

REPORT TO CITY COUNCIL

DATE: SEPTEMBER 10, 2008

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: ADOPTION OF ORDINANCE NO. 08-354 REGARDING AMENDMENTS TO THE SIGN ORDINANCE FOR GENERAL SIGN ENTITLEMENTS, ILLUMINATED BUSINESS HOUR SIGNS, TEMPORARY COMMUNITY EVENT SIGNS/BANNERS, AND TENANT OCCUPANCY BANNERS (ZONING ORDINANCE AMENDMENT CASE NO. 08-ZOA-004)

At the August 27, 2008 City Council meeting, the Council introduced, read by title only, and waived further reading of Ordinance No. 08-354. The Ordinance will amend Municipal Code Sections 9655.4, 9655.4.D, 9655.4.I, and 9655.10.A.4 (Zoning Ordinance Sign Regulations) regarding general sign entitlements, illuminated business hour signs, community event signs/banner, and tenant occupancy banners.

The City Council approved the Zoning Ordinance Amendment on a 4-0 vote. Councilmember Kuperberg was absent.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 08-354, regarding amendments to the Sign Ordinance.

Attachment: Ordinance No. 08-354

ORDINANCE NO. 08-354

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ZONING ORDINANCE SECTIONS 9655.4, 9655.4.D, 9655.4.I, AND 9655.10.A.4 (SIGN REGULATIONS) (CASE NO. 08-ZOA-004)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. Sections 9655.4 and 9655.4.D of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9655.4 General Entitlements.

The following signs if not illuminated, except as otherwise allowed herein, shall be permitted without the requirement of a sign permit in the applicable land use districts. Such signs shall be located in a manner that does not create a traffic hazard or a hazardous condition for persons using a public right-of-way, as determined by the City Engineer.”

“9655.4.D. *Informational signs.* Signs within window areas that indicate addresses, hours and day of operation; whether a business is open or closed, credit card information and emergency address and telephone numbers. Such signs shall be located on the inside of the window and shall not require a sign permit, and shall be used for the name of the business in excess of twenty-five (25) percent of said sign. “Open” and “closed” signs may be illuminated by light emitting diode (LED) or incandescent methods. Exposed neon illumination, exposed fluorescent illumination and scintillating, flashing, animating or revolving “open” and “closed” signs are prohibited.”

Section 2. Section 9655.4.I of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9655.4.I. *Temporary noncommercial signs and banners.* Temporary noncommercial signs and banners shall be permitted only to advertise an upcoming civic, patriotic, non-profit, charitable, or special event of general public interest taking place within the boundaries of the city. Temporary signs and banners are permitted in all zones subject to the following regulations: On each lot a maximum of two (2) temporary freestanding signs containing only non-commercial messages are permitted. The limitation on the number of signs shall be suspended during the thirty (30) days before and seven (7) days after a local, state or national election. All temporary noncommercial signs or banners shall be removed within three (3) days after the event for which they are intended. Each temporary noncommercial sign or banner shall not exceed six (6) square feet in sign area with a maximum height of six (6) feet. One (1) temporary sign or banner advertising an upcoming charitable or community event occurring within the boundaries of the city may

be displayed on each street frontage per lot in all zones for a maximum of thirty (30) days per event, and shall not exceed thirty (30) square feet in size, ten (10) square feet in length, and six (6) feet in height. Such signs are in addition to all other signage allowed in this chapter.

Such signs shall not be illuminated or posted on trees, fence posts or public utility poles, or located within any public right-of-way.”

Section 3. Section 9655.10.A.4 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby added to read:

“9655.10.A.4. ~~Grand opening~~ Occupancy signs. ~~During an authorized grand opening event,~~ For the purpose of advertising pending and recent tenant occupancy for new businesses, temporary signs, not exceeding twenty (20) square feet in area may be approved by the director. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject business is located and shall specify the name of the tenant. Such signs shall not be displayed more than ~~thirty (30)~~ ninety (90) consecutive days from the issuance of the sign permit, during which time the content of the signs may change, but shall be in keeping with the purpose of this section.

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 vehicle traffic.

The 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.”

Section 4. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this Ordinance are declared to be severable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

Section 5. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2008,
by the following vote to wit:

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

ATTEST:

BY:

Kimberly M. Rodrigues, City Clerk

John M. Edelston, Mayor

APPROVED AS TO FORM:

Craig A. Steele, City Attorney