

City of Scotts Valley Planning Commission Meeting Agenda

DATE/TIME:

Thursday, January 14, 2010
6:00 p.m.

MEETING LOCATION:

One Civic Center Drive
Scotts Valley

POSTING: This agenda was posted on January 7, 2010

CALL TO ORDER: *The Planning Commission Chair calls the meeting to order.*

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: *The Planning Commission Chair leads the pledge of allegiance.*

ROLL CALL: *Planning Department staff conduct roll call of the Planning Commission.*

ORAL COMMUNICATIONS: *This portion of the agenda is reserved for discussion by the public of items which are not on the agenda. No action may be taken by the Commission. It is in the best interest of the person speaking to the Commission to be concise and to the point. All speakers are requested to sign their names at the podium so that their names may be accurately recorded in the minutes of the meeting.*

ALTERATIONS TO CONSENT AGENDA: *The Commission may remove or add items on the Consent Agenda.*

CONSENT AGENDA: *These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.*

None.

ALTERATIONS TO REGULAR OR PUBLIC HEARING AGENDA: *The Commission may remove, add, or re-arrange items on the Public Hearing or Regular agenda.*

PUBLIC HEARING ITEMS:

1. **Address:** City wide
Applicant: City of Scotts Valley
Planning Permit Applications: ZC01-10
Project Description: Amendment to the Scotts Valley sign ordinance to allow center identification signs up to 200 square feet with City Council approval.
Staff Planner: Susan Westman(831) 440-5630 or swestman@scottsvalley.org.

STAFF REPORT

Date: January 14, 2010

Applicant: City of Scotts Valley

Application: Amendment to Section 17.56.180 of the sign ordinance to increase the size of center identification signs.

Location: City Wide

Environmental Status: Categorically exempt.

Request: Consideration for recommendation to the City Council to amend the City of Scotts Valley's sign ordinance to allow center identification signs up to 200 square feet.

Staff Planner: Susan Westman, Interim Community Development Director

RECOMMENDATION

It is recommended that the Planning Commission conduct a public hearing on the proposed amendment, and consider adoption of the attached Resolution recommending that the City Council approve an amendment to Section 17.56.180 to allow center identification sign up to 200 square feet with City Council approval.

HISTORY

The Planning Commission considered and denied an application for a new center identification sign at Scotts Valley Corners on November 12, 2009. The Planning Commission denied the sign because it exceeded the size allowed in the current sign ordinance. The applicant appealed the denial to the City Council and the City Council held a hearing on December 16, 2009. At the hearing, the City Council directed staff to process and amend to the City's existing sign regulations which would allow center identification signs up to 200 square feet if approved by the City Council.

Staff has provided you with an amendment to Section 17.56.180 C. 1 which would accomplish the Council's goals.

"C. Commercial Center Identification.

1. Each commercial center shall be allowed one freestanding identification sign in addition to commercial business signs allowed by the chapter. The maximum allowable sign area for the free standing sign shall be forty square feet of sign area per acre or portion thereof which

may be used in any ratio for identification of center and/or the tenants; however, no sign shall exceed one hundred square feet in area or twelve feet in height unless the City Council approves an exception which could allow signs up to 200 square feet. Minimum setback for freestanding signs shall be five feet. Such signs may be internally or externally illuminated, but shall be restricted to identification of the name and address of the center and tenants unless approved by the ~~design review board~~ Planning Commission as part of a planned sign program. Each commercial center shall comply with Section 17.56.040 regarding street addresses. “

Changes to the zoning ordinance must first come to the Planning Commission for a recommendation to the City Council. If the Planning Commission acts tonight the ordinance revision would go to the City Council on February 17. An ordinance change would require a second reading on March 3. The ordinance would then be in effect 30 days after March 3. The applicant could go back to the City Council on April 7 to have them reconsider his sign.

ATTACHMENTS

1.	Resolution and Exhibit A	3-5
2.	Planning Commission staff report dated 11/12/2009	6-9
3.	City Council staff report dated 12/16/2009	10-11

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING TO THE SCOTTS VALLEY CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE SIGN ORDINANCE SECTION 17.56.180 C.1 TO ALLOW SIGNS UP TO 200 SQUARE FEET WITH CITY COUNCIL APPROVAL

ZC01-10

WHEREAS, the California Government Code provides for the amendment of a city's Zoning Ordinance by the legislative body of the city; and

WHEREAS, the Planning Commission is a recommending body to the City Council; and

WHEREAS, the Planning Commission of the City of Scotts Valley held a duly noticed public hearing to review and consider comments on the proposed sign ordinance amendment on January 14, 2010; and

WHEREAS, the Planning Commission has reviewed the categorical exemption; and

WHEREAS, the Planning Commission finds that adoption of the amendment to the sign ordinance will allow more flexibility in developing well designed signs; and

WHEREAS, the Planning Commission finds that adoption of the amendment will provided a great chance of businesses being successful in Scotts Valley;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION TO RECOMMEND APPROVAL OF THE AMENDMENT TO SECTION 17.56.180 TO ALLOW CENTER IDENTIFICATION SIGNS UP TO 200 SQUARE FEET IF APPROVED BY THE CITY COUNCIL AS SHOWN IN ATTACHMENT A.

The foregoing resolution was duly and regularly adopted by the Planning Commission of the City of Scotts Valley at a regular meeting held on the 14th day of January, 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved

Chair Deborah Muth

Attest

Interim Community Development Director
Susan Westman

EXHIBIT A

(Additional working is underlined. Deleted wording is show with a stick out.)

C. Commercial Center Identification.

1. Each commercial center shall be allowed one freestanding identification sign in addition to commercial business signs allowed by the chapter. The maximum allowable sign area for the free standing sign shall be forty square feet of sign area per acre or portion thereof which may be used in any ratio for identification of center and/or the tenants; however, no sign shall exceed one hundred square feet in area or twelve feet in height unless the City Council approves an exception which could allow signs up to 200 square feet. Minimum setback for freestanding sighs shall be five feet. Such signs may be internally or externally illuminated, but shall be restricted to identification of the name and address of the center and tenants unless approved by the ~~design review board~~ Planning Commission as part of a planned sign program. Each commercial center shall comply with Section 17.56.040 regarding street addresses.

Agenda Item No. ____
11/12/09 PC Mtg.
DR05-021.3

STAFF REPORT

Applicant: Corbett W. Wright

Property Owner: Scotts Valley Corners Partners

Application: Design Review No DR05-021.3

Location: 6004 & 6006 La Madrona Drive // AP 021-141-17

General Plan/Zoning: Commercial Service (C-S)

Environmental Status: Categorically Exempt: Class 1 – Existing Facilities

Request: Consideration of a Design Review application to amend the Planned Sign Program for Scotts Valley Corners Shopping Center.

The City has received an application from the owners of Scotts Valley Corners to amend their approved sign program to allow for 179 square foot center identification sign which also includes a sign for each of the tenants in the center. There are a number of issues which the Planning Commission will need to consider when reviewing this application.

The Planning Commission approved a sign program for the center when it was originally constructed. Since that time there have been two additional requests to amend the sign program. The first was in 2006 when Daryl Stevens Salon and Day Spa went into the center. This was to change the allowable style of sign. The second was when Morgan Stanley occupied Building A. Morgan Stanley received approval to be able to put their business name on the tower which had been designated for center identification in addition to their tenant sign.

The City of Scotts Valley's zoning regulation section 17.56 has very specific requirements and limits on the size and location of center identification signs. The purpose of the planned sign program for centers is to allow signs to be changed without needing Planning Commission approval. The planned sign program allows the Planning Commission through Design Review to approve a center identification sign which is 50% larger than what is allowed in the zoning ordinance. Under section 17.56.170 of the zoning ordinance center identification signs are limited to "40 square feet of sign are per acre or portion thereof which may be used in any ratio for identification of the center and/or the tenants.....no sign shall exceed one hundred square feet in area or twelve feet in height...." Under this program this center

Agenda Item #3
PC Meeting 11/12/2009

would be able to have center identification sign which was 78 square feet. Since there is a planned sign program that square footage could be increased to the maximum allowable of 100 square feet. 20 square feet of this allowable of 100 square feet is being used on the tower for Morgan Stanley. This was one of the modifications approved to the original sign program. If the Morgan Stanley sign is counted, the maximum size center identification sign that can be approved by the Planning Commission is 80 square feet. The Planning Commission could direct staff to rewrite the sign program to eliminate the Morgan Stanley sign as a center identification sign. Scotts Valley's zoning regulations do not provide a variance procedure to allow for signs larger than allowed under the sign ordinance.

For purposes of measuring the sign, the City uses the face of the sign and does not include the pillars on the side of the sign. This application is for a sign face which is 22'5" x 8' or 179.2 square feet. The overall sign including the bottom and columns is 12' x 31'6" or 378 square feet. **The applicant will have fencing and sample letter sizes installed where the sign will be located on Monday, November 9, 2009 so the Planning Commission will have the opportunity to see the size and location of the proposed sign.**

In addition to the size of the sign being proposed, staff has concerns about center identification signs which are designed in this manner because as tenants leave and change over time there is no ability to regulate color or sign font for future tenants. It is understandable that individual businesses want to use the font and colors which are associated with their business but this does not always produce a sign which is easily readable and attractive over time. Staff understands the concerns of the tenants in the center and the business problems which they feel result from inadequate signage. Clearly the tenants have tried to overcome some of these issues by planning banners or parking trucks in the parking lot to attract attention. To date the planning staff has not done any enforcement action at this center for illegal banners, flags, etc.

The Planning Commission has the following options:

1. You can deny the center identification sign as submitted because it does not conform to the City's zoning regulations. This will allow the applicant the opportunity to appeal to the City Council for their consideration. The Council could direct staff to modify the sign ordinance to allow for larger center identification signs.
2. The Planning Commission can provide direction to the applicant to redesign the sign so that it conforms to the City's zoning regulation and does not exceed the 80 square feet allowed. The Planning Commission could indicate to the applicant whether or not you would consider amending the approve sign program to make the Morgan Stanley center identification sign be an additional tenant sign which would allow a maximum center identification sign size of 100 square feet. In addition the Planning Commission should provide some guidance on whether or not you think there should be a consistent color and/or font theme for the center identification sign.

**Agenda Item #3
PC Meeting 11/12/2009**

Staff Recommendation: Direct staff to rewrite the sign program to classify the Morgan Stanley sign as a second tenant identification sign which would allow for a center identification sign of 100 square feet. Provide direction on colors and font design to the applicant.

Attachments:

1. Staff Report dated 8/28/2008 Amending the sign program for Scotts Valley Corners ...4-15
2. Staff Report dated 7/13/2006 Amending the sign program for Scotts Valley Corners...16-28
3. Staff Report dated 8/25/2005 Approval of the planned sign program for Scotts Valley Corners.....29-39
4. Finding for denying the application.....40

RESOLUTION NO. 1599

A RESOLUTION OF THE PLANING COMMISSION OF THE CITY OF SCOTTS VALLY DENYING THE DESIGN REVIEW NO. DR021.3 TO AMEND THE PLANNED SIGN PROGRAM FOR THE SCOTTS VALLEY CORNERS SHOPPING CENTER LOCATED AT 6004 & 6006 LA MADRONA DRIVE – APN 021-141-17

WHEREAS, the Planning department of the City of Scotts Valley has received an application filed by Corbett Wright for Design Review No DR05-021.3 to amend the Planned Sign Program for the Scotts Valey Corners shopping center located at 6004 & 6006 La Madrona Drive; and,

WHEREAS, the project is determined to be categorically exempt from CEQA; and,

WHEREAS, the Planning Commission held a hearing on November 12, 2009 to receive information from the application and the public; and

WHEREAS, the proposed amendment is not in conformance with the City of Scotts Valley sign regulations regarding size of center identification signs(Section 17.56.180); and,

WHEREAS, the proposed amendment would not be consistent with the goals of the Gateway South Specific Plan which requires that exceptional design for projects at the gateway entrances to the City of Scotts Valley.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley herby resolves on November 12, 2009 that Application DR05-021.3 shall be denied.

AYES: Commissioners Patterson, Heald and Chair Muth

NOES:

ABSTAIN:

ABSENT: Commissioners Bowen and Bassett

Chair Deborah Muth

Interim Community Development Director
Susan Westman

STAFF REPORT

Date: December 16, 2009

Applicant: City of Scotts Valley

Application: Design Review Application DR05-021.3

Location: Specific Plan Area

Environmental Status: Exempt.

Request: Consideration of a Design Review application to amend the Planned Sign Program for Scotts Valley Corners Shopping Center, 6004 & 6006 La Madrona Drive

Staff Planner: Susan Westman, Interim Community Development Director

RECOMMENDATION

It is recommended that the City Council either deny the current applications as it does not conform to Section 17.56 of the Zoning Ordinance or provide direction to the applicant to redesign the sign to conform with Section 17.56 of the Zoning Ordinance.

HISTORY

This application was reviewed by the Planning Commission at their meeting of November 12, 2009. The Planning Commission did not discuss the application but rather decided to deny the application so that the applicant could appeal and go directly to the City Council. The major issue with the sign is that the size exceeds the maximum size allowed in the sign ordinance.

Section 17.56.180 reads as follows:

"C. Commercial Center Identifications.

1. Each commercial center shall be allowed one freestanding identification sign in addition to commercial business signs allowed by the chapter. The maximum allowable sign area for the free standing sign shall be forty square feet of sign area per acre or portion thereof which may be used in any ratio for identification of the center and/or tenants; however, no sign shall exceed one hundred square feet in area or twelve feet in height. "

Based on the frontage and acreage of this shopping center the sign ordinance would

allow for a center identification sign of 78 square feet. Because Scotts Valley Corners has an approved sign program, the Center would be allowed to have a center identification sign up to 100 square feet. The current sign program which was approved 8/28/2008 uses 20 square feet of the 100 square feet sign allowance to allow for the Morgan Stanley sign on the tower element in the shopping center. Staff has indicated they would be willing to recommend a rewrite of the sign program to count the Morgan Stanley tower sign as a tenant identification sign allowing the applicant to use the entire 100 square feet for their center identification sign. Other suggestions have been provided to reduce the size but the applicant wanted to proceed with the proposed sign as he felt this size is necessary for being able to read the sign.

The Staff further indicated to the applicant that we would only count the sign face not the two columns which will be located on either side of the sign. The applicant has placed poles to mark the sign and height of the sign. Staff's measurement of the wooden poles indicates they are 10 feet in height and the sign in the drawings submitted show 12 feet in height. Measurements for height in the zoning ordinance are from the ground and the ordinance states that no sign shall exceed 12 feet in height.

Any sign approved by the City Council needs to conform to the requirements in the City's sign ordinance or direction needs to be given to staff to prepare changes to the ordinance which will allow a sign larger than 100 square feet. The ordinance changes would need to take place prior to approval. There are many situations where tenants are located in shopping centers (Safeway and Kings Village) that do not have signage visible to the street. Any ordinance revision would need to be applicable city wide.

ATTACHMENTS

1.	Resolution Of the Planning Commission Denying application DR021.3	3
2.	Planning Commission Staff Report -11/12/2009	4-6
3.	Action Minutes from the Planning Commission Meeting -11/12/2009	7-9
4.	Copy of Chapter 17.56 of the Zoning Ordinance	10-20
5.	Staff Report dated 8/28/2008 Amending the sign program for Scotts Valley 21-32	
6.	Staff Report dated 7/13/2007 Amending the sign program for Scotts Valley Corners.	33-45
7.	Staff Report dated 8.25.2005 Approving a planned sign program for Scotts Valley Corners	46-56
8.	Drawings submitted by the applicant	57-60

NOTICE OF PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CITY OF SCOTTS VALLEY ZONING REGULATION FOR SIGNS – CHAPER 17.56 TO ALLOW CENTER IDENTIFICATION SIGNS UP TO 200 SQUARE FEET WITH APPROVAL FROM THE CITY COUNCIL

Project Title: AMENDMENT TO THE SCOTTS VALLEY SIGN ORDINANCE TO ALLOW CENTER IDENTIFICATION SIGNS UP TO 200 SQUARE FEET WITH CITY COUNCIL APPROVAL

Specific Project Location: CITY OF SCOTTS VALLEY

Description of Project: This is an amendment to the City of Scotts Valley's sign ordinance to increase the allowable size of commercial center identification signs with City Council approval. The change will increase the size from 100 square feet to 200 square feet.

The project is exempt under the California Environmental Quality Act (CEQA). The Planning Commission will hold a public hearing to discuss and prepare a recommendation to the City Council on the proposed amendments.

Lead Agency: City of Scotts Valley

Contact Person: Susan Westman, Contract Planner (831) 440-5630

Address where document may be obtained: City of Scotts Valley/Planning Department
One Civic Center Drive
Scotts Valley, CA 95066
(831) 440-5630
The 2009-2014 Housing Element is also available on the City's web site. www.scottsvalley.org

Proposed Public Hearings: **Planning Commission**
Date: January 14, 2010
Time: 6:00 p.m.
Location: Scotts Valley City Hall
Council Chambers

A copy of the Negative Declaration may be obtained by contacting the Planning Department at the Lead Agency address and phone number listed above, between 8:00 a.m. and 1:00 p.m., Monday through Thursday. All interested persons are invited to attend the foregoing Public Hearing. The project file(s) are available for review in the Planning Department at City Hall, One Civic Center Drive, Scotts Valley Monday through Thursday between the hours of 8:00 a.m. and 1:00 p.m.

WARNING NOTICE: If you challenge the above applications in court, you may be