



PLANNING COMMISSION

AGENDA REPORT

MEETING DATE: MARCH 22, 2004

ITEM NUMBER:

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE USE OF BANNERS ON ATHLETIC FIELDS

DATE: MARCH 3, 2004

FROM: ADMINISTRATIVE SERVICES DEPARTMENT/RECREATION DIVISION

PRESENTATION BY: JANA M. RANSOM, RECREATION MANAGER

FOR FURTHER INFORMATION CONTACT: JANA RANSOM, RECREATION MANAGER 754-5654

DESCRIPTION:

Current City Municipal Code does not address the displaying of sponsorship banners by youth sports leagues or organizations on athletic fields. City Council has requested staff to research and revise the Municipal Code, if appropriate, to allow banners to be displayed on athletic fields as a means for community organizations to sponsor and support youth sports. The attached revisions will allow banners to be displayed on athletic fields.

RECOMMENDATION:

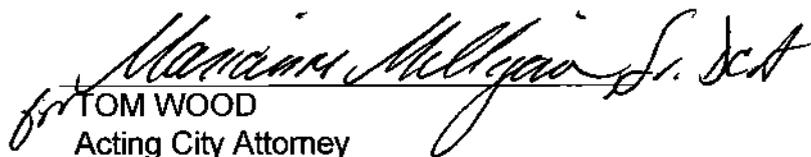
Recommend City Council give first reading to the Ordinance which amends Sec 13-111 of Article 2, Title 13 of the Costa Mesa Municipal Code, relating to signs and banners on athletic fields.



JANA M RANSOM
Recreation Manager



STEVEN E HAYMAN
Administrative Services Director



TOM WOOD
Acting City Attorney

BACKGROUND:

At the July 14, 2003, Study Session, staff brought to City Council various issues relating to youth athletic field use at California/TeWinkle Schools. One of the issues discussed related to banners displayed by youth sports groups on fences and backstops. Residents adjacent to the school questioned whether or not the banners are in compliance with the City's sign ordinance. Council requested that staff further research the banner issue and return to Council with revised language to the Municipal Code, if appropriate.

ANALYSIS:

Research into the regulations indicates the existing language was written specifically to address signs and banners on commercial and industrial properties, not youth organization banners displayed on athletic fields or school grounds. Recreation staff met with Development Services and City Attorney staff to discuss and revise the language to include athletic fields under the existing sign/banner regulations. Attachment 1 is the proposed ordinance which adds language to the Municipal Code to include "athletic fields". In addition, staff has created Administrative Regulation 5.10 (Attachment 2) which establishes policies, procedures, and standards for the installation, monitoring, and removal of banners in athletic fields. The Recreation Manager, or their designee, will be responsible for receiving and processing banner installation requests. Groups who would like to display banners will be required to submit a request and list the locations, dates of installations and removal, and the size of the banners. Staff will review the requests and make a determination on compliance with the proposed regulations.

ALTERNATIVES CONSIDERED:

1. Maintain the existing ordinance language which would prohibit the banners that could be displayed on public property (athletic fields).
2. Amend the Ordinance to allow banners to be displayed on athletic fields but designate specific time periods:
 - a. For the duration of the sport season,
 - b. For a specified time period (week, month, etc)
 - c. Display and remove daily.

FISCAL REVIEW:

There is no fiscal review necessary for this item.

LEGAL REVIEW:

Legal has reviewed the documents and approved them as to form.

CONCLUSION:

Sponsorship is a major component of youth sports and banners play an integral role in advertising and fundraising for youth sports teams. Council directed staff to research the Municipal Code and, if appropriate, revise the regulations to allow youth sports organizations to display banners. The proposed regulations will add "athletic fields" to the sign/banner ordinance and allow banners to be displayed on public property owned, rented or leased by City (including those properties under joint use agreements) for City sponsored events or recreation programs. It is, therefore, recommended that the Planning Commission recommend City Council give first reading to Ordinance No. 04-____, which amends Sec 13-111 of Article 2, Title 13 of the Costa Mesa Municipal Code, relating to signs and banners on athletic fields.

ATTACHMENTS: 1 Proposed Ordinance
 2 Proposed Administrative Regulation

File Name: 032204BANNERORD

Date: March 3, 2004

Time: 4:50 pm

cc: Dep. City Mgr.-Development Svs. Director
Assistant Development Services Director
Senior Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

ORDINANCE NO. 04-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE USE OF BANNERS ON ATHLETIC FIELDS.

WHEREAS, the City of Costa Mesa’s Municipal Code does not currently address the use of banners on Athletic Fields as that term is defined in Section 13-111 of Article 2, Title 13 of the Costa Mesa Municipal Code.

WHEREAS, it has been determined that a limited use of banners on Athletic Fields serves a reasonable purpose and that such use would not cause a visual blight in the City so long as such banners are properly maintained; and

WHEREAS, the City Council of the City of Costa Mesa has determined that the limited use of banners on Athletic Fields serves the greater health, safety and concern of the citizens of the City.

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

Section 1. The definition of “Athletic Field” is hereby added to Section 13-111 of Article 2, Title 13 of the Costa Mesa Municipal Code to read as follows:

“Athletic Field. Any park, grounds, or other real property (collectively referred to as “property” for the purpose of this definition) owned, rented, or leased by the City not within the public right-of-way or any such property used by the City under a joint use agreement or any such property that is used by the City in conjunction with City sponsored events or recreation programs”.

Section 2. A new category in Table 13-115 of Article 3, Title 13 of the Costa Mesa Municipal Code is hereby added as follows:

TABLE 13-115 SIGN REGULATIONS (CONTINUED)				
TEMPORARY SIGNS				
	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
BANNERS OF ATHLETIC FIELDS (No permits required. Installation requests must be submitted to the Recreation Division.)	Only banners relating to or sponsoring the activity or event taking place on the athletic field are allowed, subject to the restrictions and requirements for banners on athletic fields as established by the applicable administrative regulation.			

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 no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 4. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, State, or Federal law, regulation, or codes dealing with life safety factors.

Section 5. Publication. This Ordinance shall take effect and be in full force and effect thirty (30) days from and after its passage and, before the expiration of fifteen (15) days after its passage, shall be published once in the NEWPORT BEACH-COSTA MESA 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 of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this ____ day of _____, 2004

Mayor

ATTEST:

APPROVED AS TO FORM:

Deputy City Clerk of the
City of Costa Mesa

Marcos M. Lopez, J.D.

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 04-___ was introduced and considered section by section at a regular meeting of said City Council held on the ___ day of _____, 2004, and thereafter passed and adopted as a whole at a regular meeting of said City Council held on the ___ day of _____, 2004, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Costa Mesa this ___ day of _____, 2004.

Deputy City Clerk and ex-officio
Clerk of the City Council of the
City of Costa Mesa

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A.R. 5.10
March ____, 2004
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BANNERS ON ATHLETIC FIELDS

I. Purpose:

The purpose of this regulation is to establish policies, procedures and standards for the installation, monitoring and removal of banners on athletic fields.

II. Policy and Guidelines:

The following criteria shall apply to all organizations requesting City approval to install banners on athletic fields. Any banner allowed under these regulations must relate to or be a sponsor of the activity or event taking place on the athletic field.

1. **Installation Requests:** Each request to install banners on athletic field shall be submitted to the Recreation Manager or his/her designee at least thirty (30) days in advance of the proposed installation date and shall include at a minimum:

- a. The location of the proposed installation of the banners.
- b. The reason for the installation of the banners
- c. A map detailing the specific number and locations of the banners to be installed
- d. The date of installation and the date of removal.
- e. A description of the banner content, size material and colors.

2. **Banner Composition:** All banners must be made of durable cloth, bunting, plastic or similar material.

3. **Installation Standards:** Banners installed on athletic fields shall comply with the following standards:

- a. The entire surface of the banner must be securely fastened to a wall, fence or other permanent structure.
- b. All banners must be maintained in good condition; removed or replaced if torn, faded or dirty.

4. **Installation Period:** Banners may be installed for the period of time requested by the applicant, but for no more than the length of the activity or event for which such banner is installed. Specific dates and time for installation and removal are subject to change by the City in order to minimize impacts to the public.

5. **Removal:** All banners that are not removed by the applicant by the removal date shall constitute a public nuisance subject to summary removal by the City

III. Approval Process:

The Recreation Manager or his/her designee shall have final approval of all banners that meet the standards set forth herein.

IV. Effective Date:

The effective date of this Administrative Regulation is _____, 2004.

Steven E. Hayman
Administrative Services Director

Allan L. Roeder
City Manager