



CITY COUNCIL AGENDA REPORT

MEETING DATE: DECEMBER 7, 2010

ITEM NUMBER:

SUBJECT: CODE AMENDMENT CO-10-02: AN AMENDMENT TO TITLE 13, CHAPTER VII, SIGNS, OF THE COSTA MESA MUNICIPAL CODE RELATED TO TEMPORARY BANNER SIGNS

DATE: NOVEMBER 9, 2010

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: CLAIRE FLYNN, AICP, PLANNING ADMINISTRATOR
KIMBERLY BRANDT, AICP, DIRECTOR

FOR FURTHER INFORMATION CONTACT: CLAIRE FLYNN (714) 754-5278

RECOMMENDATION:

Pursuant to Planning Commission's recommendation, give first reading and waive further reading of an Ordinance amending Title 13, Chapter VII, Signs, of the Costa Mesa Municipal Code related to temporary banner signs.

BACKGROUND:

The Planning Commission expressed concerns regarding existing banner regulations in the City's Sign Ordinance. The concerns relate to the lack of a banner permit process and the fact that banners may be posted for an undetermined length of time.

On August 3, 2010, the City Council directed staff to move forward with this Code amendment as recommended by the Planning Commission.

On November 8, 2010, the Planning Commission on a 5-0 vote recommended approval of the proposed code amendment. The Planning Commission staff report can be accessed on line at: <http://www.ci.costa-mesa.ca.us/CMCalendar.htm>

ANALYSIS:

Code Amendment CO-10-02

The purpose of this Code amendment is to accomplish the following:

- Require banner permits. Current Code does not require banner permits.
- Establish time limits for banners to be posted, as follows:
 - For residential developments of 100 units or more, a banner may be displayed for a maximum of **120 days** per calendar year.
 - For all other developments (i.e. commercial, institutional, industrial, and residential development with fewer than 100 units), a banner may be displayed for a maximum of **42 days** per calendar year.

- Establish review/approval procedures. The Code amendment indicates that prior to the installation of a banner; a permit shall be obtained from the Planning Division. The city-issued permit shall be attached to face of the banner in the lower right-hand corner. The banner and any support elements shall be promptly removed at the expiration of the banner permit.

The changes to the banner regulations are shown in Exhibit A of the attached Ordinance. Please note that there are no proposed changes to the maximum allowable size and number of banners.

Harbor Boulevard of Cars

The new banner regulations do not apply to the existing Planned Signing Program (PSP) for the Harbor Boulevard of Cars. This program already contains provisions for banners on light standards and buildings. For example, the Harbor Blvd of Cars PSP allows a 100 square foot banner to be displayed on a building for an undetermined amount of time.

Planned Signing Program

If a property owner or business owner wishes to seek more flexibility with regard to the banner display, Code authorizes the Zoning Administrator to consider/approve a Planned Signing Program that would address the unique signage requirements of a particular applicant.

PUBLIC NOTICE:

Code requires publication of a display ad in the local newspaper (Daily Pilot) for Zoning Code Amendments. In this case, public notices were also mailed to the following:

- Costa Mesa Homeowner's Associations
- Major Homebuilders
- Building Industry Association
- Harbor Boulevard of Cars
- Chamber of Commerce
- South Coast Metro Alliance
- Major Commercial Property Owners

Planning Commission addressed comments received from the Costa Mesa Chamber of Commerce which resulted in minor text changes to the proposed amendment.

ENVIRONMENTAL DETERMINATION:

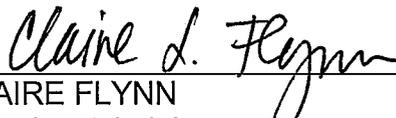
The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility that the proposed amendment to the Zoning Code will have a significant effect on the environment.

LEGAL REVIEW:

The City Attorney's office has approved the Ordinance as to form.

CONCLUSION:

The proposed Code amendment would establish new regulations for temporary banners in the City.



CLAIRE FLYNN
Planning Administrator



KIMBERLY BRANDT, AICP
Development Services Director

Attachment: Ordinance

- cc: City Manager
Assistant City Manager
City Attorney
City Clerk
Public Services Director
Transportation Svs. Manager
Chief of Code Enforcement
Staff (4)
File (2)

File: 120710CO1002	Date: 112310	Time: 2:15 p.m.
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ORDINANCE NO. 10-

**AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA,
CALIFORNIA ADOPTING ZONING CODE AMENDMENT CO-10-
02, AMENDING TITLE 13, CHAPTER VII, SIGNS, OF THE
COSTA MESA MUNICIPAL CODE RELATED TO TEMPORARY
BANNER SIGNS.**

**THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS
FOLLOWS:**

SECTION 1: TITLE 13. Chapter VII, Table 13-115, Sign Regulations, of Title 13 of the Costa Mesa Municipal Code is hereby amended as shown in Exhibit "A" (attached).

SECTION 2: ENVIRONMENTAL DETERMINATION. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that the City Council hereby finds that it can be seen with certainty that there is no possibility that the passage of this ordinance amending the zoning code will have a significant effect on the environment..

SECTION 3: INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 4: SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5: PUBLICATION. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED AND ADOPTED this _____ day of _____ 2010.

ALLAN R. MANSOOR
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

City Clerk of the City of Costa Mesa

City Attorney

TABLE 13-115 SIGN REGULATIONS (CONTINUED)

TEMPORARY SIGNS (continued)

	RESIDENTIAL	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
BANNERS ON PRIVATE PROPERTY (No PERMIT REQUIRED permits are required)	0.5 sq. ft. per unit. Maximum area: 100 sq. ft. per site.	0.5 sq. ft. per lineal foot of building frontage facing the street. Minimum entitlement: 25 sq. ft. per tenant. Maximum area: 75 sq. ft. per tenant.		
MAXIMUM AREA	None. A maximum display time of 42 days per calendar year.			
TIME LIMITS	Exception: For residential developments of 100 units or more, a maximum display time of 120 days per calendar year.			
DEVELOPMENT STANDARDS	<ol style="list-style-type: none"> The entire surface of the banner must be securely affixed to either a building wall of the business being advertised (the building wall must abut a public street or on-site parking area serving the business being advertised), or to the sign face of a freestanding sign. May not be attached to any staff, pole, line, framing, vehicle or similar support. May not project above roof. Must be maintained in good condition; removed or replaced if torn, faded or dirty. Limit one banner per tenant or building occupant on each street frontage maximum. Banners are permitted only as a means of temporary advertisement, such as for new businesses, grand openings, or similar special events, and may not be used as permanent signs. Prior to the installation of a banner, a permit shall be obtained from the Planning Division. A city-issued decal shall be attached to face of the banner in the lower right-hand corner. The banner and any support elements shall be promptly removed at the expiration of the banner permit. 			
EFFECTIVE DATE	Banner restrictions and requirements shall become effective September 1, 2002.			
BANNERS WITHIN THE PUBLIC RIGHT-OF-WAY	See Sec. 13-118 Street Banners			
BANNERS ON PUBLIC BASEBALL AND/OR SOFTBALL FIELDS PERMIT REQUIRED	Subject to Section 13-118.2'			

EXHIBIT A
[Excerpt of Table 13-115]