

## REPORT TO CITY COUNCIL

**DATE: FEBRUARY 13, 2008**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: LOUIS CELAYA, ASSISTANT TO THE CITY MANAGER**

**SUBJECT: AMENDMENT TO ORDINANCE NO. 07-348; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REGARDING NEWSRACKS AND AMENDING THE AGOURA HILLS MUNICIPAL CODE**

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On October 10, 2007, the City Council adopted Ordinance No. 07-348 establishing procedures and processes for regulation of newsracks including standards for design, operation, maintenance, location, and concentrations for the purpose of improving aesthetics and control of non-permitted newsrack placement within the City of Agoura Hills.

After adoption of the ordinance, staff proceeded with the permitting process for all newsrack vendors within the City. During the permitting process, staff received late inquiries from newsrack vendors on the possibility of increasing the number of currently approved locations (6 designated sites) as the current number of sites impacted their ability to effectively distribute their media to perspective customers (general public). In an effort to be fair and equitable staff reviewed other locations proposed for consideration.

After reviewing additional locations, staff concurred other sites provided supplementary avenues for news publications to reach the general public. The amendment to the revised ordinance adds six additional locations where newsracks could be placed. There are no changes to standards for design including color, operation, maintenance and concentrations, nor does the amendment impact the permitting process of the current ordinance. The proposed locations are located near commercial properties (i.e., Whizen Center, Twin Oaks Shopping Center) or heavily traveled pedestrian walkways within high density residential areas. The new proposed locations are as follows:

5200 block of Palo Camado Road, in front of 5221  
5200 block of Colodny Drive, in front of 5250.  
5700 block of Kanan Road, in front of 5709.  
28900 block of Thousand Oaks Boulevard, adjacent to 28947  
30600 block of Canwood St., in front of 30601  
5000 block of Cornell Road, in front of 5045

Additionally, the distance of a newsrack location and its proximity to schools is being changed from one thousand feet (1000') to five hundred (500'), as one the proposed locations would not be eligible at the current ordinance's specification. While the additional locations increase the number of newsrack locations from six to twelve, the existing ordinance still affords staff the ability to administer, control standards, and the proliferation of non-permitted newsracks.

## **RECOMMENDATION**

Staff respectfully recommends the City Council, introduce, read by title only and waive further reading of Ordinance No. 08-351 regarding newsracks and amending the Agoura Hills Municipal Code.

Attachment:     Additional Newsrack Locations  
                  Aerial – Current & Proposed Locations  
                  Ordinance No. 08-351

ADDITIONAL NEWSRACK LOCATIONS



5200 Block - Colodny Dr



5200 Block – Palo Camado



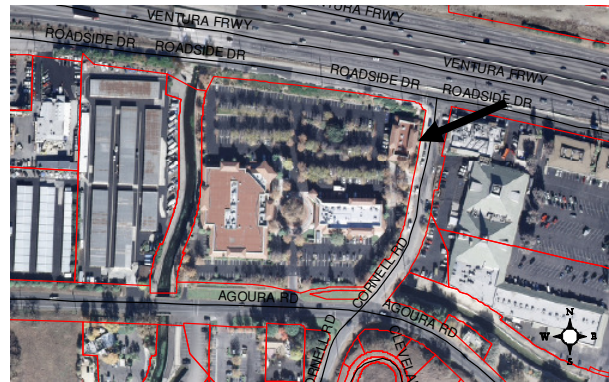
5700 Block – Kanan Road



28900 Block of Thousand Oaks Blvd

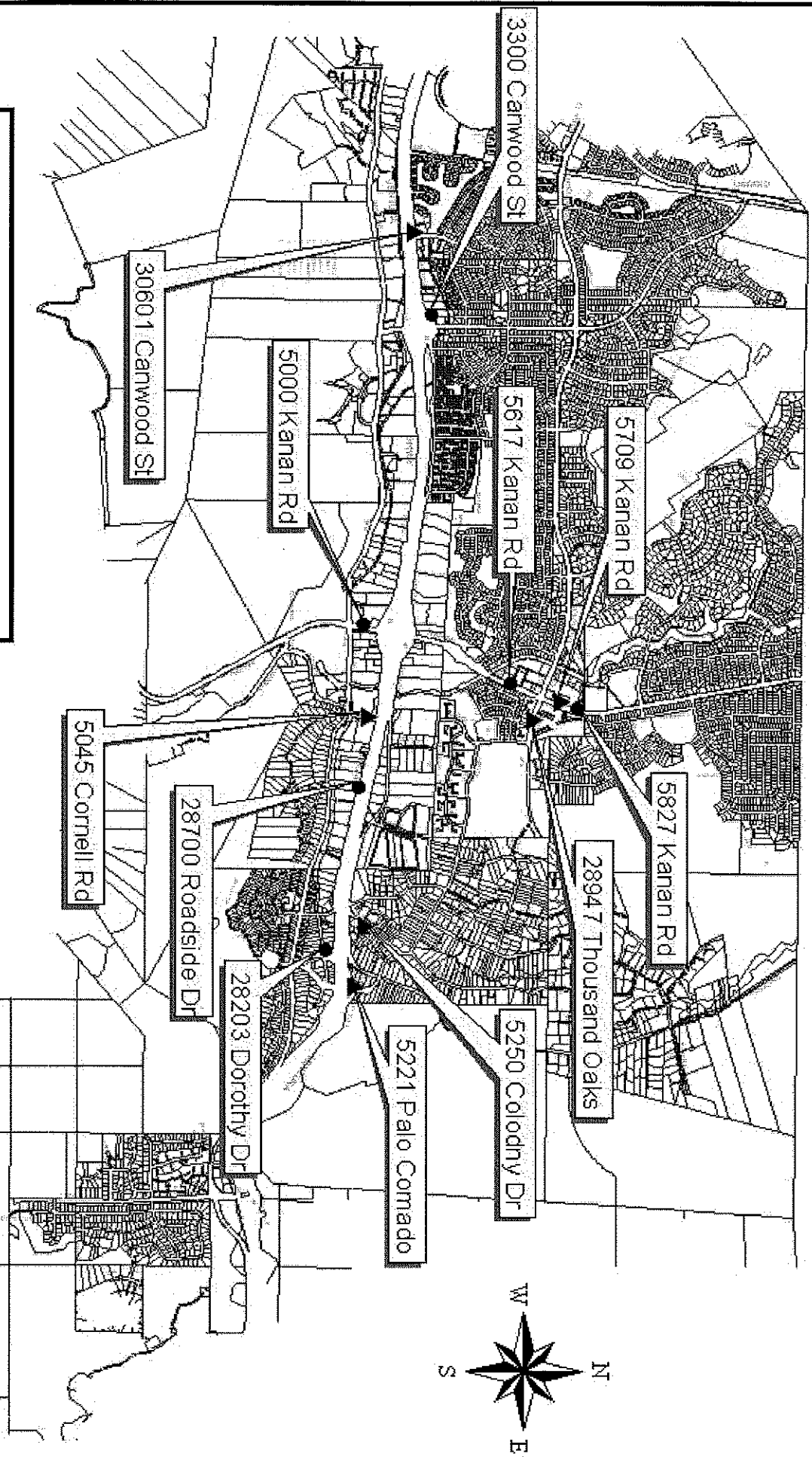


30600 Block of Canwood



5000 Cornell Road

# Newsracks - Current & Proposed



- - Current Locations
- ▲ - Proposed Locations

**ORDINANCE NO. 08-351**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS REGARDING NEWSRACKS AND AMENDING THE AGOURA HILLS MUNICIPAL CODE**

The City Council of the City of Agoura Hills does ordain as follows:

**Section 1.**     **Findings and Intent.** The City Council finds and declares that:

A.     The City Council recently established comprehensive newsrack regulations to achieve a number of substantial governmental interests.

B.     This Ordinance amends the City’s newsrack regulations to provide additional opportunities for placement of newsracks on public right-of-way.

**Section 2.**     Paragraph (a) of Section 7405 of Chapter 4 of Article VII of the Agoura Hills Municipal Code is hereby amended to read as follows:

“(a)    Newsracks shall be placed only on the following public rights-of-way:

- (1)     5800 block of Kanan Road, north of Thousand Oaks Boulevard, in front of 5827 Kanan Road.
- (2)     5600 block of Kanan Road, south of Thousand Oaks Boulevard, in front of 5617 Kanan Road.
- (3)     30300 block of Canwood Street, west of Reyes Adobe Road, at Reyes Adobe Plaza.
- (4)     5000 block of Kanan Road at Kanan Village Center.
- (5)     28700 block of Roadside Drive, at Roadside Plaza.
- (6)     In front of 28203 Dorothy Drive.
- (7)     5200 Block of Palo Camado Road, in front of 5221
- (8)     5200 block of Colodny Drive, in front of 5250.
- (9)     5700 block of Kanan Road, in front of 5709.
- (10)    28900 block of Thousand Oaks Boulevard, adjacent to 28947
- (11)    30600 block of Canwood Street, in front of 30601.

(12) 5000 block of Cornell Road, in front of 5045.”

**Section 3.** Paragraph (c) (8) of Section 7405 of Chapter 4 of Article VII of the Agoura Hills Municipal Code is hereby amended to read as follows

“(c) Newsracks shall not be placed:

(8) Within five hundred feet (500’) of a school.”

**Section 4. Severability Clause.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that this Ordinance, and each section, subsection, sentence, clause and phrase hereof, would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**PASSED, APPROVED, AND ADOPTED,** this \_\_\_\_ day of February, 2008.

AYES: (0)  
NOES: (0)  
ABSENT: (0)  
ABSTAIN: (0)

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John Edelston, Mayor

ATTEST:

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Kimberly M. Rodrigues, City Clerk