



# City of El Cajon

## Planning Commission Agenda

### Tuesday, January 5, 2021 Meeting

### 7:00 PM

PAUL CIRCO, Chair  
ANTHONY SOTTILE, Vice Chair  
HUMBERT CABRERA  
DARRIN MROZ  
REBECCA POLLACK-RUDE

Meeting Location: City Council Chambers, 200 Civic Center Way, El Cajon, CA

[www.cityofelcajon.us/your-government/departments/community-development/planning-division](http://www.cityofelcajon.us/your-government/departments/community-development/planning-division)

Please note that, pursuant to the Governor of the State of California Governor's Executive Order N-29-20, and in the interest of the public health and safety, members of the Planning Commission and Staff may attend the meeting telephonically. Further, Orders from the San Diego County Health Officer prevent persons other than City officials and essential employees to be physically present.

In accordance with the Executive Order, and in compliance with the County Health Officer's Orders, the public may view the meeting and participate via the online meeting platform, Zoom Webinar. You may access the virtual meeting via the link below or log in to Zoom.us and use the meeting ID number below. You can also use the phone number listed below to call in and listen to the meeting. You do not need a computer to access the meeting via phone.

Meeting Link	<a href="https://zoom.us/j/96228560272">https://zoom.us/j/96228560272</a>
Webinar ID	<b>962 2856 0272</b>
Phone Audio Option:	<b>1 669 900 6833</b>

If you need assistance connecting via Zoom to the meeting, please refer to the instructions provided at zoom.us. Video tutorials on how to connect to Zoom are provided at the following link: <https://support.zoom.us/hc/en-us>.

To submit comments on an item on this agenda, or a Public Comment, please e-mail the comments with Planning Commission in the subject line to [planning@cityofelcajon.us](mailto:planning@cityofelcajon.us) before 5 p.m. on Tuesday, January 5, 2021, or you may submit written comments during your participation in the Zoom meeting. Comments will be accepted up to the conclusion of the public hearing of each item. Comments will be limited to 300 words and will be entered into the official Commission Meeting Record.

The Planning Commission will endeavor to include all comments prior to taking actions. Should technical difficulties arise, they will be resolved as soon as possible.

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### CHAIRPERSON'S WELCOME

#### PUBLIC COMMENT

*Decisions and Appeals - A decision of the Planning Commission is not final until the appeal period expires 10 days from the date of transmittal of the Commission's resolution to the City Clerk. The appeal period for the items on this Agenda will end on Friday, January 15, 2021 at 5:00 p.m., except that Agenda items which are forwarded to City Council for final action need not be appealed.*

This is the opportunity for the public to address the Commission on any item of business within the jurisdiction of the Commission that is not on the agenda. Under state law no action can be taken on items brought forward under Public Comment except to refer the item to staff for administrative action or to place it on a future agenda. Non-agenda public comments must be submitted before the end of public comment during the meeting.

#### CONSENT

<b>Agenda Item:</b>	<b>1</b>
	<b>Planning Commission minutes of December 1, 2020</b>

#### PUBLIC HEARINGS

<b>Agenda Item:</b>	<b>2</b>
<b>Project Name:</b>	<b>Sign Ordinance Amendment</b>
<b>Request:</b>	<b>Amend Sign Ordinance to allow signs on City-owned property under certain criteria</b>
<b>CEQA Recommendation:</b>	<b>EXEMPT</b>
<b>STAFF RECOMMENDATION:</b>	<b>RECOMMEND CITY COUNCIL APPROVAL</b>
<b>Project Number(s):</b>	Zoning Code Amendment (ZCA) No. 2020-0002
<b>Location:</b>	Citywide
<b>Applicant:</b>	City of El Cajon
<b>Project Planner:</b>	Anthony Shute, 619-441-1742, <a href="mailto:tshute@cityofelcajon.us">tshute@cityofelcajon.us</a>
<b>City Council Hearing Required?</b>	Yes   January 26, 2021
<b>Recommended Actions:</b>	<ol style="list-style-type: none"> <li>1. Conduct the public hearing; and</li> <li>2. MOVE to adopt the next resolution in order, recommending approval of the Zoning Code Amendment, allowing signs on city-owned property.</li> </ol>

#### 4. OTHER ITEMS FOR CONSIDERATION

#### 5. STAFF COMMUNICATIONS

#### 6. COMMISSIONER REPORTS/COMMENTS

#### 7. ADJOURNMENT

This Planning Commission meeting is adjourned to January 19, 2021 at 7 p.m.

*Decisions and Appeals - A decision of the Planning Commission is not final until the appeal period expires 10 days from the date of transmittal of the Commission's resolution to the City Clerk. The appeal period for the items on this Agenda will end on Friday, January 15, 2021 at 5:00 p.m., except that Agenda items which are forwarded to City Council for final action need not be appealed.*



## MINUTES PLANNING COMMISSION MEETING DECEMBER 1, 2020

 **DRAFT**

*The meeting of the El Cajon Planning Commission was called to order at 7:00 p.m.*

### PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE.

**COMMISSIONERS PRESENT:** Paul CIRCO (Chair) / *(via virtual platform)*  
Humbert CABRERA *(via virtual platform)*  
Darrin MROZ *(via virtual platform)*  
Rebecca POLLACK-RUDE *(via virtual platform)*  
Anthony SOTTILE (Vice Chair) *(via virtual platform)*

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Melissa DEVINE, Planning Manager / *(via virtual platform)*  
Barbara LUCK, Staff Attorney / *(via virtual platform)*  
Jeffrey MANCHESTER, Deputy Director/City Engineer, Public Works  
Spencer HAYES, Associate Planner / *(via virtual platform)*  
Ron Luis Valles, Administrative Secretary / *(via virtual platform)*  
Roxana GUZMAN, Administrative Secretary / *(via virtual platform)*

Chairman CIRCO explained the procedures of the virtual meeting, which is in compliance with the State of California Governor's Executive Order, and the County of San Diego's Health Officer's Orders.

### PUBLIC COMMENT:

No email comments received before the meeting or online comments during the meeting.

### CONSENT CALENDAR:

Agenda Item:	1
	Planning Commission minutes of October 20, 2020

Motion was made by SOTTILE, seconded by POLLACK-RUDE, to approve the October 20, 2020 minutes; carried 5-0.

**PUBLIC HEARING ITEM:**

<b>Agenda Item:</b>	<b>2</b>
<b>Project Name:</b>	<b>Neighborhood Healthcare Non-profit Service Center</b>
<b>Request:</b>	<b>Community service organization – navigation and support center</b>
<b>CEQA Recommendation:</b>	<b>EXEMPT</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVE</b>
<b>Project Number(s):</b>	Conditional Use Permit (CUP) No. 2020-0008
<b>Location:</b>	470 North Mollison Avenue
<b>Applicant:</b>	Mike DeLeon, Neighborhood Healthcare; 760-520-8601
<b>Project Planner:</b>	Spencer Hayes, shayes@cityofelcajon.us, 619-441-1656
<b>City Council Hearing Required?</b>	No
<b>Recommended Actions:</b>	<ol style="list-style-type: none"><li>1. Conduct the public hearing; and</li><li>2. MOVE to adopt the next resolutions in order approving the proposed CEQA exemption and CUP No. 2020-0008, subject to conditions.</li></ol>

HAYES summarized the staff report through a PowerPoint presentation. Staff recommended that the Planning Commission adopt the resolutions approving the project.

The public hearing was opened.

[Ms. Jessica HILLIS, a neighbor, submitted a letter opposing the project, citing on-site and street parking, traffic congestion, food distribution and litter issues. It was distributed by email to Planning Commissioners before the meeting.]

Ms. Jessica HILLIS, a neighbor, who submitted the letter, spoke and reiterated her concerns.

Mr. Rakesh PATEL, chief executive officer of Neighborhood Health Center, spoke in favor and addressed concerns. He also noted that they have provided security services and has reduced calls for service, especially during the evening.

Mr. Mike DeLEON, the applicant with Neighborhood Healthcare, spoke in favor of the project.

Mr. Karl HIGGINS, (who could not get the audio portion working), a project representative, sent a chat message in support of project.

Motion was made by CIRCO, seconded by SOTTILE, to close the public hearing; carried 5-0.

Commissioners recommended adding conditions to restrict food pantry services and a review of the project in six months.



Motion was made by CABRERA, seconded by SOTTILE, to adopt the resolutions APPROVING the CEQA Exemption, and Conditional Use Permit No. 2020-0008, adding conditions to restrict food pantry services to outside of peak school drop off and pick up times and to review the project in six months, and subject to conditions; carried 5-0.

The appeal period of this item ends at 5 p.m., Monday, December 14, 2020.

<b>Agenda Item:</b>	<b>3</b>
<b>Project Name:</b>	<b>Business &amp; Economic Development Post-COVID</b>
<b>Request:</b>	<b>Informational Item</b>
<b>CEQA Recommendation:</b>	<b>EXEMPT</b>
<b>STAFF RECOMMENDATION:</b>	<b>PROVIDE INPUT</b>
<b>Project Number(s):</b>	N/A
<b>Location:</b>	Citywide
<b>Applicant:</b>	Community Development Department
<b>Project Planner:</b>	Melissa Devine; mdevine@cityofelcajon.us; 619-441-1773
<b>City Council Hearing Required?</b>	No
<b>Recommended Actions:</b>	Provide feedback on recommendations

DEVINE summarized the staff report through a PowerPoint presentation.

Commissioners supported recommendations by staff.

Mr. Aaron MILLONZI provided an online chat comment supported relaxing the requirements for food trucks.

This is an informational update and no action is requested.

<b>Agenda Item:</b>	<b>4</b>
<b>Project Name:</b>	<b>Workshop on the Housing Element Update</b>
<b>Request:</b>	<b>Informational Report</b>
<b>CEQA Recommendation:</b>	<b>Not Subject to CEQA</b>
<b>STAFF RECOMMENDATION:</b>	<b>Informational Only</b>
<b>Project Number(s):</b>	General Plan and Housing Element
<b>Location:</b>	Citywide
<b>Applicant:</b>	City of El Cajon
<b>Project Planner:</b>	Melissa Devine, 619-441-1773, <a href="mailto:mdevine@cityofelcajon.us">mdevine@cityofelcajon.us</a>
<b>City Council Hearing Required?</b>	No
<b>Recommended Actions:</b>	<ol style="list-style-type: none"> <li>1. Receive staff presentation; and</li> <li>2. Provide staff with feedback</li> </ol>

DEVINE summarized the staff report through a PowerPoint presentation.

Commissioners provided input on density, mixed use, transit district and the RNHA goals.

Mr. Patrick GRILLOT provided an online comment and encouraged on meeting RNHA goals and increasing the supply of housing.

This is an informational update and no action is requested.

**OTHER ITEMS FOR CONSIDERATION:**

The Commission reviewed and concurred with the proposed 2021 Planning Commission meeting schedule.

**COMMUNICATIONS:**

There were no project updates from staff or Commission, but they extended holiday greetings.

**ADJOURNMENT:**

Motion was made by CIRCO, seconded by SOTTILE, to adjourn the meeting of the El Cajon Planning Commission at 9:10 p.m. this 1st day of December 2020 until 7:00 p.m., Tuesday, January 5, 2021; carried 5-0.

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Paul CIRCO, Chair

ATTEST:

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Melissa DEVINE, Secretary



City of El Cajon

Community Development Department  
Planning Division  
**PLANNING COMMISSION AGENDA REPORT**

<b>Agenda Item:</b>	<b>2</b>
<b>Project Name:</b>	<b>Sign Ordinance Amendment</b>
<b>Request:</b>	<b>Amend Sign Ordinance to allow signs on City-owned property under certain criteria</b>
<b>CEQA Recommendation:</b>	<b>Exempt</b>
<b>STAFF RECOMMENDATION:</b>	<b>RECOMMEND CITY COUNCIL APPROVAL</b>
<b>Project Number(s):</b>	Zoning Code Amendment No. 2020-0002
<b>Location:</b>	Citywide
<b>Applicant:</b>	City of El Cajon
<b>Project Planner:</b>	Anthony Shute, 619.441.1742, tshute@cityofelcajon.us
<b>City Council Hearing Required?</b>	Yes   January 26, 2021
<b>Recommended Actions:</b>	<ol style="list-style-type: none"><li>1. Conduct the public hearing; and</li><li>2. MOVE to adopt the next resolution in order, recommending approval of the Zoning Code Amendment allowing signs on city-owned property.</li></ol>

## PROJECT DESCRIPTION

This request was initiated by the City Council on June 9, 2020, directing staff to draft a Sign Ordinance amendment to allow signs on City-owned property. The proposed ordinance would allow signs on City-owned property under certain criteria and subject to approval by the City Council. El Cajon Municipal Code (ECMC) section 17.20.020 provides that amendments to the Zoning Code may be initiated by the City Council.

## BACKGROUND

### *June 9, 2020 City Council Meeting*

At its meeting on June 9, City staff presented updated information related to the City of El Cajon's Fiscal Year 2020/2021 budget and requested feedback to City staff on various proposals that could have a positive impact on the City's budget. The City Council agreed that an opportunity for a positive impact exists by constructing and leasing billboard (sign) space along I-8 on City-owned property, and directed staff to return with a proposed sign ordinance amendment allowing such signs.



## DISCUSSION

As directed by the City Council, staff has prepared a proposed amendment to the Sign Ordinance, specifically El Cajon Municipal Code (ECMC) Chapter 17.190 that sets forth policies and regulations for the display of signs on City property. The proposed amendment addresses the prohibition of signs on city property or within the city right-of-way, unless authorized by the City Council by a policy statement or resolution.

The proposed ordinance allows the City Council to approve a sign (e.g. digital billboard) on City property for general advertising for hire after consideration of factors, such as, maximization of the economic value of City property, revenue generation to the City's general fund, dissemination of City's own messages, public service announcements, and other messages to the public, and encouragement of economic activity. The proposed ordinance also allows the City Manager to permit non-commercial speech signs to be placed in the right-of-way for no more than 15 days subject to a policy established by the City Manager. Such signs may be informational or directional in nature.

The proposed ordinance repeals existing ECMC section 17.190.040, subsections F and I, adds new subsections F and I to section 17.190.040, and adds new sections 17.190.265, 17.190.266, and 17.190.267. Generally, the new regulations includes allowing signs to be freeway-oriented while allowing the City Council to determine height, size, and sign area. However, such signs must comply with any applicable Caltrans rules. The Planning Commission may refer to attachment number two for a "clean" version of the proposed text.

## FINDINGS

- A. *The proposed zoning code amendment, including any changes proposed in the various land uses to be authorized, is compatible with the objectives, policies, general land uses, and programs specified in the general plan.*

The General Plan contains goals and policies, specifically those found under Goal 9, that are aimed at ensuring the City makes every effort possible to create and maintain a region-wide commercial base. The proposed ordinance intends to maximize the value of city property and encourage economic activity.

- B. *The proposed zoning code amendment is consistent with any applicable specific plan governing development of the subject property.*

The proposed amendment does not directly affect any governing specific plan.

- C. *It is in the public necessity and convenience and/or general welfare that the zoning regulations governing the property be changed.*

The proposed sign ordinance amendment will allow for signs that will convey city messages, public service announcements and other messages to the public on a broad

scale. Furthermore, it will create opportunities for messages that identify businesses, uses, events, and services to the public.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

This proposed amendment is exempt from CEQA pursuant to the "General Rule" that CEQA only applies to projects that have the potential for causing a significant physical effect on the environment, (CEQA Guidelines, Section 15061(b)(3)). The proposed amendment is minor in nature due to limitations imposed by local and state standards and do not raise this project to a level of significance that warrants CEQA analysis because the intensity of allowable signage is not increased and there are no potentially significant environmental effects.

#### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend approval of the proposed sign ordinance amendment to the City Council. The proposed ordinance will provide the City with economic opportunities that will realize the revenue potential and value of City-owned property as well as create a mechanism to disseminate city messages and public service announcements to the public.

#### **PREPARED BY:**



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**Anthony Shute**  
**DIRECTOR OF**  
**COMMUNITY**  
**DEVELOPMENT**

## **ATTACHMENTS**

1. Proposed Resolution recommending City Council APPROVAL of Zoning Code Amendment
2. Proposed Sign Ordinance Amendment – text only (clean version)
3. Proposed Sign Ordinance Amendment – text only (strike through underline version)
4. ECMC section 17.20.020
5. Public Notice

## PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT NO. 2020-0002 THAT AMENDS TITLE 17 BY REPEALING SUBSECTIONS F AND I OF SECTION 17.190.040 AND ADDING A NEW SUBSECTIONS F AND I, AND ADDING NEW SECTIONS 17.190.265, 17.190.266, AND 17.190.267 ALLOWING FOR SIGNS ON CITY-OWNED PROPERTY AND IN CITY RIGHT-OF-WAY UNDER SPECIFIC CRITERIA.

WHEREAS, the El Cajon City Council, at its meeting on June 9, 2020, directed the staff to draft a Zoning Code amendment to allow signs on City-owned property; and

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on January 5, 2021, to consider Amendment to the Zoning Code No. 2020-0002; and

WHEREAS, in accordance with CEQA Guidelines section 15061(b)(3)), and prior to making a recommendation to the City Council, the Planning Commission reviewed and considered the information contained in the project staff report; and

WHEREAS, at the public hearing the Planning Commission received evidence through public testimony and comment, in the form of verbal and written communications and reports prepared and presented to the Planning Commission, including (but not limited to) evidence such as the following:

- A. Based upon the record as a whole, the Planning Commission hereby finds that the proposed Zoning Code amendment, as modified by this Resolution, is exempt from CEQA pursuant to CEQA Guidelines, section 15061(b)(3)) "Common Sense" exemption, that CEQA only applies to projects that have the potential for causing a significant physical effect on the environment.
- B. The General Plan contains goals and policies, specifically those found under Goal 9, that are aimed at ensuring the City makes every effort possible to create and maintain a region-wide commercial base. The proposed ordinance intends to maximize the value of city property and encourage economic activity.
- C. The proposed amendment does not directly affect any governing specific plan.
- D. The proposed sign ordinance amendment will allow for signs that will convey city messages, public service announcements and other messages to the public on a broad scale. Furthermore, it will create opportunities for messages that identify businesses, uses, events, and services to the public.

WHEREAS, after considering such evidence and facts the Planning Commission did consider Amendment to the Zoning Code No. 2020-0002 as presented at its meeting.



Proposed Planning Commission Resolution

NOW, THEREFORE, BE IT RESOLVED by the El Cajon Planning Commission as follows:

Section 1. That the foregoing recitals are true and correct, and are findings of fact of the El Cajon Planning Commission in regard to Amendment to the Zoning Code No. 2020-0002.

Section 2. That based upon said findings of fact, the El Cajon Planning Commission hereby RECOMMENDS City Council APPROVAL of Amendment to the Zoning Code repealing subsection F section 17.190.040 of Chapter 17.190, or Title 17 of the El Cajon Municipal Code and adding a new subsection F of section 17.190.040 of Chapter 17.190, or Title 17 of the El Cajon Municipal Code to read as follows:

- F. Billboard Policy. It is a fundamental land use policy of the city of El Cajon to prohibit the construction, erection or use of any billboards, as defined in this chapter, other than those that legally exist in the city, or for which a valid permit has been issued and has not expired as of the date on which this provision is first adopted, or as may be allowed by the S overlay zone (Section 17.190.270, below). The city adopts this policy pursuant to California Government Code section 65850, California Business and Professions Code sections 5354(a) and 5408.3 (both effective January 1, 2003). No permit shall be issued for any billboard that violates this policy, and the construction or maintenance of any billboard in violation of this subsection is declared a nuisance and the city may take immediate steps to abate any nuisance created by any billboard constructed or maintained in violation of this policy. The city council affirmatively declares that it would have adopted this subsection even if it were the only provision in this chapter.

Section 3. That based upon said findings of fact, the El Cajon Planning Commission hereby RECOMMENDS City Council APPROVAL of Amendment to the Zoning Code repealing subsection I of section 17.190.040 of Chapter 17.190, or Title 17 of the El Cajon Municipal Code and adding a new subsection I of section 17.190.040 of Chapter 17.190, or Title 17 of the El Cajon Municipal Code to read as follows:

- I. On or Projected Over Public Right-of-Way; On City-owned Property. No sign may be placed on, or project over the public right-of-way, and no sign shall be allowed on City-owned property, unless such projection or placement is specifically authorized by this chapter or by a policy statement or resolution, adopted by the city council, authorizing such projection or placement.

Section 4. Sections 17.190.265, 17.190.266, and 17.190.267 are hereby added to Chapter 17.190 of Title 17 of the El Cajon Municipal Code to read as follows:

17.190.265 Signs permitted on city-owned property or rights-of-way.

- A. Prohibition. Private persons and governmental agencies other than the city may not display signs on city property (except as provided in subsection B, below) and rights-of-way (except as provided in subsection C, below) unless such display is specifically authorized by this chapter or by state or federal law, or court order.
- B. Signs on City-owned Property. In order to realize the revenue potential of property owned by the city, and to provide a method for city messages to be presented to the public, the city council may allow approved private parties to place signs on city property in consideration of such fee and other consideration to be negotiated and included in a lease, license agreement, development agreement, or other legal arrangement.
  - 1. Types of Signage. Signs placed by private parties may be of whatever nature approved by the city council in accordance with subsection D below. Signs might include permanent signs, such as billboards with static display, and may include electronic message display. Signs might also include leasing or a license of time and space on a city-owned permanent sign such as a billboard, whether static display or electronic message display. Approved signs may also be freeway-oriented signs.
  - 2. Duration of Signage. Signs will only be allowed to remain on the city-owned property for the period of time approved by the city in the agreement between the city and the private party.
  - 3. Types of Speech Allowed. The approved signs may include commercial and non-commercial speech *provided* that non-commercial speech shall not include political speech (e.g., campaign advertisements, messages intended to promote legislation, etc.); commercial speech advertising tobacco or tobacco-related products (as defined in this Code), alcohol, cannabis and cannabis-related products, adult entertainment, gambling, or other adult-oriented products or commercial activities; or the direct promotion of sectarian beliefs; and the message substitution policy in section 17.190.040(D) shall not apply for the purpose of substituting any prohibited speech for any other commercial or non-commercial speech, it being

understood that such speech has other media available for such speech.

- C. Signs in City Right-of-way. Signs in the city's rights-of-way shall be prohibited unless approved by the city manager, pursuant to such policy as may be established from time-to-time.
  - 1. Limited Duration. Private party signs in the city's rights-of-way shall be limited to not more than fifteen (15) days. Signs must be removed at the end of the period approved or are subject to removal by city forces, to be held for a period of 30 days or until claimed by the person owning the sign, whichever first occurs.
  - 2. Commercial Speech Prohibited. The approved signs shall not include commercial speech, and the message substitution policy in section 17.190.040(D) shall not apply to allow for any commercial speech.
  - 3. Size Limitations. Signs in the city's rights-of-way shall not be allowed where it would create traffic hazards. Signs shall not exceed a total of 18 square feet in size, and shall not exceed three (3) feet in height.
- D. Procedures for Approval of Use of City-owned Property for Signs. The city manager shall establish procedures for selecting persons desiring to use city-owned property in excess of 30 consecutive days. The city manager shall identify the location of property where signs meeting the requirements of this chapter can be placed, and a request for proposals shall be advertised and circulated to interested parties. The proposals shall be evaluated and a recommendation made to the city council. Criteria to be considered shall include, but not be limited to, the following:
  - 1. The extent to which the proposal maximizes the economic value of the city's property;
  - 2. The extent to which the proposal will contribute revenue to the city's general fund;
  - 3. The extent to which the proposal will allow dissemination of the city's own messages, public service announcements, and other messages to the public; and
  - 4. The extent to which the proposal will encourage economic activity in the city.

Proposed Planning Commission Resolution

- E. Location and Limitations. All new signs constructed and located on city-owned property, or city rights-of-way pursuant to this chapter must meet the following requirements:
1. They shall comply with all applicable requirements of this Code, and of any other regulatory authority including, if applicable, rules of the California State Department of Transportation for freeway-oriented signs;
  2. They shall be allowed in locations providing the greatest exposure to high traffic areas in the city;
  3. They shall comply with all height and size criteria as determined by the city council; and
  4. They shall be exempt from the provisions of section 17.190.270.

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Proposed Planning Commission Resolution

PASSED AND ADOPTED by the El Cajon City Planning Commission at a regular meeting held January 5, 2021 by the following vote:

AYES:	CABRERA, CIRCO, MROZ, POLLACK-RUDE, SOTTILE
NOES:	NONE
ABSENT:	NONE

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Paul CIRCO, Chair

ATTEST:

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Melissa Devine, Secretary

## **Proposed Sign Ordinance Amendment Clean Version**

Section 1. Subsections F and I of section 17.190.040 of the El Cajon Municipal Code are hereby repealed.

Section 2. A new subsection F is added to section 17.190.040 of Chapter 17.190 of Title 17 of the El Cajon Municipal Code to read as follows:

F. Billboard Policy. It is a fundamental land use policy of the city of El Cajon to prohibit the construction, erection or use of any billboards, as defined in this chapter, other than those that legally exist in the city, or for which a valid permit has been issued and has not expired as of the date on which this provision is first adopted, or as may be allowed by the S overlay zone (Section 17.190.270, below). The city adopts this policy pursuant to California Government Code section 65850, California Business and Professions Code sections 5354(a) and 5408.3 (both effective January 1, 2003). No permit shall be issued for any billboard that violates this policy, and the construction or maintenance of any billboard in violation of this subsection is declared a nuisance and the city may take immediate steps to abate any nuisance created by any billboard constructed or maintained in violation of this policy. The city council affirmatively declares that it would have adopted this subsection even if it were the only provision in this chapter.

Section 3. A new subsection I is added to section 17.190.040 of Chapter 17.190, of Title 17 of the El Cajon Municipal Code to read as follows:

I. On or Projected Over Public Right-of-Way; On City-owned Property. No sign may be placed on, or project over the public right-of-way, and no sign shall be allowed on City-owned property, unless such projection or placement is specifically authorized by this chapter or by a policy statement or resolution, adopted by the city council, authorizing such projection or placement.

Section 4. Sections 17.190.265, 17.190.266, and 17.190.267 are hereby added to Chapter 17.190 of Title 17 of the El Cajon Municipal Code to read as follows:

17.190.265 Signs permitted on city-owned property or rights-of-way.

A. Prohibition. Private persons and governmental agencies other than the city may not display signs on city property (except as provided in subsection B, below) and rights-of-way (except as provided in subsection C, below) unless such display is specifically authorized by this chapter or by state or federal law, or court order.

B. Signs on City-owned Property. In order to realize the revenue potential of property owned by the city, and to provide a method for city messages to be presented to the public, the city council may allow approved private parties to place signs on city property in consideration of such fee and other consideration to be negotiated and included in a lease, license agreement, development agreement, or other legal arrangement.

1. Types of Signage. Signs placed by private parties may be of whatever nature approved by the city council in accordance with subsection D below.

## **Proposed Sign Ordinance Amendment Clean Version**

Signs might include permanent signs, such as billboards with static display, and may include electronic message display. Signs might also include leasing or a license of time and space on a city-owned permanent sign such as a billboard, whether static display or electronic message display. Approved signs might also be freeway-oriented signs.

2. Duration of Signage. Signs will only be allowed to remain on the city-owned property for the period of time approved by the city in the agreement between the city and the private party.

3. Types of Speech Allowed. The approved signs may include commercial and non-commercial speech *provided* that non-commercial speech shall not include political speech (e.g., campaign advertisements, messages intended to promote legislation, etc.); commercial speech advertising tobacco or tobacco-related products (as defined in this Code), alcohol, cannabis and cannabis-related products, adult entertainment, gambling, or other adult-oriented products or commercial activities; or the direct promotion of sectarian beliefs; and the message substitution policy in section 17.190.040(D) shall not apply for the purpose of substituting any prohibited speech for any other commercial or non-commercial speech, it being understood that such speech has other media available for such speech.

C. Signs in City Right-of-way. Signs in the city's rights-of-way shall be prohibited unless approved by the city manager, pursuant to such policy as may be established from time-to-time.

1. Limited Duration. Private party signs in the city's rights-of-way shall be limited to not more than fifteen (15) days. Signs must be removed at the end of the period approved or are subject to removal by city forces, to be held for a period of 30 days or until claimed by the person owning the sign, whichever first occurs.

2. Commercial Speech Prohibited. The approved signs shall not include commercial speech, and the message substitution policy in section 17.190.040(D) shall not apply to allow for any commercial speech.

3. Size Limitations. Signs in the city's rights-of-way shall not be allowed where it would create traffic hazards. Signs shall not exceed a total of 18 square feet in size, and shall not exceed three (3) feet in height.

D. Procedures for Approval of Use of City-owned Property for Signs. The city manager shall establish procedures for selecting persons desiring to use city-owned property in excess of 30 consecutive days. The city manager shall identify the location of property where signs meeting the requirements of this chapter can be placed, and a request for proposals shall be advertised and circulated to interested parties. The proposals shall be evaluated and a recommendation made to the city council. Criteria to be considered shall include, but not be limited to, the following:

## **Proposed Sign Ordinance Amendment Clean Version**

1. The extent to which the proposal maximizes the economic value of the city's property;
  2. The extent to which the proposal will contribute revenue to the city's general fund;
  3. The extent to which the proposal will allow dissemination of the city's own messages, public service announcements, and other messages to the public; and
  4. The extent to which the proposal will encourage economic activity in the city.
- E. Location and Limitations. All new signs constructed and located on city-owned property, or city rights-of-way pursuant to this chapter must meet the following requirements:
1. They shall comply with all applicable requirements of this Code, and of any other regulatory authority including, if applicable, rules of the California State Department of Transportation for freeway-oriented signs;
  2. They shall be allowed in locations providing the greatest exposure to high traffic areas in the city;
  3. They shall comply with all height and size criteria as determined by the city council; and
  4. They shall be exempt from the provisions of section 17.190.270.



## Proposed Sign Ordinance Amendment Strike Through Underline Version

Section 1. Subsections F and I of section 17.190.040 of the El Cajon Municipal Code are hereby repealed.

Section 2. A new subsection F is added to section 17.190.040 of Chapter 17.190 of Title 17 of the El Cajon Municipal Code to read as follows:

F. Billboard Policy. It is a fundamental land use policy of the city of El Cajon to prohibit the construction, erection or use of any billboards, as defined in this chapter, other than those that legally exist in the city, or for which a valid permit has been issued and has not expired as of the date on which this provision is first adopted, or as may be allowed by the S overlay zone (Section 17.190.270, below). The city adopts this policy pursuant to California Government Code section 65850, California Business and Professions Code sections 5354(a) and 5408.3 (both effective January 1, 2003). No permit shall be issued for any billboard that violates this policy, and the construction or maintenance of any billboard in violation of this subsection is declared a nuisance and the city may take immediate steps to abate any nuisance created by any billboard constructed or maintained in violation of this policy. The city council affirmatively declares that it would have adopted this subsection even if it were the only provision in this chapter.

Section 3. A new subsection I is added to section 17.190.040 of Chapter 17.190, of Title 17 of the El Cajon Municipal Code to read as follows:

I. On or ~~Projection~~ Projected Over Public Right-of-Way; ~~On City-owned Property~~. No sign may be placed on, or project over the public right-of-way, and no sign shall be allowed on City-owned property, unless such projection or placement is specifically authorized by this chapter or by a policy statement or resolution, adopted by the city council, authorizing such projection or placement.

Section 4. Sections 17.190.265, 17.190.266, and 17.190.267 are hereby added to Chapter 17.190 of Title 17 of the El Cajon Municipal Code to read as follows:

17.190.265 Signs permitted on city-owned property or rights-of-way.

A. Prohibition. Private persons and governmental agencies other than the city may not display signs on city property (except as provided in subsection B, below) and rights-of-way (except as provided in subsection C, below) unless such display is specifically authorized by this chapter or by state or federal law, or court order.

B. Signs on City-owned Property. In order to realize the revenue potential of property owned by the city, and to provide a method for city messages to be presented to the public, the city council may allow approved private parties to place signs on city property in consideration of such fee and other consideration to be negotiated and included in a lease, license agreement, development agreement, or other legal arrangement.

1. Types of Signage. Signs placed by private parties may be of whatever nature approved by the city council in accordance with subsection D below. Signs might

## **Proposed Sign Ordinance Amendment**

### **Strike Through Underline Version**

include permanent signs, such as billboards with static display, and may include electronic message display. Signs might also include leasing or a license of time and space on a city-owned permanent sign such as a billboard, whether static display or electronic message display. Approved signs might also be freeway-oriented signs.

2. Duration of Signage. Signs will only be allowed to remain on the city-owned property for the period of time approved by the city in the agreement between the city and the private party.

3. Types of Speech Allowed. The approved signs may include commercial and non-commercial speech *provided* that non-commercial speech shall not include political speech (e.g., campaign advertisements, messages intended to promote legislation, etc.); commercial speech advertising tobacco or tobacco-related products (as defined in this Code), alcohol, cannabis and cannabis-related products, adult entertainment, gambling, or other adult-oriented products or commercial activities; or the direct promotion of sectarian beliefs; and the message substitution policy in section 17.190.040(D) shall not apply for the purpose of substituting any prohibited speech for any other commercial or non-commercial speech, it being understood that such speech has other media available for such speech.

C. Signs in City Right-of-way. Signs in the city's rights-of-way shall be prohibited unless approved by the city manager, pursuant to such policy as may be established from time-to-time.

1. Limited Duration. Private party signs in the city's rights-of-way shall be limited to not more than fifteen (15) days. Signs must be removed at the end of the period approved or are subject to removal by city forces, to be held for a period of 30 days or until claimed by the person owning the sign, whichever first occurs.

2. Commercial Speech Prohibited. The approved signs shall not include commercial speech, and the message substitution policy in section 17.190.040(D) shall not apply to allow for any commercial speech.

3. Size Limitations. Signs in the city's rights-of-way shall not be allowed where it would create traffic hazards. Signs shall not exceed a total of 18 square feet in size, and shall not exceed three (3) feet in height.

D. Procedures for Approval of Use of City-owned Property for Signs. The city manager shall establish procedures for selecting persons desiring to use city-owned property in excess of 30 consecutive days. The city manager shall identify the location of property where signs meeting the requirements of this chapter can be placed, and a request for proposals shall be advertised and circulated to interested parties. The proposals shall be evaluated and a recommendation made to the city council. Criteria to be considered shall include, but not be limited to, the following:

## **Proposed Sign Ordinance Amendment**

### **Strike Through Underline Version**

1. The extent to which the proposal maximizes the economic value of the city's property;

2. The extent to which the proposal will contribute revenue to the city's general fund;

3. The extent to which the proposal will allow dissemination of the city's own messages, public service announcements, and other messages to the public; and

4. The extent to which the proposal will encourage economic activity in the city.

E. Location and Limitations. All new signs constructed and located on city-owned property, or city rights-of-way pursuant to this chapter must meet the following requirements:

1. They shall comply with all applicable requirements of this Code, and of any other regulatory authority including, if applicable, rules of the California State Department of Transportation for freeway-oriented signs;

2. They shall be allowed in locations providing the greatest exposure to high traffic areas in the city;

3. They shall comply with all height and size criteria as determined by the city council; and

4. They shall be exempt from the provisions of section 17.190.270.

## El Cajon Municipal Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 17 ZONING](#)[Chapter 17.20 AMENDMENTS](#)**17.20.020 Initiation.**

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Amendments of this title may be initiated by:

- A. Submittal of a completed application by the property owner, or the property owner's agent, to the secretary of the planning commission. However, no application for a zone reclassification shall be accepted if a previous application for the same zone reclassification request, for the same property, was denied within the previous year; or
- B. A resolution of intention of the city council; or
- C. A resolution of intention of the planning commission; or
- D. City Council action.
- E. All amendments to this title which do not change any property from one zone to another, or do not impose any regulation listed in section 65800 of the California Government Code (the Planning and Zoning Law) not theretofore imposed, or which do not remove or modify any such regulation theretofore imposed, may be initiated and adopted as other ordinances are adopted by said city council. (Ord. 5072 § 5, 2018)

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View the [mobile version](#).





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#### CITY OF EL CAJON

#### NOTICE OF PROPOSED AMENDMENT TO TITLE 17 SIGN ORDINANCE

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at 7:00 p.m., Tuesday, January 5, 2021, and the City Council will hold a public hearing at 3:00 p.m., Tuesday January 26, 2021, to consider: **ZONING CODE AMENDMENT NO. 2020-0002**. This is a City Council initiated proposal to amend Title 17 of the El Cajon Municipal Code to amend the Sign Ordinance to allow signs on City-owned property and in the city's right-of-way under certain criteria. This project is exempt from the California Environmental Quality Act (CEQA).

Please note that, pursuant to the State of California Governor's Executive Order N-29-20, and in the interest of the public health and safety, members of the Planning Commission, City Council and Staff may attend the meeting telephonically.

Further, Orders from the San Diego County Health Officer prevent persons other than City officials and essential employees to be physically present.

In accordance with the Executive Order, and in compliance with the County Health Officer's Orders, the public may view the

meeting on the City's website. Please visit <https://www.cityofelcajon.us/videostreaming> for more details.

To submit comments on this item, or a Public Comment, please visit the City's website at <https://www.cityofelcajon.us/videostreaming>. Comments will be accepted up to the conclusion or the vote of each item. Comments will be limited to 300 words and will be entered into the official Council Meeting Record. The City Council will endeavor to include all comments prior to taking action.

If you challenge the matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Council, or prior to, the public hearing. The City of El Cajon encourages the participation of disabled individuals in the services, activities, and programs provided by the City. Individuals with disabilities who require reasonable accommodation in order to participate in the public hearing should contact Planning at 619-441-1742. More information about planning and zoning in El Cajon is available at <http://www.cityofelcajon.us/your-government/departments/community-development/planning-division>.

If you have any questions, or wish any additional information, please contact ANTHONY SHUTE at 619-441-1742 or via email at [ashute@cityofelcajon.us](mailto:ashute@cityofelcajon.us) and reference "Sign Ordinance" in the subject line.

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12/24/2020