uses, and a variety of other quaint retail and service related businesses and is considered to be the historic commercial origins of Old Agoura. Moreover, there are no street lights and curb/gutters on the Agoura Road section. The Zoning Ordinance recognizes the special, unique ambience of this area and limits land uses to those that are in keeping with this ambience. On the north side of the freeway, lots located on Chesebro Road and Driver Avenue at the entry to Old Agoura are also included in the special lighting district.

Staff anticipates increased code enforcement to address the new sign lighting provisions. After the ordinance is adopted, the first step will be to notify each of the affected businesses and give them a grace period before code enforcement would begin. During the Planning Commission deliberations, a letter was sent to all the shopping center owners, the Chamber of Commerce and businesses advising them of the Planning Commission discussion on the matter. In addition, businesses impacted by the new lighting provisions in Old Agoura were notified of the City Council meeting.

Variance/Modification Revisions

The section relating to required findings for sign modifications (which is akin to a minor variance), has been revised and other provisions for modifications and variances have been generally “fine tuned” to make the section more readable (please see Attachment C). As proposed, when approving sign modifications the Planning Commission will no longer need to make the same findings required for a variance. Sign modifications are intended to be different than a variance. For a sign modification, the Commission must make two findings. The first is that the sign will not be detrimental to the surrounding uses or properties. The second finding is that the modification is consistent with the General Plan, the sign criteria established in the Code, and the Sign Design Guidelines.

Sign Design Guidelines

In addition to the revisions proposed to the sign regulations in the Zoning Ordinance, staff created a set of Sign Design Guidelines (please see Attachment F). The guidelines are intended to complement other requirements in the Code. The guidelines are meant to be used as a tool to encourage high quality signage in the City that contributes to the positive image of the City. Section 9655.5 D which lists the criteria which the City will use in reviewing an application for a sign permit includes a finding that the proposed sign is consistent with the adopted Sign Design Guidelines. This will allow the Planning Commission and staff to require compliance with the adopted guidelines.

Code Enforcement

In 2002, staff conducted a workshop with the City Council regarding code enforcement which included discussion on the enforcement of the Sign Ordinance. Temporary signs have long been a code enforcement issue with the City and much effort is expended by staff to enforce the Sign Ordinance and to abate illegal temporary signs. The direction given to staff at that time was to continue to abate illegal temporary signs during the week and to continue with the Monday morning “sign sweep” in which staff retrieves temporary “bootleg” signs which were placed on the public right-of-way during the weekend. These include signs posted for lost pets, garage sales, commercial ventures, and real estate advertising. Most smaller signs are attached to street sign poles and utility poles while real estate signs are placed on the sidewalks and parkways.

Staff would like to return to the Council with an update on the status of enforcement of the Sign Ordinance in the near future. Included in our discussion would be additional options for code enforcement, including the possibility of weekend code enforcement.

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 (1) 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. Draft Sign Regulations
- C. Draft Variance and Modification Code Section
- D. Draft Old Agoura Overlay District Sign Regulations
- E. Map of Old Agoura Area Subject to Lighting Restrictions
- F. Draft Sign Design Guidelines
- G. Background and Community Participation
- H. Summary of Key Changes
- I. Redlines of OA Overlay, Sign Regulations, & Variance and Modifications
- J. Addendum to General Plan EIR