

REPORT TO CITY COUNCIL

DATE: AUGUST 23, 2023

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: DENICE THOMAS, COMMUNITY DEVELOPMENT DIRECTOR
JOYCE PARKER-BOZYLINSKI, PLANNING CONSULTANT

SUBJECT: CONDUCT A PUBLIC HEARING, WAIVE FULL READING, AND INTRODUCE ORDINANCE NO. 23-472; AN ORDINANCE OF THE CITY COUNCIL OF AGOURA HILLS, CALIFORNIA, AMENDING THE FOLLOWING PROVISIONS OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE: 1) VARIOUS SIGN-RELATED DEFINITIONS IN CHAPTER 1 (INTRODUCTION); 2) DIVISION 5 (SIGN REGULATIONS) IN CHAPTER 6 (REGULATORY PROVISIONS); 3) SECTION 9676.2 (APPLICATION PROCEDURES) AND SECTION 9676.7 (VARIANCE OR MODIFICATION RELATING TO USES AMORTIZED PURSUANT TO THIS CODE) FOR VARIANCES AND MODIFICATIONS IN CHAPTER 6 (REGULATORY PROVISIONS); AND 4) SECTION 9804.2 (PLANNING COMMISSION PUBLIC HEARING) AND SECTION 9804.3 (ZONING ADMINISTRATOR PUBLIC HEARINGS) IN CHAPTER 8 (ADMINISTRATION) AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The request before the City Council is to conduct a public hearing, waive full reading, and introduce Ordinance No. 23-472, approving amendments to Article IX (Zoning) of the Agoura Hills Municipal Code related to signs and the review and approval authority for modifications. The Planning Commission held a public hearing on July 20, 2023, and approved Resolution No. 23-1282 (Attachment 1) with a 4-0 vote (with one Commissioner absent), recommending the City Council adopt the draft Ordinance (Attachment 2). The City is the applicant for this Municipal Code Amendment (Case No. ZOA-2023-0002).

On September 5, 2019, the Planning Commission recommended approval of the changes and on September 25, 2019, the City Council introduced Phase I of the Sign Code Update to be formally adopted on October 23, 2019. Phase I consisted of addressing (a) the legal and technical issues related to content neutrality; and (b) miscellaneous administrative revisions to the sign ordinance including reformatting the entire Sign Code.

On October 27, 2021, and February 16, 2023, the City Council Land Use/Economic Development Subcommittee (LU/EDC) met to discuss Phase II of the Sign Ordinance update. In addition to a request for a public participation process involving both residents and business owners, the LU/EDC discussed two of the more significant changes in Phase II. These included a discussion on the impacts of sign illumination on the City and facilitating the review process when modifications to sign standards are requested. The LU/EDC felt it was important to have regulations related to sign illumination especially as it relates to sign brightness and have standards to address complaints.

Phase II of the Sign Ordinance update consisted of a comprehensive review of the sign ordinance, pertaining to sign standards with the goal to clarify the language and eliminate any potential for misinterpretation, and to also consider revisions pertaining to the approval process of minor modifications. The Sign Code, including related Agoura Hills Municipal Code (AHMC) sections, has been revised to improve legibility and ease of use, and sign standards and processing procedures have been updated. The proposed changes are presented in underline/strikethrough format in Attachment 3. Deleted text is shown as strikethrough. New text is shown with a single underline and relocated text is shown with a double underline.

To help the City shape the regulations for the update, the City invited the public to participate in an online survey about signs in the City. The survey asked the public their thoughts on size, types, lighting, and the approval process for signs. The survey results are included in Attachment 4. The availability of the survey was advertised on the City's website and through social media including Facebook, Twitter, and Instagram. The Greater Conejo Valley Chamber of Commerce (Chamber) sent emails to local businesses about the availability of the survey and posted a link to the survey on their website. The survey was also available at the public counter at City Hall and on City bulletin boards. Staff also sent an email with the survey to all businesses registered with the City as well as to sign companies who, over the years, had submitted plans to the City. On April 5, 2022, staff from the Community Development Department and the Chamber held a joint Survey Sidewalk Event at the Whizin Market Square Atrium. A table was set up to provide information about existing sign regulations in the City. Hard copies of the survey were available to be completed on the site, and a QR code was also provided to give access to the survey electronically.

The proposed changes are summarized below. One administrative change was moving the Sign Definitions to Chapter 1, where all the other Zoning Code definitions are currently located, adding new definitions for sign lighting, and deleting definitions not utilized in the current draft.

AHMC Section 9655.9 (Sign Program) was revised to include all sign types currently processed with a Sign Program consistent with existing practice. Simultaneously, a Planning Commission public hearing process would be established, which will allow for public noticing and the ability of the public to comment on the request and potentially appeal the decision to the City Council.

Additionally, staff is recommending removing the requirement for a common name and minimum two-acre lot size for two monument signs on corner lots (AHMC Section 9655.8.B.2). The recommendation is to allow two monument signs on a corner property with two access driveways. Generally, properties on corner lots with two access driveways may need a sign on each street to properly identify businesses.

The size of on-site directional signs is recommended to change from three square feet to four square feet in AHMC Section 9655.10.B. Over the years, staff found that sign companies misinterpret the dimensions and often times request an increase in size beyond three square feet, which delays the permitting process. A four square-foot size would allow the use of even numbers such as two feet by two feet, which would make it easier to construct a sign.

Staff is recommending that signs for gasoline service stations (AHMC Section 9655.8.B.3.) be revised to establish the maximum number and size of allowed signs including wall signs in one location. In addition, digital price signs would be required to utilize only white bulbs to reduce the visual impacts of using colored bulbs and to protect the natural character of the community. The existing code allows service stations to have the same number and size of wall signs as other businesses plus additional wall signs.

Additional changes include referencing the Old Agoura Design Overlay sign standards in the Sign Code (AHMC Section 9655.8.D) so that all regulations or references to regulations pertaining to signage can be found in one location thus eliminating the risk of applicants missing a requirement.

Under the temporary signs regulations (AHMC Section 9655.10), Mylar or metallic balloons would be prohibited to protect the environment and eliminate risky conflicts with power lines.

More substantive revisions include the addition of sign illumination standards to improve the quality of life in the community and a change in the review authority for sign modifications to expedite the review process and make processing a sign permit more efficient. These two areas are discussed in more detail below.

The LU/EDC requested staff research methods to control sign brightness. Currently, the Sign Code regulates sign lighting only to ensure that it does not create public safety hazards (AHMC Section 9655.6.D.). Staff researched options for utilizing dark sky standards to regulate sign lighting and determined very few cities have dark sky standards for signage as dark skies standards apply to lighting fixtures attached to buildings and/or parking lot lighting. Dark skies standards for signage can be developed, but only in coordination with other types of exterior lighting standards. Should the City Council wish to adopt more specific exterior lighting standards, sign lighting standards could be fine-tuned in the future to further reduce lighting impacts as a Phase III. The allowed sign types and the new proposed sign lighting standards would be consistent with dark skies policies.

Staff used the services of a lighting consultant, Kimley-Horn Associates, Inc. (Consultant), to develop sign lighting standards that could be included in the Sign Code to make the review of sign permits more objective and enforceable while maintaining the quality of life throughout the City. The Consultant developed three lighting standards related to external and internal signs. The standards introduce three new units of measurement addressing three types of impacts.

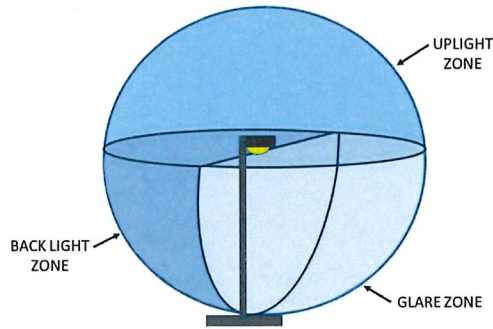
Light Measurement	Externally Illuminated Signs	Internally Illuminated Signs¹
Uplight (U) (BUG ² System)	U = 0	-
Color Temperature (in Kelvin)	3000 Kelvin	3000 to 5000 Kelvin
Brightness (In Candela per Meter Square)	-	700 cd/m ²

The first standard relates only to externally illuminated sign fixtures. An externally illuminated sign is any sign in which a source of light from outside the sign is used to make a message readable at night. The existing code requires externally illuminated signs to be fully shielded, but to reinforce the requirements of limiting the lighting spilling onto its surroundings; the Consultant recommended a unit of measurement called the BUG system for staff to use. BUG rating means the type and amount of light spillage from the fixture's source. The Consultant recommended a BUG light of U = 0 with U representing uplight. See the visual graphic on the following page. This would mean that an externally illuminated light fixture emits zero light up into the night sky, which would be consistent with any dark skies ordinance the City may wish to develop in the future. Measuring compliance with this standard could be determined by ensuring that the light emitting from the fixture does not go above the horizontal plane of the fixture or the fixture it illuminates in the case of a monument sign.

¹ A halo lit sign is classified as an internally illuminated sign even though the light projects from the back of the letters creating a halo or light on the wall. The light output would be measured the same way as other internally illuminated signs.

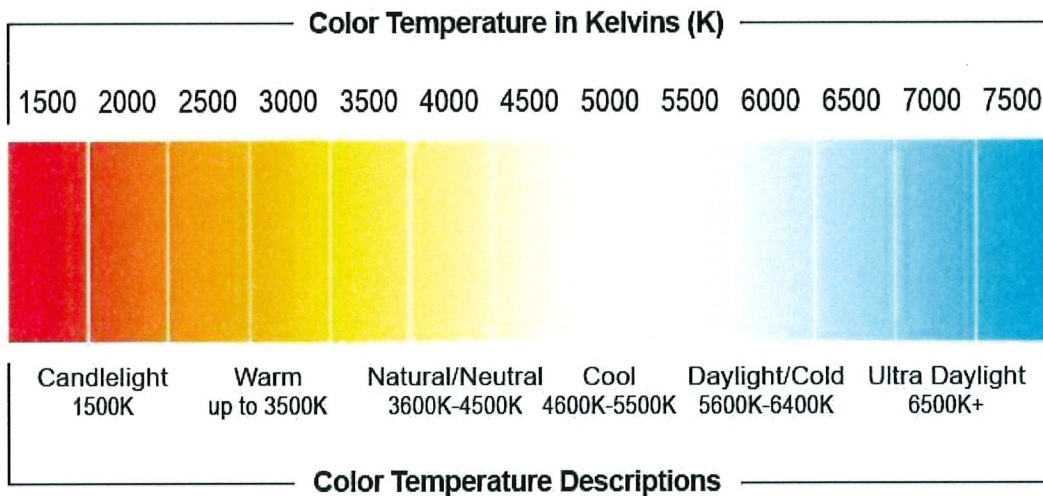
² The B in BUG represents the backlight. Backlight is the amount of stray light behind the light source. The U represents uplight, which is the amount of light that passes vertically beyond a horizontal plane of the light source, and G stands for glare, which is the light cast within a person's field of view where glare is produced.

BUG Rating Visual³



Another proposed lighting standard relates to establishing a maximum color temperature. Color temperature is measured on the Kelvin (K) scale. The lower the temperature number, the warmer or more yellow the light is. The higher the number, the colder or bluer the light is. For externally illuminated signs (halo lit or by external fixtures), the Consultant recommended a color temperature of 3000 K and for internally illuminated signs (channel letters), the Consultant recommended a range of color temperatures between 3,000 and 5000 K. This would be consistent with the results of the survey. One of the survey questions provided a color exhibit that showed the range of color temperatures and asked which color temperature was preferred. The majority of the respondents indicated a preference for a range between 3000 and 5000 K.

Color Temperature Scale⁴

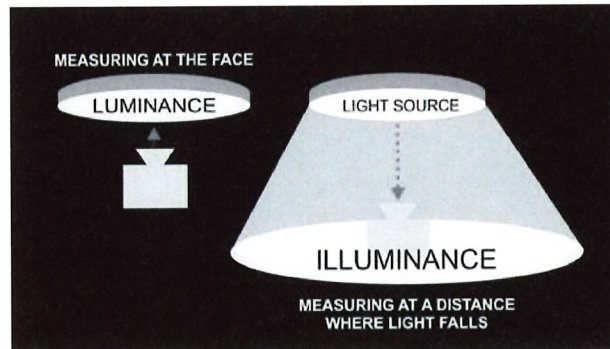


The third sign lighting standard addresses sign brightness and establishes a maximum illuminance at the property line and a maximum luminance value for all portions of the sign.

³ <https://www.edn.com/minimizing-light-pollution-caused-by-outdoor-led-lighting/>.

⁴ <https://rclite.com/blog/color-temperature/>

Luminance and Illuminance Illustration⁵



“Illuminance” means the amount of light falling on the surface (at the property line) and is measured in footcandles (fc). The current City Architectural Standards and Design Guidelines establish a maximum of one fc of light that emanates from a light fixture and projects onto the ground at the property line. This is intended to control light trespass on adjacent properties. However, almost all lighting that meets the ground (where the measurement would be taken) at the property line is from parking lot lighting. The types of signs the City permits would not emit enough light to have an impact on the amount of light at a property line and the light emanating from a sign would travel on a horizontal plane and would not register on the ground at the property line. For this reason, staff is not recommending a footcandle standard at the property line in the Sign Code. The footcandle standard from other lighting sources such as parking lot lighting would remain at one fc in the design guidelines.

Sign brightness from the face of a sign would be measured in luminance. “Luminance” means the intensity of light emitted from a sign face and is measured in candelas (cd). The Consultant recommended a maximum luminance of 700 cd/m² candela per meter square at any point on the sign. This recommendation is consistent with the recommendations from the United States Sign Council Foundation (USSCF), which performs on premise sign research for the sign industry in order to develop standardized lighting values for on-premise signs. However, the USSCF uses a mean weighted luminance of 700 cd/m² that measures the surface area and brightness of each color as shown in the example below⁶.

⁵ <https://usscfoundation.org/wp-content/uploads/2018/03/USSCF-Guideline-Sign-Lighting-Standards-Feb-19-2018.pdf>

⁶ <https://usscfoundation.org/wp-content/uploads/2018/03/USSCF-Sign-Lighting-Impact-on-the-Environment-2018.pdf>



Letter Size (in)
Letter Height – 9 “E”/ 12 “O” Letter Width – 7.75 “E”/ 13
“O” Letter Depth - 5.25

Sign Area (m2) – 3.992
Sign Luminance (cd/m2) / Percent of Sign Area
Red – 81 / 14.0
White – 250 / 20.85

Weighted Mean Luminance (cd/m²) – 63.47
Luminous Intensity (cd) – 253.35

The Consultant’s recommendation establishes a maximum luminance value that applies to all portions of the sign. Utilizing the United State Sign Council Foundation method would allow a sign with one color with a cd higher than 700 cd if the other color(s) had a very low cd such that when you averaged the values the sign would be under 700 cd/m² even though one color was over 700 cd. Requiring the lumens to be 700 cd at any point on the sign would prevent that from happening.

However, it is important to note that the 700 cd/m² should be considered a maximum to prevent overly bright signs and not a means to reduce sign brightness of most signs that are either existing in the City or may be proposed in the future. While staff has no means of measuring sign brightness of the existing signs in the City, most signs in the City are likely much lower than 700 cd/m² based on the Verizon sign shown in the example above which only has a cd/m² of 63.47.

It is also important to note that adding sign brightness criteria could result in the need to purchase a professional luminance meter if the City received a complaint. Verifying compliance with the sign standards would require a professional luminance meter. The Consultant recommended the Konica Minolta LS 150 Luminance Meter which is considered the industry standard because of its capabilities and accuracy. These meters range in price from \$4,000 to \$6,000 based on the features and warranties selected. In addition, the equipment would need to be calibrated regularly to make accurate readings in order to be used for code enforcement purposes.

In addition to the cd/m² standard recommended by the Consultant, staff is recommending a provision that would require lighting used for internally illuminated signs to be restricted to white bulbs only similar to the requirement for digital changeable copy signs utilized on monument signs at service stations in keeping with past and current City Council policies. This recommendation will help to reduce the overall visual impact of the sign. In the past, the City Council has indicated they felt using colored bulbs made the signs appear more urbanized in character. As for using color lighting inside a color channel letter, the color LED light increases the intensity of the colors on signs. Staff has generally made it a practice to ask for white bulbs, so adding this provision will codify the requirement.

In order to implement processing changes related to sign permit approval, other sections of the Zoning Code have to be updated as well. The Zoning Code (AHMC Section 9676.2 – *Application Procedures*) describes processes for approving modifications and variances. Modifications are intended to allow minor deviations from development standards in the Zoning Code and can be approved by either the Director or the Planning Commission. Currently, the Director has the authority to approve a 10 percent increase of architectural projections in required yards, a 10 percent decrease of required on-site parking and building site area, and a 20 percent decrease in the width of all yards. The Planning Commission can approve an increase in the size, height, number, and location of new or existing signs up to 30 percent under the modification permit. Any request that exceeds these percentages would be considered by the Planning Commission under the variance permit.

In addition to the authority listed above, the Director can reduce or waive the requirement to provide the required landscaping (equal to twice the area of one sign face) at the base of a monument sign. The Zoning Code does not clearly specify the process by which the reduction would be allowed. To date, there has been one request to reduce the amount of landscaping around the base of a monument sign. Staff is recommending this regulation apply only to existing developments. New development projects would not have the same physical constraints as an existing project and, therefore, the discretion to allow a reduction in landscaping should be limited to existing developments. As for new developments, any physical constraints on centers that would require a reduction in landscaping would be addressed as part of the variance process.

Based on the number of responses to the question related to sign permits, many survey respondents may not have been familiar with the permitting process since they may not have applied for a sign permit, but those survey respondents that did provide feedback on how to improve the permitting process, the comments included setting clear standards and streamlining the process, making the permitting process simpler, and making it easier for new businesses to get sign approvals quickly. In order to streamline the sign permitting process, staff is recommending adding a new approval process at the Director's level to expedite the review of minor code deviations as follows:

- 1) The Director could approve up to a 10 percent increase in the size of a wall sign, the height of a monument sign, and the amount of required landscaping around the base of a monument sign administratively.
- 2) The Director would have the ability to approve a sign modification permit (11 percent to 30 percent) increase in size and height and reduction in landscaping with noticing requirements but without a public hearing requirement. The public would have the ability to appeal any decision made by the Director to the Planning Commission.

Increases in the size and height of a wall or monument sign up to 30 percent would be unlikely to have a significant impact on existing development or the environment. The Planning Commission would consider the increases in size and height over 30 percent

with a variance as well as location, and number of signs at a public hearing. Findings would be required for all approvals, but each type of request would have its own permitting process. It is important to note that the sign modification approval process described above would apply to all modification requests for which the Director currently has the review and approval authority including modifications to the building site area, building site width, yards, and off-street parking regulations. The new language can be found in Attachment 2.

Staff believes these changes will help streamline the permitting process and help businesses get sign approvals more quickly. The proposed changes would also reduce the need for the Planning Commission to consider requests for minor modifications at a public hearing. The Planning Commission would retain the authority to consider modification requests in the event the Director's decision is appealed to the Planning Commission.

Staff is also recommending the deletion of AHMC Section 9676.7 - *Variance and Modifications relating to uses amortized pursuant to this Code*. This section provided that if a variance application submitted to the City seeking relief from the provisions related to amortized signs, such as freestanding signs or pole signs, the Planning Commission could consider extending the amortization period. However, the section, which established a seven-year amortization period, is no longer in the Zoning Code.

The revisions discussed above require revisions to Division 4 (PUBLIC HEARING PROCEDURES) AHMC Section 9804.2 and Section 9804.3 to reflect the matters to be considered at a public hearing held by the Planning Commission or by the Director.

The following items provide an update on several items identified during the Phase I update as requested by the City Council.

1) Sign Guidelines Update.

One of the items on the Phase II list was a review of the design guidelines to determine if changes were needed related to content neutrality. The sign design guidelines are located in the City's Architectural and Site Planning Design Guidelines. Staff reviewed the sign design guidelines and determined changes were not needed regarding content neutrality. However, if the City Council decides to move forward with an update to the City's Architectural and Site Planning Design Guidelines in the future, an update to the sign guidelines should be considered as part of that effort.

2) Temporary Signs Monitoring.

When the City Council adopted the Phase I Sign Code revisions, language (AHMC Section 9655.10.B) was added that allowed property owners to request an extension of the time limit (120 days) for temporary yard signs for an additional 120 days if the property was for sale or rent and was not sold within the first 120 days. Since the content of the sign could not be restricted, the City Council considered whether some

people would take advantage of the additional 120 days, but not use the sign for real estate purposes. The Council requested staff to monitor yard signs.

Staff confirmed with Code Enforcement that no complaints were received related to this issue (e.g., there were no complaints regarding the length of time a temporary sign was installed on residential properties).

3) Painted sign standards as part of the Mural Ordinance.

Signs painted directly on walls, fences, fascia, or parapets are currently prohibited (AHMC Section 9655.3 – Prohibited Signs). This would technically include murals. One of the items considered, as part of Phase II was the best approach for regulating murals. While regulations for murals on private property can be placed in the Sign Code, murals on public property are typically found in a separate cultural arts chapter. To provide consistency, if the City Council wishes to allow murals, staff is recommending that a comprehensive mural program be developed and placed in a separate chapter.

The Ordinance has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, as the amendments to the Ordinance are covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment, as the project is a proposal to amend the City's sign regulations and does not directly involve the physical development or alterations of land (Attachment 5).

RECOMMENDATION

Staff respectfully recommends the City Council conduct a public hearing, waive full reading, and introduce Ordinance No. 23-472, amending Article IX (Zoning) of the Agoura Hills Municipal Code to modify regulations pertaining to signs and the review and approval authority for modifications and making a determination of exemption under the California Environmental Quality Act.

Attachments:

1. Planning Commission Resolution No. 23-1282
2. Ordinance No 23-472
3. Redline of Proposed Changes
4. Sign Code Survey Results
5. Notices of Exemption

ATTACHMENT 1

Planning Commission Resolution No. 23-1282

With Draft Ordinance as Exhibit A

RESOLUTION NO. 23-1282

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING THE FOLLOWING PROVISIONS OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE: 1) VARIOUS SIGN-RELATED DEFINITIONS IN CHAPTER 1 (INTRODUCTION); 2) DIVISION 5 (SIGN REGULATIONS) IN CHAPTER 6 (REGULATORY PROVISIONS); 3) SECTION 9676.2 (APPLICATION PROCEDURES) AND SECTION 9676.7 (VARIANCE OR MODIFICATION RELATING TO USES AMORTIZED PURSUANT TO THIS CODE) FOR VARIANCES AND MODIFICATIONS IN CHAPTER 6 (REGULATORY PROVISIONS); AND 4) SECTION 9804.2 (PLANNING COMMISSION PUBLIC HEARING) AND SECTION 9804.3 (ZONING ADMINISTRATOR PUBLIC HEARINGS) IN CHAPTER 8 (ADMINISTRATION) AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section I. The Planning Commission of the City of Agoura Hills considered the zoning amendments updating sign regulations and review authority at a public hearing held on July 20, 2023, at 6:30 p.m. The public hearing was held in person in the City Council Chambers and via remote video conferencing. The members of the public were given the opportunity to present statements and to provide materials to the Planning Commission both in-person and electronically. Notice of the time, date, means of participation in, and purpose of the aforesaid hearing was duly given and published as required by state law.

Section II. Evidence, both written and oral, including the staff report and supporting documentation, was presented to, and considered by the Planning Commission at the aforementioned public hearing.

Section III. The proposed amendments to sign regulations and review authority are consistent with the purposes of the Agoura Hills General Plan as follows: The proposed ordinance amendment is consistent with the City's goals to maintain retail centers and corridors that are well-designed and attractive, providing a positive experience for visitors and community residents, and fostering business activity (Goal LU-13). It is also consistent with Policy LU-13.1 to enhance design quality by reducing visual clutter associated with signage.

Section IV. The provisions of the Municipal Code have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act (CEQA), as amended, and the CEQA Guidelines promulgated thereunder. The Ordinance Amendment has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section


15061(b)(3) of the CEQA Guidelines, as the amendments to the Ordinance are covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment, as the project is a proposal to amend the City's sign regulations and does not involve the physical development or alterations of land.

Section V. Based on the aforementioned findings, the Planning Commission hereby recommends that the City Council adopt the draft ordinance, attached hereto as Exhibit "A."

Section VI. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, AND ADOPTED this 20th day of July 2023, by the following vote to wit:

AYES: (4) Asuncion, Anderson, Roth, Sharon
NOES: (0)
ABSTAIN: (0)
ABSENT: (1) Reinhardt



John Asuncion, Chairperson

ATTEST:



Denice Thomas, Secretary

ORDINANCE NO. 23-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE FOLLOWING PROVISIONS OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE: 1) VARIOUS SIGN-RELATED DEFINITIONS IN CHAPTER 1 (INTRODUCTION); 2) DIVISION 5 (SIGN REGULATIONS) IN CHAPTER 6 (REGULATORY PROVISIONS); 3) SECTION 9676.2 (APPLICATION PROCEDURES) AND SECTION 9676.7 (VARIANCE OR MODIFICATION RELATING TO USES AMORTIZED PURSUANT TO THIS CODE) FOR VARIANCES AND MODIFICATIONS IN CHAPTER 6 (REGULATORY PROVISIONS); AND 4) SECTION 9804.2 (PLANNING COMMISSION PUBLIC HEARING) AND SECTION 9804.3 (ZONING ADMINISTRATOR PUBLIC HEARINGS) IN CHAPTER 8 (ADMINISTRATION) AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, on _____, 2023, the Planning Commission conducted and concluded a duly noticed public hearing concerning this Ordinance as required by law at which the Planning Commission received testimony from City staff and all interested parties regarding the proposed amendments. Following the close of the public hearing, the Planning Commission adopted Resolution No. _____, recommending approval of the draft Ordinance.

WHEREAS, on _____, 2023, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Ordinance as required by law.

WHEREAS, at the public hearing on _____, the City Council received testimony from City staff and all interested parties regarding the proposed amendments.

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Agoura Hills hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. Pursuant to the California Environmental Quality Act ("CEQA"), and the City's local CEQA Guidelines, City staff has determined that this Ordinance (the "project") is covered by the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment. City staff found that there is

no possible significant effect related to the project since the Ordinance proposes to amend certain provisions of the City's current sign regulations to make minor text clarifications and text revisions. The administrative changes included in the Ordinance will not contribute to any physical changes to the environment; therefore, the project would not result in significant impacts to the environment. No further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)). The City Council has reviewed the project, and based upon the whole record before it, in the exercise of its independent judgment and analysis, finds that City staff has correctly concluded that it can be seen with certainty that there is no possibility the proposed Ordinance may have a significant effect on the environment.

Section 3. Section 9120.1.A of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections BB.1 (Area, sign) and II (Awning) to read as follows:

“BB.1. *Area, sign.* “Area, sign” means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.”

and

“II. *Awning sign.* “Awning sign” means any sign or graphic attached to, painted on or applied to an awning or awning canopy.”

Section 4. Section 9120.2.B of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections A.1 (Banner) and F.1 (Bug rating) to read as follows:

“A.1. *Banner.* “Banner” means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.”

and

“F.1. *BUG rating.* “BUG rating” means the type and amount of light spillage from the fixture's source. The B in BUG represents the backlight. Backlight is the amount of stray light behind the light source. The U represents upright, which is the amount of light that passes vertically beyond a horizontal plane of the light source, and G stands for glare, which is the light cast within a person's field of view where glare is produced.”

Section 5. Section 9120.3.C of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new

subsections B.1 (Candelas), B.2 (Candela per meter² (cd/m²), B.3 (Changeable copy sign) and L.1 (Commercial or business park complex) to read as follows:

“B.1. Candelas. “Candelas (cd)” means the System of Units (SI) used to measure the brightness of a source of light (its luminous intensity).”

B.2. Candela per meter² (cd/m²). “Candela per meter² (cd/m²)” means the unit of luminous intensity in the International System of Units (SI), defined as the luminous intensity per unit area.

B.3. Changeable copy sign. “Changeable copy sign” means a sign or portion of a sign where it is possible to change the copy on a frequent basis.”

and

“L.1. Commercial or business park complex. “Commercial or business park complex” means a group of two (2) or more tenants which are situated as an integral unit, on either a single parcel of land or separate parcels of land, where such businesses utilize common off-street parking or access.”

Section 6. Section 9120.4.D of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection J.1 (Directional sign) to read as follows:

“J.1 Directional sign. “Directional sign” means a sign located on private property, the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information, or convey similar such information.”

Section 7. Section 9120.5.E of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsection K.(Externally Illuminated Sign), to read as follows:

“K Externally Illuminated Sign. “Externally Illuminated Sign” means any sign of which a source of light from outside the sign is used to make a message readable at night.”

Section 8. Section 9120.6.F of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections G.1(Flag), G.2 (Foot-Candle (fc)), J (Frontage, building), K (Frontage, primary), L (Frontage, secondary) and M (Fully Shielded (Light Fixture)) to read as follows:

“G.1 Flag. “Flag” means a piece of fabric, usually rectangular in shape, that is usually displayed hanging free from a staff or pole, to which it is attached by edge so that it will float, play, or shake in an air current.

G.2. Foot-Candle (fc). “Foot-Candle (fc)” means the standard imperial unit used to measure illuminance, or the amount of light falling onto a surface, such as the ground. One foot-candle equals one lumen per square foot.”

and

- J. Frontage, building. "Frontage, building" means the exterior building wall facing or oriented towards a street. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.
- K. Frontage, primary. "Frontage, primary" means the frontage, which provides the subject building with its main or principal orientation to a public or private right-of-way whether or not such frontage has a public entrance to the building. In shopping centers or multiple-tenant buildings, the primary frontage shall be established as part of a sign program.
- L. Frontage, secondary. "Frontage, secondary" means any frontage, other than the primary frontage, that has a public entrance to the subject building.
- M. Fully Shielded (Light Fixture). "Fully Shielded (Light Fixture)" means a light fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. Any structural part of the light fixture providing this shielding must be permanently affixed, and part of the fixture, not part of any surrounding building or architectural elements."

Section 9. Section 9120.8.H. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.1 (Halo illumination) to read as follows:

"A.1. Halo illumination. "Halo illumination" means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo."

Section 10. Section 9120.9.I. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.03 (Illuminance), A.04 (Inflatable Sign), and A.05 (Internally illuminated) to read as follows:

"A.03. Illuminance. "Illuminance" means the amount of light falling onto a unit area of the surface (luminous flux per unit area) - measured in foot candles.

A.04. Inflatable sign. "Inflatable sign" means an object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.

A.05. Internally illuminated. "Internally illuminated" means illumination produced by a light source contained within a sign and not directly visible to the eye."

Section 11. Section 9120.11.K. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.05 (Kelvin (K)) to read as follows:

"A.05. Kelvin. "Kelvin (K)" means the unit of the color temperature scale is used to categorize the color of light emitted by light sources regardless of their temperature."

Section 12. Section 9120.12.L. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections C.1 (Legal nonconforming sign), F.1 (Logo), U (Lumen), and V (Luminance) to read as follows:

“C.1. *Legal nonconforming sign.* “Legal nonconforming sign” means a sign that was originally erected or installed electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division.

and

“F.1. *Logo.* “Logo” means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.

and

“U. *Lumen.* “Lumen” means the unit of luminous flux; used to measure the amount of light emitted by lamps.

V. *Luminance.* “Luminance” means the intensity of light reflected or emitted from a unit area of surface, such as a sign face - measured in cd/m^2 .”

Section 13. Section 9120.13.M. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection F.1 (Monument/Directory sign) to read as follows:

“F.1. *Monument/Directory sign.* “Monument sign/Directory sign” means a sign that is a ground-mounted sign, completely self-supporting, with a solid base separating the sign copy from the grade. A monument sign can be single-sided or double-sided and only back-to-back faces shall constitute one monument sign.”

Section 14. Section 9120.14.N. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.05 (Neon sign) to read as follows:

“A.05. *Neon sign.* “Neon sign” means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.”

Section 15. Section 9120.15.O. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection F.1 (Outdoor advertising display, structure or sign) to read as follows:

“F.1. *Outdoor advertising display, structure or sign.* “Outdoor advertising display, structure or sign” means a commercial sign placed for the purpose of advertising products or advertising services that are not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard.”

Section 16. Section 9120.16.P. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections M.1 (Pole sign), O.1 (Portable sign), P.1 (Projecting sign) to read as follows:

“M.1. *Pole sign.* “Pole sign” means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.”

and

“O.1. *Portable sign.* “Portable sign” means any sign that is not permanently attached to the ground or any structure and is capable of being moved, including but not limited to "A-frame," "H-frame" or "sandwich board" type signs. A portable sign is not a temporary window sign as provided in section 9120.19.T.

P.1. *Projecting sign.* Projecting sign” means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and perpendicular to the building.”

Section 17. Section 9120.17.R. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections F.1 (Revolving sign), H.1 (Right-of-way, public), H.2 (Right-of-way private) and H.3 (Roof Sign) to read as follows:.

“F.1. *Revolving sign.* “Revolving sign” means a sign that turns around or rotates, as on an axis.”

and

“H.1. *Right-of-way, public.* “Right-of-way, public” means a public street or highway, but not including a freeway.

H.2. *Right-of-way, private.* “Right-of-way, private” means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.

H.3. *Roof sign.* “Roof sign” means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.”

Section 18. Section 9120.18.S. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to revise subsection O (Sign), and add new subsections O.1 (Sign face), and Q.1 (Single tenant building) to read as follows:

“O. Sign. “Sign” means any name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. For the purpose of this part, a sign is not a sign if it is inside a building, located more than three (3) feet behind a window, and not facing a window in such a way as to be viewed from an outside public area.

O.1. *Sign face.* “Sign face” means the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.”

and

“Q.1. *Single tenant building.* “Single tenant building” means a building used by one (1) occupant.”

Section 19. Section 9120.19.T. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.05 (Temporary sign), to read as follows:

“A.05. *Temporary sign.* “Temporary sign” means any sign addressed in section 9655.10 and capable of being viewed from any public right-of-way, parking area, or neighboring property. A temporary sign is any sign consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board, paint or other dispensable materials, with or without frames, and mounted or painted, if on a window, in a nonpermanent manner.”

Section 20. Section 9120.20.U. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.1 (Under canopy sign), to read as follows:

“A.1. *Under canopy sign.* “Under canopy sign” means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.

Section 21. Section 9120.22.W of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections A.05 (Wall sign) and C.1 (Window sign), to read as follows:

“A.05. *Wall sign.* “Wall sign” means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.”

and

“C.1. *Window sign.* “Window sign” means a temporary or permanent sign painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed.”

Section 22. Section 9120.23.Y. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection B (Yard sign), to read as follows:

“B. *Yard sign.* “Yard sign” means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign as defined in subsection 9120.16.P.”

Section 23. Section 9655.2 (Definitions) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“9655.2. - Definitions.

Definition of terms used in this Division 5 can be found at Article IX, Chapter 1, Part 3 of the Agoura Hills Municipal Code.

~~Notwithstanding the provisions of section 9120 et seq. of this article, for the purposes of this part, the following words and phrases are defined as follows:~~

- ~~A. *Area, sign* means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.~~
- ~~B. *Awning sign* means any sign or graphic attached to, painted on or applied to an awning or awning canopy.~~
- ~~C. *Banner* means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.~~
- ~~D. *Changeable copy sign* means a sign or portion of a sign where it is possible to change the copy on a frequent basis.~~
- ~~E. *Commercial or business park complex* means a group of two (2) or more tenants which are situated as an integral unit, on either a single parcel of land or separate parcels of land, where such businesses utilize common off street parking or access.~~

- F. ~~*Directional sign* means a sign located on private property, the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information, or convey similar such information.~~
- G. ~~*Director* means the director of planning and community development or such director's designee.~~
- H. ~~*Externally lighted sign* means a sign whose immediate source of illumination is not enclosed by the surface of the sign structure.~~
- J. ~~*Frontage, building* means the exterior building wall facing or oriented towards a public or private right-of-way. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.~~
- K. ~~*Frontage, primary* means the frontage, which provides the subject building with its main or principal orientation to a public or private right-of-way, whether or not such frontage has a public entrance to the building. In shopping centers or multiple tenant buildings, the primary frontage shall be established as part of a sign program.~~
- L. ~~*Frontage, secondary* means any frontage, other than the primary frontage, that has a public entrance to the subject building.~~
- M. ~~*Halo illumination* means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.~~
- N. ~~*Inflatable sign* means an object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.~~
- O. ~~*Internally lighted illuminated* means illumination produced by a light source contained within a sign and not directly visible from outside.~~
- P. ~~*Legal nonconforming sign* means a sign that was originally erected or installed electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division. (revised text in code to match term)~~
- Q. ~~*Logo* means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.~~
- R. ~~*Monument sign* means a sign that is completely self-supporting and has its sign face or base on the ground or a maximum of twelve (12) inches above the adjacent grade or base of the sign.~~
- S. ~~*Neon sign* means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.~~
- T. ~~*Outdoor advertising display, structure or sign* means a commercial sign placed for the purpose of advertising products or advertising services that are~~

- not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard.
- ~~U. Pole sign means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.~~
- ~~V. Portable sign means any sign that is not permanently attached to the ground or any structure and is capable of being moved, including but not limited to "A frame," "H frame" or "sandwich board" type signs. A portable sign is not a temporary window sign as provided in section 9655.10 A.~~
- ~~W. Projecting sign means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and oriented to pedestrians.~~
- ~~X. Revolving sign means a sign that turns around or rotates, as on an axis.~~
- ~~Y. Right-of-way, public means a public street or highway, but not including a freeway.~~
- ~~Z. Right-of-way, private means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.~~
- ~~AA. Roof sign means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.~~
- ~~BB. Secondary sign means any sign not located on a primary frontage.~~
- ~~CC. Sign means any name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. For the purpose of this part, a sign is not a sign if it is inside a building, located more than three (3) feet behind a window, and not facing a window in such a way as to be viewed from an outside public area.~~
- ~~DD. Sign face means the surface or that portion of a sign that is visible from a single point as a flat surface or a plane and considered as such together with the frame and the background.~~
- ~~EE. Single tenant building means a building used by one (1) occupant for an individual business.~~
- ~~FF. Temporary sign means any sign addressed in section 9655.10 and capable of being viewed from any public right-of-way, parking area, or neighboring property. A temporary sign is any sign consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board, paint or other dispensable materials, with~~

~~or without frames, and mounted or painted, if on a window, in a nonpermanent manner.~~

~~GG. Under canopy sign means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.~~

~~HH. Wall sign means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.~~

~~II. Window sign means a temporary or permanent sign painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed.~~

~~JJ. Yard sign means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign."~~

Section 24. Subsection F of Section 9655.3 (Prohibited Signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"F. Devices projecting or otherwise producing the image of a sign, as defined in section ~~9655.2 CC.~~ 9120.18.S., on any surface or object."

Section 25. Subsection B of Section 9655.4 (General Provisions) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"B. Sign height for ground-mounted signs. The maximum allowable sign height for ground-mounted signs shall be measured by the distance from the average adjacent ground level within five (5) feet of the base of the sign to the top of the sign." ~~including the superstructure and any design.~~

Section 26. Section 9655.5 (Application and review procedures for permanent signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"A. Sign permit. Permanent signs shall only be constructed, displayed or altered with sign permit approval by the director or appropriate decision-making body. Sign permits shall be prepared, filed, processed, and approved or denied in compliance with this section. In addition to a sign permit, permanent signs may be subject to the issuance of a building permit.

B. Application. An application for a sign permit shall be made on the form provided by the department of planning and community development and shall be

accompanied by the required fee. Such application shall set forth and contain the following information and materials:

1. The location and size of any existing or proposed buildings or structures on the property, which are or will be under the ownership or control of the applicant.
 2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where directional signs are proposed.
 3. The position of the proposed sign and its relationship to existing or proposed adjacent buildings and structures, which are or will be under the ownership or control of the applicant.
 4. The proposed design, size, exact colors, materials, orientation, and location of the sign or sign structure.
 5. The method of attachment to any structure.
 6. A statement showing sizes and dimensions of all other signs existing on the property under the ownership or control of the applicant.
 7. A statement showing the size and color relationships of such sign or sign structure to the appearance and design of existing or proposed buildings and structures on the property.
 8. Photographs of all sides of any building ~~or~~ and renderings or photo simulations of proposed buildings.
 9. Such other information as the department of planning and community development may require to secure compliance with this ~~part~~ division.
- C. *Review and approval authority.* A sign permit shall be approved or disapproved by the director in compliance with the criteria set forth in subsection D below and the provisions of this ~~part~~ division.
- D. *Criteria.* The following criteria shall be the only criteria used in reviewing an application for a sign permit:
1. That the sign is consistent with the provisions of this part and title;
 2. That the location and orientation of the proposed sign, as well as the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions), are legible under normal viewing conditions prevailing where the sign is to be installed;
 3. That the proposed sign is consistent with the sign standards found in sections 9655.6 and 9655.7;
 4. That the proposed sign is consistent with the adopted sign design guidelines available at the planning and community development public counter.
- E. *Findings for Denial.* 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 in subsection D. or other provisions of this division shall be

prepared in writing and mailed to the applicant or his agent and sign contractor within ~~ten (10)~~ thirty (30) working calendar days.

- F. *Appeals.* Any decision made by the director or the planning commission may be appealed in accordance with the provisions of this title. The decision of the city council on any appeal shall be final.”

Section 27. Subsection D of Section 9655.6 (General sign standards for permanent signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“D. Illumination of signs

1. Director review. Unless otherwise prohibited by this part, signs may be illuminated subject to the review and approval of the director to ensure that such illumination does not create any public safety hazards. The approval of any illuminated sign shall not be final until thirty (30) days after installation during which period the director may order the dimming of any illumination found to be excessively brilliant bright, ~~and no sign approval shall be valid until such order has been carried out to the satisfaction of the director.~~ Illumination shall be considered excessively bright when it prevents the perception of objects or buildings beyond or in the vicinity of the sign. In no case shall an illuminated sign or lighting device be placed or directed as to permit the beams and/or illumination therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a traffic or safety hazard.

2. Standards for illumination of signs. Sign lighting shall be subject to the standards below:

a. *Externally illuminated signs.*

i. Externally mounted light fixtures shall be fully shielded to eliminate unnecessary backlight, uplight, or glare (BUG) and have an uplight (U) BUG Rating of U=0.

ii. Externally illuminated light fixtures shall not exceed a color temperature of 3000 Kelvin (K)

iii. Externally illuminated light fixtures shall be restricted to white bulbs only.

b. *Internally illuminated signs.*

i. Signs can be halo or concealed internally illuminated. Internal illumination can be used only when it is limited to lighting the sign letters and any state and/or federal registered trademark.

- ii. Lighting used for internally illuminated signs shall be restricted to white bulbs only.
 - iii. Halo-illuminated signs shall not exceed a color temperature of 3000 Kelvin (K).
 - iv. Internally illuminated signs shall not exceed a color temperature of 5000 Kelvin (K).
- c. Sign Brightness.
- i. The maximum luminance value below applies to all portions of the sign. The maximum of 700 cd/m² is at any point within a sign face, no matter the color and is inclusive of glare points on externally illuminated signs.
 - ii. Brightness Criteria. The maximum luminance within a sign face shall be 700 cd/m².
- d. Automatic dimmer control. All sign lighting must be equipped with:
- i. An automatic dimmer control to produce the illumination change required by subsection (c) of this section; and
 - ii. A means to immediately turn off the display or lighting if the illuminated sign malfunctions.”

Section 28. Subsections B (Monument signs) an G (Directional signs) of Section 9655.7 (Standards for specific types of permanent signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“B. *Monument signs.*

1. *Location.* The sign shall be located a minimum of five (5) feet from any property line abutting a public or private right-of-way street and shall comply with city standards for vehicular sight distance at the driveway intersection with the frontage street ~~as determined by the City Traffic Engineer.~~
2. *Maximum area.* The sign shall be a maximum of forty-eight (48) square feet in area. Only one (1) side of a double-faced (back to back) sign shall be included when calculating sign area. Sign area calculations shall not include architectural treatments or support structures.
3. *Maximum height.* The maximum height of a monument sign shall be six (6) feet. Architectural treatments or support structures shall be included in the height measurement. The maximum allowable sign height shall be measured as the vertical distance from grade adjacent to the base of the

sign footing, to the top of the sign, including the support structure and any design elements. In no case shall an artificial grade be established for the sole purpose of elevating the grade adjacent to the base of the sign footing for purposes of sign measurement.

4. *Materials and lighting.* The use of plastic material as a background is not permitted. The sign background material shall be opaque, which means that any interior light source shall not penetrate the material and illuminate the background but shall be limited to illuminating the sign letters.
5. *Landscape requirements.* Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. The director may reduce or waive this requirement ~~if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.~~ on sites with existing landscaped setbacks pursuant to division 6 (section 9676 through 9676.7) and section 9655.12.C.”

and

“G. *Directional signs.* All directional signs shall be located a minimum of ~~ten five (10-5)~~ feet from the street property line. ~~and shall not exceed three (3) feet in height and three (3) square feet in area.~~ “

Section 29. Section 9655.8 (Permanent sign entitlement by land use) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“A. *Residential land use districts.*

1. *Multi-family developments.* One (1) monument sign, maximum forty-eight (48) square feet and six (6) feet in height, may be erected on each public street frontage upon which the complex has public access. In addition, interior signs which are visible from any public right-of-way, may be approved by the director provided that such signs do not exceed six (6) square feet in area and four (4) feet in height. Interior signs not visible from any public right-of-way shall not be subject to the requirements of this paragraph.

B. *Commercial, business park and planned development land use districts.*

1. Walls signs for business park, office and retail uses. Each ~~business park tenant, office tenant, or retail tenant~~ shall be limited to one (1) wall sign per primary frontage integrated into the design of the building. Except as otherwise provided by this part, the following sign area limitations shall also apply:
 - a. i. Office buildings shall be limited to one (1) business sign.
 - b. One (1) square foot of signage is allowed per each linear foot of storefront, tenant space, or primary building frontage.

- c. ~~ii. The maximum allowable sign area F~~for each tenant located within one hundred (100) feet of any public or private ~~right-of-way~~ street shall not exceed ~~one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the maximum sign area shall not exceed fifty (50) square feet. For each tenant located more than one hundred (100) feet from any public or private street, the maximum sign area shall not exceed seventy (70) feet.~~
- d. ~~iii.~~ For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. ~~The~~ Each sign shall be generally centered over the storefront or tenant space.
- b. ~~Buildings located more than one hundred (100) feet from public right-of-way:~~
 - i. ~~Office buildings shall be limited to one (1) business sign.~~
 - ii. ~~The maximum allowable sign area for each tenant located more than one hundred (100) feet from any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign area exceed seventy (70) square feet.~~
 - iii. ~~For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.~~
- ~~e.e.~~ *Major tenants in shopping centers.* The maximum allowable wall sign area for a major tenants in shopping centers, which have a frontage greater than one hundred (100) feet, shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign exceed two hundred (200) square feet.
- ~~f.d.~~ *Businesses located on second floor in shopping centers.* Businesses maintained exclusively on the second floor of a two-story commercial center building may be allowed one (1) wall sign, provided that the square footage of the wall sign not exceed one-quarter of the tenant frontage, or a maximum of ten (10) square feet, whichever is greater.
- ~~g.e.~~ *Frontage on two (2) or more streets.* A business located in a commercial or business park building having frontage on more than one (1) ~~public right-of-way~~ street may use the applicable maximum allowable wall sign area in section 9655.8 B.1. on one (1) frontage and one-half of the allowance on the second ~~public~~ frontage. Said allowance shall only be utilized on the frontage on which the allowance is based.

~~For purposes of this paragraph, frontage shall include any public entrance to the premises upon which the subject business is located from a public right of way even though the subject business does not actually front such right of way.~~

~~h. Two or more public entrances. In addition, a A business with a public entrance on a secondary frontage on a ~~private right of way~~ parking lot may have a sign located on such frontage which does not exceed ten (10) square feet.~~

~~i.f. Freeway facing signage. Subject to approval of a sign program, all buildings in commercial, business park, or planned development land use districts, which either directly back or side upon Highway 101, may be permitted a total of one (1) secondary freeway-facing sign, which shall not exceed twenty-five (25) square feet in size sign area. The secondary freeway-facing sign may be increased up to fifty (50) square feet in size in lieu of a sign intended to be on the primary sign frontage. A maximum of one (1) secondary freeway-facing sign shall be allowed for a tenant occupying multiple buildings in a business park or commercial complex. This provision does not apply to those buildings or uses, which are separated by a public frontage road from the freeway.~~

2. Monument Signs. In addition to the wall sign allowances in section 9655.8 B.1, monument signs are allowed as follows:

a. ~~Commercial center and business complex, center or park with common name.~~ Any commercial center and business complex, center or park that has a common name is permitted one (1) monument sign.

b. ~~Commercial centers and business complex, center or parks larger than two (2) acres with frontage on two (2) or more streets.~~ Any commercial center and or business complex, center or park that has a common name and is in excess of two (2) acres in area, with two access driveways with an access driveway on a public street frontage is permitted one monument sign for each public street frontage with an access driveway.

c. Single tenant building or office building. For a single business totally occupying a building, which is not part of a larger complex, project, center or park, one (1) freestanding monument sign is permitted.

3. Other signs. In addition to the wall sign allowances in section 9655.8 B.1., the following signs on awnings, projecting signs, under canopy signs, on-site directional signs, off-site directional signs, and permanent window signs are allowed:

a. Signs on awnings. Painted, non-illuminated signs may be permitted on the borders of marquees, canopies, awnings, arcades, or similar

structures or attachments. Such signs shall be counted toward the maximum wall sign area allowance pursuant to section 9655.8 B.1.

- b. *Projecting signs and under canopy signs.* One (1) projecting sign or under canopy sign shall be permitted. Such signs shall be counted towards the maximum wall sign area allowance pursuant to Section 9655.8 B.1.
- c. *On-site directional signs.* On-site directional signs shall be limited in number to four (4) signs per frontage for any property that has more than one (1) frontage. The maximum area for such signs shall be ~~three~~ four (34) square feet, and such signs shall not exceed ~~three~~ four (34) feet in height.
- d. *Off-site directional signs.* Where the primary vehicular access for a property is located on an adjacent private property and the point of access is not readily evident due to the configuration of the lot or topographical issues, one (1) directional sign may be allowed on the adjacent property, with permission by the property owner, to identify access to the property. The maximum area of the sign shall be ~~three~~ four (34) square feet and such signs shall not exceed ~~three~~ four (34) feet in height.
- e. *Permanent window signs.* Window signs are allowed pursuant to section 9655.7 F. as permanent signs. Window signs are not subject to a sign permit.
- f. *Signs at a drive-thru lane or window.* Where there is such a facility For a drive-thru facility, in addition to the signs allowed by Section 9655.8 B., two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally away from the street are permitted.

C. ~~*Additional s*~~ *Sign entitlement for specific uses.* The following signs are permitted, with a sign permit, unless otherwise specifically prohibited:

1. ~~*Gasoline service stations.*~~ ~~In addition to the signs allowed in section 9655.8,~~ Gasoline service stations are allowed the following signs, in accordance with State law:
 - a. One (1) monument signs as allowed in section 9655.8 B.2. and one (1) changeable copy sign per street frontage, placed on the ground, not to exceed twenty (20) square feet in area and six (6) feet in height. Such sign shall comply with Business & Professions Code Section 13530 et seq. Digital lighting used for the text of changeable copy signs shall be restricted to white bulbs only. The changeable copy sign may be integrated into a monument that complies with the provisions of section 9655.8 B.2.

- ~~b. One (1) accessory wall sign not to exceed fifteen (15) square feet in area, or one (1) accessory monument sign not to exceed fifteen (15) square feet in area and six (6) feet in height.~~
- ~~c. One (1) additional accessory wall sign not to exceed ten (10) square feet in area.~~
- b. Two (2) accessory wall signs. One accessory wall sign shall not exceed fifteen (15) square feet in size and the other accessory wall sign shall not exceed ten (10) square feet in size.
- dc. Sign at fuel dispensing pump dispenser. A maximum of one (1) sign shall be allowed on or above the actual fuel pumps dispensers not to exceed two (2) square feet in area.
- d. One island canopy sign per street frontage. The sign shall not exceed the height of the fascia and 10 square feet in size.
- ~~2. Signs at a drive thru lane or window. Where there is such a facility, in addition to the signs allowed in Section 9655.B., two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally are permitted."~~

D. See Chapter 5, Part 6, for sign regulations for properties located in the Old Agoura Design Overlay District."

Section 30. Section 9655.9 (Sign program) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

- "A. *Purpose.* A sign program is intended to (1) integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement; and (2) provide a means for defining common sign regulations for multi-tenant projects and other users of multiple signs, in order to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter. For the purposes of this provision, a development project is a project involving the construction or remodeling of improvements on privately-owned property.
- B. *Applicability.* The approval of a sign program shall be required under the following circumstances, or whenever an applicant applying for a land use entitlement requests the approval of a sign program:
 - 1. New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities.
 - ~~2. New multi family developments whenever five (5) or more signs are proposed.~~

- ~~3.~~ 2. Whenever five (5) or more permanent signs are proposed for a new or existing development in the multi-family, business park, commercial, or planned development zones;
- ~~4.~~ 3. When an existing shopping center requests an increase in the size, height, location, and number of a monument signs pursuant to a landscape management agreement as specified in subsection 9655 12.C.
- 4. Freeway facing signs pursuant to subsection 9655.8.B.1.i.
- 5. Certain monument signs and sign materials pursuant to 9553.5 A. and C. in the Old Agoura Design Overlay.
- 6. Increase in the number of sign colors allowed pursuant to 9655.6 B.
- ~~5.~~ 7. The director determines that a sign program is needed to ensure compliance with the provisions of this chapter.
- C. *Review and approval authority.* The planning commission ~~may~~ shall have the authority to review and approve a sign program. through the granting of a sign permit for a sign program.
- D. *Application requirements.* ~~An~~ sign permit application for a sign program shall include all information and materials listed in section 9655.5 and the filing fee set by the city's fee resolution.
- E. *Standards.* A sign program shall comply with the criteria established in section 9655.5 D. and the following standards:
 - 1. The program shall comply with the purpose of this chapter. ~~and the overall intent of this section;~~
 - 2. The program shall be designed in a manner to be able to accommodate future revisions that may be required because of changes in use or tenants; and
 - 3. The program shall comply with the standards of this chapter, except that a variance or modification is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the ~~purposes~~ intent of this division.
- F. *Public hearing on proposed sign program.*
 - 1. A public hearing shall be scheduled and notice shall be provided pursuant to section 9804 et seq.
 - 2. The Planning Commission may approve, conditionally approve or deny a proposed sign program. The Planning Commission shall not approve the application unless the following findings are made:
 - a. The location of the proposed signs and the design of their visual elements are legible under normal viewing conditions prevailing where

the sign is to be installed. Legibility shall be determined based solely on the elements of lettering, colors, decorative motifs, spacing, and proportion.

b. The location and design of the proposed signs, their size, shape, illumination, and color are compatible with the visual characteristics of the surrounding area. Compatibility shall be determined based solely on the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering.

c. The proposed sign program is consistent with the City's adopted sign design guidelines and any applicable design guidelines in any adopted Specific Plan.

EG. Revisions to sign programs. Revisions to a an existing sign program determined to be minor in nature may be approved by the director with a standard sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program approved by the planning commission.”

Section 31. Subsections D (New tenancies) and E (Commercial and industrial real estate marketing period). of Section 9655.10 (Temporary signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code are hereby amended to read as follows:

“D. *New tenancies.*

1. During a period of ninety (90) consecutive days from the issuance of the sign permit, the director may approve one (1) banner not exceeding twenty (20) square feet in area for any pending or recent occupancies of new tenant spaces on a parcel in which the tenancy is located in the commercial, business park, and planned development land use districts. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject tenancy is located. The content of the banner may be changed during the ninety-day period.
2. In addition, during the first four (4) days of a grand opening event, captive balloons, without regard to number, may be permitted provided that such balloons do not extend beyond the lowest point of the roofline of the business, obstruct other business in the vicinity, or interfere with pedestrian or vehicle traffic. No mylar or metallic balloons are allowed.
3. ~~These restrictions shall not in any way prohibit any person from handing out or giving away balloons as part of the normal activities of a business as long as such balloons are not in a captive state attached to a structure.~~

E. *Commercial and industrial real estate marketing period.*

1. Temporary on-site signs are allowed on properties in the commercial, business park, and planned development land use districts during the period of time when such properties are for sale, lease or rent on that parcel, if the property owner obtains a sign permit pursuant to the following requirements:
 - a. One (1) sign per parcel; or
 - b. One (1) sign per street frontage.
2. ~~c. Such Ground mounted signs shall not exceed three (3) feet by three (3) feet, or a total of nine (9) square feet in area and four (4) feet in height if attached to the ground by a pole(s) or other support structure. All ground mounted signs shall be displayed on a permanent sign structure designed consistent with the design of the center or building on which the sign is placed with a solid base.~~
 - d. Wall or window signs shall not exceed two (2) feet by two (2) feet, or a total of four (4) square feet in area. Each sign shall be designed and located in a manner satisfactory to the director. No sign shall be illuminated and no banners are allowed. No other temporary yard signs shall be allowed beyond those allowed by this provision.

Section 32. Section 9655.11 (Exempt signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“The following are exempt from the requirement of this ~~section~~ division.

- A. ~~Government signs~~ maintained signs. ~~Government-maintained signs include signs erected and maintained by the City of Agoura Hills, the State of California or the County of Los Angeles and used for public safety, traffic, fire, and police related signs, temporary traffic control, public works or utility construction and maintenance, signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City of Agoura Hills, the state department of transportation, or any other public agency.~~
- B. *Flags*. Flags that meet the following criteria are exempt from the requirements of this ~~section~~ division:
 1. A maximum vertical dimension of five (5) feet;
 2. A maximum horizontal dimension of eight (8) feet;
 3. A maximum cumulative square footage of a flags on a parcel of forty (40) feet (one (1) side);
 4. A maximum of one (1) flag pole per developed site; and
 5. A maximum height of thirty-five (35) feet in the commercial, business park, and planned development zones and a maximum height of twenty-five

(25) feet in the residential and open space-restricted zones. Flag poles are subject to the issuance of a building permit.

- C. *Required signs.* Official notices required to be posted by law, court, or other government agency.

Section 33. Subsection B of Section 9655.12 (Administration and enforcement) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code are hereby amended to read as follows:

~~"B. *Modifications to sign standards.* Pursuant to division 6 (section 9676 through 9676.7), the planning commission may approve minor modifications a variance to the regulations relating to the size, height, number, and location of new or existing signs after a public hearing in those cases where an applicant is faced with exceptional circumstances related to the type or location of its business, or is trying to achieve a special design effect. Notwithstanding the foregoing, the size or height entitlement of a sign shall not be increased by more than thirty (30) percent.~~

1. The director may administratively approve up to a 10% increase in the size of wall signs and the size and height of monument signs. This approval shall not be subject to the requirements in sections 9676 through 9676.7.
2. Where an applicant is faced with exceptional circumstances related to the type or location of its business or is trying to achieve a special design effect the Director may approve a sign modification for an increase from eleven (11) to thirty (30) percent in the size of wall signs and the size and height of monument signs.
3. The applicant shall have the burden of proving that:
 1. The sign is or will not be detrimental to surrounding uses or properties or the community in general; and
 2. The approval of such modification is consistent with the purposes of the general plan and this part, the sign criteria set forth in section 9655.5 D., and the adopted sign design guidelines and/or the design guidelines in any adopted Specific Plans.
4. A sign modification shall be processed pursuant to division 6 (section 9676 through 9676.7).
5. A request for an increase in size or height of a wall or monument sign by more than thirty (30) percent, a request for additional signs, or a request to allow the relocation of signs shall be made as an application for a variance.

Section 34. Section 9655.13 (Nonconforming signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY

PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“ This section recognizes that the eventual elimination of existing signs that are not in conformity with the provisions of this chapter is as important as the prohibition of new signs that would violate these regulations.

- A. *Continuation of a legal nonconforming sign.* A legally established sign that does not conform to the provisions of this chapter may continue to be used, except that the sign shall not be:
 - 1. Structurally altered to extend its useful life;
 - 2. Expanded, moved, or relocated;
 - 3. Re-established after a business has been discontinued for sixty (60) days or more; or
 - 4. Re-established after damage or destruction of more than fifty (50) percent of the sign value, as determined by the director.
- B. *Sign copy changes.* The sign copy and sign faces of a nonconforming sign may be changed upon obtaining a sign permit provided that the change does not include a structural change in the display.
- C. *Correction of nonconformities required.* Approval of any ~~structures~~ buildings on a site or a change in the land use on a site shall require that all nonconforming signs on the site be brought into conformity with this chapter.
- D. Within sixty (60) days after a tenant vacancy in any commercial or industrial zone, all signs and support structures related to the prior tenant shall be removed.”

Section 35. Section 9676.2. (Application Procedures) of Division 6 (VARIANCE AND MODIFICATION) of Part 3 (SPECIAL PERMIT OR REVIEW) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“The following procedures shall be followed in considering variance and modification applications:

- A. *Investigation and report.* The department of planning and community development shall make an investigation of each application that is subject ~~at a public hearing~~ to this division and shall prepare a report thereon which shall be submitted to the appropriate authority, and made available to the applicant prior to the ~~public hearing~~ any action on the application.
- B. Modifications.
 - ~~B1.~~ Hearing responsibility Review authority.

~~4a.~~ Applications for modifications ~~solely~~ for the following regulations shall be heard considered and a determination shall be made by the director:

- ~~i.~~ a. Building site area;
- ~~ii.~~ b. Building site width;
- ~~iii.~~ c. Yards;
- ~~iv.~~ d. Off-street parking regulations;
- ~~v.~~ Projections into yards;
- ~~vi.~~ An increase in the size and height of a sign;
- ~~vii.~~ A reduction in the amount of landscaping provided at the base of a monument sign on sites with legal nonconforming landscape setbacks.

~~2.~~ All other variances and modification applications shall be heard and a decision the planning commission shall make a determination.

~~3b.~~ A modification is any change to the terms or requirements of this article, which, if granted, would allow the following:

- ~~i.~~ a. A decrease of not more than ten (10) percent of the required building site area or width;
- ~~ii.~~ b. A decrease of not more than twenty (20) percent of the required width of a side yard or the yard between building;
- ~~iii.~~ c. A decrease of not more than twenty (20) percent of the required rear yard;
- ~~iv.~~ d. A decrease of not more than twenty (20) percent of the distance required between the front property line and the building line;
- ~~v.~~ e. A decrease of not more than ten (10) percent of the required parking spaces;
- ~~vi.~~ f. An increase of not more than ten (10) percent of the permitted projection of steps, stairways, landings, eaves, overhangs, masonry chimneys, and fireplaces, into any required front, rear side or yard between buildings;
- ~~vii.~~ g. An increase in the size and height, ~~number and location~~ of new or existing signs. The increase in size or height of a sign shall not exceed thirty (30) percent.
- ~~viii.~~ h. A decrease of not more than thirty (30) percent in the amount of landscaping provided at the base of a monument sign on sites with existing landscape setbacks.

~~C.~~ Public hearing. The planning commission shall hold a public hearing on an application for a variance, or sign modifications. The hearing shall be set and notice given as prescribed in section 9804.2. At a public hearing, the commission shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the variance and/or sign modification, prescribed in section 9876. Public hearing notice requirements shall be made as provided in section 9804.4.

~~D. *Action of the planning commission or director.* The planning commission or director may grant a variance or modification as the variance or modification was applied for or in modified form, or the application may be denied. A variance or modification may be granted for a limited time period, or may be granted subject to conditions as the commission or director may prescribe~~

2. *Administrative Decision.* The director may approve, conditionally approve, or deny, without a public hearing, all applications for a modification. The director may elect to forward the matter to the planning commission for consideration of the application. Noticing requirements for the director's consideration of a modification application for the items listed in subsection 9676.2 B.1.a. above shall be pursuant to section 9804.4.

~~E.3. *Modification Findings.* The planning commission or director may grant a variance or modification to a regulation prescribed by this article if the following findings are made:~~

- ~~4a. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by thither property in the vicinity and under identical zoning classification.~~
- ~~2b. That the granting of the variance modification will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.~~
- ~~3c. That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article.~~
- ~~4d. That the granting of the variance modification will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.~~
- ~~5e. That the granting of the variancee modification will be consistent with the character of the surrounding area.~~

4. *Sign Modification Findings.* The ~~planning commission~~ director may grant approve a sign modification for up to 30% for an increase in the size and height number and location of new or existing signs. The increase in size or height of a sign if the following findings are made:

- a. The sign is or will not be detrimental to surrounding uses or properties in the community in general; and
- b. The approval of such modification is consistent with the purposes of the general plan, the sign criteria set forth in subsection 9655.5 D, and the adopted sign guidelines.

5. Action of the director. The director may grant modification as the modification was applied for or in modified form, or the application may be denied. A modification may be granted subject to conditions as the director may prescribe.

C. Variances.

1. Review authority for variances.

~~2. Applications for variances and modification applications shall be heard and a determination shall be made by the planning commission.~~

~~C.2. Public hearing.~~ The planning commission shall hold a public hearing on an application for a variance, ~~or sign modifications.~~ The hearing shall be set and notice given as prescribed in section 9804.2. At a public hearing, the commission shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the variance ~~and/or sign modification,~~ prescribed in section 9876. Public hearing notice requirements shall be made as provided in section 9804.4.

~~E3. Findings.~~ The planning commission may grant a variance and the director may grant a modification to a regulation prescribed by this article if the following findings are made:

- ~~1a.~~ That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by thither property in the vicinity and under identical zoning classification.
- ~~2b.~~ That the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.
- ~~3c.~~ That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article.
- ~~4d.~~ That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- ~~5e.~~ That the granting of the variance will be consistent with the character of the surrounding area.

~~The planning commission may grant a sign modification if the following findings are made.~~

~~1. The sign is or will not be detrimental to surrounding uses or properties in the community in general; and~~

2. The approval of such modification is consistent with the purposes of the general plan, the sign criteria set forth in subsection 9655.5 D, and the adopted sign guidelines

D. *Action of the planning commission or director.* The planning commission or director may grant a variance or modification as the variance or modification was applied for or in modified form, or the application may be denied. A variance or modification may be granted for a limited time period, or may be granted subject to conditions as the commission or director may prescribe.

HE. *Appeals.* A decision of the planning commission on a variance or sign modification may be appealed to the city council. A decision of the director on a modification may be appealed to the planning commission.

IF. *Determination by city council or planning commission.* The city council or planning commission shall hold a public hearing on a variance or modification as prescribed in chapter 8 if an appeal has been filed within the prescribed fifteen-day appeal period. The decision of the city council shall be final.

JG. *Effective date of variance or modification.* A decision of the planning commission or director on a variance or modification shall be effective fifteen (15) days after the date of the decision unless an appeal has been filed. Variance and/or modifications shall become effective immediately after they are granted by the city council.”

Section 36. Section 9676.7. (Variance or Modification related to uses amortized pursuant to this Code) of Division 6 (VARIANCE AND MODIFICATION) of Part 3 (SPECIAL PERMIT OR REVIEW) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby deleted in its entirety.

~~9676.7. -- Variance or modification relating to uses amortized pursuant to this Code.~~

~~Where the variance application seeks relief from the provisions of section 9655.3 which prohibits pole signs and freestanding signs or section 9655.8 which provides for a seven-year amortization period for such signs, in addition to the relief permitted under section 9676.2.E, the city may alternately grant an extension to the amortization period if the following findings are made:~~

- ~~1. The amortization period as applied to the applicant is legally unreasonable due to special facts or circumstances;~~
- ~~2. The extension of time granted is the minimum amount of time necessary to assure that the amortization period is reasonable; and~~
- ~~3. The extension of the amortization period will not have a significant adverse effect on the public health, safety or welfare.~~

~~In determining whether the period of amortization is reasonable as applied to an individual applicant, the city shall consider all relevant factors including, but not limited to, such factors as the length of the amortization period, the extent of the nonconformity, the amount of the investment in the sign, construction dates, salvage value, remaining useful life, length and remaining term of any lease under which the sign or other nonconforming use is maintained, and harm to the public if the sign remains standing beyond the amortization period.~~

Section 37. Section 9804.2 (Planning commission public hearing) and 9804.3 (Zoning administrator public hearings) of Division 4 (PUBLIC HEARING PROCEDURES) of Part 1 (GENERAL) of Chapter 8 (ADMINISTRATION) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“9804.2 Planning commission public hearing.

The following matters shall be considered by the planning commission only after a public hearing:

- A. General plan and specific plan adoption and amendments;
- B. Change of zones;
- C. Zoning ordinance adoption and amendments;
- D. Conditional use permits;
- E. Variances;
- F. Mobile home permits;
- G. Low and moderate income housing permits;
- H. Development agreements;
- I. Sign Programs
- IJ. Appeals from the decision of the director that required a public hearing before the director.

9804.3 Zoning administrator public hearings.

- A. The following matters shall be considered by the director after a public hearing:
 - ~~1. Minor modifications; and~~
 - 21. Minor conditional use permits for wireless telecommunications facilities and/or wireless telecommunications collocation facilities.
 - 32. Amendments to minor conditional use permits for wireless telecommunications facilities and/or wireless telecommunications collocation facilities.”

Section 38. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or

circumstance. The City Council declares that it would have adopted each section, subsections, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 39. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 40. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2023, by the following vote to wit:

AYES: (
NOES: (
ABSENT: (
ABSTAIN: (
)

Chris Anstead, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

ATTACHMENT 2

Ordinance No. 23-472

ORDINANCE NO. 23-472

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE FOLLOWING PROVISIONS OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE: 1) VARIOUS SIGN-RELATED DEFINITIONS IN CHAPTER 1 (INTRODUCTION); 2) DIVISION 5 (SIGN REGULATIONS) IN CHAPTER 6 (REGULATORY PROVISIONS); 3) SECTION 9676.2 (APPLICATION PROCEDURES) AND SECTION 9676.7 (VARIANCE OR MODIFICATION RELATING TO USES AMORTIZED PURSUANT TO THIS CODE) FOR VARIANCES AND MODIFICATIONS IN CHAPTER 6 (REGULATORY PROVISIONS); AND 4) SECTION 9804.2 (PLANNING COMMISSION PUBLIC HEARING) AND SECTION 9804.3 (ZONING ADMINISTRATOR PUBLIC HEARINGS) IN CHAPTER 8 (ADMINISTRATION) AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, on July 20, 2023, the Planning Commission conducted and concluded a duly noticed public hearing concerning this Ordinance as required by law at which the Planning Commission received testimony from City staff and all interested parties regarding the proposed amendments. Following the close of the public hearing, the Planning Commission adopted Resolution No. 23-1282, recommending approval of the draft Ordinance.

WHEREAS, on August 23, 2023, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Ordinance as required by law.

WHEREAS, at the public hearing on August 23, 2023, the City Council received testimony from City staff and all interested parties regarding the proposed amendments.

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Agoura Hills hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. Pursuant to the California Environmental Quality Act ("CEQA"), and the City's local CEQA Guidelines, City staff has determined that this Ordinance (the "project") is covered by the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment. City staff found that there is

no possible significant effect related to the project since the Ordinance proposes to amend certain provisions of the City's current sign regulations to make minor text clarifications and text revisions. The administrative changes included in the Ordinance will not contribute to any physical changes to the environment; therefore, the project would not result in significant impacts to the environment. No further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)). The City Council has reviewed the project, and based upon the whole record before it, in the exercise of its independent judgment and analysis, finds that City staff has correctly concluded that it can be seen with certainty that there is no possibility the proposed Ordinance may have a significant effect on the environment.

Section 3. Section 9120.1.A of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections BB.1 (Area, sign) and II (Awning) to read as follows:

“BB.1. *Area, sign.* “Area, sign” means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.”

and

“II. *Awning sign.* “Awning sign” means any sign or graphic attached to, painted on or applied to an awning or awning canopy.”

Section 4. Section 9120.2.B of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections A.1 (Banner) and F.1 (Bug rating) to read as follows:

“A.1. *Banner.* “Banner” means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.”

and

“F.1. *BUG rating.* “BUG rating” means the type and amount of light spillage from the fixture's source. The B in BUG represents the backlight. Backlight is the amount of stray light behind the light source. The U represents uplight, which is the amount of light that passes vertically beyond a horizontal plane of the light source, and G stands for glare, which is the light cast within a person's field of view where glare is produced.”

Section 5. Section 9120.3.C of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new

subsections B.1 (Candelas), B.2 (Candela per meter² (cd/m²), B.3 (Changeable copy sign) and L.1 (Commercial or business park complex) to read as follows:

“B.1. Candelas. “Candelas (cd)” means the System of Units (SI) used to measure the brightness of a source of light (its luminous intensity).”

B.2. Candela per meter² (cd/m²). “Candela per meter² (cd/m²)” means the unit of luminous intensity in the International System of Units (SI), defined as the luminous intensity per unit area.

B.3. Changeable copy sign. “Changeable copy sign” means a sign or portion of a sign where it is possible to change the copy on a frequent basis.”

and

“L.1. Commercial or business park complex. “Commercial or business park complex” means a group of two (2) or more tenants which are situated as an integral unit, on either a single parcel of land or separate parcels of land, where such businesses utilize common off-street parking or access.”

Section 6. Section 9120.4.D of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection J.1 (Directional sign) to read as follows:

“J.1 Directional sign. “Directional sign” means a sign located on private property, the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information, or convey similar such information.”

Section 7. Section 9120.5.E of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsection K.(Externally Illuminated Sign), to read as follows:

“K Externally Illuminated Sign. “Externally Illuminated Sign” means any sign of which a source of light from outside the sign is used to make a message readable at night.”

Section 8. Section 9120.6.F of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections G.1(Flag), G.2 (Foot-Candle (fc)), J (Frontage, building), K (Frontage, primary), L (Frontage, secondary) and M (Fully Shielded (Light Fixture)) to read as follows:

“G.1 Flag. “Flag” means a piece of fabric, usually rectangular in shape, that is usually displayed hanging free from a staff or pole, to which it is attached by edge so that it will float, play, or shake in an air current.

G.2. Foot-Candle (fc). “Foot-Candle (fc)” means the standard imperial unit used to measure illuminance, or the amount of light falling onto a surface, such as the ground. One foot-candle equals one lumen per square foot.”

and

- J. Frontage, building. "Frontage, building" means the exterior building wall facing or oriented towards a street. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.
- K. Frontage, primary. "Frontage, primary" means the frontage, which provides the subject building with its main or principal orientation to a public or private right-of-way whether or not such frontage has a public entrance to the building. In shopping centers or multiple-tenant buildings, the primary frontage shall be established as part of a sign program.
- L. Frontage, secondary. "Frontage, secondary" means any frontage, other than the primary frontage, that has a public entrance to the subject building.
- M. Fully Shielded (Light Fixture). "Fully Shielded (Light Fixture)" means a light fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. Any structural part of the light fixture providing this shielding must be permanently affixed, and part of the fixture, not part of any surrounding building or architectural elements."

Section 9. Section 9120.8.H. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.1 (Halo illumination) to read as follows:

"A.1. Halo illumination. "Halo illumination" means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo."

Section 10. Section 9120.9.I. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.03 (Illuminance), A.04 (Inflatable Sign), and A.05 (Internally illuminated) to read as follows:

"A.03. Illuminance. "Illuminance" means the amount of light falling onto a unit area of the surface (luminous flux per unit area) - measured in foot candles.

A.04. Inflatable sign. "Inflatable sign" means an object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.

A.05. Internally illuminated. "Internally illuminated" means illumination produced by a light source contained within a sign and not directly visible to the eye."

Section 11. Section 9120.11.K. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.05 (Kelvin (K)) to read as follows:

"A.05. Kelvin. "Kelvin (K)" means the unit of the color temperature scale is used to categorize the color of light emitted by light sources regardless of their temperature."

Section 12. Section 9120.12.L. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections C.1 (Legal nonconforming sign), F.1 (Logo), U (Lumen), and V (Luminance) to read as follows:

“C.1. *Legal nonconforming sign.* “Legal nonconforming sign” means a sign that was originally erected or installed electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division.

and

“F.1. *Logo.* “Logo” means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.

and

“U. *Lumen.* “Lumen” means the unit of luminous flux; used to measure the amount of light emitted by lamps.

V. *Luminance.* “Luminance” means the intensity of light reflected or emitted from a unit area of surface, such as a sign face - measured in cd/m^2 .”

Section 13. Section 9120.13.M. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection F.1 (Monument/Directory sign) to read as follows:

“F.1. *Monument/Directory sign.* “Monument sign/Directory sign” means a sign that is a ground-mounted sign, completely self-supporting, with a solid base separating the sign copy from the grade. A monument sign can be single-sided or double-sided and only back-to-back faces shall constitute one monument sign.”

Section 14. Section 9120.14.N. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.05 (Neon sign) to read as follows:

“A.05. *Neon sign.* “Neon sign” means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.”

Section 15. Section 9120.15.O. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection F.1 (Outdoor advertising display, structure or sign) to read as follows:

“F.1. *Outdoor advertising display, structure or sign.* “Outdoor advertising display, structure or sign” means a commercial sign placed for the purpose of advertising products or advertising services that are not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard.”

Section 16. Section 9120.16.P. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections M.1 (Pole sign), O.1 (Portable sign), P.1 (Projecting sign) to read as follows:

“M.1. *Pole sign.* “Pole sign” means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.”

and

“O.1. *Portable sign.* “Portable sign” means any sign that is not permanently attached to the ground or any structure and is capable of being moved, including but not limited to "A-frame," "H-frame" or "sandwich board" type signs. A portable sign is not a temporary window sign as provided in section 9120.19.T.

P.1. *Projecting sign.* Projecting sign” means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and perpendicular to the building.”

Section 17. Section 9120.17.R. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections F.1 (Revolving sign), H.1 (Right-of-way, public), H.2 (Right-of-way private) and H.3 (Roof Sign) to read as follows:.

“F.1. *Revolving sign.* “Revolving sign” means a sign that turns around or rotates, as on an axis.”

and

“H.1. *Right-of-way, public.* “Right-of-way, public” means a public street or highway, but not including a freeway.

H.2. *Right-of-way, private.* “Right-of-way, private” means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.

H.3. *Roof sign.* “Roof sign” means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.”

Section 18. Section 9120.18.S. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to revise subsection O (Sign), and add new subsections O.1 (Sign face), and Q.1 (Single tenant building) to read as follows:

“O. Sign. “Sign” means any name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. For the purpose of this part, a sign is not a sign if it is inside a building, located more than three (3) feet behind a window, and not facing a window in such a way as to be viewed from an outside public area.

O.1. Sign face. “Sign face” means the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.”

and

“Q.1. Single tenant building. “Single tenant building” means a building used by one (1) occupant.”

Section 19. Section 9120.19.T. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.05 (Temporary sign), to read as follows:

“A.05. Temporary sign. “Temporary sign” means any sign addressed in section 9655.10 and capable of being viewed from any public right-of-way, parking area, or neighboring property. A temporary sign is any sign consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board, paint or other dispensable materials, with or without frames, and mounted or painted, if on a window, in a nonpermanent manner.”

Section 20. Section 9120.20.U. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection A.1 (Under canopy sign), to read as follows:

“A.1. Under canopy sign. “Under canopy sign” means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.

Section 21. Section 9120.22.W of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add new subsections A.05 (Wall sign) and C.1 (Window sign), to read as follows:

“A.05. Wall sign. “Wall sign” means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.”

and

“C.1. *Window sign.* “Window sign” means a temporary or permanent sign painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed.”

Section 22. Section 9120.23.Y. of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to add a new subsection B (Yard sign), to read as follows:

“B. *Yard sign.* “Yard sign” means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign as defined in subsection 9120.16.P.”

Section 23. Section 9655.2 (Definitions) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“9655.2. - Definitions.

Definition of terms used in this Division 5 can be found at Article IX, Chapter 1, Part 3 of the Agoura Hills Municipal Code.

~~Notwithstanding the provisions of section 9120 et seq. of this article, for the purposes of this part, the following words and phrases are defined as follows:~~

- ~~A. *Area, sign* means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.~~
- ~~B. *Awning sign* means any sign or graphic attached to, painted on or applied to an awning or awning canopy.~~
- ~~C. *Banner* means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.~~
- ~~D. *Changeable copy sign* means a sign or portion of a sign where it is possible to change the copy on a frequent basis.~~
- ~~E. *Commercial or business park complex* means a group of two (2) or more tenants which are situated as an integral unit, on either a single parcel of land or separate parcels of land, where such businesses utilize common off street parking or access.~~

- F. ~~*Directional sign* means a sign located on private property, the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information, or convey similar such information.~~
- G. ~~*Director* means the director of planning and community development or such director's designee.~~
- H. ~~*Externally lighted sign* means a sign whose immediate source of illumination is not enclosed by the surface of the sign structure.~~
- J. ~~*Frontage, building* means the exterior building wall facing or oriented towards a public or private right of way. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.~~
- K. ~~*Frontage, primary* means the frontage, which provides the subject building with its main or principal orientation to a public or private right of way, whether or not such frontage has a public entrance to the building. In shopping centers or multiple tenant buildings, the primary frontage shall be established as part of a sign program.~~
- L. ~~*Frontage, secondary* means any frontage, other than the primary frontage, that has a public entrance to the subject building.~~
- M. ~~*Halo illumination* means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.~~
- N. ~~*Inflatable sign* means an object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.~~
- O. ~~*Internally lighted illuminated* means illumination produced by a light source contained within a sign and not directly visible from outside.~~
- P. ~~*Legal nonconforming sign* means a sign that was originally erected or installed electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division. (revised text in code to match term)~~
- Q. ~~*Logo* means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.~~
- R. ~~*Monument sign* means a sign that is completely self-supporting and has its sign face or base on the ground or a maximum of twelve (12) inches above the adjacent grade or base of the sign.~~
- S. ~~*Neon sign* means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.~~
- T. ~~*Outdoor advertising display, structure or sign* means a commercial sign placed for the purpose of advertising products or advertising services that are~~

- not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard.
- ~~U. Pole sign means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.~~
- ~~V. Portable sign means any sign that is not permanently attached to the ground or any structure and is capable of being moved, including but not limited to "A frame," "H frame" or "sandwich board" type signs. A portable sign is not a temporary window sign as provided in section 9655.10 A.~~
- ~~W. Projecting sign means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and oriented to pedestrians.~~
- ~~X. Revolving sign means a sign that turns around or rotates, as on an axis.~~
- ~~Y. Right-of-way, public means a public street or highway, but not including a freeway.~~
- ~~Z. Right-of-way, private means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.~~
- ~~AA. Roof sign means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.~~
- ~~BB. Secondary sign means any sign not located on a primary frontage.~~
- ~~CC. Sign means any name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. For the purpose of this part, a sign is not a sign if it is inside a building, located more than three (3) feet behind a window, and not facing a window in such a way as to be viewed from an outside public area.~~
- ~~DD. Sign face means the surface or that portion of a sign that is visible from a single point as a flat surface or a plane and considered as such together with the frame and the background.~~
- ~~EE. Single tenant building means a building used by one (1) occupant for an individual business.~~
- ~~FF. Temporary sign means any sign addressed in section 9655.10 and capable of being viewed from any public right-of-way, parking area, or neighboring property. A temporary sign is any sign consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board, paint or other dispensable materials, with~~

~~or without frames, and mounted or painted, if on a window, in a nonpermanent manner.~~

~~GG. Under canopy sign means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.~~

~~HH. Wall sign means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.~~

~~II. Window sign means a temporary or permanent sign painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed.~~

~~JJ. Yard sign means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign."~~

Section 24. Subsection F of Section 9655.3 (Prohibited Signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"F. Devices projecting or otherwise producing the image of a sign, as defined in ~~section 9655.2 CC.~~ 9120.18.S., on any surface or object."

Section 25. Subsection B of Section 9655.4 (General Provisions) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"B. Sign height for ground-mounted signs. The maximum allowable sign height for ground-mounted signs shall be measured by the distance from the average adjacent ground level within five (5) feet of the base of the sign to the top of the sign." ~~including the superstructure and any design.~~

Section 26. Section 9655.5 (Application and review procedures for permanent signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"A. Sign permit. Permanent signs shall only be constructed, displayed or altered with sign permit approval by the director or appropriate decision-making body. Sign permits shall be prepared, filed, processed, and approved or denied in compliance with this section. In addition to a sign permit, permanent signs may be subject to the issuance of a building permit.

B. Application. An application for a sign permit shall be made on the form provided by the department of planning and community development and shall be

accompanied by the required fee. Such application shall set forth and contain the following information and materials:

1. The location and size of any existing or proposed buildings or structures on the property, which are or will be under the ownership or control of the applicant.
 2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where directional signs are proposed.
 3. The position of the proposed sign and its relationship to existing or proposed adjacent buildings and structures, which are or will be under the ownership or control of the applicant.
 4. The proposed design, size, exact colors, materials, orientation, and location of the sign or sign structure.
 5. The method of attachment to any structure.
 6. A statement showing sizes and dimensions of all other signs existing on the property under the ownership or control of the applicant.
 7. A statement showing the size and color relationships of such sign or sign structure to the appearance and design of existing or proposed buildings and structures on the property.
 8. Photographs of all sides of any building ~~or~~ and renderings or photo simulations of proposed buildings.
 9. Such other information as the department of planning and community development may require to secure compliance with this ~~part~~ division.
- C. *Review and approval authority.* A sign permit shall be approved or disapproved by the director in compliance with the criteria set forth in subsection D below and the provisions of this ~~part~~ division.
- D. *Criteria.* The following criteria shall be the only criteria used in reviewing an application for a sign permit:
1. That the sign is consistent with the provisions of this part and title;
 2. That the location and orientation of the proposed sign, as well as the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions), are legible under normal viewing conditions prevailing where the sign is to be installed;
 3. That the proposed sign is consistent with the sign standards found in sections 9655.6 and 9655.7;
 4. That the proposed sign is consistent with the adopted sign design guidelines available at the planning and community development public counter.
- E. *Findings for Denial.* 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 in subsection D. or other provisions of this division shall be

prepared in writing and mailed to the applicant or his agent and sign contractor within ~~ten (10)~~ thirty (30) working calendar days.

- F. *Appeals.* Any decision made by the director or the planning commission may be appealed in accordance with the provisions of this title. The decision of the city council on any appeal shall be final.”

Section 27. Subsection D of Section 9655.6 (General sign standards for permanent signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“D. Illumination of signs

1. Director review. Unless otherwise prohibited by this part, signs may be illuminated subject to the review and approval of the director to ensure that such illumination does not create any public safety hazards. The approval of any illuminated sign shall not be final until thirty (30) days after installation during which period the director may order the dimming of any illumination found to be excessively brilliant ~~bright, and no sign approval shall be valid until such order has been carried out to the satisfaction of the director.~~ Illumination shall be considered excessively bright when it prevents the perception of objects or buildings beyond or in the vicinity of the sign. In no case shall an illuminated sign or lighting device be placed or directed as to permit the beams and/or illumination therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a traffic or safety hazard.

2. Standards for illumination of signs. Sign lighting shall be subject to the standards below:

a. Externally illuminated signs.

- i. Externally mounted light fixtures shall be fully shielded to eliminate unnecessary backlight, uplight, or glare (BUG) and have an uplight (U) BUG Rating of U=0.
- ii. Externally illuminated light fixtures shall not exceed a color temperature of 3000 Kelvin (K)
- iii. Externally illuminated light fixtures shall be restricted to white bulbs only.

b. Internally illuminated signs.

- i. Signs can be halo or concealed internally illuminated. Internal illumination can be used only when it is limited to lighting the sign letters and any state and/or federal registered trademark.

- ii. Lighting used for internally illuminated signs shall be restricted to white bulbs only.
- iii. Halo-illuminated signs shall not exceed a color temperature of 3000 Kelvin (K).
- iv. Internally illuminated signs shall not exceed a color temperature of 5000 Kelvin (K).
- c. Sign Brightness.
 - i. The maximum luminance value below applies to all portions of the sign. The maximum of 700 cd/m² is at any point within a sign face, no matter the color and is inclusive of glare points on externally illuminated signs.
 - ii. Brightness Criteria. The maximum luminance within a sign face shall be 700 cd/m².
- d. Automatic dimmer control. All sign lighting must be equipped with:
 - i. An automatic dimmer control to produce the illumination change required by subsection (c) of this section; and
 - ii. A means to immediately turn off the display or lighting if the illuminated sign malfunctions.”

Section 28. Subsections B (Monument signs) an G (Directional signs) of Section 9655.7 (Standards for specific types of permanent signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“B. *Monument signs.*

1. *Location.* The sign shall be located a minimum of five (5) feet from any property line abutting a public or private right-of-way street and shall comply with city standards for vehicular sight distance at the driveway intersection with the frontage street. ~~as determined by the City Traffic Engineer.~~
2. *Maximum area.* The sign shall be a maximum of forty-eight (48) square feet in area. Only one (1) side of a double-faced (back to back) sign shall be included when calculating sign area. Sign area calculations shall not include architectural treatments or support structures.
3. *Maximum height.* The maximum height of a monument sign shall be six (6) feet. Architectural treatments or support structures shall be included in the height measurement. The maximum allowable sign height shall be measured as the vertical distance from grade adjacent to the base of the

sign footing, to the top of the sign, including the support structure and any design elements. In no case shall an artificial grade be established for the sole purpose of elevating the grade adjacent to the base of the sign footing for purposes of sign measurement.

4. *Materials and lighting.* The use of plastic material as a background is not permitted. The sign background material shall be opaque, which means that any interior light source shall not penetrate the material and illuminate the background but shall be limited to illuminating the sign letters.
5. *Landscape requirements.* Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. The director may reduce or waive this requirement ~~if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.~~ on sites with existing landscaped setbacks pursuant to division 6 (section 9676 through 9676.7) and section 9655.12.C.”

and

“G. *Directional signs.* All directional signs shall be located a minimum of ~~ten five (10-5)~~ feet from the street property line. ~~and shall not exceed three (3) feet in height and three (3) square feet in area.~~ “

Section 29. Section 9655.8 (Permanent sign entitlement by land use) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“A. *Residential land use districts.*

1. *Multi-family developments.* One (1) monument sign, maximum forty-eight (48) square feet and six (6) feet in height, may be erected on each public street frontage upon which the complex has public access. In addition, interior signs which are visible from any public right-of-way, may be approved by the director provided that such signs do not exceed six (6) square feet in area and four (4) feet in height. Interior signs not visible from any public right-of-way shall not be subject to the requirements of this paragraph.

B. *Commercial, business park and planned development land use districts.*

1. Walls signs for business park, office and retail uses. Each ~~business park tenant, office tenant, or retail tenant~~ shall be limited to one (1) wall sign per primary frontage integrated into the design of the building. Except as otherwise provided by this part, the following sign area limitations shall also apply:
 - a. i. Office buildings shall be limited to one (1) business sign.
 - b. One (1) square foot of signage is allowed per each linear foot of storefront, tenant space, or primary building frontage.

- ~~c. ii. The maximum allowable sign area Ffor each tenant located within one hundred (100) feet of any public or private right-of-way street shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the maximum sign area shall not exceed fifty (50) square feet. For each tenant located more than one hundred (100) feet from any public or private street, the maximum sign area shall not exceed seventy (70) feet.~~
- d. iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The Each sign shall be generally centered over the storefront or tenant space.
- ~~b. Buildings located more than one hundred (100) feet from public right-of-way:~~
- ~~i. Office buildings shall be limited to one (1) business sign.~~
- ~~ii. The maximum allowable sign area for each tenant located more than one hundred (100) feet from any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign area exceed seventy (70) square feet.~~
- ~~iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.~~
- e.e. Major tenants in shopping centers. The maximum allowable wall sign area for a major tenants in shopping centers, which have a frontage greater than one hundred (100) feet, shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign exceed two hundred (200) square feet.
- f.d. Businesses located on second floor in shopping centers. Businesses maintained exclusively on the second floor of a two-story commercial center building may be allowed one (1) wall sign, provided that the square footage of the wall sign not exceed one-quarter of the tenant frontage, or a maximum of ten (10) square feet, whichever is greater.
- g.e. Frontage on two (2) or more streets. A business located in a commercial or business park building having frontage on more than one (1) public right-of-way street may use the applicable maximum allowable wall sign area in section 9655.8 B.1. on one (1) frontage and one-half of the allowance on the second public frontage. Said allowance shall only be utilized on the frontage on which the allowance is based.

~~For purposes of this paragraph, frontage shall include any public entrance to the premises upon which the subject business is located from a public right of way even though the subject business does not actually front such right of way.~~

h. Two or more public entrances. ~~In addition, a~~ A business with a public entrance on a secondary frontage on a ~~private right of way parking lot~~ may have a sign located on such frontage which does not exceed ten (10) square feet.

i.f. Freeway facing signage. Subject to approval of a sign program, all buildings in commercial, business park, or planned development land use districts, which either directly back or side upon Highway 101, may be permitted a total of one (1) secondary freeway-facing sign, which shall not exceed twenty-five (25) square feet in size sign area. The secondary freeway-facing sign may be increased up to fifty (50) square feet in size in lieu of a sign intended to be on the primary sign frontage. A maximum of one (1) secondary freeway-facing sign shall be allowed for a tenant occupying multiple buildings in a business park or commercial complex. This provision does not apply to those buildings or uses, which are separated by a public frontage road from the freeway.

2. Monument Signs. In addition to the wall sign allowances in section 9655.8 B.1, monument signs are allowed as follows:

a. ~~Commercial center and business complex, center or park with common name.~~ Any commercial center and business complex, center or park that has a common name is permitted one (1) monument sign.

b. ~~Commercial centers and business complex, center or parks larger than two (2) acres with frontage on two (2) or more streets.~~ Any commercial center and or business complex, center or park that has a common name and is in excess of two (2) acres in area, with two access driveways with an access driveway on a public street frontage is permitted one monument sign for each public street frontage with an access driveway.

c. *Single tenant building or office building.* For a single business totally occupying a building, which is not part of a larger complex, project, center or park, one (1) freestanding monument sign is permitted.

3. Other signs. In addition to the wall sign allowances in section 9655.8 B.1., the following signs on awnings, projecting signs, under canopy signs, on-site directional signs, off-site directional signs, and permanent window signs are allowed:

a. *Signs on awnings.* Painted, non-illuminated signs may be permitted on the borders of marquees, canopies, awnings, arcades, or similar

structures or attachments. Such signs shall be counted toward the maximum wall sign area allowance pursuant to section 9655.8 B.1.

- b. *Projecting signs and under canopy signs.* One (1) projecting sign or under canopy sign shall be permitted. Such signs shall be counted towards the maximum wall sign area allowance pursuant to Section 9655.8 B.1.
- c. *On-site directional signs.* On-site directional signs shall be limited in number to four (4) signs per frontage for any property that has more than one (1) frontage. The maximum area for such signs shall be ~~three~~ four (34) square feet, and such signs shall not exceed ~~three~~ four (34) feet in height.
- d. *Off-site directional signs.* Where the primary vehicular access for a property is located on an adjacent private property and the point of access is not readily evident due to the configuration of the lot or topographical issues, one (1) directional sign may be allowed on the adjacent property, with permission by the property owner, to identify access to the property. The maximum area of the sign shall be ~~three~~ four (34) square feet and such signs shall not exceed ~~three~~ four (34) feet in height.
- e. *Permanent window signs.* Window signs are allowed pursuant to section 9655.7 F. as permanent signs. Window signs are not subject to a sign permit.
- f. *Signs at a drive-thru lane or window.* ~~Where there is such a facility~~ For a drive-thru facility, in addition to the signs allowed by Section 9655.8 B., two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally away from the street are permitted.

C. *~~Additional s~~ Sign entitlement for specific uses.* The following signs are permitted, with a sign permit, unless otherwise specifically prohibited:

1. *Gasoline service stations.* ~~In addition to the signs allowed in section 9655.8,~~ Gasoline service stations are allowed the following signs, in accordance with State law:
 - a. One (1) monument signs as allowed in section 9655.8 B.2. and one (1) changeable copy sign per street frontage, placed on the ground, not to exceed twenty (20) square feet in area and six (6) feet in height. Such sign shall comply with Business & Professions Code Section 13530 et seq. Digital lighting used for the text of changeable copy signs shall be restricted to white bulbs only. The changeable copy sign may be integrated into a monument that complies with the provisions of section 9655.8 B.2.

- ~~b. One (1) accessory wall sign not to exceed fifteen (15) square feet in area, or one (1) accessory monument sign not to exceed fifteen (15) square feet in area and six (6) feet in height.~~
 - ~~c. One (1) additional accessory wall sign not to exceed ten (10) square feet in area.~~
 - b. Two (2) accessory wall signs. One accessory wall sign shall not exceed fifteen (15) square feet in size and the other accessory wall sign shall not exceed ten (10) square feet in size.
 - ~~dc. Sign at fuel dispensing pump dispenser. A maximum of one (1) sign shall be allowed on or above the actual fuel pumps dispensers not to exceed two (2) square feet in area.~~
 - d. One island canopy sign per street frontage. The sign shall not exceed the height of the fascia and 10 square feet in size.
- ~~2. Signs at a drive thru lane or window. Where there is such a facility, in addition to the signs allowed in Section 9655.B., two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally are permitted."~~

D. See Chapter 5, Part 6, for sign regulations for properties located in the Old Agoura Design Overlay District."

Section 30. Section 9655.9 (Sign program) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

- "A. *Purpose.* A sign program is intended to (1) integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement; and (2) provide a means for defining common sign regulations for multi-tenant projects and other users of multiple signs, in order to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter. For the purposes of this provision, a development project is a project involving the construction or remodeling of improvements on privately-owned property.
- B. *Applicability.* The approval of a sign program shall be required under the following circumstances, or whenever an applicant applying for a land use entitlement requests the approval of a sign program:
 - 1. New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities.
 - ~~2. New multi-family developments whenever five (5) or more signs are proposed.~~

- ~~3.~~ 2. Whenever five (5) or more permanent signs are proposed for a new or existing development in the multi-family, business park, commercial, or planned development zones;
- 4.3. When an existing shopping center requests an increase in the size, height, location, and number of a monument signs pursuant to a landscape management agreement as specified in subsection 9655 12.C.
- 4. Freeway facing signs pursuant to subsection 9655.8.B.1.i.
- 5. Certain monument signs and sign materials pursuant to 9553.5 A. and C. in the Old Agoura Design Overlay.
- 6. Increase in the number of sign colors allowed pursuant to 9655.6 B.
- ~~5.~~ 7. The director determines that a sign program is needed to ensure compliance with the provisions of this chapter.
- C. *Review and approval authority.* The planning commission ~~may~~ shall have the authority to review and approve a sign program. through the granting of a sign permit for a sign program.
- D. *Application requirements.* An ~~sign permit~~ application for a sign program shall include all information and materials listed in section 9655.5 and the filing fee set by the city's fee resolution.
- E. *Standards.* A sign program shall comply with the criteria established in section 9655.5 D. and the following standards:
 - 1. The program shall comply with the purpose of this chapter. ~~and the overall intent of this section;~~
 - 2. The program shall be designed in a manner to be able to accommodate future revisions that may be required because of changes in use or tenants; and
 - 3. The program shall comply with the standards of this chapter, except that a variance or modification is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the ~~purposes~~ intent of this division.
- F. *Public hearing on proposed sign program.*
 - 1. A public hearing shall be scheduled and notice shall be provided pursuant to section 9804 et seq.
 - 2. The Planning Commission may approve, conditionally approve or deny a proposed sign program. The Planning Commission shall not approve the application unless the following findings are made:
 - a. The location of the proposed signs and the design of their visual elements are legible under normal viewing conditions prevailing where

the sign is to be installed. Legibility shall be determined based solely on the elements of lettering, colors, decorative motifs, spacing, and proportion.

b. The location and design of the proposed signs, their size, shape, illumination, and color are compatible with the visual characteristics of the surrounding area. Compatibility shall be determined based solely on the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering.

c. The proposed sign program is consistent with the City's adopted sign design guidelines and any applicable design guidelines in any adopted Specific Plan.

FG. Revisions to sign programs. Revisions to a an existing sign program determined to be minor in nature may be approved by the director with a standard sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program approved by the planning commission.”

Section 31. Subsections D (New tenancies) and E (Commercial and industrial real estate marketing period). of Section 9655.10 (Temporary signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code are hereby amended to read as follows:

“D. *New tenancies.*

1. During a period of ninety (90) consecutive days from the issuance of the sign permit, the director may approve one (1) banner not exceeding twenty (20) square feet in area for any pending or recent occupancies of new tenant spaces on a parcel in which the tenancy is located in the commercial, business park, and planned development land use districts. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject tenancy is located. The content of the banner may be changed during the ninety-day period.
2. In addition, during the first four (4) days of a grand opening event, captive balloons, without regard to number, may be permitted provided that such balloons do not extend beyond the lowest point of the roofline of the business, obstruct other business in the vicinity, or interfere with pedestrian or vehicle traffic. No mylar or metallic balloons are allowed.
- ~~3. These restrictions shall not in any way prohibit any person from handing out or giving away balloons as part of the normal activities of a business as long as such balloons are not in a captive state attached to a structure.~~

E. *Commercial and industrial real estate marketing period.*

1. Temporary on-site signs are allowed on properties in the commercial, business park, and planned development land use districts during the period of time when such properties are for sale, lease or rent on that parcel, if the property owner obtains a sign permit pursuant to the following requirements:
 - a. One (1) sign per parcel; or
 - b. One (1) sign per street frontage.
2. ~~c. Such Ground mounted signs shall not exceed three (3) feet by three (3) feet, or a total of nine (9) square feet in area and four (4) feet in height if attached to the ground by a pole(s) or other support structure. All ground mounted signs shall be displayed on a permanent sign structure designed consistent with the design of the center or building on which the sign is placed with a solid base.~~
 - d. Wall or window signs shall not exceed two (2) feet by two (2) feet, or a total of four (4) square feet in area. Each sign shall be designed and located in a manner satisfactory to the director. No sign shall be illuminated and no banners are allowed. No other temporary yard signs shall be allowed beyond those allowed by this provision.

Section 32. Section 9655.11 (Exempt signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“The following are exempt from the requirement of this ~~section~~ division.

- A. ~~Government-signs-maintained signs.~~ Government-maintained signs include signs erected and maintained by the City of Agoura Hills, the State of California or the County of Los Angeles and used for public safety, traffic, fire, and police related signs, temporary traffic control, public works or utility construction and maintenance. signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City of Agoura Hills, the state department of transportation, or any other public agency.
- B. *Flags.* Flags that meet the following criteria are exempt from the requirements of this ~~section~~ division:
 1. A maximum vertical dimension of five (5) feet;
 2. A maximum horizontal dimension of eight (8) feet;
 3. A maximum cumulative square footage of a flags on a parcel of forty (40) feet (one (1) side);
 4. A maximum of one (1) flag pole per developed site; and
 5. A maximum height of thirty-five (35) feet in the commercial, business park, and planned development zones and a maximum height of twenty-five

(25) feet in the residential and open space-restricted zones. Flag poles are subject to the issuance of a building permit.

- C. *Required signs.* Official notices required to be posted by law, court, or other government agency.

Section 33. Subsection B of Section 9655.12 (Administration and enforcement) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code are hereby amended to read as follows:

~~“B. *Modifications to sign standards.* Pursuant to division 6 (section 9676 through 9676.7), the planning commission may approve minor modifications a variance to the regulations relating to the size, height, number, and location of new or existing signs after a public hearing in those cases where an applicant is faced with exceptional circumstances related to the type or location of its business, or is trying to achieve a special design effect. Notwithstanding the foregoing, the size or height entitlement of a sign shall not be increased by more than thirty (30) percent.~~

1. The director may administratively approve up to a 10% increase in the size of wall signs and the size and height of monument signs. This approval shall not be subject to the requirements in sections 9676 through 9676.7.
2. Where an applicant is faced with exceptional circumstances related to the type or location of its business or is trying to achieve a special design effect the Director may approve a sign modification for an increase from eleven (11) to thirty (30) percent in the size of wall signs and the size and height of monument signs.
3. The applicant shall have the burden of proving that:
 1. The sign is or will not be detrimental to surrounding uses or properties or the community in general; and
 2. The approval of such modification is consistent with the purposes of the general plan and this part, the sign criteria set forth in section 9655.5 D., and the adopted sign design guidelines and/or the design guidelines in any adopted Specific Plans.
4. A sign modification shall be processed pursuant to division 6 (section 9676 through 9676.7).
5. A request for an increase in size or height of a wall or monument sign by more than thirty (30) percent, a request for additional signs, or a request to allow the relocation of signs shall be made as an application for a variance.

Section 34. Section 9655.13 (Nonconforming signs) of Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY

PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“ This section recognizes that the eventual elimination of existing signs that are not in conformity with the provisions of this chapter is as important as the prohibition of new signs that would violate these regulations.

- A. *Continuation of a legal nonconforming sign.* A legally established sign that does not conform to the provisions of this chapter may continue to be used, except that the sign shall not be:
 - 1. Structurally altered to extend its useful life;
 - 2. Expanded, moved, or relocated;
 - 3. Re-established after a business has been discontinued for sixty (60) days or more; or
 - 4. Re-established after damage or destruction of more than fifty (50) percent of the sign value, as determined by the director.
- B. *Sign copy changes.* The sign copy and sign faces of a nonconforming sign may be changed upon obtaining a sign permit provided that the change does not include a structural change in the display.
- C. *Correction of nonconformities required.* Approval of any ~~structures~~ buildings on a site or a change in the land use on a site shall require that all nonconforming signs on the site be brought into conformity with this chapter.
- D. Within sixty (60) days after a tenant vacancy in any commercial or industrial zone, all signs and support structures related to the prior tenant shall be removed.”

Section 35. Section 9676.2. (Application Procedures) of Division 6 (VARIANCE AND MODIFICATION) of Part 3 (SPECIAL PERMIT OR REVIEW) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“The following procedures shall be followed in considering variance and modification applications:

- A. *Investigation and report.* The department of planning and community development shall make an investigation of each application that is subject ~~at a public hearing to this division~~ and shall prepare a report thereon which shall be submitted to the appropriate authority, and made available to the applicant prior to the ~~public hearing any action on the application~~.

B. Modifications.

B1. ——— Hearing responsibility-Review authority.

~~4a.~~ Applications for modifications solely for the following regulations shall be heard considered and a determination shall be made by the director:

- ~~i.~~ a. Building site area;
- ~~ii.~~ b. Building site width;
- ~~iii.~~ c. Yards;
- ~~iv.~~ d. Off-street parking regulations;
- ~~v.~~ Projections into yards;
- ~~vi.~~ An increase in the size and height of a sign;
- ~~vii.~~ A reduction in the amount of landscaping provided at the base of a monument sign on sites with legal nonconforming landscape setbacks.

~~2.~~ All other variances and modification applications shall be heard and a decision the planning commission shall make a determination.

~~3b.~~ A modification is any change to the terms or requirements of this article, which, if granted, would allow the following:

- ~~i.~~ a. A decrease of not more than ten (10) percent of the required building site area or width;
- ~~ii.~~ b. A decrease of not more than twenty (20) percent of the required width of a side yard or the yard between building;
- ~~iii.~~ c. A decrease of not more than twenty (20) percent of the required rear yard;
- ~~iv.~~ d. A decrease of not more than twenty (20) percent of the distance required between the front property line and the building line;
- ~~v.~~ e. A decrease of not more than ten (10) percent of the required parking spaces;
- ~~vi.~~ f. An increase of not more than ten (10) percent of the permitted projection of steps, stairways, landings, eaves, overhangs, masonry chimneys, and fireplaces, into any required front, rear side or yard between buildings;
- ~~vii.~~ g. An increase in the size and height, ~~number and location of~~ new or existing signs. The increase in size or height of a sign shall not exceed thirty (30) percent.
- ~~viii.~~ h. A decrease of not more than thirty (30) percent in the amount of landscaping provided at the base of a monument sign on sites with existing landscape setbacks.

~~C. Public hearing. The planning commission shall hold a public hearing on an application for a variance, or sign modifications. The hearing shall be set and notice given as prescribed in section 9804.2. At a public hearing, the commission shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the variance and/or sign modification, prescribed in section 9876. Public hearing notice requirements shall be made as provided in section 9804.4.~~

~~D. *Action of the planning commission or director.* The planning commission or director may grant a variance or modification as the variance or modification was applied for or in modified form, or the application may be denied. A variance or modification may be granted for a limited time period, or may be granted subject to conditions as the commission or director may prescribe~~

2. *Administrative Decision.* The director may approve, conditionally approve, or deny, without a public hearing, all applications for a modification. The director may elect to forward the matter to the planning commission for consideration of the application. Noticing requirements for the director's consideration of a modification application for the items listed in subsection 9676.2 B.1.a. above shall be pursuant to section 9804.4.

E.3. *Modification Findings.* The ~~planning commission or~~ director may grant a variance or modification to a regulation prescribed by this article if the following findings are made:

- 1a. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by thither property in the vicinity and under identical zoning classification.
- 2b. That the granting of the ~~variance~~ modification will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.
- 3c. That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article.
- 4d. That the granting of the ~~variance~~ modification will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 5e. That the granting of the ~~variance~~ modification will be consistent with the character of the surrounding area.

4. *Sign Modification Findings.* The ~~planning commission~~ director may grant approve a sign modification for up to 30% for an increase in the size and height-number and location of new or existing signs. The increase in size or height of a sign if the following findings are made:

- a. The sign is or will not be detrimental to surrounding uses or properties in the community in general; and
- b. The approval of such modification is consistent with the purposes of the general plan, the sign criteria set forth in subsection 9655.5 D, and the adopted sign guidelines.

5. Action of the director. The director may grant modification as the modification was applied for or in modified form, or the application may be denied. A modification may be granted subject to conditions as the director may prescribe.

C. Variances.

1. Review authority for variances.

2. Applications for variances and modification applications shall be heard and a determination shall be made by the planning commission.

E-2. Public hearing. The planning commission shall hold a public hearing on an application for a variance. ~~or sign modifications.~~ The hearing shall be set and notice given as prescribed in section 9804.2. At a public hearing, the commission shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the variance ~~and/or sign modification,~~ prescribed in section 9876. Public hearing notice requirements shall be made as provided in section 9804.4.

E3. Findings. The planning commission may grant a variance ~~and the director may grant a modification~~ to a regulation prescribed by this article if the following findings are made:

- 1a. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by thither property in the vicinity and under identical zoning classification.
- 2b. That the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.
- 3c. That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article.
- 4d. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 5e. That the granting of the variance will be consistent with the character of the surrounding area.

~~The planning commission may grant a sign modification if the following findings are made.~~

1. The sign is or will not be detrimental to surrounding uses or properties in the community in general; and

~~2. The approval of such modification is consistent with the purposes of the general plan, the sign criteria set forth in subsection 9655.5 D, and the adopted sign guidelines~~

~~D. Action of the planning commission or director. The planning commission or director may grant a variance or modification as the variance or modification was applied for or in modified form, or the application may be denied. A variance or modification may be granted for a limited time period, or may be granted subject to conditions as the commission or director may prescribe.~~

~~HE. Appeals. A decision of the planning commission on a variance or sign modification may be appealed to the city council. A decision of the director on a modification may be appealed to the planning commission.~~

~~IF. Determination by city council or planning commission. The city council or planning commission shall hold a public hearing on a variance or modification as prescribed in chapter 8 if an appeal has been filed within the prescribed fifteen-day appeal period. The decision of the city council shall be final.~~

~~JG. Effective date of variance or modification. A decision of the planning commission or director on a variance or modification shall be effective fifteen (15) days after the date of the decision unless an appeal has been filed. Variance and/or modifications shall become effective immediately after they are granted by the city council."~~

Section 36. Section 9676.7. (Variance or Modification related to uses amortized pursuant to this Code) of Division 6 (VARIANCE AND MODIFICATION) of Part 3 (SPECIAL PERMIT OR REVIEW) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby deleted in its entirety.

~~**9676.7. -- Variance or modification relating to uses amortized pursuant to this Code.**~~

~~Where the variance application seeks relief from the provisions of section 9655.3 which prohibits pole signs and freestanding signs or section 9655.8 which provides for a seven-year amortization period for such signs, in addition to the relief permitted under section 9676.2.E, the city may alternately grant an extension to the amortization period if the following findings are made:~~

- ~~1. The amortization period as applied to the applicant is legally unreasonable due to special facts or circumstances;~~
- ~~2. The extension of time granted is the minimum amount of time necessary to assure that the amortization period is reasonable; and~~
- ~~3. The extension of the amortization period will not have a significant adverse effect on the public health, safety or welfare.~~

~~In determining whether the period of amortization is reasonable as applied to an individual applicant, the city shall consider all relevant factors including, but not limited to, such factors as the length of the amortization period, the extent of the nonconformity, the amount of the investment in the sign, construction dates, salvage value, remaining useful life, length and remaining term of any lease under which the sign or other nonconforming use is maintained, and harm to the public if the sign remains standing beyond the amortization period.~~

Section 37. Section 9804.2 (Planning commission public hearing) and 9804.3 (Zoning administrator public hearings) of Division 4 (PUBLIC HEARING PROCEDURES) of Part 1 (GENERAL) of Chapter 8 (ADMINISTRATION) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“9804.2 Planning commission public hearing.

The following matters shall be considered by the planning commission only after a public hearing:

- A. General plan and specific plan adoption and amendments;
- B. Change of zones;
- C. Zoning ordinance adoption and amendments;
- D. Conditional use permits;
- E. Variances;
- F. Mobile home permits;
- G. Low and moderate income housing permits;
- H. Development agreements;
- I. Sign Programs
- I.J. Appeals from the decision of the director that required a public hearing before the director.

9804.3 Zoning administrator public hearings.

- A. The following matters shall be considered by the director after a public hearing:
 - ~~1. Minor modifications; and~~
 - 21. Minor conditional use permits for wireless telecommunications facilities and/or wireless telecommunications collocation facilities.
 - 32. Amendments to minor conditional use permits for wireless telecommunications facilities and/or wireless telecommunications collocation facilities.”

Section 38. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or

circumstance. The City Council declares that it would have adopted each section, subsections, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 39. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 40. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2023, by the following vote to wit:

AYES: (
NOES: (
ABSENT: (
ABSTAIN: (
)

Chris Anstead, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

ATTACHMENT 3

Redline of Proposed Changes

Redline Document Sign Code Update

The proposed changes are presented in underline/strikethrough format to highlight added and deleted language compared to the existing code. Deleted text is shown as strikethrough. New text is shown with a single underline and relocated text is shown with a double underline.

Section 9120.1.A of Part 3 (Definitions) of Chapter 1 (Introduction)

Area, sign. “Area, sign” means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.

Awning sign. “Awning sign” means any sign or graphic attached to, painted on or applied to an awning or awning canopy.

Banner. “Banner” means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.

BUG rating. “BUG rating” means the type and amount of light spillage from the fixture’s source. The B in BUG represents the backlight. Backlight is the amount of stray light behind the light source. The U represents uplight, which is the amount of light that passes vertically beyond a horizontal plane of the light source, and G stands for glare, which is the light cast within a person’s field of view where glare is produced.

Candelas. “Candelas (cd)” means the System of Units (SI) used to measure the brightness of a source of light (its luminous intensity).

Candela per meter² (cd/m²). “Candela per meter² (cd/m²)” means the unit of luminous intensity in the International System of Units (SI), defined as the luminous intensity per unit area.

Changeable copy sign. “Changeable copy sign” means a sign or portion of a sign where it is possible to change the copy on a frequent basis.

Commercial or business park complex. “Commercial or business park complex” means a group of two (2) or more tenants which are situated as an integral unit, on either a single parcel of land or separate parcels of land, where such businesses utilize common off-street parking or access.

Directional sign. “Directional sign” means a sign located on private property, the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information, or convey similar such information.

Externally Illuminated Sign. “Externally Illuminated Sign” means any sign of which a source of light from outside the sign is used to make a message readable at night.

Flag. “Flag” means a piece of fabric, usually rectangular in shape, that is usually displayed hanging free from a staff or pole, to which it is attached by edge so that it will float, play, or shake in an air current.

Foot-Candle (fc). “Foot-Candle (fc)” means the standard imperial unit used to measure illuminance, or the amount of light falling onto a surface, such as the ground. One foot-candle equals one lumen per square foot.

Frontage, building. “Frontage, building” means the exterior building wall facing or oriented towards a street. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.

Frontage, primary. “Frontage, primary” means the frontage, which provides the subject building with its main or principal orientation to a public or private right-of-way whether or not such frontage has a public entrance to the building. In shopping centers or multiple-tenant buildings, the primary frontage shall be established as part of a sign program.

Frontage, secondary. “Frontage, secondary” means any frontage, other than the primary frontage, that has a public entrance to the subject building.

Fully Shielded (Light Fixture). “Fully Shielded (Light Fixture)” means a light fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. Any structural part of the light fixture providing this shielding must be permanently affixed, and part of the fixture, not part of any surrounding building or architectural elements.

Halo illumination. “Halo illumination” means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.

Illuminance. “Illuminance” means the amount of light falling onto a unit area of the surface (luminous flux per unit area) - measured in foot candles.

Inflatable sign. “Inflatable sign” means an object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.

Internally lighted illuminated. “Internally illuminated” means illumination produced by a light source contained within a sign and not directly visible to the eye.

Kelvin. “Kelvin (K)” means the unit of the color temperature scale is used to categorize the color of light emitted by light sources regardless of their temperature.

Legal nonconforming sign. “Legal nonconforming sign” means a sign that was originally erected or installed electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division.

Logo. “Logo” means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.

Lumen. "Lumen" means the unit of luminous flux; used to measure the amount of light emitted by lamps.

Luminance. "Luminance" means the intensity of light reflected or emitted from a unit area of surface, such as a sign face - measured in cd/m^2 .

Monument/Directory sign. "Monument sign/Directory sign" means a sign that is a ground-mounted sign, completely self-supporting, with a solid base separating the sign copy from the grade. A monument sign can be single-sided or double-sided and only back-to-back faces shall constitute one monument sign.

Neon sign. "Neon sign" means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.

Outdoor advertising display, structure or sign. "Outdoor advertising display, structure or sign" means a commercial sign placed for the purpose of advertising products or advertising services that are not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard."

Pole sign. "Pole sign" means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.

Portable sign. "Portable sign" means any sign that is not permanently attached to the ground or any structure and is capable of being moved, including but not limited to "A-frame," "H-frame" or "sandwich board" type signs. A portable sign is not a temporary window sign as provided in section 9120.19.T.

Projecting sign. "Projecting sign" means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and perpendicular to the building.

Revolving sign. "Revolving sign" means a sign that turns around or rotates, as on an axis.

Right-of-way, public. "Right-of-way, public" means a public street or highway, but not including a freeway.

Right-of-way, private. "Right-of-way, private" means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.

Roof sign. "Roof sign" means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.

Secondary sign means any sign not located on a primary frontage.

Sign. “Sign” means any name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. For the purpose of this part, a sign is not a sign if it is inside a building, located more than three (3) feet behind a window, and not facing a window in such a way as to be viewed from an outside public area.

Sign face. “Sign face” means the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Single tenant building. “Single tenant building” means a building used by one (1) occupant.

Temporary sign. “Temporary sign” means any sign addressed in section 9655.10 and capable of being viewed from any public right-of-way, parking area, or neighboring property. A temporary sign is any sign consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board, paint or other dispensable materials, with or without frames, and mounted or painted, if on a window, in a nonpermanent manner.

Under canopy sign. “Under canopy sign” means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.

Wall sign. “Wall sign” means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.

Window sign. “Window sign” means a temporary or permanent sign painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed.

Yard sign. “Yard sign” means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign as defined in subsection 9120.16.P.

Division 5 - SIGN REGULATIONS

9655. - Intent.

The purpose and intent of these regulations is to establish uniform sign regulations to:

- A. Preserve and enhance the unique character and visual appearance of the city;
- B. Assure proper expression through visual communications involving signs that are compatible with the character and environment of the community;
- C. Enhance the visual quality of the city's scenic highways;
- D. Promote fairness in competition and retain identity in the business community while recognizing the importance of well-designed business signs;
- E. Recognize the integral part played by signs in the overall appearance of the city;
- F. Reduce possible traffic and safety hazards by prohibiting signs that are distracting to motorists;
- G. Recognize the function and importance of signs for businesses and the benefit of well-designed business signs to the community as a whole;
- H. Provide guidance and direction for sign users and sign designers as to what constitutes appropriate signs in the city;
- I. Implement the goals of the city's general plan, with particular regard to developing a city that is visually attractive and to preserving and enhancing the visual quality of the community's streets and highways; and
- J. Safeguard the life, health, property, and public welfare by regulating and controlling the design, quality of materials and construction, illumination, location, and maintenance of all signs in a content-neutral manner, while providing functional flexibility and promoting good design.

9655.1. - Applicability.

No person shall place, erect, modify, alter or repaint, or permit the placement, erection, modification, alteration or repainting of any sign, unless otherwise specifically exempted by this part, without first obtaining a sign permit in accordance with the provisions of this division. All signs shall be erected and maintained in conformity with this division. The standards regarding the number and size of signs regulated by this division are maximum standards unless otherwise stated

9655.2. – Definitions. (Definitions moved to Chapter 1)

Definition of terms used in this Division 5 can be found at Article IX, Chapter 1, Part 3 of the Agoura Hills Municipal Code.

9655.3. - Prohibited signs.

Except as otherwise provided in this division, the following signs are prohibited:

- A. Outdoor advertising displays, structures or signs.
- B. Portable signs.
- C. Exposed neon, flashing, or scintillating signs.
- D. Revolving signs.
- E. Any placard, bill, card, poster, sticker, banner, flag, sign, or other device affixed or attached to or located upon any public right-of-way area including street, walkway, crosswalk, curb, lamppost, hydrant, tree, telephone booth or pole, lighting system or any fixture of the police or fire alarm system. This prohibition does not apply to required government signs.
- F. Devices projecting or otherwise producing the image of a sign, as defined in ~~section 9655.2 CC.~~ 9120.18.S., on any surface or object.
- G. Signs that project or encroach into any existing or future public right-of-way.
- H. Automatic changing signs or electronic message signs.
- I. Streamers, banners, balloons, flares, flags, pennants, propellers, twirlers, and similar attention-getting displays or devices except as allowed by section 9655.10 (temporary signs).
- J. Pole signs, except for on-site directional signs.
- K. Signs or sign structures which by colors, wording, or location resemble or conflict with traffic control signs or devices.
- L. Signs that create a safety hazard by obstructing the view of pedestrian or vehicular traffic.
- M. Sign structures and supports no longer in use, for a period of sixty (60) days, by the owner, tenant, or lessee.
- N. Signs painted directly on an exterior wall, fence, fascia or parapet.
- O. Signs that display an obscene message or graphic representation of nudity or sexual acts.
- P. Roof signs.
- Q. Awnings that are internally illuminated.
- R. Inflatable signs.
- S. Signs that are installed after this date that do not conform to the provisions of these sections are prohibited.

9655.4. - General provisions.

- A. *Sign area.* The maximum allowable sign area shall be determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against

which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.

- B. *Sign height for ground-mounted signs.* The maximum allowable sign height for ground-mounted signs shall be measured by the distance from the average adjacent ground level within five (5) feet of the base of the sign to the top of the sign., ~~including the superstructure and any design.~~
- C. *Sign lighting.* No sign shall be illuminated after 11:30 p.m. or close of business, whichever occurs last.
- D. *Owner's consent required.* The consent of the property owner or person in control or possession of the property is required before any sign may be erected on any private property in the city.
- E. *Obstruction of public passage.* No signs shall be installed so as to obstruct any window, door, fire escape or other emergency exit of any building.
- F. *Maintenance of signs.* All signs shall be maintained in a neat and attractive, well-repaired condition. The display surface of all signs shall be kept clean, neatly painted and free from rust, cracking, peeling, corrosion or other states of disrepair.
- G. *Prohibited locations.* No signs shall be located in such a manner as to face in the direction of or be visible to property in a residential district when such sign would be less than two hundred (200) feet from such residential property unless such sign faces and is parallel to a public right-of-way.
- H. Any noncommercial message may be substituted for the copy of any commercial sign allowed by this chapter. Any sign displaying a noncommercial message shall be deemed to be on-site.

9655.5. - Application and review procedures for permanent signs.

- A. *Sign permit.* Permanent signs shall only be constructed, displayed or altered with sign permit approval by the director or appropriate decision-making body. Sign permits shall be prepared, filed, processed, and approved or denied in compliance with this section. In addition to a sign permit, permanent signs may be subject to the issuance of a building permit.
- B. *Application.* An application for a sign permit shall be made on the form provided by the department of planning and community development and shall be accompanied by the required fee. Such application shall set forth and contain the following information and materials:
 - 1. The location and size of any existing or proposed buildings or structures on the property, which are or will be under the ownership or control of the applicant.

2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where directional signs are proposed.
 3. The position of the proposed sign and its relationship to existing or proposed adjacent buildings and structures, which are or will be under the ownership or control of the applicant.
 4. The proposed design, size, exact colors, materials, orientation, and location of the sign or sign structure.
 5. The method of attachment to any structure.
 6. A statement showing sizes and dimensions of all other signs existing on the property under the ownership or control of the applicant.
 7. A statement showing the size and color relationships of such sign or sign structure to the appearance and design of existing or proposed buildings and structures on the property.
 8. Photographs of all sides of any building ~~or~~ and renderings or photo simulations of proposed buildings.
 9. Such other information as the department of planning and community development may require to secure compliance with this ~~part~~ division.
- C. *Review and approval authority.* A sign permit shall be approved or disapproved by the director in compliance with the criteria set forth in subsection D. below and the provisions of this ~~part~~ division.
- D. *Criteria.* The following criteria shall be the only criteria used in reviewing an application for a sign permit:
1. That the sign is consistent with the provisions of this part and title;
 2. That the location and orientation of the proposed sign, as well as the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions), are legible under normal viewing conditions prevailing where the sign is to be installed;
 3. That the proposed sign is consistent with the sign standards found in sections 9655.6 and 9655.7;
 4. That the proposed sign is consistent with the adopted sign design guidelines available at the planning and community development public counter.
- E. *Findings for Denial.* 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 in subsection D. or other provisions of this division shall be prepared in writing and mailed to the applicant or his agent and sign contractor within ~~ten~~ (10) thirty (30) working calendar days.
- F. *Appeals.* Any decision made by the director or the planning commission may be appealed in accordance with the provisions of this title. The decision of the city

9655.6. - General sign standards for permanent signs.

- A. *Sign integration requirement.* All permanent signs shall be designed as an integral part of the total building design.
- B. *Number of colors.* All permanent signs, except as hereinafter provided, shall contain no more than three (3) different colors. Different shades shall be considered separate colors. The planning commission may consider a sign program with a multi-color sign palette utilizing a maximum of five (5) colors. For the purposes of this section, black and white shall be considered colors. Logos with registered trademarked colors are exempt from this provision.
- C. *Types of material.* The types of materials for sign structures shall, if possible and practicable, be compatible with materials used in the related buildings.
- D. *Illumination of signs.*

1. Director review. Unless otherwise prohibited by this part, signs may be illuminated subject to the review and approval of the director to ensure that such illumination does not create any public safety hazards. The approval of any illuminated sign shall not be final until thirty (30) days after installation during which period the director may order the dimming of any illumination found to be excessively brilliant bright, ~~and no sign approval shall be valid until such order has been carried out to the satisfaction of the director.~~ Illumination shall be considered excessively bright when it prevents the perception of objects or buildings beyond or in the vicinity of the sign. In no case shall an illuminated sign or lighting device be placed or directed as to permit the beams and/or illumination therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a traffic or safety hazard.

2. Standards for illumination of signs. Sign lighting shall be subject to the standards below:

a. *Externally illuminated signs.*

- i. Externally mounted light fixtures shall be fully shielded to eliminate unnecessary backlight, uplight, or glare (BUG) and have an uplight (U) BUG Rating of U=0.
- ii. Externally illuminated light fixtures shall not exceed a color temperature of 3000 Kelvin (K)
- iii. Externally illuminated light fixtures shall be restricted to white bulbs only.

b. *Internally illuminated signs.*

- i. Signs can be halo or concealed internally illuminated. Internal illumination can be used only when it is limited to lighting the sign letters and any state and/or federal registered trademark.

- ii. Lighting used for internally illuminated signs shall be restricted to white bulbs only.
- iii. Halo-illuminated signs shall not exceed a color temperature of 3000 Kelvin (K).
- iv. Internally illuminated signs shall not exceed a color temperature of 5000 Kelvin (K).

c. Sign Brightness.

- i. The maximum luminance value below applies to all portions of the sign. The maximum of 700 cd/m² is at any point within a sign face, no matter the color and is inclusive of glare points on externally illuminated signs.
- ii. Brightness Criteria. The maximum luminance within a sign face shall be 700 cd/m².

d. Automatic dimmer control. All sign lighting must be equipped with:

- i. An automatic dimmer control to produce the illumination change required by subsection (c) of this section; and
- ii. A means to immediately turn off the display or lighting if the illuminated sign malfunctions.”

E. *Screening.* To minimize the visual mass and projection of the sign, all electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall, or integrated into the overall design of the sign. All exposed conduits shall also be concealed from public view.

9655.7. - Standards for specific types of permanent signs.

The following standards are in addition to the standards set forth in section 9655.6 above.

A. *Wall signs.*

- 1. *Location.* The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.
- 2. *Maximum area and height.* The maximum area and height shall be as defined in section 9655.8, permanent sign entitlement by land use. In no case shall the sign project above the edge of the roof of a structure.

3. *Projection from wall.* The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve (12) inches.

B. *Monument signs.*

1. *Location.* The sign shall be located a minimum of five (5) feet from any property line abutting a public or private right-of-way street and shall comply with city standards for vehicular sight distance at the driveway intersection with the frontage street ~~as determined by the City Traffic Engineer.~~
2. *Maximum area.* The sign shall be a maximum of forty-eight (48) square feet in area. Only one (1) side of a double-faced (back to back) sign shall be included when calculating sign area. Sign area calculations shall not include architectural treatments or support structures.
3. *Maximum height.* The maximum height of a monument sign shall be six (6) feet. Architectural treatments or support structures shall be included in the height measurement. The maximum allowable sign height shall be measured as the vertical distance from grade adjacent to the base of the sign footing, to the top of the sign, including the support structure and any design elements. In no case shall an artificial grade be established for the sole purpose of elevating the grade adjacent to the base of the sign footing for purposes of sign measurement.
4. *Materials and lighting.* The use of plastic material as a background is not permitted. The sign background material shall be opaque, which means that any interior light source shall not penetrate the material and illuminate the background but shall be limited to illuminating the sign letters.
5. *Landscape requirements.* Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. The director may reduce or waive this requirement ~~if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.~~ on sites with existing landscaped setbacks pursuant to division 6 (section 9676 through 9676.7) and section 9655.12 C.

C. *Awning and canopy signs.* Signs on awnings and canopy signs may be allowed only as an integral part of the awning or canopy to which they are attached or applied, as follows.

1. *Location.* Signs may be placed only on awnings that are located on first story building frontages, including those fronting a parking lot or pedestrian way.
2. *Maximum area.* The sign area devoted to awning and canopy signs shall be included in calculation of the maximum allowable wall sign area pursuant to section 9655.8 B.1.
3. *Overhead clearance.* No structural element of an awning or canopy shall be located lower than eight (8) feet above finished grade.

4. Sign text or logo area shall not occupy more than thirty (30) percent of the awning panel.
 5. *Lighting.* Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.
 6. *Required maintenance.* Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.
- D. *Under canopy signs.*
1. *Location.* The sign shall be placed or hung only on a ground floor facade, near the main entrance of each leasable tenant space.
 2. *Overhead clearance.* The lowest point of an under canopy sign shall be no lower than eight (8) feet above finished grade.
 3. *Sign structure.* Sign supports and brackets shall be compatible with the design and scale of the sign.
- E. *Projecting signs.*
1. *Maximum area.* The sign area devoted to projecting signs shall be included the calculation of the maximum allowable wall sign area pursuant to section 9655.8 B.1. Size uniformity should be maintained along building frontages to the greatest extent possible. The text, copy and logo should not exceed seventy-five (75) percent of the sign background.
 2. *Overhead clearance.* The lowest point of a projecting sign shall not be lower than eight (8) feet above the ground level.
 3. *Sign structure.* Sign supports and brackets shall be compatible with the design and scale of the sign.
- F. *Window signs.* Window signs that are permanent and either painted on or affixed to the window, and which are visible from the public right-of-way or public areas, shall be allowed in addition to the total authorized sign area pursuant to section 9655.8 B.1. The cumulative sign area of this type of window sign shall not exceed five (5) square feet of the total window area. The total window area shall include the aggregate square footage of the vertical glass areas in the windows and entry doors in each individual storefront or tenant space. Exposed neon illumination, exposed fluorescent illumination and scintillating, flashing, animating or revolving signs are prohibited. Window signs are not subject to a sign permit.
- G. *Directional signs.* All directional signs shall be located a minimum of ten five (10 5) feet from the street property line. and shall not exceed three (3) feet in height and three (3) square feet in area.

9655.8. - Permanent sign entitlement by land use.

A. *Residential land use districts.*

1. *Multi-family developments.* One (1) monument sign, maximum forty-eight (48) square feet and six (6) feet in height, may be erected on each public street

frontage upon which the complex has public access. In addition, interior signs which are visible from any public right-of-way, may be approved by the director provided that such signs do not exceed six (6) square feet in area and four (4) feet in height. Interior signs not visible from any public right-of-way shall not be subject to the requirements of this paragraph.

B. *Commercial, business park and planned development land use districts.*

1. Walls signs for business park, office and retail uses. Each ~~business park tenant, office tenant, or retail tenant~~ shall be limited to one (1) wall sign per primary frontage integrated into the design of the building.

Except as otherwise provided by this part, the following sign area limitations shall also apply:

a.i. Office buildings shall be limited to one (1) business sign.

b. One (1) square foot of signage is allowed per each linear foot of storefront, tenant space, or primary building frontage.

c.ii. The maximum allowable sign area Ffor each tenant located within one hundred (100) feet of any public or private right-of-way—street shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the maximum sign area shall not exceed fifty (50) square feet. For each tenant located more than one hundred (100) feet from any public or private street, the maximum size area shall not exceed seventy (70) feet.

d.iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The Each sign shall be generally centered over the storefront or tenant space.

b. Buildings located more than one hundred (100) feet from public right-of-way:

i. Office buildings shall be limited to one (1) business sign.

ii. The maximum allowable sign area for each tenant located more than one hundred (100) feet from any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign area exceed seventy (70) square feet.

iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.

e.e. Major tenants in shopping centers. The maximum allowable wall sign area for a-major tenants in shopping centers, which have a frontage greater

than one hundred (100) feet, shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign exceed two hundred (200) square feet.

f.d. Businesses located on second floor in shopping centers. Businesses maintained exclusively on the second floor of a two-story commercial center building may be allowed one (1) wall sign, provided that the square footage of the wall sign not exceed one-quarter of the tenant frontage, or a maximum of ten (10) square feet, whichever is greater.

g.e. Frontage on two (2) or more streets. A business located in a commercial or business park building having frontage on more than one (1) ~~public right-of-way~~ street may use the applicable maximum allowable wall sign area in section 9655.8 B.1. on one (1) frontage and one-half of the allowance on the second ~~public~~ frontage. Said allowance shall only be utilized on the frontage on which the allowance is based.

~~For purposes of this paragraph, frontage shall include any public entrance to the premises upon which the subject business is located from a public right-of-way even though the subject business does not actually front such right-of-way.~~

h. Two or more public entrances. ~~In addition, a~~ A business with a public entrance on a secondary frontage on a ~~private right-of-way~~ parking lot may have a sign located on such frontage which does not exceed ten (10) square feet.

i.f. Freeway facing signage. Subject to approval of a sign program, all buildings in commercial, business park, or planned development land use districts, which either directly back or side upon Highway 101, may be permitted a total of one (1) secondary freeway-facing sign, which shall not exceed twenty-five (25) square feet in size sign area. The secondary freeway-facing sign may be increased up to fifty (50) square feet in size in lieu of a sign intended to be on the primary sign frontage. A maximum of one (1) secondary freeway-facing sign shall be allowed for a tenant occupying multiple buildings in a business park or commercial complex. This provision does not apply to those buildings or uses, which are separated by a public frontage road from the freeway.

2. Monument Signs. In addition to the wall sign allowances in section 9655.8 B.1., monument signs are allowed as follows:

- a. Commercial center and business complex, center or park with common name. Any commercial center and business complex, center or park that has a common name is permitted one (1) monument sign.
- b. Commercial centers and business complex, center or parks larger than two (2) acres with frontage on two (2) or more streets. Any commercial center and or business complex, center or park that has a common name and is in excess of two (2) acres in area, with two access driveways with

an access driveway on a public street frontage is permitted one monument sign for each public street frontage.

- c. *Single tenant building or office building.* For a single business totally occupying a building, which is not part of a larger complex, project, center or park, one (1) freestanding monument sign is permitted.
3. Other signs. In addition to the wall sign allowances in section 9655.8 B.1., the following signs on awnings, projecting signs, under canopy signs, on-site directional signs, off-site directional signs, and permanent window signs are allowed:
- a. *Signs on awnings.* Painted, non-illuminated signs may be permitted on the borders of marquees, canopies, awnings, arcades, or similar structures or attachments. Such signs shall be counted toward the maximum wall sign area allowance pursuant to section 9655.8 B.1.
 - b. *Projecting signs and under canopy signs.* One (1) projecting sign or under canopy sign shall be permitted. Such signs shall be counted towards the maximum wall sign area allowance pursuant to section 9655.8 B.1.
 - c. *On-site directional signs.* On-site directional signs shall be limited in number to four (4) signs per frontage for any property that has more than one (1) frontage. The maximum area for such signs shall be ~~three~~ four (34) square feet, and such signs shall not exceed ~~three~~ four (34) feet in height.
 - d. *Off-site directional signs.* Where the primary vehicular access for a property is located on an adjacent property and the point of access is not readily evident due to the configuration of the lot or topographical issues, one (1) directional sign may be allowed on the adjacent property, with permission by the property owner, to identify access to the property. The maximum area of the sign shall be ~~three~~ four (34) square feet and such signs shall not exceed ~~three~~ four (34) feet in height.
 - e. *Permanent window signs.* Window signs are allowed pursuant to section 9655.7 F. as permanent signs. Window signs are not subject to a sign permit.
 - f. *Signs at a drive-thru lane or window.* ~~Where there is such a facility,~~ For a drive-thru facility, in addition to the signs allowed in section 9655.7 B., two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally away from the street are permitted.
- C. Additional sSign entitlement for specific uses. The following signs are permitted, with a sign permit, unless otherwise specifically prohibited:
1. *Gasoline service stations.*
 - a. ~~In addition to the~~ One (1) monument signs as allowed in section 9655.8.B. ~~and one (1) gasoline or fuel pricing~~ changeable copy sign per

street frontage, placed on the ground, not to exceed twenty (20) square feet in area and six (6) feet in height. Such sign shall comply with Business & Professions Code Section 13530 *et seq.* Digital lighting used for the text of changeable copy signs shall be restricted to white bulbs only. The changeable copy sign may be integrated into a monument that complies with the provisions of section 9655.8.B.2.

- ~~b. One (1) accessory wall sign not to exceed fifteen (15) square feet in area. or one (1) accessory monument sign not to exceed fifteen (15) square feet in area and six (6) feet in height.~~
- ~~c. One (1) additional accessory wall sign not to exceed ten (10) square feet in area.~~
- b. Two (2) accessory wall signs. One sign shall not exceed fifteen (15) square feet in size and the other accessory wall sign shall not exceed ten (10) square feet in size
- ~~d.c. Sign at fuel dispensing pump dispenser. A maximum of one (1) sign shall be allowed on or above the actual fuel pumps not to exceed two (2) square feet in area. Dispenser signs shall be confined to the face of the fuel pump.~~
- d. One island canopy sign per street frontage. The sign shall not exceed the height of the fascia and 10 square feet in size.
- ~~2. Signs at a drive thru lane or window. Where there is such a facility, in addition to the signs allowed in Section 9655. B., two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally are permitted.~~

D. See Chapter 5, Part 6, for sign regulations for properties located in the Old Agoura Design Overlay District.

9655.9. - Sign program

- A. *Purpose.* A sign program is intended to (1) integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement; and (2) provide a means for defining common sign regulations for multi-tenant projects and other users of multiple signs, in order to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter. For the purposes of this provision, a development project is a project involving the construction or remodeling of improvements on privately-owned property.
- B. *Applicability.* The approval of a sign program shall be required under the following circumstances, or whenever an applicant applying for a land use entitlement requests the approval of a sign program:

1. New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities.
 - ~~2. New multi-family developments whenever five (5) or more signs are proposed.~~
 - ~~3.~~ 2. Whenever five (5) or more permanent signs are proposed for a new or existing development in the multi-family, business park, commercial, or planned development zones;
 - ~~4.~~ 3. When an existing shopping center requests an increase in the size, height, location, and number of a monument sign pursuant to a landscape management agreement as specified in subsection 9655.12. C.
 - ~~4.~~ Freeway facing signs pursuant to subsection 9655.8. B.1.i.
 - ~~5.~~ Certain monument signs and sign materials pursuant to 9655.5. A. and C. in the Old Agoura Design Overlay.
 - ~~6.~~ Increase in the number of sign colors allowed pursuant to 9655.6.B.
 - ~~5.~~ 7. The director determines that a sign program is needed to ensure compliance with the provisions of this chapter.
- C. *Review and approval authority.* The planning commission ~~may~~ shall have the authority to review and approve a sign program. through the granting of a sign permit for a sign program.
- D. *Application requirements.* An ~~sign permit~~ application for a sign program shall include all information and materials listed in section 9655.5 and the filing fee set by the city's fee resolution.
- E. *Standards.* An application for a sign program shall comply with the criteria established in section 9655.5.D. and the following standards:
1. The program shall comply with the purpose of this chapter. ~~and the overall intent of this section;~~
 2. The program shall be designed in a manner to be able to accommodate future revisions that may be required because of changes in use or tenants; and
 3. The program shall comply with the standards of this chapter, except that a variance or modification is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the ~~purposes~~ intent of this division.
- F. *Public hearing on proposed sign program.*
1. A public hearing shall be scheduled and notice shall be provided pursuant to section 9804 et seq.

2. The Planning Commission may approve, conditionally approve or deny the proposed sign program. The Planning Commission shall not approve the application unless the findings set forth below are made.
 - a. The location of the proposed signs and the design of their visual elements are legible under normal viewing conditions prevailing where the sign is to be installed. Legibility shall be determined based solely on the elements of lettering, colors, decorative motifs, spacing, and proportion.
 - b. The location and design of the proposed signs, their size, shape, illumination, and color are compatible with the visual characteristics of the surrounding area. Compatibility shall be determined based solely on the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering.
 - c. The proposed sign program is consistent with the City's adopted sign design guidelines.

FG. Revisions to sign programs. Revisions to a an existing sign program determined to be minor in nature may be approved by the director with a standard sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program approved by the planning commission.

9655.10. - Temporary signs.

- A. *Temporary window signs.* Temporary non-illuminated window signs are allowed in the commercial, business park, and planned development zones and are allowed in addition to the total authorized sign area but shall not exceed twenty-five (25) percent of the total window area; shall not exceed one (1) sign per window panel; and shall not exceed fifty (50) percent of any individual window panel. The total window area shall include the square footage of the aggregate vertical glass areas of windows and entry doors in each individual storefront or tenant space that are parallel to the primary street frontage serving the property. If more than one (1) street frontage serves the property, for purposes of displaying temporary window signs the primary street frontage may be determined by the business owner. Said signs may be displayed on any window; shall be measured as defined for sign area in this article; and shall be compatible in terms of colors with the permanent signs, except fluorescent colors shall be prohibited. A sign permit is not required for these signs.
- B. *Yard signs.*
 1. *Residential and open space zones.* A maximum of two (2) yard signs per lot not exceeding six (6) square feet in area and six (6) feet in height for each sign are allowed in the residential and open space restricted zones for a period not exceeding one hundred twenty (120) days in twelve (12) consecutive months. The planning director may approve an additional one hundred twenty (120) days for the display of yard signs during the time of residential real estate

marketing upon submittal of evidence of active sale, rent, or lease by the property owner. A sign permit is not required for these signs.

2. *Commercial, business park, and planned development zones, with the approval of a sign permit.* During the time that valid building permits exist for new construction or remodel, up to two (2) temporary yard signs, one not exceeding thirty-two (32) square feet in area and another not exceeding twenty-five (25) square feet, are permitted on the lot per street frontage. Such signs shall not exceed six (6) feet in height and removed before notice of completion is issued for the building(s) being constructed.
- C. *Charitable or community events.* For a maximum thirty-day period prior to a charitable or community event occurring within the boundaries of the city and three (3) days after such event, one (1) temporary sign or banner not exceeding twenty (20) square feet may be displayed at a commercial complex in the commercial shopping center - mixed use (CS-MU) zone along each street frontage for a maximum of thirty-three (33) days per event. In addition, such sign or banner may be displayed at the site of the event. Such signs and banners are in addition to all other signage allowed in this chapter. Such signs and banners shall not be illuminated or posted on trees, fence posts or public utility poles, or located within any public right-of-way. A sign permit is not required for these signs or banners.
- D. *New tenancies.*
1. During a period of ninety (90) consecutive days from the issuance of the sign permit, the director may approve one (1) banner not exceeding twenty (20) square feet in area for any pending or recent occupancies of new tenant spaces on a parcel in which the tenancy is located in the commercial, business park, and planned development land use districts. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject tenancy is located. The content of the banner may be changed during the ninety-day period.
 2. In addition, during the first four (4) days of a grand opening event, captive balloons, without regard to number, may be permitted provided that such balloons do not extend beyond the lowest point of the roofline of the business, obstruct other business in the vicinity, or interfere with pedestrian or vehicle or traffic. No mylar or metallic balloons are allowed.
 - ~~3. These restrictions shall not in any way prohibit any person from handing out or giving away balloons as part of the normal activities of a business as long as such balloons are not in a captive state attached to a structure.~~
- E. *Commercial and industrial real estate marketing period.*
1. Temporary on-site signs are allowed on properties in the commercial, business park, and planned development land use districts during the period of time when such properties are for sale, lease or rent on that parcel, if the property owner obtains a sign permit pursuant to the following requirements:
 - a. One (1) sign per parcel; or

- b. One (1) sign per street frontage.
- 2. ~~c. Such Ground mounted signs shall not exceed three (3) feet by three (3) feet, or a total of nine (9) square feet in area and four (4) feet in height if attached to the ground by a pole(s) or other support structure. All ground mounted signs shall be displayed on a permanent sign structure designed consistent with the design of the center or building on which the sign is placed with a solid base.~~
 - d. Wall or window signs shall not exceed two (2) feet by two (2) feet, or a total of four (4) square feet in area. Each sign shall be designed and located in a manner satisfactory to the director. No sign shall be illuminated and no banners are allowed. No other temporary yard signs shall be allowed beyond those allowed by this provision.
- F. *Election periods.* During the period from thirty (30) days before and seven (7) days after a local, state, or national election, additional temporary signs, not exceeding six (6) square feet in sign area and six (6) feet in height, are allowed on private property in all zones. A sign permit shall not be required for a temporary sign during this period.

9655.11. - Exempt signs.

The following are exempt from the requirement of this ~~section~~ division.

- A. ~~*Government signs*~~ *maintained signs.* ~~Government-maintained signs include signs erected and maintained by the City of Agoura Hills, the State of California or the County of Los Angeles and used for public safety, traffic, fire, and police related signs, temporary traffic control, public works or utility construction and maintenance, signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City of Agoura Hills, the state department of transportation, or any other public agency.~~
- B. *Flags.* Flags that meet the following criteria are exempt from the requirements of this ~~section~~ division:
 1. A maximum vertical dimension of five (5) feet;
 2. A maximum horizontal dimension of eight (8) feet;
 3. A maximum cumulative square footage of a flags on a parcel of forty (40) feet (one (1) side);
 4. A maximum of one (1) flag pole per developed site; and
 5. A maximum height of thirty-five (35) feet in the commercial, business park, and planned development zones and a maximum height of twenty-five (25) feet in the residential and open space-restricted zones. Flag poles are subject to the issuance of a building permit.
- C. *Required signs.* Official notices required to be posted by law, court, or other government agency.

9655.12. - Administration and enforcement.

- A. *Duty to enforce.* The director shall have the duty to enforce the provisions of this part.
- B. *Modifications to sign standards.* — ~~Pursuant to division 6 (section 9676 through 9676.7), the planning commission may approve minor modifications to the regulations relating to the size, height, number, and location of new or existing signs after a public hearing in those cases where an applicant is faced with exceptional circumstances related to the type or location of its business, or is trying to achieve a special design effect. Notwithstanding the foregoing, the size or height entitlement of a sign shall not be increased by more than thirty (30) percent.~~
1. The director may administratively approve up to a 10% increase in the size of wall signs and the size and height of monument signs. This approval shall not be subject to the requirements in sections 9676 through 9676.7.
 2. Where an applicant is faced with exceptional circumstances related to the type or location of its business or is trying to achieve a special design effect the Director may approve a sign modification for an increase from eleven (11) to thirty (30) percent in the size of wall signs and the size and height of monument signs.
 3. The applicant shall have the burden of proving that:
 1. The sign is or will not be detrimental to surrounding uses or properties or the community in general; and
 2. The approval of such modification is consistent with the purposes of the general plan and this part, the sign criteria set forth in section 9655.5 D., and the adopted sign design guidelines; and/or the design guidelines in any adopted Specific Plan.
 4. A sign modification shall be processed pursuant to division 6 (section 9676 through 9676.7).
 5. A request for an increase in size or height of a sign by more than thirty (30) percent, a request for additional signs, or a request to allow the relocation of signs shall be made as an application for a variance.
- C. *Special consideration for additional signs with landscape maintenance agreement.* To avoid conflicts between the visibility of signs in existing shopping centers and the city's parking lot shade coverage requirements, the planning commission may approve a modification to an existing sign program or a new sign program for an existing retail center or complex to allow modifications to the size, height, number, and location of monument signs if the property owner enters into a landscape maintenance agreement with the city. The landscape maintenance agreement shall among other items, include a provision to ensure that proper tree trimming methods are utilized. All proposed signage shall meet the following criteria:
1. The sign shall not be detrimental to surrounding uses or properties or the community in general; and

2. The approval of such modification shall be consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.5 D. and the adopted sign guidelines.

- D. *Removal of unsafe signs.* Any sign that presents an immediate danger to the public health or safety may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner, or person in possession and control of the property forty-eight (48) hours to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and storage shall be borne by the permit holder, property owner, or person in possession and control of the property, as applicable and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign, which has been removed and stored by the city, shall be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of thirty (30) days after notice of removal is sent to the permit holder, property owners, or person in possession and control of the property, it shall be deemed to be unclaimed personal property and disposed of in accordance with the law.
- E. *Removal of illegal signs on public property.* The director shall remove or cause to be removed any sign unlawfully placed or located on public property or in a public right-of-way. The director shall notify the owner of such sign, if such owner is known, that its sign is being held at city hall and that it will be destroyed if not claimed by the owner within ten (10) days after the date of such notice. In the event that the owner does not claim such sign within said ten-day period, the director may destroy or otherwise dispose of such sign.
- F. *Violations.* Violation of this chapter is a misdemeanor unless otherwise charged by the prosecuting attorney as an infraction and shall be punishable as provided in section 1200(b) of this Code.

9655.13. - Nonconforming signs.

This section recognizes that the eventual elimination of existing signs that are not in conformity with the provisions of this chapter is as important as the prohibition of new signs that would violate these regulations.

- A. *Continuation of a legal nonconforming sign.* A legally established sign that does not conform to the provisions of this chapter may continue to be used, except that the sign shall not be:
1. Structurally altered to extend its useful life;
 2. Expanded, moved, or relocated;
 3. Re-established after a business has been discontinued for sixty (60) days or more; or
 4. Re-established after damage or destruction of more than fifty (50) percent of the sign value, as determined by the director.

- B. *Sign copy changes.* The sign copy and sign faces of a nonconforming sign may be changed upon obtaining a sign permit provided that the change does not include a structural change in the display.
- C. *Correction of nonconformities required.* Approval of any structures buildings on a site or a change in the land use on a site shall require that all nonconforming signs on the site be brought into conformity with this chapter.
- D. Within sixty (60) days after a tenant vacancy in any commercial or industrial zone, all signs and support structures related to the prior tenant shall be removed.

9655.14. - Appeal of approval or denial of sign permit.

- A. Any person seeking to appeal any decision of the director or planning commission must file a written notice of appeal with the city clerk and pay the applicable appeal fee established by city council resolution no later than fifteen (15) days after the date of the notice of the decision. The appeal notice shall state, with specificity, the factual and legal basis of the appeal. The city clerk shall expeditiously schedule a hearing before the city council and notify the appellant, in writing, of the day, time and location of the hearing, which shall be held not later than thirty (30) days after the notice of appeal is received by the city; provided, however, the hearing may be held after such thirty-day period upon the request or concurrence of the appellant. The time for compliance of any original order shall be stayed during the pendency of the hearing before the city council.
- B. The city council or planning commission shall provide the appellant with a written decision within ten (10) working days of the conclusion of the hearing. In the event any such sign approval, denial or revocation, or remediation or removal order is upheld by the city council, the approval, denial, revocation or order shall be effective on the date of the action by the city council, and that action shall be final and conclusive.

Division 6 VARIANCE AND MODIFICATIONS

9676.2 (Application Procedures)

The following procedures shall be followed in considering variance and modification applications:

A. *Investigation and report.* The department of planning and community development shall make an investigation of each application that is subject ~~at a public hearing~~ to this division and shall prepare a report thereon which shall be submitted to the appropriate authority, and made available to the applicant prior to the ~~public hearing~~ any action on the application.

B. Modifications.

B1. ~~Hearing responsibility~~ Review authority.

~~4a.~~ Applications for modifications ~~solely~~ for the following regulations shall be heard considered and a determination shall be made by the director:

- ~~i.~~ i. ~~a.~~ Building site area;
- ~~ii.~~ ii. ~~b.~~ Building site width;
- ~~iii.~~ iii. ~~c.~~ Yards;
- ~~iv.~~ iv. ~~d.~~ Off-street parking regulations;
- ~~v.~~ v. Projections into yards;
- ~~vi.~~ vi. An increase in the size and height of a sign;
- ~~vii.~~ vii. A reduction in the amount of landscaping provided at the base of a monument sign on sites with legal nonconforming landscape setbacks.

~~2.~~ All other variances and modification applications shall be heard and a decision ~~the planning commission shall make a determination.~~

~~3b.~~ A modification is any change to the terms or requirements of this article, which, if granted, would allow the following:

- ~~i.~~ i. ~~a.~~ A decrease of not more than ten (10) percent of the required building site area or width;
- ~~ii.~~ ii. ~~b.~~ A decrease of not more than twenty (20) percent of the required width of a side yard or the yard between building;
- ~~iii.~~ iii. ~~c.~~ A decrease of not more than twenty (20) percent of the required rear yard;
- ~~iv.~~ iv. ~~d.~~ A decrease of not more than twenty (20) percent of the distance required between the front property line and the building line;
- ~~v.~~ v. ~~e.~~ A decrease of not more than ten (10) percent of the required parking spaces;

- vi. f. An increase of not more than ten (10) percent of the permitted projection of steps, stairways, landings, eaves, overhangs, masonry chimneys, and fireplaces, into any required front, rear side or yard between buildings;
- vii. g. An increase in the size and height, ~~number and location~~ of new or existing signs. The increase in size or height of a sign shall not exceed thirty (30) percent.
- viii. h. A decrease of not more than thirty (30) percent in the amount of landscaping provided at the base of a monument sign on sites with existing landscape setbacks.

~~C. *Public hearing.* The planning commission shall hold a public hearing on an application for a variance or sign modifications. The hearing shall be set and notice given as prescribed in section 9804.2. At a public hearing, the commission shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the variance and/or sign modification, prescribed in section 9876. Public hearing notice requirements shall be made as provided in section 9804.4.~~

~~D. *Action of the planning commission or director.* The planning commission or director may grant a variance or modification as the variance or modification was applied for or in modified form, or the application may be denied. A variance or modification may be granted for a limited time period, or may be granted subject to conditions as the commission or director may prescribe~~

2. *Administrative Decision.* The director may approve, conditionally approve, or deny, without a public hearing, all applications for a modification. The director may elect to forward the matter to the planning commission for consideration of the application. Noticing requirements for the director's consideration of a modification application for the items listed in subsection 9676.2 B.1.a. above shall be pursuant to section 9804.4.

E.3. *Modification Findings.* The planning commission or director may grant a variance or modification to a regulation prescribed by this article if the following findings are made:

1a. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by thither property in the vicinity and under identical zoning classification.

2b. That the granting of the variance modification will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

3c. That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article.

4d. That the granting of the ~~variance~~ modification will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

5e. That the granting of the ~~variance~~ modification will be consistent with the character of the surrounding area.

4. Sign Modification Findings. The ~~planning commission~~ director may ~~grant~~ approve a sign modification for up to 30% for an increase in the size and height-number and location of new or existing signs. The increase in size or height of a sign if the following findings are made:

a. The sign is or will not be detrimental to surrounding uses or properties in the community in general; and

b. The approval of such modification is consistent with the purposes of the general plan, the sign criteria set forth in subsection 9655.5 D, and the adopted sign guidelines.

5. Action of the director. The director may grant modification as the modification was applied for or in modified form, or the application may be denied. A modification may be granted subject to conditions as the director may prescribe.

C. Variances.

1. Review authority for variances.

2. Applications for variances and ~~modification applications~~ shall be heard and a determination shall be made by the planning commission.

~~C.2.~~ Public hearing. The planning commission shall hold a public hearing on an application for a variance. ~~or sign modifications.~~ The hearing shall be set and notice given as prescribed in section 9804.2. At a public hearing, the commission shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the variance ~~and/or sign modification,~~ prescribed in section 9876. Public hearing notice requirements shall be made as provided in section 9804.4.

E3. Findings. The planning commission may grant a variance ~~and the director may grant a modification~~ to a regulation prescribed by this article if the following findings are made:

4a. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by thither property in the vicinity and under identical zoning classification.

- 2b. That the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.
- 3c. That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article.
- 4d. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 5e. That the granting of the variance will be consistent with the character of the surrounding area.

The planning commission may grant a sign modification if the following findings are made:

- 1. The sign is or will not be detrimental to surrounding uses or properties in the community in general; and
- 2. The approval of such modification is consistent with the purposes of the general plan, the sign criteria set forth in subsection 9655.5 D, and the adopted sign guidelines

- D. *Action of the planning commission or director.* The planning commission or director may grant a variance or modification as the variance or modification was applied for or in modified form, or the application may be denied. A variance or modification may be granted for a limited time period, or may be granted subject to conditions as the commission or director may prescribe.
- HE. *Appeals.* A decision of the planning commission on a variance or sign modification may be appealed to the city council. A decision of the director on a modification may be appealed to the planning commission.
- IF. *Determination by city council or planning commission.* The city council or planning commission shall hold a public hearing on a variance or modification as prescribed in chapter 8 if an appeal has been filed within the prescribed fifteen-day appeal period. The decision of the city council shall be final.
- JG. *Effective date of variance or modification.* A decision of the planning commission or director on a variance or modification shall be effective fifteen (15) days after the date of the decision unless an appeal has been filed. Variance and/or modifications shall become effective immediately after they are granted by the city council.

~~9676.7. -- Variance or modification relating to uses amortized pursuant to this Code.~~

~~Where the variance application seeks relief from the provisions of section 9655.3 which prohibits pole signs and freestanding signs or section 9655.8 which provides for a seven-year amortization period for such signs, in addition to the relief permitted under section 9676.2.E, the city may alternately grant an extension to the amortization period if the following findings are made:~~

- ~~1. The amortization period as applied to the applicant is legally unreasonable due to special facts or circumstances;~~
- ~~2. The extension of time granted is the minimum amount of time necessary to assure that the amortization period is reasonable; and~~
- ~~3. The extension of the amortization period will not have a significant adverse effect on the public health, safety or welfare.~~

~~In determining whether the period of amortization is reasonable as applied to an individual applicant, the city shall consider all relevant factors including, but not limited to, such factors as the length of the amortization period, the extent of the nonconformity, the amount of the investment in the sign, construction dates, salvage value, remaining useful life, length and remaining term of any lease under which the sign or other nonconforming use is maintained, and harm to the public if the sign remains standing beyond the amortization period.~~

Chapter 8 – Administration
Division 4 – Public Hearing Procedures

9804.2 Planning commission public hearing.

The following matters shall be considered by the planning commission only after a public hearing:

- A. General plan and specific plan adoption and amendments;
- B. Change of zones;
- C. Zoning ordinance adoption and amendments;
- D. Conditional use permits;
- E. Variances;
- F. Mobile home permits;
- G. Low and moderate income housing permits;
- H. Development agreements;
- I. Sign Programs
- I. Appeals from the decision of the director that required a public hearing before the director.

9804.3 Zoning administrator public hearings.

- A. The following matters shall be considered by the director after a public hearing:
 - ~~1. Minor modifications; and~~
 - 21. Minor conditional use permits for wireless telecommunications facilities and/or wireless telecommunications collocation facilities.
 - 32. Amendments to minor conditional use permits for wireless telecommunications facilities and/or wireless telecommunications collocation facilities.

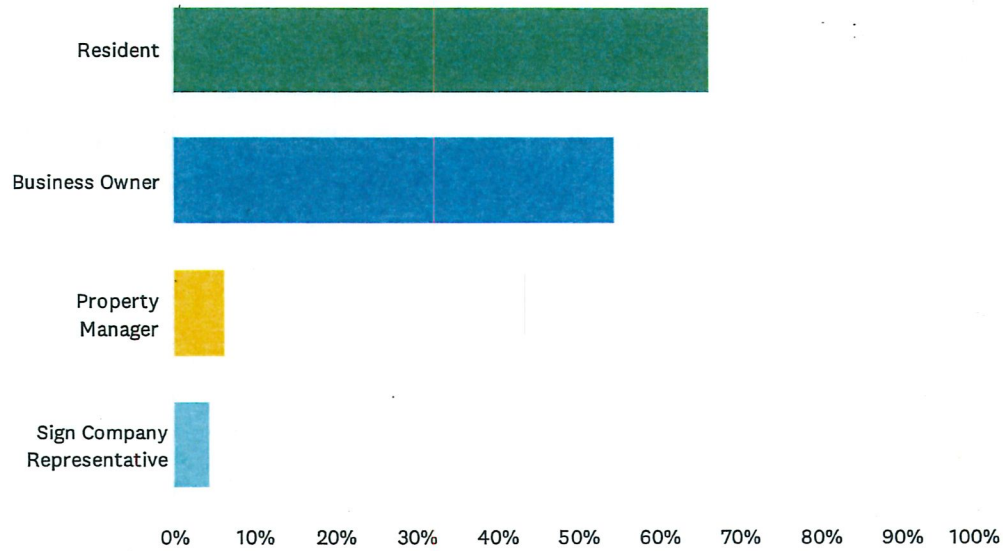
ATTACHMENT 4

Sign Code Survey

Agoura Hills Sign Code Survey

Q1 Check all that apply. I am a(n)—

Answered: 154 Skipped: 7



ANSWER CHOICES	RESPONSES	
Resident	66.23%	102
Business Owner	54.55%	84
Property Manager	6.49%	10
Sign Company Representative	4.55%	7
Total Respondents: 154		

#	OTHER (PLEASE SPECIFY)	DATE
1	Real Estate Developer	4/16/2022 3:28 PM

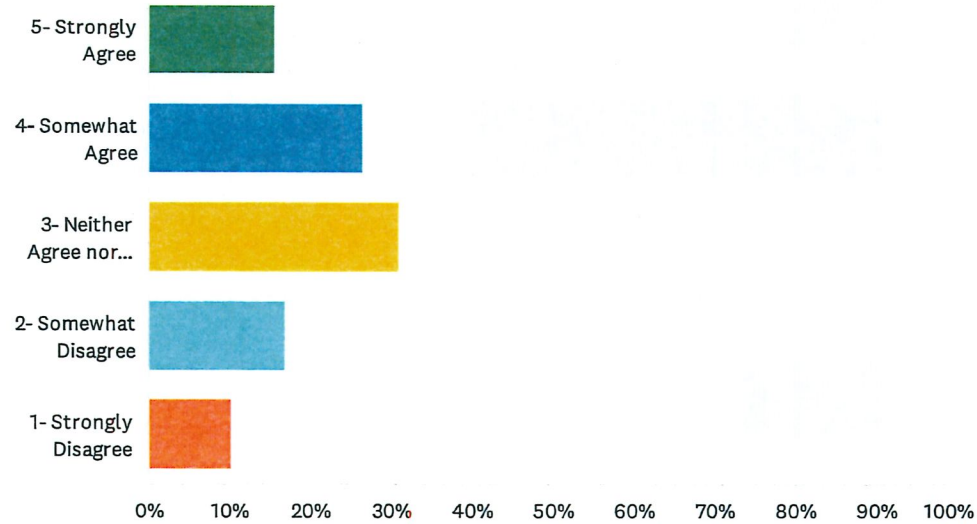
Agoura Hills Sign Code Survey

2	Patron of businesses in Agoura Hills.	4/4/2022 9:38 AM
3	Former resident & city volunteer	4/1/2022 11:36 PM
4	HOA Board Member	4/1/2022 4:27 PM
5	A member of the original Agoura Hills sign committee with Gary Albertson of Fountainwood and Ron Kapla of Liberty Canyon.	3/30/2022 2:54 PM
6	Commercial real estate broker	3/18/2022 3:04 PM
7	Admin for a small nonprofit	3/17/2022 11:42 AM
8	Landlord	3/17/2022 11:02 AM
9	Previous designer of Wayfinding and Signage. We worked with airports, malls, universities, business, and municipalities.	3/17/2022 9:51 AM
10	test	3/16/2022 9:22 AM

Agoura Hills Sign Code Survey

Q2 On a scale of 1-5, do you agree that existing signage in Agoura Hills enhances the image and character of the City?

Answered: 155 Skipped: 6



ANSWER CHOICES

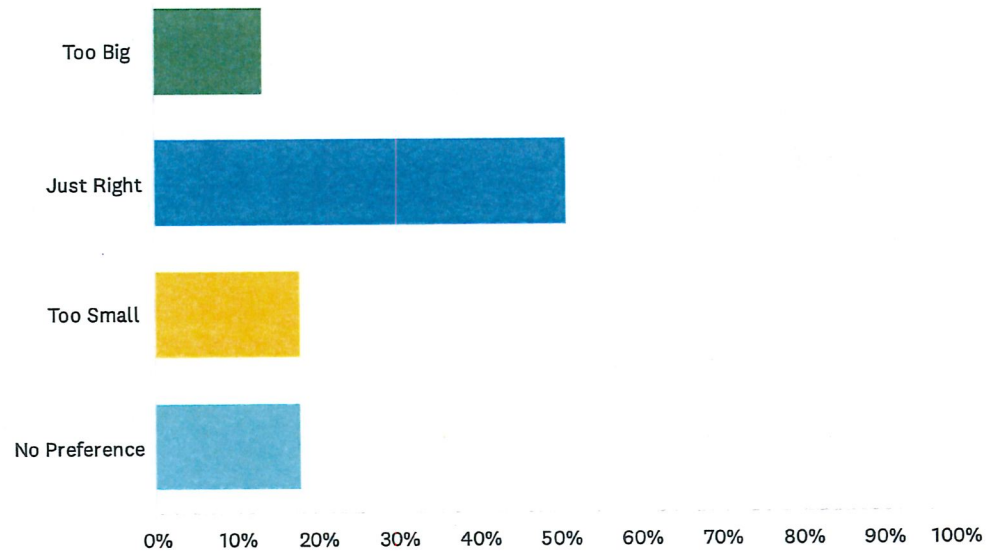
RESPONSES

5- Strongly Agree	15.48%	24
4- Somewhat Agree	26.45%	41
3- Neither Agree nor Disagree	30.97%	48
2- Somewhat Disagree	16.77%	26
1- Strongly Disagree	10.32%	16
TOTAL		155

Agoura Hills Sign Code Survey

Q3 In your opinion, the size of signs in Agoura Hills are generally (Please choose one):

Answered: 157 Skipped: 4

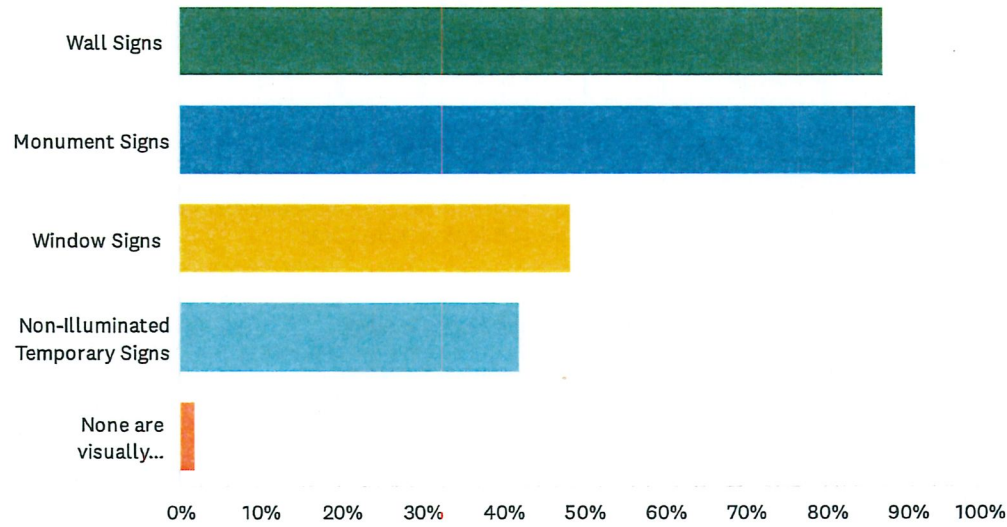


ANSWER CHOICES	RESPONSES	
Too Big	13.38%	21
Just Right	50.96%	80
Too Small	17.83%	28
No Preference	17.83%	28
TOTAL		157

Agoura Hills Sign Code Survey

Q4 In your opinion, which of the sign type examples below are visually acceptable?

Answered: 155 Skipped: 6



ANSWER CHOICES

RESPONSES

Wall Signs	87.10%	135
Monument Signs	90.97%	141
Window Signs	48.39%	75
Non-Illuminated Temporary Signs	41.94%	65
None are visually acceptable	1.94%	3
Total Respondents: 155		

Agoura Hills Sign Code Survey

Q5 For any of the sign types you feel are not visually acceptable, please provide a reason.

Answered: 74 Skipped: 87

#	RESPONSES	DATE
1	Lessens the look of the building.	4/12/2022 11:48 PM
2	This style of monument sign is outdated.	4/8/2022 10:06 AM
3	Non-illuminated Temp signs are pervasive and visual blight.	4/7/2022 5:40 AM
4	Window signs seem cheaper and not as appealing. The others are more professional. The temporary signs need to be allowed to support freedom of speech, but they should not be left up beyond a given time frame.	4/5/2022 11:31 AM
5	wall signs are almost like billboards	4/5/2022 9:26 AM
6	The temporary signs are all over the place. Most of them are hand drawn and sloppy looking.	4/4/2022 3:08 PM
7	Temporary signage is always a challenge due to lack of consistency in design/look/content.	4/4/2022 9:38 AM
8	Window signs are usually too big	4/3/2022 11:59 AM
9	Window signs and temporary signs both look cheap and lack character. Temporary signs clutter natural beauty.	4/2/2022 3:59 PM
10	Too commercial	4/2/2022 1:13 PM
11	Window signs are often non-conforming. And TEMPORARY signs are NEVER temporary. Even council folks leave never pick them up after an election. It's spam!	4/2/2022 7:27 AM
12	Window signs add to visual clutter. This includes signage painted on glass. Temporary non commercial signs like yard sales are fine as are temporary real estate signs but banners and plastic flags add to visual clutter & cheapen the look of the city.	4/1/2022 11:36 PM
13	Beauty of building is obscured too much	4/1/2022 10:19 PM
14	Window signs represent a lower quality environment/atmosphere, lesser marketing appeal. Non-illuminated temporary signs would be okay if it was a temporary banner, but the ones represented in the image reflect more political or real estate campaigns (which may be appropriate if used for the mentioned categories)	4/1/2022 6:57 PM
15	I think window signs will be hard to read.	4/1/2022 6:34 PM
16	Window sign..it is hard to read with the glare typically. Wall signs sometimes like in the example have back shadows and make it difficult for elderly.	4/1/2022 5:41 PM
17	Big billboards we currently have by the 101 freeway along Canwood and Roadside Dr. ruin the aesthetic of our city.	4/1/2022 4:50 PM
18	Very difficult to enforce or maintain.	4/1/2022 4:27 PM
19	big bill boards. No doubt Agoura Hills is the hill billy city between Calabasas and Westlake. Thankfully the mini mall got	4/1/2022 2:40 PM

Agoura Hills Sign Code Survey

painted which helped but still no where it touches the other two city. The natural bridge is a joke. Everyone think it is so ugly and I LOVE any natural. But wtf..... How we continue to have the worst looking city is absolutely amazing! It is really hard to advertise our business and yet giant ugly billboards are allowed WHAT? I really wonder which of the city board is the hill billy but it must be someone who has been there for years because it keeps being the ugliest city year after year.

20	Not included, would be high standing multi listing shopping center directories. Everything needs to be kept low to the ground.	4/1/2022 12:22 PM
21	Window signs create a cluttered look.	4/1/2022 12:10 PM
22	Illuminated Neon/LED	4/1/2022 11:47 AM
23	The temporary signs tend to make an area look cluttered and junky.	4/1/2022 11:44 AM
24	I think the monument signs look fine as long as they are updated and don't look dated/80's cheesy.	4/1/2022 6:57 AM
25	I did not like the tall dennys sign	3/30/2022 4:14 PM
26	Temporary signs junk up the city. Any bright lite up sign is tacky.	3/30/2022 1:10 PM
27	it looks like an ad and its tacky and does not make our city look beautiful and quaint.	3/30/2022 12:51 PM
28	Non-illuminated temporary sign	3/30/2022 12:41 PM
29	Window and non-illuminated temporary signs are NOT ACCEPTABLE ever. Appears very cheep and low effort. Wall signs could be acceptable if consistent in size and color way. Must be alike in a clean fashion	3/30/2022 12:32 PM
30	Temp signs end look like a 'garage sale' signs... quickly become debris	3/30/2022 6:36 AM
31	Why aren't the tall signs such as McDonald's on Kanan not included. That sign is ridiculous. Why were they allowed to put up a sign that size within the city limits?	3/30/2022 5:43 AM
32	Window signs are too commercial. There are too many temporary signs, especially around elections	3/29/2022 2:38 PM
33	Too many varieties	3/28/2022 6:58 PM
34	The city signs with the oak leaves look dated. Plus to the above choices, please choose something that goes with the architecture of the building	3/28/2022 4:17 PM
35	"Temporary" signs are tacky and are often up for much too long. Window signs don't fit the character of the city, but aren't as bad as temporary signs.	3/28/2022 1:21 PM
36	too commercial	3/26/2022 6:18 PM
37	The other two look tacky and temporary.	3/23/2022 5:15 PM
38	They are obnoxious and aesthetically displeasing. It makes the city look cheap and trashy.	3/23/2022 4:46 PM
39	Window signs look like billboards	3/23/2022 11:22 AM
40	Looks tacky	3/21/2022 11:50 AM
41	Windows are windows. I just do not like the look of this sign.	3/19/2022 10:27 AM

Agoura Hills Sign Code Survey

42	Non-illuminated temporary signs make the centers look to busy, traffic hazard and just looks trashy.	3/18/2022 2:22 PM
43	Small window signs are attractive, but entire frontage signs can be distracting and unsightly	3/18/2022 11:17 AM
44	non-illuminated temporary signs are a pain. They are posted and never taken down. They should be restricted as I believe they are to private property only. NOT PUBLIC PROPERTY	3/18/2022 8:06 AM
45	Window and lawn signs	3/18/2022 7:33 AM
46	non-illuminated temporary signs clutter my neighborhood during City voting periods. Other than that, an occasional yard sale doesn't bother me.	3/17/2022 5:19 PM
47	Window signs are ugly and temporary signs seem to be never temporary.	3/17/2022 5:06 PM
48	Window signs are too large & look messy, same with temporary signs, they commonly are forgotten and left behind.	3/17/2022 2:21 PM
49	As long as they are done tastefully I think they assist us in knowing what is available in our community. The Target on Lindero changed its signage to a more acceptable color and it works just fine!	3/17/2022 2:13 PM
50	Window signs tend to overpower a building frontage. Non Illuminated Temporary Signs tend to be ugly and not temporary.	3/17/2022 1:45 PM
51	I particularly don't agree with window signs. Marketing and advertising are essential to every business. Window signs obstruct the views; moreover, create nuisance.	3/17/2022 1:32 PM
52	Window signs and temporary signs look too much like the valley.	3/17/2022 1:00 PM
53	Non Illuminated temporary sign - Windows sign	3/17/2022 12:09 PM
54	Window signs are generally done in neon colors or oversized font and yard signs can make a street or neighborhood messy. Both do not agree with the serene feel we appreciate in our town.	3/17/2022 11:45 AM
55	Temporary signs are an eyesore and not necessary. If needed for garage sake realtor etc the internet now does that job	3/17/2022 11:08 AM
56	Each of these sign types can be done tastefully, in which case, they are acceptable. Each of these sign types can be done poorly, emphasize businesses not in line with the community we want to be, or not maintain the character of our city, in which case they would not be acceptable.	3/17/2022 11:02 AM
57	Monument signs look kind of like cemetery headstones, and window signs can be distracting, And I would like to see what's in the window not have it be blocked I imagery.	3/17/2022 10:38 AM
58	Non illuminated sign are tacky and make the neighborhood look cheap.	3/17/2022 10:28 AM
59	Temporary signs do not adhere to the aesthetic I would expect to see in Agoura Hills.	3/17/2022 10:25 AM
60	Window signs create clutter, as do temporary signs	3/17/2022 10:13 AM
61	Tacky	3/17/2022 10:10 AM
62	When the structures supporting the sign are run down and not maintained, or partial illumination (non-functional) is when it detracts from the community.	3/17/2022 9:51 AM
63	Window signs should be temporary to be acceptable.	3/17/2022 9:46 AM
64	Monument signs can be blind spots to drivers	3/17/2022 9:43 AM

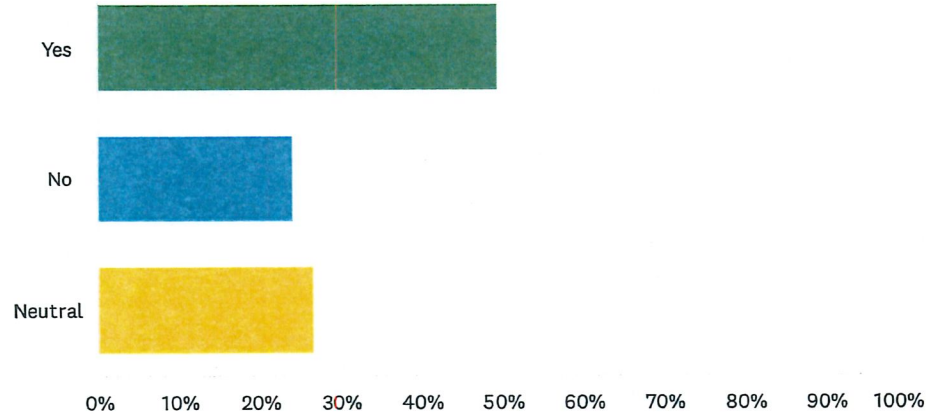
Agoura Hills Sign Code Survey

65	Billboards entering city limits are horrendous and cheapen the look of our city	3/17/2022 9:36 AM
66	Often becomes garbage	3/17/2022 9:34 AM
67	Visual clutter seems to be everywhere.	3/17/2022 9:25 AM
68	They look low quality and "Marketing" vs establishing the location of a business.	3/17/2022 9:17 AM
69	I don't like the example of the window sign above where the image is broken up by the window panes, however I've seen some window signs that look great.	3/17/2022 9:16 AM
70	window signs just look bad	3/17/2022 9:15 AM
71	The temporary signs are ugly and often people don't take them down	3/17/2022 9:12 AM
72	Window signs are visually not appealing to look at and I feel they reduce the curb appeal of an area.	3/17/2022 9:02 AM
73	temporary signs are garbage	3/17/2022 9:01 AM
74	test	3/16/2022 9:22 AM

Agoura Hills Sign Code Survey

Q6 The City does not currently have regulations for how bright sign lighting can be. Should the City adopt standards to regulate the brightness?

Answered: 158 Skipped: 3



ANSWER CHOICES

RESPONSES

Yes	49.37%	78
No	24.05%	38
Neutral	26.58%	42
TOTAL		158

Agoura Hills Sign Code Survey

Q7 Which multi-tenant retail centers or business parks in the City do you feel have sign lighting that is appropriate for Agoura Hills? List up to two locations. If no locations, leave blank.

Vote Summary	
Twin Oaks (Ralphs):	11
Whizins:	11
Agoura Meadows (Vons):	6
City Mall:	3
Agoura Design Center:	2

Answered: 41 Skipped: 120

ANSWER CHOICES

Location #1
Location #2

RESPONSES

100.00% 41
48.78% 20

#	LOCATION #1	DATE
1	Ralphs Shopping Area	4/5/2022 11:31 AM
2	28505 Carwood Street	4/5/2022 10:28 AM
3	Agoura Deli center	4/5/2022 9:26 AM
4	Agoura Design Center	4/4/2022 3:08 PM
5	Whizin's	4/4/2022 9:38 AM
6	Whizins	4/2/2022 7:27 AM
7	Ralph's shopping center	4/2/2022 12:24 AM
8	There are good and bad examples at most retail centers	4/1/2022 11:36 PM
9	Twin Oaks Shopping Center	4/1/2022 6:34 PM
10	Wizen shopping center	4/1/2022 3:55 PM
11	Whizins	4/1/2022 12:10 PM
12	City Mall	4/1/2022 11:44 AM
13	kanan and thousand oaks blvd	3/30/2022 4:14 PM
14	Agoura Meadows, but it is being changed. uniform sign program.	3/30/2022 2:54 PM
15	Wood Ranch	3/30/2022 12:51 PM
16	Whizins	3/30/2022 12:41 PM
17	Whizins center	3/30/2022 12:32 PM
18	Target center	3/30/2022 8:57 AM

Agoura Hills Sign Code Survey

19	The Agoura Deli Shopping center	3/28/2022 1:21 PM
20	Wizin center	3/23/2022 1:34 PM
21	Reyes Adobe Plaza	3/23/2022 11:22 AM
22	Bank of America	3/20/2022 7:32 AM
23	Whizin	3/19/2022 10:36 AM
24	The shopping center at the corner of T.O. Blav and Kanan	3/18/2022 2:22 PM
25	Whizins Center	3/18/2022 11:17 AM
26	Twin Oaks Shopping Center	3/18/2022 9:02 AM
27	Whizan's Center	3/18/2022 8:06 AM
28	Twin oaks	3/18/2022 7:33 AM
29	Vons	3/17/2022 5:19 PM
30	Target on Lindero	3/17/2022 2:13 PM
31	Twin Oaks Shopping Center	3/17/2022 2:08 PM
32	Agoura Deli Shopping Center	3/17/2022 1:00 PM
33	Reyes Adobe Plaza	3/17/2022 12:09 PM
34	Ralph's center	3/17/2022 11:39 AM
35	Whizins	3/17/2022 11:08 AM
36	Twin Oaks Shopping Center	3/17/2022 11:05 AM
37	Whizzins	3/17/2022 9:43 AM
38	Albert & Mackenzie Building	3/17/2022 9:12 AM
39	Agoura Road business parks	3/17/2022 9:07 AM
40	Pacific patio	3/17/2022 9:03 AM
41	test	3/16/2022 9:22 AM
#	LOCATION #2	DATE
1	Vons Shopping Area	4/5/2022 11:31 AM
2	Islands center	4/5/2022 9:26 AM
3	Target/In-N-Out	4/4/2022 9:38 AM
4	The target shopping center	4/1/2022 3:55 PM

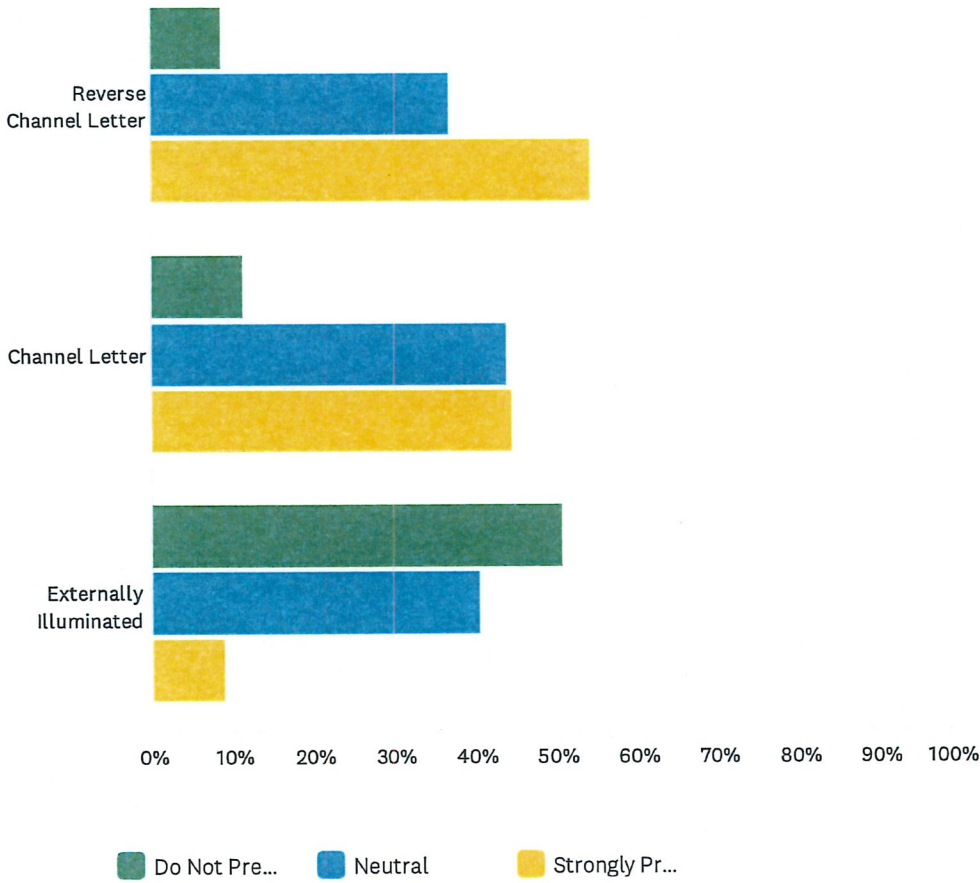
Agoura Hills Sign Code Survey

5	Ralph's Center	4/1/2022 11:44 AM
6	reyes adobe and 101	3/30/2022 4:14 PM
7	Westlake Plaza	3/30/2022 12:32 PM
8	WESTLAKE Promenade	3/30/2022 8:57 AM
9	Whizin Center	3/28/2022 1:21 PM
10	Vons	3/23/2022 1:34 PM
11	Cinema center	3/23/2022 11:22 AM
12	Ralf shopping center	3/20/2022 7:32 AM
13	Vons center	3/18/2022 11:17 AM
14	Whizins Shopping Center	3/18/2022 9:02 AM
15	Ralphjs	3/17/2022 5:19 PM
16	Panda/ Habit/ Urbane Shopping Center	3/17/2022 1:00 PM
17	Vons shopping center	3/17/2022 9:43 AM
18	Whizins	3/17/2022 9:12 AM
19	Swaggs grooming	3/17/2022 9:03 AM
20	test	3/16/2022 9:22 AM

Agoura Hills Sign Code Survey

Q8 What is your preference for each of the following lighting types? Please select the option.

Answered: 152 Skipped: 9



Agoura Hills Sign Code Survey

	DO NOT PREFER	NEUTRAL	STRONGLY PREFER	TOTAL
Reverse Channel Letter	8.72% 13	36.91% 55	54.36% 81	149
Channel Letter	11.33% 17	44.00% 66	44.67% 67	150
Externally Illuminated	50.68% 74	40.41% 59	8.90% 13	146

Agoura Hills Sign Code Survey

Q9 Color temperature of lighting is measured in units of Kelvin (k). Using the image below, which Kelvin color temperature do you prefer? Please provide the numeric value.

Answered: 133 Skipped: 28

Vote Summary
 The majority of respondents indicated a preference for a range of 3,000 - 5000 Kelvins.

#	RESPONSES	DATE
1	7000	4/16/2022 3:28 PM
2	7000	4/15/2022 8:40 PM
3	8000	4/15/2022 1:07 PM
4	6-7,000	4/12/2022 11:48 PM
5	5,000k	4/8/2022 10:06 AM
6	6500k	4/7/2022 5:40 AM
7	7000	4/5/2022 5:22 PM
8	2000-3000	4/5/2022 12:17 PM
9	5.000 k	4/5/2022 11:31 AM
10	6000	4/5/2022 10:28 AM
11	9000k	4/5/2022 9:26 AM
12	5000K	4/4/2022 3:30 PM
13	5000	4/4/2022 3:08 PM
14	4,000k - 5,000k	4/4/2022 9:38 AM
15	4000	4/3/2022 11:59 AM
16	3000-4000	4/2/2022 3:59 PM
17	3,000	4/2/2022 1:13 PM
18	2000	4/2/2022 7:27 AM
19	5	4/2/2022 12:24 AM
20	2-4000 depending on application	4/1/2022 11:36 PM
21	7000K	4/1/2022 10:19 PM

Agoura Hills Sign Code Survey

22	10,000k	4/1/2022 6:57 PM
23	4000	4/1/2022 6:34 PM
24	6000	4/1/2022 5:47 PM
25	3000-5000	4/1/2022 5:41 PM
26	8,000k	4/1/2022 5:41 PM
27	7000 or greater	4/1/2022 4:50 PM
28	4000 or 5000	4/1/2022 4:28 PM
29	1000-3000	4/1/2022 4:27 PM
30	9000k	4/1/2022 4:25 PM
31	4,000	4/1/2022 3:55 PM
32	5000k	4/1/2022 3:20 PM
33	4K	4/1/2022 3:09 PM
34	8,000k	4/1/2022 1:53 PM
35	8000	4/1/2022 1:36 PM
36	5000-10000	4/1/2022 12:58 PM
37	4,000-5,000	4/1/2022 12:22 PM
38	9,000	4/1/2022 12:10 PM
39	2-3	4/1/2022 11:47 AM
40	4000	4/1/2022 11:44 AM
41	7000	4/1/2022 7:08 AM
42	5000	4/1/2022 6:57 AM
43	4000	3/31/2022 11:34 PM
44	4,000k	3/31/2022 12:17 AM
45	5	3/30/2022 4:14 PM
46	4,000	3/30/2022 1:10 PM
47	3,000	3/30/2022 12:51 PM
48	3000k	3/30/2022 12:41 PM
49	3,000K	3/30/2022 12:32 PM

Agoura Hills Sign Code Survey

50	5000	3/30/2022 10:30 AM
51	3,000	3/30/2022 8:57 AM
52	8000K	3/30/2022 6:36 AM
53	5000	3/30/2022 1:21 AM
54	4000	3/29/2022 2:38 PM
55	4	3/28/2022 6:58 PM
56	2000	3/28/2022 6:29 PM
57	No yellow lighting and something subtle and fits in with the architecture	3/28/2022 4:17 PM
58	6000	3/28/2022 1:21 PM
59	2000k	3/28/2022 11:08 AM
60	4000	3/28/2022 10:09 AM
61	3000	3/26/2022 6:18 PM
62	4000	3/24/2022 4:07 PM
63	5000	3/23/2022 8:17 PM
64	7,000k	3/23/2022 5:40 PM
65	10,000k	3/23/2022 5:15 PM
66	3000	3/23/2022 4:46 PM
67	2000	3/23/2022 1:34 PM
68	6000	3/23/2022 11:22 AM
69	3000 - 4000	3/22/2022 9:52 AM
70	3000	3/21/2022 11:50 AM
71	6000	3/20/2022 7:25 PM
72	5000	3/20/2022 7:32 AM
73	6000	3/20/2022 4:43 AM
74	7,000k	3/19/2022 10:27 AM
75	4000	3/18/2022 3:53 PM
76	4000	3/18/2022 3:04 PM
77	6,000k looks clean	3/18/2022 2:22 PM

Agoura Hills Sign Code Survey

78	7000	3/18/2022 11:17 AM
79	3500-6500	3/18/2022 9:02 AM
80	10,000k	3/18/2022 8:06 AM
81	8-9	3/18/2022 7:33 AM
82	2	3/18/2022 6:21 AM
83	5,000K	3/17/2022 5:19 PM
84	5,000K	3/17/2022 5:06 PM
85	4000	3/17/2022 4:35 PM
86	7,000K	3/17/2022 2:30 PM
87	3000-5000	3/17/2022 2:21 PM
88	3000	3/17/2022 2:13 PM
89	5000	3/17/2022 2:08 PM
90	5000-6000	3/17/2022 1:58 PM
91	7000	3/17/2022 1:45 PM
92	5000	3/17/2022 1:32 PM
93	5000	3/17/2022 1:26 PM
94	4000	3/17/2022 1:13 PM
95	7000	3/17/2022 1:12 PM
96	2000	3/17/2022 1:00 PM
97	I like them all. I think it should be left up to the business. Some are good for 1,000K. Others may appreciate the 9,000 or 10,000k	3/17/2022 12:52 PM
98	4000	3/17/2022 12:17 PM
99	7000	3/17/2022 12:16 PM
100	10000	3/17/2022 12:09 PM
101	5k	3/17/2022 11:47 AM
102	4000	3/17/2022 11:45 AM
103	4,000k to 10,000k	3/17/2022 11:42 AM
104	4000	3/17/2022 11:39 AM

Agoura Hills Sign Code Survey

105	5K	3/17/2022 11:38 AM
106	2000	3/17/2022 11:08 AM
107	4000	3/17/2022 11:05 AM
108	4000	3/17/2022 11:02 AM
109	10000	3/17/2022 11:01 AM
110	5000	3/17/2022 10:52 AM
111	6000	3/17/2022 10:38 AM
112	3000	3/17/2022 10:28 AM
113	3000	3/17/2022 10:13 AM
114	4,000	3/17/2022 10:10 AM
115	5000	3/17/2022 10:03 AM
116	3000-5000K	3/17/2022 9:51 AM
117	3,000 to 5,000 range	3/17/2022 9:46 AM
118	3000	3/17/2022 9:43 AM
119	5000	3/17/2022 9:40 AM
120	4	3/17/2022 9:36 AM
121	9000	3/17/2022 9:34 AM
122	6000	3/17/2022 9:25 AM
123	4000k	3/17/2022 9:17 AM
124	5,000k	3/17/2022 9:16 AM
125	6000	3/17/2022 9:13 AM
126	6,000 k	3/17/2022 9:12 AM
127	2000-3000	3/17/2022 9:07 AM
128	5,000	3/17/2022 9:04 AM
129	4000k	3/17/2022 9:03 AM
130	3000	3/17/2022 9:03 AM
131	3000	3/17/2022 9:02 AM
132	5000	3/17/2022 9:01 AM

Agoura Hills Sign Code Survey

133

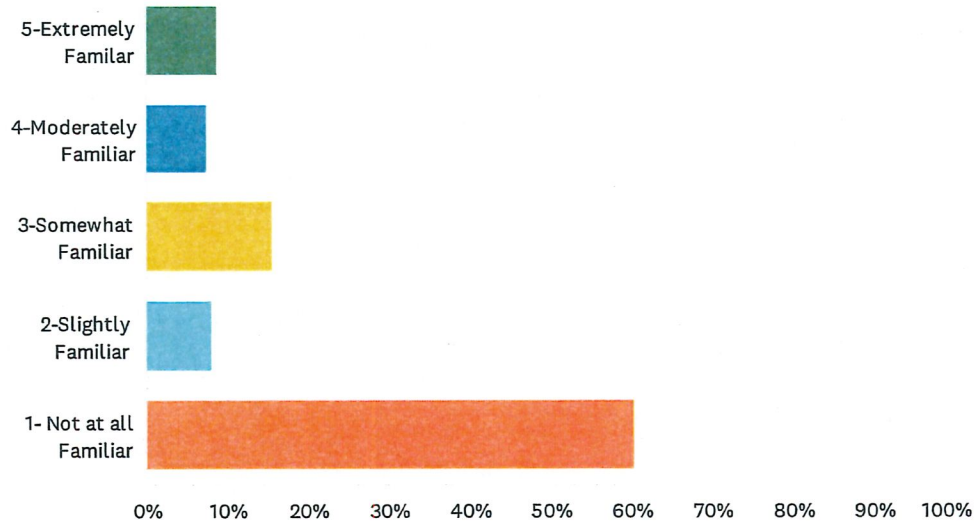
test

3/16/2022 9:22 AM

Agoura Hills Sign Code Survey

Q10 On a scale of 1-5, how familiar are you with the approval process for signs in the City?

Answered: 161 Skipped: 0

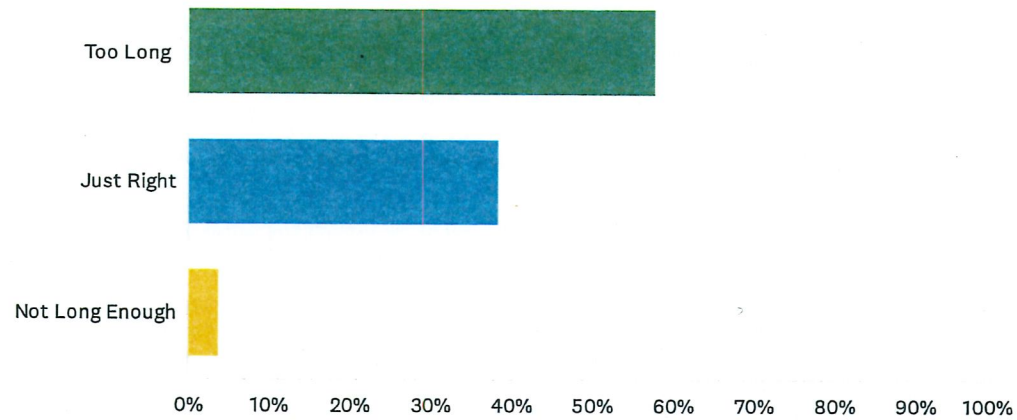


ANSWER CHOICES	RESPONSES	
5-Extremely Familiar	8.70%	14
4-Moderately Familiar	7.45%	12
3-Somewhat Familiar	15.53%	25
2-Slightly Familiar	8.07%	13
1- Not at all Familiar	60.25%	97
TOTAL		161

Agoura Hills Sign Code Survey

Q11 Do you feel the sign program approval process is (Please Check One):

Answered: 26 Skipped: 135



ANSWER CHOICES	RESPONSES	
Too Long	57.69%	15
Just Right	38.46%	10
Not Long Enough	3.85%	1
TOTAL		26

Agoura Hills Sign Code Survey

Q12 If you answered "Too Long" or "Not Long Enough." please give us feedback on how to improve the process.

Answered: 16 Skipped: 145

#	RESPONSES	DATE
1	Set clear standards and streamline the process	4/16/2022 3:28 PM
2	City staff may be somewhat unfamiliar with certain aspects of evolving sign technologies and/or tradeoffs for various options (e.g., illumination, return depth, materials, etc).	4/7/2022 5:43 AM
3	I've been told by tenants and property owners that the process is too slow and too many restrictions are in place and staff is not willing to make decisions	4/5/2022 9:29 AM
4	My personal opinion is that there are many businesses in Agoura hills that may simply be missed due to limited visibility. Visible/stand-out signs are a great way to bring attention to our local businesses which are the heart and soul of this city. Of course, appropriate approval processes are to be expected, but if we plan to thrive as a community we need to adapt a more modern environment which may be achieved by proper marketing as far as signage is concerned. Most respectable promenades or high end shopping centers in the Los Angeles/Ventura county have "can't miss visibility" meaning lights and elegance that attracts costumers and motivates them to spend their hard earned money on surrounding businesses. It is time that Agoura hills does the same.	4/1/2022 7:12 PM
5	Variances should not be allowed. Our sign laws should be similar to our sister city of Westlake Village. Over time, the regulations matching our sister city have been relaxed.	3/30/2022 2:57 PM
6	Update the Sign Code; special permissions that exceed the existing outdated plan would then not be necessary	3/30/2022 6:37 AM
7	The sign approval process interferes with businesses' ability to attract customers to a city that otherwise deflects customers to businesses in surrounding cities.	3/19/2022 10:38 AM
8	Too much paperwork and red tape behind the process. Also unfair. I had to get my logo copywritten and paid tons in lawyer fees for that and no one else in the center my business is located had to do that. They did what they wanted and used whatever signage they felt like. I went through months of approval and paperwork just to go about it the "right way".	3/18/2022 3:55 PM
9	The planners come and go and the ones who have been working their seem to want to put in their own ideas as to what works for the owners of the property and the tenants. Its way to complicated... and doesn't need to be.	3/18/2022 2:23 PM
10	I feel that the people that are involved in reviewing and approving signs and sign programs have way too much discretion. There are set out and approved sign criterias for a reason and when the person reviewing gives corrections based on their own opinions of how they feel it should look or be made, it is really frustrating. This makes the person designing have to go back and re-do their plans even though they followed the criteria to a tee. Also, I feel that the lack of knowledge for how a sign is made, the materials used, etc. makes it really difficult to explain things to the planner and it causes miscommunication and unnecessary delays as there needs to be multiple conversations about these types of things.	3/18/2022 9:05 AM

Agoura Hills Sign Code Survey

- | | | |
|----|--|--------------------|
| 11 | We feel that more electronic communication was helpful in the most recent process. But it seemed like the office was too busy to handle the load they had. | 3/17/2022 2:09 PM |
| 12 | Make it simpler | 3/17/2022 1:12 PM |
| 13 | Just make sure the signs are not too large to be obnoxious and approve right away! | 3/17/2022 11:52 AM |
| 14 | City processing needs to be streamlined. It can be extensive but efficient, practical and conscientious about costs involved to the owner. | 3/17/2022 9:49 AM |
| 15 | Make it easy fro new business to get their sign approval quickly | 3/17/2022 9:13 AM |
| 16 | The process does not seem clear or streamlined, just when you think you've crossed all the T's and dotted the I's there's something else to do that would've been helpful to know about at the beginning. It seems to be a big mess. | 3/17/2022 9:13 AM |

ATTACHMENT 5

Notices of Exemption

Notice of Exemption

To: [] Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, Ca 95814

From: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

[v] County Clerk
County of Los Angeles
Los Angeles County Clerk
12400 E. Imperial Hwy.
Norwalk, CA 905690

Project Title: Ordinance No. 23-472; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE FOLLOWING PROVISIONS OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE: 1) VARIOUS SIGN-RELATED DEFINITIONS IN CHAPTER 1 (INTRODUCTION); 2) DIVISION 5 (SIGN REGULATIONS) IN CHAPTER 6 (REGULATORY PROVISIONS); 3) SECTION 9676.2 (APPLICATION PROCEDURES) AND SECTION 9676.7 (VARIANCE OR MODIFICATION RELATING TO USES AMORTIZED PURSUANT TO THIS CODE) FOR VARIANCES AND MODIFICATIONS IN CHAPTER 6 (REGULATORY PROVISIONS); AND 4) SECTION 9804.2 (PLANNING COMMISSION PUBLIC HEARING) AND SECTION 9804.3 (ZONING ADMINISTRATOR PUBLIC HEARINGS) IN CHAPTER 8 (ADMINISTRATION)

Project Location-Specific: Citywide

Project Location-City: City of Agoura Hills

Project Location-County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: The Ordinance incorporates changes to CHAPTER 1 (Introduction) specifically Part 3 where definitions are located; sign related definitions are moved to the chapter. Furthermore, the Ordinance amends in CHAPTER 6 (Regulatory Provisions), Part 2 (Special Regulations), Division 5 (Sign Regulations) where sign regulations reside. In this section, the changes address clarifications of terms and criteria, the introduction of lighting requirements, the addition of a clear process for reviewing various types of sign permit applications and clearly establishing a division of responsibilities between the Community Development Director and the Planning Commission. It adds references to other codes requirements for consistency. Additionally, the Ordinance revises in the same chapter, but Part 3 (Special Permit or Review) Division 6, the review and approval procedures for sign applications that require modifications and variances in coordination with the changes made in the sign regulations chapter. The changes are incorporated specifically in Section 9676.2 (application procedures) and Section 9676.7 (Variance or Modification relating to uses amortized pursuant to this code). Lastly, the Ordinance incorporates changes in Chapter 8 (Administration), Part 1, Division 4 in Section 9804.2 (Planning Commission Public Hearing) and Section 9804.3 (Zoning Administrative Public Hearings) also in coordination with the changes made in the sign regulations and procedures.

Name of Public Agency Approving Project: City of Agoura Hills

Name of Person or Agency Carrying Out Project: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Exempt Status: (Check One)

[] Statutory Exemption (14 Cal. Code of Regs. Sections 15260 et seq.);

[] No Possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3));

- Ministerial (14 Cal Code of Regs. Sec. 15268);
- Declared Emergency (14 Cal Code of Regs. Sec. 15269(a);
- Emergency Project (14 Cal Code of Regs Sec. 15269(b),(c), (d) and (e));
- Categorical Exemption (14 Cal Code of Regs. Sections 15300 et seq.) State of California CEQA Guidelines Section 15301

Reasons why project is exempt: The City finds that this Ordinance Update is exempt from the requirement of the California Environmental Quality Act (CEQA) because it can be seen with certainty that the proposed revisions to the Sign Ordinance would not have the potential for causing a significant impact on the environment since it clarifies the language to facilitate the review process of sign permit applications. The changes do not remove minimum standards for the review of sign permit application but rather add maximum illumination standards to minimize impacts of lighting on the environment. As such, the amendment to the Sign Ordinance is exempt pursuant to Section 15061(b)(3).

Lead Agency Contact Person: _____

Area Code/Telephone/Extension: (818) 597-7328

Signature: _____ *Date:* _____ *Title:* _____

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