



## Legislation Details (With Text)

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**Title:** CONTINUED PUBLIC HEARING TO CONSIDER PROVIDING DIRECTION ON THE INTRODUCTION OF ORDINANCE 19-1923 REVISING ZONING STANDARDS REGARDING TEMPORARY OFF-SITE REAL ESTATE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY AND YARD SIGNS (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1- Plans of Streets & Highways, 2. Exhibit 2- Cities allowing signs in PROW, 3. Exhibit 3 - Strikethrough & Underline Version of CMC-Sign Ord-03-11-19, 4. Exhibit 4- CC Staff Report- Feb 19th, 2019

Date	Ver.	Action By	Action	Result
3/19/2019	1	City Council		

## Report to Mayor and City Council

Tuesday, March 19, 2019

Special Orders of the Day

### SUBJECT:

**CONTINUED PUBLIC HEARING TO CONSIDER PROVIDING DIRECTION ON THE INTRODUCTION OF ORDINANCE 19-1923 REVISING ZONING STANDARDS REGARDING TEMPORARY OFF-SITE REAL ESTATE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY AND YARD SIGNS (CITY COUNCIL)**

### I. SUMMARY

On February 19, 2019, the City Council continued this item to March 19, 2019. The public hearing was duly noticed prior to the February 19, 2019 meeting. Ordinance No. 19-1923, as presented to the Council on February 19, 2019, would amend the temporary signs section of the Carson Municipal Code (CMC). The ordinance was presented on February 19, 2019 together with Ordinance No. 19-1904 in one staff report. Council directed Staff to separate the two ordinances into two staff reports for Council's consideration. This report addresses only the potential terms of Ordinance No. 19-1923.

On February 19, Council requested additional information from Staff, including: (1) the number of Open House Sign permits that have been issued by the Planning Division, (2) the number and amount of fines imposed by Code Enforcement for illegally placed Open

House Signs, and (3) the number of signs and hours permitted in other cities. Council also requested a blackline version of the proposed changes to the sign provisions of the Carson Municipal Code, and requested staff to revise the standards to allow only one temporary sign per 500 feet of public right-of-way.

The City's current standards do not permit signs in the public right-of-way. The proposed ordinance would only allow these signs in the unpaved portion of the public right-of-way (parkways). No signs would be permitted in medians or on sidewalks.

This report includes the information requested by Council. However, in order to make one set of revisions, the ordinance as presented on February 19 has not been revised based on information received from Council at that meeting. Instead, staff at this time is simply presenting the information to Council and seeking direction prior to preparing the revised ordinance which would then come back for a first reading. Staff believes this approach will be more efficient.

## **II. RECOMMENDATION**

TAKE the following actions:

1. OPEN the public hearing, TAKE public testimony, and CLOSE the public hearing;
2. PROVIDE direction to staff; and
3. CONTINUE the item to April 16, 2019 for consideration of the ordinance.

## **III. ALTERNATIVES**

TAKE such other action as the City Council deems appropriate consistent with the requirements of law.

## **IV. BACKGROUND**

After an in-depth internal discussion with Code Enforcement and Business Licenses Divisions and further researching the requirements for signs in the public right-of-way imposed by several other cities, a discussion of each of the items requested by Council members is presented below.

### **Distance of Temporary Signs**

In order to reduce the proliferation of signs visible to Carson residents and visitors, Council directed staff to modify the standards to propose a 500-foot separation between signs in the public right-of-way. Staff understands the Council's goal to reduce proliferation of signs;

however, staff feels that the 500-foot rule may be appropriate to reduce proliferation on some street classifications but may not be for others as discussed below. The standards discussed below are designed to eliminate or reduce proliferation of signs on major streets, while providing ample direction to the public on local residential streets.

*Major Arterial Intersections of Major or Secondary Highways* - As a first effort to curtail the proliferation of temporary real estate signs, staff proposes that no signs be allowed at the intersections of two major arterials, such as the intersection of Del Amo Boulevard and Wilmington Avenue. Staff has identified major arterial streets as 223<sup>rd</sup> Street, Alameda Street, Alondra Boulevard, Avalon Boulevard, Carson Street, Central Avenue, Del Amo Boulevard, Figueroa Street, Lomita Boulevard, Main Street, Broadway, Sepulveda Boulevard, Victoria Street, Wilmington Avenue, Alondra Boulevard, Albertoni Street, Gardena Boulevard, Santa Fe Avenue, University Drive and Walnut Street (East). These are all identified as Major or Secondary Highways in the Street Classification in the current General Plan (Exhibit 1).

*Major Arterial & Collector/Local Street Intersections* - As a next step to reduce the number of signs most visible to the public, at intersections in this category, only one (1) sign would be permitted per direction of traffic. The City of Rancho Palos Verdes uses this approach to limit the number of signs. For example, the intersection of Central and Turmont, a point where Central Avenue is flanked on both sides by residential neighborhoods, only two signs in total will be allowed, one on the east and other on the west side of Central. In this case, if two or more homes have open houses in the neighborhood, only one of them can have a sign on that intersection. Staff has examined several intersections within the City and found that most intersections in this category are more than 500 feet apart. However, there are a few instances where that is not the case, for example 184<sup>th</sup> and 186<sup>th</sup> streets off of Avalon are only 430 feet apart (Figure 1).

*Collector/ Local Street Intersections* - Finally, staff proposes to allow one (1) sign per corner at every intersection (4 per intersection). The number of signs is further restricted by allowing only one (1) sign for the same property for each directional change at intersections. This is closely modeled off the City of Cerritos' and City of Rancho Palos Verdes' temporary sign restrictions. These restrictions would eliminate the need for restricting the maximum number of signs permitted per open house. Furthermore, most local street blocks are less than 500' long; therefore, the 500' separation requirement may not be appropriate for local residential streets.

*Implementation Issues*- The above standards reduce the number of signs as directed by Council in most visible areas. However, enforcement of these standards may pose some challenges that should be discussed. For example, if one sign is allowed at an intersection and two signs are placed at this location, it would be impossible for staff to know which sign was placed first (and therefore is legal) and which sign was placed second (and therefore is illegal). To remedy this issue, a site plan would have to be prepared and filed by the real estate professionals and submitted to staff for review and approval for every open house in the City which could be several hundred annually. This process will be very time consuming and onerous to both staff and the real estate professionals to implement. However, if the Council feels this is the best solution, staff will implement this program as efficiently as possible.

## Number of Open House Sign permits

The current Sign Ordinance (Ordinance No. 15-1563) requires that a permit be obtained for Real Estate Open House Signs. The permit must be obtained per property sold and is valid for 7 days from the date of issue. The fee for such a permit is currently \$30.00.

Research regarding the number of permits issued in the 2018 calendar year found that only 23 permits have been issued by the Planning Division for such Open House Signs. Also, discussion with Mr. Kissinger and interaction with real-estate professionals over the counter have yielded some insights as to a number of reasons why this permitting process is not being complied with. Some of the potential reasons are:

- The process is stringent. A 7-day permit means only two (2) Open Houses for the weekend since the days and time restrictions do not allow Open Houses to be held during week days. This forces real estate agents to obtain permits every week for consecutive Open Houses.
- The fee is high. Several real estate professionals have expressed concern that the fee of \$30.00 for every weekend can be a burden if the property doesn't sell quickly.

Possible resolutions of the permitting process can be:

- Eliminating the process altogether, in which case a Business License would act as a permit to placing Open House Signs.
- Modifying the current permit process to potentially include a longer time span (multiple weekends).

## Code Enforcement Log

Several real estate professionals were issued administrative citations by Code Enforcement for illegal Open House signs in the public right-of-way and operating without Business Licenses in the year 2018. Out of these, 23 resulted in filing of Business License, thus generating a revenue of \$3,410.00.

## Number of Signs and Hours permitted by Other Cities

Per Council's direction, staff has researched the standards for temporary signs in several other cities. Of the 20 cities surveyed, nine (9) cities allow signs in the public right-of-way. The complete comparison of regulations for these nine (9) cities is included as Exhibit 2. Some of the major findings from these nine (9) cities were:

- Number of signs - Three (3) (Newport Beach, Yuba City & Hesperia) out of the nine (9) cities allow only three (3) signs in the public right-of-way. Another three (3) cities (Rancho Palos Verdes, Cerritos and Cypress) do not specify a number of signs allowed in the public right-of-way.
- Location - Most cities do not allow signs in the medians or sidewalks. Signs are usually allowed in the parkways/ landscaped/ unpaved areas only and such that

they do not create a hazard to traffic or pedestrian in any manner.

- Time - Time restrictions range widely from no restriction at all (Newport Beach, Whittier) to the most restrictive standard of 1-6 pm on Saturdays & Sundays (Rancho Palos Verdes).
- Permit requirements- Except the City of Cypress, none of the cities studied requires a permit for Open House Signs.
- Other restrictions (per property/total) - All cities with the exception of the City of Grand Terrace regulate the signs on a per-property-to-be-sold basis. Rancho Palos Verdes has an additional requirement of an overall maximum of 3 signs per intersection, and Grand Terrace regulates the number of signs per licensed entity at a given time.

### **South Bay Association of Realtors**

Staff has met with Mr. David Kissinger of the South Bay Association of Realtors (SBAOR) to discuss the issue of proliferation of signs and the permitting process.

### **Blackline version for the proposed Ordinance**

As directed by Council, staff has attached here a blackline version of the Carson Municipal Code with the contemplated changes to be made by Ordinance 19-1923 (Exhibit 3). To be clear, the attached blackline changes reflect only those as presented to the City Council on February 19, 2019, and do not reflect any potential further changes related to the discussion in this staff report.

## **V. FISCAL IMPACT**

None.

## **VI. EXHIBITS**

1. Plan of Streets and Highways from Carson General Plan. (pgs. 6)
2. Research of Cities that allow signs in the Public Right-of-Way (pgs. 7-8)
3. Strikethrough and Underline version of the Carson Municipal Code (pgs. 9-19)
4. City Council Staff Report from 19 February, 2019 (pgs. 20-24)

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