



CITY COUNCIL AGENDA REPORT

MEETING DATE: OCTOBER 20, 2009

ITEM NUMBER:

SUBJECT: REQUEST OF COUNCIL MEMBER MONAHAN FOR A MORATORIUM ON ENFORCEMENT OF TEMPORARY SIGNS AND BANNERS

DATE: OCTOBER 15, 2009

FROM: CITY MANAGER'S OFFICE/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: COUNCIL MEMBER GARY MONAHAN

FOR FURTHER INFORMATION CONTACT: ALLAN L. ROEDER, CITY MANAGER @ (714) 754-5328

DISCUSSION:

At the regular City Council Study Session of October 13, 2009, Council Member Gary Monahan advised the City Council that he was requesting the above subject item be placed on the regular City Council Agenda of October 20, 2009 for action. Council Member Monahan will be making the presentation and articulating the basis for his request at the City Council meeting.

To assist Council Member Monahan and the entire City Council, staff has prepared some information for your use.

The Council member referenced "temporary signs and banners" as candidates for a moratorium on enforcement. The following is excerpted from the municipal code as to what constitutes a temporary sign.

1. Real Estate Signs
2. Political Campaign Signs on Private Property and Public Property
3. Portable Signs Within the Public Right-of-Way
4. Window Signs
5. Apartment Flags
6. Other Flags and Pennants
7. Balloon Signs (less than 24 inches)
8. Inflatable Signs (over 24 inches in size)
9. Banners on Private Property
10. Banners in the Public Right-of-Way

For further clarification, Attachment 1 is excerpted from the Zoning Code table that specifies signs and related standards.

Subsequent to Council Member Monahan's request, the City Attorney's Office was contacted for advisement as to the adoption of a moratorium on enforcement. While no written opinion has been prepared on this subject given the limited time available, the

City Attorney's Office has expressed reservations about adoption of a moratorium. The Assistant City Attorney will be attending the City Council meeting and will be available to share those concerns, as requested.

Should the City Council desire to move forward with a moratorium on enforcement, staff would suggest that an alternative effective means of doing so may simply be to change the priority for enforcement. Attachment 2 reflects the City Council approved priorities for Code Enforcement for both Residential and Non-Residential properties. If Temporary Signs and Banners were to be designated as a low priority for enforcement, staff would only respond on a complaint specific basis. This would relax enforcement given current economic conditions, but provide a vehicle for enforcement if an individual location becomes excessive in its use of signage. This is simply an alternative to a complete moratorium or leaving enforcement as-is.

Allan L. Roeder
City Manager

DISTRIBUTION: City Clerk
City Attorney
Assistant City Attorney
Development Services Director
Principal Planner/ZA

ATTACHMENTS: 1 [Zoning Code Table](#)
2 [City Council Approved Priorities for
Code Enforcement](#)