



Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Councilmember Johnny Khamis

SUBJECT: To allow small, temporary signage on privately-owned park strips within the public right-of-way

DATE: December 4, 2014

APPROVED:

DATE: 12-04-14

RECOMMENDATIONS

- 1) Accept Mayor Reed's memo dated December 2, 2014 regarding the Sign Ordinance
- 2) Direct staff to:
 - a. Return to the City Council on February 24, 2015 with revisions to the sign code to allow for the placement of small, temporary signs, such as those described in Part 8 of the sign code, on privately-owned park strips within the public right-of-way.
 - b. Update section 23.04.710, section A, item 2 of the "Definition of election signs" to reflect current materials used in the production of such temporary signage, such as corrugated plastic and similar materials.

BACKGROUND

The current San Jose Municipal Sign Code Part 9 governs the placement of signage in the public right-of-way and specifies, in section 23.04.810, section A, that "Unless otherwise expressly allowed in this part, no one may post public right-of-way signs except the City." The public right-of-way is defined to include privately-owned park strip.

It is silly that the City does not allow residents the choice to place a small, temporary sign in the park strip in front of their homes. The park strip is owned by the private property owner and the City requires the property owner to maintain the park strip area. A small, temporary sign, such as an election sign, placed within the park strip, would not interfere with vehicular or pedestrian traffic or otherwise negatively affect the public right-of-way.

Further, it is not the best use of Code Enforcement staff time to require them to respond to calls for service about small, temporary signs just because the signs are placed on a privately-owned park strip within the public right-of-way. By allowing for small, temporary signage within privately-owned park strips, Code Enforcement can remain focused on more important priorities for which they are tasked, such as illegally operating businesses, illegal construction, and blight.

Thank you, in advance, for your consideration and support of this request.