



City of Carson Report to Mayor and City Council

July 19, 2011
Special Orders of the Day

SUBJECT: PUBLIC HEARING TO CONSIDER ORDINANCE NO. 11-1475 AMENDING THE CARSON MUNICIPAL CODE REGARDING THE CALCULATION FOR TOTAL ALLOWABLE SIGN AREA AND EXTENDING THE DISPLAY PERIOD FOR BANNERS AND OTHER SIMILAR DISPLAYS

Submitted by Clifford W. Graves
Economic Development General Manager

Approved by Clifford W. Graves
Interim City Manager

I. SUMMARY

On June 14, 2011, at a noticed public hearing, the Planning Commission adopted Resolution No. 11-2394 (Exhibit No. 1) recommending approval to the City Council of an ordinance amendment modifying the Carson Municipal Code (CMC) to reinstate missing sections regarding the calculation of total allowable sign area and extending the display period for banners and other similar displays from 60 to 90 calendar days. The ordinance amendment affects properties zoned commercial or industrial.

II. RECOMMENDATION

TAKE the following actions:

1. OPEN the Public Hearing, TAKE public testimony, and CLOSE the Public Hearing.
2. WAIVE further reading and INTRODUCE Ordinance No. 11-1475, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ADOPTING AN AMENDMENT TO THE ZONING ORDINANCE OF THE CARSON MUNICIPAL CODE REGARDING SIGNS, INCLUDING AN AMENDMENT TO SECTION 9136.7 (SIGNS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 3 (COMMERCIAL ZONES) AND SECTION 9146.7 (SIGNS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 4 (INDUSTRIAL ZONE)."

III. ALTERNATIVES

1. DENY the request.
2. REFER this matter back to Planning Commission with revision instructions.
3. TAKE another action that the City Council deems appropriate.

IV. BACKGROUND

On July 20, 2010, at the request of the Mayor, the City Council considered an item to allow long-term temporary business signs for a shopping center located at 20761-20775 S. Avalon Boulevard. Although the shopping center is located across from the South Bay Pavilion, it does not qualify for a long-term temporary business sign under the current ordinance because the building size does not meet the minimum requirement and the property is located outside of a Mixed-Use Residential Overlay District. The City Council referred the item to the Planning Commission to study and report on amending Section 9136.7(C) of the CMC regarding long-term temporary business signs.

On August 12, 2010, the City Council Commercial and Public Signage Subcommittee held a meeting to discuss allowing banners and other business signs to be displayed for an extended amount of time. The Subcommittee was concerned that many small businesses have lost revenue due to the sluggish economy and that temporary business signs, such as banners, would help increase customer traffic. Section 9136.7(C) of the CMC allows such signs to be displayed for up to 60 calendar days, and the Subcommittee wanted to explore allowing additional time due to economic hardships suffered by many small businesses. The issue was referred to the Planning Commission for consideration.

On October 12, 2010, the Planning Commission held a workshop to discuss long-term temporary business signs (Exhibit No. 3). Staff researched the ordinances of other cities throughout the nation and within the South Bay and presented the findings to the Commission. Staff found that other cities throughout the nation have been considering extending its display period. According to Hawthorne staff, the Hawthorne City Council considered an extension, but the ordinance amendment did not pass and Hawthorne continues to implement its typical zoning ordinance. At the conclusion of the Planning Commission meeting, the Commission discussed the issue and the options available but decided to receive and file without directing staff to take further action.

On January 25, 2011, the City Council Commercial and Public Signage Subcommittee considered a proposal from David Dupetit of 3 Men's Suits \$129.99 to allow year-round banners for the shopping center at 20761-20775 S. Avalon Boulevard. The Subcommittee expressed the need to work with businesses that are struggling due to the economy and discussed possibly amending the CMC. Staff mentioned that regulations are in place to allow for temporary banners and expressed concern that conflicts may arise between businesses if too many banners are permitted for an extended amount of time. The Subcommittee directed staff to bring the item as a workshop to the Planning Commission for consideration. The Subcommittee recommended that the Planning Commission discuss allowing banners and other business signs to be displayed for an extended amount of time. The Subcommittee also urged the

Planning Commission to consider options to help businesses struggling through the recession and recommended that if an ordinance amendment is to be considered that banners should be required to be changed regularly to avoid becoming decrepit and unsightly.

On January 11, 2011 and January 25, 2011, the Planning Commission held public hearings to consider revoking Mr. Dupetit's application to display freeway-oriented channel letters at his business because certain conditions remained unfulfilled (Design Overlay Review (DOR) No. 1337-09, Variance (VAR) No. 506-09) Resolution No. 09-2274 (Exhibit No. 4). At the January 25, 2011 meeting, the Planning Commission voted to revoke DOR No. 1337-09 for the installation of freeway-oriented channel letters, but upheld VAR No. 506-09 allowing the shopping center to exceed the total allowable square footage. On February 8, 2011, staff presented the Planning Commission with a resolution reflecting its decision, which the Planning Commission adopted.

On February 10, 2011, staff met with Mr. Dupetit and discussed his interest in an ordinance amendment to allow year-round banners for commercial properties located within 500 feet of the 405 Freeway, including his store. He indicated a desire to display a 5-foot-high by 50-foot-wide banner facing the freeway. He also mentioned a willingness to consider four-foot high permanent channel letters if temporary foam letters were considered first and the increased size was effectively visible from the freeway. He was not willing to provide landscaping but would provide some enhanced architectural features.

On February 22, 2011 and March 10, 2011, the Planning Commission held workshops to discuss banners (Exhibit Nos. 5 and 6). Staff mentioned that in its research, it has not been able to find any city that allows for year-round display of banners (365 days per year) as requested by Mr. Dupetit. In the South Bay, only the city of Hawthorne considered amending its ordinance to allow for long-term banner display out of the 12 cities reviewed. However, Hawthorne's consideration did not lead to an ordinance amendment to extend banner displays and no further action was taken. Redondo Beach did not officially amend its ordinance, but, according to their staff, has become more lenient with enforcement due to the economy. Seven cities allow 90 calendar days or more; four cities, including Carson, allow up to 60 calendar days; and Palos Verdes Estates has the strictest ordinance, requiring banners to be displayed for one week three times a year. The Commission directed staff to draft an ordinance amendment to extend the number of display days for banners from 60 to 90, with the understanding that the Commission may increase the suggested number at a future meeting.

On June 14, 2011, at a noticed Public Hearing, the Planning Commission considered an ordinance amendment to change the display period for banners from 60 to 90 calendar days as described in Section 9136.7(C)(1), signs for commercial uses, and Section 9146.7(C)(1), signs for industrial uses, of the CMC. The proposed ordinance amendment also reinstated missing sections dealing with

allowable square footage found in earlier versions of the CMC under Sections 9136.7(B)(2) (Exhibit No. 7), which through various ordinance amendments were omitted over the years. Those sections read as follows:

Section 9136.7(B)(2), First sentence-Commercial Signs

“The total sign area per lot shall not exceed an area in square feet equal to two times the linear feet of lot frontage on a public street or streets. Lot frontage on a freeway shall not be considered in computing this figure.”

Section 914637(B)(2), First sentence-Industrial Signs

“The total sign area per lot shall not exceed an area in square feet equal to 2 times the linear feet of lot frontage on a public street or streets for the first 100 feet of frontage, plus one-half times the frontage in excess of 100 feet. Lot frontage on a freeway shall not be considered in computing this figure.”

At the conclusion of the Public Hearing, the Planning Commission voted to recommend approval to the City Council of Ordinance No. 11-1475 (Exhibit No. 8).

V. FISCAL IMPACT

Extending the display period for banners and other similar displays may provide a local economic benefit by incrementally increasing sales revenue for businesses, which would increase sales tax revenue collected by the city.

VI. EXHIBITS

1. Planning Commission Resolution No. 11-2394. (pgs. 6-7)
2. Planning Commission Staff Report for Ordinance Amendment, dated June 14, 2011 (without Exhibits). (pgs. 8-15)
3. Excerpt of Planning Commission Minutes dated October 12, 2010. (pg. 16)
4. Planning Commission Resolution No. 09-2274. (pgs. 17-23)
5. Excerpt of Planning Commission Minutes dated February 22, 2011. (pg. 24)
6. Excerpt of Planning Commission Minutes dated June 14, 2011. (Pgs. 25-26)
7. Excerpt of Planning Commission Minutes dated March 10, 2011. (pgs. 27-29)
8. Draft Ordinance No. 11-1475. (pgs. 30-32)

Prepared by: John F. Signo, AICP

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council

Date _____ Action _____

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 11-2394

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL TO THE CITY COUNCIL OF AN ORDINANCE AMENDMENT TO SECTIONS 9136.7 AND 9146.7 OF THE CARSON MUNICIPAL CODE REGARDING CALCULATION OF TOTAL ALLOWABLE SIGN AREA AND THE DISPLAY PERIOD FOR BANNERS AND SIMILAR TEMPORARY DISPLAYS

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOW:

Section 1. On June 14, 2011, the Planning Commission conducted a public hearing regarding an amendment to the Carson Municipal Code (CMC) which reinstates missing sections dealing with allowable square footage found in earlier versions of the CMC and extends the display period for banners and similar displays from 60 to 90 calendar days. A notice of the time, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

a) Over the course of time, various amendments to the Zoning Ordinance have caused certain omissions to sections dealing with the calculation of total allowable sign area that must be reinstated. Reinstatement of those sections would prevent errors and misinterpretations involving the calculation of total allowable sign area.

b) Allowing banners and other similar temporary signs to be displayed for an extended amount of time will help the general welfare of the community by increasing customer traffic and helping struggling businesses improve revenue.

c) The ordinance amendment will not be detrimental to the health and safety of the community, but will improve the general welfare by helping local businesses generate revenue.

d) Local businesses will be better equipped to compete with others outside the city since additional display time will help attract customers to sales and special events.

Section 4. Based on the aforementioned findings, the Planning Commission hereby recommends approval to the City Council an amendment to the CMC, Article IX (Planning and Zoning), regarding the calculation of allowable sign area and extending the display period for banners and similar displays from 60 to 90 calendar days. The ordinance amendment affects Sections 9136.7(B)(2), 9136.7(C)(1), 9146.7(B)(2), and 9146.7(C)(1) of the CMC, as described in Exhibit 1.

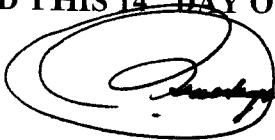
Section 5. Pursuant to Section 15061(b) (3) of the California Environmental Quality Act (CEQA), the Planning Commission finds that the proposed ordinance amendment is an improvement to the existing standards and guidelines in the CMC



regarding the calculation of allowable sign area and the display period for banners and similar displays and is exempt under the general rule. The ordinance amendment will generate no significant environmental impacts.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF JUNE, 2011.



CHAIRMAN

ATTEST:



SECRETARY



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 14, 2011
SUBJECT: Sign Area Calculation and Banner Display Period
APPLICANT: City of Carson
REQUEST: Ordinance amendment to Sections 9136.7 and 9146.7 of the CMC regarding calculation of total allowable sign area and extending the display period for banners to exceed 60 calendar days
PROPERTIES INVOLVED: Commercial and industrial properties citywide

COMMISSION ACTION

☐ Concurred with staff
☐ Did not concur with staff
☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Park			Saenz
		Brimmer			Schaffer
		Diaz			Verrett
		Goolsby			

EXHIBIT NO. 32



I. Introduction

The proposed ordinance amendment is in response to direction from the City Council Commercial & Public Signage Subcommittee and the Planning Commission during various meetings and workshops discussing the long-term display of temporary banners. The proposed ordinance amendment changes the display period for banners from 60 to 90 calendar days as described in Section 9136.7(C)(1), signs for commercial uses, and Section 9146.7(C)(1), signs for industrial uses, of the Carson Municipal Code (CMC). It also reinstates missing sections dealing with allowable square footage found in earlier versions of the CMC under Sections 9136.7(B)(2) and 9146.7(B)(2), which through various ordinance amendments was somehow omitted over the years. Those sections read as follows:

- *Section 9136.7(B)(2), First sentence – Commercial Signs*
“The total sign area per lot shall not exceed an area in square feet equal to 2 times the linear feet of lot frontage on a public street or streets. Lot frontage on a freeway shall not be considered in computing this figure.”
- *Section 9146.7(B)(2), First sentence – Industrial Signs*
“The total sign area per lot shall not exceed an area in square feet equal to 2 times the linear feet of lot frontage on a public street or streets for the first 100 feet of frontage, plus one-half times the frontage in excess of 100 feet. Lot frontage on a freeway shall not be considered in computing this figure.”

II. Background

On July 20, 2010, at the request of the Mayor, the City Council considered an item to allow long-term temporary business signs for the 15,940-square-foot shopping center at 20761-20775 S. Avalon Boulevard. Although the shopping center is located across from the South Bay Pavilion, it does not qualify for a long-term temporary business sign under the current Ordinance because of the building size and its location outside of a Mixed Use Residential overlay district. The City Council referred the item to the Planning Commission to study and report on amending Section 9136.7(C) of the Carson Municipal Code regarding long-term temporary business signs.

On August 12, 2010, the City Council Commercial and Public Signage Subcommittee held a meeting to discuss allowing banners and other business signs to be displayed for an extended amount of time. The Sub-Committee was concerned that many small businesses have lost revenue due to the sluggish



economy and that temporary business signs such as banners would help increase customer traffic. Currently, Section 9136.7(C) of the Carson Municipal Code (CMC) allows such signs to be displayed for up to 60 calendar days. The Sub-Committee wanted to explore allowing additional time due to economic hardships suffered by many small businesses during the sluggish economy. The issue was referred to the Planning Commission for consideration of an amendment to Section 9136.7(C) of the CMC regarding long-term temporary business signs.

On October 12, 2010, the Planning Commission held a workshop to discuss long-term temporary business signs. Staff researched the ordinances of other cities within the South Bay and throughout the nation and presented its findings to the Commission as shown in Tables 1 and 2.

Table 1: Banners and Temporary Sign Duration for Local Cities

CITY	DURATION	EXTENDED DURATION
CARSON	60 DAYS PER CALENDAR YEAR	CONSIDERING
El Segundo	30 day maximum per period, no more than 120 per calendar year. Announcement or "Coming Soon" sign allowed for a maximum of one (1) year	Not considered
Gardena	Not to exceed 15 consecutive days or 60 total days in any twelve month period	Not considered
Hawthorne	30 days per calendar year, no more than 2 permits issued per year. 30 extra days for Grand Openings only.	Extension considered City Council considered several months ago, however ordinance did not pass.
Hermosa Beach	90 days per calendar year	Not considered
Inglewood	30 day maximum per period, no more than 60 per calendar year	Not considered Requirement for banner permit only recently adopted 5/25/10. Previous honor system was not working.
Lawndale	90 days per calendar year	Not considered
Lomita	Promotional banners may be displayed up to one hundred twenty (120) days per calendar year, but no longer than sixty (60) consecutive days at any one time, and a minimum of thirty (30) days before the next time the banner is displayed	Not considered Per code: There shall be no extensions granted past the one hundred twenty (120) days.
Manhattan Beach	90 days per calendar year	Not considered
Palos Verdes Estates	1 week (maximum 3 times per year)	Not considered
Rancho Palos Verdes	30 day maximum per period, no more than 120 per calendar year	Not considered
Redondo Beach	30 days per calendar year, no more than 2 permits issued per year. No more than 60 days for banners strictly associated with initial grand opening.	Not officially considered They have been more lenient with the code because of the economy, allowing 2 permits per year, 30 days each.



		Grand opening can add 30 days for a total of 90 days.
Torrance	90 days per calendar year	Not considered Extension beyond 90 days requires approval from Environmental Quality Commission, subject to certain conditions (has never occurred).

Table 2: Summary of Actions Taken by Other Cities in U.S.

SOURCE AND DATE	TITLE / ARTICLE NAME	CITY	SUMMARY
Agoura Hills Patch 7/20/10	Banners Prove Boon to Business	Agoura Hills, CA	Retail advertising banners can display up to four times with a maximum of 10 days per period and 40 days per year. The maximum banner size increased from 20 to 30 square feet. Policy will be reviewed in July 2011.
USATODAY.com 1/6/09	Cities ease signage rules to boost business	Agoura Hills, CA Boynton Beach, FL Victorville, CA	The City Council decided in 10/09 to waive the fee and expedite permitting for businesses wanting to hang temporary banners advertising sales or special events. The City Commission is likely by 2/09 to give businesses more time to display a banner, extending the period from 14 to 90 days a year. The City Council in 6/09 allowed a large commercial center to increase the size of a sign advertising its various businesses by as much as 25%. The council is considering other business strips to do the same by spring.
City of Claremont 11/10/09	Urgency Ord. 2009-19	Claremont, CA	Businesses may request certain exemptions from municipal code; Ord. suspends the development review fee associated with temporary signs; Ord. automatically expire on 12/31/10



SOURCE AND DATE	TITLE / ARTICLE NAME	CITY	SUMMARY
Beacononlinenews.com 5/18/10	De Bary businesses get break on signs during recession times	De Bary, FL	City council decided on 5/5/10: 1. Sign area: 16 square feet max. 2. Regulations apply only to shopping centers and business districts. 3. The signs may be displayed only during business hours. 4. The signs must comply with all other provisions of the sign ordinance. 5. The temporary regulation will expire on 12/31/10.
City Council Agenda Report 6/15/10	Temporary Sign Regulations	Galt, CA	Consideration of temporary regulations; staff recommended upholding current regulations, but gave Council alternatives
Allbusiness.com 7/19/10	OV council will revisit sign code to aid businesses hit by economy	Oro Valley, AZ	Considering nearly two dozen changes that would increase the allowable size, type and number of business signs and the length of time they may be displayed
OCRegister.com	Poll: How much impact from recession?	Orange County	Poll of small businesses and how the economy has impacted sales; 43% indicate recession is the worst they've ever experienced; more than half said 2008 gross revenues were worse than 2007.
Allbusiness.com 1/31/10	'Temporary' banners at issue	Tucson, AZ	Tucson's attempt to update sign ordinance faces opposition from Chamber and small businesses. Loophole in code allows for year-round banners. Council wants 180-day limit but is wary of down economy.
Investopedia.com	The Impact Of Recession On Businesses	n/a	Article indicates smaller businesses may have a harder time surviving a recession. Bankruptcies among smaller businesses may occur at a higher rate than larger firms.
City of Whittier 7/1/09	Whittier city council approves a local economic stimulus and business assistance plan	Whittier, CA	Amendment changing banner duration from 30 days at a time, four times a year to 12 days per month for 2009-10 fiscal year. Amendment allows for an additional 24 days of banner display per year.
Istockanalyst.com 8/18/10	Y.C. lets businesses keep their banners	Yuba City, CA	The Council added another 6 months to a zoning code amendment that temporarily allows businesses to post banners and signs that would otherwise be in violation.

City Council Commercial & Public Signage Subcommittee

On January 25, 2011, the City Council Commercial & Public Signage Subcommittee considered a proposal from David Dupetit of 3 Men's Suits \$129.99, to allow year-round banners for the shopping center at 20761-20775 S. Avalon Boulevard. The Subcommittee expressed the need to work with businesses that are struggling due to the economy and discussed possibly amending the Carson Municipal Code. Staff mentioned that regulations are in place to allow for temporary banners and expressed concern that conflicts may arise between businesses if too many banners are permitted for an extended amount of time. The Subcommittee directed staff to bring the item as a workshop to the Planning Commission for consideration. The Subcommittee recommended that the Planning Commission discuss allowing banners and other business signs to be displayed for an extended amount of time. The Subcommittee also urged the Planning Commission to consider options to help businesses struggling through the recession and recommended that if an ordinance amendment is considered, that banners be required to be changed regularly to avoid becoming decrepit and unsightly.

On February 10, 2011, staff met with Mr. Dupetit and discussed his interest in an ordinance amendment to allow year-round banners for commercial properties located within 500 feet of the 405 Freeway, including his store. He indicated a desire to display a 5-foot-high by 50-foot-wide banner facing the freeway. He also mentioned a willingness to consider four-foot-high permanent channel letters if temporary foam letters were considered first and the increased size was effectively visible from the freeway. He was not willing to provide landscaping but would provide some enhanced architectural features.

On February 22 and March 10, 2011, the Planning Commission held workshops to discuss banners. Staff mentioned that in its research it has not been able to find any city that allows for year-round display of banners (365 days per year) as requested by Mr. Dupetit. In the South Bay, only the city of Hawthorne considered amending their ordinance to allow for long-term banner display out of the 12 cities reviewed. However, Hawthorne's consideration did not lead to an ordinance amendment to extend banner displays and no further action was taken. Redondo Beach did not officially amend their ordinance, but according to their staff has become more lenient with enforcement due to the economy. Seven (7) cities allow 90 calendar days or more; four (4) cities, including Carson, allow up to 60 calendar days; and Palos Verdes Estates had the strictest ordinance requiring banners to be displayed for one week, three times a year. The Commission directed staff to draft an ordinance amendment to extend the number of display days for banners from 60 to 90, with the understanding that the Commission may increase the suggested number at a future meeting.



III. Analysis

The proposed ordinance amendment would apply to all properties zoned commercial or industrial. Zoning districts that may already have specific sign standards described in the Code, such as the CA (Commercial, Automotive), MU-CS (Mixed Use – Carson Street), and MU-SB (Mixed Use – Sepulveda Boulevard) zoning districts, may also be affected by the ordinance amendment if those sign standards are not specific enough. For example, specific requirements for business signs and banners within the CA zoning district are found in Section 9138.15(E) of the CMC, however, reference is still made to Section 9136.7 in case other types of signs are proposed or uncertainty or vagueness exist.

Banner Display

The display period for banners and similar temporary signs will be extended from 60 to 90 calendar days. Procedures, fees, and other requirements will not change. The ordinance amendment affects Section 9136.7(C)(1), signs for commercial uses, and Section 9146.7(C)(1), signs for industrial uses, of the CMC.

Calculation of Total Allowable Sign Area

The ordinance amendment will reinstate missing sections from the CMC dealing with the calculation of total allowable sign area. Currently, Sections 9136.7(B)(2) and 9146.7(B)(2) are incomplete and calculating the total allowable sign area is undeterminable because of the missing sections. Staff has been aware of the discrepancy for some time and has been implementing the Code based on the complete sections. However, the missing sections can be problematic since the public does not have access to older versions of the Code and newer staff may be unfamiliar with the situation. For posterity, reinstating the missing sections will prevent confusion and inconsistent interpretations.

The missing sections describe that total sign area is calculated based on the linear street frontage. For commercial properties, sign area is allowed to be equal to twice the linear street frontage. For industrial properties, it is twice the linear street frontage for the first 100 feet, then half the frontage in excess of 100 feet, making signage for industrial properties comparably less than that of commercial properties. The existing sections deal with properties that may have very little street frontage, but are significantly large in lot area. For those properties, the square root of the lot area replaces linear street frontage for the purpose of determining sign area.

IV. Environmental Review

The proposed Ordinance Amendment is an amendment and improvement to the existing standards and guidelines in the Carson Municipal Code and is exempt



under the general rule, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA). The Ordinance Amendment will therefore generate no significant environmental impacts.

V. Conclusion

There have been ongoing discussions regarding assistance to small businesses during the sluggish economy. Extending the display period for banners from 60 to 90 calendar days is one method that can help increase customer traffic. Currently, Section 9136.7(C)(3) of the CMC requires that banners be adequately maintained subject to the satisfaction of the Planning Manager. Banners that are not maintained and become unsightly will be referred to Code Enforcement for immediate action. The 90-day display period is consistent with other cities in the South Bay and will help local businesses advertise for sales and special events.

VI. Recommendation

That the Planning Commission:

- RECOMMEND approval of the proposed Ordinance Amendment to the City Council; and
- WAIVE further reading and ADOPT Resolution No._____, entitled, "A Resolution of the Planning Commission of the City of Carson recommending approval to the City Council of an Ordinance Amendment to Sections 9136.7 and 9146.7 of the Carson Municipal Code regarding calculation of total allowable sign area and the display period for banners and similar temporary displays."

VII. Exhibits

1. Proposed Ordinance
2. Proposed Resolution
3. Excerpts from the 2003 version of the Carson Municipal Code regarding Sections 9136.7(B)(2) and 9146.7(B)(2)
4. Minutes from the March 10, 2011 Planning Commission workshop

Prepared by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp, Planning Officer

Planning Commission
Sign Area Calculation and Banner Display Period
Ordinance Amendment
June 14, 2011
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13. NEW BUSINESS DISCUSSION (cont'd)**A) Workshop Regarding Long-Term Temporary Business Signs**Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission discuss and consider requirements to extend banner permits and other long-term temporary business signs for properties citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation for the Planning Commission to CONSIDER/DISCUSS the information provided in this workshop.

Commissioner Verrett stated that she would like to see some help extended to the businesses but that she would not like to see a proliferation of the same signage on one establishment; and that the banners should be allowed to be up for a longer period of time until the economy improves.

Commissioner Diaz stated that he would not like to see any change to current standards, stating he does not want to see a proliferation of banners and other signage.

Commissioner Schaefer noted her concern with banners being up for a long period of time and becoming tattered.

Chairman Faletogo expressed his belief that something needs to be done to help the businesses in this recession, stating he would support a banner display of 60 days.

Senior Planner Signo stated that the banners are currently allowed to remain in place for 60 calendar days.

Commissioner Saenz expressed his concern that this would create a code enforcement issue; stated that 60 days is sufficient for a business on a main roadway and that 80 days should be given to those businesses off a main roadway; and he suggested that this should be considered on a case-by-case basis.

Commissioner Verrett stated that she would support 90 days for a small business to display a banner.

Senior Planner Signo mentioned that a code enforcement stamp has been considered for keeping track of how long a banner has been erected.

Commissioner Brimmer agreed that this should be considered on a case-by-case basis.

Planning Officer Repp stated that this weekend's Commission City tour will be helpful in seeing how nonpermitted signage impacts a city; and she stated that she could support going from 60 days to 90 days for banner displays.

Chairman Faletogo stated that he would not like to make a change to the ordinance but that he would support extending banner displays to 90 days.

Planning Commission Decision:

Chairman Faletogo moved to receive and file staff report.



CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 09-2274

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1337-09 AND VARIANCE NO. 506-09 FOR A FREEWAY-ORIENTED WALL SIGN AND A VARIANCE REQUEST TO EXCEED THE TOTAL ALLOWABLE SIGN AREA INTERIOR AND /FOR A SHOPPING CENTER (PROPOSED "JUST TIRES" SALES/REPAIR TIRE STORE) LOCATED AT 20761-20775 S. AVALON BOULEVARD

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, David Dupetit, on behalf of SW Suits Inc., with respect to real property located at 20761-20775 S. Avalon Boulevard and described in Exhibit "A" attached hereto, requesting the approval of Case number Design Overlay Review No. 1337-09 and Variance No. 506-09 to install a freeway-oriented business sign on the back wall of the building of an existing commercial center in the CR-D (Commercial, Regional – Design Overlay) zoning district.

The Planning Commission held a duly noticed public hearing on October 27, 2009 and November 10, 2009, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. Pursuant to Section 9172.23 of the Carson Municipal Code (CMC), Site Plan and Design Review, and Section 9172.22, Variance, the Planning Commission finds:

- a) The General Plan designates the subject properties as Regional Commercial. The property is currently zoned CR-D (Commercial, Regional – Design Overlay), which is consistent with the General Plan land use designation. The subject property is developed with a shopping center which is compatible with surrounding uses. There is no specific plan for this area.
- b) The existing building was built and completed in 1980. Most buildings in the surrounding area were built in the mid- to late-1970s. Much of the existing development has kept its original form, with some notable exceptions, such as the major remodel and redesign of the South Bay Pavilion (formerly the Carson Mall) and newer development at the southeastern corner of Dominguez Street and Avalon Boulevard. Architectural enhancements such as columns and a trim will improve the appearance of the building as viewed from the 405 Freeway. The proposed sign will be made of channel letters and will be compatible with the building.
- c) The proposed sign will not be located in an area accessible to pedestrians or vehicles. However, it will be visible to vehicles on the 405 Freeway, but is not expected to create a safety hazard or create an unnecessary distraction since it will be a static sign.



- d) A sign program for the entire shopping center will be required as a condition of approval. The new wall sign will display the business name for the main tenant and no other wall signs in the back of the building will be permitted. With approval of the variance request, the signs will be code compliant in terms of size, location and total number. Unpermitted signs will be removed. As a requirement of the sign program, tenants will be required to obtain owner and city approval for any proposed sign changes.
- e) All of the required findings pursuant to Section 9173.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision", can be made in the affirmative if conditions of approval are implemented.
- f) The subject property has a special circumstance in that it is triangularly-shaped and located on a major highway with freeway visibility. The subject property is also developed with 10 tenant spaces, all of which require signage. Because of the necessity of signage, the total allowable sign area must be divided for all 10 tenants. This creates a hardship on the tenants as compared with a similar-sized lot with a single tenant. Furthermore, since the property has freeway visibility, erecting a sign on the back wall of the building would be advantageous for the main tenant. This would not only improve the economic vitality of the main tenant, but would also improve the appearance of the building as viewed from the freeway because of the proposed architectural enhancements. Approval of the variance request to exceed the total allowable sign area would allow the main tenant to be competitive with other similar businesses on freeway-visible properties.

Section 4. Pursuant to Section 15311(a), "Accessory Structures," of the California Environmental Quality Act (CEQA), the proposed interior/sign to an existing commercial building does not have the potential for causing a significant effect on the environment and is found to be categorically exempt.

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1337-09 and Variance No. 506-09 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 10th DAY OF NOVEMBER, 2009.


CHAIRMAN

ATTEST:


SECRETARY



LEGAL DESCRIPTION

PARCEL 1:

PARCEL 1 OF PARCEL MAP NO. 5453, IN THE CITY OF CARSON, AS PER MAP FILED IN BOOK 60 PAGE 63 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT 100 PERCENT OF THE OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND, WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT, HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, AS EXCEPTED IN THE DEED FROM DEL AMO ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963 IN BOOK 12250 PAGE 752, OFFICIAL RECORDS.

ALSO EXCEPT THEREFROM ALL OIL, GAS, PETROLEUM AND OTHER HYDROCARBONS AND MINERALS, BUT WITHOUT RIGHT OF ENTRY TO THE SURFACE OF SAID LAND, AS RESERVED BY LOS ANGELES FLOOD CONTROL DISTRICT, IN DEED RECORDED JULY 13, 1973 AS INSTRUMENT NO. 4359, OF OFFICIAL RECORDS.

PARCEL 2:

A NON-EXCLUSIVE INGRESS AND EGRESS EASEMENT OVER AND ACROSS THAT PORTION OF PARCEL 2, PARCEL MAP NO. 2538, IN THE CITY OF CARSON, AS PER MAP FILED IN BOOK 38 PAGE 5 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2; THENCE RADially ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2, SOUTH 83° 04' 33" WEST 50.00 FEET; THENCE NORTH 56° 24' 52" EAST 55.71 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF AVALON BOULEVARD, A RADIAL LINE TO SAID POINT BEARS NORTH 82° 05' 17" EAST; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF AVALON BOULEVARD, HAVING A RADIUS OF 1,450.00 FEET, AN ARC DISTANCE OF 25.00 FEET THROUGH A CENTRAL ANGLE 0° 59' 16" TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO: 7339-018-001

END OF LEGAL DESCRIPTION



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1337-09
VARIANCE NO. 506-09

GENERAL CONDITIONS

1. If Design Overlay Review No. 1337-09 and Variance No. 506-09, are not used within one year of their effective date, said permits shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, the permits shall be determined to be automatically revoked, provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.



8. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
9. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
10. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
11. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1337-09 and Variance No. 506-09. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

PARKING

12. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
13. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
14. All areas used for the movement of parking, loading, repair or storage of vehicles shall be paved with either:
 - a. Concrete or asphaltic concrete to a minimum thickness of three and on-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.

LANDSCAPING/IRRIGATION

15. All landscaped areas shall be maintained in good condition at all times.
16. All landscaped shall be on the subject property and outside of any future dedications or right-of-ways.



UTILITIES

17. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
18. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.

AESTHETICS

19. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
20. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
21. The architectural enhancements shall be modified so that the pillars extend from the ground to the top of the building. A crown molding shall be installed at the top of the building. Landscaping shall be provided at the base of the building. Prior to Building plan check submittal, the applicant shall submit an improvement plan that shows all the issues described in this condition. Review and approval shall be made by the Planning Division prior to issuance of a building permit.

SIGNS

22. A sign program shall be submitted by the property owner that regulates the size, shape, location, colors, materials, and other details of all signs at the shopping center. The sign program shall be submitted within 60 days of approval of Design Overlay Review No. 1337-09 and Variance No. 506-09.
23. The applicant shall submit a sign plan that shows the size, colors, material, etc. of the proposed sign on the back wall of the building. The signs shall be made of channel letters and shall be reviewed and approved by the Planning Division prior to Building plan check submittal.
24. The freeway-oriented sign on the back wall of the building shall only display the major tenant business name at the shopping center and/or the shopping center name.
25. Raceway shall not be permitted. All channel letters must be flush against the building wall. Electrical conduit shall be properly concealed.
26. One business sign in the front of the building shall be removed prior to finalizing a building permit for the freeway-oriented rear wall sign, to the satisfaction of the Planning Division.
27. Prior to obtaining a building permit, the business record on file at the Revenue Division at the City of Carson shall be updated to show the proper business name. The new sign shall only show the business name and all existing business signs shall be identical (business name only).



28. In the event the business name changes, a new building permit shall be issued prior to installation of new lettering or sign face subject to review and approval by the Planning Division.
29. All illegal banners and window signs shall be removed prior to issuance of a building permit, subject to the satisfaction of the Planning Division and Code Enforcement Division.

LIGHTING

30. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (Commercial Zones) of the Zoning Ordinance.
31. Low level exterior lights shall be installed and be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division. A photometric study may be required and approved by the Planning Division prior to the issuance of building permits.

BUILDING AND SAFETY

32. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

33. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

GRAFFITI

34. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).



12. NEW BUSINESS DISCUSSION

A) Workshop regarding Long-Term Banners

Applicant's Request:

The applicant, city of Carson, is requesting the Commission discuss and consider long-term banners for commercial properties.

Staff Report and Recommendation:

This matter was continued to the next Planning Commission meeting.

Planning Commission Decision:

Without objection, Chairman Faletogo continued this matter to the March 10, 2011, Planning Commission meeting (absent Commissioner Brimmer).



12. PUBLIC HEARING**A) Sign Area Calculation and Banner Display Period**Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission consider an Ordinance amendment to Sections 9136.7 and 9146.7 of the CMC regarding calculation of total allowable sign area and extending the display period for banners to exceed 60 calendar days for properties citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to RECOMMEND approval of the proposed Ordinance Amendment to the City Council; and WAIVE further reading and ADOPT Resolution No. 11-2394, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council an Ordinance Amendment to Sections 9136.7 and 9146.7 of the Carson Municipal Code regarding calculation of total allowable sign area and the display period for banners and similar temporary displays."

Vice-Chairman Park asked how and who will enforce the banner displays and the length of time they are displayed.

Senior Planner Signo explained that staff from various departments are able to share the case logs wherein this information is maintained; and noted there is discussion about having the businesses display the banner permits either on the business window or on the backside of the banners.

Code Enforcement Supervisor Tupuola explained that the officers are assigned to specific areas within the city and typically observe how long banners have been displayed; that the businesses are contacted when it is discovered are displaying banners without the benefit of a permit and that they are directed to pull a permit or remove the banners. She added that the officers can call into the office for clerical staff to check the case logs and determine if/when a business has pulled a banner permit. She noted that if there is no permit, the business is given a warning notice, and the officer is then responsible for following up on that notice. She added that the banner applications note which dates the banners will be displayed and when they expire.

Commissioner Verrett noted that the City Council Signage Subcommittee expressed to the Planning Commission their interest to see the banners displayed for a longer period of time than what staff is suggesting, noting the Signage Subcommittee's interest to help out these struggling businesses during these difficult economic times. She stated that she concurs with the subcommittee's recommendation to further extend the period for banner displays as long as the banners remain in good condition.

Planning Officer Repp explained the need for a more comprehensive review of the signage as it relates to the entire city and not just the two businesses requesting longer displays (3 Men's Suits and True Value Hardware); and stated it is not staff's recommendation to allow the banners to be displayed any longer than 90 days, noting a large number of banner displays can tend to look blighted and not be effective.

Commissioner Verrett expressed her belief it could be a workable situation if making some exceptions as long as the size, condition, and location are considered; and pointed out the Signage Subcommittee's intent and her interest in helping these

struggling businesses during this poor economy; and stated that once the economy improves, the former banner display limitations can be reinstated. She pointed out that IKEA has a permanent banner display and says this would be more equitable to the smaller businesses.

Michael Coyne, Carson Street Midas owner, applauded the effort for lengthening banner displays. He stated that he was required to remove his interior banners in January; explained that it is typical for automotive repair businesses to display promotional banners in their work bays to advertize services provided; and stated that these banners should be permitted as long as they are inside the bays and in good condition. He added that many automotive repair businesses have since taken their interior banners down with the exception of the Chevron station across the street from City Hall and a few other automotive businesses displaying banners on the exterior of their businesses. He added that of great concern to him is that several automotive repair businesses are working on cars outside of the bays and into their parking lots, noting he has contacted the city three times to advise which automotive repair businesses are doing this work outside of their bays; and pointed out that one of those businesses doing work in their parking lot is the station across the street from City Hall. He urged the City to do its enforcement in an equitable fashion.

Planning Officer Repp explained for Commissioner Gordon that if the interior banners are intended to be seen from outside, public right-of-way, those would be considered signage and not be permitted. She stated that a business can display interior signage as long as it is intended for those shopping inside their establishments.

Commissioner Verrett stated that the Planning Commission had previously agreed to consider long-term banner displays on a case-by-case basis.

Planning Commission Decision:

Commissioner Verrett moved to deny staff's recommendation and to seek a longer period of time for banner displays and to consider this on a case-by-case basis. This motion died due to the lack of a second.

Commissioner Gordon moved, seconded by Commissioner Saenz, to approve staff recommendation, allowing 90 calendar days to display banners; and moved to adopt Resolution No. 11-2394. This motion carried as follows:

AYES: Brimmer, Diaz, Faletogo, Goolsby, Gordon, Saenz, Schaefer
NOES: Park, Verrett
ABSTAIN: None
ABSENT: None



12. NEW BUSINESS DISCUSSION

A) Workshop regarding Long-Term Banners

Applicant's Request:

The applicant, city of Carson, is requesting the Commission discuss and consider long-term banners for commercial properties.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation for the Planning Commission to discuss and consider the information provided for in this workshop; and provide direction to staff on how to proceed.

Senior Planner Signo stated that the Council Signage Subcommittee expressed its concern with the small businesses struggling during this poor economy; and noted their support for these businesses to display their banners for a longer period of time, noting that the Council Signage Subcommittee has referred this matter to the Planning Commission for further consideration. He highlighted Mr. Dupetit's (owner of Men's Suits for \$129.99) proposal for year-round banner displays at the 20761-20775 South Avalon Boulevard shopping center and proposes also that only those small businesses located within 500 feet of the 405 Freeway be included in this proposal; and he added that Mr. Dupetit would also consider a larger sign -- 5 feet by 50 feet -- to be displayed along the back wall of the shopping center that faces the 405 Freeway. He noted that Mr. Dupetit's Design Overlay Review (DOR) permit for the back wall 3-foot channel letter signage was revoked by the Planning Commission, pointing out that Mr. Dupetit would prefer a larger wall sign than what was originally approved by the Planning Commission.

Senior Planner Signo stated that he researched other cities to see if those cities are extending banner display permits, noting that he found no other cities that had amended its ordinance for banner display extensions; but advised that some cities are allowing banner displays to be displayed for up to 90 to 120 days maximum. He added that some cities are giving leniency to banner displays; and mentioned that Carson allows banner displays up to 60 days per calendar year. He advised that the banner display timeline has been extended for shopping centers over 100,000 square feet; noted that the Carson Auto Row is allowed banner displays 8 separate times per year for 16 days per period for specific events/holidays, for a total of 128 days to display banners in a year. In addition, he added that the Carson Auto Row also gets another two specific events to display banners per year above that 128-day total. He stated it is staff's recommendation to extend the banner displays from 60 to 90 calendar days.

Commissioner Brimmer expressed her belief that the large freeway-oriented business signs for South Coast Plaza are very pleasing and effective, suggesting this City allow large freeway-oriented signs for these businesses along the freeway; and stated that this business should be assisted.

Planning Officer Repp explained that this shopping center was not designed for back wall signage, and noted that is why the architectural embellishments were recommended in Mr. Dupetit's DOR. She stated that an ordinance amendment would typically apply throughout the entire city, noting her concern with the proliferation of temporary banners.

In response to Commissioner's Verrett's question, Senior Planner Signo stated that the exception to banner displays was granted to IKEA through a prior ordinance amendment because its building is over 100,000 square feet and clarified that it only applies to the South Bay Pavilion which is zoned CR-MUR-D.

Commissioner Verrett stated that this exception should also benefit the struggling small businesses, especially those adjacent to the freeway.

Senior Planner Signo stated that the Commission could consider amending the ordinance to allow extended banner displays for commercial properties located within 500 feet of the 405 Freeway, or only those located within the CR zone. He pointed out that should the Commission support freeway-oriented properties having extended banner displays, that the ordinance could also include those commercial properties along the 91 and 110 Freeways, not just the 405 Freeway.

Commissioner Gordon stated that he'd like to see evidence that banners increase business; and stated that this Commission has already extended a helping hand to this business owner for a couple of years and that Mr. Dupetit has not abided by the conditions of approval, pointing out that no other business in this shopping center got that same accommodation.

Commissioner Diaz stated he would support extending the banner displays to 90 days.

Commissioner Brimmer reiterated her support for large, permanent signs that face the freeway, such as has been successfully and tastefully done with the South Coast Plaza shopping center.

Commissioner Goolsby noted he would support 120 days for banner displays.

Commissioner Verrett stated she'd like to see more data with regard to staff's research of other cities, pointing out that Mr. Dupetit has put forth a huge effort to keep his business viable in Carson; and noted she would support an ordinance amendment that allows banner displays in good condition to be up for more than 120 days for those businesses along the 405 Freeway and to ultimately put up permanent and effective signage.

Vice-Chairman Park stated he would not support extended banner displays for businesses facing the 405 freeway.

Ronald Shimokaji, resident, stated that it is the business owners who pay for the banners and the permits and that it doesn't cost the city anything by allowing an extended banner display; noted his disappointment with the City not offering any options

to help these struggling businesses; and he suggested that the Economic Development department be contacted to see if it can provide financial assistance for a more effective freeway-visible sign for this applicant..

Mr. Dupetit stated there are only a handful of retail businesses adjacent to the 405 Freeway, but noted that the large automotive businesses all along the 405 Freeway have very large signage as well as the IKEA business, which is even further away from the freeway. He reiterated that the 3-foot channel letters on the back wall facing the freeway were ineffective and that he needs larger signage to keep his business open, noting he has no doubt that the existing, larger signage has brought in a substantial number of customers to this store; and stated he is out of options for consideration. He stated that he will change the banners periodically and that he won't allow his banners to get in poor condition.

Commissioner Verrett stated that she wants Carson's small businesses to be successful and noted her support for allowing banner displays to be up for a minimum of 120 days; and that she would support a larger sign on the back wall that effectively works for this establishment, possibly an illuminated sign.

Commissioner Brimmer urged staff to look at the effective signage for businesses along the freeway, especially down by the South Coast Plaza; and she suggested that staff take photos of various shopping center signs along the freeway for the Commission's review. She noted her support for extending the banner displays to 120 days and stated this business should have effective freeway-oriented signage.

Planning Officer Repp stated there is not a lot of analytical data related to temporary signage and banners, pointing out that staff believes appropriately placed/sized signage is beneficial to businesses; but added that improperly placed and excessive signage can be a hindrance to bringing in more customer traffic. She noted that staff will prepare an ordinance amendment to allow up to 90 days for banner displays, noting for Commissioner Verrett that the Commission may extend that number when the ordinance amendment is presented to this body.

Commissioner Verrett reiterated that she would like to see a minimum of 120 days in the ordinance amendment.

Planning Commission Decision:

Chairman Faletogo directed staff to draft an ordinance amendment to extend the number of days to 90 for banner displays, understanding the Commission may increase the suggested number at that meeting.

ORDINANCE NO. 11-1475

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ADOPTING AN AMENDMENT TO THE ZONING ORDINANCE OF THE CARSON MUNICIPAL CODE REGARDING SIGNS, INCLUDING AN AMENDMENT TO SECTION 9136.7 (SIGNS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 3 (COMMERCIAL ZONES) AND SECTION 9146.7 (SIGNS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 4 (INDUSTRIAL ZONES)

WHEREAS, over the course of time, various amendments to the Zoning Ordinance have caused certain omissions to sections dealing with the calculation of total allowable sign area that must be reinstated; and

WHEREAS, reinstatement of those sections would prevent errors and misinterpretations involving the calculation of total allowable sign area; and

WHEREAS, on July 20, 2010, the City Council considered an item to allow long-term temporary business signs for a certain business and referred the matter to the Planning Commission for further study; and

WHEREAS, on August 12, 2010 and January 25, 2011, the City Council Commercial and Public Signage Subcommittee held meetings to discuss allowing banners and other similar temporary signs to be displayed for an extended amount of time due to lost revenue to small businesses as a result of the sluggish economy and referred the matter to the Planning Commission for further consideration; and

WHEREAS, on October 12, 2010, February 22, 2011, and March 10, 2011, the Planning Commission held workshops to discuss long-term temporary business signs and extending the display period for banners and similar displays to help small businesses through the sluggish economy.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 9136.7(B)(2) of Division 6 (Site Development Standards) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by adding the following underlined text with all other text remaining unchanged, as follows:

2. The total sign area per lot shall not exceed an area in square feet equal to two times the linear feet of lot frontage on a public street or streets. Lot frontage on a freeway shall not be considered in computing this figure.

When the total frontage of a lot is less than the square root of the lot's area, said frontage shall be deemed to be equal to the square root of the lot's area for the purpose of determining the permitted sign area.

Section 2. Section 9136.7(C)(1) of Division 6 (Site Development Standards) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by adding the following underlined text and deleting the following stricken text with all other text remaining unchanged, as follows:

1. Streamers, banners, pennants, and similar displays may be exhibited in connection with grand openings and other special events upon written approval of the Planning Officer. Requests for such displays shall be submitted to the Planning Officer, in writing, thirty (30) days prior to the event. All approvals shall be limited to a total of ninety (90) ~~sixty (60)~~ days of display per calendar year per business. Temporary business signs for department stores or regional shopping centers with a gross floor area of at least one hundred thousand (100,000) square feet located in the CR Zoning District and in a Mixed-Use Residential (MUR) Overlay District may be allowed to deviate from the provisions of this Section as it pertains to display size, location, orientation, material, length of time, and content pursuant to an approved sign program. Signs must show content related to businesses, events, products or services provided at the department store or regional shopping center.

Section 3. Section 9146.7(B)(2) of Division 6 (Site Development Standards) of Part 4 (Industrial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by adding the following underlined text with all other text remaining unchanged, as follows:

2. The total sign area per lot shall not exceed an area in square feet equal to two times the linear feet of lot frontage on a public street or streets for the first 100 feet of frontage, plus one-half times the frontage in excess of 100 feet. Lot frontage on a freeway shall not be considered in computing this figure.

When the total frontage of a lot is less than the square root of the lot's area, said frontage shall be deemed to be equal to the square root of the lot's area for the purpose of determining the permitted sign area.

Any primary use which is developed commercially may be permitted to have a sign area equal to that permitted by CMC 9136.7(b)(2), provided that a deed restriction is recorded in the Offices of the County Recorder, restricting the use on the property to a commercial use, and proof of such recordation is submitted to the satisfaction of the Director.

Section 4. Section 9146.7(C)(1) of Division 6 (Site Development Standards) of Part 3 (Industrial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson



Municipal Code is hereby amended by adding the following underlined text and deleting the following stricken text with all other text remaining unchanged, as follows:

1. Streamers, banners, pennants, and similar displays may be exhibited in connection with grand openings and other special events upon written approval of the Community Development Director. Requests for such displays shall be submitted to the Community Development Director, in writing, thirty (30) days prior to the event. All approvals shall be limited to a total of ninety (90) ~~sixty (60)~~ days of display per calendar year per business.

Section 5. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

Section 6. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and published in the manner required by law.

Section 7. This ordinance shall be effective thirty (30) days following its adoption.

PASSED, APPROVED and ADOPTED this _____ day of July, 2011.

Mayor Jim Dear

ATTEST:

City Clerk Helen Kawagoe

APPROVED AS TO FORM:

City Attorney

