



DATE: October 3, 2012

TO: Honorable Mayor and City Councilmembers  
Chairman and Members of the Community Development Commission

FROM: City Manager Office

SUBJECT: **INTRODUCTION OF AN ORDINANCE ADDING ARTICLE 33C "SIGNAGE" TO THE OCEANSIDE DOWNTOWN ZONING ORDINANCE (ZA-200-09), REPEALING ARTICLE 33 OF THE 1992 ZONING ORDINANCE AND ESTABLISHING ARTICLE 33C AS THE NEW SIGN ORDINANCE FOR DOWNTOWN, AND ADOPTION OF A RESOLUTION APPROVING LOCAL COASTAL PLAN AMENDMENT (RLCPA12-00001), FOR THE DOWNTOWN PROJECT AREA – APPLICANT: CITY OF OCEANSIDE**

**SYNOPSIS**

Staff recommends that the City Council introduce an ordinance adding Article 33C, Signage, to the Oceanside Downtown Zoning Ordinance (ZA-200-09), and repealing Article 33 of the 1992 Zoning Ordinance and establishing Article 33C as the new sign ordinance for downtown; and adoption of a resolution approving Local Coastal Plan Amendment (RLCPA12-00001) for the Downtown Project Area.

**BACKGROUND**

In spring of 2008, several Redevelopment Advisory Committee members and Planning Commissioners had expressed their concerns regarding the restrictions of the current sign regulations which were last revised in the late 1990s. A Sign Subcommittee was formed which met on April 15, 2008, and again on August 6, 2008, with the following goals:

1. Amend the current Sign Ordinance (Article 33 Oceanside Zoning Ordinance).  
Create a working group to discuss sign requirements to consist of the following: Redevelopment Advisory Committee members, Planning Commissioners, business owners, and sign designers/contractors to solicit their opinion regarding the City's sign ordinance.
2. Develop General Design Guidelines with principles and policies for ensuring that some flexibility in design can be achieved based upon the context of the sign in the built environment.

Staff had several meetings with members of the Sign Subcommittee, local business owners, Arts Commissioners and sign manufacturers. Staff also reviewed other cities'

sign codes including, but not limited to, San Diego, Solana Beach, Escondido, Encinitas, San Marcos, San Jose and Scottsdale, Arizona. The consensus of the committee was to increase the flexibility of the Sign Ordinance to allow for more creativity for the design of signs while keeping the basic intent of the ordinance intact.

Due to the nature of the current and future development in the downtown, having tall and large buildings taking up an entire block, the Planning Department opted out of the changes that were being proposed.

Recently City staff has obtained approval from the City Council for the creation of Article 33A and 33B of the Zoning Ordinance. Article 33A addresses all of the signs on private property, and 33B for signs on City owned property or City right-of-ways.

Local Coastal Plan Amendment: A Local Coastal Program Amendment (LCPA) is required when processing an amendment to the Zoning Ordinance pursuant to California Public Resource Code Section 30510 (a) (b).

**Environmental Determination:** A Certificate of Exemption has been prepared for the project stating that the project is exempt (see attached Certificate of Exemption). Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the Certificate of Exemption during its hearing on the project.

## **ANALYSIS**

The main changes to the signage standards for the Downtown Project Area can be summarized as follows:

- . Increase the sign height for wall and logos signs;
- . Allow for both projecting and wall signs to occupy the same storefront;
- . Allow for permanent menu-board signs (for restaurants);
- . Provide new regulations for wall murals;
- . Allow for vertical and building identification signs for commercial buildings greater than 45 feet in height.

Wall and Logo Signs: The changes to wall and logo signs are to allow for greater sign height while not increasing the overall square footage of the sign. Currently, the sign regulations restrict sign height by the length of the storefront. Downtown, due to its past development pattern, has resulted in buildings with narrow storefronts. This restricts the sign height for businesses located within the downtown area as opposed to newer shopping centers which generally have much wider storefronts. In addition, shopping centers also have the ability to install pole signs to identify the retail center, whereas pole signs are not allowed within the Redevelopment Project Area. The amended sign ordinance will allow for a much greater sign height (while not increasing the overall sign square footage) for downtown's narrow storefronts.

Projecting Signs: As noted, due to previous development patterns, the downtown's storefronts are generally very narrow. This type of storefront (narrow) is more suited to projecting and/or blade signs, however, these signs generally aren't large enough to attract customers. Staff is recommending that both wall and blade signs be allowed on a single storefront (currently, wall signs and blade signs together are not allowed).

Vertical and Identification Signs: Vertical and building identification signs are limited to buildings which achieve a height of 45 feet or greater. Buildings of this height (45 feet or greater) with few exceptions, are generally located within the downtown project area. Vertical signs are a way of identifying buildings or businesses with signage that can be read vertically. Building identification signs are utilized generally for larger buildings with national examples including the Sears Tower and Empire State Building. Examples of large downtown buildings would include Oceanside Terraces and the Wyndham buildings as well as the approved S.D Malkin hotel and CityMark projects. Because of their large vertical height, staff is recommending the inclusion of these sign types to better identify those larger buildings.

Menu Board Signs: Menu-board signs are usually separated from the main sit-down restaurant wall sign. Menu board signs are generally very small in size (2-4 sq. ft.) back-lit, and allow patrons to view the restaurant menus while strolling downtown. Currently, this type of signage is not allowed. Staff believes that this type of signage would be a welcome addition to the emerging downtown restaurant scene.

Murals: Staff has included a new section to the sign ordinance to provide regulations regarding the placement of murals on the sides of buildings located within the downtown project area. Staff believes that murals can add an interesting urban element to the sides of older downtown buildings, however, these murals need to be regulated.

The proposed changes to the Sign Ordinance (Article 33C) are limited to the Downtown area only. Due to past development patterns, the Downtown Project Area has a proliferation of existing buildings with narrow storefronts, historic buildings with intricate façades that greatly restrict sign height and placement of signage in addition to tall buildings that reduce the effectiveness of signs (sign height proportion vs. height of building) due to the building height. In addition, businesses located within the Core of the Downtown present unique marketing constraints that are not readily associated with new shopping centers or other commercial retail centers located throughout the City.

Staff has also evaluated the changes to the Sign Ordinance and believes that the amended ordinance is appropriate for the following reasons:

- The text changes are consistent with Article 33A in that the vast majority of the Signage text remains the same with the rest of the City. The intent of the amended Signage Ordinance was to change the sign standards that are unique to the existing building conditions prevalent within the Downtown such as narrow building storefronts, historic buildings and greater height allowance for downtown buildings. In addition, several existing buildings located downtown

have large roof overhangs which limit the ability to maximize signage and/or results in awkward placement of signs on buildings, which reduces the sign exposure to the public. This situation is unique only to downtown, whereas shopping and retail centers located throughout the City are not subject to these same types of constraints.

- The text changes allow for more flexibility within the Downtown Sign Ordinance in that it allows for greater sign height, vertical signs, menu board signs and projecting signs. Currently, several of these sign types are not allowed.
- The text changes update the Sign Ordinance to reflect current business demands. The Sign Ordinance has not been amended in more than 10-years and is outdated.
- The text changes keep the basic intent of Article 33 intact in that 85 percent of the Sign Ordinance remains the same and therefore would not change the overall aesthetic character of the Downtown Project Area.

In conclusion, staff believes that the changes to the Downtown Sign Ordinance will encourage flexibility and creativity for signage located within the Downtown while keeping the basic intent of the ordinance intact. The amended Sign Ordinance will update some of the sign standards to reflect current business needs.

### **COMMISSION OR COMMITTEE REPORTS**

The Downtown Advisory Committee reviewed the recommended changes at the September 26, 2012 meeting. The results of their review will be presented orally before the Commission.

### **FISCAL IMPACT**

Not applicable.

### **CITY ATTORNEY'S ANALYSIS**

Pursuant to Oceanside Zoning Ordinance Article 45, Section 4504 B., the Community Development Commission is authorized to hold a public hearing on this proposed addition of Section 33C of the Zoning Ordinance. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

**RECOMMENDATION**

Staff recommends that the City Council introduce an ordinance adding Article 33C, Signage, to the Oceanside Downtown Zoning Ordinance (ZA-200-09), repealing Article 33 of the 1992 Zoning Ordinance and establishing Article 33C as the new sign ordinance for downtown; and adoption of a resolution approving Local Coastal Plan Amendment (RLCPA12-00001) for the Downtown Project Area.

PREPARED BY:

SUBMITTED BY:

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**EXHIBITS/ATTACHMENTS**

1. Ordinance
2. LCPA Resolution
3. Zoning Text Changes Exhibit "A"
4. Notice of Exemption