

AGENDA
REGULAR MEETING OF THE CITY OF SUISUN CITY
PLANNING COMMISSION
7:00 P.M., JUNE 25, 2013

COUNCIL CHAMBERS
701 CIVIC CENTER BOULEVARD
SUISUN CITY, CALIFORNIA 94585

Next Resolution No. PC13-01

1. ROLL CALL:

Chairperson Clemente
Vice-Chair Wade
Commissioner Adeva
Commissioner Harris
Commissioner Holzwarth
Commissioner Mirador
Commissioner Ramos

Pledge of Allegiance
Invocation

2. ANNOUNCEMENTS:

None

3. AUDIENCE COMMUNICATIONS:

This is a time for public comments for items that are not listed on this agenda. Comments should be brief. If you have an item that will require extended discussion, please request the item be scheduled on a future agenda.

4. PUBLIC HEARINGS:

For each of the following items, the public will be given an opportunity to speak. After a Staff Report, the Chair will open the Public Hearing. At that time, the applicant will be allowed to make a presentation. Members of the public will then be allowed to speak. After all have spoken, the applicant is allowed to respond to issues raised by the public, after which the Public Hearing is normally closed. Comments should be brief and to the point. The Chair reserves the right to limit repetitious or non-related comments. The public is reminded that all decisions of the Planning Commission are appealable to the City Council by filing a written Notice of Appeal with the City Clerk within ten (10) calendar days.

**A. RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION
RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT ORDINANCE TO THE
CITY COUNCIL AMENDING TITLE 18 ZONING CHAPTER 18.54 "SIGNS", ADDING A
PROVISION FOR SPECIAL SIGN OVERLAY DISTRICTS**

- Adoption of Resolution No. PC13-__-.

5. GENERAL BUSINESS: Action to be taken where appropriate.

6. COMMUNICATION:

- A. Staff**
- B. Commissioners**
- C. Agenda Forecast**

7. ADJOURN.

a&m/130625.pca

AGENDA TRANSMITTAL

MEETING DATE: June 25, 2013

PLANNING COMMISSION AGENDA ITEM: PUBLIC HEARING: Resolution PC13-___; A Resolution of the City of Suisun City Planning Commission Recommending a Zoning Text Amendment (ZTA13-01) to the City Council amending Title 18 Zoning Chapter 18.54 "Signs", Adding a Provision for Special Sign Overlay Districts.

ENVIRONMENTAL REVIEW: The proposed project is exempt from CEQA under State CEQA Guidelines Section 15601.b.3. This exemption applies to activities covered by the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

BACKGROUND: City staff has become aware of the establishment of Special Sign Districts in Fairfield on I-80 at Cordelia Junction and at North Texas Street. Through the provisions of the Special Sign District, the City of Fairfield approved the construction of signs in these locations that allow multiple businesses to advertise on one large pylon sign that would not otherwise be approved. City staff contacted staff from Fairfield to research this concept and learned that these signs seem to be generating significant additional sales tax revenue for the city. It appears that, as a result of vehicular traffic getting off to utilize the businesses advertised on the pylon sign, sales are increasing, resulting in additional sales tax.

City staff believes that this concept could be useful for the City of Suisun City on Highway 12. In particular the corner of Sunset Avenue and Highway 12 seems like a logical location for multiple businesses to advertise on a freeway-oriented pylon sign. If this code provision was adopted by ordinance by the City Council, the process would be in place for an applicant to file an application for approval of a Special Sign Overlay District and to propose construction of such a sign.


On June 4, 2013, the City Council discussed a proposal to amend the City Code to allow special sign districts. Councilmembers raised questions that could not be addressed at that time, and one councilmember was unable to attend the meeting, so the item was placed on a Special Meeting agenda on June 11, 2013.

Interests that were raised by Council in considering this item included:

- Making sure interests of small businesses are recognized.
- Reaffirming the need to draw traffic off Highway 12 into the commercial centers, which would provide a benefit to all businesses, whether included on the pylon sign or not.
- Managing the size/number of sign districts to avoid increasing sign clutter.
- Recognizing that different areas of the City have different needs and interests regarding signage.

STAFF REPORT: In order to allow special sign districts in the City, a zoning text amendment (ZTA) must be considered by the Planning Commission and approved by the City Council. The current zoning ordinance does not provide for a sign district in which a sign on one parcel could

PREPARED BY:

 April Wooden, Community Development Director

include a display that advertises a business on another parcel. This limitation can be overcome by establishing an overlay zoning classification for special sign districts. Currently, unless businesses purchase space on an outdoor advertising sign, they are limited to on-site signage. Often, individual businesses within a shopping center are located on parcels owned separately. Consequently, in the absence of a sign district, those businesses would not be allowed by City Code (unless a legally enforceable agreement to the contrary exists) to advertise on an off-site sign located on another parcel in the center.

In order to comply with Caltrans regulations, the advertising display (pylon) sign would have to meet the following requirements:

- The sign is within the boundaries of an individual commercial development project.
- The sign identifies the name of the business center in which it is located.
- Only businesses located within the business center may be identified on the display.
- The City Council has adopted an ordinance for the display and it meets city ordinances.
- The display results in a consolidation of allowable signs within the business center, so that fewer signs will be erected as a result of the display.

In response to questions regarding proliferation of such pylon signs, staff has determined that Caltrans regulations limit the placement of these signs as follows:

“No advertising display shall be placed within 100 feet from another advertising display on the same side of any portion of a primary highway...”

In addition, the zoning text amendment would provide for a determination on a case by case basis by City Council whether to approve an application for a Special Sign District.

Finally, the formation of a sign district would require the agreement of all property owners proposed to be within a given sign district. By agreeing to be part of the district, each property owner would receive the benefit of advertising (or having tenants advertise) on a large pylon sign in return for reduced overall signage in the district. Even tenants that are not on the pylon display receive the benefit of increased traffic (leading to an increased customer base) that comes into the center because of the pylon sign.

The steps involved in adopting a zoning text amendment include:

- Staff prepares draft ordinance.
- Planning Commission holds a public hearing and forwards a recommendation to City Council.
- City Council holds a public hearing and first reading of the ordinance.
- City Council adopts the ordinance.
- The ordinance becomes effective 30 days following adoption.

STAFF RECOMMENDATION: Adopt Resolution PC13-___; A Resolution of the City of Suisun City Planning Commission Recommending a Zoning Text Amendment to the City Council amending Title 18 Zoning Chapter 18.54 “Signs”, Adding a Provision for Special Sign Overlay Districts.

ATTACHMENTS:

1. Resolution PC13-___; A Resolution of the City of Suisun City Planning Commission Recommending a Zoning Text Amendment (ZTA13-01) to the City Council amending Title 18 Zoning Chapter 18.54 "Signs", Adding a Provision for Special Sign Overlay Districts.
2. An Ordinance of the City Council of the City of Suisun City, California, Amending Title 18 Zoning Chapter 18.54 "Signs", Adding a Provision for Special Sign Overlay Districts.

RESOLUTION NO. PC13-

**A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION
RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT
ORDINANCE TO THE CITY COUNCIL AMENDING TITLE 18 ZONING
CHAPTER 18.54 "SIGNS", ADDING A PROVISION FOR SPECIAL SIGN
OVERLAY DISTRICTS**

WHEREAS, the City Council directed the Planning Commission to consider and make recommendations on a proposed zoning text amendment amending Title 18 Zoning Chapter 18.54 "Signs", adding a provision for special sign overlay districts; and

WHEREAS, the Planning Commission at a regular meeting on June 25, 2013 reviewed the proposed zoning text amendment ordinance; and

WHEREAS, a public notice was published in the Daily Republic on June 15, 2013; and

WHEREAS, a report by the City Staff was presented and made a part of the recommendations of said meeting; and

WHEREAS, a public hearing was held affording members of the public the opportunity to speak on the proposed zoning text amendment; and

WHEREAS, the California Environmental Quality Act (CEQA, Public Resources Code Sections 2100-21177) requires analysis of agency approvals of discretionary "projects". A "project", under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment;" and

WHEREAS, the approval of this zoning text amendment does not approve any development project; rather, it establishes an overlay zoning district, including development standards for the district and the freeway-oriented signs which may be located within the district, subject to subsequent entitlement review and approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Suisun City does hereby adopt Resolution PC13- __; A Resolution of the City of Suisun City Planning Commission Recommending a Zoning Text Amendment to the City Council Amending Chapter 18.54 of Title 18 Zoning Adding a Provision for Special Sign Overlay Districts.

Finding: The project is categorically exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15601(b)(3) of the State CEQA Guidelines.

Evidence: The proposed project is exempt from CEQA under State CEQA Guidelines Section 15601(b)(3). This exemption applies to activities covered by the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The forgoing motion was made by Commissioner _____ and seconded by Commissioner _____ and carried by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

WITNESS my hand and the seal of said City this 25th Day of June 2013.

Anita Skinner
Commission Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, AMENDING TITLE 18 ZONING CHAPTER 18.54 "SIGNS", ADDING A PROVISION FOR SPECIAL SIGN OVERLAY DISTRICTS

WHEREAS, the City Council directed the Planning Commission to consider and make recommendations on changes in the City's signage regulations; and

WHEREAS, the City Council has determined that it is in the City's interest to approve a zoning text amendment to provide an application process for special sign overlay districts to encourage economic vitality and to generate additional revenue for the City, while safeguarding and protecting the public health, safety, and welfare through appropriate controls on the design, location, and maintenance of signs within special sign overlay districts; and

WHEREAS, the City Council has determined that allowing up to five (5) such special sign overlay districts within the Highway 12 corridor would be of benefit to the City; and

WHEREAS, the Planning Commission of the City of Suisun City, at its regular meeting of June 25, 2013, adopted a resolution recommending approval of the proposed zoning text amendment adding a provision for special sign overlay districts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that the above recitals are true and correct and incorporated herein by this reference.

SECTION 2. Title 18 Zoning, Chapter 18.54 Signs is amended as follows:

18.54.640 Special Sign Overlay Districts. – Definitions.

A. Special Sign Overlay District (SSOD) - The SSOD is an overlay zoning designation which amends the zoning map by applying the overlay zoning to commercially developed and zoned properties within and adjacent to the Highway 12 corridor.

B. Freeway-Oriented SSOD sign – The freeway-oriented SSOD sign is a freeway-oriented, pylon-type sign that allows for displays which include off-premise advertising of businesses located within the SSOD.

18.54.650 Purpose. The special sign overlay district (SSOD) is established to increase the visibility and economic vitality of businesses within the Highway 12 corridor while at the same time ensuring public safety. The SSOD provides for the construction of one (1) freeway-oriented SSOD sign within the district that, by definition, is allowed to include off-premise advertising.

18.54.660 Criteria for the Designation of a SSOD. The SSOD, upon application and approval as specified herein, shall be applied to commercially-zoned properties within commercial areas adjacent or in proximity to Highway 12 and located on the same side of Highway 12. Up to five SSODs may be designated within the Highway 12 corridor and the boundary of one SSOD may be adjacent and/or contiguous to another SSOD. However, no

freeway-oriented SSOD sign proposed for construction within an SSOD shall be within one hundred feet of any existing freeway-oriented SSOD sign in an adjacent SSOD.

18.54.670 Consent of Property Owners. No parcel shall be included in an SSOD unless the owner has provided written consent to such designation. No sign may be placed on private property without the consent of the property owner or persons holding the present right of possession and control.

18.54.680 Effect. The SSOD shall apply only to the allowed signage for establishments, uses, activities, or features within the SSOD. It shall not modify the regulations, permitting requirements, or other development standards for uses and structures otherwise imposed herein nor modify or affect the law of fixtures, sign-related provisions in private leases, or the ownership of existing sign structures.

18.54.690. Other Governmental Approvals. Nothing provided for in this section shall waive or diminish any other local permitting requirements, or any state or federal permitting requirements.

18.54.700. Freeway-oriented SSOD Sign Development Standards.

A. The freeway-oriented SSOD sign permitted by the establishment of the SSOD shall not exceed 60 feet. However, in the event that the applicant, by means of a visual simulation and other evidence demonstrates that increased height is warranted, based upon particular circumstances within the SSOD, the City Council, upon the adoption of Findings, may approve a sign that exceeds 60 feet.

B. The freeway-oriented SSOD sign shall be designed in a manner that is context-sensitive to its location within the City of Suisun City and within the existing commercial area, complementary to the materials and design of buildings in proximity to the sign, and landscaped to enhance the aesthetics of the sign. Removal of existing landscaping and vegetation shall require approval by the Community Development Director, in conformance with an approved landscaping plan submitted as part of the SSOD application.

C. Illumination shall be effectively shielded so as to prevent light from being directed at any portion of the traveled rights of way, to prevent glare, and to prevent impairment of driver vision or vehicle operation. Illumination shall not interfere with the effectiveness or obscure an official traffic sign, device, signal, or pavement marking.

D. If located within a named business center, the name of the business center shall be included on the freeway-oriented SSOD sign. Upon approval of a freeway-oriented SSOD sign, the owner shall agree that each business identified on the display will be located within the boundaries of the SSOD. Further, the owner shall agree to require participating business to reduce advertising to ensure that total signage in the SSOD is reduced, including a commitment to enforce the requirements of Chapter 18.54 by removing existing signs which fail to conform to Chapter 18.54 and to enforce this provision regarding the placement of future signs within the SSOD.

18.54.710. Design intent. The establishment of an SSOD and construction of a freeway-oriented SSOD sign are intended to accomplish the following goals:

A. Increase the visibility and economic vitality of businesses within the Highway 12 corridor by providing the opportunity for off-premise advertising.

B. Result in quality design, character, and construction of signs that are both context-sensitive, as well as complementary to the materials and design of buildings in proximity to the sign.

C. Enhance overall property values in the City by discouraging signs which contribute to the visual clutter of the streetscape.

D. Improve traffic safety by ensuring that signage does not distract motorists, obstruct traffic circulation, or impede pedestrian or vehicular movement.

18.54.720. Procedures.

A. The application for an SSOD and an accompanying freeway-oriented SSOD sign shall be made on the forms and in the manner prescribed by the Community Development Department and shall be accompanied by fees as specified in the City's Master Fee Schedule for staff work on a full cost recovery basis.

B. The Planning Commission shall hold at least one public hearing on the matter. Within 30 days of the close of the public hearing, the planning commission shall make findings, and shall recommend to the City Council that the SSOD be approved, approved subject to specific written conditions, or to deny the application for cause. Such action shall be by resolution.

C. Where the planning commission has recommended approval, with or without conditions, the Community Development Director shall transmit the record of the planning commission action to the City Clerk for the purpose of setting a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, Section 65905 of the Government Code. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, Section 65950 or Section 65952.1 of the Government Code. The Council's action shall be by Ordinance with such Findings as are required by law.

D. Where the planning commission has denied the application for cause, the City Council may *sua sponte* direct the City Clerk to set a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, Section 65905 of the Government Code. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, Section 65950 or Section 65952.1 of the Government Code. The Council's action shall be by Ordinance with such Findings as are required by law.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, and phrase thereof not declared invalid or

unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. This ordinance shall be posted in at least three (3) public places within the City or published in a county newspaper that is circulated in the City within fifteen (15) days after its passage, there being no newspaper of general circulation printed and published within the City.

PASSED, APPROVED, AND ADOPTED as an Ordinance at a regular meeting of the City Council of the City of Suisun City, California, on this ____ day of _____ 2013.

Pete Sanchez
Mayor

CERTIFICATION

I, Linda Hobson, City Clerk of the City of Suisun City, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council on the ____ day of July, 2013 and passed, approved, and adopted by the City Council of the City of Suisun City at a regular meeting held on the ____ day of July, 2013 by the following vote:

AYES: Councilmembers: _____
NOES: Councilmembers: _____
ABSENT: Councilmembers: _____
ABSTAIN: Councilmembers: _____

WITNESS my hand and the seal of said City this ____ day of _____ 2013.

Linda Hobson, CMC
City Clerk

RESOLUTION NO. PC13-

**A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION
RECOMMENDING A ZONING TEXT AMENDMENT (ZTA13-01) TO THE CITY
COUNCIL AMENDING TITLE 18 ZONING CHAPTER 18.54 "SIGNS",
ADDING A PROVISION FOR SPECIAL SIGN OVERLAY DISTRICTS**

WHEREAS, the City Council directed the Planning Commission to consider and make recommendations on a proposed zoning text amendment amending Chapter 18.54 of Title 18 Zoning adding a provision for special sign overlay districts; and

WHEREAS, the Planning Commission at a regular meeting on June 25, 2013 reviewed the proposed zoning text amendment ordinance; and

WHEREAS, a public notice was published in the Daily Republic on June 15, 2013; and

WHEREAS, a report by the City Staff was presented and made a part of the recommendations of said meeting; and

WHEREAS, a public hearing was held affording members of the public the opportunity to speak on the proposed zoning text amendment; and

WHEREAS, the California Environmental Quality Act (CEQA, Public Resources Code Sections 2100-21177) requires analysis of agency approvals of discretionary "projects". A "project", under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment;" and

WHEREAS, the approval of this zoning text amendment does not approve any development project; rather, it establishes an overlay zoning district, including development standards for the district and the freeway-oriented signs which may be located within the district, subject to subsequent entitlement review and approval. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15061.b.3 which states that CEQA only applies to projects which could have an impact on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Suisun City does hereby adopt Resolution PC13- __; A Resolution of the City of Suisun City Planning Commission Recommending a Zoning Text Amendment to the City Council Amending Chapter 18.54 of Title 18 Zoning Adding a Provision for Special Sign Overlay Districts.

Finding: The project is categorically exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15601.b.3 of the State CEQA Guidelines.

Evidence: The proposed project is exempt from CEQA under State CEQA Guidelines Section 15601(b)(3). This exemption applies to activities covered by the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The forgoing motion was made by Commissioner _____ and seconded by Commissioner _____ and carried by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

WITNESS my hand and the seal of said City this 25th Day of June 2013.

Anita Skinner
Commission Secretary