

# OAKLEY



## CALIFORNIA

### STAFF REPORT

**Date:** September 26, 2017  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kenneth W. Strelo, Principal Planner

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

**SUBJECT: Sign Ordinance Amendment to Permit Service Club Signs – Amendment to Chapter 5 of Title 9 of the Oakley Municipal Code (Regulation of Signs and Outdoor Advertising) to Permit the Installation of Service Club Signs at Certain Locations within the City of Oakley**

### Summary

This is a City-initiated amendment to Chapter 5 of Title 1 of the Oakley Municipal Code (“OMC”) (Regulation of Signs and Outdoor Advertising), also referred to as the “Sign Ordinance” or “Sign Code”, to permit the installation of Service Club signs at certain locations within the City of Oakley. The amendments include a definition for “Service Club” signs, standards for their size, materials, and general design, and locations where they may be permitted. The signs will require a Sign Permit from the Planning and Building Divisions.

Staff recommends the City Council waive the first reading and introduce an ordinance approving amendments to Chapter 5 of Title 9 of the Oakley Municipal Code (Regulation of Signs and Outdoor Advertising) to permit Service Club signs.

### Background

In an attempt to bring more visibility to existing service clubs that operate within the City of Oakley, the City Council directed Staff to look into and draft language allowing Service Club signs at City entrance locations. This proposed amendment to the Sign Ordinance is a result of that direction.

The purpose of this Sign Ordinance Amendment is to define, standardize, and permit the installation of Service Club signs at City of Oakley entry locations. For the purposes of this amendment, a Service Club represents a “club of business or professional men or women organized for their common benefit and active in community service.”<sup>1</sup> Examples of service clubs known to exist in Oakley include Lions Clubs International, and Kiwanis International.

<sup>1</sup> “Service Club.” *Merriam-Webster.com*. Merriam-Webster, n.d. Web. 6 Sept. 2017.

## Project Description

The signs are proposed to be installed either on existing City entry signs, or on standalone structures that would be installed specifically to mount these signs. Discretion and approval would be at Staff level for individual signs or at City Council level for new freestanding signs. Freestanding signs would be limited to one per general location to eliminate sign clutter. Also, the signs are proposed to be standardized to be of the same size and the same material, regardless of the service club it represents. A sign permit from the Planning Division and a building permit from the Building Division would be required in order to install an individual sign onto an existing sign structure, or as part of a freestanding sign. Figure 1 shows a few examples of service club signs.

Figure 1. Examples of Service Club Signs



Text amendment details are included in the proposed ordinance. To summarize, they include:

- Definition of a Service Club Sign;
- Requiring the design of individual Service Club Signs to be either rectangular or circular in shape (irregular shapes are not permitted);
- Limiting individual Service Club Signs to a maximum of 8 sf. (if rectangular) or 36 inches in diameter (if circular);
- Requiring individual Service Club Signs to be made of professional quality materials that can resist weather decay and fading; and
- Allowing new Freestanding Signs for the purposes of either a City Entry/Service Club Sign combination, or strictly for Service Club Signs, subject to the review and approval of the City Council.

A statement is included for both individual and freestanding service club signs that explicitly states the signs shall not violate the California Constitution Article 16 Public Finance, Sec. 5, which states:

Neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or

sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, city and county, town, or other municipal corporation for any religious creed, church, or sectarian purpose whatever; provided, that nothing in this section shall prevent the Legislature granting aid pursuant to Section 3 of Article XVI. (Cal. const., art. XVI, §5.),

The proposed amendments are written to allow discretion by Staff or the Council on details of sign placement and location. After some time, if it is found that more specific regulations are required, Staff will bring the necessary amendments to the City Council for consideration.

### **Environmental Review**

This project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 "Existing Facilities" (Class 1).

### **Analysis**

Adoption of the proposed amendments will ordain language to allow City Staff and the City Council to approve sign permits that allow existing and future service clubs within the City of Oakley to have better visibility. Other neighboring cities have similar signs that are seen at their entries; however, finding language that regulates those signs has proven difficult. With the City Council being proactive and setting regulations in place, it will ensure future Service Club Signs all meet the same design criteria, and it will reduce the potential for sign clutter and/or the placement of non-permitted signs.

### **Findings**

Draft findings are included in the attached resolution.

### **Recommendation**

Staff recommends the City Council waive the first reading and introduce an ordinance approving amendments to Chapter 5 of Title 9 of the Oakley Municipal Code (Regulation of Signs and Outdoor Advertising) to permit Service Club signs.

### **Attachments**

1. Public Hearing Notice
2. Draft Ordinance



City of Oakley  
3231 Main Street  
Oakley, CA 94561  
[www.oakleyinfo.com](http://www.oakleyinfo.com)

## NOTICE OF PUBLIC HEARING

Notice is hereby given that on **September 26, 2017** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an **amendment to the City of Oakley Sign Ordinance**.

**Project Name:** Sign Ordinance Amendment to Permit Service Club Signs.

**Project Location:** Non-specific, but generally at City entries.

**Applicant:** City of Oakley, 3231 Main Street, Oakley, CA 94561.

**Request:** Approval of a City-initiated amendment to Chapter 5 of Title 1 of the Oakley Municipal Code ("OMC") (Regulation of Signs and Outdoor Advertising), also referred to as the "Sign Ordinance" or "Sign Code", to permit the installation of Service Club signs at certain locations within the City of Oakley. The amendments include a definition for "Service Club" signs, standards for their size, materials, and general design, and locations where they may be permitted. The signs will require a Sign Permit from the Planning and Building Divisions.

**How to Review:** The Staff Report and its attachments will be available for public review, on or before **September 21, 2017** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at [www.ci.oakley.ca.us/agendas-minutes-videos-archive/](http://www.ci.oakley.ca.us/agendas-minutes-videos-archive/) by navigating to the **September 26, 2017** agenda and clicking the project title link. (Note: City Hall is closed on the 1<sup>st</sup> and 3<sup>rd</sup> Fridays of each month).

Interested persons are invited to submit written comments prior to, and may testify at, the public hearing. **Written comments may be submitted to Kenneth W. Strelow, Principal Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to [strelow@ci.oakley.ca.us](mailto:strelow@ci.oakley.ca.us).**

**NOTICE IS ALSO GIVEN** pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING  
TEXT AMENDMENTS TO CHAPTER 5 OF TITLE 9 OF THE OAKLEY MUNICIPAL  
CODE (REGULATION OF SIGNS AND OUTDOOR ADVERTISING) TO PERMIT THE  
INSTALLATION OF SERVICE CLUB SIGNS AT CERTAIN LOCATIONS WITHIN THE  
CITY OF OAKLEY**

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The City Council of the City of Oakley does ordain as follows:

**SECTION 1.** Section 9.5.106 of the Oakley Municipal Code, titled "Definitions." is hereby amended by adding the definition for "Service Club Sign" alphabetically as subsection 9.5.106(a)(52), and renumbering definitions following that subsection as appropriate. The text will be written as follows:

9.5.106(a). "52) "Service club sign" means a sign that represents a club of business or professional men or women organized for their common benefit and active in community service."

**SECTION 2.** Section 9.5.122 of the Oakley Municipal Code, titled "Administrative Sign Permits." is hereby amended by adding "Service Club Signs" and applicable regulations and standards alphabetically as subsection 9.5.122(a)(8), and renumbering following subsections as appropriate. The text will be written as follows:

9.5.122(a). "8) Service club signs. The Community Development Director may approve an application for a sign permit to place an individual service club sign onto an existing City entry sign or permitted freestanding sign installed specifically for the purpose of housing service club signs, subject to the following regulations and standards:

- a) Service club signs shall be circular or rectangular in shape. Irregular shapes shall not be permitted;
- b) Each individual service club sign shall be no larger than eight (8) square feet (if rectangular) or 36 inches in diameter (if circular);
- c) Service club signs shall be made of professional quality materials that can resist weather decay and fading; and
- d) Installation of a service club signs shall not violate the California Constitution, Article 16 Public Finance, Sec. 5. (Cal. const., art. XVI, §5.) "

**SECTION 3.** Section 9.5.124 of the Oakley Municipal Section, titled "City Council Sign Permits." is hereby amended by adding "Service Club Sign – Freestanding" and applicable regulations and standards alphabetically as subsection 9.5.124(a)(3). The text will be written as follows:

9.5.124(a). "3) Service club signs – freestanding.

a) Regulations. In order to approve a freestanding service club sign, the sign must comply with the following regulations:

(1) The sign shall be located at a key entry point for the City of Oakley, subject to the approval of the City Council.

(2) The sign shall be subject to "General Regulations" set forth for "Freestanding Signs" under Section 9.5.122.

(3) The sign shall be designed in a manner that allows for safe and attractive installation of future individual service club signs. Attention shall be given to aesthetic balance of the sign even when empty spaces have yet to be filled.

(4) The sign shall be no taller than six (6) feet in height and allow for a minimum of four (4) individual service club signs, where the bottom of each sign is at least 18 inches above the base of the sign.

(5) Only signs falling under the definition of "Service Club Sign" shall be permitted on the freestanding sign. All other permanent and temporary signs, shall be prohibited, except signs directly associated with City-sponsored or operated events, subject to the review and approval of the Community Development Director.

(6) Installation of a freestanding service club sign shall not violate the California Constitution, Article 16 Public Finance, Sec. 5. (Cal. const., art. XVI, §5.) "

SECTION 4. California Environmental Quality Act (CEQA).

This project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 "Existing Facilities" (Class 1).

SECTION 5. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on \_\_\_\_\_, 2017 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Sue Higgins, Mayor Date

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk Date