



AMENDED 11-13-2020
City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, November 17, 6:00 p.m.

Virtual Meeting via Zoom platform
<https://www.zoom.us/home?zcid=2478>

Meeting Access # 619-825-3800
<https://us04web.zoom.us/j/6198253800>

City Council

Racquel Vasquez, Mayor
Jennifer Mendoza, Mayor Pro Tem
Jerry Jones, Councilmember
David Arambula, Councilmember
Yadira Altamirano, Councilmember

A public agenda packet is available for review on the [City's website](#)

Public Participation

In accordance with Executive Orders N-25-20, N-29-20 and N-35-20 paragraph 3, executed by the Governor of California on March 17, 2020, and as a response to mitigating the spread of Coronavirus known as COVID-19, the Regular Meeting of the City Council scheduled for Tuesday, October 6, 2020, at 6:00 p.m. will be a virtual meeting – audio only.

Below are the ways to participate. For any questions contact the City Clerk's Office at (619) 825-3800.

Members of the public are able to participate in the following ways:

1. Listen to audio live via zoom
2. Written Public Comment: Which will be accepted by email with the subject line PUBLIC COMMENT ITEM #___. Email to the City Clerk schapel@lemongrove.ca.gov prior to the meeting. The deadline for the public comment to be submitted is **Monday, November 16, 2020 at 5:00 p.m.** Any comment received after the deadline will not be read at the meeting, but will be maintained in the record.

Join the Meeting

Before joining a Zoom meeting on a computer or mobile device, you can download the Zoom app from the [Zoom Download Center](#). Otherwise, you will be prompted to download and install Zoom when you click a join link.

Prerequisites

- Each meeting has a Meeting Access ID and Password that will be required to join a Zoom meeting. #619-825-3800. If you have eNotification set-up it will be included on your email notification. If you have not yet set-up notifications for City meetings and events please go to the City website and [sign up](#).
- Meeting will be Audio only for all participants.

1. Open the Zoom desktop client
2. Join a meeting using one of these methods:
 - * Click Join a Meeting if you want to join in without signing in.
 - * Sign in to Zoom then click join.
3. Enter the Meeting ID number and your display name
4. If you're not signed in, enter a display name.

All audio will be muted upon entering.

The meeting audio will be available on the City website within 24 hours of the meeting.

Public Comment:

In accordance with Executive Orders N-25-20, N-29-20 and N-35-20 paragraph 3, executed by the Governor of California on March 17, 2020. Written Public Comment: Which will be accepted by email with the subject line PUBLIC COMMENT ITEM ____ . Email to the City Clerk amalone@lemongrove.ca.gov prior to the meeting. The deadline for the public comment to be submitted is **Monday, November 16, 2020 at 5:00 p.m.**. Any comment received after the deadline will not be read but will be maintained in the record.

Process:

1. Email City Clerk your written comment. In the Subject Line of the email indicate whether comment is for Public Comment (item not on the agenda) or Agenda Item #.

Participants addressing the City Council by email are encouraged to provide the following information:

- a) Full Name;
- b) Contact Number;
- c) Address;
- d) Public Comment or Agenda Item No;
- e) Subject;
- f) Written Comments

2. Include Comment – Comment is limited up to three (3) minutes. Comment will be read by the City Clerk and timed and if comment extends longer than three (3) minutes it will be timed out.

If comment is received but there is no indication as to whether it is to be read under Public Comment or a specific agenda item, the comment will be retained in the record but not read at the meeting.

Currently public comment is only being accepted by email to be read by the City Clerk. City Clerk email address: amalone@lemongrove.ca.gov

AMENDED 11-13-2020
City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, November 17, 2020, 6:00 p.m.
Virtual Meeting via Zoom platform

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Pledge of Allegiance:

Changes to the Agenda:

Presentation:

Responsible Beverage Sales and Services (RBSS) Program
Reference:David Shorey, Institute of Public Strategies

Public Comment:

(Note: In accordance with State Law, the general public may bring forward an item not scheduled on the agenda; however, the City Council may not take any action at this meeting. If appropriate, the item will be referred to staff or placed on a future agenda.)

Public comment will be read into the record by the City Clerk. Per Lemon Grove Municipal Code Section 2.14.150, each comment is allowed up to three (3) minutes.

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.
(GC 53232.3 (d)) (53232.3.(d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)

City Manager Report:

Consent Calendar:

(Note: The items listed on the Consent Calendar will be enacted in one motion unless removed from the Consent Calendar by Council, staff, or the public.)

1.A. Waive Full Text Reading of All Ordinances on the Agenda

Reference: Kristen Steinke, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this agenda; Ordinances shall be introduced and adopted by title only.

1.B. City of Lemon Grove Payment Demands

Reference: Molly Brennan, Administrative Services Director

Recommendation: Ratify Demands

1.C. Approval of Meeting Minutes

November 3, 2020 Regular Meeting

Reference: Audrey Malone, Executive Assistant

Recommendation: Approve Minutes

Public Hearing:

2. Community Development Block Grant (CDBG) Application for Fiscal Year (FY) 2021-2022

Reference: Mike James, Assistant City Manager/Public Works Director and Management Analyst, Christan Olivas

Recommendation: Hold a public hearing, receive public comment, and adopt a resolution authorizing the submittal of an application to the Community Development Block Grant Program for Fiscal Year 2021-2022.

3. Partial Vacation of an Open Space Easement at 7010 Lermas Court

Reference: Mike James, Assistant City Manager/Public Works Director

Recommendation: That the City Council adopts a resolution (Attachment A) partially vacating an open space easement located at 7010 Lermas Court.

4. Municipal Code – Sign Ordinance Update

Reference: Noah Alvey, Community Development Update

Recommendation: Conduct public hearing, receive public comment, and introduce an ordinance to update the Sign Ordinance (Title 18) of the Municipal Code.

Reports to Council:

5. Recreational Marijuana

Reference: Kristen Steinke, City Attorney and Lydia Romero, City Manager

Recommendation: Discuss and provide direction to staff on potential amendments to the Municipal Code to allow recreational marijuana sales.

Adjournment

AFFIDAVIT OF NOTIFICATION AND POSTING
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS
CITY OF LEMON GROVE)

I, Audrey Malone, Executive Assistant of the City of Lemon Grove, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the City Council of the City of Lemon Grove, California, was delivered and/or notice by email not less than 72 hours, before the hour of 6:00 p.m. on October 6, 2020, to the members of the governing agency, and caused the agenda to be posted on the City's website at www.lemongrove.ca.gov and at Lemon Grove City Hall, 3232 Main Street Lemon Grove, CA 91945.

/s/: Audrey Malone

Audrey Malone, Executive Assisant

In compliance with the Americans with Disabilities Act (ADA), the City of Lemon Grove will provide special accommodations for persons who require assistance to access, attend and/or participate in meetings of the City Council. If you require such assistance, please contact the City Clerk at (619) 825-3800 or email amalone@lemongrove.ca.gov. A full agenda packet is available for public review at City Hall



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.A

Meeting Date: November 17, 2020
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Kristen Steinke, City Attorney
Item Title: **Waive the Full Text Reading of all Ordinances**

Summary: Waive the full text reading of all ordinances included in this agenda. Ordinances shall be introduced and adopted by title only.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | | Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.B

Meeting Date: November 17, 2020
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Molly Brennan, Administrative Services Director
<mailto:MBrennan@lemongrove.ca.gov>
Item Title: **City of Lemon Grove Payment Demands**

Recommended Action: Ratify Demands.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: None.

Public Notification: None.

City of Lemon Grove Demands Summary

Approved as Submitted:

Molly Brennan, Administrative Services Director
For Council Meeting: 11/17/20

ACH/AP Checks 10/27/20-11/04/20

839,232.52

Payroll - 11/03/20

132,842.57

Total Demands

972,075.09

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Aug20	San Diego County Sheriff's Department	10/27/2020	Law Enforcement Services - Aug'20	516,606.24	516,606.24
ACH	Oct20 20	US Treasury	10/27/2020	Federal Taxes 10/20/20	25,866.51	25,866.51
ACH	L0366594528	Employment Development Department	10/27/2020	Unemployment Insurance	4,200.00	4,200.00
ACH	Oct20	Wage Works	10/31/2020	FSA Reimbursement - Oct'20	2,445.03	2,445.03
ACH	Oct20	Power Pay Biz/Evo	11/02/2020	Online Credit Card Processing - Oct'20	107.55	107.55
ACH	Nov 2020	Pers Health	11/03/2020	Pers Health Insurance - Nov'20	46,970.94	46,970.94
ACH	Oct20	Authorize.Net	11/03/2020	Merchant Fees - Oct'20	28.80	28.80
ACH	11153755	LEAF	11/04/2020	Ricoh C3502 Copier System-PW Yard - Oct'20	160.51	160.51
13647	15467892	AT&T	10/28/2020	Phone Service 9/13/20-10/12/20	88.60	88.60
13648	5656300412	AutoZone, Inc.	10/28/2020	Taillight - LGPW#20 '00 GMC 2500	10.55	10.55
13649	0000014954	City of El Cajon	10/28/2020	Overtime Reimbursement - Cameron 9/26/20	1,277.39	1,277.39
13650	INV00899	City of Imperial Beach	10/28/2020	SD Bay WQIP Cost Share Agreement- FY20/21	11,037.00	11,037.00
13651	3619 3620 3621	County of San Diego- Registrar of Voters	10/28/2020	Nov 3, 2020 Presidential General Election/Mayor - Advance Deposit Nov 3, 2020 Presidential General Election/Council - Advance Deposit Nov 3, 2020 Presidential General Election/Measure J - Advance Deposit	18,000.00 32,000.00 26,000.00	76,000.00
13652	16275	Custom Auto Wrap Inc	10/28/2020	City Hall Front Door Signage	383.14	383.14
13653	0111395 0111420	Discount Specialty Chemical	10/28/2020	Wash N Wax/Cleaner Sanitizer Wipes - COVID-19	413.08 276.79	689.87
13655	Nov 20	Fidelity Security Life Insurance Company	10/28/2020	Vision Insurance -Nov20	281.00	281.00
13656	13010 13011 13012 13013 13014	Infrastructure Engineering Corporation	10/28/2020	Prof Svc: 1993 Dain Dr-Development Inspection 8/29/20-9/25/20 Prof Svc: 6800 Mallard Ct-Development Inspection 8/29/20-9/25/20 Prof Svc: 8173 Broadway - CO Services 8/29/20-9/25/20 Prof Svc: 8104 Golden Ave - CO Services 8/29/20-9/25/20 Prof Svc: 3065 Lemon Grove Ave-Dev Inspection 8/29/20-9/25/20	148.00 148.00 74.00 148.00 444.00	962.00
13657	8343	Jim Roberts Private Dispute Resolution	10/28/2020	Legal Svcs: File # 4124-1090 thru 10/19/20	2,333.33	2,333.33
13658	142354	Knott's Pest Control, Inc.	10/28/2020	On Call Pest Control - Sheriff Stn	75.00	75.00
13659	306	Metro Wastewater JPA	10/28/2020	CLG Share of Metro JPA 2020-21 Annual Budget	6,050.00	6,050.00
13660	INV-000023	Municipal Sewer Tools	10/28/2020	2.5" x 25' Fill Hoses/Double Jacket - Sanitation	500.20	500.20
13661	7188 7229 7231	North County EVS, Inc.	10/28/2020	E10 Service Call/Replace Water Pump/Front Cab Window Regulators E210 AM/Service & Safety Inspection/Rebuild Seat Cushions/Diagnostic E310 Service Call/Weld Cab Latch Bar	2,833.41 11,699.62 190.00	14,723.03
13662	148582	Penske Ford	10/28/2020	LGPW#07 '14 F550 Oil/Filter Change	61.92	61.92
13663	PD-46594	Plumbers Depot Inc	10/28/2020	Sewer Camera - 8" Steel Wheels - LGPW#26	2,475.28	2,475.28
13664	104149279-001	SiteOne Landscape Supply, LLC	10/28/2020	E-Z Reachers	228.45	228.45
13665	106317321-0001 106419603-0001 106468607-0001 106619636-0001	Sunbelt Rentals Inc.	10/28/2020	Propane Propane Propane Propane	14.30 14.37 10.79 26.13	65.59
13666	72732215 72737062 72742724	Vulcan Materials Company	10/28/2020	Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket	152.79 203.22 149.88	505.89
13667	8/23/20-9/22/20 9/23/20-10/22/20 21877746 21883691 4059990146 82041925 7071MTV- 9/1	Wells Fargo	10/28/2020	AT&T - Backup City Hall Internet- 8/23/20-9/22/20 AT&T - Backup City Hall Internet- 9/23/20-10/22/20 Canon Financial Svcs - Canon Plotter Contract Charge 9/20/20-10/19/20 Canon Financial Svcs - Canon Plotter 2 Yr Carepack 9/20/20-10/19/20 Cintas - Janitorial Supplies - 8/27/20 Corelogic - RealQuest Graphics Package - Aug'20 Cox - Calsense Modem Line: 7071 Mt Vernon/Berry St Pk 9/1/20-9/30/20	85.60 94.85 144.00 97.73 539.34 300.00 23.45	7,464.58

	2259Wash-9/11			Cox - Calsense Modem Line: 2259 Washington 9/11/20-10/10/20	23.45	
	8235MTV-9/10			Cox - Calsense Modem Line: 8235 Mt Vernon/Berry St Pk 9/9/20-10/8/20	94.39	
	2873Skyline- 9/19			Cox - Phone/PW Yard/2873 Skyline- 9/19/20-10/18/20	216.30	
	City Hall- 9/1			Cox - Phone/City Hall 9/1/20-9/30/20	942.60	
	CommCtrInt- 8/30			Cox - Internet/Comm Ctr- 8/30/20-9/29/20	75.00	
	Fax-CH- 9/19/20			Cox - City Manager Fax Line- 9/18/20-10/17/20	5.33	
	Fire 9/1/20			Cox - MainPhone/Fire 9/1/20-9/30/20	444.82	
	Fire Alarm-8/28			Cox - City Hall Fire Alarm 8/27/20-9/26/20	46.45	
	PEG- 8/30/20			Cox - PEG Circuit Svc- 8/30/20-9/29/20	2,896.56	
	Rec-9/4			Cox - Phone/Rec Ctr/3131 School Ln- 9/4/20-10/3/20	98.61	
	3104156843			Pitney Bowes - Postage Meter Rental 6/30/20-9/29/20	170.43	
	9862063338			Verizon - Modems- Cardiac Monitors - 8/4/20-9/3/20	21.60	
	9862726156			Verizon - City Phone Charges- 8/13/20-9/12/20	135.61	
	9862726691			Verizon - Mobile Broadband Access- 8/13/20-9/12/20	76.02	
	Fire-9861146733			Verizon - MDC Engine Tablets- 7/21/20-8/20/20	366.82	
	Fire-9863224068			Verizon - MDC Engine Tablets- 8/21/20-9/20/20	366.82	
	9862726157			Verizon - PW Tablets- 8/13/20-9/12/20	198.80	
13668	Fire- 15506259	AT&T	11/04/2020	Fire Backup Phone Line- 9/22/20-10/21/20	42.80	42.80
13669	Chaparral	Chaparral Plaster Corp	11/04/2020	Refund/Chaparral Plaster Corp/No Late Fee for Contractors	23.00	23.00
13670	0000014993	City of El Cajon	11/04/2020	Overtime Reimbursement - Diaz 10/5/20	381.90	381.90
13671	22518	City of La Mesa	11/04/2020	Overtime Reimbursement - Deitz 10/15/20	1,310.41	1,310.41
13672	Oct20	Colonial Life	11/04/2020	Colonial Optional Insurance -Oct20	328.76	328.76
13673	Jul-Sep20	Division of the State Architect	11/04/2020	State CASP Fee (\$4)- 7/1/20-9/30/20	38.80	39.10
	Jul-Sep20			State CASP Fee (\$1)- 7/1/20-9/30/20	0.30	
13674	INV1018652_REVI	George Hills Company	11/04/2020	TPA Claims - Adjusting/Other Services - Sep 20	1,161.60	1,161.60
13675	SIN004430	HDL Coren & Cone	11/04/2020	Contract Services Property Tax - Oct-Dec 2020	2,271.87	2,271.87
13676	8/21/20-10/21/20	Helix Water District	11/04/2020	Water Services- 8/21/20-10/21/20	32,754.84	32,754.84
13677	Nov3 20	ICMA	11/04/2020	ICMA Deferred Compensation Pay Period Ending 11/3/20	780.77	780.77
13678	Reimb: 11/2/20	Malone, Audrey	11/04/2020	Reimb:Office Supplies/Sign Laminator/Supplies for Park Signs - COVID-19	153.43	153.43
13679	IN1513445	Municipal Emergency Services Inc	11/04/2020	Headset Repairs	48.36	48.36
13680	INV00019530	RapidScale Inc.	11/04/2020	Virtual Hosting/Back Up Svc/Cloud Storage/Svr 10/31/20-11/29/20	4,328.82	4,328.82
13681	76796	Rick Engineering Company	11/04/2020	Prof Svc: City Engineer 6/27/20-7/31/20	42,586.92	73,308.60
	77065			Prof Svc: City Engineer 8/1/20-8/28/20	30,721.68	
13682	3225 Olive-10/19	SDG&E	11/04/2020	3225 Olive- 9/20/20-10/19/20	125.69	369.86
	3500 Main-10/21			3500 1/2 Main- 9/20/20-10/19/20	206.12	
	3601 1/2LG-10/21			3601 1/2 LGA-9/20/20-10/19/20	38.05	
13683	SD038202007	The Epoch Times in San Diego	11/04/2020	Election Notice in Chinese 7/31/20	210.00	330.00
	SD038202008			Notice of Nominees in Chinese 8/18/20	120.00	
					839,232.52	839,232.52



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.C

Meeting Date: November 17, 2020
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Audrey Malone, Executive Assistant
Amalone@lemongrove.ca.gov

Item Title: **Approval of City Council Meeting Minutes**

Recommended Action: Approval of City Council Meeting Minutes.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

**MINUTES OF REGULAR MEETING
OF THE LEMON GROVE CITY COUNCIL
VIRTUAL MEETING VIA ZOOM**

TUESDAY, November 3, 2020

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
and Lemon Grove Successor Agency.*

Regular Meeting of the City Council of the City of Lemon Grove, California, took place virtually pursuant to California Governor Executive Orders N-25-20, N-29-20 and N-35-20, and in the interest of public health and safety, we temporarily took actions to prevent and mitigate the spread and effects of the COVID-19 virus by holding City Council and other public meetings via virtual audio media only.

Call To Order:

Mayor Vasquez called the Regular Meeting to order at 6:03 p.m.

Present:

Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Yadira Altamirano

Absent: None.

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Mike James, Assistant City Manager/Public Works Director, Molly Brennan, Administrative Services Director, Noah Alvey, Community Development Manager, Mike Rand, San Diego Sheriff's Lieutenant, Steve Swaney, Fire Chief, and Shelley Chapel, City Clerk.

Pledge of Allegiance was led by Councilmember Arambula.

Public Comment was read into the Record by City Clerk, Chapel: None.

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City

Mayor Pro Tem Mendoza

- **SANDAG – Board of Directors Meeting**
- **Joint Guard Insurance Board Meeting**
- **SANDAG – Energy Working Group Meeting**
- **SANDAG – Joint Working Group Meeting**

Mayor Vasquez attended the following meetings and events:

- CAL OES Briefing for Mayors and City Managers Meeting
- San Diego County - Weekly COVID Meeting for Mayors and City Managers

City Manager Report:

Lydia Romero, City Manager provided update on SDG&E undergrounding effort located on the off-ramp of Lemon Grove Avenue from SDG& E off ramp of Lemon Grove Ave. SDG&E will be focusing on energizing underground work to be completed in mid-November.

City Manager, Romero calls on Shelley Chapel, City Clerk to report election statistics from the Registrar of Voters regarding registered voters, mail in ballots and voting result updates.

Consent Calendar:

- 1.A Waive Full Text Reading of All Ordinances on the Agenda.
- 1.B Ratification of Payment of Demands
- 1.C Approved City Council Meeting Minutes for Virtual Regular Meeting of October 20, 2020.
- 1.D Receive and File the Annual Local Agency Improvement Fee Report for Fiscal Year 2019-2020.

Action: Motion by Councilmember Arambula, seconded by Mayor Pro Tem Mendoza, to approve Consent Calendar Items 1.A-1.D.

The motion passed by the following vote:

Ayes: Vasquez, Mendoza, Arambula, Altamirano, Jones

Reports to Council:

- 2. Amendment No. 1 to the Agreement with Home Start

Mayor Vasquez introduced Mike James, Assistant City Manager/Public Works Director, who gave a plan update for the Home Start program strategies along with funding plans.

No Public Comment Received.

Action: Motion by Councilmember Arambula, seconded by Mayor Pro Tem Mendoza.

The motion passed by the following vote to adopt Amendment No. 1 to the Agreement with Home Start

Ayes: Vasquez, Mendoza, Arambula, Altamirano, Jones

Adjournment:

There being no further business to come before the Council, the meeting was adjourned at 6.28 p.m. Mayor Vasquez adjourned to the next meeting to be held Tuesday, November 17, 2020 at 6:00p.m., as a Virtual Meeting, for a Regular City Council Meeting.

Audrey Malone

Audrey Malone
Executive Assistant



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 2

Meeting Date: November 17, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office

Staff Contact: Mike James, Assistant City Manager/Public Works Director,
Christian Olivas, Management Analyst

Mjames@lemongrove.ca.gov; Colivas@lemongrove.ca.gov

Item Title: **Community Development Block Grant (CDBG) Application for
Fiscal Year (FY) 2021-2022**

Recommended Action: Hold a public hearing, receive public comment, and adopt a resolution authorizing the submittal of an application to the Community Development Block Grant Program for Fiscal Year 2021-2022.

Summary: The purpose of this agenda item is to facilitate holding a public hearing and to consider potential Community Development Block Grant (CDBG) Program funded activities for Fiscal Year (FY) 2021-2022. The background and discussion sections below provide information regarding the CDBG program and application process as well as staff's recommendation for the allocation of these funds.

Background: The Community Development Block Grant (CDBG) Program was created in 1974 and is administered by the U.S. Department of Housing and Urban Development (HUD) to provide funds annually to all entitlement jurisdictions that develop viable urban community through community development and affordable housing activities that benefit low to moderate-income households and persons with special needs.

The County of San Diego currently serves as a grantee for the San Diego Urban County, a federally designated area, that includes the unincorporated area of San Diego County and all non-entitlement cities within the County that choose to participate in the CDBG Program. As a non-entitlement jurisdiction, the City of Lemon Grove must partner with the County of San Diego to receive CDBG funds. According to the County of San Diego, CDBG-funded projects must satisfy one of three national program objectives:

- Provide a benefit to low and moderate income persons,
- Prevent or eliminate slums and blight, or
- Meet needs having a particular urgency.

Eligible activities broadly include:

- Real property acquisition,
- Public facilities and improvements,
- Public services,
- Economic development (job creation), and
- Housing development and rehabilitation.

For over 20 years, the City has participated in the CDBG Program, predominately relying on CDBG funds for street rehabilitation projects in eligible neighborhoods.

On November 5, 2019, the City Council approved an application to continue the construction of a street rehabilitation project and ADA pedestrian ramps city-wide. Like past applications, the City requested two years' worth of funds to receive an economy of scale with a larger capital project, the application submitted included funds allocated to FY 2020-21 and 2021-22.

Staff used the following criteria to determine potential street rehabilitation projects:

- Street segments with the lowest Pavement Condition Index (PCI) from the Pavement Management Program adopted by the City Council on May 1, 2018;
- Exhibit of eligible Census areas (Attachment B) provided by the County;
- Field visits conducted by Public Works staff; and
- Block eligibility calculations, performed by the County.

Based on this criteria, staff recommended the following street segment be rehabilitated with the Fiscal Years 2021-22 and 2021-2022 CDBG allocation:

- Crane Street from Golden Avenue to the cul-de-sac (PCI – 31 – poor)
- Golden Avenue from Acacia Street to Kempf Street (PCI – 21 – very poor)

On May 18 2020, City staff was informed that original amount requested \$258,239 was reduced to \$155,667; upon further inquiries, learned that the County Housing and Community Development Services (HCDS) Department discontinued the practice of allowing funding advances due to strict expenditure requirements not being met by the cities that were requesting advances. As a result, City staff concluded that the original project scope to pave Golden Avenue and Crane Street was no longer achievable. When comparing the benefits of each project, while considering the amount of funding available, staff concluded that the improvements on Golden Avenue were a higher priority and was a more

efficient use of funding than with Crane Street. So, City staff requested permission to move forward with a new CDBG application that included a revised scope of work for improvements to Golden Avenue with the reduced amount. On July 17, 2020, the City Council adopted a resolution authorizing the submittal of the CDBG FY 2020-2021 application to the County of San Diego with a revised work plan of the Golden Avenue improvements. .

Discussion: On September 23, 2020, County staff informed City staff that Lemon Grove was eligible to receive \$105,412 in CDBG funding for FY 2021-22. The County used the same CDBG allocation formula to calculate the City’s allocation, which considers population, overcrowding, and poverty. To receive this funding, the City must submit a CDBG Program application detailing the proposed use of these funds and must adopt a resolution authorizing the submittal of the CDBG-CV Program application by the City Council. Using the CDBG FY 2021-22 allocation, City staff is recommending the Crane Street improvements from Golden Avenue to the cul-de-sac, that were previously approved by the City Council, for the 2021-22 fiscal year CDBG project. If the City Council adopts the resolution (Attachment A), City staff would submit an application to HCDS staff for approval.

Assuming the County approves the application, staff will advertise the construction project bid documents and after completing the bid process, will return to the City Council with a recommendation to award a construction contract.

Environmental Review:

- Not subject to review
- Negative Declaration
- Categorical Exemption, Section | |
- Mitigated Negative Declaration

Fiscal Impact:

The City expects to receive \$105,412 in CDBG funding for FY 2021-2022.

Public Notification: A legal notice of the public hearing was published in a newspaper for general circulation on November 3, 2020.

Staff Recommendation: Staff recommends that the City Council hold a public hearing, receive public comment, and adopt a resolution authorizing the submittal of an application to the Community Development Block Grant Program for Fiscal Year 2021-2022.

Attachments:

- Attachment A – Resolution including Exhibit 1 – Application
- Attachment B – Eligible Census Areas

RESOLUTION NO. 2020 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2021-2022

WHEREAS, the United States Department of Housing and Urban Development (HUD) administers the Community Development Block Grant (CDBG) Program, which provides Federal funds to assist community development activities in urban areas; and

WHEREAS, the County of San Diego (County), as an eligible Urban County, applies and receives CDBG funds that are administered within the County's unincorporated areas and local governments that participate in the San Diego Urban County CDBG Program; and

WHEREAS, the City of Lemon Grove is a non-entitlement jurisdiction and must partner with the County of San Diego to receive CDBG funds; and

WHEREAS, the City of placed a notice in a newspaper of general circulation indicating a Public Hearing; and

WHEREAS, the City will submit an application to the County for approval to receive Federal CDBG funds to rehabilitate the Crane Street segment from Golden Avenue to the cul-de-sac; and

WHEREAS, the City understands and agrees that should the CDBG Program be discontinued, the City would be required to reimburse the County's Housing Development Fund for any affected funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby:

1. Directs the City Manager or her designee to allocate CDBG funding for street rehabilitation purposes;
2. Authorizes the City Manager or her designee to submit an application for the CDBG Program for Fiscal Year 2021-2022; and
3. Authorizes the City Manager or designee to manage and sign all program-related documentation.

PASSED AND ADOPTED on _____, 2020, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:


Racquel Vasquez, Mayor

Attest:

Lydia Romero, City Manager

Approved as to Form:

Kristen Steinke, City Attorney

	COUNTY OF SAN DIEGO 2021-22 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM – CFDA #14.218	Census Tract:
	APPLICATION FOR CDBG PARTICIPATING CITIES DUE BY 5:00 P.M. WEDNESDAY, NOVEMBER 25, 2020	Priority No:

Date Submitted: 11-19-2020 DUNS #: 095899896

Title of Project: Crane Street Improvement (between Golden and Cul-De-Sac)

1. AGENCY SUBMITTING APPLICATION:

- a. City Department: City Manager's Office Implementing Department: City Manager's Office
- b. Project Manager: Christian Olivas Telephone Number: (619) 825-3813
- c. Contact Person (if different from Project Manager): N/A Telephone Number: N/A
- d. Mail Stop/Address: 3232 Main Street, Lemon Grove, CA 919145
- e. E-mail Addresses: colivas@lemongrove.ca.gov Fax Number: (619) 825-3804
- f. **Signature of Authorized Official:** _____
- g. Name and Title of Authorized Official: Lydia Romero, City Manager
- h. Does your city expend \$750,000 or more a year in federal funds? Yes No (if yes, city must submit copy of independent (A-133) audits each year; if no, city must submit copy of audited financial statements each year).
- i. Date of City Council authorization to submit CDBG application, administer project, execute contract: November 17, 2020 (please forward documentation as soon as it is available).
- j. Must maintain current Central Contractor Registration (SAM/CCR). Please include printout of current CCR registration with this application.
- k. Cities with fair share allocations under \$50,000. Those cities with allocations under this threshold must request a minimum of \$50,000. If available, the amount that exceeds their annual fair share allocation will be advanced by the County to be repaid with the city's future year CDBG allocations or other city funds should the CDBG program be discontinued.

2. PROJECT LOCATION: (Attach map of project site showing the boundaries of the geographic area served. Also attach site plan or project sketch, or if located in a park include Park Master Plan, if applicable.)

- a. Community: City of Lemon Grove
- b. Street address (include zip code): Crane Street
- c. Cross streets: Golden Avenue to cul-de-sac
- d. Assessor Parcel Number (where applicable): N/A
- e. Thomas Bros. Reference Page: 2006 Thomas Guide page 1270

3. PROJECT DESCRIPTION: (Provide a clear, detailed description of the project and specifically how the requested CDBG funds would be used. Include a sketch of the project site to clarify the proposal and attach any relevant information supporting this proposal. Attach a list of the proposed tasks with associated activities, expected accomplishments of each task, timelines, and information on staff/consultant who would supervise/perform the work. Note: All sub-recipients requesting funds for programs working directly or indirectly with homeless populations will be required to participate in the Homeless Management Information System (HMIS) database effort administered by the Regional Task Force on the Homeless.)

The requested CDBG funds will rehabilitate a street segment within the City. Some portions of the street segment will need major repairs before they are milled and paved. The chart below shows the proposed tasks, expected date of completion, and the staff who will supervise or perform the work.

Project Tasks	Expected Date of Completion	Staff
---------------	-----------------------------	-------

Project Design	7-08-2021	N/A
Advertise Bid Documents	7-15-2021	Management Analyst
Open Bid Documents	8-5-2021	Management Analyst
Contract Award to Contractor	8-24-2021	Management Analyst
Pre-Construction Conference	9-07-2021	City Staff-Management Analyst/Contractor TBD
Project Completion	02-03-2022	City Staff-Management Analyst/Contractor TBD

4. **TYPE OF ACTIVITY:** (Please check only one)

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Economic Development | <input type="checkbox"/> Rental Housing | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Infrastructure | <input type="checkbox"/> Public Service ¹ | <input type="checkbox"/> Owner-Occupied Housing | |
| <input type="checkbox"/> Planning/Administration | <input type="checkbox"/> Non-homeless Special Needs | <input type="checkbox"/> Homeless/HIV/AIDS | |

5. **OBJECTIVE:** (Please check only one)

- | | | |
|---------------------------------------|-----------------------------|---|
| <input checked="" type="checkbox"/> 1 | Suitable Living Environment | (Activities that benefit communities/ families/individuals by addressing issues in their living environment) |
| <input type="checkbox"/> 2 | Decent Housing | (Housing activities that meet individual family or community needs; should not be used for activities where housing is an element of a larger effort) |
| <input type="checkbox"/> 3 | Economic Opportunity | (Activities related to economic development, commercial revitalization, and job creation) |

6. **OUTCOME:** (Please check only one)

- | | | |
|---------------------------------------|-----------------------------|---|
| <input type="checkbox"/> 1 | Availability/ Accessibility | (Activities that make services, infrastructure, housing, and shelter available and accessible. Note that accessibility does not only refer to physical barriers) |
| <input type="checkbox"/> 2 | Affordability | (Activities that provide affordability in a variety of ways. It can include creation or maintenance of affordable housing, basic infrastructure hookups, or services such as transportation or daycare) |
| <input checked="" type="checkbox"/> 3 | Sustainability | (Activities that promote livable or viable communities and neighborhoods by providing services or by reviving slums or blighted areas) |

7. **PROJECT BENEFICIARIES:**

- a. Describe the geographic service area or the specific population served, including the estimated number of persons served and other measurable outputs:

The proposed street segment serves low-income residents who live on the street and/or use the street to access their homes.

- b. If the proposed project only serves a limited clientele, a certain segment of the population, such as youth, childcare or senior centers, health facilities, ADA improvements, or housing activities/services:

- (1) Provide the unduplicated number of people expected to be served annually.

N/A

- (2) Describe what steps will be taken to document that a minimum of 51% unduplicated low- and moderate-income and limited clientele persons will be served annually.^{2, 3}

N/A

¹ Eligible public services are limited to those services that directly relate to and support physical community revitalization, homeless or housing activities.

² HCDS will require intake forms and supporting income verification documentation (third party verifications or source documentation) be submitted upon request.

³ All sub-recipients requesting funds for programs working directly or indirectly with homeless populations will be required to participate in the Homeless Management Information System (HMIS) database's effort administered by the Regional Task Force on the Homeless.

8. SITE INFORMATION:

a. Suitability of site or facility:

N/A

b. Availability of land/facility: (Indicate if the site has been selected, whether there is site control, and other issues of ownership.)

N/A

c. Effect on surrounding land use:

N/A

d. Conformance with General Plan: (For information, call PDS at (619) 615-8289)

N/A

9. ENVIRONMENTAL REVIEW STATUS: (Call Kimberly Jones at (858) 694-3917 and check appropriate boxes if environmental status is known)

Exempt CEQA:

Exempt NEPA:

Environmental Assessment Needed: Underway Complete

Environmental Impact Statement: Underway Complete

10. CDBG FUNDS REQUESTED: (Specific use of CDBG funds only)

Planning	\$ _____	Inspections	\$ _____
Personnel/Administration	\$ _____	Construction/Installations	\$ 105,412
Site Acquisition	\$ _____	Consultant Cost	\$ _____
Relocation Assistance	\$ _____	Supplies/Equipment	\$ _____
Permits and Fees	\$ _____	Insurance/Legal	\$ _____
Engineering/Designs	\$ _____	Other (_____)	\$ _____
		TOTAL	\$ 105,412

11. STAFF STATEMENT OF PROJECT NEED/OBJECTIVE:

a. Indicate specific local conditions that warrant funding of the project:

This project provides resources for rehabilitating a residential street and right-of-way in a low-income neighborhood.

b. Describe the relationship of the proposed activity to other similar community facilities/services. (If there are other similar facilities/services in the community, provide a map showing locations):

N/A

12. PROJECT BUDGET:

a. Indicate how the requested CDBG funds will be leveraged and identify other sources of funds, including the amounts, for this project. Describe here if the proposal is part of larger project.

No other sources of funds will be used for this project.

b. Specify the status of other funding sources and include dates: application submitted, decision pending on requested funds, or funds committed.

N/A

13. PROJECT COST ESTIMATE:

a. CDBG Funds Previously Allocated To This Project: \$ 258,239 _____

b. Current Proposal:

(1) CDBG Project Request \$ 105,412 _____

(2) Other Funds Allocated to Project for spending in FY 2021-22 (list sources):

Other Federal (Specify Source): _____ \$ _____

Other State/Local (Specify Source): _____ \$ _____

Other (Specify Source): _____ \$ _____

Other (Specify Source): _____ \$ _____

Current Proposal Total **\$ 105,412**

c. Future Year Project Cost Estimates (list sources):

(1) _____ \$ _____

(2) _____ \$ _____

14. **PRELIMINARY SCHEDULE: (For CDBG Fund Requests Only)**

Task	Completion Date
Environmental Review	_____
Contract Award	_____
Site Acquisition	_____
Engineering/Design	_____
Consultant Services	_____
Relocation Assistance	_____
Construction/Installation	02/03/2022
Other: _____	_____
Other: _____	_____

Estimated Date of Completion (assuming July 2021 Release of Funds) 02/03/2022

15. **PROJECTED CDBG EXPENDITURES IN FY 2021-22**

1 st Quarter	_____
2 nd Quarter	\$70,274.67
3 rd Quarter	\$35,137.33
4 th Quarter	_____

16. Will the proposed project meet Americans with Disabilities Act standards for access to persons with disabilities?
 Explain. N/A

17. Project will be carried out by: (Check one of the following)

City Employees Non-Profit Organization

Contractors For Profit Organization

City Employees and Contractors Faith Based Organization

Another Public Agency Institution of Higher Education

18. **CURRENT ACTIVITIES:**

a. Indicate current project status: None at this time.

b. For phased projects, describe the progress on the current phase at time of this application and indicate the expected completion date of the previously funded work: N/A

19. BASIS FOR STAFF RECOMMENDATION:

a. Include specific reasons for your support and indicate why this project is a priority:

The City of Lemon Grove has prioritized different zones within the jurisdiction requiring street, curb, and gutter, and sidewalk rehabilitation. The aforementioned area of Lemon Grove have been designated by staff as high priority requiring rehabilitation and are also in an area considered low-income neighborhoods that can be supported by the CDBG Program. CDBG support will enable the City to expedite rehabilitating the proposed areas and improve traffic/pedestrian flow and ultimately, improve the quality of life of Lemon Grove residents.

b. Note any anticipated problems or delays in implementation (e.g., use permits, other agency approvals or contingencies):

There are no problems or delays in implementation that are anticipated.

c. Describe the urgency or reasons for funding the project this year:

The proposed street segment is past the end of its useful life, necessitating reconstruction and rehabilitation. Waiting will only cause further decay and increase the amount of funding needed for rehabilitation.

d. If applicable, submit pictures of the project as an attachment (high quality pictures from different angles): See attached pictures.

20. CITIZEN OR ADVISORY COMMITTEE RECOMMENDATION:

a. Actions taken and votes received: None.

b. Input received from citizens: (Attach letters received from public.) A public hearing was advertised and will be held on November 17, 2020 to allow citizens input. Since 2012, the City's Public Works Department has logged in its work order system 14 calls from citizens regarding the street condition pertaining to Crane Street from Golden to cul-de-sac.

c. Status of Community/Local Planning Group review and approval: (Required prior to CDBG funding recommendation.) N/A

21. NATIONAL OBJECTIVE:

Any real property acquired or improved in whole or in part with CDBG funds in excess of \$25,000 shall be used to meet one of the national objectives. Cities are required to meet the national objective until five years after expiration of the contract or MOU. Describe how your agency will comply with this HUD requirement: N/A

Proposed Project Map



Pictures

Crane Street:





⚠️ ALERT: Due to internal CAGE maintenance, CAGE will be unavailable from Thursday October 29, 2020 @ 2:30 PM - Thursday October 29, 2020 @ 8:00 PM (ET).

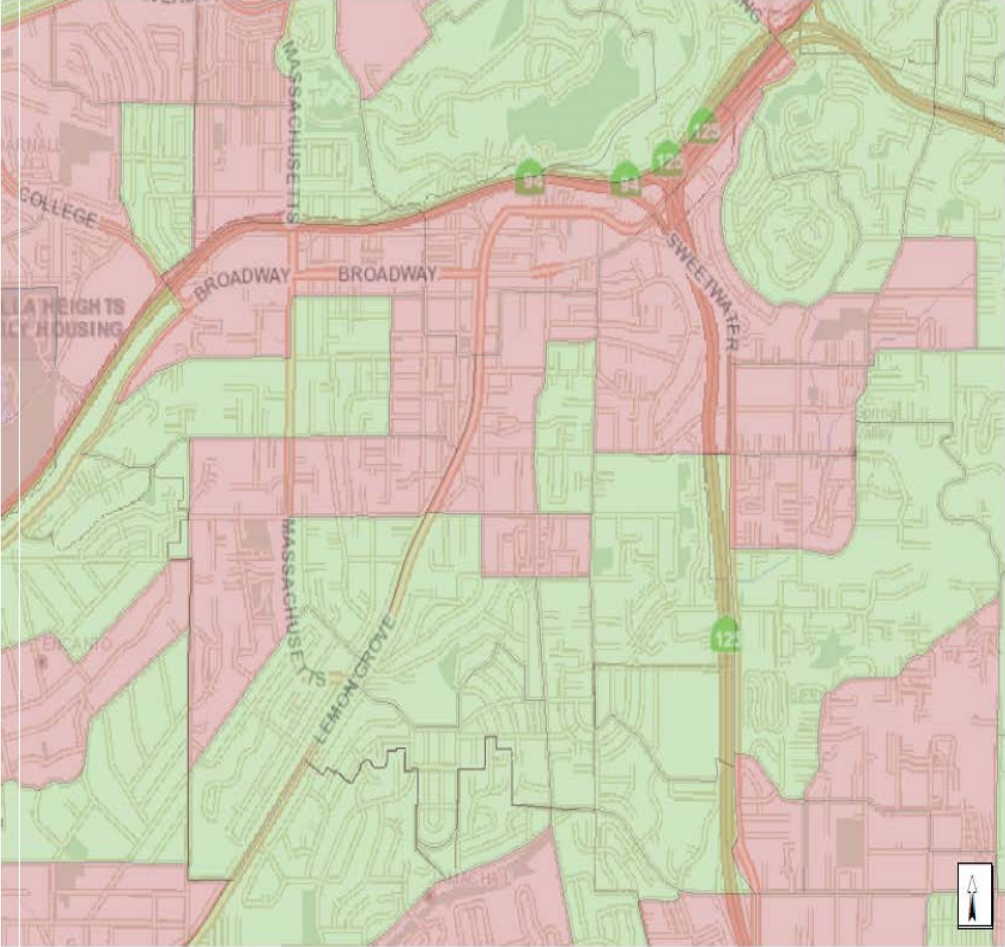
⚠️ ALERT: SAM.gov will be down for scheduled maintenance Saturday, 11/14/2020 from 8:00 AM to 5:00 PM.

Entity Dashboard	LEMON GROVE, CITY OF DUNS: 095899696 CAGE Code: 5EJN9 Status: Active Expiration Date: 10/05/2021 Purpose of Registration: Federal Assistance Awards Only	3232 MAIN ST LEMON GROVE, CA, 91945-1705, UNITED STATES
	Entity Overview	

<ul style="list-style-type: none"> ▶ Entity Overview ▶ Entity Registration <ul style="list-style-type: none"> ▶ Core Data ▶ Assertions ▶ Reps & Certs ▶ POCs ▶ Exclusions <ul style="list-style-type: none"> ▶ Active Exclusions ▶ Inactive Exclusions ▶ Excluded Family Members <p>RETURN TO SEARCH</p>	Entity Registration Summary Name: LEMON GROVE, CITY OF Business Type: US Local Government Last Updated By: Molly Brennan Registration Status: Active Activation Date: 10/07/2020 Expiration Date: 10/05/2021
	Exclusion Summary Active Exclusion Records? No

	Search Records	Disclaimers	FAPIS.gov
	Data Access	Accessibility	GSA.gov/IAE
	Check Status	Privacy Policy	GSA.gov

Eligible Census Areas



Legend

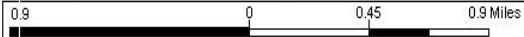
Low Income Census Block (20)

- No
- Yes

Eligibility Calculation:

Analyst:

Date:



NAD_1983_StatePlane_California_VI_FIPS_0406_Feet
County of San Diego, Department of Housing & Community Development

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 3

Meeting Date: November 17, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: Public Works Department

Staff Contact: Mike James, Assistant City Manager / Public Works Director

mjames@lemongrove.ca.gov

Item Title: Partial Vacation of an Open Space Easement at 7010 Lermas Court

Recommended Action: That the City Council adopts a resolution (**Attachment A**) partially vacating an open space easement located at 7010 Lermas Court.

Summary: On May 21, 2020, Sujin Stewart applied to vacate an open space easement at 7010 Lermas Court to expand the developable area on the property. Staff evaluated the request and determined that the potential for flooding in the area prevents a full vacation however, a partial vacation is recommended.

Discussion: Sujin Stewart is the owner of the property located at 7010 Lermas Court. On May 21, 2020, Ms. Stewart submitted an application that requested the vacation of an open easement in order to expand the developable area on the property. The open space easement, originally dedicated per Parcel Map No. 19477 on April 12, 2004, is approximately 3,728 square feet in size and resides on the westerly edge of the parcel.

While reviewing the vacation application, the Contract City Engineer reviewed the pertinent engineering submittal by the applicant it was concluded that the entire easement could not be vacated due to the likelihood that a portion of the easement may be susceptible to flooding and should remain an open space. However, approximately 2,429 square feet of the 3,728 could be vacated which will still allow the applicant to move forward with an application and the eventual construction of an ADU.

Staff concluded that a partial vacation of the open space easement at 7010 Lermas Court is reasonable and recommends that the City Council adopts a resolution approving the partial vacation of the open space easement.

Environmental Review:

Not subject to review

Negative Declaration

Categorical Exemption, Section |

Mitigated Negative Declaration

Fiscal Impact: [None.]

Public Notification: Notice of public hearings were posted at the property address and published in the East County Californian on October 30, 2020 and November 6, 2020.

Staff Recommendation: That the City Council adopts a resolution (**Attachment A**) partially vacating an open space easement located at 7010 Lermas Court.

Attachments:

Attachment A – Resolution

Attachment B – Vacation Application

RESOLUTION NO. 2020 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, PARTIALLY VACATING AN OPEN SPACE EASEMENT AT 7010 LERMAS COURT

***WHEREAS**, on May 21, 2020, the City received a request to vacate an open space easement at 7010 Lermas Court to construct an accessory dwelling unit; and*

***WHEREAS**, staff reviewed the application and recommends a partial vacation of the open space easement; and*

***WHEREAS**, the applicant is interested in moving forward with the application and construction of the accessory dwelling unit; and*

***WHEREAS**, the vacated easement was determined by the Contract City Engineer has unnecessary for present or future prospective public uses as an open space; and*

***WHEREAS**, the portion of the open space easement that is vacated will no longer constitute an open space easement fully revert back to the property owner without restrictions.*

***NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove hereby:*

- 1. Partially vacates the open space easement located at 7010 Lermas Court as described in Exhibit A, a portion of the existing open space easement per parcel map no. 19477 and maintains the open space easement labeled “recommended area to keep as open space easement”; and*
- 2. Authorizes the City Clerk to record a certified copy of this resolution with the County of San Diego Assessor / Recorder / Clerk’s Office.*

PASSED AND ADOPTED on _____, 2020, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Lydia Romero, City Manager

Approved as to Form:

Kristen Steinke, City Attorney

Vacation Application



CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3810

PROJECT #: VAC-200-0001


Date:	<u>5/21/20</u>	Fee:	<u>\$2000.00</u>
Street Address:	<u>7010 Lermas Ct Lemon Grove 91945</u>		
Project:	<u>Open space easement vacation</u>		
Reason for vacation:	<u>Addition of ADU on property</u>		
Property Owner:	<u>Sujin Stewart</u>	Address:	<u>7010 Lermas ct</u>
Phone:	<u>(858) 361-1853</u>	City, State, Zip:	<u>Lemon Grove, CA 91945</u>
Applicant:	<u>Sujin Stewart</u>	Owner:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If no, list acting capacity:	_____		
Company Name:	_____	Address:	_____
Phone:	_____	City, State, Zip:	_____
Fax Number:	_____		

Applicants Signature: Sujin Stewart Date: 5/21/20

Application Received By: _____ Date: _____

EXHIBIT "B"

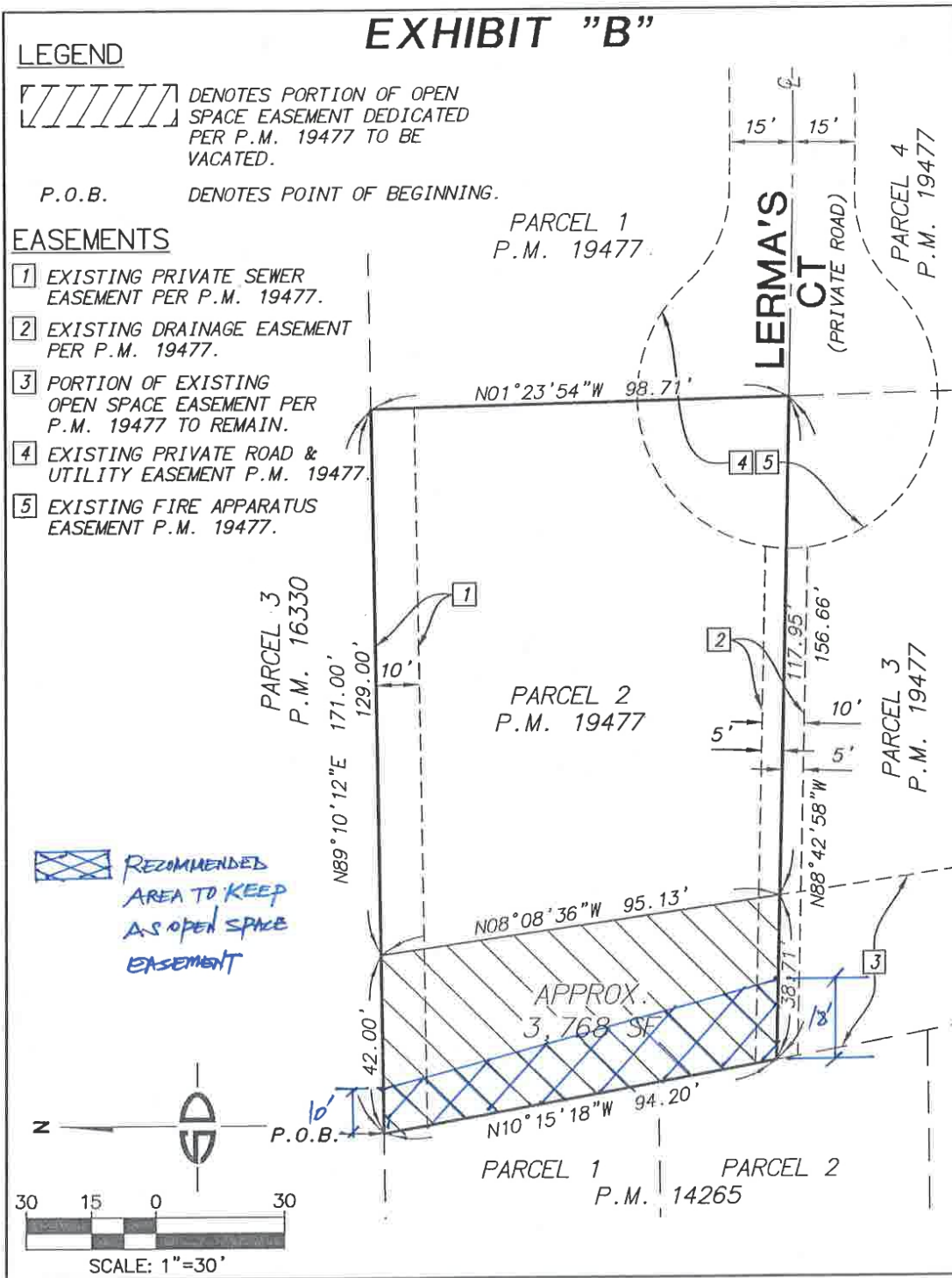
LEGEND

 DENOTES PORTION OF OPEN SPACE EASEMENT DEDICATED PER P.M. 19477 TO BE VACATED.

P.O.B. DENOTES POINT OF BEGINNING.

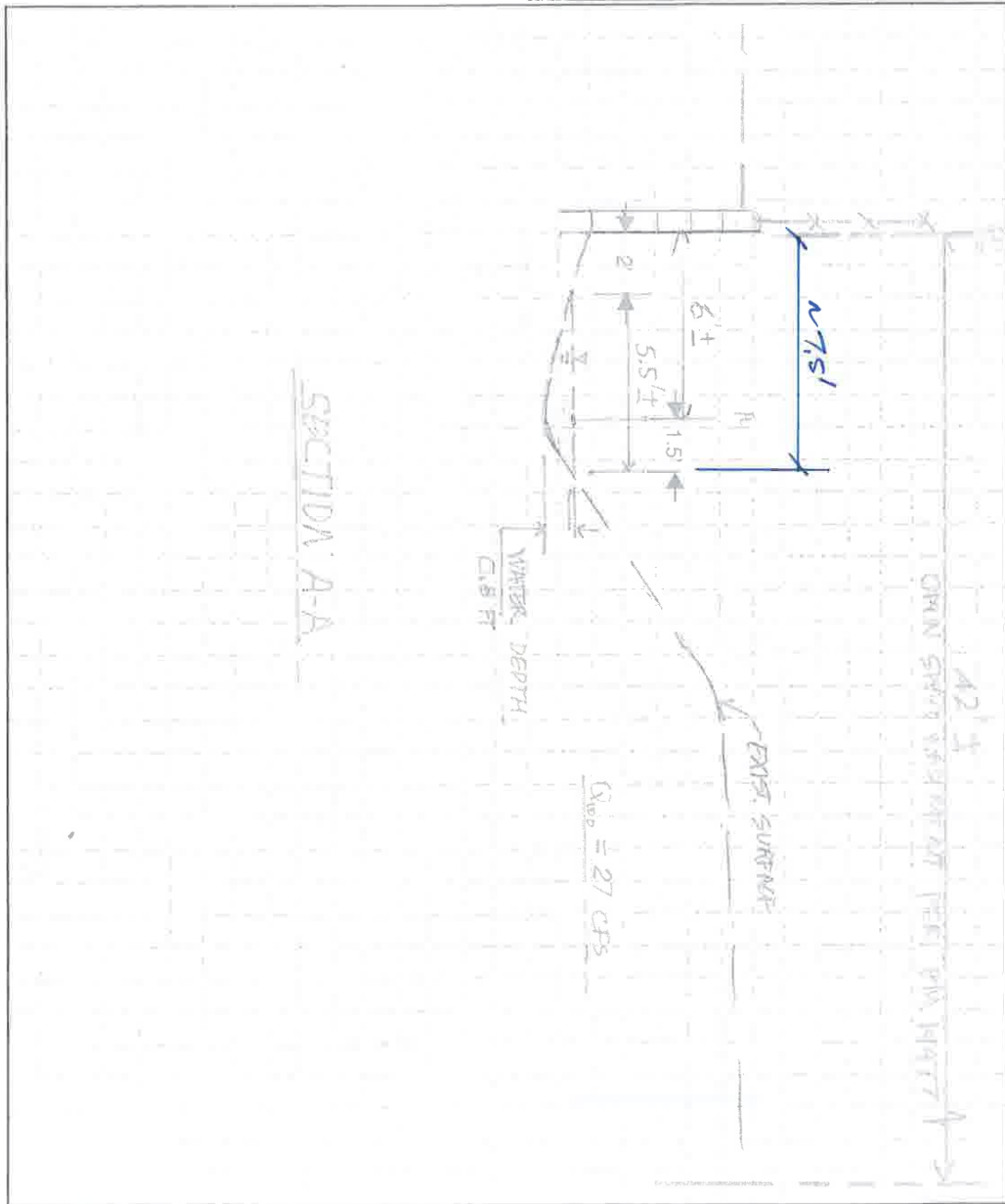
EASEMENTS

- 1 EXISTING PRIVATE SEWER EASEMENT PER P.M. 19477.
- 2 EXISTING DRAINAGE EASEMENT PER P.M. 19477.
- 3 PORTION OF EXISTING OPEN SPACE EASEMENT PER P.M. 19477 TO REMAIN.
- 4 EXISTING PRIVATE ROAD & UTILITY EASEMENT P.M. 19477.
- 5 EXISTING FIRE APPARATUS EASEMENT P.M. 19477.



SNIPES-DYE ASSOCIATES
 8348 CENTER DR. #G
 LA MESA, CA 91942
 (619) 697-9234 FAX (619) 460-2033

JOB 7010 LINDAS PT
 SHEET NO. _____ OF _____
 CALCULATED BY SDA DATE 6-29-20
 CHECKED BY _____ DATE _____
 SCALE 1" = 1'





Normal depth formulas

$$A = y(b + zy)$$

$$P = b + y(1 + z^2)^{1/2}$$

$$T = b + 2zy$$

$$R = A/P$$

$$D = R/T$$

$$Q = (K/A) R^{2/3} S^{1/2}$$

$$V = Q/A$$

$$F = V / (gD)^{1/2}$$

Critical depth formulas

$$F^2 = (Q^2) / (gA^3)$$

$$E = y + \frac{V^2}{2g}$$

$$(y_c^2/9)T_c + A_c^3 = 0$$

$$A = y(b + zy)$$

$$T = b + 2zy$$

$$V = Q/A$$

$$D = R/T$$

INPUT DATA:

Select SI units (metric) U.S. Customary units

Flow discharge Q: cfs

Bottom width b: ft

Side slope z:

Bottom slope S:

Manning's n:

INTERMEDIATE CALCS (normal depth):

Units selected: U.S. Customary
 Gravitational acceleration g: 32.17 ft/s²
 Units constant K: 1.486
 Flow area A_n: 3.64 ft²
 Wetted perimeter P_w: 8.744 ft
 Top width T_n: 8.583 ft
 Hydraulic radius R_n: 0.417 ft
 Hydraulic depth D_n: 0.424 ft

OUTPUT (normal depth):

Depth y_n: ft
 Velocity V_n: 7.413 fps
 Froude number F_n: 2.008

INTERMEDIATE CALCS (critical depth):

Units selected: U.S. Customary
 Gravitational acceleration g: 32.17 ft/s²
 Flow area A_c: 6.35 ft²
 Wetted perimeter P_w: 11.521 ft
 Top width T_c: 11.317 ft
 Hydraulic radius R_c: 0.551 ft
 Hydraulic depth D_c: 0.561 ft

OUTPUT (critical depth):

Depth y_c: 1.032 ft
 Velocity V_c: 4.25 fps
 Froude number F_c: 1

Calculate

Reset

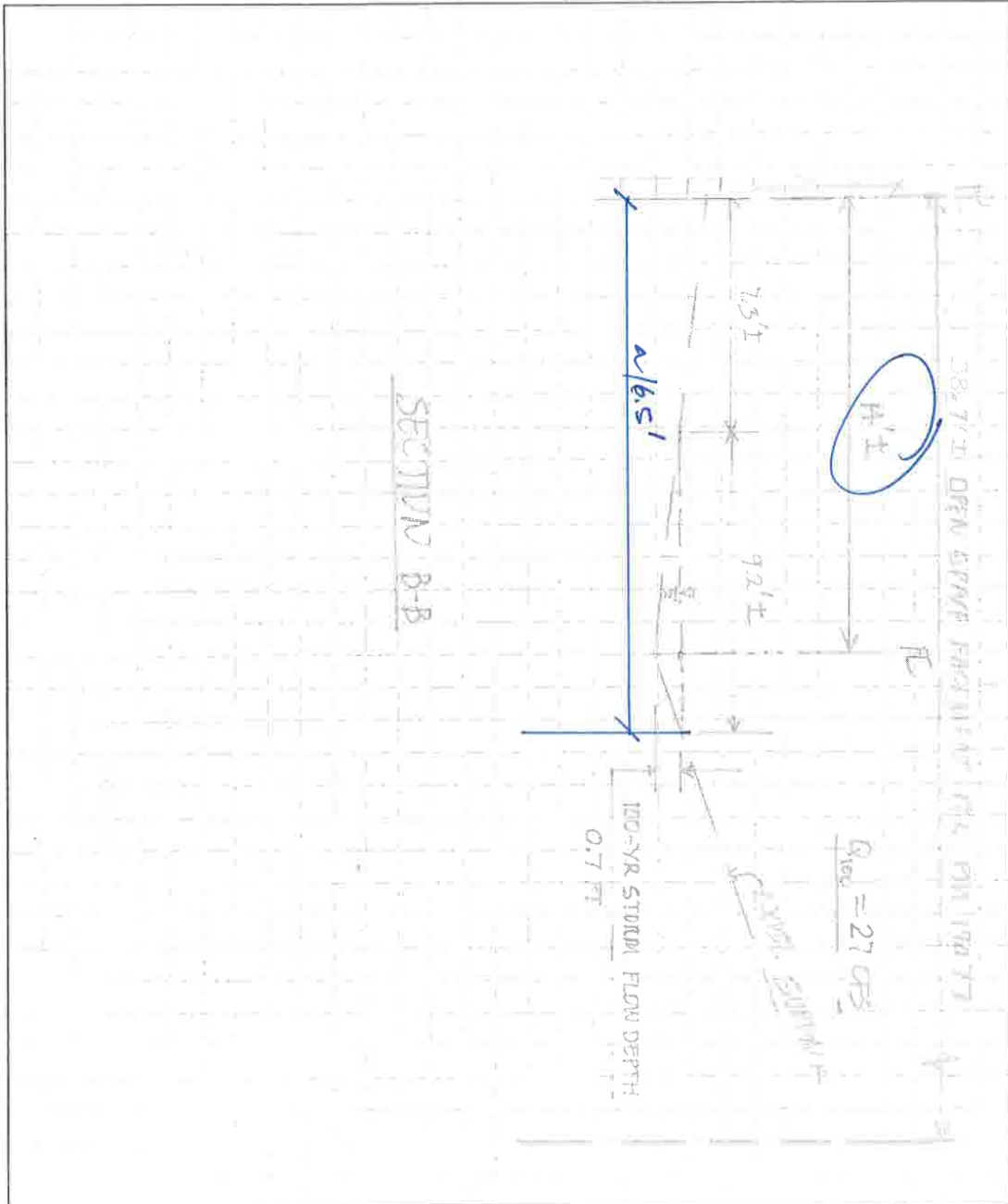
Your request was processed at 07:43:37 am on June 24th, 2020 [200624 07:43:37]

Thank you for running onlinechannel_05. Please call again. (140616)

CROSS SECTION A-A

SNIPES-DYE ASSOCIATES
 8348 CENTER DR. #G
 LA MESA, CA 91942
 (619) 697-9234 FAX (619) 460-2033

JOB 7010 LEANAS ST
 SHEET NO. _____ OF _____
 CALCULATED BY SGM DATE 6-24-20
 CHECKED BY _____ DATE _____
 SCALE 1" = 4'





Normal depth formulas

$$A = y(b + sy)$$

$$P = b + 2y\sqrt{1 + s^2}$$

$$T = b + 2sy$$

$$R = A/P$$

$$D = A/T$$

$$Q = (K/149) AR^{2/3} S^{1/2}$$

$$y = Q/A$$

$$E = V/(gD)^{1/2}$$

Critical depth formulas

$$E^3 = (Q^2 T^3) / (g A^3)$$

$$E = y_c$$

$$(Q^2/g) T^3 - A^3 = 0$$

$$A = y_c(b + sy_c)$$

$$T = b + 2sy_c$$

$$V = Q/A$$

$$Fr = A/T$$

INPUT DATA:

Select SI units (meters) U.S. Customary units

Flow discharge Q cfs

Bottom width b ft

Side slope z

Bottom slope S₀

Manning's n

INTERMEDIATE CALCS (normal depth):

Units selected: U.S. Customary
 Gravitational acceleration g: 32.17 ft/s²
 Units constant k: 1.486
 Flow area A_n: 3.06 ft²
 Wetted perimeter P_w: 8.017 ft
 Top width T_c: 7.881 ft
 Hydraulic radius R_h: 0.381 ft
 Hydraulic depth D_h: 0.388 ft

OUTPUT (normal depth):

Depth y_n: ft
 Velocity V_n: 8.837 fps
 Froude number Fr_n: 2.502

INTERMEDIATE CALCS (critical depth):

Units selected: U.S. Customary
 Gravitational acceleration g: 32.17 ft/s²
 Flow area A_c: 6.35 ft²
 Wetted perimeter P_w: 11.521 ft
 Top width T_c: 11.817 ft
 Hydraulic radius R_h: 0.551 ft
 Hydraulic depth D_h: 0.561 ft

OUTPUT (critical depth):

Depth y_c: 1.032 ft
 Velocity V_c: 4.25 fps
 Froude number Fr_c: 1

Your request was processed at: 07:45:14 am on June 24th, 2020 [200624 07:45:14]

Thank you for running onlinechannel_05. Please call again. [140518]

CROSS-SECTION B-B



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 4

Meeting Date: November 17, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: Community Development Department

Staff Contact: Noah Alvey, Community Development Manager

Nalvey@lemongrove.ca.gov

Item Title: **Municipal Code – Sign Ordinance Update**

Recommended Action: Conduct the public hearing, receive public comment, and introduce an ordinance to update the Sign Ordinance (Title 18) of the Municipal Code.

Summary: The City Council discussed the proposed changes to the Sign Ordinance during recent budget workshops, which are intended to increase opportunities to display temporary signs, such as banners and pennants, in a manner that is consistent with General Plan objectives and policies related to the appearance of the City. Currently, a permit is required to display temporary signs. The proposed Sign Ordinance Update will clarify the City's temporary sign regulations and remove the permit requirement during certain holiday time periods when establishments typically display temporary signs, and when a business opens or changes ownership. If the Sign Ordinance Update is approved, staff will begin enforcing temporary sign permit requirements outside of the approved holiday time periods.

Discussion: In conjunction with the City Council budget workshops that occurred in the Spring of 2020, staff proposed changes to fees for temporary signs for cost recovery, and minor changes to the Sign Ordinance to increase flexibility for temporary signs. The changes to the fees for temporary signs became effective August 3, 2020. Staff is now requesting the City Council's approval to increase flexibility for temporary signs and to allow staff to actively enforce the temporary sign regulations.

The General Plan Community Development Element seeks to cultivate businesses while maintaining the aesthetic qualities of Lemon Grove's small town image. The Sign Ordinance implements the City's policies and objectives to maintain and improve the aesthetic environment of the City, so as to improve the quality of life and the economic value of the City. The current Sign Ordinance requires a permit for all temporary signs.

The proposed Sign Ordinance Update (Attachment A) clarifies the temporary sign regulations to allow more effective enforcement. Additionally, the proposed Sign Ordinance Update will remove the permitting requirement for temporary signs during the following holiday time periods to achieve a more equitable approach to temporary signs:

1. Valentine’s Day/Presidents’ Day—from 12:01 a.m. on the second Saturday before Valentine’s Day through two days after Presidents’ Day (third Monday in February).
2. Mother’s Day—from 12:01 a.m. on the second Saturday before Mother’s Day (second Sunday in May) through two days after.
3. Independence Day—from 12:01 a.m. on the second Saturday before Independence Day (July 4th) through two days after.
4. Labor Day—from 12:01 a.m. on the second Saturday before Labor Day (first Monday in September) through two days after.
5. Winter Holiday—from 12:01 a.m. on the day after Thanksgiving (fourth Thursday in November) through January 3rd.

In addition to the holiday periods described above, the Sign Ordinance Update proposes a 30-day exception to allow new businesses and new management of an existing business to display a temporary sign without obtaining a temporary use permit.

For the last several years, staff has only enforced the permit requirements for temporary signs when complaints were received. If the proposed Sign Ordinance Update is approved, staff intends to actively enforce the new regulations. Staff would begin by visiting businesses during December and providing information regarding the new temporary sign regulations to businesses. Beginning on January 4, 2021 staff would begin issuing warnings to all businesses displaying temporary signs and recommending that they obtain a temporary sign permit or remove the temporary signs until the next sign holiday period associated with Valentine’s Day.

Environmental Review:

- | | |
|--|---|
| <input type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input checked="" type="checkbox"/> Categorically Exempt | <input type="checkbox"/> Mitigated Negative Declaration |

The proposed Sign Ordinance Update will result in minor changes in land use limitations regarding when a permit is required to display a temporary sign as allowed by Class 5 (Minor Alterations in Land Use Limitations) of Section 15305 of the California Environmental Quality Act.

Fiscal Impact: Potential minor increase in revenue due to staff actively enforcing sign permit requirements outside of sign holiday periods.

Public Notification: Published legal notice of the public hearing in the newspaper of record on November 6, 2020.

Staff Recommendation: Conduct the public hearing, receive public comment, and introduce an ordinance to update the Sign Ordinance (Title 18) of the Municipal Code.

Attachment:

Attachment A – Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AMENDING SECTION 18.12.040 OF THE LEMON GROVE MUNICIPAL CODE TO MODIFY THE TIME, PLACE AND MANNER REGULATIONS FOR TEMPORARY SIGNS

***WHEREAS**, the City of Lemon Grove adopted a Sign Ordinance as part of the Lemon Grove Municipal Code to implement the purposes, policies and programs of the General Plan; and*

***WHEREAS**, the City of Lemon Grove last revised the temporary sign regulations in 2010 pursuant to Ordinance 391, adopted on June 1, 2010; and*

***WHEREAS**, the sign regulations relating to temporary and noncommercial sign require periodic updates to account for current circumstances and conditions; and*

***WHEREAS**, the objectives of the City of Lemon Grove Sign Ordinance are to maintain and improve the aesthetic environment of the city; to improve the quality of life and economic value of the city; to promote traffic safety for motorized and non-motorized vehicles and pedestrians; to minimize visual clutter, to encourage effective communications; establish reasonable standards; reduce litter and to avoid unreasonable limitation on free expression by signs while exercising reasonable controls over signs to serve and protect the public health, safety, and welfare; and*

***WHEREAS**, the City Council finds that the proposed Municipal Code Amendment is consistent with the purpose and intent of the Lemon Grove General Plan because it promotes the policies and objectives of the Community Development Element by cultivating businesses while maintaining the aesthetic qualities of Lemon Grove's small town image; and*

***WHEREAS**, the adoption of this Ordinance shall implement regulations which require a temporary use permit to display a temporary sign, except for limited exceptions for new establishments and new management, and during certain holiday time periods; and*

WHEREAS, the City Council finds in its independent judgment that the proposed updates to the Municipal Code are exempt from environmental review because the updates will result in minor changes in land use limitations regarding when a permit is required to display a temporary sign as allowed by Class 5 (Minor Alterations in Land Use Limitations) of Section 15305 of the California Environmental Quality Act; and

WHEREAS, on November 17, 2020, a public hearing was duly noticed and held by the City Council.

NOW, THEREFORE, the City Council of the City of Lemon Grove, California, does ordain as follows:

SECTION ONE. The foregoing recitals are true and correct; and

SECTION TWO: The existing Lemon Grove Municipal Code Section 18.12.040, entitled "Signs in commercial, industrial and residential/professional districts.", is hereby amended to read as shown in bold, underlined and italicized additions and strikeouts in the attached Exhibit A; and

SECTION THREE: Finds that if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Lemon Grove hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, respective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid. Such invalidity shall not affect other provisions or applications and, to this end, the provisions of the Ordinance are declared to be severable; and

SECTION FOUR: Finds that nothing in this ordinance or in the Codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby rescinded as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance; and

SECTION FIVE: *This Ordinance shall be effective thirty (30) days following its adoption. Within fifteen (15) days following its adoption, the City Clerk shall publish the title thereof, as a summary as required by state law.*

PASSED AND ADOPTED by the City Council of the City of Lemon Grove, State of California, on November 17, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Lydia Romero, City Manager

Approved as to Form:

Kristen Steinke, City Attorney

EXHIBIT A

TEXT OF PROPOSED REGULATIONS

NOTE: Text proposed to be added is displayed in ***bold underlined italicized*** type and text to be removed is shown in ~~strike-through~~

Chapter 18.12 SIGNS

18.12.040. Signs in commercial, industrial and residential/professional districts.

This section applies to all signs in all commercial and industrial districts, and to signs in the R/P (residential/professional) district.

- A. **Maximum Height—General Rule.** Other than freeway-oriented signs, signs may not extend more than three feet in height above the ridge line of the roof of the building to which the sign relates.
- B. **Maximum Allowable Signage—In General.** For establishments on the ground floor of a main building, the maximum allowable signage is a function of: (1) the zone in which the establishment is located, (2) the qualifying street frontage of the establishment, and (3) the surface area of wall(s) facing public rights-of-way. Allowable signage for any one establishment is not determined in total display surface area, but rather by number and type(s) of sign(s), with area and height limits applying to each type of sign. Signs which are exempt under Section 18.12.080 (Exempt signs) do not count toward the maximum allowable signage.
- C. **Permanent Signage for Establishments Located on the Ground Floor of a Main Building.** Establishments located on the ground floor of a main building qualify for a maximum of three permanent signs, of which at least one must be a wall sign. The area of a wall sign is calculated according to the rules stated in Section 18.12.030(S)(3). Additional signage may be permitted in certain locations and at particular times, as detailed in subsection D of this section.
 1. **Wall Signs—Maximum Area.** An establishment chooses one building face of the building in which it is located as its “qualifying wall.” In the case of multiple establishments in the same building, each establishment may choose as its qualifying wall only a wall which is allocable to the space actually used by the establishment. The total combined area of all permanent wall signs for each establishment shall not exceed twenty percent of the building face of the qualifying wall, up to a maximum of two hundred fifty square feet, except in the R/P (residential/professional) district, where the combined area of all wall signs may not exceed fifty square feet. Wall signs are not required to be displayed on the largest or qualifying building face. On any one wall, a maximum of twenty percent of the building face may be used to display permanent wall signs, including permanent window signs.
 2. **Wall Signs—Minimum Area.** Notwithstanding subsection(C)(1) of this section, any establishment located on the ground floor of a main building may display a

wall sign of at least thirty-six square feet even if such a sign occupies more than twenty percent of the wall area.

3. Permanent Window Signs.
 - a. Construction Methods. Permanent window signs may be made of paint, gold or silver leaf or similar material, decals and transfer letters, symbols, and the like, applied directly to the window by heat, pressure, or by means of an additional adhesive. Such signs may also consist of neon signs mounted in close proximity to a window so as to be viewed primarily from outside the establishment through the window.
 - b. Maximum Size. Permanent window signs shall not exceed twenty-five percent of the window surface area. The use of a permanent window sign shall not prevent an establishment from also displaying a wall sign, but permanent window signs count towards the total number of permissible signs, and the area of permanent window signs shall be subtracted from the permitted wall sign area for the establishment.
4. Maximum Area of All Window Signs. Notwithstanding the rules regarding temporary window signs (Section 18.12.080(S)), the total area of all window signage (permanent and temporary) shall not exceed forty percent of the window surface area.
5. Projecting Signs.
 - a. Maximum Area. In the GC (general commercial), HC (heavy commercial) and LI (light industrial) districts, the total area (one side) of a projecting sign shall not exceed one square foot of sign area for each one foot of street frontage allocable to the establishment, up to a maximum of seventy-five square feet. In the LC (light commercial), NC (neighborhood commercial) and R/P (residential/professional) districts, the total area of a projecting sign shall not exceed one square foot of sign area for each two feet of building frontage allocable to the establishment, up to a maximum of fifty square feet.
 - b. Projecting Signs—Maximum Height. No part of any projecting sign shall exceed a height of fifteen feet, as measured from the average surface grade elevation immediately below such sign to the topmost part of such sign. An encroachment permit is required for any sign which will project over public property or any public right-of-way.
 - c. Maximum Projection. Except awnings and canopies, projecting signs may not project over public property more than three feet, may not project above the eaves, parapet or second story roof line of a building by more than three feet, or be closer than seven and one half feet to the finished grade.
 - d. Maximum Number of Projecting Signs. Other than canopies and awnings, an establishment may display a maximum of one projecting sign per wall.
6. Signs on Awnings, Canopies or Marquees. Signs may be located on or suspended from marquees or they may be painted on or sewed on the awnings or canopies.

The area of such signs counts towards the total allowable area for projecting signs. Area of signage on awnings, canopies and marquees is calculated in the same manner as signage on multi-faced signs, Section 18.12.030(S)(3)(e). Certain umbrella signs are exempt under Section 18.12.080(M).

7. **Freestanding Signs.** Freestanding signs are of several distinct types, each with their own particular rules: (a) small monument signs; (b) standard freestanding signs; (c) freestanding signs at motorfuel dispensing stations; (d) entryway monuments at shopping centers and major establishments; and (e) freeway-oriented signs. Each freestanding sign, except freeway-oriented signs, counts as one of the maximum allowable number of permanent signs. The rules for small monument signs and standard freestanding signs are stated in this subsection, the rules for entryway monuments at shopping centers and major establishments are stated in subsection (D)(7) of this section; the rules for freeway-oriented signs are stated in subsections (D)(8) and (D)(5)(g) of this section; and the rules for freestanding signs at motor fuel dispensing stations are stated in subsection (D)(9) of this section.
 - a. **Qualifying Frontage.** For properties having street frontage on more than one public right-of-way, all continuous street frontage lines are combined for the purpose of calculating qualifying frontage for a freestanding sign.
 - b. **Small Monument Signs.** To qualify for a small monument sign, a property parcel must have at least one hundred feet of continuous street frontage. Adjacent street frontages may be combined to qualify for a small monument sign. Any sharing of display area on a small monument sign is purely a matter of private agreement. The display area of a small monument sign may not exceed thirty-five square feet. The height of a small monument sign may not exceed six feet. For transferability of small monument signage rights, see Section 18.12.030(S)(1)(b).
 - c. **Standard Freestanding Signs.** A property/parcel qualifies for a standard freestanding sign if it has one hundred fifty feet or more of street frontage. A standard freestanding sign may be either of the monument or pole type. The maximum height and area of standard freestanding signs are determined according to the appendices, Section 18.12.140 of this chapter. Within the appendices, Tables 1 and 2 respectively determine the maximum size and height of standard freestanding signs located in the LC (light commercial), NC (neighborhood commercial) and R/P (residential/professional) districts. Tables 3 and 4 respectively determine the maximum area and height of standard freestanding signs located in the GC (general commercial), HC (heavy commercial) and LI (light industrial) districts. Notwithstanding such tables, the height of a standard freestanding sign may not exceed the greater of twenty-five feet or three feet above the ridgeline of the roof of the building to which the sign relates.
 - d. **Freestanding Sign Height.** The height of a freestanding sign is the distance from the average horizontal surface grade immediately within five feet of the base of the sign to the top of its highest element. When any part of such sign is located within five feet of a sidewalk, the height of the

freestanding sign shall be from the average horizontal surface area immediately within five feet of the base of the sign or from the level of the sidewalk. Where there is no sidewalk, the height of the sign shall be measured from the level of the public street centerline nearest the sign.

- e. Limitation on Qualifying Frontage. The same street frontage may not be counted as qualifying for both a small monument sign and a standard freestanding sign.
 - f. Statuary Signs. Statuary signs are allowable with a sign permit. The area of a statuary sign is calculated by the method stated in Section 18.12.030(S)(3)(g). A statuary sign counts as one of the total number of signs an establishment may display. Any given establishment may display a maximum of one ground-mounted statuary sign. Pole mounted or projecting statuary signs are not allowed. Use of a statuary sign disqualifies the establishment from also having a freestanding sign, even if the establishment would otherwise be entitled to a freestanding sign. There is no frontage requirement to qualify for a statuary sign permit.
8. Signs in Business and Industrial Complexes.
- a. Business and Industrial Complexes Composed of Five or More Establishments and Built after the Effective Date of the Ordinance Codified in this Chapter. Other provisions of this chapter notwithstanding, no sign permit shall be issued for establishments within a business or industrial complex built after the effective date of the ordinance codified in this chapter, planned and developed as a unit and composed of five or more establishments, unless the sign for which the permit is required is consistent with a business or industrial complex sign permit issued by the community development director.
 - b. Business and Industrial Complexes Existing Prior to the Effective Date of the Ordinance Codified in this Chapter. The owners of any group of five or more existing businesses or industrial establishments developed as a unit, on property under a single ownership, may apply for a business or industrial complex sign permit.
 - c. Criteria for Approval of Business and Industrial Complex Signs Permits. The total sign area and number of signs within a business or industrial complex shall not exceed the allowable height, the sum of the sign areas and the numbers of signs that would otherwise be allowed if each establishment were independently signed pursuant to the general sign regulations.
 - d. Consistency Requirement. Signs in business and industrial complexes must be consistent in physical characteristics. This rule is not intended to regulate copy or message content.
 - e. The message substitution policy shall be deemed to be automatically included in any sign permit or sign program for a business or industrial complex.

D. Additional Allowable Signage for Establishments Located on the Ground Floor of a Main Building. In addition to the signage allowable under subsection C of this section, establishments located on the ground floor of a main building qualify for the following signs:

1. Rear Wall Sign. In all commercial and industrial districts, as well as the R/P district, one wall sign with an area no larger than three square feet may be displayed on the rear wall which abuts either a street (other than that providing primary public access) or an alley. When the property which displays such rear wall sign lies directly across a nonarterial street or alley from a residential zone, such sign may not be illuminated, and is exempt from the prohibition stated in Section 18.12.070(M). Where an establishment abuts two parallel, or nearly parallel, streets, the community development director shall determine which provides primary access.
2. Temporary Signs for Special Events. An establishment qualifies for a temporary sign ***use*** permit for special events, as ~~detailed in this subsection~~ ***as permitted by Section 17.28.040 of this code***. Such permit will allow for erection of banners and pennants made of paper, cloth, plastic or other temporary materials, as well as inflatable objects and balloons. ~~However, rotating and flashing devices commonly known as spinners and reflectors are not allowed. A maximum of two signs shall be allowed per special event.~~ Permits for temporary signage related ***to*** a special event will be granted for not more than sixty days in any one calendar year ***with the approval of a temporary use permit***. ~~The total area of signage allowable under this section shall not exceed the amount of wall signage which could be permitted for that establishment.~~
3. Temporary Signs for Limited Special Event Lot Sales. Commercially zoned properties conducting limited special event lot sales, as permitted by Section 17.28.040 of this code, may display ~~not more than two~~ temporary signs made of cloth, plastic, or similar temporary material, ~~each with a maximum area not to exceed twelve square feet~~. The signage allowable under this provision may be on display a maximum of ***14*** consecutive days ***with the approval of a temporary use permit***.
4. Temporary Signs for Lot and Sidewalk Sales. Commercial establishments conducting lot and sidewalk commercial activities, as permitted by Section 17.28.040 of this code, may display temporary pennants and banners ~~and not more than two temporary~~ signs made of paper, cloth, plastic, or similar temporary material, ~~each with a maximum area not to exceed twelve square feet~~ ***with the approval of a temporary use permit***.
5. ***Temporary Use Permit Sign Exceptions***
 - a. ***New Establishments. A new establishment or new management of an existing establishment may display temporary advertising devices for a maximum period of 30 days. A temporary use permit is not required. Signs shall be placed on the subject property and not create a safety hazard.***
 - b. ***During certain special times described below, any establishment may display temporary advertising devices***

without obtaining a temporary use permit. Signs shall be placed on the subject property and not create a safety hazard
The time periods are:

- i. **Valentine's Day/Presidents' Day—from 12:01 a.m. on the second Saturday before Valentine's Day through two days after Presidents' Day (third Monday in February).**
- ii. **Mother's Day—from 12:01 a.m. on the second Saturday before Mother's Day (second Sunday in May) through two days after.**
- iii. **Independence Day—from 12:01 a.m. on the second Saturday before Independence Day (July 4th) through two days after.**
- iv. **Labor Day—from 12:01 a.m. on the second Saturday before Labor Day (first Monday in September) through two days after.**
- v. **Winter Holiday—from 12:01 a.m. on the day after Thanksgiving (fourth Thursday in November) through January 3rd.**

- 56.** Temporary Noncommercial Signs. The rules for temporary noncommercial signs are stated in Section 18.12.080, Exempt signs.
- 67.** Inflatable Object Signs. Upon approval of a temporary sign permit, an establishment may display inflatable objects for a maximum of **14** ~~thirty~~ days per calendar year in conjunction with special events. The objects must be located so as not to block required parking, driveways or emergency access to the premises.
- 78.** Display Prior to Permit. For special event signs that are displayed prior to obtaining a temporary sign permit, the number of display days is calculated from the date on which the earliest-displayed sign first went on display.
- 89.** Removal Requirement. All temporary signs for special events shall be removed at the earlier of: ~~(1) two business days after the conclusion of the special event; or~~ ~~(2) the expiration of the permit.~~
- 910.** Drive-In or Drive-Through Establishments. In addition to otherwise allowable signage, drive-in or drive-through establishments qualify to display one additional permanent sign which may not exceed seven square feet in sign area (measured one side only). Drive-in or drive-through establishments also qualify for one intercom-equipped signboard by which customers or patrons communicate from their vehicles with the staff located inside the establishment; such intercom signboard may not exceed fifty square feet in sign area and may not exceed eight feet in height.
- 1011.** Grocery Stores Located in Buildings Without Windows or With Limited Window Area. The following regulations are intended to allow grocery stores with little or no windows to have similar temporary sign rights as grocery stores with

windows. Sign display cases as provided in this subsection shall be placed on no more than two walls of any such establishment. One wall used for these sign display cases may be viewable from the street providing primary access but not a freeway. One wall with these sign display cases must be the wall with the primary pedestrian access point to the grocery store and shall be viewable primarily from the on-site parking area for that store.

- a. In addition to signage otherwise allowable, grocery stores located in buildings without windows may display temporary signs in one of the following methods:
 - i. Temporary Signs Located in Display Cases. Each temporary sign shall be no larger than four feet by six feet in size. No more than four sign display cases may be placed on any one wall, and the total area of such display cases shall not exceed the lesser of ten percent of the area of the wall upon which they are displayed. Such display cases must be solid and rigid in construction, and have a solid cover which prevents the temporary signage inside from being blown down or damaged by weather. Such display cases may not be illuminated.
 - ii. Temporary Signs Not Located Within a Display Case. Each temporary sign shall be no larger than four feet by six feet in size. No more than four temporary signs may be placed on any one wall and the total area of these temporary signs shall not exceed ten percent of the wall area upon which they are displayed. Each temporary sign shall consist of rigid, weather-proof materials and lettering. Each temporary sign shall be securely fastened to the wall of the building and approved by the community development director.
- b. Grocery stores located in buildings in which the wall areas viewable from the adjacent street or main parking area have windows that make up less than five percent of the wall areas may display temporary signs in the same number and manner described in subsection (D)(9)(a) of this section. The total area of all temporary signs displayed, both in any windows and in the allowed display cases, shall not exceed ten percent of the wall area upon which they are displayed.

~~11.2.~~ **11.2.** Automobile, Truck and Motorhome Sales Facilities Sign Permits. In addition to the signage otherwise allowed, upon the approval of a sign permit by the community development director, automobile, truck and motorhome sales facilities located within special treatment area V may display banners, flags, pennants, streamers and similar devices pursuant to the following standards:

- a. Light Poles. Each light pole within the dealership may display banners and bunting, below the light fixtures, having an area no greater than forty square feet per side. If displays are mounted on more than two arms, the total area of all sides of the displays shall not exceed eighty square feet per light pole. Atop each light pole, a flag or pennant up to nine square feet in

size may also be displayed. These flags or pennants shall not project more than six feet above the top of the light poles.

- b. Wall and Fence Banners. In addition to banners and flags allowed elsewhere by this section, banners are allowed on walls, fences and between light poles. The total area of all such banners within a dealership shall not exceed one thousand two hundred square feet. Such banners shall be oriented for viewing primarily from the freeway or within the dealership, not from adjacent residential neighborhoods.
 - c. Vehicle Displays. Each vehicle may have a balloon or pennant attached to it so long as they do not extend more than eight feet above the vehicle.
 - d. Strings of Pennants and Streamers. A dealership may display strings of pennants and streamers, with material extending no more than eighteen inches from the string. These strings shall be limited to the area of the property within one hundred feet of the SR 94 and College Avenue rights-of-way. Strings of pennants and streamers shall be limited to one linear foot per foot of street or freeway frontage, and shall not project more than fifteen feet above the ground.
 - e. All banners, flags, pennants and streamers shall be kept clean and in a state of good repair at all times.
 - f. In addition to the inflatable objects allowed by subsection (D)(2)(g) of this section, a dealership may display a tethered inflatable object for an additional ninety days per calendar year. Such objects shall be no larger than ten feet in diameter or fifteen feet in length, and shall not be tethered to a line longer than seventy-five feet in length. Such object shall also be tethered in such a manner that it does not extend outside the vertical projection of any exterior property line of the dealership.
 - g. Such sales facilities also qualify for a freeway oriented sign that does not exceed fifty feet in height and five hundred square feet in display area. One hundred seventy-five square feet of this area may be devoted to a moving electronic message board.
- ~~12~~13.** Establishments with Service Bays. In addition to otherwise allowable signage, an establishment which has fifty percent or more of its building face occupied by vehicle service bays, which generally remain open during normal business hours, may display temporary signs or banners, of the type approved for display on the interior surface of windows by Section 18.12.080(S), within the service bays, subject to the following limitations:
- a. Display Time Limit. Such signs are to be used for short-term sale or promotional activity only and may not be displayed for more than sixty consecutive days. Sign copy must be changed at least every sixty days so as not to become permanent.
 - b. Maintenance Duty. Any such signs which have become torn, frayed, stained or faded shall be removed or replaced immediately.

- c. Permissible Display Location. Such signs must be displayed parallel to the front of the building and entirely within the service bay. When service bay doors are closed, signs permitted by this section will be inside the doors. Such signs must be displayed in the upper half of the service bay opening and no portion of the sign shall be less than eight feet above the ground, pavement or floor below.
 - d. Mounting. Such signs shall be firmly held in place by wires or similar devices and shall not be designed to be substantially affected by action of the wind.
 - e. Streamers, Etc. Streamers, pennants and balloons may not be displayed as part of, or in lieu of, the permitted signs.
 - f. Maximum Total Area. Where signs are displayed in service bays pursuant to the standards established in this subsection, the total combined area of all permanent signs displayed on the exterior of the building and all temporary signs displayed within the service bays shall not exceed twenty-five percent of the building face area.
- ~~13~~**14.** Entryway Monument Signs at Shopping Centers and Major Establishments. This provision applies to shopping centers and major establishments which fall into at least one of the following categories: (1) the building(s) on the legal parcel contains at least five separate establishments; (2) the establishment is located on land which is at least one acre in area. Such shopping centers and major establishments qualify for one freestanding sign to be located near each driveway entrance fronting onto an arterial street or freeway exit or entrance. Such signs may not exceed fifty square feet in area, and may not exceed eight feet in height. Such signs do not count toward the maximum number of signs that may be displayed by separate establishments within the shopping center.
- ~~14~~**15.** Freeway-Oriented Signs. An establishment qualifies for a freeway oriented sign by having a minimum of one hundred fifty feet of street frontage. Notwithstanding the foregoing sentence, no freeway oriented sign may be located so as to be viewable from a freeway which is elevated more than fifty feet above grade for distance of more than one hundred feet. Allowable freeway-oriented signs must be located within three hundred feet of the boundary of a freeway or freeway ramp right-of-way, and must be erected on the same legal parcel as the establishment to which the sign relates. The maximum height of a freeway-oriented sign is fifteen feet above the elevation of the centerline of the nearest freeway or freeway ramp. The maximum size of a freeway-oriented sign is one hundred twenty square feet. In no event shall any given establishment be allowed more than one freeway-oriented sign. In no event may a freeway-oriented sign display an offsite commercial message. Freeway-oriented signs may be illuminated. Freeway-oriented signs do not count toward the maximum number of signs which an establishment may display.
- ~~15~~**16.** Freestanding Signs at Motor Fuel Dispensing Stations. In addition to signage otherwise allowable, motor fuel dispensing stations qualify for one freestanding sign for each street from which motorists may enter the fueling area, when such signs are used for complying with state or federal laws or regulations regarding

posting of fuel grades, prices, and similar information. Such freestanding signs must be located in such a manner that they do not impede the flow of motor vehicles into or out of such facility, or the flow of motor vehicles or pedestrians on the public rights-of-way. The maximum display area of each fuel grade and price sign allowed under this subsection is fifteen square feet, unless state or federal law requires a larger sign, in which case the minimum size under state or federal law shall also be the maximum size under this chapter. The area of a fuel price sign may be combined with the otherwise allowable area of a monument sign. The maximum height of such sign is five feet.

- E. **Maximum Permanent Signage for Establishments Located on the Second Floor of a Main Building.** Establishments located on the second floor of a main building are limited to one sign each, which may be either a wall sign or a projecting sign. If it is a wall sign, the maximum area is twenty percent of the outside wall surface allocable to the establishment. If the sign is of the projecting type, then the maximum area is one square foot of sign for each one foot of building frontage allocable to the establishment, up to a maximum of twenty-five square feet.
- F. **Maximum Permanent Signage for Establishments Located on the Third or Higher Floor of a Main Building.** Establishments located on the third or higher floor of a main building may not display exterior signs. This rule does not prevent such an establishment from being identified on a building identification sign.
- G. **Special Sign Districts.** The city may, by ordinance, create special sign districts to reinforce the identity of specific areas of the city, to create shopping areas with consistent ambiance and visual tone, to promote business, to strengthen the city's tax base and to implement the general plan. Such districts shall be created through the zoning ordinance amendment process pursuant to the provisions of this code. Special sign districts shall be considered overlay zones which modify the underlying zoning with regard to sign regulations. The zoning amendment process for creation of a special sign district may be initiated by resolution of the planning commission or city council or by application of one or more of the owners or duly authorized agents thereof, of the property within the area proposed to be included in the special sign district. The creation of, and rules relevant to, such special sign districts is in the legislative discretion of the city council. The message substitution policy shall automatically apply to and be deemed a part of any sign district created under this provision.
- H. **High Rise Buildings.** Buildings which consist of four or more floors may display a maximum of one wall or projecting sign, the size of which may not exceed the lesser of five percent of the building wall on which the sign is mounted, or two hundred fifty square feet. Such sign must be located on the exterior of the topmost floor, and may be illuminated at night. The top of such sign may not be more than three feet above the ridge line of the roof of the building to which the sign relates.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 5

Meeting Date: November 17, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office and City Attorney's Office

Staff Contact: Kristen Steinke, City Attorney & Lydia Romero, City Manager

KSS@LFAP.com; LRomero@lemongrove.ca.gov

Item Title: **Recreational Marijuana**

Recommended Action: Discuss and provide direction to staff on potential amendments to the Municipal Code to allow recreational marijuana sales.

Summary: This Report was prepared in response to requests from the City Council for options regarding recreational marijuana sales during its discussion on a proposed marijuana business gross receipts tax. Included in this Report are options for amending the Municipal Code to allow recreational marijuana sales.

Discussion: On June 16, 2020, the City Council discussed options for placing a proposed marijuana business gross receipts tax on the ballot. On July 7, 2020, the City Council adopted a resolution placing a measure on the ballot to modernize and establish a new cannabis business receipt tax. During the discussions on June 16, 2020 and July 7, 2020, the City Council expressed a desire to explore options for allowing recreational marijuana sales, in addition to medical marijuana sales, in conjunction with the ballot measure. At the time of this report's preparation, the ballot measure, known as Measure J, was passing with more than 70% of voters supporting the tax.

The City Council has the authority to establish a process for allowing recreational marijuana sales by approving amendments to the Municipal Code. Currently, a medical marijuana dispensary requires the approval of a conditional use permit (CUP), subject to development standards and separation from certain sensitive uses. The City Council could establish a similar process for allowing recreational marijuana sales by requiring a CUP or an amendment to an existing CUP. The City Council may also want to consider a non-discretionary process, such as allowing existing approved medical marijuana dispensaries to be eligible to sell recreational marijuana upon the approval of a ministerial permit.

Background: In November 2016, California voters passed Proposition 64, also known as the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA). The AUMA decriminalized non-medical cannabis and established a regulatory system for commercial cannabis activity in California. In June 2017, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) established a comprehensive State regulatory system for both medicinal and non-medicinal commercial cannabis activity. In November 2016, Lemon Grove voters passed Measure V, which codified the sale of medical marijuana in the City. The Measure is incorporated in the Lemon Grove Municipal Code at Chapter 17.32.

Different cities in San Diego County have adopted different approaches for allowing recreational marijuana sales in conjunction with medical marijuana sales. These variances can be explained primarily by the cities' ballot measures, which were passed at different times and contain different regulations. Additionally, new marijuana sales facilities are still banned in some areas, such as in the unincorporated portions of San Diego County. Examples of other cities' processes for allowing recreational marijuana sales are as follows:

Chula Vista – Applicants may apply for no more than one retail license per council district and no more than four retail licenses City-wide. Land use approval processes vary, but may require design review, conditional use permits, etc.

La Mesa – An existing medical marijuana dispensary with an approved CUP may apply for a special license to sell recreational marijuana without an amendment to the approved CUP.

San Diego – A conditional use permit is required for a cannabis outlet (retail, medical, or combination), which a hearing officer may approve. The decision of the hearing officer is appealable to the Planning Commission.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorically Exempt | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: The fiscal impact for processing recreational marijuana applications is expected to be cost neutral. Ministerial permit costs would be based on a processing cost analysis and any discretionary permit process would require a deposit and recovery of staff costs.

Public Notification: N/A

Staff Recommendation: Discuss and provide direction to staff on potential amendments to the Municipal Code to allow recreational marijuana sales.