

FEASIBILITY REPORT - SIGNS AND BANNERS IN THE PUBLIC RIGHT OF WAY

Feasibility and Purpose

Signs and banners installed in the County public road right of way could accomplish many goals: welcome travelers, tourists and visitors; help motorists find services; locate local points of interest and places of historical significance; provide directional guidance to local events, attractions and centers of commerce; and enhance community character, beauty and safety for residents and communities.

Physical Constraints

The County of San Diego unincorporated area includes State Routes that are under Caltrans jurisdiction that go through some communities, such as downtown Ramona. A County signs and banners program would not include provisions for banners in state route rights of way. In addition, there are areas where street light poles belong to SDG&E, and the County program would not have provisions for use of those poles to support banners. County street lights are not structurally capable and therefore not intended to mount horizontal banners above and over the roadway.

Roadway Safety & Operations

Signs and banners in the public right of way must be located to minimize hazards to all roadway users and not detract from efficient use of roads. To accomplish this, signs and banners would be located such that they do not restrict or obstruct roadway visibility, distract motorists from traffic control devices or the task of driving, use reserved traffic control terms, or require a call to action (i.e. stop, turn, slow, detour, etc.). To avoid distraction or confusion for the public, sign and banner colors would not match standard traffic control device colors (i.e. black on white or yellow, white on blue).

General Plan/Town Centers

The County's General Plan references town centers within unincorporated communities as active places where community members interact, contribute to the local economy, and enjoy the unique sense of place offered by each community. Staff anticipates that signs and banners in the public right of way would only be used within areas such as town centers.

Program Cost Recovery

Consistent with the principles set forth in the County's General Management System and supporting the disciplines detailed in the County's Strategic Plan and the provisions of Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, County departments are responsible for recovering the full cost of

services provided to the public. It is anticipated that various components in the implementation of a program for signs and banners in the public right of way would require fees to recover costs.

Necessary Amendments

1. J-5 Signage in ROW (i.e. "Permanent" section): complete rewrite or deletion
2. County Code Sec 51.101 Signs, Marquees & Awnings (associated with Building Permit)
3. Zoning Ordinance Section 6200, Off-Premise Sign Regulations: Community/Directional/Commerce

Constitutional Constraints

With few exceptions, the County cannot regulate the content of speech on authorized sign types. The County can, however, regulate the time, place and manner on which signs are allowed. Carefully crafted process and sign construction requirements can reduce the risk of misuse of signs in a content neutral manner. Staff will vet various approaches to this issue during the next few months. .

Environmental Considerations

Implementing changes to the County's current sign and banner requirements will require the Board to consider ordinance and policy changes. These changes will most likely be discretionary actions under the California Environmental Quality Act (CEQA). It is not clear at this point what level of review will be required under CEQA.

It is anticipated that public and community planning and sponsor groups would play a critical role in defining the program's project description. Once the project description is in a complete draft form, CEQA review would be initiated to determine the appropriate level of environmental analysis. However, it is expected that a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be required to adequately analyze the potential impacts of the project, and to allow for public input during the CEQA public review process. It is anticipated that if the project qualifies for a ND or MND, the CEQA review process would take approximately six to nine months from completion of the project description through adoption of the final environmental document by the Board.

Sign and Banner Types

Following are descriptions of the types of signs and banners that the County could consider including in a Signs and Banners in the Public Right of Way program, along with preliminary parameters that would be necessary to ensure that these items do not have impacts on the safety of motorists, cyclists or pedestrians using County roadways.

1. Permanent Signs

1.1 Gateway Community Identification Signs

Description: Non-commercial, civic-oriented decorative signs located in the public right of way, erected as an alternative to the standard white-on-green community identification signs identifying the primary entrances into defined town centers, welcoming travelers, and expressing a community’s sense of identity.

Common Features: Signs would be ground mounted or street spanning. Sign area would be limited in terms of square feet. Signs would provide information on one side only with text size based on how easily readable they are at the roads’ approach speeds. Signs would not be allowed to provide scrolling/variable messages or directions and would not include any sponsorship or photography. Photographs of examples of this type of signage are below.



1.2 Directional Way Finding and Monument Signs

Description: A network of permanent directional and destination signs in the public right of way to provide visitors guidance to prominent civic, cultural, visitor, and recreational destinations within a specified region, strategically placed in or near established town centers to avoid turn-by-turn trailblazing (in other words, avoiding the clutter involved in too many directional signs in an area).

Common Features: Signs would be of common shape with area limited in terms of square feet. Signs would have three to four lines of directional information. Signs

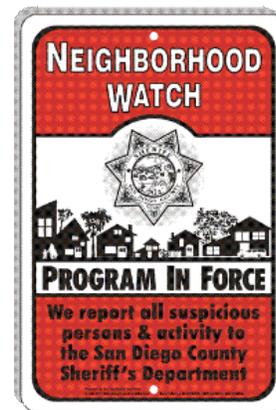
could provide information on two sides when appropriate, with text size based on approach speed. Signs could have general icons such as those illustrated below, but without listing specific business names. They would not be allowed to provide scrolling/variable messages and would not include any sponsorship or photography.



1.3 Neighborhood Watch Signs

Description: The Sheriff’s Neighborhood Watch and Business Watch programs currently allow citizens to help in the fight against crime without taking the law into their own hands by being the eyes and ears for law enforcement. While installations are occasionally seen on County roadways, recognizable Neighborhood Watch signs are not currently addressed in County Code. This program would allow them to be installed in the public right of way as a declaration to would-be criminals that they’re being watched.

Common Features: Neighborhood Watch or Business Watch warning signs are rectangular, 18 inches wide by 24 inches tall, non-reflective with round corners and two mounting holes. Signs would be mounted at right angles to the road and at least 7 feet above the ground on existing street light poles or on 4 inch x 4 inch wood posts 8 feet from the edge of the roadway where there is no curb or 2 feet behind a curb. Signs would reference the County Sheriff’s office.



2. Temporary Banners

2.1 Vertical Street Pole Banners

Description: Vertical banners must be located on County approved street poles and may be designed with an aesthetic and festive look announcing or promoting a community event. Community oriented banners may be used as placeholders when event specific banners are not being used.

Common Features: Vertical banners could be installed on existing street light poles. Banners on poles 20 feet in height or taller would be 30 inches wide by 96 inches tall. Banners on poles less than 20 feet in height would be 24 inches wide by 60 inches tall. For safety, banners must have vertical clearance at least 9 feet above the walkway. Banners may provide information on two sides with text size based on approach speeds. Banners would be made from industrial grade matte finish vinyl with wind slits. Banners would be installed with top and bottom hanging Windbreaker/Band-It bracket system. Banners could be displayed during a period up to 30 days prior to the event and ending 7 days after the event. Banners could include graphic designs, images, or art relating to the event. Banners could contain the name and/or logo of sponsors limited to 20 percent of the sign's face, if the Board approves.



2.2 Horizontal Street Spanning Banners

Description: Horizontal banners spanning the roadway from dedicated County approved structural poles on both sides of the road may be designed with an aesthetic and festive look announcing or promoting a community event within the town center.

Common Features: In County town centers, appropriate sites for horizontal banners that span the roadway should be limited. The County may limit this type of banner to events expected to generate substantial attendance to qualify. In other jurisdictions, the banner must contain the name, date, and location of the event. Horizontal

banners would be no larger than 4 feet high and mounted a minimum of 19 feet and a maximum of 25 feet above travel lanes. Banners could provide information on two sides with text size based on approach speeds. Banners would be made from industrial grade matte finish vinyl with wind slits. Banners could be displayed during a period up to 30 days prior to the event and ending 7 days after the event. Banners may contain non-verbal graphic design, images, or art relating to the event. Banners may contain the name and/or logo of sponsors limited to 20 percent of the sign's face.



Program Administration

The placement of signs in the public right of way would involve coordinated interaction between County staff and members of the public during the planning and permitting phase, the design and manufacture phase, and the installation, maintenance and removal phase. Following are preliminary procedures and constraints that will be refined with input from interested stakeholders then codified as part of the review process and future proposal to the Board of Supervisors.

1. Permanent Signs

Planning and Permitting: County staff would manage all applications for permanent signs in the public right of way with a permit application review process. No permanent sign would be installed within any public right of way without first obtaining an encroachment permit. Applications for a permanent sign would include and not be limited to:

- Encroachment permit
- Building permit and/or site plan pursuant to zoning ordinance requirements
- A plan identifying the proposed location of the sign(s)
- A detailed design approved by a certified engineer
- A certificate of insurance naming the County of San Diego as an additional insured
- Input from the local community planning or sponsor group
- Defend and indemnify the County of San Diego from all liabilities.

Production, Installation, and Maintenance: Applicants receiving an approved encroachment permit would be responsible for production, design, manufacture, procurement, installation, maintenance, and removal of signs through approved, certified, licensed contractors. Neighborhood Watch signs may be installed by applicants upon approval by the County. This method provides local businesses, neighborhoods and civic groups with the opportunity to provide direct services in their communities

2. Temporary Banners

Planning and Permitting: County staff would manage all applications for temporary banners in the public right of way utilizing a permit application review process. No temporary banner would be installed within any public right of way without first obtaining an encroachment permit. Applications for a temporary banner would be submitted at least 30 days, but not more than 180 days, prior to an event to which it relates and would include:

- Encroachment permit
- Building permit and/or site plan pursuant to zoning ordinance requirements
- A plan identifying the proposed locations of the banner(s)
- Dates of banner placement and removal
- A detailed graphic design, photograph, drawing, or other visual representation depicting the content and dimensions
- A description of the material of which it is constructed
- A certificate of insurance naming the County of San Diego as an additional insured
- Input from the local community planning or sponsor group
- Defend and indemnify the County of San Diego from all liabilities.

Production, Installation, Maintenance and Removal: Because the County currently has no program for installation of temporary banners and signs, staff researched how other jurisdictions handle banner and sign programs. Following are options that could be considered for the production, installation maintenance, and removal of temporary banners. They involve varied levels of staff effort and complexity:

- Applicant Driven Process: In this process, the County would administer a program where production, design, manufacture, procurement, installation, maintenance, and removal functions of temporary banners would be performed by the applicant. Applicants would be responsible for any damage that may occur to the signs, hardware, or poles and would be responsible to immediately replace, repair, or clean any sign that is damaged or in disrepair. This would be the most efficient option and would give civic organizations, community groups and local businesses an opportunity to provide direct services in their communities.

- Business Improvement District: Many jurisdictions, including the City of San Diego, form Business Improvement Districts, which are assessment districts in urban business areas that usually involve a third party entity, such as a Business Improvement District Council. The Council or nonprofit that serves the district handles the management and permitting processes of temporary banners as part of the district's activities. This type of district formation would be completely new to the County, and it is uncertain whether this option would be desirable for County town centers. But because this method is used elsewhere in San Diego County for this type of service, it is included here. Under a Business Improvement District, the district council or non-profit providing district services would be the applicant for the encroachment permit. Administration tasks would include production, installation, maintenance, replacement, storage, and removal functions of temporary banners through private licensed contractors. The districts would be responsible for any damage that may occur to the signs, hardware, or poles and would immediately replace, repair, or clean any sign that is damaged or in disrepair. Hardware installed on a street pole within the right of way would become the property of the County and would remain on such pole after sign removal in order to minimize wear and tear on County poles.
- County Forces: Another option would be County administration of the program including County production, installation, maintenance, replacement, storage, and removal functions of temporary banners using County staff or County contractors. This option would likely be costly to applicants and communities requesting signage because County staff time would be more extensive. In addition, it would involve new training and skill requirements for County staff that would run the program.