



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

UNFINISHED BUSINESS: September 27, 2011

SUBJECT: 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

APPLICANT: City of Carson

REQUEST: To review and consider revised Ordinance No. 11-1475 providing 120 days of banner display plus an additional 30 days of display for grand openings

PROPERTY INVOLVED: Citywide

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Vice-Chair Gordon			Schaefer
		Brimmer			Verrett
		Diaz			Williams
		Goolsby			

I. **Introduction**

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.

The City Council conducted the public hearing and is now considering changes to the proposed ordinance to allow for increased display period for banners and similar displays ranging from 120 days to 180 days. Based on the City Council discussions, the revised staff recommendation provides for 120 days with a 30-day extension for grand openings as reflected in the City Council staff report dated September 20, 2011. The matter has been continued to the City Council meeting of October 4, 2011.

II. **Background**

On July 19, 2011, at a noticed public hearing, the City Council directed staff to prepare an ordinance 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 calendar days to 120 calendar days plus a 60-day extension.

On August 2, 2011, the City Council reviewed the draft ordinance for 120 calendar days plus a 60-day extension for grand openings and discussed the Planning Commission's recommendation of 90 calendar days and an option for 90 calendar days plus a 30-day extension for grand openings. After discussion, the City Council discussed an option for 120 days with a 30-day extension for grand openings and requested that staff provide a recommendation to be considered on September 6, 2011. Afterward, the item was continued to September 20, 2011.

On September 1, 2011, the Economic Development Commission reviewed the item and supported the option for 120 calendar days plus an additional 30 days for grand openings.

Since the City Council will be considering the proposed ordinance on October 4, 2011, the Planning Commission has the opportunity to review the information and submit a recommendation or comments. The Economic Development Commission reviewed the proposed ordinance provisions on September 1, 2011 and recommended approval. A copy of the September 20, 2011 City Council report is attached as an exhibit. The revised ordinance amendment will allow 120 calendar days with a 30-day extension for grand openings. The ordinance proposes to control for excessive display by providing a maximum of 60 consecutive days of display, and a minimum of 30 days before the next time a banner is displayed.



III. **Recommendation**

That the Planning Commission recommends approval of the revised Ordinance No. 11-1475 providing 120 days of banner display plus an additional 30 days of display for grand openings as presented to the City Council on September 20, 2011.

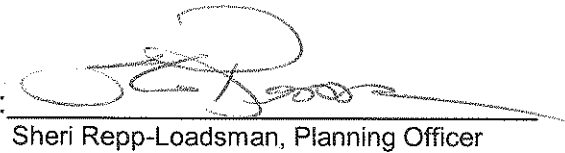
IV. **Exhibits**

1. Planning Commission Resolution No. 11-2394
2. City Council Staff Report dated September 20, 2011

Prepared by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp-Loadsman, Planning Officer

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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:



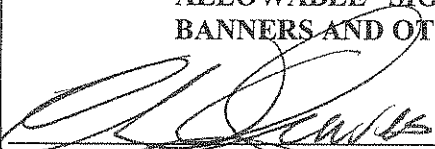
SECRETARY



City of Carson Report to Mayor and City Council

September 20, 2011
Unfinished Business

SUBJECT: CONSIDERATION OF 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 July 19, 2011, at a noticed public hearing, the City Council directed staff to prepare an ordinance 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 calendar days to 120 calendar days plus a 60-day extension (Exhibit No. 1). The ordinance amendment affects properties located in commercial or industrial zones.

On August 2, 2011, the City Council reviewed the draft ordinance for 120 calendar days plus a 60-day extension for grand openings and discussed the Planning Commission's recommendation of 90 calendar days and an option for 90 calendar days plus a 30-day extension for grand openings (Exhibit No. 2). After discussion, the City Council discussed an option for 120 days with a 30-day extension for grand openings and requested that staff provide a recommendation to be considered on September 6, 2011. Afterward, the item was continued to September 20, 2011.

On September 1, 2011, the Economic Development Commission reviewed the item and supported the option for 120 calendar days plus an additional 30 days for grand openings.

II. RECOMMENDATION

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)."

EXHIBIT NO. 2 -



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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

As noted in the City Council staff report dated July 19, 2011 (Exhibit No. 3), the City Council Commercial and Public Signage Subcommittee and the Planning Commission have discussed temporary signage on numerous occasions over the past year. On June 14, 2011, the Planning Commission recommended that the City Council consider 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 (Exhibit No. 4). The proposed ordinance amendment would also reinstate 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) (Exhibit No. 5), which through various ordinance amendments were inadvertently 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.”

On July 19, 2011, the City Council held a public hearing to discuss the proposed ordinance amendment. The City Council took public testimony, considered the Planning Commission’s recommendation, and discussed other available options. At the conclusion of the public hearing, the City Council voted to approve an ordinance amendment that reinstates the missing language in Sections 9136.7(B)(2) and 9146.7(B)(2), and extend the banner display period from 60 calendar days to 120 days calendar days, plus a 60-day extension.

The City Council decision would effectively double the existing display period for banners from 60 to 120 calendar days, and allow an additional extension of 60



calendar days, which would give business owners a total of 180 calendar days. As shown in Table 1, most cities in the South Bay allow 90 calendar days or less of display with a few allowing up to 120 calendar days.

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, 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).

If the City Council adopts an ordinance amendment that allows up to 180 calendar days, Carson would have the most permissive ordinance regulating banners as compared with other cities in the area. It should be noted that the ordinance amendment would affect all properties in the city that are zoned commercial or industrial and that any business in those zones could display a banner for up to 180 days if the ordinance amendment passes.



ordinance amendment would affect all properties in the city that are zoned commercial or industrial and that any business in those zones could display a banner for up to 180 days if the ordinance amendment passes.

The ordinance amendment presented to the City Council on August 2, 2011 considered a total of 180 days of display (120 days plus 60 days additional for grand openings) and included additional standards to control for excessive continuous displays of banners. Based on the City Council discussion on August 2, 2011, the ordinance amendment has been revised to allow 120 calendar days with a 30-day extension for grand openings. The ordinance proposes the same standards to control for excessive display by providing a maximum of 60 consecutive days of display, and a minimum of 30 days before the next time a banner is displayed. Table 2 shown below compares the options considered by the City Council with several nearby cities.

Table 2 – Summary of Banner Display Options

Issue/Section	90 Days Total Plng. Comm. Recommendation	180 Days Total (Exhibit No. 6)	120 Days plus 30 Days for Grand Openings (Exhibit No. 7)
Banner Display Period §9136.7(C)(1) §9146.7(C)(1)	90 calendar days	120 calendar days plus 60- extension Max. 60 consecutive days at any one time Min. 30 days in between display period	120 calendar days, plus add'l 30 days for grand openings Max. 60 consecutive days at any one time Min. 30 days in between display period
South Bay cities with similar ordinances	Hermosa Beach Lawndale Manhattan Beach Torrance	None	El Segundo Lomita Rancho Palos Verdes

On September 1, 2011, staff presented the item to the Economic Development Commission and discussed the options that were considered by the City Council. Staff shared information related to certain businesses that are exceeding the current 60 day banner display period and noted that some businesses are struggling through the sluggish economy. Staff noted that one business in particular has displayed a banner for an extended period. The Commission discussed the effectiveness of short term banner displays. In considering the information and the options being considered by the City Council, the Economic



Development Commission supported the option for 120 calendar days plus an additional 30 days for grand openings.

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. Minutes dated the July 19, 2011, Item No. 20. (pg. 6)
2. Minutes dated the August 2, 2011, Item No. 23 (pg. 7)
3. City Council staff report dated July 19, 2011. (pgs. 8-12)
4. Planning Commission minutes dated June 14, 2011. (pgs. 13-14)
5. 2003 Carson Municipal Code, Section 9136.7. (pgs. 15-16)
6. Draft Ordinance No. 11-1475 allowing banners to be displayed up to 120 calendar days. (pgs. 17-20)

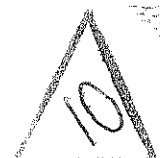
Prepared by: John F. Signo, AICP

TO:Rev010511

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 _____



ITEM NO. (20) 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 (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

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)."

ACTION: Mayor Dear declared the Public Hearing opened, heard testimony, and closed the hearing.

WITH FURTHER READING WAIVED, it was moved to INTRODUCE Ordinance No. 11-1475, as read by title only, on motion of Gipson and seconded by Santarina.

Substitute Motion

Mayor Dear offered a substitute motion to extend the display period for banners and other similar displays from 60-calendar days to 120-calendar days with an option to apply for a 60-day extension up to 180-calendar days, seconded by Gipson and carried by the following vote:

Ayes: Mayor Dear, Council Member Gipson, and Council Member Santarina
Noes: Mayor Pro Tem Ruiz-Raber and Council Member Davis-Holmes
Abstain: None
Absent: None

EXHIBIT NO. 1 -



ITEM NO. (23)

INTRODUCE 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 (ECONOMIC DEVELOPMENT)

HK: Should not the ordinance be re-introduced.

Soltani: First reading would be acceptable with clarification items. Read the motion approved at the last meeting.

JD: Wants to continue this item to September 6, with no objections heard.

DH: Felt that it would be fair to notify the business community.

RR: Requested staff to provide alternates and to include her substitute motion: 90 days plus 30 day extensions, plus 30 days for grand openings.

SR: Suggested 120 days plus 30 days for grand openings, accepted by rr.





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.

EXHIBIT NO. 3 -



July 19, 2011

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

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July 19, 2011

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,

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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 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.”

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

TO: Rev010511

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development Services	Public Services

Action taken by City Council

Date _____	Action _____



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, Faletofo, Goolsby, Gordon, Saenz, Schaefer
NOES: Park, Verrett
ABSTAIN: None
ABSENT: None



Section 9136.4 Trash and Recycling Areas

As Amended By
Ord. No. 93-1013

Trash and recycling areas shall be provided in accordance with Division 4 of Part 6 of this Chapter.

Section 9136.5 (Reserved)

Section 9136.6 Parking, Loading, Truck Maneuvering and Driveways

Parking spaces and loading areas for each use and the areas required for access and truck maneuvering shall be provided in accordance with Division 2 of Part 6 of this Chapter.

Parking, loading and driveways within the CA Zone district shall be subject to Section 9138.15 D.

As Amended By
Ord. No. 03-1279

Section 9136.7 Signs

A. Outdoor advertising signs are not permitted in commercial zones except as authorized pursuant to Section 9138.71.

As Amended By
Ord. No. 02-1245

B. Business signs are permitted, subject to the following:

1. All business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23. All signs and sign structures shall also comply with the minimum requirements, as outlined in this section of the Zoning Ordinance.

As Amended By
Ord. No. 89-873
Flag Poles as Per
Int. No. 11-92

2. 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.

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.

As Amended By
Ord. No. 79-473

3. A pole sign in excess of 30 feet in height shall not be permitted. The distance between ground elevation and the bottom of such sign shall be not less than 10 feet.
4. A ground sign in excess of 10 feet in height shall not be permitted. The distance between the ground elevation and the bottom of a ground sign shall not exceed one foot. Not more than one (1) ground sign shall be permitted on a lot. No Ground sign shall be erected until written approval is obtained from the City Traffic Engineer. Such sign shall be in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedure as provided in Section 9172.23.
5. A sign may be affixed to a building but shall not project above the height of the building wall or roof fascia.
6. A sign shall not project into an existing or future right-of-way.
7. No "A" frame or "sandwich" sign, or scintillating, flashing or revolving sign shall be permitted.

As Amended By
Ord. No. 80-531



Revised July, 2003

provisions of this sub-paragraph shall govern the processing of applications for a CUP for an outdoor advertising sign. Unless an extension is agreed to in writing by the applicant, the Commission shall render its decision on an application for a CUP for an outdoor advertising sign within three (3) months of the date of acceptance of the application. An application for a CUP for an outdoor advertising sign shall be approved by the Commission, or by the Council on appeal, if the proposed sign structure conforms to the requirements of this Code and applicable laws.

As Amended By
Ord. No. 03-1272

* See Section 9148.2 N for different sign regulations applicable to oil wells.

Sect. 9146.7

B. *Business signs are permitted, subject to the following:*

1. All business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted as provided in section 9172.23. All signs and sign structures shall also comply with the minimum requirements, as outlined in this Section of the Zoning Ordinance.

As Amended By
Ord. No. 85-873

Flag Poles as Per
Int.No. 11-92

2. 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.

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.

As Amended By
Ord. No. 79-473

Any primary use which is developed commercial may be permitted to have a sign area equal to that permitted by Section 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 such proof of recordation is submitted to the satisfaction of the Director.

As Amended By
Ord. No. 80-532

3. A pole sign in excess of 50 feet in height shall not be permitted. The distance between ground elevation and the bottom of such sign shall be not less than 10 feet.

4. A ground sign in excess of 10 feet in height shall not be permitted. The distance between ground elevation and the bottom of a ground sign shall not exceed one foot. Not more than (1) ground sign shall be permitted on a lot. No ground sign shall be erected until written approval is obtained from the City Traffic Engineer. Such signs shall be in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedure as provided in Section 9172.23.

As Amended By
Ord. No. 80-531

5. A sign may be affixed to a building but shall not project above the height of the building wall or roof fascia.

6. A sign shall not project into an existing or future right-of-way.

7. No "A" frame or "sandwich" sign or scintillating, flashing, or revolving sign shall be permitted.



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; and

WHEREAS, on June 14, 2011, the Planning Commission held a public hearing to discuss an ordinance amendment to reinstate certain text into the Carson Municipal Code (CMC) and extend the display period for banners and similar displays to help small businesses through the sluggish economy, which at the conclusion of said public hearing, the Planning Commission recommended to the City Council approval of said ordinance amendment; and

WHEREAS, on July 19, 2011, August 2, 2011, and September 20, 2011, the City Council held a public hearing to discuss reinstating certain text into the Carson Municipal Code (CMC) 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:

EXHIBIT NO. - 6

[MORE]



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 no longer than sixty (60) consecutive days at any one time with a minimum of thirty (30) days in between the next display period for a total of one hundred twenty (120) ~~sixty (60)~~ days of display per calendar year per business. An additional thirty (30) days of display shall be permitted for grand openings only. 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.

[MORE]



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 no longer than sixty (60) consecutive days at any one time with a minimum of thirty (30) days in between the next display period for a total of one hundred twenty (120) ~~sixty (60)~~ days of display per calendar year per business. An additional thirty (30) days of display shall be permitted for grand openings only.

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 codified 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 September, 2011.

[MORE]



Mayor Jim Dear

ATTEST:

City Clerk Helen Kawagoe

APPROVED AS TO FORM:

City Attorney

