



PLANNING AND BUILDING
DEPARTMENT

PLANNING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

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PLANNING
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MEMORANDUM

Date: January 13, 2005
To: Chairman Bacchini
Members of Planning Commission,
From: Michael York, Assistant Planner *mt*
SUBJECT: Item #14 Display Way Political Sign (P04-180)

In reference to item #14 (P04-190) of the January 13, 2005 Planning Commission hearing, the item is being withdrawn by staff because the owner of the property has rescinded their 'Letter of Agency'.

c: [P04-180]

P04-180 – Display Way Political Sign

REQUEST:

- A. Environmental Determination: Exempt (CEQA Section 15303)
- B. Variance to locate an off-site sign within 660' of a freeway (Interstate 80) on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone.
- C. Variance to allow a political sign to exceed sign area, and exceed the number of days a sign is permitted prior to an election date on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone.

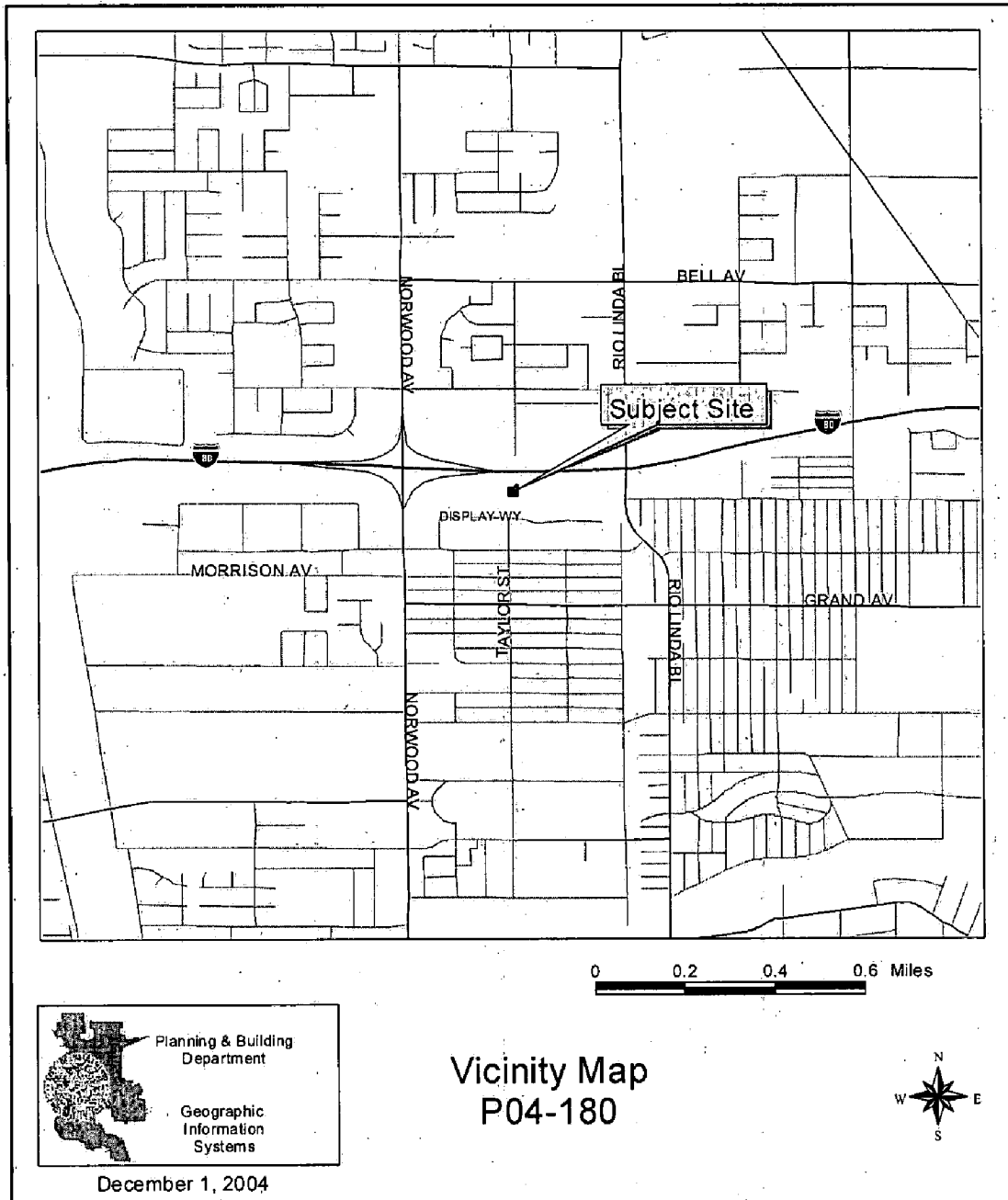
LOCATION:

Display Way, 375 north of Taylor Street
APN: 250-0450-001
Council District 2

APPLICANT:	Desert Outdoor Advertising, (541) 301-2640 1175 West Moana Lane Reno, NV 89509
OWNER:	Crystal Cream & Butter Co., (541) 301-2640 P.O. Box 1313 Sacramento, CA 95812
APPLICATION FILED:	September 9, 2004
STAFF CONTACT:	Michael York, (916) 808-8239

SUMMARY:

The applicant is requesting entitlements to construct a 65 foot high political sign with a sign area of 675 square feet. The sign is proposed to be adjacent to Interstate 80. The applicant requests variances from the Sign Ordinance to allow the sign to be located adjacent to an Interstate Highway, to exceed the allowed 50 square feet of sign area for political signs, and to exceed the 90 days the sign is allowed to be up prior to an election date. The major issues with the applicant's request are the size, height, and location of the sign since there are no hardships or policies to support the proposed request.



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Geographic
Information
Systems

December 1, 2004

Vicinity Map P04-180



RECOMMENDATION:

Staff recommends denial of the project, since there are no identified hardships or policies that could support a variance from what is allowed in the sign ordinance. This recommendation is based upon the proposed sign not conforming to the sign regulations and the sign not meeting the intent and purpose of the sign regulations.

PROJECT INFORMATION:

General Plan Designation:	Industrial – Employee Intensive
N.S. Community Plan Designation:	Labor Intensive
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	Light Industrial Planned Unit Development (M-1-PUD)

Surrounding Land Use and Zoning:

North: I-80; Light Industrial (M-1-PUD)
 South: Warehouse; Light Industrial (M-1-PUD)
 East: Rental Supply Yard; Light Industrial (M-1-PUD)
 West: Warehouse; Light Industrial (M-1-PUD)

Setbacks:	Required	Sign
Front:	0'	70'
Side(St):	N/A	N/A
Side(Int):	0'	2'
Rear:	0'	2'

All setbacks are existing

Property Dimensions:	115' x 116'
Property Area:	0.32± acres
Square Footage of Lease Area:	500± square feet (10'x50')
Height of Sign:	65 feet
Square Footage of Sign Area:	675 square feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Building Permit	Building Division
Sign Permit	Building Division
Outdoor Advertising Permit	CalTrans

BACKGROUND INFORMATION:

The project site is located within the Norwood/I-80 Planned Unit Development. The project site is currently vacant and has never been developed. The sign is proposed to be located on a parcel without public street access and would be required to show evidence of an access easement across the adjacent parcel. A review of the entitlement history for the project site revealed no activity.

The political sign was intended for the recent presidential election in November, however the application for the sign request was not received with sufficient time to process prior to the election. The applicant was given the opportunity to withdraw their application and receive a full refund. The applicant has declined the option to withdraw their application and would like the application processed. If the application is processed, the applicant is to be paid by their client for their services.

STAFF EVALUATION: Staff has the following comments:A. Policy Considerations

General Plan & North Sacramento Community Plan:

The General Plan and North Sacramento Community Plan designate the site as Industrial – Employee Intensive and Labor Intensive, respectively. Neither plan specifically addresses signage, although both plans have goals and policies to reduce visual blight. The sign could be considered as contributing to visual blight in the area.

Sign Ordinance-Purpose

The purpose of the sign ordinance is to eliminate potential hazards to motorists and pedestrians; to encourage signs which by their good design, are integrated with and harmonious to the buildings and sites which they occupy, and which eliminate excessive and confusing sign displays; to preserve and improve the appearance of the City as a place in which to live and to work and as an attraction to nonresidents who come to visit or trade; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to supplement and be part of the regulations set forth in the zoning ordinance (15.148.010)

Norwood/I-80 PUD-Signage Guidelines

Freeway oriented multiple use signs are allowed, but must be reviewed and approved by Design Review Staff. The detached freeway oriented signs shall allow for the identification of 2-3 businesses. Sign requirements regarding the number of signs allowed, location of signs, and height & area of signs applies if the specific

purpose of the signage is for identifying businesses on the subject site. The proposed sign is not an identification sign for businesses on the subject parcel, therefore the PUD Sign Guidelines do not apply and the sign is not permitted.

If the Planning Commission were to support this request, an intent motion to approve would be necessary so that staff could re-advertise a PUD Guideline Amendment and provide language in the PUD that would support the request. Staff did not propose amending the PUD Guidelines with this request since staff was not supporting the request and Planning Commission denied a similar request a few miles from this location on July 22, 2004. The additional PUD Guideline Amendment entitlement would also require additional fees from the applicant.

B. Sign Ordinance Regulations/Variance

1. Sign Ordinance Regulations

The Sign Ordinance allows political signs in an industrial "M" zone provided the following regulations are met:

- 1) Such signs may be erected not earlier than 90 days prior to an election date and shall be removed within 15 days following said election.
- 2) One or more temporary signs are permitted on a parcel of land provided all such signs do not, in the aggregate, exceed a sign area of 50 square feet. Such signs shall not be erected in such a manner as to constitute a roof sign.
- 3) No sign shall be located within or over a public right-of-way between face of the street curb and the street edge of the sidewalk and obstruct the visibility at intersections.

The Sign Ordinance also regulates that no offsite sign shall be erected within 660 feet of the exterior right-of-way line of any portion of a freeway regardless of sign type or zone. The sign copy is not to be visible by persons traveling such freeway.

Additionally, the State Outdoor Advertising Act is more restrictive in that temporary political signs are only permitted to have 32 square feet of sign area (Division 3, Chapter 2, Section 5200 of the Business and Professions Code).

The proposed 65 foot high political sign with 675 square feet of sign area and roughly 30 feet from the exterior right-of-way line of the freeway does not adhere to any of the required sign regulations. The third requirement as stated above, for political signs in the "M" zone is not applicable in this situation.

2. Variances

The Sign Ordinance states that the Planning Commission or Zoning Administrator has the authority to grant a variance from regulations of the Sign Ordinance, except regulations pertaining to construction standards. Due to the nature of the variances requested, the proposed political sign requires Planning Commission approval.

The variances may be issued if strict application of the sign ordinance results in an unnecessary hardship. Applying strict application of the sign regulations to this project does not result in an unnecessary hardship. There are not any policies that support excessive signage. The sign is determined not to meet the intent and purpose of the sign ordinance in that the sign could be a potential hazard to motorist by being a distraction. The sign is also determined not to be integrated and harmonious to the surrounding development. There are no other compelling reasons to support the proposed sign other than it is the applicant's preference. Therefore, staff cannot support the variances to allow a temporary political sign adjacent to Interstate 80.

C. Sign Design

The sign is proposed to be designed as a 48 foot wide by 14 high rectangular board atop a thick steel pole with the top portion of the sign 65 feet high. The sign is determined not to have any architectural styling and is considered to be a "billboard sign". The sign is proposed to have a campaign message in support of a presidential candidate. The sign has no aesthetic appeal and does not meet the purpose of the sign regulations.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15303)

B. Public/Neighborhood/Business Association Comments

The project was not routed to any business or neighborhood associations, since it was anticipated the project might be withdrawn. The application was not received with sufficient time for processing prior to the November 2, 2004 election. The applicant has requested the application be processed regardless. Any comments received would likely be in opposition further supporting the City recommendation for denial.

C. Summary of Agency Comments

The project was not routed to other City Departments or other agencies since the request is similar to a sign request, which was denied by the Planning Commission on July 22, 2004. The applicant and the purpose of this current sign request are the same as the previous sign request in July where staff recommended denial and is recommending with this current request. Staff also anticipated the Development Engineering, Fire, & Building Departments would respond with no comments regarding technical issues with the proposed sign as they did with the prior request.

The California Department of Transportation preliminary comments from the July 22, 2004 sign request stated that the proposed sign does not meet the requirements of the State Outdoor Advertising Act. The sign area is being exceeded and the location is within 660

feet of the exterior right-of-way line of a designated landscaped freeway. The Department of Transportation indicated that the applicant may still apply for an outdoor advertising permit for final determination that requirements are being met. The California Department of Transportation comments apply to this request as well since the situation is the same.

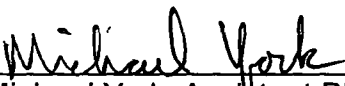
PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny B-C. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:


Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15303;
- B. Adopt the attached Notice of Decision and Findings of Fact denying the Variance to locate an off-site sign within 660' of a freeway (Interstate 80) on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone;
- C. Adopt the attached Notice of Decision and Findings of Fact denying the Variance to allow a political sign to exceed sign area, and exceed the number of days a sign is permitted prior to an election date on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone.

Report Prepared By,


Michael York, Assistant Planner

Report Reviewed By,


Jeanne Corcoran, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Site Plan
Exhibit 1B	Sign Elevation
Attachment 2	Aerial View of Site
Attachment 3	Land Use & Zoning Map

ATTACHMENT 1
NOTICE OF DECISION AND FINDINGS OF FACT FOR
DISPLAY WAY POLITICAL SIGN, LOCATED AT DISPLAY WAY 375 FEET NORTH OF
TAYLOR STREET SACRAMENTO, CALIFORNIA IN THE LIGHT INDUSTRIAL PLANNED
UNIT DEVELOPMENT (M-1-PUD) ZONE. (APN: 250-0450-001) (P04-180)

At the regular meeting of January 13, 2005 the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination, Exempt, Section 15303;**
- B. **Denied the Variance to locate an off-site sign within 660' of a freeway (Interstate 80) on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone;**
- C. **Denied the Variance to allow a political sign to exceed sign area, and exceed the number of days a sign is permitted prior to an election date on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone.**

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section #15303 of the CEQA Guidelines.
- B. **Variance:** The Variances to locate an off-site sign within 660' of a freeway (Interstate 80) and exceed sign area, number of days prior to an election on 0.32± acres in the Light Industrial Planned Unit Development (M-1-PUD) zone are **denied** based on the following findings of fact:
 1. The proposed sign would be a use ordinance in that the Sign Ordinance does not allow a sign within 660' of the exterior right-of-way line of any portion of a freeway;
 2. The proposed political sign does not meet the intent and purpose of the sign regulations in that:
 - a. the sign may be a potential hazard to drivers on the freeway by being a distraction;
 - b. the sign is not determined to be integrated and harmonious with the surrounding development;

- c. the Norwood/I-80 PUD Guidelines do not permit detached freeway oriented signs unless advertising specific businesses on site; and
 - d. the election occurred on November 2, 2004 and there is no need to approve a political sign.
3. Approval of the sign would be a special privilege in that the applicant has proposed the sign to be temporary in nature.


CHAIRPERSON

ATTEST:

SECRETARY TO CITY PLANNING COMMISSION

DATE (P04-180)

Exhibit 1A Site Plan
Exhibit 1B Sign Elevation

Exhibit 1A – Site Plan

Por sec 11 and 12 Rancho Del Paso

250-045

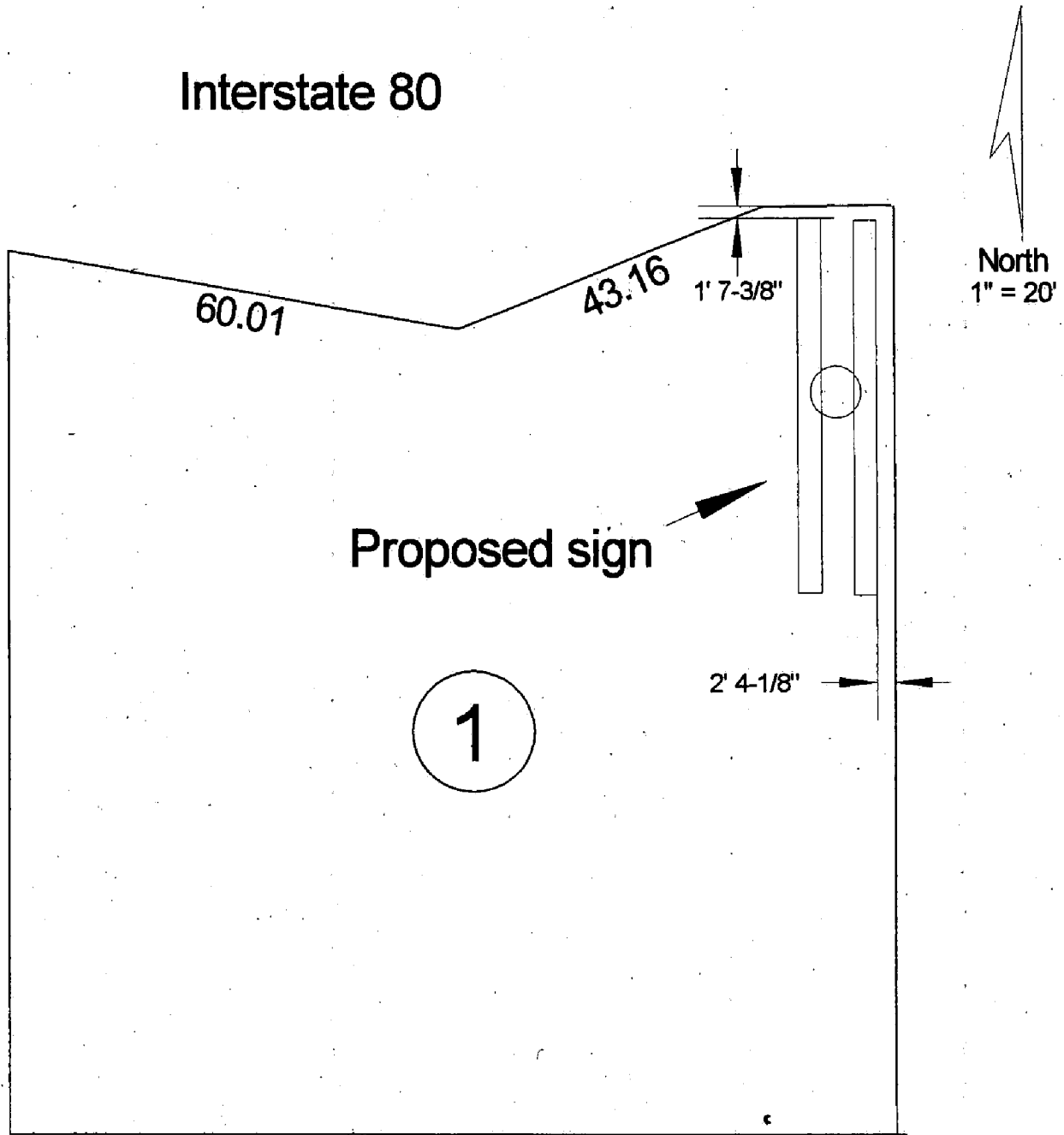
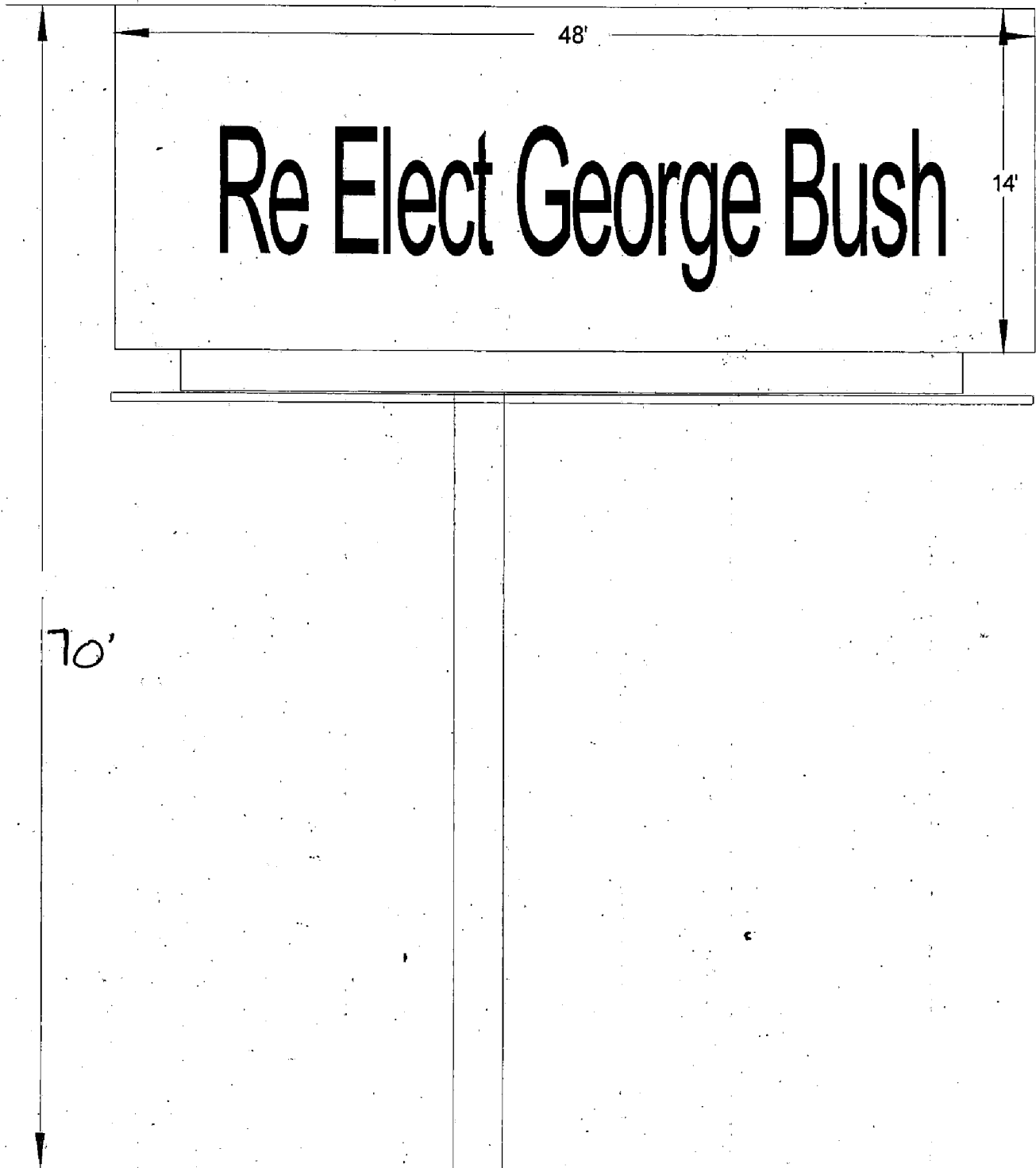
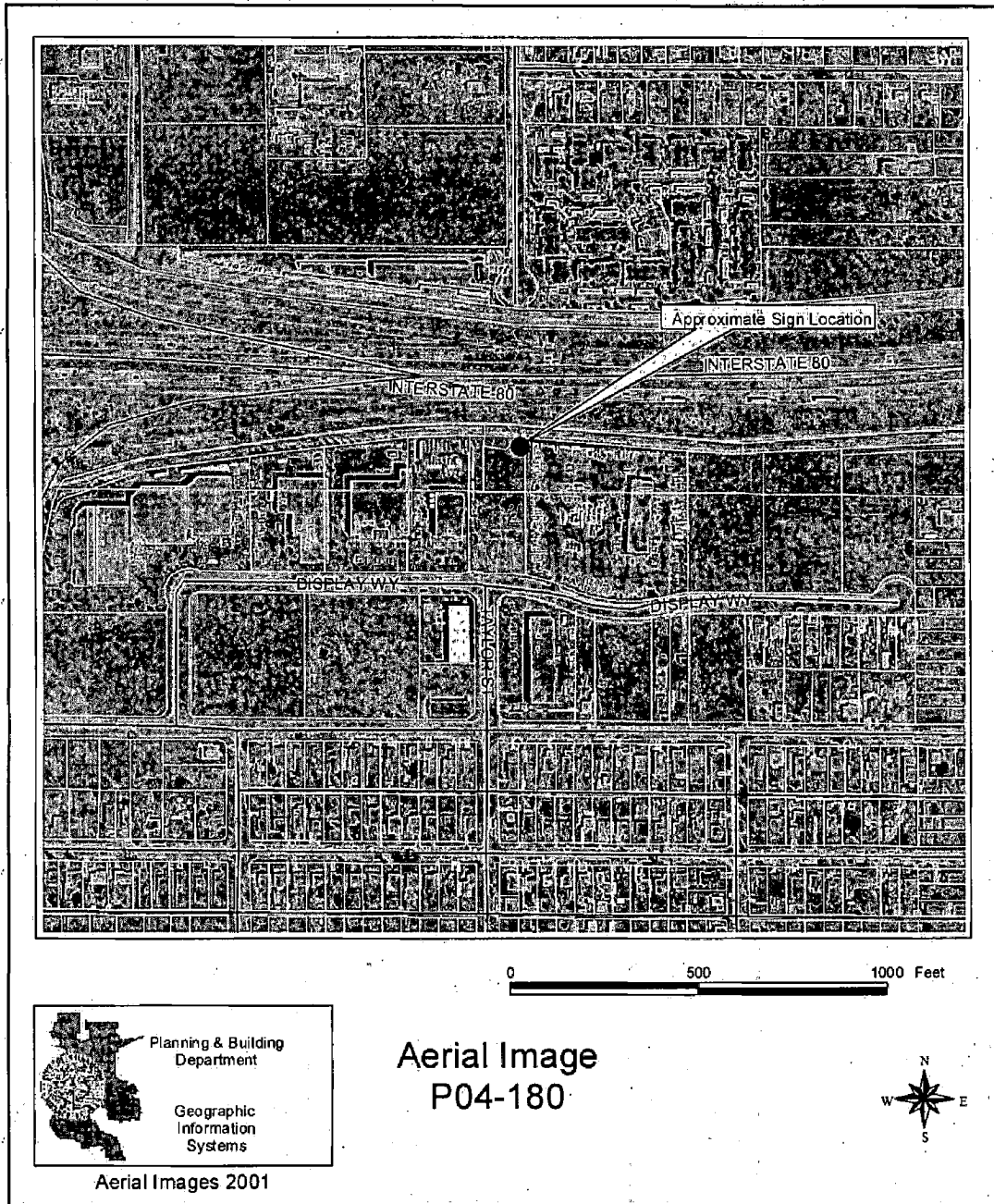


Exhibit 1B – Sign Elevation

Sign Elevation



Attachment 2 – Aerial View of Site



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Aerial Image
P04-180



Aerial Images 2001

Attachment 3 – Land Use & Zoning Map

