



AGENDA
REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 25, 2012, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE.

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Emmett Badar
Councilmember Denis Bertone
Councilmember John Ebiner
Councilmember Jeff Templeman

1. CALL TO ORDER AND FLAG SALUTE

2. ANNOUNCEMENTS

3. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

4. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

RESOLUTION NO. 2012- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF SEPTEMBER 2012.

b. Approval of minutes for regular meeting of September 11, 2012.

END OF CONSENT CALENDAR

5. PUBLIC HEARING

a. Municipal Code Text Amendment 11-03 consideration of various revisions to the Chapter 18.152 (San Dimas Sign Code)

ORDINANCE NO. 1212 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 11-03 AMENDING CHAPTER 18.152 SIGNS

6. OTHER MATTERS

- a. Council action to place an increase in Transient Occupancy Tax before the voters March 5, 2013
 - 1) **ORDINANCE NO. 1213, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, PLACING A MEASURE ON THE MARCH 5, 2013 GENERAL MUNICIPAL ELECTION TO INCREASE THE TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 12% (First Reading)**
- b. Review of preliminary Staff Comments on Draft Environmental Impact Report (DEIR) for Metro Gold Line Foothill Extension (Azusa to Montclair) and Authorization to Transmit Comments on the DEIR

7. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)
- b. City Manager
- c. City Attorney
- d. Members of the City Council
 - 1) Councilmembers' report on meetings attended at the expense of the local agency.
 - 2) Individual Members' comments and updates.

8. CLOSED SESSION

Recess to closed session pursuant to Government Code Section 54956.8:

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 121 North San Dimas Avenue – Walker House

Negotiating Parties for the City: Blaine Michaelis, City Manager, Ken Duran, Assistant City Manager and J. Kenneth Brown, City Attorney.

For proponent: Vincent DeRosa

Under Negotiation: Terms and conditions of a possible use agreement for the property.

- b. Report on closed session items.

7. ADJOURNMENT

The next meeting is on October 9, 2012, 7:00 p.m.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET:
<http://www.cityofsandimas.com/minutes.cfm>.

SUPPLEMENTAL REPORTS: AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT CITY HALL DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

POSTING STATEMENT: ON SEPTEMBER 21, 2012, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 245 EAST BONITA AVENUE (SAN DIMAS CITY HALL); 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE); AND AS A CONVENIENCE, AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT WWW.CITYOFSANDIMAS.COM/MINUTES.CFM.

RESOLUTION NO. 2012-54

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTH OF
SEPTEMBER 2012**

WHEREAS, the following listed demands have been audited by the Director of Finance;
and

WHEREAS, the Director of Finance has certified as to the availability of funds for
payment thereto; and

WHEREAS, the register of audited demands have been submitted to the City Council for
approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas
does hereby approve Warrant Register: 09/28/2012; 141271 through 141416 in the amount of
\$730,403.85; (includes checks 141417 to 141899 for prepaids)

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF SEPTEMBER 2012.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Deputy City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by vote of the City
Council of the City of San Dimas at its regular meeting of September 11, 2012, by the following
vote:

AYES: Councilmembers Badar, Bertone, Ebner, Templeman, Morris
NOES: None
ABSTAIN: None
ABSENT: None

Deputy City Clerk



***THE WARRANT DISBURSEMENT
JOURNAL IS NOT AVAILABLE TO
VIEW THROUGH LASERFICHE***

***A PAPER COPY IS AVAILABLE IN THE
FINANCE DEPARTMENT***

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 11, 2012, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Emmett Badar
Councilmember Denis Bertone
Councilmember John Ebiner
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney Ken Brown
Deputy City Clerk Debra Black
Assistant City Manager for Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Facilities Manager Karon De Leon

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the regular City Council meeting to order at 7:00 p.m. and led the flag salute.

2. ANNOUNCEMENTS/RECOGNITIONS

Erica Rodriguez, Recreation Coordinator provided details on the San Dimas 5K and 1 mile Family Run and Family Fitness Fair on Sunday, September 29, 2012.

Mayor Morris and Captain Slawson of the Sheriff's Department gave recognition to the hosts of National Night Out.

3. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

Pui-Ching Ho, Librarian presented upcoming activities for the month of September. Mayor Morris presented a city proclamation in celebration of the County of Los Angeles' 100th Birthday.

Ginny Philips, Amelia, commented that she has submitted plans for the relocation of a historic box car on her property but the planning staff is making her jump through a bunch of hoops by asking for

more information. She added that the last thing she will do is remove the box car and she will dismantle it first.

Heba Morrie, ASB President at San Dimas High School gave update on events at the high school.

Kimberly King, resident of Greenhaven Street expressed her concerns over Christ Church of the Valley's request to close the street for their upcoming event. The supervision of the no parking sign postings was not handled properly.

Casey Cox, San Dimas Chamber of Commerce representative made announcement of the upcoming San Dimas Western Days, October 6th and 7th, 2012. He also reported on the San Dimas Youth and Family Coalition resource guide and community calendar project.

Caryol Smith, resident of Fernridge Drive, coordinator of the Friends of the San Dimas Dog Park invited everyone to walk with their dog in the Western Days Parade.

4. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or audience requests removal for separate discussion.)

MOTION: It was moved by Councilmember Bertone and seconded by Councilmember Ebner to accept, approve and act upon the consent calendar as follows:

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

(1) **RESOLUTION NO. 2012-54, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF AUGUST AND SEPTEMBER 2012.**

b. Approval of minutes for Regular City Council meeting of August 28, 2012.

c. Approval of minutes for Special City Council meeting of August 28, 2012.

d. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 417) one proposed single-family home on Via Romales.

e. Renewal of Cash Contract 2012-01, Pavement Preservation Slurry Seal Project – Doug Martin Contracting Co., Inc. for \$350,000.00.

END OF CONSENT CALENDAR

5. PUBLIC HEARING

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony)

a. Municipal Code Text Amendment 11-03 consideration of various revisions to the Chapter 18.152 (San Dimas Sign Code)

ORDINANCE NO. 1212 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 11-03 AMENDING CHAPTER 18.152 SIGNS

Assistant City Manager of Development Services Stevens presented an overview of the proposed changes to the sign code. He reviewed the public participation process that took place. He summarized the 12 areas of change and the proposed new opportunities for signs including open house, yard sale, electronic message centers and A-frame signs.

In response to a question, Mr. Stevens stated that there will be some weekend code enforcement of signs. There was some discussion on how open house, yard sale and political signs would be enforced. Mr. Stevens described the definition and conditions for an electronic message sign. Councilman Bertone expressed concern for electronic message signs being permitted everywhere. In response to a question Mr. Stevens stated that electronic signs could be permitted in the historic district in locations where monuments signs are allowed. There was more discussion on electronic signs, including the standards for the type of displays and examples of the type of sign that would be permitted.

Mr. Stevens reviewed the standards for a-frame signs. There was discussion on the requirement for the signs to be within 10 feet of the front door. Mr. Stevens suggested that the language could be modified to public access as opposed to front door to allow flexibility.

Mr. Stevens reviewed the standards for convenience or directional signs.

Mr. Stevens reviewed revisions to existing sign opportunities. He compared the differences between the interim window sign regulations to the recommended changes. He added that liquor advertising signs would be permitted within the regulations. In response to a question he stated that lights in windows may be allowed if they are architectural. He added that the regulation would also create sign opportunities for windowless buildings.

Mr. Stevens reviewed the proposed changes for monument signs. Mayor Morris asked if it is required to have addresses on monument signs. Mr. Stevens responded that it is not proposed but it could be considered. There was discussion on the standards for monument signs on multi-tenant buildings and the lighting standards for monument signs.

Mr. Stevens reviewed the changes to the requirements for temporary banners.

Mr. Stevens reviewed the new requirements for commercial leasing signs. He stated that the existing standard for commercial real estate signs will be eliminated in lieu of allowing banner signs. In response to a question Mr. Stevens stated that there is a requirement that signs be maintained in good order and appearance.

Councilman Ebiner asked if signs on cars or trucks are permissible. Mr. Stevens responded that they are prohibited. Councilman Badar asked about cars that are painted with commercial advertising. Mr. Stevens responded that they probably can't be prohibited unless they are parked in a manner to direct people to a business.

In response to a question Mr. Stevens stated that neon signs are permitted in a window as accessory window signs.

Councilman Ebiner questioned whether there should be more specific language on secondary building signs for smaller businesses. Mr. Stevens responded that larger centers are addressed because of the need for a master sign program. He added that there may be a circumstance where it is appropriate to have a secondary sign on the front of the building instead of the side.

In response to a question Mr. Stevens stated that human billboards or hand held signs are prohibited but is not enforced regularly because much of that activity occurs on the weekend. Mayor Morris opened the public hearing and commented that there have been many previous public participation meetings and several public hearings at the Planning Commission.

Mayor Morris opened the meeting for public comments.

Dr. Marvin Ersher, commented that some signs are for location finding and need to be of sufficient size and illumination. He added that other signs are for advertising and should be limited; he also asked staff to report later if there are any studies that show which signs are more effective?

Gil Gonzales, 2193 Terrebonne, commented that he felt the sign regulations were too complicated. He questioned the intent and purpose of the sign ordinance and added that no signs should be allowed in the public right of way.

Arrow Montessori School representative asked if there is a possibility for the school to have their Open House signs displayed 3 or 4 times a year that are not on weekends.

Assistant City Manager of Development Services, Larry Stevens responded that type of sign would be permitted under the temporary banner sign regulations.

Pamela, business owner at the Whiting Building proposed that an extension of 90 or 75 days per year be considered for banners.

Mayor Morris closed the public hearing.

Councilman Bertone commented that his only concern is with electronic message signs being allowed anywhere. He added that he is okay with them in some places like churches or hospitals but not at small businesses. Councilman Templeman added that he would have a problem with electronic message signs in the historic district.

Councilman Templeman complemented the Planning Commission and business community for the amount of time and detail spent in the sign code review. He added that he supports the Commission's recommendations.

In response to a question Mr. Stevens commented that notices of the public hearing were sent to all parties who had requested notice or who had participated in any of the previous meetings.

Councilman Badar suggested that he would prefer that the matter be continued for two weeks, that he is not prepared to vote this evening. Councilman Bertone agreed with the suggestion to postpone.

Councilman Ebner commented that overall he is in agreement with the changes. He added that he is concerned with the clutter of too many monument signs but feels the height restriction will help, he feels there should be a maximum width for A-frame signs and that electronic message signs should only be allowed for public or semi-public institutions.

Mayor Morris commented that he is in support of the Planning Commission's recommendations but is willing to continue the matter if it is the consensus of the Council. The Council consensus was to continue the matter for two weeks.

Mr. Stevens stated that based upon the discussion he would suggest looking at A-frame width standards and changing the proximity to the front door to public entrance, street numbers on monument signs, and secondary sign standards for the front of the building and how wide spread electronic signs should be allowed. He asked if there was a consensus to allow human motion signs. There was not.

Mayor Morris reopened the public hearing for the purpose of continuing the matter to September 25, 2012.

City Attorney Brown suggested that the Council direct him to prepare summary public hearing notice as opposed to the full ordinance text. The Council so directed him.

6. OTHER BUSINESS

- a. Report on Downtown Façade project including possible changes to project design and/or costs

Assistant City Manager of Development Services Larry Stevens reported that the now exposed brick on the three building is the preferred final condition. The contractor and architect reviewed the cost differences that would be related to the changes and the amount will total a little over \$3,000.00. The plan would allow for replacing the hardy plank. They owners prefer this option and are willing to absorb the additional costs under either the deferred loan program or the 60/40 rebate. The intention is to authorize the architect and contractor to proceed down this path. We must repaint the two stores that already have paint because of lead based paint issues.

In response to Councilmember Templeman's question, Mr. Stevens responded that it would two to three weeks past schedule on the three stores; the other two are not affected.

Mr. Stevens added that there is a second issue involving the windows at the 157 and 161 locations. They are beyond repair complicated by lead based paint issues. The most cost effective solution is to completely replace them. The owners understand the cost increases and will be participating in the 60/40 rebate relationship. Cost increase will be for owners and city but are within the budgeted amount.

Responding to Councilmember Ebner's question, Mr. Stevens confirmed that the wood frame is beyond repair; and if he had to remove the lead based paint, they would probably have to close the stores for a number of days to accommodate that in a safe manner.

In response to Councilmember Templeman's question, Mr. Steven stated they are trying to find buyers for the glass and that there is some value in them, which could reduce costs in the lead based paint abatement. Mr. Stevens also stated that they are within budget and would be going forward on this.

- b. Direction regarding the assumption of liquor license for the Walker House

Assistant City Manager Ken Duran shared that prior food concessionaire approached the city about assuming the special liquor license they hold. It is one that applies only to government owned buildings that have food operators. The conditions are that they can only be transferred from person to person at that location and cannot be sold, it is a reduced license fee, initial fee was only \$6,000.00. so the owner would be willing to transfer the license to the city or to a new operator at the Walker House and just recover the \$6,000.00 investment. Marstellarz still holds the license in their name which is inactive. We have been trying to get details on what the actual transfer process would be. There would be some transfer fee, but is fairly nominal. Staff's

recommendation would be for council to authorize staff to move forward with the transfer of the license either to the city or if we move forward with a new operator to that operator.

In response to Councilmember Bertone's questions, staff is not sure if we want to be the license holder if we are not going to be providing the service and there is liability that comes with the license.

Councilmember Templeman made the motion to pursue the purchase of the license but keep in mind the status of the building. Councilmember Bertone seconded the motion. Motion passed unanimously.

c. Award of contract of Energy Audits

City Manager Blaine Michaelis reported that this is being funded by a grant with Southern California Edison through the COG. There is some question with respect to the city's status with the COG, however we would still be able to receive this grant and award this bid and have it be reimbursed and paid for by the COG. He reported that he was at a meeting on Monday with the City Manager's Technical Budget Committee; there was a recommendation from the committee to proceed with an in house staff for the operation of the COG. He also stated that there was no discussion about any memberships that are holding off paying dues, so I think there is every expectation that the COG will administer the grant program and we would receive reimbursement.

Facilities Manager Karon De Leon reported that Southern California Edison awarded grant funding for energy audits to municipal facilities. In order to participate in the program Request for Proposals were released to seven eligible California Edison approved vendors. On September 4, 2012 staff distributed a RFP to seven eligible contractors. A total of four contractors submitted proposals and all were within the grant proposal costs not to exceed \$34,800.00. Based on the following criteria staff is recommending the award of the contract to *Alternative Energy Systems Consulting, Inc.*, experience, local base, understanding the scope of services, personnel qualification, references and costs. There will be no fiscal impact to the city; therefore staff recommends the award of the Energy Efficiency Audit Services Contract to *Alternative Systems Consulting, Inc.* in the amount of \$19,490.00 to be funded by the Southern California Edison Grant.

Councilmember Templeman asked if this consulting company sold product with the expectation that if they find a problem they get another contract.

In response Mrs. De Leon stated that what the company does is make recommendations, and that we could only send RFP's to vetted contractors.

MOTION: It was moved by Councilmember Bertone and seconded by Councilmember Ebner to award the Energy Efficiency Contract to *Alternative Systems Consulting, Inc.* The motion carried unanimously.

d. Christ Church of the Valley – special event request and street closure “Trunk or Treat” October 31, 2012

Assistant City Manager Ken Duran presented a report on a request from Christ Church of the Valley for their “Trunk or Treat” event on October 31, 2012. He stated there was feedback after last year's event, most were positive. Some of the residents had concerns over trash and parking issues. The organizers have made *some minor modifications* to the operation to address the concerns of the neighborhood. Staff monitored the event last year and felt it was well organized

and well attended. The closure of the street is the safest and most appropriate way for the event to be conducted. Traffic Safety has reviewed and approved the plan and staff's recommendation is to approve the request. Staff will continue to work with the applicant and monitor the event.

In response to Councilmember Bertone's question, 150 notices were mailed to residents notifying them of tonight's meeting.

Greg Lindsay, church staff member stated they felt last year's event went well and that it provided a safer environment for the people of the neighborhood. He apologized to the neighbor who spoke earlier and explained that the sign posting and removal was contracted out and it was not any of their staff who removed the signs.

Councilmember Templeman expressed his concern over the continued difficulties that the neighbors are having with the event. He stated that he needed some assurances that the church is managing the side streets better; he has real concerns about it. He could vote either way tonight.

Councilmember Bertone agreed with Councilmember Templeman, but he wouldn't want to have it closed down. He asked if it was possible to have the Sheriff's Department on duty to issue citations to cars parked illegally.

Assistant City Manager Duran, shared that the committee did discuss it and opted not to but it is a condition that could be imposed upon the church. However with all the activities that night it would be difficult to have the Sheriff's Department taken off normal patrol for this event.

Councilmember Badar stated that the Sheriff's Department was there and did their job.

Kimberly King, resident reported on the individual who removed the barricade. She is not opposed to the event, but thinks that it is mis-managed and would like to be sure that with the safety of the children there is a better plan in place.

Discussion continued regarding church services and the parking issues associated with those services.

Assistant City Manager Ken Duran said that staff would need to look at the ongoing problems with the parking at the church.

Councilmember Badar asked of the possibility of city staff monitoring the parking on the weekend.

Councilmember Bertone made a motion to approve for this year and have Ken Duran work with the Sheriff's Reserves to enforce the parking and the church to address the trash. Councilmember Ebner seconded the motion. The motion carried unanimously.

Councilmember Templeman asked that the minutes of the meeting be made available to the church so that they are aware there are concerns and that this is not something that may be approved every year.

e. HEROES – special event request and street closure September 24, 2012

Assistant City Manager Ken Duran presented the request for street closure from the HEROS Organization. He stated that they are having a dedication ceremony on September 24, 2012, for installation of the water feature for the monument. The setup is the same as the event for the Clydesdale Parade. With the prior closure there were no problems with the neighborhood.

Staff's recommendation is for council to approval to close commercial street.

MOTION: Councilmember Ebner moved and Councilmember Templeman seconded. The motion carried unanimously.

7. ORAL COMMUNICATIONS

- a. Members of the Audience (*Speakers are limited to five (5) minutes or as may be determined by the Chair.*)

Gil Gonzales expressed his concerns with abandoned shopping carts. He requested council to direct staff to look at the policy on retrieval of shopping carts.

- f. Ginny Phillips, stated that the form she received from Kimberly in the Building Department was easy to complete, but the material received from Larry Stevens was not. Mrs. Phillips also compared the boxcar as being the same type of structure as storage sheds found throughout the city. She stated that the process for approval should not be this complicated.
- b. City Manager

City Manager Michaelis announced the broadcast of the "Ask the Mayor Show" this Thursday. He suggested that because of the time, the closed session for tonight might be brought back next week.

There was discussion on how long it would take and then decided to proceed with meeting tonight.

- c. City Attorney

Nothing to report.

- d. Members of the City Council

- 1) Discussion to consider directing staff to prepare a report for possible revisions to the existing city standards regarding underground utilities.

Assistant City Manager Larry Stevens reported there is an existing project that is raising the issue that the city's standard for underground utilities imposes a standard that is not cost effective to the developer. The question tonight is should the city revisit the standard.

Council discussed the issue and decided they should make a decision on the policy so that staff can go forward. Staff will review the process more and prepare a report to bring back for discussion.

- 2) Councilmembers' report on meetings attended at the expense of the local agency.

Councilmember Bertone reported on his attendance at the League of California Cities Where he had conversation with a vendor that provides training for Code Enforcement. The city was complimented for the level of training given to their Code Enforcement Officers.

Mayor Morris also attended the League of California Cities Conference.

Councilmember Templeman reported on his attendance also.

3) Individual Members' comments and updates.

Councilmember Bertone announced that the Draft Environmental Report for the Gold Line is being circulated and that there is an upcoming meeting on September 24, 2012 in La Verne.

8. CLOSED SESSION

Recess to closed session pursuant to Government Code Section 54956.8:

a. CONFERENCE WITH REA PROPERTY NEGOTIATOR

Property: 121 North San Dimas Avenue – Walker House

Negotiating Parties for the City: Blaine Michaelis, City Manager, Ken Duran, Assistant City Manager and J. Kenneth Brown, City Attorney.

For proponent: Vincent DeRosa

Under Negotiation: Terms and conditions of a possible use agreement for the property.

b. Report on closed session items.

10. MEMORIAL ADJOURNMENT

The meeting will adjourn in observance of September 11, 2011 and in memory of city employee Henry Castro.

The next meeting is 7:00 p.m. on September 25, 2012.

Respectively Submitted

Debra Black, Deputy City Clerk



MEMORANDUM

DATE: September 25, 2012

TO: Mayor and City Council

FROM: Community Development Department 

SUBJECT: Municipal Code Text Amendment 11-03 – An update to the San Dimas Sign Code (Chapter 18.152)

At the September 11, 2012 meeting the City Council conducted a public hearing on the Sign Code Update. At that hearing the Council continued the hearing to September 25, 2012 to address a number of concerns that were identified. Any changes are identified (in green with additions underlined and deletions as strike-throughs) on Exhibit A attached to Ordinance No. 1212. These include:

1. *Consider a maximum width for portable signs.* Section 18.152.120.B.11.b has been revised to provide a maximum width of three feet.
2. *Require street address(es) on all monument signs.* Multiple sections have been revised to include this as a requirement on all monument signs.
3. *Allow portable A-frame signs to be located at other entries than the front door.* Section 18.152.120.B.11.d to allow the one portable sign at any business entry door.
4. *Establish additional standards for secondary wall signs allowed on the front building elevation.* The recommended draft is shown below as Option 1 and a revised standard is shown as Option 2. This standard is included in multiple sections of the Sign Code. In Option 1, the standards are general (i.e. “ineffective” and “separation may be required”). In Option 2 numeric standards are included.

OPTION 1	OPTION 2
<p>A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation. When allowed on the same elevation, a minimum distance separation may be required.</p>	<p>A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective and is not readily visible on the secondary building elevation. The sign location transfer is allowed on buildings with a minimum width of one hundred feet and the primary and secondary signs shall have a minimum distance separation equal to fifty percent of the building width. Where a second front entrance/exit occurs, the secondary sign shall be proximate to said entrance/exit.</p>

5. *Evaluate the extent that electronic message centers should be allowed to be incorporated into freestanding signs.* The draft standards applicable to electronic message centers were not the primary focus of discussion but are included for convenient reference. Staff will present several videos at the meetings showing various types and sizes of electronic message centers to facilitate this additional discussion.

Concern related to what zones, properties or uses should be allowed to incorporate electronic message centers into their otherwise permitted signs.

The request to allow electronic message centers was raised as a concern by San Dimas Community Hospital. To date no other persons have expressed interest in these signs. Staff's initial recommendation was to limit these signs to public and semipublic uses (Items 5 & 6 below) such as the hospital but the Planning Commission determined that they were the next technology in commercial signs and should be permitted on a broader basis (adding Items 1-4 below).

As recommended by the Planning Commission, electronic message centers would be allowed under the following circumstances:

- a. Monument signs in commercial zones for multiple tenant centers not to exceed 60% of the maximum permitted sign face which is 4' x 6' (24 square feet) in centers less than 40,000 square feet and 6' x 15' 90 square feet in larger centers.
- b. Monument signs in commercial zones for single tenant buildings not to exceed 60% of the maximum permitted sign face which is 4' x 6' (24 square feet).
- c. Freeway oriented signs in commercial zones for commercial centers exceeding 100,000 square feet not to exceed 60% of the maximum sign face of 950 square feet.

E. Electronic message boards. Where permitted by this chapter, electronic message boards shall comply with the following:

1. *An electronic message board may contain a changeable message that utilizes changeable text, images, pictures, and/or symbols that may appear as an on/off message. An electronic message board shall not contain or display animated, moving video, scroll, flash, blink, fly, or chase sign message into view or create a sense of motion. An electronic message board sign shall contain only static displays. The changeable commercial message display intervals shall change no more frequently than once every eight seconds; and that blinking and/or moving characters shall be prohibited. A change of message shall be accomplished within two seconds with an on/off cycle. Fade out/fade in from one static image to another static image is allowed.*
2. *Electronic message boards shall have automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night. Electronic message boards shall not increase their luminance by greater than three-tenths (0.3) foot-candle above ambient levels of lighting measured at a distance of one-hundred feet from the sign face and five feet above grade.*
3. *The electronic message board component of a sign shall be automatically dimmed after dark. The electronic message board must contain a default mechanism that freezes the sign in one position if a malfunction occurs; and automatically adjusts the intensity of its display according to natural ambient light conditions.*
4. *The sign shall be properly maintained so that inoperative or improperly lighted bulbs do not impair the appearance and legibility of the sign.*
5. *That the electronic changeable-copy sign shall be screened, tinted, shielded or otherwise modified, as necessary, to eliminate excessive glare, as deemed sufficient by the planning director.*
6. *Commercial messages on signs permitted pursuant to this chapter shall advertise only the businesses conducted, services rendered, or goods produced or sold within the development complex which the identification sign is intended to serve. Public service information, including, but not limited to, the time, date, temperature, weather, and similar information shall be permitted. No off-site advertising or messages, other than public service information approved by the city, shall be displayed;*
7. *Public service messages are encouraged. Such messages include announcements of meetings, activities and events of a general community-wide interest but do not include political messages.*

- d. Monument signs in commercial zones for service stations not to exceed 60% of the maximum sign face of either 48 Or 72 square feet.
- e. Monument signs for educational and religious institutions with a maximum sign face of 30 square feet.
- f. Monument signs in public/semipublic zones for schools hospitals, churches or similar institutional uses not to exceed 60% of the maximum permitted sign face which is determined by the planning director based on the use, location and consistency with the Sign Code.

It should be noted that electronic message centers are not permitted in administrative professional zones, industrial zones or the historic downtown area. It should also be noted that in specific plans there is normally a reference back to Chapter 18.152 so the use determines which sign standards apply.

Discussion should consider whether any of these opportunities should be eliminated. Staff does suggest adding two additional clarifications including:

- Confirm clearly that electronic message centers are not allowed on wall signs.
- Add the 60% limitation to signs for educational and religious institutions.

In addition to the five items discussed by the City council comments have been received on one additional issue area since the hearing. Brad Umansky, a commercial real estate broker, submitted an email which reads as follows:

I do not know of any other City in all of Southern California that prohibits freestanding commercial real estate signs. The City of San Dimas is about to send a huge message to the commercial brokerage community that this is not a good place to do business.

As a commercial real estate broker for the past 20 years, it is fairly typical for a broker or tenant to drive through a trade area and write down the names and #'s on all the leasing signs. They are frequently in a rush and don't want to drive in and out of every single commercial property to look for individual spaces. Also, they know that frequently there are spaces within a project that are occupied, but available. The only way they could know this is by calling on the leasing sign. Unlike residential where all agents use the MLS, there is no listing service that everyone uses. Most people do use Loopnet, but many do not. I can assure you that I would not spend over \$40,000 per year on leasing signs for our various projects if they were not effective. If you want to discuss this any further, please let me know.

In discussing those comments Staff realized that the use of banners on buildings would not work on undeveloped nonresidential properties and has added Section 18.152.160.D.3 (renumbering 3-5) allowing one freestanding sign not to exceed 16 square feet and 6' in height.

Staff also identified one standard that was inadvertently omitted related to wattage ratings for exposed light bulbs (Section 18.152.060.A.3) and has made that correction.

RECOMMENDATION:

Introduce Ordinance No. 1212 directly any further changes deemed appropriate.

Authorize Staff to publish a summary of the Ordinance as allowed by the Government Code.

ORDINANCE NO. 1212

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS
APPROVING MUNICIPAL CODE TEXT AMENDMENT 11-03 AMENDING
CHAPTER 18.152 SIGNS.**

**THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS
FOLLOWS:**

SECTION 1. Chapter 18.152 Signs is amended by replacing it in its entirety with attached Exhibit A.

SECTION 2. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 25 DAY OF September, 2012.

Curt Morris, Mayor of the City of San Dimas

Debra Black, Deputy City Clerk

I, DEBRA BLACK, DEPUTY CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1212 was regularly introduced at the regular meeting of the City Council on September 25, 2012 and was thereafter adopted and passed at the regular meeting of the City Council held on October 5, 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a copy of Ordinance 1212 to be published in the Inland Valley Daily Bulletin.

Debra Black, Deputy City Clerk

EXHIBIT A

Chapter 18.152 SIGNS

18.152.010 Purpose.

A. The intent of this chapter is to encourage the installation of signs that provide reasonable opportunities for business identification, improve the appearance of buildings and neighborhoods, encourage innovation and enhance the economic effectiveness of the business community while preventing needless distraction and clutter from the other signs in the area. Carefully designed and regulated signing can contribute to the visual quality of the community, increase economic activity and provide for a desirable environment effectively balancing a variety of seemingly competing needs.

B. The purpose of all permitted permanent signs is primarily to provide identification of buildings, businesses and special locations. Permanent signs are not meant to provide advertisement. Because of this, the sign regulations in this chapter have been designed to encourage and promote building, business and special location identification.

C. The objectives of the various sign regulations set forth in this chapter are:

1. To ensure that permanent signs serve primarily to identify the business establishments on any site and facilitate the economic effectiveness of the business community.

2. To ensure that temporary signs which primarily address desires to advertise products, services and events are compatible with the goals set forth in Section 18.152.010.A.

3. To ensure that signs harmonize with their buildings and neighborhoods and with other signs in their vicinity.

4. To encourage signs which are well designed and pleasing in appearance and to provide incentive and latitude for variety, good design relationship and spacing.

5. To require that signs are carefully designed and professional in appearance.

6. To enhance the economic value of the community through the appropriate regulation of such characteristics as size, number, location, design and illumination of signs.

7. To avoid traffic hazards by minimizing visual competition among signs and by providing for clear identification of businesses.

D. Notwithstanding any other provision of this chapter, any noncommercial copy may be substituted for any commercial copy on any sign permitted by this chapter. If noncommercial copy is substituted, the sign shall be subject to the same time, place and manner standards applicable to the original commercial sign as set forth in this chapter. The content of any noncommercial copy on any sign otherwise permitted by this chapter may be changed in the same manner as the sign copy for the commercial sign copy may be changed.

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E. This chapter shall be considered permissive and any specific types of signs not specifically allowed herein are prohibited. Design standards may be reasonably interpreted by the planning director and applied in a manner consistent with the intent of this chapter.

18.152.020 Definitions.

The following items are defined for this chapter unless the context indicates otherwise:

1. "Approved combustible materials" mean wood, or materials not more combustible than wood.
2. "Approved incombustible materials" mean any material which will not ignite at or below a temperature of one thousand two hundred degrees Fahrenheit during an exposure of five minutes and which will not continue to burn or glow at that temperature.
3. "Approved plastics" mean only those plastics which when tested in accordance with the American Society of Testing Materials Standard method for test for flammability of plastics over 0.050 inch in thickness (D 635-44), burn no faster than 2.5 inches per minute, in sheets of 0.060 inch thickness.
4. "Building code" means the city building code, together with amendments thereto.
5. "Building frontage" means the linear length of a building directly facing a public street, alley, parking area or pedestrian walkway that contains a public entrance.
6. "Building official" means the officer or other person charged with the administration and enforcement of the building code.
7. "Canopy" means a structural, ornamental, roof-like appendage, that projects from a building for the purpose of providing an architectural element that shields doors and windows from the elements. A canopy may be freestanding or attached to a building.
8. "Changeable copy" means removable copy or graphics for temporary use where the copy is changed at periodic intervals for the purpose of communicating a message which may be utilized on a freestanding wall, bulletin board or announcement signs.
9. "Convenience Sign" means a sign not larger than four square feet in area and no more than four feet in height and which conveys information such as "restrooms," "no parking," "entrance," or minor business identification for directional purposes, and is designed to be viewed on-site by pedestrians and/or motorists. Such signs may not include commercial sign copy or advertising.
10. "Electronic Message Center" means a sign that utilizes computer-generated messages or some other electronic means of changing copy, including LEDs and LCDs.
11. "Facing" or "surface" means the surface of the sign upon, against or through which the message is displayed or illustrated.

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12. "Historic downtown area," for the purposes of this chapter, means: the area that extends west of Walnut Avenue to Cataract Avenue and south of Fourth Street to Arrow Highway, omitting properties that have frontage on Arrow Highway.

13. "Identification structure" means a structure of any kind or character erected or maintained for identification purposes, and upon which any sign is placed.

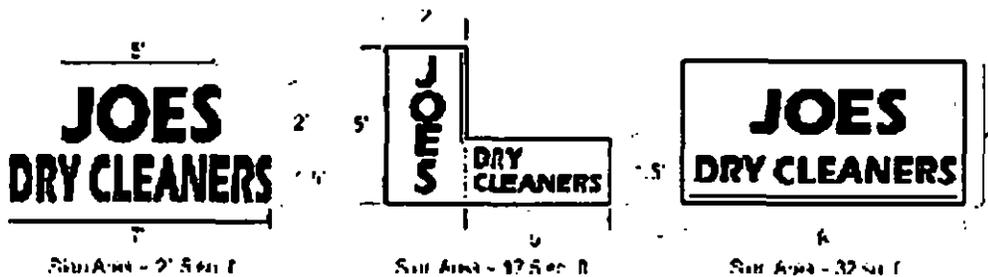
14. "Location" means a lot or premises, building, wall or place upon which a sign is erected, constructed or maintained.

15. "Marquee" means a permanent, roofed structure attached to and supported by the building.

16. "Master sign program" means a comprehensive sign design policy and plan for use by multi-use complexes. Such plan would include, but not be limited to, specification of colors, letter style, construction method, approval method, and sign locations.

17. "Measurement of Sign Area" to determine compliance with the sign area limitations of this chapter shall occur as follows:

a. Sign Area. The area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. See examples in Figure A.



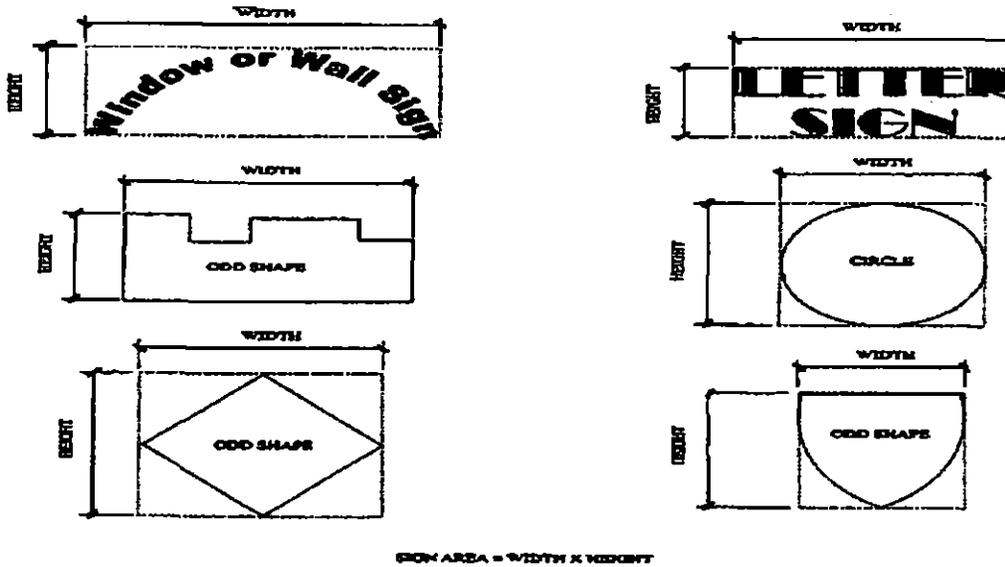


Figure A.

b. Sign Structure. Supporting bracing or framework that is clearly incidental to the display itself shall not be computed as sign area.

c. Multi-Faced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces; except that where the two faces are parallel and not separated by more than one foot, only the area of one face shall be counted.

d. Three-Dimensional Objects. Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane. See examples in Figure B.



Figure B

e. Time and/or Temperature Device. Up to sixteen square feet of a time and/or temperature device incorporated into a sign shall not be included in the calculation of total sign area. A clock for a clock store or similar business is exempt from this limitation.

18. "Measurement of Monument Sign Height" to determine compliance with the sign height limitations of this chapter shall be computed as the vertical distance from the lowest point of the base of the sign at normal grade to the top of the highest attached component of the sign. See Figure C.

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a. Grade. Normal grade shall be construed to be the lower of either the existing grade before construction or the newly established grade after construction, exclusive of any berming, filling, mounding, or excavating solely for the purpose of locating the sign.

b. Where Normal Grade Cannot be Determined. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumptions that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the parcel, whichever is lower.

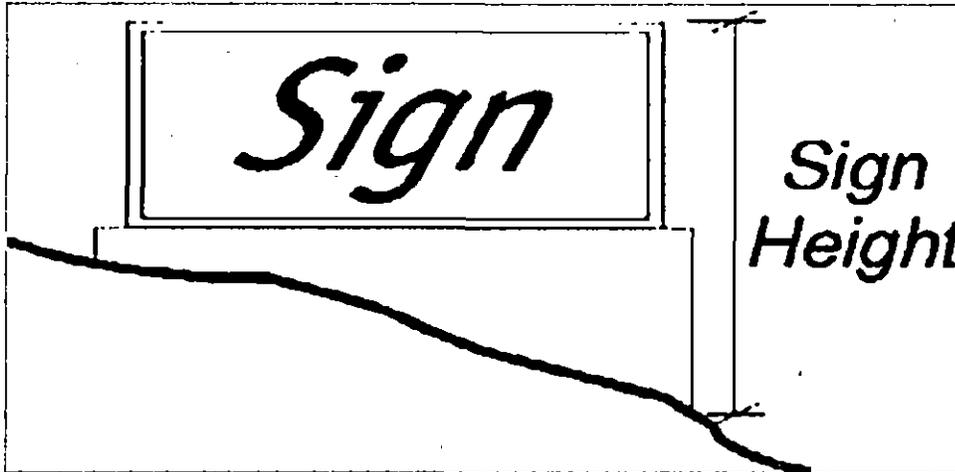


Figure C.

19. “Multi-tenant centers or complexes” mean, for the purpose of this chapter, any nonresidential development project designed to accommodate two or more tenants. Such complex would include a common parking area, similar architectural design and other unifying elements and be designed and constructed as a comprehensive project.

20. “Projection” means the distance by which a sign extends beyond the building or structure.

21. “Sign” means any device for visual communication exposed to public view that contains any announcement, declaration, demonstration, display, illustration, insignia, banner, statuary or pennant used to advertise or promote the interest of any person, business, group or enterprise. The term “sign” does not include the following:

- a. Official notices issued by any court or public body or officer;
- b. Notices posted by any public officer in performance of a public duty or by any person giving legal notice;
- c. Directional, warning or informational structures required by or authorized by law or by federal, state, county or city officials;

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d. A structure erected near a city or county boundary which contains the name of such city or county and the names of, or any other information regarding civic, fraternal or religious organizations located therein.

22. Sign, Accessory. "Accessory sign" means any sign which carries only advertisement strictly incidental and subordinate to a lawful use of the premises upon which it is located, including signs indicating the business transacted, service rendered, goods sold or produced on the premises, name of the business, name of the person occupying the premises.

23. Sign, Combination. "Combination sign" means a sign that is a combination of any two or more types of signs.

24. Sign, Directional. "Directional sign" means a sign erected for the purpose of informing the viewer of the approximate route, direction or location of a facility.

25. Sign, Electrical. "Electrical sign" means a sign containing electrical wiring for the purpose of interior lighting or illumination.

26. Sign, Flashing. "Flashing sign" means any sign which is intermittently on and off.

27. Sign, Historic. "Historic sign" means a sign which is of recognized historic or cultural significance to the community or is identified on the San Dimas historic resources survey and/or on the local register.

28. Sign, Illuminated. "Illuminated sign" means any sign illuminated by electric lights or luminous tubes as part of the sign proper.

29. Sign, Marquee. "Marquee sign" means a sign attached to a marquee.

30. Sign, Monument. "Monument sign" means any sign standing on the ground that is connected to the ground with a solid base.

31. Sign, Moving. "Moving sign" means a sign designed to attract attention through the movement or semblance of movement of the whole or any part of the sign, including rotation.

32. Signs, Off-Premises. "Off-premises signs" mean signs located in areas distant and on a separate parcel of land from the place where the product advertised is located.

33. Signs, On-Premises. "On-premises signs" mean signs which advertise any business conducted at the location of the sign or the products manufactured or sold at the place where the sign is located.

34. Sign, Permanent. "Permanent sign" means every sign except temporary signs as defined in this section.

35. Sign, Portable. "Portable sign" means a sign not permanently attached to the ground or any structure, including but not limited to, a-frame signs, sandwich board signs,

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sidewalk signs, whiteboards or chalkboards, signs on wheels and similar signs. Portable sign does not include banners, pennants, flags, inflatable signs, vehicle signs, and hand-held signs.

36. **Sign, Poster.** "Poster sign" means a sign printed on paper, cardboard or similar material which is generally displayed in windows or attached to trees, poles, buildings or staked in the ground.

37. **Sign, Projecting.** "Projecting sign" or "icon sign" means a sign suspended from or supported by a building or structure and projecting out therefrom.

38. **Sign, Real Estate.** "Real estate sign" means a temporary sign indicating that the premises on which the sign is located is for sale, lease or rent.

39. **Sign, Roof.** "Roof sign" means a sign erected upon or above a roof or parapet of a building. Roof signs are prohibited in the city.

40. **Sign, Temporary.** "Temporary sign" means any sign, pennant, banner, valance or identification display, with or without frames, intended to be displayed and maintained for a period not exceeding thirty days in any twelve consecutive months.

41. **Sign, Wall.** "Wall sign" means a sign attached to or erected against the wall of a building or structure, with the exposed face of the sign parallel to the plane of the wall.

42. **Sign, Window.** "Window sign" means any sign posted, painted, placed or affixed in or on any window, including the glass portion of a door or opening, exposed to public view including any interior sign which faces any said window or door or opening exposed to public view and which is located within three feet of the window. Window signs include the following types as defined below:

a. **Sign, Window (Accessory).** "Accessory window sign" means any window sign not exceeding four square feet limited to business identification, hours of operation, credit card information, lottery, health department grades, open/closed and similar public convenience information.

b. **Sign, Window (Exempt).** "Exempt window sign" means any window sign exempt from window sign regulations including: (1) holiday window displays and decorations, including lights, provided they are installed not more than thirty days before a holiday and are removed within ten days after the holiday and contain no references to goods, products or services; and (2) posters advertising fund-raising events for charitable, nonprofit, or educational fund-raising events or noncommercial uses, provided they are removed ten days after the event, are not larger than two feet by three feet and do not exceed four in number at any one time.

c. **Sign, Window (Permanent).** "Permanent window sign" means any window sign applied to, stenciled on, or etched into the glass surface including gold leaf (or similar) letters and decals, limited to business identification, address and/or a listing of products or services not implicit in the business name.

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d. **Sign, Window (Temporary).** “Temporary window sign” means any window sign consisting of painting, cloth, paper, vinyl or similar materials allowed for a limited duration advertising seasonal sales, specials and similar events but not including business identification.

43. **“Structure”** means the supports, uprights, bracing, and framework of a sign. The area of such structure shall not be included in computing the aggregate surface of the area of the sign which it supports.

44. **“UBC standards”** means the most recent edition of the Uniform Building Code Standards, also known as Volume III of the Uniform Building Code.

18.152.030 Compliance.

No person shall hereafter erect, construct, relocate, alter or maintain any sign which does not comply with the provisions of this chapter, except the following: Signs which were established prior to adoption date of the ordinance codified in this chapter may be maintained subject to Section 18.152.080 related to nonconforming signs.

18.152.040 Permits required.

Except as otherwise provided in this chapter, no sign shall hereafter be erected, constructed, relocated, painted on buildings or structures, altered, a sign program implemented or a sign face changed, until an approval and/or permit for the same has been issued by the appropriate decision making body as stated in Chapter 18.12 of this title and as required by the development plan review board, planning department, and the building official as required by this chapter.

A. **Review Required.** No person shall install or construct a sign or implement a sign program until a sign plan or sign program has been reviewed and approved by the development plan review board in accordance with Chapter 18.12 of this title, unless otherwise provided *within this chapter*.

B. **Disposition by Director.** The planning director may approve or conditionally approve, upon determining that the sign design, colors and materials are compatible with the structure and/or facility that the sign is proposed to identify, or may disapprove signs pursuant to the following provisions:

1. Signs proposed in accordance with a sign program reviewed and approved by the development plan review board pursuant to Chapter 18.12 of this title;

2. Wall signs which conform to the design guidelines of this chapter, unless otherwise provided;

3. Temporary signs and banners;

4. On-site directional and informational signs as defined by this chapter.

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C. Application for Permits. Application for sign approvals shall be made upon forms provided by the planning division. Additional information as required by the planning director shall be provided to show full compliance with this and other regulations of the city.

D. Revocation of Permit.

1. All rights and privileges acquired under the provisions of this chapter, or any amendments thereto, are revocable for cause by the city council or other authorized person or body, and all such permits shall contain notice of such revocability. The building official is authorized and empowered to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this chapter.

2. Permits for any sign that has been permitted and that has been visually or structurally altered shall be subject to revocation, at the discretion of the planning director.

18.152.050 Signs exempt from permit requirements.

The provisions and regulations of this section shall not apply to the following signs, provided such signs shall be subject to all other provisions of this chapter.

A. Residential Real Estate Signs.

1. Single-Family and Multiple Family Residences and Vacant Properties. Unlighted real estate signs pertaining only to the sale, lease or hire of a particular building, property or premises upon which displayed, which do not exceed four feet in height and six square feet of total sign face area. Signs shall be set back a minimum of eight feet from the property line and shall be removed immediately upon completion of the sale, letting or hiring, lease or rental of the subject property.

2. Open House Signs. On weekends and legal holidays, temporary single family residential open house signs are permitted to direct traffic from major and collector streets to the subject property. Such signs shall comply with the following:

- a. Maximum sign area of six square feet and maximum height of four feet.
- b. A maximum of four signs which should generally be placed at a change in direction with the signs for any particular open house separated by a minimum of one hundred feet from other signs for the same open house .
- c. Balloons, flags, pennants, lighting and other attention getting devices shall not be attached to or appurtenant to any sign.
- d. No such sign shall be placed in any median, public right-of-way or on any public property. Placement on private property requires permission of the property owner. Such signs shall not be attached to any utility pole, street light, traffic signal pole, parked vehicle or tree.
- e. All such signs shall include the address of the property and name, address and telephone number of the realtor and real estate company.
- f. Signs shall be of durable material and securely fastened or installed.

B. Garage and yard sale signs. In conjunction with a garage and yard sale permitted pursuant to Section 18.196.030.G, temporary signs are permitted to direct traffic from major and collector streets to the subject property. Such signs shall comply with the following:

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1. Maximum sign area of six square feet and maximum height of four feet.
2. A maximum of four signs which should generally be placed at a change in direction with the signs for any particular garage or yard separated by a minimum of one hundred feet from other signs for the same garage or yard sale.
3. Balloons, flags, pennants, lighting and other attention getting devices shall not be appurtenant to any sign.
4. No such sign shall be placed in any median, public right of way or on any public property. Placement on private property requires permission of the property owner. Such signs shall not be attached to any utility pole, street light, traffic signal pole, parked vehicle or tree.
5. All such signs shall include the address of the property and name and telephone number of the person conducting the garage and yard sale.
6. Signs shall be of durable material and securely fastened or installed.

C. Project Construction Signs. Signs denoting the architect, engineer, contractor or lending institution when placed upon work under construction, which do not exceed six feet in height and thirty-six square feet in area each;

D. Occupational Signs. Signs denoting only the name and profession of the occupant of the premises, not to exceed two square feet in size;

E. Memorial Signs. Memorial signs or tablets and names of buildings and date of erection;

F. Municipal Signs. Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such temporary, emergency or other noncommercial signs as may be approved by the city engineer;

G. Convenience signs. Convenience signs are permitted in any zone subject to the approval of the planning department and the following:

1. Signs containing information such as "entrance," "exit," or directional arrows shall be designed to be viewed from on-site or from an area adjacent to the site by pedestrians or motorists while parking their automobile.
2. Signs that convey advertising, or products, shall not be considered a convenience sign.
3. Any such sign shall not be allowed within the public right-of-way.
4. Such signs shall not exceed four square feet in area, per side. In the case of a ground sign, the overall height shall not exceed four feet.

H. Historic Resource Sign. Signs and plaques that are erected to note the location of an historic resource that are installed by the City of San Dimas or a historical society recognized by the City of San Dimas. Historic resource signs shall not advertise any products or services and shall not exceed ten square feet without approval from the City of San Dimas;

I. Flags. Flags of the United States, State of California or other government shall be permitted; however, in no case shall more than three such flags be permitted on any one property. Proposals for more than three flags are subject to approval from the planning director;

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- J. Barber Poles. When associated with a barber shop;
- K. Scoreboards. When associated with an athletic field;
- L. Nameplates. One nonilluminated nameplate per unit, not exceeding one square foot in area, displaying the following:
 - 1. Name of the premises upon which it is displayed, and/or
 - 2. Name of owner or lessee of the premises, and/or
 - 3. Nature of the home occupation engaged in on the premises.

18.152.060 General design specifications.

All signs shall be subject to the following design and maintenance specifications:

- A. Safety.
 - 1. Signs, as permitted in this chapter, shall in no way endanger the health or safety by causing distraction or impairing visibility to operators of motor vehicles on the streets and highways. Location, lighting and color of signs shall be such as to cause no confusion with public signs or traffic signals.
 - 2. Any sign that contains red, yellow or green lights shall not be located within a distance of one hundred feet from traffic signals. Such signs may cause a potential distraction or hazard to highway users.
 - 3. No exposed light bulb used as a part of sign display shall exceed a rating of eleven watts as measured equivalent to an incandescent bulb.
 - 4. No beacons shall be allowed in the city.
 - 5. No sign, including the illumination thereof, shall be animated or so designed or operated as to flash, scintillate or in any way simulate motion other than: time and temperature signs, barber pole signs and electronic message boards.
- B. Affixing Signs on Curbs, Streets or Street Signs. No person shall paint, mark, paste, fasten or in any manner affix or cause to be painted, marked, pasted, fastened or in any manner affixed to or on any curb, street, sidewalk, street sign post, or to or on any sign erected for the purpose of directing or warning traffic, or to or on any telephone, telegraph or electric light pole, or to or on any tree or shrub in any park, public street, alley, parkway or sidewalk any sign, poster or advertisement of any kind without first obtaining a written permit from the city council. Nothing in this section shall be so construed as to prohibit the erection and maintenance of official warning or directional signs by any department of the city or to legal notices posted in the places and manner prescribed by law.
- C. Sign Maintenance.

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1. All signs together with their supports and appurtenances shall be kept in a proper state of preservation. The display surface of all signs shall be kept neatly painted and posted. The planning director or building official may order the removal of any sign that is not maintained in accordance with the provisions of this chapter.

2. All signs and identification structures which are constructed on property lines, or within five feet thereof, shall have a smooth surface. No nails, tacks or wires shall protrude therefrom, except electrical reflectors and devices which may extend over the top and in front of the sign or identification structure.

D. Illumination. The application for a permit for erection of a sign or other identification structure in which electrical wiring and connections are to be used shall be submitted to the building official. The building official shall examine the plans and specifications respecting all wiring and connections to determine if the same comply with the electrical code of the city, and shall approve or disapprove the plans and specifications accordingly.

1. Illuminated signs shall be constructed of approved combustible or incombustible materials.

2. Illuminated signs which do not bear the label of an approved testing laboratory shall be inspected before erection.

3. Electrical equipment used in connection with all signs shall be installed in accordance with local ordinances regulating electrical installations.

4. Gooseneck reflectors shall be permitted on wall signs; provided, however, such reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.

5. Any sign that contains red, yellow or green lights shall not be located within a distance of one hundred feet from traffic-control signals. Such signs creating a potential distraction or hazard to highway users will not be permitted.

6. No exposed light bulb used as a part of a sign display shall exceed a rating of eleven watts as measured equivalent to an incandescent bulb.

7. No beacons shall be allowed in the city.

8. No sign, including the illumination thereof, hereinafter erected or maintained in the city, shall be animated or so designed or operated as to flash, scintillate, or in any way simulate motion other than:

a. Time and temperature signs;

b. Barber pole signs;

c. Electronic message boards, subject to the standards in Subsection E.

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E. Electronic message boards. Where permitted by this chapter, electronic message boards shall comply with the following:

1. An electronic message board may contain a changeable message that utilizes changeable text, images, pictures, and/or symbols that may appear as an on/off message. An electronic message board shall not contain or display animated, moving video, scroll, flash, blink, fly, or chase sign message into view or create a sense of motion. An electronic message board sign shall contain only static displays. The changeable commercial message display intervals shall change no more frequently than once every eight seconds; and that blinking and/or moving characters shall be prohibited. A change of message shall be accomplished within two seconds with an on/off cycle. Fade out/fade in from one static image to another static image is allowed.

2. Electronic message boards shall have automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night. Electronic message boards shall not increase their luminance by greater than three-tenths (0.3) foot-candle above ambient levels of lighting measured at a distance of one-hundred feet from the sign face and five feet above grade.

3. The electronic message board component of a sign shall be automatically dimmed after dark. The electronic message board must contain a default mechanism that freezes the sign in one position if a malfunction occurs; and automatically adjusts the intensity of its display according to natural ambient light conditions.

4. The sign shall be properly maintained so that inoperative or improperly lighted bulbs do not impair the appearance and legibility of the sign.

5. That the electronic changeable-copy sign shall be screened, tinted, shielded or otherwise modified, as necessary, to eliminate excessive glare, as deemed sufficient by the planning director.

6. Commercial messages on signs permitted pursuant to this chapter shall advertise only the businesses conducted, services rendered, or goods produced or sold within the development complex which the identification sign is intended to serve. Public service information, including, but not limited to, the time, date, temperature, weather, and similar information shall be permitted. No off-site advertising or messages, other than public service information approved by the city, shall be displayed;

7. Public service messages are encouraged. Such messages include announcements of meetings, activities and events of a general community-wide interest but do not include political messages.

F. Identification. Every sign or other advertising structure hereafter erected shall have an identifying number, name of erector, installation year, and when illuminated, the voltage plainly placed on the exterior surface of the sign body in a location where such information will be readily visible after installation and erection.

18.152.070 Prohibited locations.

A. No sign or structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of a fire escape, exit or standpipe. No sign shall obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any law or ordinance.

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B. No sign or structure shall be erected in such a manner that any portion of its surface or supports shall be within six feet of overhead electric conductors which are energized in excess of seven hundred fifty volts.

C. No sign or other identification structure regulated by this chapter shall be erected at the intersection of any street in such manner as to obstruct free and clear vision of pedestrian and vehicular traffic; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

D. Off-premises human mounted commercial signs, off-premises hand held commercial signs and off-premises commercial signs mounted to any vehicle or trailer are prohibited.

18.152.080 Nonconforming signs/ amortization.

A. **Removal of Signs.** If the planning director finds that any sign or other identification structure regulated in this chapter is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, or should any sign remain for a period of one hundred eighty days after the termination of the business for which it was originally intended, he shall give written notice to the permittee thereof. If the permittee fails to remove or alter the sign so as to comply with the standards set forth in this chapter within ten days after such notice, the planning director is authorized to cause removal of the sign, and any expense incidental thereto shall be paid by the owner of the premises or structure to which the sign is attached. The planning director or building official may cause any sign or other identification structure which is an immediate peril to persons or property to be removed summarily and without notice.

B. *All wall signs, freeway signs and directional signs addressed by the former sign code shall be allowed to continue in use, until such time the sign is significantly altered, as determined by the planning director. Significantly altered shall, at minimum, refer to structural changes; change of an entire sign can or fifty percent of the individual letters on a sign; and redesign of the electrical.*

C. **Freestanding nonresidential real estate signs.** Any existing freestanding nonresidential real estate signs shall become nonconforming on [FILL IN DATE]. All such signs shall be considered fully amortized ninety days after the effective date specified above and shall be removed immediately thereafter.

18.152.090 Signs in single-family residential zones.

This section addresses signs permitted in single-family zones and specific plan areas that are designated for single-family use. Specific plan areas that have separate sign regulations are subject only to the sign requirements in this section that are not addressed in the specific plan.

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A. Tract and Community Entry Signs. Wall-mounted signs shall be permitted at the entry to a tract, project or community, where the maximum height of letters shall not exceed eighteen inches and the total square footage of the sign shall not exceed twenty square feet.

B. Directional and Tract Signs. See Section 18.152.190.

C. Signs for Educational and Religious Institutions.

1. One monument sign identifying the use shall be allowed. The total sign area of the monument sign shall not exceed thirty square feet.

a. Changeable copy signs, including electronic message boards in compliance with Section 18.152.060.E, may be incorporated into the total square footage of the monument sign.

b. One additional monument sign may be permitted when the use in question has two street frontages of five hundred feet or greater.

2. One wall sign identifying the use shall be allowed. The total sign area of the wall sign shall not exceed twenty square feet.

3. For multiple uses on a property (i.e., church and school) that has two street frontages of five hundred feet or greater, both uses may have one monument and one wall sign, subject to the size requirements listed in subsections (C)(1) and (C)(2) of this section. The secondary use may have a changeable copy wall sign, but in no case shall two changeable copy monument signs be permitted.

18.152.100 Signs in multifamily residential zones.

This section addresses signs permitted in multiple family zones and specific plan areas that are designated for multiple family use. Specific plan areas that have separate sign regulations are subject only to the *sign requirements* in this section that are not addressed in the specific plan.

A. Project Signs. A multifamily project may be permitted to have one of the following signs:

1. One wall-mounted sign per street frontage shall be permitted to identify the multifamily project, where the maximum height of letters shall not exceed eighteen inches and the total square footage of the sign shall not exceed twenty square feet; or

2. Monument Sign. One monument sign not to exceed four feet in overall height and six feet in overall width, not including architectural projections. Property address(es) shall be incorporated into the sign.

B. Directional and Tract Signs. See Section 18.152.190.

C. Signs for Educational and Religious Institutions.

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1. One monument sign identifying the use shall be allowed. The total sign area of the monument sign shall not exceed thirty square feet. Property address(es) shall be incorporated into the sign.

a. Changeable copy signs, including electronic message boards in compliance with Section 18.152.060.E, may be incorporated into the total square footage of the monument sign.

b. One additional monument sign may be permitted when the use in question has two street frontage of five hundred feet or greater.

2. One wall sign identifying the use shall be allowed. The total sign area of the wall sign shall not exceed twenty square feet.

3. For multiple uses on a property (i.e., church and school) that has two street frontages of five hundred feet or greater, both uses may have one monument and one wall sign, subject to the size requirements listed in subsections (C)(1) and (C)(2) of this section. The secondary use may have a changeable copy wall sign, but in no case shall two changeable copy monument signs be permitted.

18.152.110 Signs in mobile home parks.

This section addresses signs permitted in mobile home parks.

A. Tract and Community Entry Signs. Wall-mounted signs shall be permitted at the entry to a tract, project or community, where the maximum height of letters shall not exceed eighteen inches and the total square footage of the sign shall not exceed twenty square feet.

18.152.120 Signs in commercial zones.

This section addresses signs permitted in commercial zones and specific plan areas, excluding the historic downtown area, that are designated for commercial use. Specific plan areas that have separate sign regulations are subject only to the sign requirements in this section that are not addressed in the specific plan.

A. Multiple Tenant Centers. Master sign program is required and must comply with subsection B of this section, as follows.

B. Signs Permitted.

1. Window Signs. All window signs are addressed by Section 18.152.164.

2. Canopy Signs. One sign located under a canopy located perpendicular to the face of a building, where the maximum height of the sign is sixteen inches, the maximum length is thirty-six inches and where there is a minimum of seven feet clearance from the ground.

3. Icon/Projecting Sign. An icon or projecting sign may be permitted in lieu of a wall sign, when determined to be appropriate by the planning director. The maximum size of an icon or projecting sign is nine square feet.

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4. Primary Wall Signs. One primary wall sign shall be permitted, not to exceed one square foot in size for each one lineal foot of frontage. In no case shall a primary wall sign exceed one hundred fifty square feet. The primary wall sign, and any secondary wall sign, shall be limited to a building name where the multi-tenant building has a common or shared entry to the building. If the sign is within fifty feet of a public street, the maximum letter height shall be eighteen inches.

5. Secondary Wall Signs. In addition to a primary wall sign, a business may have up to two secondary wall signs, as follows:

a. The permitted size of secondary wall signs is 75% of the size permitted for the primary wall sign;

b. The maximum size of a secondary wall sign shall not exceed one hundred square feet;

c. A secondary wall sign must face or be visible to either a public right-of-way or a parking area, based on the determination of the planning director;

d. If the sign is within fifty feet of a public street, the maximum letter height shall be eighteen inches.

e. A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation. When allowed on the same elevation, a minimum distance separation may be required.

6. Monument Signs. For commercial shopping centers with two or more tenants, one monument or ground sign shall be permitted for each street frontage in addition to permitted tenant signs. Identification of individual tenants eligible for inclusion on monument or ground signs shall be included in the master sign program and shall comply with the standards for multiple tenant signs set forth below.

a. For commercial shopping centers with less than forty thousand square feet of gross floor area one multiple tenant sign shall be permitted. The multiple tenant sign shall comply with the following:

i. Maximum height four feet, not including architectural projections;

ii. Maximum width six feet, not including architectural projections;

iii. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters.

iv. Minimum letter height shall be eight inches.

v. Property address(es) shall be incorporated into the sign.

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b. For commercial shopping centers with more than forty thousand square feet of gross floor area multiple tenant signs shall be permitted. The multiple tenant signs shall comply with the following:

- i. Maximum height six feet, not including architectural projections;
- ii. Maximum width fifteen feet, not including architectural projections;
- iii. Maximum number of businesses identified on the sign shall not exceed ten;
- iv. Tenant individual panels must all be compatible in size;
- v. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters;
- vi. Minimum letter height shall be eight inches.
- vii. Property address(es) shall be incorporated into the sign.

7. Directional Signs. Directional signs related to the location of the building and facilities on the premises shall be permitted, subject to approval of the planning director; such signs shall not exceed four square feet.

8. On-Site Directory Signs. Commercial centers over seventy-five thousand square feet in size shall be permitted one on-site directory sign. Commercial centers over one hundred fifty thousand square feet in size shall be permitted two on-site directory signs. Such signs shall be permitted to have the name of the center, names of businesses in the center, a map of the center, addresses of units, arrows directing traffic to the business and related directory information. The maximum height of such signs shall not exceed five feet, not including architectural projections, and shall not exceed twenty-five square feet in total size. The maximum height of letters identifying tenants shall be no greater than eight inches and each tenant text space shall be no longer than twenty-four inches. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If illuminated, tenant individual panels must have an opaque background with illuminated letters.

9. Display Cases. Display cases may be approved in commercial zones and may include signs, subject to review and approval by the planning director.

10. Electronic message boards. An electronic message board in compliance with Section 18.152.060.E may be incorporated into the total square footage of any permitted monument sign. The area of the electronic component(s) may not exceed 60% of the allowable sign area.

11. Portable signs. A maximum of one portable sign, as defined in Section 18.152.020, shall be permitted, subject to the following standards:

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- a. Maximum sign area of six square feet, including any changeable copy on whiteboards or chalkboards.
- b. Maximum height of four feet with a maximum width of three feet.
- c. Shall only be allowed during hours that the business is open and shall be stored away from public view when the business is not open.
- d. Shall be placed within ten feet of ~~the front~~ any customer entry door of the business advertised but may not be placed within a parking or loading space, driveway or drive aisle, landscaped planter, or public right-of-way, except as may be allowed per Section 18.152.170.
- e. Shall not impede pedestrian access, including ADA access, when located on a sidewalk or pedestrian access or any views or sight distance for vehicular traffic.
- f. Shall not include any attachments, including but not limited to, balloons, pennants, flags, banners, illumination (including flashing, blinking and rotating lights) and similar attention-getting devices.
- g. Shall be made of durable, weather-resistant materials, have a professional looking appearance, and be continually maintained in good condition.
- h. Shall have written authorization from the property owner or management company or comply with standards set forth in a master sign program.

C. Single-Tenant Commercial Buildings.

1. Window Signs. As provided for in subsection (B)(1) of this section;
2. Canopy Signs. As provided for in subsection (B)(2) of this section;
3. Icon/Projecting Signs. As provided for in subsection (B)(3) of this section;
4. Wall Signs (Primary and Secondary). As provided for in subsections (B)(4) and (B)(5) of this section;
5. Monument Signs. One monument sign may be permitted for single tenant commercial business not part of a multi-tenant shopping center complex, subject to the following:
 - a. Maximum height four feet, not including architectural projections,
 - b. Maximum width six feet, not including architectural projections,
 - c. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters;
 - d. Property address(es) shall be incorporated into the sign.

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6. Display Cases. Display cases may be approved in commercial zones and may include signs, subject to review and approval by the planning director.

7. Electronic message boards. An electronic message board in compliance with Section 18.152.060.E may be incorporated into the total square footage of any permitted monument sign. The area of the electronic component(s) may not exceed 60% of the allowable sign area.

8. Portable signs as provided for in subsection (B)(11) of this section.

D. Freeway-Oriented Signs. Multi-tenant commercial shopping centers which have the nearest property line within one thousand feet of a freeway right-of-way shall be permitted one freeway oriented sign, subject to the following requirements:

Gross Floor Area (in square feet)	Maximum Sign Height (in feet)	Maximum Total Sign Area (in square feet)	Maximum Area of Any Sign (in square feet)
0-99,999	Not permitted	Not permitted	Not permitted
100,000+	100	950	230

An electronic message board in compliance with Section 18.152.060.E may be incorporated into the total square footage of any permitted freeway oriented sign. The area of the electronic component(s) may not exceed 60% of the allowable sign area.

E. Service Station Signs.

1. Wall Signs. Wall signs as provided for in subsections (B)(4) and (B)(5) of this section.

2. Monument Signs. A service station shall be permitted one monument sign per street frontage, with a maximum height of six feet, not including architectural projections, and with a maximum total size of forty-eight square feet. In cases where a single monument sign is designed to be oriented to address four directions, the maximum sign size may be increased to seventy-two square feet. An electronic message board in compliance with Section 18.152.060.E may be incorporated into the total square footage of any permitted monument sign. The area of the electronic component(s) may not exceed 60% of the allowable sign area. Property address(es) shall be incorporated into the sign.

3. Spandrel Signs. Each pump island shall be permitted to have one logo or text sign on each spandrel face. The logo or text portion of each spandrel face shall not exceed four square feet.

4. Window Signs. Window signs are addressed in Section 18.152.164.

5. Directional Signs. Directional signs related to the location of the building and facilities on the premises shall be permitted, subject to approval of the planning director; such signs shall not exceed six square feet.

18.152.130 Signs in administrative-professional zones.

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This section addresses signs permitted in administrative-professional zones and specific plan areas, excluding the historic downtown area, that are designated for administrative-professional use. Specific plan areas that have separate sign regulations are subject only to the sign requirements in this section that are not addressed in the specific plan.

A. Multiple Tenant Complexes. Master sign program is required and must comply with subsection B of this section, as follows.

B. Signs Permitted.

1. Window Signs. Window signs are addressed by Section 18.152.164.

2. Directional Signs. Directional signs related to the location of the building and facilities on the premises shall be permitted, subject to approval of the planning director; such signs shall not exceed four square feet.

3. Canopy Signs. One sign located under a canopy located perpendicular to the face of a building, where the maximum height of the sign is sixteen inches, the maximum length is thirty-six inches, and where there is a minimum of seven feet of clearance from the ground.

4. Primary Wall Signs. One primary wall sign shall be permitted, not to exceed two square feet in size for each three lineal feet of frontage. In no case shall a primary wall sign exceed seventy-five square feet. The maximum letter height shall be eighteen inches. The primary wall sign, and any secondary wall sign, shall be limited to a building name where the multi-tenant building has a common or shared entry to the building.

5. Secondary Wall Signs. In addition to a primary wall sign, a business may have up to two secondary wall signs, as follows:

a. The permitted size of secondary wall signs is 75% of the size permitted for the primary wall sign;

b. The maximum size of a secondary wall sign shall not exceed sixty square feet;

c. A secondary wall sign must face or be visible to either a public right-of-way or a parking area;

d. The maximum letter height shall be eighteen inches.

e. A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation. When allowed on the same elevation, a minimum distance separation may be required.

6. Monument Signs. For office/professional complexes with two or more tenants, one monument or ground sign shall be permitted for each street frontage in addition to permitted tenant signs. Identification of individual tenants eligible for inclusion on monument or ground signs shall be included in the master sign program.

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a. The height of the monument sign shall not exceed four feet in height, not including architectural projections, and shall not exceed twenty square feet in total sign area.

b. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters.

c. Minimum letter height shall be eight inches.

d. Property address(es) shall be incorporated into the sign.

7. Directory Signs. Directory signs are intended to identify the users within a building and the location of those users to pedestrians that are entering the building. All directory signs shall be located adjacent to a primary building entry and shall not exceed ten square feet in overall size. Individual tenant placards shall not exceed one square foot in size. The location of directory signs is subject to approval by the planning director.

C. Single Tenant Administrative-Professional Buildings.

1. Window Signs. Window signs are addressed in Section 18.152.164.

2. Directional Signs. Directional signs related to the location of the building and facilities on the premises shall be permitted, subject to approval of the planning director; such signs shall not exceed four square feet.

3. Canopy Signs. One sign located under a canopy located perpendicular to the face of a building, where the maximum height of the sign is sixteen inches, the maximum length is thirty-six inches and where there is a minimum of seven feet of clearance from the ground.

4. Primary Wall Signs. One primary wall sign shall be permitted, not to exceed two square feet in size for each three lineal feet of frontage. In no case shall a primary wall sign exceed seventy-five square feet. The maximum letter height shall be eighteen inches.

5. Secondary Wall Signs. In addition to a primary wall sign, a business may have up to two secondary wall signs, as follows:

a. The permitted size of secondary wall signs is 75% of the size permitted for the primary wall sign;

b. The maximum size of a secondary wall sign shall not exceed sixty square feet;

c. A secondary wall sign must face or be visible to either a public right-of-way or a parking area;

d. The maximum letter height shall be eighteen inches;

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e. A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation.

6. Monument Signs. One monument or ground sign shall be permitted for each street frontage in addition to permitted tenant signs.

a. The height of the monument sign shall not exceed four feet in height, not including architectural projections, and shall not exceed twenty square feet in total sign area;

b. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters.

c. Minimum letter height shall be eight inches.

d. Property address(es) shall be incorporated into the sign.

D. Signs for Educational and Religious Institutions.

1. One monument sign identifying the use shall be allowed. The total sign area of the monument sign shall not exceed thirty square feet and a maximum height of six feet, not including architectural projections. Property address(es) shall be incorporated into the sign.

a. Changeable copy signs, including electronic message boards, may be incorporated into the total square footage of the monument sign;

b. One additional monument sign may be permitted when the use in question has two street frontages of five hundred feet or greater.

2. One wall sign identifying the use shall be allowed. The total sign area of the wall sign shall not exceed twenty square feet.

3. For multiple uses on a property (i.e., church and school) that has two street frontages of five hundred feet or greater, both uses may have one monument and one wall sign. Subject to the size requirements listed in subsections (D)(1) and (D)(2) of this section. The secondary use may have a changeable copy wall sign, but in no case shall two changeable copy monument signs be permitted.

18.152.140 Signs in industrial zones.

A. Master sign program is required for multiple tenant complexes and must comply with subsection B of this section, as follows:

B. Signs Permitted.

1. Window Signs. Window signs are addressed by Section 18.152.164.

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2. **Directional Signs.** Directional signs related to the location of the building and facilities on the premises shall be permitted, subject to approval of the planning director; such signs shall not exceed twenty square feet.

3. **Primary Wall Signs.** One primary wall sign shall be permitted, not to exceed two square feet in size for each three lineal feet of frontage. In no case shall a primary wall sign exceed seventy-five square feet. The maximum letter height shall be eighteen inches. The primary wall sign, and any secondary wall sign, shall be limited to a building name where the multi-tenant building has a common or shared entry to the building.

4. **Secondary Wall Signs.** In addition to a primary wall sign, a business may have up to two secondary wall signs, as follows:

a. The permitted size of secondary wall signs is 75% of the size permitted for the primary wall sign;

b. The maximum size of a secondary wall sign shall not exceed sixty square feet;

c. A secondary wall sign must face or be visible to either a public right-of-way or a parking area;

d. The maximum letter height shall be eighteen inches; and

e. A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation. When allowed on the same elevation, a minimum distance separation may be required.

5. **Monument Signs.** For industrial complexes with two or more tenants, one monument or ground sign shall be permitted for each street frontage in addition to permitted tenant signs. Identification of individual tenants eligible for inclusion on monument or ground signs shall be included in the master sign program.

a. The height of the monument sign shall not exceed four feet in height, not including architectural projections, and shall not exceed twenty-five square feet in total size.

b. Monument signs shall not be internally illuminated; however, exterior illumination may be permitted subject to planning director approval.

c. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters.

d. Minimum letter height shall be eight inches.

e. Property address(es) shall be incorporated into the sign.

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6. Portable signs. Shall comply with the provisions of Section 18.152.120.B.11 where such signs are not located within the public right-of-way.

C. Single Tenant Industrial Buildings.

1. Window Signs. Window signs are addressed in Section 18.152.164.

2. Directional Signs. Directional signs related to the location of the building and facilities on the premises shall be permitted, subject to approval of the planning director; such signs shall not exceed twenty square feet.

3. Primary Wall Signs. One primary wall sign shall be permitted, not to exceed two square feet in size for each three lineal feet of frontage. In no case shall a primary wall sign exceed, seventy-five square feet. The maximum letter height shall be eighteen inches.

4. Secondary Wall Signs. In addition to a primary wall sign, a business may have up to two secondary wall signs, as follows:

a. The permitted size of secondary wall signs is 75% of the size permitted for the primary wall sign;

b. The maximum size of a secondary wall sign shall not exceed sixty square feet;

c. A secondary wall sign must face or be visible to either a public right-of-way or a parking area;

d. The maximum letter height shall be eighteen inches; and

e. A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation. When allowed on the same elevation, a minimum distance separation may be required.

5. Monument Signs. One monument or ground sign shall be permitted for single tenant space industrial buildings.

a. The height of the monument sign shall not exceed four feet in height, not including architectural projections, and shall not exceed twenty-five square feet in total sign area;

b. Monument signs shall not be internally illuminated; however, exterior illumination may be permitted subject to planning director approval.

c. White plex, plastic or similar background materials are not permitted to be utilized for the sign face. If internally illuminated, tenant individual panels must have an opaque background with illuminated letters or be individual letters.

d. Property address(es) shall be incorporated into the sign.

6. Portable signs. Shall comply with the provisions of section 18.152.120.B.11 where such signs are not located within the public right-of-way.

18.152.145 Signs in other zones.

A. The requirements for zones not specifically addressed in this chapter, such as the public/semipublic zone, shall be determined by the planning director. These requirements will be determined on a case by case basis with factors such as use, location and relationship to other sections of this chapter. In no case shall regulations imposed based on this section be less restrictive than other portions of this chapter.

B. In the Public/Semipublic zone, for any schools, hospitals, churches or similar institutional uses, an electronic message board in compliance with Section 18.152.060.E may be incorporated into the total square footage of any permitted monument sign. The area of the electronic component(s) may not exceed 60% of the allowable sign area.

18.152.150 Signs in the Historic Downtown area.

The Historic Downtown area shall be defined as indicated in Section 18.152.020.

A. Window Signs. Window signs are addressed by Section 18.152.164.

B. Canopy Signs. One sign located under a canopy located perpendicular to the face of a building, where the maximum height of the sign is twelve inches, the maximum length is thirty inches and where there is a minimum of seven feet clearance from the ground. The sign shall be constructed out of suitable material that is approved by the planning director. Materials shall be natural or natural appearing consistent with the character of the historic downtown area.

C. Icon/Projecting Sign. An icon or projecting sign may be permitted in lieu of a wall sign, when determined to be appropriate by the planning director. The maximum size of an icon or projecting sign is nine square feet. The sign shall not be internally illuminated.

D. Primary Wall Signs. One primary wall sign may be permitted per tenant, as follows:

1. The maximum size of wall signs is 75% square feet of sign area for each lineal foot of building frontage with no sign exceeding thirty square feet;

2. Signs may not be internally illuminated, but may be externally illuminated;

3. Signs must be constructed out of suitable material that is approved by the planning director. Materials shall be natural or natural appearing consistent with the character of the historic downtown area.

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4. Signs may be constructed out of individual letters, be designed as letters of a sign board, be sandblasted or be painted on a sign board. Sign design is subject to the approval of the development plan review board or its designee.

E. Secondary Wall Sign. In addition to a primary wall sign, a business may have up to two secondary wall signs, as follows:

1. The maximum size of secondary wall signs is 75% of the sign area allowed for the primary signs with no sign exceeding twenty square feet;

2. A secondary wall sign must face or be visible to either a public right-of-way or a parking area, based on the determination of the planning director;

3. Signs may not be internally illuminated, but may be externally illuminated;

4. Signs must be constructed out of suitable material that is approved by the planning director. Materials shall be natural or natural appearing consistent with the character of the historic downtown area.

5. Signs may be constructed out of individual letters, be designed as letters of a sign board, be sandblasted or be painted on a sign board. Sign design is subject to the approval of the development plan review board or its designee.

6. A secondary sign shall not be located on the same wall, or building elevation, as the primary sign, unless the planning director determines that the permitted secondary sign would be ineffective on the secondary building elevation. When allowed on the same elevation, a minimum distance separation may be required.

F. Primary Wall Signs for Large Tenants. Single tenants with a total square footage of fifteen thousand square feet or more shall be subject to subsections (E)(4) and (E)(5) of this section, but shall be permitted additional *maximum sign square footage*, as follows:

1. No primary wall sign shall exceed seventy-five square feet;

2. No secondary wall sign shall exceed fifty square feet and a secondary sign shall not be located on the same wall, or building elevation, as the primary sign;

3. The maximum letter height for signs within fifty feet of a public right-of-way is eighteen inches and for all other signs is thirty-six inches.

4. Internally illuminated signs are not prohibited and may be permitted on a case-by-case basis.

G. Portable signs. Shall comply with the provisions of Section 18.152.120.B.11 where such signs are not located within the public right-of-way.

H. See Section 18.152.170.A.5 for standards related to permitted monument signs.

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18.152.160 Temporary signs and banners.

A. Temporary Signs and Banners. Temporary signs, banners and other similar signs erected for the purpose of announcing a special event, sale or other activity may be permitted by the planning department, based on the following:

1. Application for a temporary banner shall be made on forms provided by the planning department.
2. A maximum six temporary banner permits may be approved for any single business location within a calendar year with the cumulative total of banner display days in such year not to exceed sixty days. The maximum period of any individual banner display shall not exceed thirty days.
3. No more than one banner shall be permitted for any one business at a time.
4. Streamers, pennants and balloons may be permitted in certain cases, subject to the approval of the planning director; however, in no case shall streamers and pennants be permitted on a property for more than ten days at a time or for more than twenty days per year. Balloons permitted under this section shall be no greater than twenty-four inches in diameter.
5. The maximum size of a temporary banner shall not exceed forty square feet in area.
6. The maximum height of a freestanding banner shall not exceed four feet and a building mounted banner shall not exceed the height of the building surface upon which it is mounted.
7. In addition to the banner permits and time frames specified in Subsection 2 above, a new business may secure a permit for a temporary banner, which otherwise complies with the standards contained in this section, for a maximum of sixty days from the opening of the new business. Such banner may be in lieu of a permanent sign during that period of time.
8. Temporary signs shall be of a reasonable professional quality and shall be installed in an appropriate manner. Such signs may not be attached to or placed on trees.

B. Special Event Banners. Temporary public interest event banners publicizing a charitable, civic or other nonprofit organization's events of general public interest may be permitted by development services department based on the following:

1. Application for temporary banners shall be made in conjunction with the temporary use permit;
2. The maximum period of any individual banner display shall be not more than two weeks prior to the event and all such banners shall be removed within seven days of the conclusion of the event;

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3. No more than one banner shall be permitted for any one property at a time. The number, type, size and location of any such banners shall be determined by the development services director as part of the review of the temporary use permits.

C. **Temporary Signs for Future Tenant Identification.** Signs that identify future tenants (e.g., "Opening in October" or "Coming Soon") may be permitted in addition to standard temporary signs as permitted in subsection A of this section. Temporary signs for future tenant identification may be permitted up to ninety days prior to planned opening date, subject to approval of the planning director.

D. **Temporary non-residential real estate signs.** Temporary non-residential real estate signs pertaining to the sale or lease of non-residential buildings or property may be permitted by the planning department, based upon the following:

1. Application for a temporary non-residential real estate sign shall be made on forms provided by the planning departments. Application shall include a description of the building and/or tenant spaces available for sale or lease.

2. Building mounted signs may be permitted, based upon the following:

a. One banner or other similar sign, mounted on the building or window or other location of the tenant space and/or building available for sale or lease, not to exceed sixteen square feet.

b. For integrated retail, office or industrial centers or parcels greater than one hundred feet in width, additional banners or similar signs may be permitted by the planning department, not to exceed 40 square feet each. Such signs shall generally be on the available tenant or building space but may be approved in other locations as deemed necessary by the planning department. Banners may not exceed the height of the building parapet.

3. For undeveloped property one sign not exceeding sixteen feet in sign area and six feet in height may be allowed.

4. Streamers, pennants, balloons, lighting and similar devices are prohibited.

5. Temporary permits shall be valid for a maximum of six months provided that all such signs shall be removed within fourteen days of the sale or leasing of the available space. A new permit may be issued if spaces and/or buildings remain available for sale or lease.

6. All signs shall be continuously maintained in good order and appearance as set forth in Section 18.152.060.C.

18.152.164 Window signs.

A. Window signs, which include any sign within three feet of a window, are permitted in commercial, office and industrial zones and shall comply with the following standards:

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	Permanent Window Sign	Temporary Window Sign	Accessory Window Sign
Size	10% of the window area not to exceed 40 square feet (20 square feet in office zones)	25% of the window area (not permitted in office zones)	12 square feet in total sign area with no individual sign exceeding 4 square feet
Time Limits	None	No sign allowed longer than 30 consecutive days	None
Permit	Sign permit approval required	None. Date of installation to be displayed on sign(s) or may be subject to immediate removal. Other adequate documentation regarding installation date may be considered.	None
Purpose	Business identification and generic product/services identification.	Advertise seasonal sales, special sales and related temporary messages.	Business identification, credit cards accepted, hours of operation, lottery, health grades, and similar signs.
Typical Materials	Applied, stenciled, etched to glass surface including gold leaf letters and decals. Neon less than 4 square feet allowed.	Cloth, paper, vinyl, paint. Non-illuminated.	Not specified. Neon less than 4 square feet allowed.

B. All window signs shall comply with the following additional standards:

1. The maximum area for all window signs, excluding exempt and up to twelve square feet of accessory window signs, shall not exceed thirty-five per cent of the total window area, provided that no individual window shall exceed 50% coverage in window signs.

2. All window signs shall be properly maintained and be of reasonable professional quality.

3. Window signs shall not be illuminated except that accessory window signs and permanent windows may be neon or similar type lighting provided each such sign is less than four square feet. Lighting around or within windows shall not be permitted except for exempt holiday lighting and lighting approved as an accent to the building design or architecture.

4. Window signs may advertise liquor or liquor-related products, even if prohibited by conditions of approval provided that any such window signs comply with this chapter.

5. In order to facilitate law enforcement and protect public safety, window signs or other window obscuring products, including tinting and window blinds or coverings, shall not substantially obstruct view into the business from outside a window.

6. In a commercial building without storefront or similar windows, the development plan review board may authorize temporary signs equivalent to window signs provided such approval is consistent with the standards and intent of this section.

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C. Window graphic signs may be permitted by the development plan review board and may exceed the 50% coverage standard where the board finds and determines that the window graphic signs exhibit a unique artistic characteristic, the signs effectively obscure storage areas or the rear portion of interior displays and that the sign does not primarily serve a commercial purpose. The board may impose conditions on any approval.

18.152.170 Signs in the public right-of-way.

A. No person shall paint, mark, paste, fasten or in any manner affix or cause to be painted, marked, pasted, fastened or in any manner affixed to or on any curb, street, sidewalk, street sign post, equestrian trail and/or equestrian trail fencing or to or on any sign erected for the purpose of directing or warning traffic, or to or on any telephone, telegraph or electric light pole, or to or on any tree or shrub in any park, public street, alley, parkway or sidewalk or to, on or within any portion of the public right-of-way any sign, poster or advertisement of any kind, except as follows:

1. Official warning or directional signs by any department of the city;
2. Legal notices posted in the places and manner prescribed by law;
3. Banners which identify community events sponsored wholly, or in part, by the city and which are erected by the city;
4. Residential subdivision directional signs when approved by the city as part of a standardized program of off-site directional signs; and
5. Monument signs in the historic downtown when approved by the city for commercial buildings which have a zero setback from the public right-of-way;
6. Portable signs which comply with the provisions of Section 18.152.120.B.11 for commercial buildings which have a zero setback from the public right-of-way, where the planning director approves the location of the sign and the city engineer issues an encroachment permit.
7. Political signs subject to the requirements in Section 18.152.200(B), provided that such signs shall be limited only to the parkway areas in residential zones.

B. Enforcement, penalties and abatement.

1. Any person or entity violating or failing to comply with any of the requirements of this section shall be guilty of a violation pursuant to Chapter 1.12 of this code.
2. The owner or other person entitled to possession of a sign or in real or apparent charge or control of the sign which is removed, stored and/or destroyed pursuant to the provisions of this chapter shall be liable to the city for the cost of the removal, storage and/or destruction of such sign and for the city's court costs and reasonable attorney's fees. The city may recover the same through an action commenced in a court of competent jurisdiction.

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3. Any unauthorized or illegal sign within the public right-of-way or on private property that is found and declared to be a public nuisance or constitutes a hazard to pedestrian or vehicular traffic may be removed immediately, stored and/or destroyed by the city at the expense of the owner or other person entitled to possession of such sign or in real charge or apparent control of the sign or any person, business or entity who benefits from such sign. The cost of removal, storage and/or destruction of such illegal signs shall be the actual costs or the standard cost pursuant to a fee schedule set by resolution of the city council.

4. After removal of any such illegal sign pursuant to this section, the person, business, company or entity that owns the sign, placed it or who benefited from it shall be served with a statement of costs from the city. The notice of sign abatement from public right-of-way and the statement of costs shall be mailed by certified letter or hand delivered to the charged party. Notice shall be given that the determination verified in the statement of costs can be appealed by filing a written appeal with the city clerk as specified in Section 1.06.070.

5. Any person desiring to retrieve a sign removed by the city may do so upon payment of an administrative fine plus such storage fees as determined by a fee resolution of the city council that may be adopted from time to time. In lieu of paying such administrative fine, such person may retrieve a sign upon signing a promise to appear upon a citation issued to him or her for violations of this section or other provisions of this chapter. If a person wishes to contest the fact that the sign was placed in violation of this section or other provisions of this chapter prior to paying the fine or signing the citation, he or she shall have the right to an administrative hearing before the administrative hearing officer, upon receipt of a written appeal by the city as specified in subsection 4 of this section. If the administrative hearing officer finds that the sign was lawfully placed, he or she shall return the sign without an administrative penalty or the issuance of a citation.

6. Any sign removed by the city shall be considered abandoned if it is not retrieved and no written appeal is filed with the city within 15 calendar days after the date of such notification by the city following the sign removal and may be disposed of by the city without liability therefor to any person.

18.152.180 Leasing city-owned property for signs.

A. No person shall erect a sign upon any property owned or controlled by the city without first having procured a lease of the property from the city. Before any lease shall be granted for the erection and maintenance of a sign upon property of the city, application therefor shall be made to the city manager. The city manager shall provide a reasonable form for such application and such form shall set forth the following matters:

1. Location of the sign;
2. Size of the sign;
3. Nature of the lettering;
4. Materials of which the sign shall be constructed;

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5. Sketch of the sign;
6. Additional information which the city manager deems necessary to carry out the purposes and intent of this chapter.

B. In the event that any sign is erected or maintained in violation of the provisions of this section, the city manager may direct the removal of the sign. In the event the lessee deems such removal to be without cause, he may within thirty days after such direction make written appeal to the city council. The findings of the city council, after notice to the lessee and due hearing shall be final.

18.152.190 Directional and tract signs.

A. *Directional and Identification Tract Signs.*

1. An on-site promotional tract sign not exceeding ninety-six square feet per face in area and not exceeding sixteen feet in vertical height may be located at each major entrance to a tract, subdivision or community development for a period not to exceed one year. The planning director may extend such one-year period for additional six-month periods; provided, however, that if the initial sale of all units is completed during any such period, all signs shall be removed. If the entrance is clearly visible from a freeway, the sign may be increased in area to not more than two hundred square feet. If the entrance is not visible from a freeway, but the tract, subdivision or community development abuts a freeway, one additional on-site directional sign not to exceed two hundred square feet may be approved by the planning director. Such sign may be installed in a location which is visible from the freeway, and may indicate the nearest off-ramp. No sign shall be located less than eight feet from the property line.

2. Temporary off-site directional tract signs may be located on the major or secondary highway nearest the tract. The planning commission may permit such signs in any zone subject to the following provisions:

a. The total number of such signs shall not exceed one; except that where there is hardship demonstrated in terms of geographic location or access routes, the planning commission may allow up to three additional signs.

b. Signs shall not exceed ninety-six square feet in area.

c. Such signs shall be located not less than eight feet from the property line, and shall not exceed sixteen feet in vertical height.

d. All such signs shall be supported by a properly engineered design subject to the approval of the building official.

e. Such signs shall be permitted on a temporary basis for a period not to exceed one year. The planning director may extend such one-year period for additional six-month periods; provided, however, that if the initial sale of all units or lots is completed during any such period, all signs shall be removed.

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f. Signs shall be maintained a minimum distance of fifty feet from any residence to which the signs do not refer and a minimum distance of fifty feet from any other sign.

g. Every person erecting such sign or signs shall pay to the city a permit fee of fifty dollars for each and every sign erected. In addition, such person shall deposit with the building department the sum of one hundred fifty dollars cash for each and every sign so erected as a security to insure the removal of all signs. If all such signs are removed within fourteen days after expiration of the permitted period, the one-hundred-fifty-dollar cash deposit shall be refunded. If all such signs are not removed, then the city or its agent may enter on all property on which all such signs are located and remove all such signs, and the cost of such removal shall be deducted from such cash deposit and the remainder, if any, returned to the person depositing the one hundred fifty dollars.

h. Before any permit for any such sign is issued, the applicant shall furnish the building department written authority in a form approved by the city attorney, granting the city or its agent permission to enter upon the premises to remove such sign. The authorization must be signed by the owners of record of the premises and by the person proposing to erect the sign.

3. Signs not exceeding three in number and each not greater than four square feet in area may be located on the same lot as a model home, so long as the home is used to promote the original sale of each house in the tract.

18.152.200 Other signs.

A. **Time and Temperature Signs.** Time and temperature signs shall be permitted and may convey the following information: time, date, temperature and atmospheric conditions.

B. **Political Signs.** Political signs shall be permitted as provided in this section:

1. **Residential Zones.** Political signs shall be permitted on private property in any residential zone and in the parkway areas generally between the front property line and curb face of residential zones.

a. Such sign shall not exceed six feet in height or twelve square feet of total sign face area.

b. Such sign shall be removed ten calendar days after the date of election.

c. Such signs shall require the permission of the property owner.

d. Such signs in the parkway portion of the public right-of-way shall not be painted, marked, pasted, fastened or in any manner affixed or caused to be painted, marked, pasted, fastened or in any manner affixed to or on any curb, street, sidewalk, street sign post, equestrian trail and/or equestrian trail fencing or to or on any sign erected for the purpose of directing or warning traffic, or to or on any telephone, telegraph or electric light pole, or to or on any tree or shrub in any public street, parkway or sidewalk.

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e. No political signs shall be erected or maintained in violation of Sections 18.152.060 and 18.152.070.

2. All Other Zones. Political signs shall be permitted in all other zones.

a. Such sign shall not exceed thirty-two square feet.

b. Such sign shall be removed ten calendar days after the date of election.

c. No political signs shall be erected or maintained in violation of Sections 18.152.060 and 18.152.070.

3. Political signs placed, erected or maintained in violation of this section shall be removed as follows:

a. Any political sign in violation of Sections 18.152.060 and 18.152.070 shall constitute a public nuisance and shall be deemed abandoned by its owner and may be summarily removed by the city without notice.

b. Any political signs in violation of subsections (B)(1)(a) through (B)(1)(d), (B)(2)(a) and (B)(2)(b) of this section may be removed by the city if, after providing five calendar days' written notice requesting the violation be corrected by the owner of the signs and the property owner or tenant on whose property the signs have been posted, the political signs are not removed, relocated or altered as required by this section. The notice requirements herein shall be satisfied upon a reasonable and diligent effort by the city to locate the owner of the sign, property owner and/or tenant.

C. Search Lights. Search lights may be permitted, subject to approval of a temporary use permit from the planning department. Search lights may be associated with a grand opening or a special event and shall be permitted for no more than three days per year per business location.

D. Menus for Restaurants. Such signs shall not exceed four square feet in area and may be displayed in the window or on the exterior wall in an appropriate manner, as approved by the planning director.

E. Secondary Businesses in One Tenant Space. For businesses that are secondary to a primary business (e.g., banks located in grocery stores), one wall or window sign shall be permitted for identification, in addition to the signs permitted for the primary use. The wall or window sign permitted shall:

1. Not exceed ten square feet in total size;

2. Not exceed twelve inches in letter height;

3. Not be illuminated; and

4. Be subject to review and approval of the planning director.

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F. Off-site directional guide signs for public, charitable or *religious institutions* pursuant to review and approval by the development plan review board as provided by this chapter.

1. When the development plan review board finds that exceptional circumstances exist demonstrating hardship in terms of geographic location or access routes, directional signs may be permitted. Such signs shall be limited to copy that includes the facility name and minimum information to provide direction. The intent for this type of sign is to provide clear directions to motorists and pedestrians, so the size and location should be similar to traffic signs. In some cases, nonilluminated monument signs may be utilized, provided that the aesthetic impact is determined to be more positive than a standard traffic directional sign. In no case, shall such monument sign exceed four feet in height or twenty square feet. The board shall determine the location and number of signs.

18.152.240 Signs associated with public art and murals.

It is the city's desire to encourage appropriate public art and murals that provide interest and beauty to the city. Any entity that is responsible for funding and constructing public art and murals may be entitled to some identification space in association with the public art and mural. The size, design and location of the sign is subject to the review and approval of the development plan review board or its designee. The design of any public art or mural is generally intended to contribute to the historic or cultural character of the city and not further a commercial interest.

18.152.250 Historic signs.

It is the city's desire to preserve historic signs that contribute to the preservation of the history or culture of the past. Signs having recognized historic or cultural significance which do not meet the standards set forth in this chapter may be exempted from these regulations by the development plan review board and approved in addition to the number of signs and sign area otherwise allowed. Any such sign shall be preserved in appropriate condition consistent with its historic character.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of September 25, 2012

FROM: Blaine Michaelis, City Manager 

SUBJECT: Placing a Measure on the March 5, 2013 General Municipal Election to increase the Transient Occupancy Tax Rate from 8% to 12% - First Reading of Ordinance 1213.

SUMMARY

The City of San Dimas has recently completed several budget adjustments and a reorganization to address the financial impacts from the State's actions to dissolve Redevelopment and deny the repayments of city loans to the Agency. In addition, the slow economic recovery, and major loss in the city's sales tax revenues have resulted in rather significant expenditure reductions in the city's budget and capital project funding levels.

Barring any further outside revenue removals, the city's financial adjustments should help stabilize the financial needs of the city's day to day operations; however, the reductions were rather severe in some areas and the city's customary practice of using General Funds to supplement capital improvement funds to accomplish more street and infrastructure work have become more challenging.

Therefore, staff recommends that the city council consider a process to secure additional resources to enable the city to achieve greater financial ballast. One means to achieve this objective with minimal resident impact is to expand the city's Transient Occupancy Tax (TOT) Rate from 8% to 12%. The rate has been at 8% since 1991; and the average TOT rate in Los Angeles County is at or moving toward 12% - with some as high as 15%.

The TOT rate is paid by persons staying 30 days or less in hotels and recreational vehicle campgrounds in the city.

Increasing the TOT rate requires an affirmative majority vote on such a measure in a municipal election. The next municipal election is March 5, 2013. The process to have a TOT rate increase on that ballot begins with this agenda item.

History of the City's TOT Rates and comparisons to other Agencies

The TOT is a form of hotel occupancy tax that supports General Fund public services. Cities and counties may tax persons staying 30 days or less in hotels, motels and similar lodgings (Cal. Rev. & Tax Code Section 7280, *et seq.*). In 1991 San Dimas adjusted the TOT rate to its current 8% rate. In 1993 the city expanded the TOT requirement to also include guests staying at Recreational Vehicle Campground facilities as well. In recent years cities and counties throughout the State have taken steps to increase TOT rates

Summary of TOT rate comparisons in Los Angeles County and other areas of the state

For background, we have prepared and attached to this memorandum a listing and summary of TOT rates. For further interest, here is a summary of local government revenue measures on the November 2012 Ballot Statewide:

- 17 TOT increase proposals – Pomona is requesting to go to 12%
- 9 Utility Users Tax increase proposals
- 34 Sales Tax increase proposals
- 23 Parcel Tax increase proposals

Process to increase the TOT rate

A proposed increase in the TOT would constitute a general tax measure. Two actions are required to implement an increase to the TOT when the tax is for general purposes and the proceeds will go to increase General Fund revenues:

1. Approval of an implementing ordinance by two-thirds vote of all member of the legislative body; and,
2. Majority voter approval (Cal. Gov't Code Section 53723 and 53724(b)).

Further, in accordance with the provisions of Proposition 218, the measure must be voted upon at a General Municipal Election in which members of the governing body of the agency are subject to an election, which in San Dimas occurs in March of odd-numbered years. The submittal deadline for a ballot measure to be included in the March 5, 2013 General Municipal Election is November 13, 2012.

Prior to submitting the measure to the Los Angeles County Elections Official for inclusion on the March 2013 ballot, the City Council would need to adopt an *implementing ordinance setting forth the increased tax*. The first reading of the Ordinance is set for consideration at this city council meeting September 25, 2012.

Proposed Measure

If the City Council desires to proceed with the TOT rate increase, the Council must do so by taking two separate actions:

1. The City Council by a 2/3 vote, would need to adopt an ordinance outlining the increase after conducting a first and second reading of the ordinance.
2. The City Council would need to adopt the attached resolution placing the City Measure on the March 5, 2013 ballot.

The ordinance would only become effective if approved by a majority of the voters at the March 2013 election.

The voters would be presented with a question at the March 5, 2013 election, which must be no longer than 75 words and phrased as a question stating the nature of the ordinance (Cal. Elections Code Section 13119, 13247 and 9051). Accordingly, the question submitted below for consideration follows the format required by the Elections Code.

To provide funding for general city services, including public safety (Sheriff), parks and recreation, and maintenance of city streets and public area landscaping, shall the City of San Dimas approve an ordinance amending the San Dimas Municipal Code to increase the transient occupancy tax rate from eight (8%) to twelve (12%) on the rate charged to hotel and recreational vehicle campground guests staying within the City to be effective July 1, 2013?

- Yes**
- No**

If the measure is approved by a majority (50% plus one) vote of the voters, it cannot be changed absent a subsequent vote of the people (Cal. Elections Code Section 9222 and 9217).

Revenue Impact of the Proposed Measure

The city anticipates approximately \$711,000 in annual TOT revenue in the 2012-13 Budget. A 4% increase in the TOT could generate approximately \$350,000 in additional ongoing General Fund revenue.

Impartial Analysis

The Elections Code requires that when any city measure qualifies for the ballot, that the governing body direct the city elections official to transmit a copy of the measure to the city attorney to prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure (Cal. Elections Code Section 9280). The impartial analysis is limited to

500 words. It is recommended that the City Attorney be directed to submit the impartial analysis for this measure in accordance with State law.

Primary Arguments in Favor

If the City Council adopts the resolution placing an ordinance amendment before the San Dimas voters at the March 5, 2013 General Municipal Election, it also needs to decide at the October 9 council meeting if it wants to *author and sign* primary arguments for or against the measure as a whole body or give up that right as a body and authorize any member or members of the City Council (for or against the measure) to do so.

The Elections Code allows any of the following to file a written primary argument, not to exceed 300 words in length, for or against any city measure:

- The City Council **or any member or members of the City Council authorized by it:**
- The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure;
- Bona fide associations of citizens; or
- Individual voters who are eligible to vote on the measure.

The City Council has the authority to prepare a primary argument as a whole body or authorize individual Councilmembers to do so in lieu of the whole Council. If an individual Councilmember decides to author or sign an argument as an individual Councilmember, authorization is required from the City council by placing their name or names in the attached resolution as either in favor of or against the measure and adopting the resolution.

For example, if Councilmembers A, B, and C want to author and sign a primary argument in favor of the measure, their names would be incorporated into the attached resolution as "Councilmembers(s) in Favor" and they would be authorized to give their opinions as individual Councilmembers. Likewise, if Councilmembers D and E want to author and sign a primary argument against the measure, their names would be incorporated into the attached resolution as "Councilmember(s) Against."

Only one argument in favor of and one argument against the measure will be placed in the sample ballot. Pursuant to Elections Code Section 9287, if more than one argument for or more than one argument against any city measure is submitted to the City Clerk within the time prescribed, the City Clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument, the City Clerk shall give preference and priority, in the order named, to the arguments of the following:

1. The City Council or any member or members of the City Council authorized by it;
2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are bona fide sponsors or proponents of the measure;
3. Bona fide associations of citizens; or
4. Individual voters who are eligible to vote on the measure.

If the City Council adopts the resolution tonight placing the ordinance before the voters, it must decide how it wants to handle primary arguments as well as rebuttal arguments.

Rebuttal Arguments

If the City Council authorizes rebuttal arguments (and it is traditional to do so), pursuant to Elections Code Section 9285, if any person submits an argument against a city measure, and an argument has been filed in favor of the city measure, the City Clerk shall immediately send copies of that argument to the persons filing the argument in favor of the city measure. The person filing the argument in favor of the city measure may prepare and submit a rebuttal argument not exceeding 250 words. A rebuttal argument may not be signed by more than five (5) authors. The city clerk shall send copies of the argument in favor of the measure to the persons filing the argument against the city measure, who may prepare and submit a rebuttal to the argument in favor of the city measure not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not more than 10 days after the final date for filing primary arguments. Rebuttal arguments shall be printed in the same manner as the primary arguments and shall immediately follow the primary argument it seek to rebut.

At the October 9, 2012 meeting the City Council will need to determine by resolution if it will submit primary arguments as a whole body or authorize a member or members to do so. It should also determine if it will allow rebuttal arguments as well.

Timing and Schedule

The following table recaps the timing of the actions that the City Council is required to take in order to place forth the TOT measure on the March 5, 2013 ballot:

Council Action Date	Event	Date Due to County
9/25/12	Introduce and pass to a second reading an ordinance of the City of San Dimas increasing the TOT rate from 8% to 12%.	N/A
10/9/12	Adopt a Resolution placing before the voters an ordinance increasing the TOT rate from 8% to 12%.	10/23/12
10/9/12	Adopt a Resolution setting priorities for filing written primary arguments regarding the measure and direct the City Attorney to prepare an impartial analysis to be printed in the sample ballot.	10/29/12
10/9/12	Adopt a Resolution providing for the filing of rebuttal arguments (must be received 10 days after the final date for filing primary arguments)	N/A
10/9/12	Complete the second reading and adoption of the ordinance of the City of San Dimas increasing the TOT rate from 8% to 12% subject to voter approval.	N/A
10/9/12	Consider primary argument submitted on behalf of the City Council (or any individual City Councilmembers)	10/9/12
12/12/12	Last day to withdraw ballot measure from the ballot	

Fiscal Impact

The cost associated with adding a City measure to a regularly scheduled municipal election could be as high as 25% above the cost of the regular election. The cost depends on the length of the measure, impartial analysis, arguments, and rebuttals, and will cover the additional printing and translation services as may be needed as well as the additional expenses for legal advertising.

RECOMMENDATION

To submit a ballot measure to increase the TOT rate from 8% to 12% at the March 5, 2013 General Municipal Election, it is recommended that the City Council take the following actions at tonight's meeting:

Introduce and move to Second Reading an Ordinance of the City of San Dimas Amending Chapter 3.20.020 of the San Dimas Municipal Code to Increase the Transient Occupancy Tax from Eight Percent (8%) to Twelve Percent (12%).

At the meeting on October 9th the City Council will

1. Have second reading and adopt an Ordinance of the City of San Dimas Amending Chapter 3.20.020 of the San Dimas Municipal Code to Increase the Transient Occupancy Tax from Eight Percent (8%) to Twelve Percent (12%), and,
2. Adopt by a 2/3 vote of the City Council a Resolution of the City Council placing before the Voters a City Measure increasing the City's Transient Occupancy Tax rate from Eight Percent (8%) to Twelve Percent (12%).
3. Adopt a Resolution of the City Council Providing Direction to the City Clerk Regarding Election and Measure and Setting Priorities for Filing Written Arguments Regarding for the City Measure Submitted at the March 5, 2013 General Municipal Election Relating to an Increase in the Transient Occupancy Tax, and Directing the City Attorney to Prepare an Impartial Analysis.
4. Adopt a Resolution of the City Council Providing for the Filing of Rebuttal Arguments for the City Measure Submitted at the March 5, 2013 General Municipal Election Relating to an increase in the Transient Occupancy Tax.

Attachment:

Ordinance increasing the TOT

Summary of TOT rate comparisons in Los Angeles County and other areas of the state

ORDINANCE NO. 1213

AN ORDINANCE OF THE CITY OF SAN DIMAS AMENDING SECTION 3.20.020 OF THE SAN DIMAS MUNICIPAL CODE TO INCREASE THE TRANSIENT OCCUPANCY TAX ON RENT CHARGED FROM EIGHT PERCENT (8%) TO TWELVE PERCENT (12%)

The City Council of the City of San Dimas does hereby ordain as follows:

Section 1. Section 3.20.020 of the San Dimas Municipal Code is amended to read as follows:

3.20.020 Tax Imposed. For the privilege of occupancy in any hotel each transient is subject to and shall pay a tax in the amount of twelve percent of the rent charged by the operator. For the privilege of occupancy in any recreational vehicle park for a period of no more than thirty days, each transient is subject to and shall pay a tax in the amount of twelve percent of the basic rent charged by the operator (excluding additional charges for extra persons or pets). Such tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel or recreational vehicle campground at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall due upon the transient's ceasing to occupy space in the hotel or recreational vehicle campground. If for any reason the tax due is not paid to the operator of the hotel or recreational vehicle campground, the city clerk may require that such tax shall be paid directly to the city clerk.

Section 2. Approval General Municipal Election; Effective Date.

This Ordinance amending Section 3.20.020 of Chapter 3.20 Transient Occupancy Tax of Title 3 Revenue and Finance of the San Dimas Municipal Code shall be in full force and effect ten (10) days after the date on which the City Council has approved the canvass of votes and declared that the voters of the City of San Dimas have approved said ordinance by a vote of no less than a majority of votes cast by the electors voting on the tax measure set forth in this ordinance at the general municipal election to be held on Tuesday, March 5, 2013. The effective date for purposes of levying the increased tax shall be July 1, 2013.

Section 3. This ordinance shall be amended or repealed by the voters of the City of San Dimas.

Section 4. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

Los Angeles County Cities

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Agoura Hills	12.0%	\$ 2,033,069	no, 1988	10% to 12%	-	no	N/A	20,477
Alhambra	12.0%	\$ 147,568	no, 1986	-	-	no	N/A	83,693
Artesia	12.5%	\$ 372,000	Yes, June 2009	6% to 12.5%	yes	no	N/A	16,639
Avalon	12.0%	\$ 2,458,365	yes, 2009	9% to 12%	yes	no	N/A	3,760
Azusa	7.5%	\$ 215,000	In 2005 it was increased but the due to complaints from businesses it was brought back down to original rate.					46,678
Baldwin Park	10.0%	\$ 225,000	yes, 2006	10% to 11%	no	no	N/A	75,940
Beverly Hills	14.0%	\$ 26,075,000	no, 1996	-	-	no	N/A	34,358
Bradbury	They have no Transient Occupancy Tax.							1,057
Burbank	10.0%	\$ 5,434,000	yes, 2007	10% to 12%	no	no	N/A	104,092
Carson	9.0%	\$ 1,000,000	yes, 2009	9% to 12%	no	no	N/A	92,376
Claremont	10.0%	\$ 875,000	no	-	-	no	N/A	35,143
Covina	10.0%	\$ 350,000	no, 1991	-	-	no	N/A	48,142
Diamond Bar	10.0%	\$ 642,500	no, 1989	-	-	no	N/A	55,951
Duarte	10.0%	\$ 59,600	no, 1991	-	-	no	N/A	21,474
El Monte	10.0%	\$ 266,500	no, 1992	-	-	no	N/A	114,296
Glendale	10.0%	\$ 2,900,000	no	-	-	no	N/A	193,111
Hawthorne	12.0%	\$ 2,065,000	no, 2001	8% to 12%	-	no	N/A	84,905
Irwindale	10.0%	-	Yes, Nov. 2009	8% to 10%	yes	no	N/A	1,434
La Mirada	7.0%	\$ 952,000	yes, 2010	7% to 9%	The 2010 measure will also increase the TOT again to 10% in 2013.			48,859
La Verne	10.0%	They have no hotels or motels.				no	N/A	31,285
Long Beach	12.0%	\$ 8,360,000	no	-	-	no	N/A	465,576

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Los Angeles	14.0%	\$157,808,000	no, 1993	12.5% to 14%	yes	no	N/A	3,819,702
Malibu	12.0%	\$ 1,100,000	no	-	-	no	N/A	12,736
Monrovia	10.0%	\$ 1,119,155	no, 1992	-	-	no	N/A	36,857
Montebello	10.0%	\$ 280,000	no, 1998	9% to 10%	-	no	N/A	62,954
Monterey Park	12.0%	\$ 892,900	no, 1989	-	-	no	N/A	60,707
Norwalk	10.0%	\$ 1,010,000	In 2010 a measure was passed to keep it at 10%. If it did not pass the TOT would have gone back to 6%.					106,309
Pasadena	12.11%	\$ 4,100,000	no, 1991	-	-	no	N/A	138,101
Pomona	10.0%	\$ 1,450,000	no	-	-	Yes, Nov. 2012, Measure V	12%	150,119
Rancho Palos Verdes	10.0%	\$ 2,830,000	yes, 2009	10% to 12%	no	no	N/A	41,946
Rosemead	10.0%	\$ 1,220,000	no	-	-	no	N/A	54,154
San Dimas	8.0%	\$ 660,000	no, 1991	6% to 8%	-	considering, spring 2012	12%	33,611
San Gabriel	10.0%	\$ 820,000	no	-	-	no	N/A	40,005
Santa Clarita	10.0%	\$ 2,105,521	yes, 2007	8% to 10%	yes	no	N/A	177,601
Santa Monica	14.0%	\$ 36,100,000	Yes, Nov. 2008	12% to 14%	yes	no		90,377
Sierra Madre	They have no Transient Occupancy Tax.			-	-	no	N/A	10,996
Torrance	11.0%	\$ 8,529,290	no, 1994	-	-	no	N/A	146,493
Walnut	They have no Transient Occupancy Tax.			-	-	no	N/A	29,386
West Covina	10.0%	\$ 750,000	no	-	-	no	N/A	106,870
West Hollywood	12.5%	\$ 11,700,000	yes, 2003	11.5% to 12.5%	yes	no	N/A	34,650
Average	10.7%	\$ 8,197,299						
Mean	10.0%	\$ 1,100,000						
Mode	10.0%	N/A						

Orange County, Riverside, San San Bernardino Cities

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Aliso Viejo	10.0%	\$ 711,000	no, 2001	-	-	no	N/A	45,849
Anaheim	15.0%	\$ 81,225,296	no	-	-	no	N/A	341,361
Barstow	12.5%	\$ 1,845,058	yes, 2002	10% to 12.5%	yes	no	N/A	22,975
Chino Hills	10.0%	\$ 590,820	no, 2000	-	-	no	N/A	75,928
Costa Mesa	8.0%	\$ 5,950,000	yes, 2010	6% to 8%	yes	no	N/A	111,600
Del Mar	11.5%	\$ 1,680,000	In 2008 there were given the authority to increase the TOT to 13% but have not done so.					4,224
Garden Grove	13.0%	\$ 1,540,000	yes, 2002	10% to 13%	yes	no	N/A	173,470
Indio	10.0%	-	yes, 2004	10% to 12%	no	no	N/A	77,780
La Palma	8.0%	\$ 215,000	no, 1980's	6% to 8%	yes	yes within the next 2 years	10%	15,807
Mission Viejo	8.0%	\$ 565,000	yes, 2004	8% to 10%	no	no	N/A	94,721
Palm Springs	13.5%	\$ 12,500,000	yes, 2003	10% to 13.5%	yes	13.5% for Group Meeting hotels and 11.5% for all other hotels.		45,573
Rancho Cucamonga	10.0%	\$ 1,948,937	no, 1983	-	-	no	N/A	167,721
Stanton	8.0%	\$ 290,000	Voters reduced TOT in 2003	11% to 10%	-	no	N/A	38,765
Twenty-nine Palms	9.0%	\$ 700,000	no, 1998	7% to 9%	yes	no	N/A	25,377
Average	10.5%	\$ 8,443,162						
Mean	10.0%	\$ 1,540,000						
Mode	10.0%	N/A						

Central & Northern California Cities

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Arcata	10.0%	\$ 1,040,000	no, 1981	-	-	no	N/A	17,248
Atascadero	10.0%	\$ 638,113	yes, 2003	9% to 10%	yes	no	N/A	28,560
Benicia	9.0%	\$ 291,645	no, 1993	-	-	no	N/A	27,207
Buellton	10.0%	\$ 1,239,616	no, 1992	-	-	yes	12%	4,828
Carpinteria	10.0%	\$ 1,150,000	no, 1991	8% to 10%	-	Yes, Nov. 2012	12%	13,135
Chowchilla	10.0%	\$ 143,000	no, 1990	-	-	no	N/A	19,044
Clearlake	9.0%	\$ 170,000	no	-	-	Yes, June 2014	12%	15,170
Davis	10.0%	\$ 958,434	no, 1978	-	-	no	N/A	66,016
Dixon	9.0%	\$ 172,000	no	-	-	no	N/A	18,536
Foster City	9.5%	\$ 1,700,000	Yes, Jan 2012	8% to 9.5%	yes	no	N/A	30,943
Goleta	10.0%	\$ 2,668,000	no	-	-	Yes, Nov. 2012	12%	30,105
Grover Beach	10.0%	\$ 260,000	no, 1987	-	-	no	N/A	13,275
Hanford	8.0%	\$ 263,298	no, 1985	-	-	no	N/A	54,284
Kingsburg	12.0%	\$ 338,000	Yes, Nov. 2008	10% to 12%	yes	no	N/A	11,537
Ojai	10.0%	\$ 2,179,782	no	-	-	no	N/A	7,537
Oxnard	10.0%	\$ 3,402,793	no	-	-	no	N/A	199,943
Palo Alto	12.0%	\$ 9,766,189	Yes, 2007	10% to 12%	yes	no	N/A	65,412
Roseville	6.0%	\$ 1,759,000	no, 1975	-	-	no	N/A	121,767
Santa Barbara	12.0%		no, 1999	10% to 12%	yes	no	N/A	89,045
Solvang	10.0%	\$ 2,682,707	yes, 2008	10% to 11%	no	Yes, Nov. 2012	12%	5,283
Willows	10.0%	\$ 400,000	no, 2000	-	-	Yes, Nov. 2012	12%	6,166
Average	9.8%	\$ 1,561,129						
Mean	10.0%	\$ 999,217						
Mode	10.0%	N/A						

All Cities Surveyed

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Agoura Hills	12.0%	\$ 2,033,069	no, 1988	10% to 12%	-	no	N/A	20,477
Alhambra	12.0%	\$ 147,568	no, 1986	-	-	no	N/A	83,693
Aliso Viejo	10.0%	\$ 711,000	no, 2001	-	-	no	N/A	45,849
Anaheim	15.0%	\$ 81,225,296	no	-	-	no	N/A	341,361
Arcata	10.0%	\$ 1,040,000	no, 1981	-	-	no	N/A	17,248
Artesia	12.5%	\$ 372,000	Yes, June 2009	6% to 12.5%	yes	no	N/A	16,639
Atascadero	10.0%	\$ 638,113	yes, 2003	9% to 10%	yes	no	N/A	28,560
Avalon	12.0%	\$ 2,458,365	yes, 2009	9% to 12%	yes	no	N/A	3,760
Azusa	7.5%	\$ 215,000	In 2005 it was increased but the due to complaints from businesses it was brought back down to original rate.					46,678
Baldwin Park	10.0%	\$ 225,000	yes, 2006	10% to 11%	no	no	N/A	75,940
Barstow	12.5%	\$ 1,845,058	yes, 2002	10% to 12.5%	yes	no	N/A	22,975
Benicia	9.0%	\$ 291,645	no, 1993	-	-	no	N/A	27,207
Beverly Hills	14.0%	\$ 26,075,000	no, 1996	-	-	no	N/A	34,358
Bradbury	They have no Transient Occupancy Tax.							
Buellton	10.0%	\$ 1,239,616	no, 1992	-	-	yes	12%	4,828
Burbank	10.0%	\$ 5,434,000	yes, 2007	10% to 12%	no	no	N/A	104,092
Carpinteria	10.0%	\$ 1,150,000	no, 1991	8% to 10%	-	Yes, Nov. 2012	12%	13,135
Carson	9.0%	\$ 1,000,000	yes, 2009	9% to 12%	no	no	N/A	92,376
Chino Hills	10.0%	\$ 590,820	no, 2000	-	-	no	N/A	75,928
Chowchilla	10.0%	\$ 143,000	no, 1990	-	-	no	N/A	19,044
Claremont	10.0%	\$ 875,000	no	-	-	no	N/A	35,143
Clearlake	9.0%	\$ 170,000	no	-	-	Yes, June 2014	12%	15,170
Costa Mesa	8.0%	\$ 5,950,000	yes, 2010	6% to 8%	yes	no	N/A	111,600
Covina	10.0%	\$ 350,000	no, 1991	-	-	no	N/A	48,142

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Davis	10.0%	\$ 958,434	no, 1978	-	-	no	N/A	66,016
Del Mar	11.5%	\$ 1,680,000	In 2008 there were given the authority to increase the TOT to 13% but have not done so.					4,224
Diamond Bar	10.0%	\$ 642,500	no, 1989	-	-	no	N/A	55,951
Dixon	9.0%	\$ 172,000	no	-	-	no	N/A	18,536
Duarte	10.0%	\$ 59,600	no, 1991	-	-	no	N/A	21,474
El Monte	10.0%	\$ 266,500	no, 1992	-	-	no	N/A	114,296
Foster City	9.5%	\$ 1,700,000	Yes, Jan 2012	8% to 9.5%	yes	no	N/A	30,943
Garden Grove	13.0%	\$ 1,540,000	yes, 2002	10% to 13%	yes	no	N/A	173,470
Glendale	10.0%	\$ 2,900,000	no	-	-	no	N/A	193,111
Goleta	10.0%	\$ 2,668,000	no	-	-	yes, Nov. 2012	12%	30,105
Grover Beach	10.0%	\$ 260,000	no, 1987	-	-	no	N/A	13,275
Hanford	8.0%	\$ 263,298	no, 1985	-	-	no	N/A	54,284
Hawthorne	12.0%	\$ 2,065,000	no, 2001	8% to 12%	-	no	N/A	84,905
Indio	10.0%	-	yes, 2004	10% to 12%	no	no	N/A	77,780
Irwindale	10.0%	-	Yes, Nov. 2009	8% to 10%	yes	no	N/A	1,434
Kingsburg	12.0%	\$ 338,000	Yes, Nov. 2008	10% to 12%	yes	no	N/A	11,537
La Mirada	7.0%	\$ 952,000	yes, 2010	7% to 9%	The 2010 measure will also increase the TOT again to 10% in 2013.			48,859
La Palma	8.0%	\$ 215,000	no, 1980's	6% to 8%	yes	yes within the next 2 years	10%	15,807
La Verne	10.0%	They have no hotels or motels.		-	-	no	N/A	31,285
Long Beach	12.0%	\$ 8,360,000	no	-	-	no	N/A	465,576
Los Angeles	14.0%	\$ 157,808,000	no, 1993	12.5% to 14%	yes	no	N/A	3,819,702
Malibu	12.0%	\$ 1,100,000	no	-	-	no	N/A	12,736
Mission Viejo	8.0%	\$ 565,000	yes, 2004	8% to 10%	no	no	N/A	94,721
Monrovia	10.0%	\$ 1,119,155	no, 1992	-	-	no	N/A	36,857
Montebello	10.0%	\$ 280,000	no, 1998	9% to 10%	-	no	N/A	62,954

City	TOT Rate	TOT Revenues FY 2011-12	TOT recently increased? or Last increase.	Most recent rate change	Did the most recent proposed TOT increase pass?	Plans for TOT increase	New Proposed Rate	Population
Monterey Park	12.0%	\$ 892,900	no, 1989	-	-	no	N/A	60,707
Norwalk	10.0%	\$ 1,010,000	In 2010 a measure was passed to keep it at 10%. If it did not pass the TOT would have gone back to 6%.	-	-	no	N/A	106,309
Ojai	10.0%	\$ 2,179,782	no	-	-	no	N/A	7,537
Oxnard	10.0%	\$ 3,402,793	no	-	-	no	N/A	199,943
Palm Springs	13.5%	\$ 12,500,000	yes, 2003	10% to 13.5%	yes	13.5% for Group Meeting hotels and 11.5% for all other hotels.	N/A	45,573
Palo Alto	12.0%	\$ 9,766,189	yes, 2007	10% to 12%	yes	no	N/A	65,412
Pasadena	12.11%	\$ 4,100,000	no, 1991	-	-	no	N/A	138,101
Pomona	10.0%	\$ 1,450,000	no	-	-	Yes, Nov. 2012, Measure V	12%	150,119
Rancho Cucamonga	10.0%	\$ 1,948,937	no, 1983	-	-	no	N/A	167,721
Rancho Palos Verdes	10.0%	\$ 2,830,000	yes, 2009	10% to 12%	no	no	N/A	41,946
Rosemead	10.0%	\$ 1,220,000	no	-	-	no	N/A	54,154
Roseville	6.0%	\$ 1,759,000	no, 1975	-	-	no	N/A	121,767
San Dimas	8.0%	\$ 660,000	no, 1991	6% to 8%	-	considering, spring 2012	-	33,611
San Gabriel	10.0%	\$ 820,000	no	-	-	no	N/A	40,005
Santa Barbara	12.0%		no, 1999	10% to 12%	yes	no	N/A	89,045
Santa Clarita	10.0%	\$ 2,105,521	yes, 2007	8% to 10%	yes	no	N/A	177,601
Santa Monica	14.0%	\$ 36,100,000	Yes, Nov. 2008	12% to 14%	yes	no	N/A	90,377
Sierra Madre	They have no Transient Occupancy Tax.			-	-	no	N/A	10,996
Solvang	10.0%	\$ 2,682,707	yes, 2008	10% to 11%	no	Yes, Nov. 2012	12%	5,283
Stanton	8.0%	\$ 290,000	Voters reduced TOT in 2003	11% to 10%	-	no	N/A	38,765
Torrance	11.0%	\$ 8,529,290	no, 1994	-	-	no	N/A	146,493
Twentynine Palms	9.0%	\$ 700,000	no, 1998	7% to 9%	yes	no	N/A	25,377

ORDINANCE NO. 1213

AN ORDINANCE OF THE CITY OF SAN DIMAS AMENDING SECTION 3.20.020 OF THE SAN DIMAS MUNICIPAL CODE TO INCREASE THE TRANSIENT OCCUPANCY TAX ON RENT CHARGED FROM EIGHT PERCENT (8%) TO TWELVE PERCENT (12%)

The City Council of the City of San Dimas does hereby ordain as follows:

Section 1. Section 3.20.020 of the San Dimas Municipal Code is amended to read as follows:

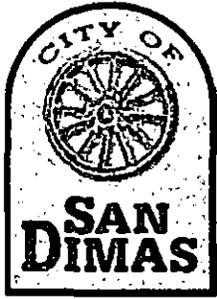
3.20.020 Tax Imposed. For the privilege of occupancy in any hotel each transient is subject to and shall pay a tax in the amount of twelve percent of the rent charged by the operator. For the privilege of occupancy in any recreational vehicle park for a period of no more than thirty days, each transient is subject to and shall pay a tax in the amount of twelve percent of the basic rent charged by the operator (excluding additional charges for extra persons or pets). Such tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel or recreational vehicle campground at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall due upon the transient's ceasing to occupy space in the hotel or recreational vehicle campground. If for any reason the tax due is not paid to the operator of the hotel or recreational vehicle campground, the city clerk may require that such tax shall be paid directly to the city clerk.

Section 2. Approval General Municipal Election; Effective Date.

This Ordinance amending Section 3.20.020 of Chapter 3.20 Transient Occupancy Tax of Title 3 Revenue and Finance of the San Dimas Municipal Code shall be in full force and effect ten (10) days after the date on which the City Council has approved the canvass of votes and declared that the voters of the City of San Dimas have approved said ordinance by a vote of no less than a majority of votes cast by the electors voting on the tax measure set forth in this ordinance at the general municipal election to be held on Tuesday, March 5, 2013. The effective date for purposes of levying the increased tax shall be July 1, 2013.

Section 3. This ordinance shall be amended or repealed by the voters of the City of San Dimas.

Section 4. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.



MEMORANDUM

DATE: September 25, 2012

TO: Mayor and City Council

FROM: Community Development Department & Public Works Department

SUBJECT: Review of preliminary Staff Comments on Draft Environmental Impact Report (DEIR) for Metro Gold Line Foothill Extension (Azusa to Montclair) and Authorization to Transmit Comments on the DEIR

BACKGROUND:

Metro Gold Line Authority has recently released the DEIR for the Phase 2B Extension from Azusa to Montclair. A public meeting is scheduled on September 24, 2012 in La Verne (Staff will be in attendance). The 45 day comment period on the DEIR is from August 21 to October 5, 2012. Copies of the DEIR are available in the San Dimas Library and at the Authority website www.foothillextension.org.

One of the primary changes in the project affecting San Dimas is the revised location for the Gold Line Station in San Dimas. This change has occurred subsequent to the last scoping meeting in San Dimas. The revised location is the City of San Dimas Maintenance Facility.

The DEIR covers the light rail extension through the seven cities in Phase 2B but Staff will focus our comments on the impacts occurring in San Dimas. Staff has not had sufficient time to prepare a formal comment letter at this time but desires to receive Council comments on the primary issues and concerns to facilitate preparation of a comment letter to be submitted prior to the October 5 deadline.

ANALYSIS:

Staff has identified four primary areas of concern with the DEIR in addition to a number of miscellaneous comments, corrections and clarifications. The primary areas of concern are:

- New Station Site
- Bonita/Cataract Crossing
- Noise & Vibration
- TPSS (power stations) Locations

New Station Site:

1. *Site Circulation Issues.* Access to structure from Walnut Avenue restricts right-turn exit movements from parking garage driveway to Walnut Avenue – consider placement of a

6b

10' wide raised median on Walnut with appropriate signage restricting movement. The addition of the median allows for a dedicated 10' wide left-turn lane into the parking structure. Instead of angular ingress/egress lane to Walnut Avenue, consider 30' wide standard driveway with 15' radius. The exit lane to Walnut shall be 13' wide and entry shall be 17' wide. The ingress/egress lane shall be separated or striped with double yellow line with a striped radial gore at Walnut. Ideally for better circulation and flow, an alternate egress should be considered that connects to Arrow Highway from the parking structure. It should also be noted that emergency access services to the south may be adversely affected by a combination of the periodic at grade crossing closures for operations and a confusing circulation pattern/increased traffic at AM/PM peaks.

2. *Other Potential Issues Created by Limited and Restricted Entrance of Walnut Avenue.* With limited street frontage and long driveways that lead to main parking structure limits the ability to provide any pickup/drop off zone. In addition, with pedestrian access to station being from San Dimas Avenue will likely result in intensive use of both the private (CVS) and Municipal parking lot north of the tracks as well as the parking area at Grove Station for pickup/drop off zone. This intense use will also increase in commuters parking in these lots and place great deal of strain on the availability of parking for existing business. To mitigate these issues consider the (1) feasibility of expanding the City municipal parking lot north of tracks for additional parking/drop off and pickups by expanding south into existing Metro Gold Line right of way. The feasibility of a drop zone could be developed by shifting the proposed (BNSF) freight track more southerly from 30' to 18' to the westbound LRT between station 1727 +33 and up to and beyond station 1741+82. The shifting of the BNSF track allows for additional Metro right of way to be developed, utilized and integrated with the City's parking municipal parking lot to provide a viable drop zone.
3. *Aesthetics.* In addition to the required high quality parking structure exterior design, the landscaping on Walnut Avenue entrance shall be designed to be inviting with some public art project.
4. *Impact on City Maintenance Operations.* The maintenance operations conducted at the site are critical to the daily ongoing operations of the City. The current location is ideally situated proximate to administrative operations at City Hall and relatively central to the City as a whole. It is difficult to identify a feasible site to replace the current one and maintain these same standards. The City is highly concerned that a suitable replacement site can be identified although we also understand that such determinations are made during site acquisition and not the DEIR stage of project development.

Bonita/Cataract Grade Crossing:

The EIR chapter on transportation calls for this intersection to be signalized. However, due to the size and diagonal configuration of the Cataract Avenue/Bonita Avenue, additional studies need to be conducted that address the delay and impact to the traffic operation of an at-grade crossing. With Bonita/Cataract being an unusual intersection and non-standard it is likely that any analysis done for the DEIR assumes that rail alignment crosses through an intersection at a distance of 150 feet. In reality the intersection includes a wide median, which increases the size

of the intersection and lengthens the distance that LRT alignment crossing Bonita. Based on existing alignment, the estimated length of this at grade crossing is about 270 feet measured from the northeast corner of the intersection to the southeast corner. This distance is significantly larger than the 150 feet assumed in MTA analysis. The additional length even with narrowing Bonita will likely have an impact on the traffic delay caused by the LRT crossing. Based on the projected 10 minute headway of trains crossing the intersection, it's quite likely that intersection will be closed down creating potentially significant delays at the primary east/west entry to the Historic Downtown. This is an addition to normal intersection delays attributed due the proposed signal operations. More studies are needed to prove the feasibility of signalization that also takes into account intersection delays caused by crossing gate delay time and length of crossing. Two other intersections (Lonehill in Glendora and Towne in Pomona) have included "fly-over" designs providing a grade separation for the LRT. While these are to accommodate track operations, it should be noted that the Bonita Cataract intersection is unique in both its geometrics and its importance as a Downtown entry. Delays and design options have not been adequately mitigated and no consideration has been given to potential economic impacts to the Downtown area.

Noise & Vibration:

The DEIR identifies several locations for sound walls and vibration controls. The following additional considerations are needed:

- Sound barrier study shall be extended to include the residential areas on the north west side of Gladstone and railroad crossing
- With Phase 2 and 3 Grove Station residential project underway south of the proposed station location on San Dimas Avenue, sound barrier shall be considered to mitigate the impact of train, warning horns and other miscellaneous sounds generated that will impact residents residing on south side of the station (Figure 3.11.18).

TPSS Locations:

The DEIR now indicates two power stations in San Dimas.

1. Why does San Dimas have two TPSS in its jurisdiction (i.e. TPSS #4 and 5)
2. TPSS #4 location negates the potential viability of using this whole property for viable commercial development. Consider other locations.
3. TPSS #5 locations negatively impacts the existing historic Train Depot consider relocating it from its proposed location to north east corner.

In general any proposed TPSS located in San Dimas shall be architecturally approved by the City and the subject lot or area is irrigated and landscaped to an acceptable standard.

Other Concerns:

1. Remove the existing spur/siding line at southeast corner of Bonita Avenue and Cataract Avenue.

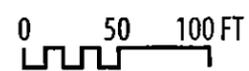
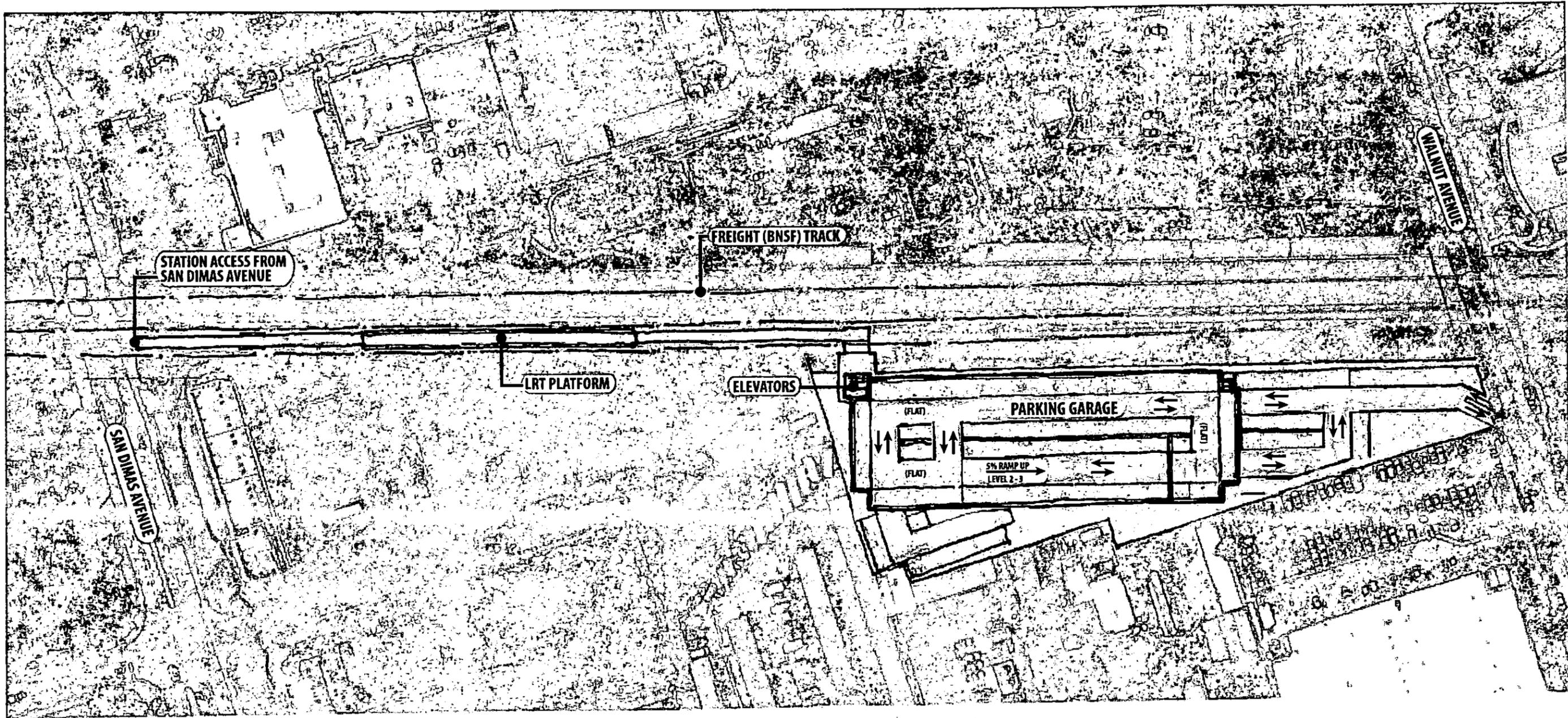
2. Prepare a drainage study to analyze the capacity of all existing storm drains, pipes and culvert systems crossing with the Metro right of way to be in compliance with LA County standards.
3. Discuss the noise impacts of warning horns.
4. Aesthetics and visual disturbances, especially poles and overhead wires.
5. Financial impact to the City on station construction and enhancements.
6. Long-term mitigation measure suggesting a traffic signal at Second Street & San Dimas Avenue.
7. Adequacy of growth inducing impacts analysis.

RECOMMENDATION:

Staff will update this Memo based on anything learned at the public meeting on September 24.

Discuss the identified concerns and provide comments direction to Staff as appropriate.

Authorize Staff to submit a comment letter on the DEIR prior to October 5, 2012.



PARKING COUNT: ±200 SPACES AT-GRADE
 ±125 SPACES LEVEL 2
 ±125 SPACES LEVEL 3
 ±450 SPACES

