

## ORDINANCE NO. 23-2006

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE ELK GROVE AUTO MALL SPECIAL PLANNING AREA-SIGN CRITERIA PROJECT NO. EG-02-347

The City Council of the City of Elk Grove does ordain as follows:

#### Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Elk Grove Auto Mall Special Planning Area-Sign Criteria (Auto Mall SPA) as shown on attached Exhibit A.

#### Section 2: Findings

##### **CEQA**

Finding: The project will not have a significant impact on the environment because all potentially significant effects have been adequately analyzed in the Mitigated Negative Declaration previously prepared for the Elk Grove Auto Mall Special Planning Area project (EG-02-347) in accordance with the California Environmental Quality Act (CEQA).

Evidence: The Elk Grove Auto Mall Special Planning Area Mitigated Negative Declaration (MND) was adopted by the City Council on February 18, 2004. The MND adequately addressed environmental issues related to the development of the Elk Grove Auto Mall Special Planning Area project site. No additional environmental impacts have been identified for the Elk Grove Auto Mall Special Planning Area project other than those previously disclosed and analyzed in the MND. The project is subject to the Elk Grove Auto Mall Special Planning Area Mitigation Monitoring and Reporting Program. Therefore, pursuant to CEQA Guidelines Section 15182, no further environmental review is required for this project.

##### **General Plan**

Findings: The proposed amendments to the Auto Mall SPA regarding the freeway and entry monument sign on Elk Grove Boulevard are consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The Auto Mall SPA project has been reviewed and the action proposed is consistent with the adopted General Plan. The proposed amendments to the Elk Grove Auto Mall Special Planning Area-Sign Criteria are consistent with state law and Zoning Code. The Zoning Code allows Special Planning Areas to provide certain unique and imaginative provisions to land use regulations and development standards. The Auto Mall SPA will not conflict with the General Plan.

## **Elk Grove Auto Mall Special Planning Area-Sign Criteria**

**Finding:** The amendments to the Auto Mall SPA is appropriate for the type of signs being proposed.

**Evidence:** The approval includes amending the Auto Mall SPA to establish new sign standards for three project entry signs as established in Section 4 of the Auto Mall SPA and Freeway Visible Signage as established in Section 5 of the Auto Mall SPA. The Auto Mall SPA is applicable to all dealerships. The purpose of the Auto Mall SPA was to create a uniform sign program for the entire Auto Mall that each dealership would have to adhere to. The project entry signs and freeway sign will provide project identification to the entire Auto Mall.

**Finding:** The establishment, maintenance or operation of structure applied for will under the circumstances of the particular case will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of the proposed structure or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

**Evidence:** Amending the Auto Mall SPA for the project entry signs and freeway sign would not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of the proposed structure or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The proposed signs would all be located out of visibility requirements from the public right-of-ways.

### **Section 3: Action**

The City Council hereby amends the Elk Grove Auto Mall Special Planning Area-Sign Criteria as shown on attached Exhibit A subject to the findings contained in this Ordinance.

### **Section 4: No Mandatory Duty of Care.**

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

### **Section 5: Severability.**

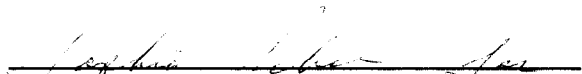
If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or

application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Effective Date and Publication


This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14<sup>th</sup> day of June 2006.

  
\_\_\_\_\_  
RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
PEGGY E. JACKSON,  
CITY CLERK

  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

EFFECTIVE DATE:            JULY 14, 2006

AYES:                                Soares, Scherman, Cooper, Leary  
NOES:                                None  
ABSTAIN:                            None  
ABSENT:                            Briggs

# 1

## Purpose

The purpose of this Signage Program is to insure that the character of signage for the Elk Grove Auto Center is presented with integrity and creativity while maintaining a congruent appearance throughout the project. These guidelines establish standards that will insure consistency while providing sufficient flexibility for tenants to identify themselves with creativity and diversity, and to provide overall project identification that is visible, adequate, safe, and noticeable to the motoring public from surface streets and the highway. Pursuant to Section 6.2 of the Elk Grove Auto Mall Design Guidelines, this Program will supersede the Signage provisions of Section 6 of said Guidelines.

### *Scope*

These Criteria apply to AC-zoned of the Elk Grove Auto Mall in Phase I, II, and III. Business identification signs located in the LC Zone on Lots 1-4 shall be submitted to and approved by the Association and the City and are subject to the sign regulations set forth in Zoning Code section 335-20. Any such signs are encouraged to be architecturally compatible with and utilize building materials similar to the signs and buildings within the Auto Mall.

#### *1.1 Owner/Tenant Responsibility*

It is the responsibility of the tenants in the auto mall to present to the Elk Grove Auto Mall Owners Association ("Association," hereinafter) and the City design drawings for approval prior to installation of any sign. Owners/tenants must obtain proper sign permits before installation of any exterior identification signs.

#### *1.2 Indemnification*

**The Association or Successors in Interest shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging new signs, illuminated signs, renovations or any environmental or other documentation related to approval of the Elk Grove Auto Mall Special Planning Area-Sign Criteria. Applicant further agrees to provide a defense for the City in any such action.**

*1.32—Design Goals*

- A. Provide clear identification of the existence of an appropriate access route for the Auto Mall to potential customers traveling on Highway 99 and Elk Grove Boulevard.
- B. Provide entry signage that identifies the entries and contributes to an inviting and dramatic entry matching the unique nature and scale of the Auto Mall.
- C. Provide the opportunity for tasteful, controlled, but reasonable, identification of vehicle dealers and vehicles offered for sale within the Auto Mall, while minimizing visual impacts on adjacent perimeter streets.
- D. Provide a thoughtful, integrated system of internal direction signs for the convenience and safety of customers and employees.
- E. Meet all factory signage requirements, including use of logos and trademarks.
- F. Provide for adequate internal dealership signage and on the dealership building fasciae, allowing for proper identification of dealership name/names, vehicle make, franchise logos, service entries, parts departments, sales entries, etc.
- G. Minimize potential for future uncertainty or dispute regarding application or interpretation of the applicable ordinances, rules, design standards, or guidelines.
- H. Provide for an integrated system of type styles, logos and motifs for Auto Mall sign elements. Keep in mind that the Dealers are mandated by their manufacturer to use their logos and colors.
- I. Utilize construction materials that reduce sign maintenance requirements.

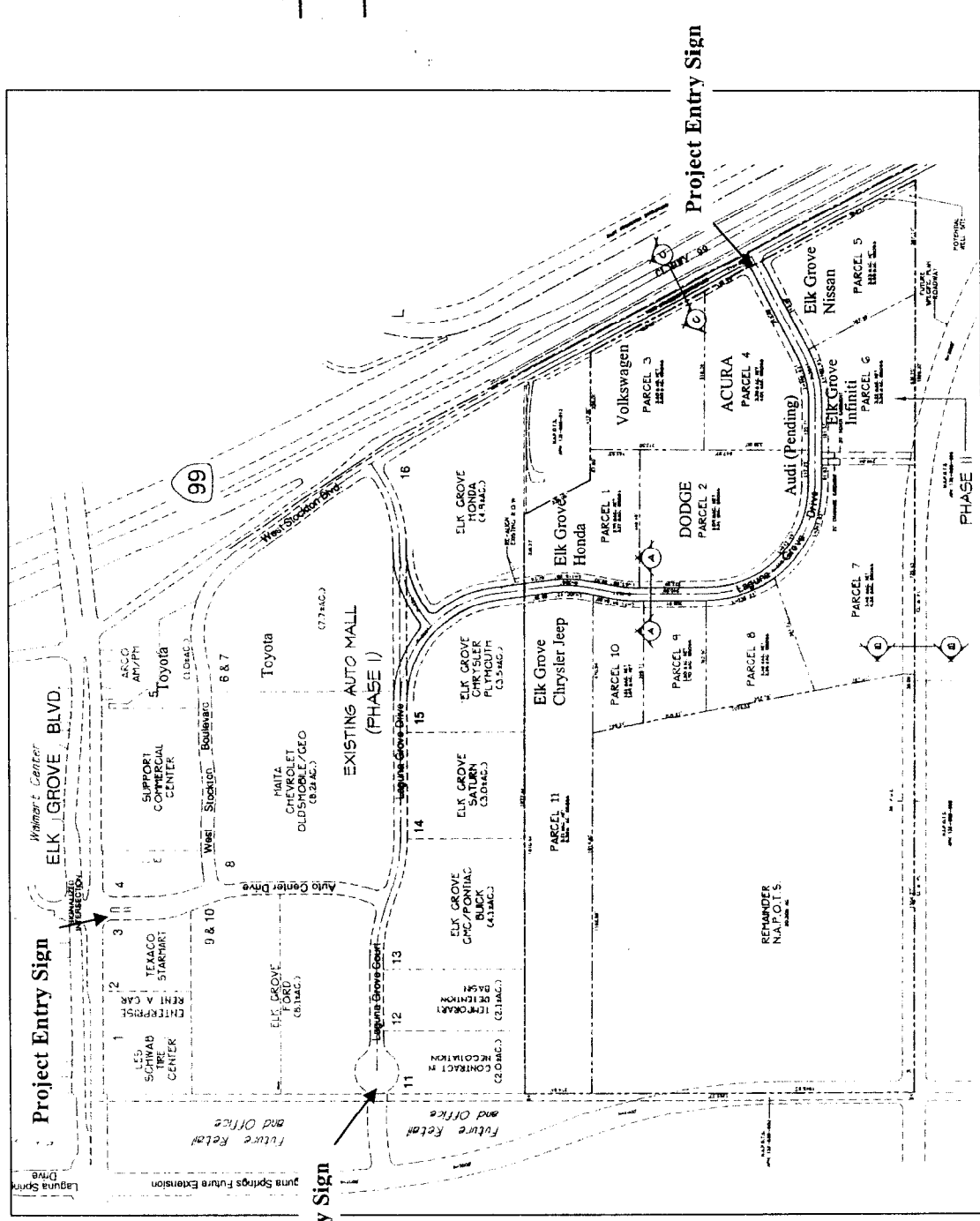
# 4

## *Project Entry Signage*

Three project entry signs are permitted to be located in a landscaped “island” median as shown on **Exhibit A**. One sign shall be installed in the main entryway to the project on Auto Center Drive south of Elk Grove Boulevard; one sign may be installed at the southeastern entry to the Auto Mall (West Stockton Boulevard.); and the other may be constructed in Laguna Grove Court, east of Laguna Springs Drive, if and when access to the Auto Mall via Laguna Springs Drive occurs. The signs shall have a maximum height of 20±5 feet. **The signage design for the entry monument signs shall match the sign elevation as shown in Exhibit B.**

**Prior to the issuance of any building permit for either the freeway or entryway monument signs, whichever occurs first, any Auto Mall dealership utilizing a public address (PA) system shall submit an acoustical analysis to the Planning Department for review and approval. If the PA system exceeds ten decibels (10dB) in excess of the local ambient noise level at any point outside of the perimeter of the Auto Mall plane, the use of the PA system shall cease.**

# 4.1 - Exhibit A: Project Entry Sign Location



# 5

## *Freeway Visible Signage*

One freestanding freeway project identification sign is permitted and shall be located at the southeast corner of the Honda Dealership site as shown in Exhibit C. The signage design for the freeway project identification sign shall match the sign elevation as shown in Exhibit D. The sign shall not exceed 55' in height. ~~not to exceed 50' in height, is permitted on the West Side of Highway 99 to be positioned so that it is readable from the highway from the north and south bound direction of travel, and so as to provide adequate notice for motorists to safely exit at Elk Grove Boulevard.~~

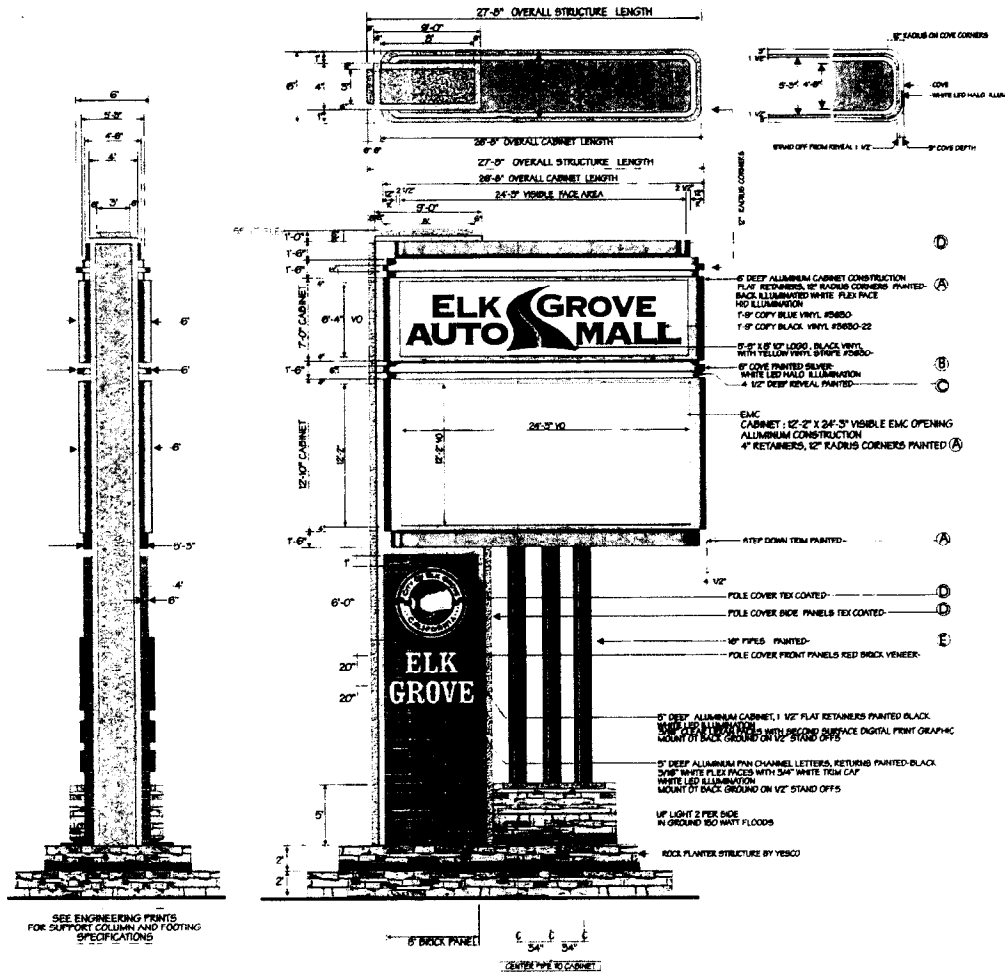
The electronic reader board associated with the freeway project identification sign shall be turned off between the hours of 12:00 a.m. through 6:00 a.m. As volunteered by the Applicant, ten percent (10%) of the operating time of the electronic reader board shall be dedicated to community event advertising.

New technology for the electronic reader board may be reviewed and approved by the City with staff recommendations. No further amendments to the Elk Grove Auto Mall Special Planning Area-Sign Criteria will be required.

Prior to the issuance of any building permit for either the freeway or entryway monument signs, whichever occurs first, any Auto Mall dealership utilizing a public address (PA) system shall submit an acoustical analysis to the Planning Department for review and approval. If the PA system exceeds ten decibels (10dB) in excess of the local ambient noise level at any point outside of the perimeter of the Auto Mall plane, the use of the PA system shall cease.

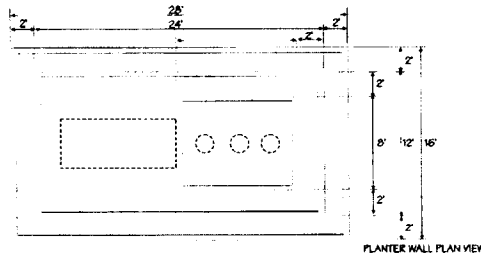


5.2 - Exhibit D: Freeway Sign



MANUFACTURE AND INSTALL 1 DOUBLE FACED ILLUMINATED FREEWAY SIGN

- PAINT SCHEDULE
- A. DUPONT- GREY METALLIC #14163
  - B. DUPONT- SILVER METALLIC #43859
  - C. SHERWIN WILLIAMS #6050, SATIN
  - D. SHERWIN WILLIAMS #6101, SATIN
  - E. SHERWIN WILLIAMS #2250, SEMI GLOSS



<p><b>SACRAMENTO BRANCH</b> ROUND ELECTRIC SIGN COMPANY 1015 NORTH MARKET STREET, SUITE 100, SACRAMENTO, CA 95811</p>	<p>DATE: 02/21/13</p>	<p>PROJECT: ELK GROVE AUTO MALL</p>	<p>02-2113A</p>
	<p>BY: [Signature]</p>	<p>ELK GROVE AUTO MALL</p>	<p>DATE: 02/21/13</p>

NOTE: COST FOR PROVIDING ELECTRICAL WIRING TO SIGN AREA / ALL REQUIRED PERMITS AND SPECIAL INSPECTIONS ARE NOT INCLUDED IN SIGN PROPOSAL