

REPORT TO CITY COUNCIL

DATE: JULY 14, 2010

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: CONTINUED DISCUSSION (FROM JUNE 23, 2010); APPROVE RESOLUTION NO. 10-1595, ALLOWING FOR THE DISPLAY OF TEMPORARY BANNERS ON PRIVATE PROPERTY FOR TEMPORARY BUSINESS ENHANCEMENT FOR A 12-MONTH PERIOD

The request before the City Council is to approve the attached Resolution No. 10-1595, allowing for the display of temporary banners on private property for temporary business enhancement for a 12-month period, expiring on July 14, 2011. This item was discussed and continued by the City Council on June 23, 2010, with Councilmember Weber absent.

On June 23, 2010, at the request of the Economic Development Committee (EDC), the City Council discussed whether to extend the allowance of temporary display of retail banners in the City. The Business Task Force supported the temporary displays. The recommendations of the Business Task Force were reviewed by the EDC on June 15, 2010, and the EDC recommended the City Council allow for the temporary display of retail banners for a 12-month period with the following provisions:

Temporary Retail Advertising Banners

1. Allow for retail advertising banner displays up to four (4) times during the 12-month period, at the discretion of the business owner. This was preferred to having the banners displayed during certain pre-established dates as it would allow for new product or service advertising when desired by the business owner. One EDC member recommended consideration be given to allowing the banner displays for three (3) specified times during the calendar year, and allow for one (1) additional banner display at the business owner's discretion.
2. Allow the banners to be displayed for 10 days per event, with no time limit on consecutive days/events. Thus, a banner could be displayed for 40 consecutive days if a business owner decides to use his/her four annual displays consecutively. The Business Task Force had recommended the banners be allowed to be displayed for 15 days per event, which would have allowed up to 60 consecutive days per year.

3. Allow for banners to be 30 square feet in size. The maximum size of the banners previously allowed by the City Council was 20 square feet. The EDC recommends the allowable size be increased for greater visibility.
4. The Business Task Force members expressed concern about implementation and that the required permit fee cover staff costs of review and enforcement. The current fee for an administrative sign permit is \$66.00, which is also the Planning Department's approximate hourly service rate (including overhead costs). However, since temporary banner permits require much less administrative review time than a sign permit for a permanent sign, staff recommended and one EDC member agreed that the charge for a temporary banner permit be \$40.00 per event, which is equivalent to the Planning Department's administrative plan check fee for a building permit. This fee, which is included in the attached draft resolution, would also include the cost for field inspections and will allow for staff to track the days and numbers of display events. The other EDC member recommended that consideration be given to not requiring a fee for the banner displays.
5. The EDC recommended that the above provisions be in place for a 12-month period and that staff continue to monitor the displays during this interim period.

The City Council questioned the effectiveness of such banner displays and continued the matter to allow staff to meet with the Business Task Force to examine how the impact of banners can be quantified. The Business Task Force discussed the issue on June 24, 2010, and stated their uncertainty as to whether the impact of banner displays on retail sales can be quantified at all. However, the Business Task Force stated that business owners, especially those who have businesses facing the freeway, likely find a qualitative benefit of banner displays and the visibility it brings to their businesses. Finding a quantitative nexus between sales volume and banner displays is difficult given the variables that should also be factored in determining sales revenue. Representatives from the Business Task Force may be attending the City Council meeting.

RECOMMENDATION

Staff recommends the City Council approve the attached Resolution No. 10-1595, allowing for the display of temporary banners on private property for temporary business enhancement for a 12-month period.

Attachment: Resolution No. 10-1595
Report to City Council – June 23, 2010

RESOLUTION NO. 10-1595

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, TEMPORARILY ALLOWING, FOR BUSINESS ENHANCEMENT PURPOSES, THE DISPLAY OF A MAXIMUM THIRTY-SQUARE-FOOT RETAIL BANNER ON PRIVATE PROPERTY THROUGH JULY 14, 2011

WHEREAS, the City of Agoura Hills acknowledges the current national economic impact to retail businesses located within the City; and

WHEREAS, retail sales for businesses and commercial leasing opportunities are needed for business sustainability and enhancement; and

WHEREAS, the purpose of the City sign ordinance is to support and promote viable business by allowing signage that provides adequate identification; and

WHEREAS, business sign regulations are intended to promote fairness in competition and retain identity in the business community.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Agoura Hills as follows:

During the period from July 14, 2010, through July 14, 2011, in addition to the basic sign entitlement permitted in the City Sign Ordinance (Zoning Ordinance Section 9655), the following temporary displays shall be allowed with the issuance of a sign permit from the City of Agoura Hills:

- A. Retail, restaurant, and hotel businesses shall be entitled to the display of one temporary banner on private property, not to exceed thirty (30) square feet in size, up to four (4) times during the 12-month period, at the discretion of the business owner. The banner may be displayed for a maximum of up to ten (10) days per event, with no limit on consecutive days/events. The temporary banner shall be of a quality design approved by the Director of Planning and Community Development. The banner shall be placed on the building serving the business. Alternate locations for placement of the banner may be approved by the Director where visibility of the banner on the building is negatively impacted. The temporary retail banner shall not be used for real estate advertising or leasing purposes.
- B. The required sign permit fee for temporary banners shall be \$40.00, which is equivalent to the Planning Department plan check fee.

Resolution No. 10-1595

PASSED, APPROVED, and ADOPTED this 14th day of July, 2010, by the following vote to wit:

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

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

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SUBJECT: APPROVE RESOLUTION NO. 10-1595, ALLOWING FOR THE DISPLAY OF TEMPORARY BANNERS ON PRIVATE PROPERTY FOR TEMPORARY BUSINESS ENHANCEMENT FOR A 12-MONTH PERIOD

The request before the City Council is to approve the attached Resolution No. 10-1595, allowing for the display of temporary banners on private property for temporary business enhancement for a 12-month period, expiring on June 23, 2011.

In light of the negative impact of the national economy to local businesses and to assist in stimulating local business, beginning on October 22, 2008, the City Council approved three separate resolutions allowing each retail business (including restaurants and hotels) to display a temporary advertising banner. The City Council also allowed for the display of commercial lease banners and a temporary increase in the size of window commercial lease signs. These allowances were granted for a total of 14 months that ended on January 31, 2010.

At the request of the Economic Development Committee (EDC), the Business Task Force discussed on May 27, 2010, whether to support extending the temporary displays in the City. The Business Task Force's consensus was to support the temporary displays. The recommendations of the Business Task Force were reviewed by the EDC on June 15, 2010, and the EDC recommends the City Council allow for the temporary display of retail banners for a 12-month period with the following provisions:

Temporary Retail Advertising Banners

1. Allow for retail advertising banner displays up to four (4) times during the 12-month period, at the discretion of the business owner. This was preferred to having the banners displayed during certain pre-established dates as it would allow for new product or service advertising when desired by the business owner. One EDC member recommended consideration be given to allowing the banner displays for three (3) specified times during the calendar year, and allow for one (1) additional banner display at the business owner's discretion.

2. Allow the banners to be displayed for 10 days per event, with no time limit on consecutive days/events. Thus, a banner could be displayed for 40 consecutive days if a business owner decides to use his/her four annual displays consecutively. The Business Task Force had recommended the banners be allowed to be displayed for 15 days per event, which would have allowed up to 60 consecutive days per year.
3. Allow for banners to be 30 square feet in size. The maximum size of the banners previous allowed by the City Council was 20 square feet. The EDC recommends the allowable size be increased for greater visibility.
4. The Business Task Force members expressed concern about implementation and that the required permit fee cover staff costs of review and enforcement. The current fee for an administrative sign permit is \$66.00, which is also the Planning Department's approximate hourly service rate (including overhead costs). However, since temporary banner permits require much less administrative review time than a sign permit for a permanent sign, staff recommended and one EDC member agreed that the charge for a temporary banner permit be \$40.00 per event, which is equivalent to the Planning Department's administrative plan check fee for a building permit. This fee, which is included in the attached draft resolution, would also include the cost for field inspections and will allow for staff to track the days and numbers of display events. The other EDC member recommended that consideration be given to not requiring a fee for the banner displays.
5. The EDC recommended that the above provisions be in place for a 12-month period and that staff continue to monitor the displays during this interim period.

Temporary Lease Signs and Vacancy Banners

The Business Task Force recommended that temporary lease signs and vacancy banners be allowed. However, the EDC opposed supporting the recommendation and stated their concerns with the effectiveness of the displays and the permanent appearance of the displays. The EDC found the current allowance of a permanent lease sign on commercial property to meet the needs of on-site advertising of leasing opportunities. Thus, the allowance for lease signs and vacancy banner displays is not included in the attached draft resolution. For the City Council's reference, the Business Task Force's recommendations for lease sign and vacancy banner displays were as follows:

1. Allow for 20 square-foot lease/vacancy banners to be temporarily displayed for 90 days; two (2) times during the calendar year. This would allow for a banner to be displayed for 180 consecutive days if desired by the property owner/manager.
2. Allow for the temporary increase in window lease sign size from 4 square feet to 10 square feet, as previously allowed by the City Council.
3. Continue to allow, with no changes, for the permanent placement of commercial lease monument signs (maximum size of 9 square feet).

4. Include a sign permit fee, similar to the recommended temporary retail advertising banner fee, for the display of temporary lease/vacancy banners for administrative inspections and permit tracking.

A draft resolution of approval reflecting the recommendations of the EDC is attached for the City Council's consideration.

As a note, a group of freeway-oriented businesses had previously expressed their desire to the EDC to review possible changes to the Sign Ordinance for freeway-oriented commercial signage. However, this discussion was deferred to the next Business Task Force Meeting scheduled for June 24, 2010. The Business Task Force's and the EDC's recommendations on this issue will be presented to the City Council at a later date.

RECOMMENDATION

Staff recommends the City Council approve the attached Resolution No. 10-1595, allowing for the display of temporary banners on private property for temporary business enhancement for a 12-month period.

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