



## Legislation Details (With Text)

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**Type:** Gen. Bus. - Staff Report      **Status:** Agenda Ready

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**On agenda:** 2/4/2020      **Final action:**

**Title:** Consider Approving an Updated Banner Policy (Parks and Recreation Director Leyman).  
APPROVE

**Sponsors:** Mark Leyman

**Indexes:**

**Code sections:**

**Attachments:** 1. Banner Ordinance, 2. Current Banner Policy, 3. Proposed Banner Policy, 4. 2018-2019 Banner List, 5. Banner Pole Map, 6. Cal Trans Banner Code

Date	Ver.	Action By	Action	Result
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**TO:**  
Honorable Mayor and Members of the City Council

**THROUGH:**  
Bruce Moe, City Manager

**FROM:**  
Mark Leyman, Parks and Recreation Department Director  
Linda Robb, Management Analyst

**SUBJECT:**  
Consider Approving an Updated Banner Policy (Parks and Recreation Director Leyman).  
**APPROVE**

**RECOMMENDATION:**  
Staff recommends that the City Council approve the updated City Banner Policy which includes the following changes:

- Update the policy to allow street banners to be hung 30 days prior to an event.
- Limit street banners to 14 days per display period, with a maximum of 28 days.
- Continue fee waivers for street banners for legacy organizations.
- Add pole banner process guidelines to the banner policy.

**FISCAL IMPLICATIONS:**  
Under the revised policy, if adopted, certain revenues and expenditures will be realized described below.

### Street Banners

All direct costs for street banners and installation will be paid by the applicant. The street banner application of \$277 was established by the User Fee Cost Allocation Study and reflects the fully burdened rates for staff to review the application and install over-the-street banners.

### Pole Banners

Pole banner hardware will need to be installed by the City at an estimated cost of \$239 per utility pole (labor and hardware). Applicants must produce the pole banners and hire a third party vendor to install them at their own expense.

A complete installation of hardware on all 153 poles available in the City would cost \$36,567. However, staff recommends an initial installation of hardware on ten poles in the Downtown area and ten poles in the North Manhattan Beach (NMB) Business Improvement District (BID) at a cost of \$4,780 (there are currently nine existing pole banners displayed in the NMB BID). The hardware will only be installed as necessary, based on the number of banner locations requested. Staff is also recommending an increase in the pole banner rental fee from \$25 to \$50 per pole. The proposed pole banner rental fees will help to cover the hardware replacement costs over time.

### **BACKGROUND:**

At the September 3, 2019, City Council meeting, Councilmembers Hadley, Napolitano, and Mayor Pro Tem Montgomery requested that staff return to City Council with updated banner policy language, a report on the street banner process, and a list of applicants. Staff has added pole banner rental rates, the approval process and hanging duration to this discussion, as there is currently no formal process for pole banners.

### Street Banners

City Council approved the attached current Banner Policy and ordinance on August 20, 2013. The ordinance allows for street banners (banners that span the width of the street) to be hung only for the purpose of publicizing City-sponsored, City co-sponsored, and City-funded events.

The current policy states that street banners advertising events shall be hung no earlier than 14 days before the event and shall be removed within one business day after the event. This language was adopted into the City policy to mirror the attached Caltrans rules that govern banners hung over Sepulveda Boulevard.

Caltrans, which only regulates banners on Sepulveda Boulevard, allows banners displayed by nonprofit organizations, but prohibits banners containing private advertising, including logos, or banners of a political nature. The display may be allowed two weeks before the event and may remain in place for the duration of the event, not to exceed 6 weeks of display.

Street banner locations are reserved through the Parks and Recreation Department. Organizations may reserve banner space up to one year in advance of their event for up to four weeks of display. Parks and Recreation staff sends out weekly instructions for installation and removal of banners to Public Works. Banners are installed and removed on Mondays, unless there is a holiday, in which case the banners are installed and removed on Tuesdays.

The attached list of street banners displayed over the past 2 years shows the total number of weeks and locations for each applicant.

### Pole Banners

The banner ordinance also allows for street pole banners (defined as banners that are mounted on a single pole). However, pole banners have been allowed only on a limited basis in the downtown area since 2016. More recently, in the NMB BID, pole banners that define the business district were hung. Overall, up to 153 pole banner locations are available throughout the City.

## **DISCUSSION:**

### Street Banners

The current approved banner policy states that banners will hang no more than 14 days prior to an event. Staff is recommending that the language in the policy be updated to state:

“Street Banners shall be hung for one display period of 14 days, and removed as soon as administratively possible (based on staffing, holidays, etc.) at any given location. Applicants may request that their banners be hung for one additional display period, either at the same location or an alternate location. Under no circumstances shall banners promoting an event be hung for more than 28 consecutive days. All banner requests shall be scheduled no more than 30 days prior to the event.

Events occurring several times per year, such as the Farmers Market and the Downtown Manhattan Beach Business and Professional Association (DBPA) Sidewalk Sales, will be limited to four weeks each, four times per year. Banners hanging on Sepulveda Boulevard, governed by Caltrans, are subject to Caltrans scheduling requirements.

### Street Banner Fee Waivers

Of the events and organizations on the attached list, three organizations (American Martyrs Sophisticated Snoops, Sandpipers Holiday Home Tour, and Walk with Sally White Light White Night) have been granted fee waivers by the City Council for hanging their banners. The fee waivers allow them to hang their banners as City co-sponsored events, which are longstanding and beneficial to the organizations and residents within Manhattan Beach, although they do not necessarily occur in Manhattan Beach. Staff recommends that the City Council also include the Catalina Classic banner, which is a longstanding legacy event. In previous years, the applicant was the DBPA, as they co-sponsored the event. The waiver would allow the Catalina Classic to be the direct applicant. The approved fee waiver is for one 14-day display period. These events have also been permitted to hang their banners for one additional 14-day display period, or hang an additional banner simultaneously at a second location, at their own expense.

### Pole Banners

In the downtown area, there is limited pole banner hardware and thus pole banners have been allowed only on a limited basis in recent times. However, there is functioning hardware on the street light poles in the north end of Manhattan Beach, which has been used by the NMB BID to define their commercial boundaries. Notably, while the City has a process for permitting and charging for street banners, the City does not currently have a formal process for permitting and charging to hang pole banners.

While up to 153 pole banner locations are available (attachment), staff recommends that pole banners be limited to specific streets as determined by the City. Potential locations include the arterial corridors of Marine Avenue, Highland Avenue, Manhattan Beach Boulevard, Rosecrans Avenue, Sepulveda Boulevard, and Manhattan Avenue. The City of Manhattan Beach purchased 825 streetlights from Southern California Edison this year and now owns most of those poles in the

commercial corridors.

The DBPA hung banners for their Eat, Play, Shop Local campaign several years ago. Those banners were removed in 2016 with the intention of replacing them with a new campaign.

The NMB BID, as part of its branding, hung large metal banners on street lights from approximately 2008 through 2018. The signs were removed due to failing hardware and safety issues caused by the weight of the signs and corrosion. Staff has mandated that any banners hung moving forward be made of light, yet durable material such as cloth, or vinyl. Pole Banners are displayed Downtown for the Manhattan Beach Open Volleyball tournament annually as part of the agreement with the City. The Association of Volleyball Players (AVP) hires a third party to install them. Pole banners were also displayed for the Centennial celebrations, and are used during the holidays to display snowflakes.

Staff recently received one inquiry from Oceanographic Teaching Stations to display pole banners as part of a fundraising campaign for the Roundhouse Aquarium. However, staff does not anticipate a large number of requests from other organizations in the future.

Based on the information provided above, staff recommends that City Council adopt the following guidelines:

- All requests for pole banners will be administered by the Parks and Recreation Department.
- Requests from the DBPA for the Downtown area or NMB BID may be approved administratively by the Parks and Recreation Department. All other requests should be approved by the City Council.
- Rental fee will be \$50 per pole for each display period.
- Customers must produce the banners and hire a third-party vendor to install them at their own expense. The vendor is required to provide proof of insurance to the City before installation.

Staff also recommends that the following language be added to the Banner Policy regarding pole banners:

“Streetlight (or vertical) pole banners promoting an event shall be hung for a period not to exceed 30 days prior to the event. Longer term campaigns that are not event specific, may be approved on a case-by-case basis. Banners hanging on Sepulveda Boulevard, governed by Caltrans, are subject to Caltrans requirements.”

As stated above, the only event pole banners that have been placed in recent years were for the AVP/Manhattan Beach Open, which is included in their agreement with the City. The agreement grants the AVP the right to hang pole banners 30 days prior to the event. Pole banner campaigns have been limited to the NMB BID and DBPA.

#### **PUBLIC OUTREACH:**

Customers who have hung banners within the past two years have been notified of the proposed changes and invited to attend the February 4, 2020, City Council meeting.

#### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a “Project” as defined under Section

15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and the updated policy and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. Banner Ordinance
2. Current Banner Policy
3. Proposed Banner Policy
4. 2018-2019 Banner List
5. Banner Pole Map