

ORDINANCE NO. 5-2004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE AUTO MALL SIGNS SPECIAL PLANNING AREA 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 Auto Mall Signs Special Planning Area as shown on attached Exhibit A.

Section 2: Findings

CEQA

Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

General Plan

Findings: The proposed amendments to the auto mall sign criteria regarding height and size of individual dealership monument signs and the minor text amendments to prohibit offsite directional signage is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The Auto Mall Signs Special Planning Area project has been reviewed and the action proposed is consistent with the adopted General Plan. The actual use of auto dealerships are already existing and the proposed SPA is for signs only. The proposed SPA is consistent with state law, but does not comply with standards within the Zoning Code. The purpose of the SPA is to provide deviation from the Zoning Code for the specific area. The SPA will not conflict with the General Plan being proposed.

Special Planning Area

Finding: The area included within this Special Planning Area is appropriate for the type of development being proposed.

Evidence: The approval includes amending the auto mall sign criteria regarding height and size of individual dealership monument signs (section 3.4). The area included in the proposed Auto Mall Signs SPA is the numerous automotive dealerships. The proposed SPA would essentially create a uniform sign program for the entire Auto Mall that each dealership would have to adhere to. The SPA will provide consistency and sufficient flexibility for identification for each dealership and the Auto Mall.

Finding: The use of a Special Planning Area insures special development standards and guidelines which provide for an appropriate entrance to the Elk Grove Community.

Evidence: The creation and use of the proposed SPA would provide special development standards for signage. With the proposed modifications presented by staff, the guidelines would provide for appropriate individual dealership monument signs for the Elk Grove Community and the 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 sign criteria regarding height and size of individual dealership monument signs (section 3.4) 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 Auto Mall Signs Special Planning Area 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).

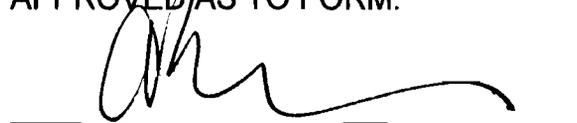
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 3rd day of March 2004.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

Effective Date: April 2, 2004

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

Elk Grove Auto Mall Special Planning Area - Sign Criteria

*Prepared for
Elk Grove Auto Mall Dealers Association*

February 18, 2004

Table of Contents

Purpose	1
Scope	1
1.1 Owner/Tenant Responsibility	1
1.2 Design Goals	1
Sign Permits and Installation	3
2.1 City Approval.....	3
2.2 Permits	3
2.3 Installation	3
A. Construction Specifications	3
Dealership Sign Guidelines	5
3.1 Prohibited	5
3.2 Miscellaneous Owner/Tenant Signage	5
A. Temporary Promotional Signs	5
B. Construction and Real Estate Signs	6
C. LC Zone Signs	6
3.3 Sign Setback	6
3.4 Dealership Identification Signs	6
3.5 Secondary Dealership Signage	7
A. Accessory Signs	7
B. Rear Wall Signs	7
C. Directional Signs	7
Project Entry Signage	8
4.0 Exhibit 4 – Project Entry Sign Locations.....	9
Freeway Visible Signage	10
5.1 On-Site Freeway Sign.....	10
6.0 Amendments	11

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 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 logs 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.**
- I. Utilize construction materials that reduce sign maintenance requirements.**

2

Sign Permits and Installation

Owner/tenant shall submit to the Association for approval three sets of detailed drawings indicating the location, size, copy layout, materials, colors, illumination, and method of installation. The plans must also include building elevations showing the location of signs or any building and a plot plan showing the location of the tenant in the project, as well as any freestanding signs proposed.

The Association has the right to refuse or ask for revisions of the Owner/tenant's submittal. Owner/tenant will need to resubmit unless plans are approved with conditions.

2.1 City Approval

Owner/tenant shall submit the required number of sets of plans to the City, including one set of Association approved plans.

2.2 Permits

All City required permits shall be obtained by Owner/tenant prior to installation.

2.3 Installation

All Owner/tenant signs shall be permitted, constructed, and installed at Owner/tenant's expense. Tenants shall be responsible for proper installation and maintenance of their signs. Owner/tenant's sign contractor shall be licensed by the State of California and shall carry Workman's Compensation and Public Liability insurance for damage or injury to any person or property while engaged in the construction or installation of any signage.

A. Construction Specifications

- All signs shall meet or exceed all applicable codes and City requirements.
- These guidelines notwithstanding, Owner/tenants may utilize corporate logo or trademarks and/or prototypical signs and graphics.
- All electrical signage shall bear the Underwriters Laboratories (UL) label of approval.
- Electrified signage shall be connected to the Owner/tenant/s house panel and be controlled by a time clock or energy photocell.

- **All building penetrations required for sign installation shall be neatly sealed and watertight. Color and finish of attachments and sealants shall match adjacent exterior finishes as closely as possible.**
- **Sign surfaces shall be flat without bulges or other deformities, except where raised lettering or patterns are incorporated into logo or trademark signs. Welded seams on sign faces shall be finished smooth.**

3

Dealership Sign Guidelines

3.1 Prohibited Signs

- **Roof signs erected on the roof of the building and supported by the roof structure**
- **Portable signs**
- **Animated signs, other than electronic message centers, unless approved by the City**
- **Signs which simulate any traffic or signal sign**
- **Signs erected without approval from the Association or City**
- **Single pole dealership identification signs**
- **Signs, the lettering of which is intended to be read vertically**

3.2 Miscellaneous Owner/Tenant Signage

In addition to other signs allowed by these guidelines, Owner/tenants shall provide all required address, entry, exit and disabled accessibility signs required by code and local ordinance. A standard format shall be used for permanent identification signage for hours of operation, street address, open/closed, etc.

A. Temporary Promotional Signs

The intensely competitive nature of the automobile business involves periodic and seasonal promotions, including new model introductions and factory incentives, etc. By locating in the auto mall, which is well-screened from the general public's view, dealers' promotional goals can be achieved while minimizing visual impact. Toward this end, banners, flags, and other promotional materials are permitted, provided they meet the following criteria:

1. **Materials shall be limited in height so as not to be visible to motorists or pedestrians outside the mall along surface streets. In any case, no temporary promotional display shall exceed 20 feet in height, nor shall tent signs, or sandwich board-type signs be allowed.**
2. **Temporary displays shall be in keeping with the goals of providing an exciting, attractive, and tasteful environment for the sale of automobiles.**

3. No flying inflatable displays or signs shall be allowed, except that balloons no greater than 18" in diameter may be affixed to vehicles on display.
4. No signs which emit odor, noise, or visible matter (other than light) shall be permitted.
5. Grand opening signage shall not exceed 30 days within the first 180 days of business.
6. Sales event signage is permitted for a period of 30 days per calendar year.

B. Construction and Real Estate Signs

Temporary construction and real estate for lease and for sale signs shall be permitted in accordance with City code, not to exceed 32 square feet in area per sign. See Zoning Code sections 335-01 and -02.

C. LC Zone Signs

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.

3.3 Sign Setback

Dealer monument signs in the AC zone shall be set back from the street no closer than 10' measured from back of curb and shall be located in the landscaped maintenance easement for each parcel.

3.4 Dealership Identification Signs

Each dealership may have one monument sign and one fascia sign per street frontage containing the manufacturer's name, logo(s) and/or dealer's name, e.g., Super Deal Dodge/Chevrolet/Mazda/GMC, etc.

Monument signs shall be:

- Located within the landscaped Setback zone described above, no closer than 75' to any other dealership identification sign, and no closer than 40' to the common boundary between dealerships.
- Ten (10) feet in height (including the base) and twelve (12) feet in width.
- Architecturally compatible in design with and utilize building materials similar in appearance to the buildings for that dealership.

Fascia signs shall:

- Be internally illuminated channel letters with a maximum height of 36" per letter except for a manufacturer's logo sign.
- Be consistent with and use the dealer's manufacturer's logo identity and colors.
- Include corporate logos or trademarks where appropriate.
- Not extend beyond the roof line or top of the parapet of any building.
- Maximum sign area allowed shall not exceed the underlying zoning code.

3.5 Secondary Dealership Signage

Owners/tenants may also install the following signs.

A. Accessory Signs

Accessory signs and uses are those which are accessory to and supportive of a car dealership. Accessory signs identifying Parts and Service departments, Body and Detail shops, New and Used Auto Sales, and other similar accessory products and services available on the site, etc., are allowed, provided there shall be no more than one such identification sign per use, not to exceed to 36" in height per letter. Accessory signs shall be wall-mounted and may be flat, channel letters, vinyl, metal, plastic, acrylic, wood, or other permanent sign material, except for banners, and shall be mounted appropriately, but may not be painted on walls.

- Maximum sign area allowed shall not exceed the underlying zoning code.

B. Rear Wall Signs

One rear wall building sign is permitted for each dealership. Rear wall signs shall be constructed as fascia signs as set forth in Section 3.4 above.

- Maximum sign area allowed shall not exceed the underlying zoning code.

C. Directional Signs

Directional signs, not to exceed one per entry, are allowed within the Setback area, as required by the dealer for the purpose of providing directions to the location of new cars, used cars, truck sales, parts or service departments or for other uses on the site.

Signs may include the name(s) or logos of the manufacturer(s) as needed to provide clear directional information to the public. Directional signs shall be monument-style signs, not to exceed 4' in height and 5' in width, and shall be designed so as to be complementary to dealership identification signs.

4

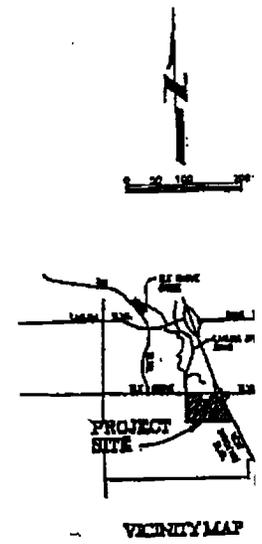
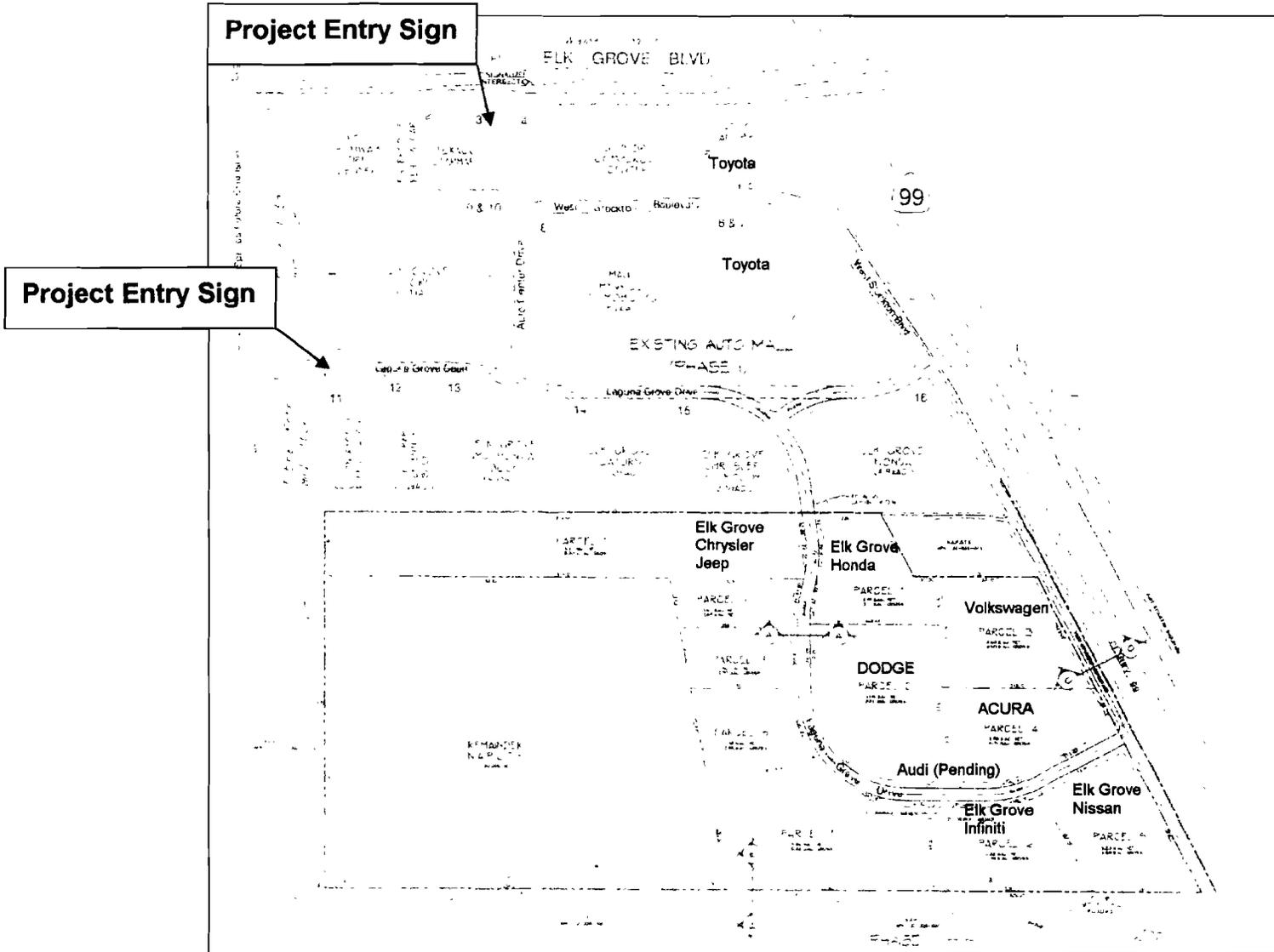
Project Entry Signage

Two project entry signs are permitted to be located in a landscaped “island” median as shown on Exhibit 4. One sign shall be installed in the main entryway to the project on Auto Center Drive south of Elk Grove 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 exact location of the Laguna Grove Court sign shall be subject to approval by the City’s Traffic Safety Division.

Note: No entry sign has been approved by the City as of this date. Modifications to sign SPA is required prior to construction and approval.

ELK GROVE AUTO MALL



5

Freeway Visible Signage

This portion of the Elk Grove Auto Mall Sign Criteria will be addressed in a separate application.

5.1 On-Site Freeway Signage

One freestanding project identification sign 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.

Note: No freeway sign has been approved by the City as of this date. Modifications to sign SPA is required prior to construction and approval.

6

Amendments

Amendments to these criteria may be made as approved by the Association and shall be submitted to the City for approval.