

# PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT DESIGN COMMITTEE Meeting March 20, 2008

Prepared by: Elisa Reynolds, Associate Planner

#### ITEM III-A

MODIFICATION TO A PLANNED SIGN PROGRAM PERMIT AND SIGN VARIANCE – WRSP FIDDYMENT FARMS – 4900 FIDDYMENT ROAD - FILE # 2008PL-008 (V-000053 & PSP-000077)

# **REQUEST**

The applicant requests approval of a modification to a Planned Sign Program Permit and a Sign Variance to allow development signs that exceed the maximum height and area allowed by the Sign Ordinance and to allow the signs to be located closer than 1,000 linear feet from each other. The applicant also requests a modification to the Planned Sign Program Permit to allow a change to the design of "future site" signs.

Applicant & Property Owner – John Bayless, West Roseville Development Co.

# SUMMARY RECOMMENDATION

The Planning Department recommends that the Design Committee:

- A. Adopt the three (3) findings of fact for the Sign Variance;
- B. Approve the Sign Variance with three (3) conditions of approval;
- C. Adopt the three (3) findings of fact for the Planned Sign Permit Program; and
- D. Approve the Planned Sign Permit Program with nine (9) conditions of approval.

# **EXECUTIVE SUMMARY**

As explained in the Evaluation section below, the findings can be made for the approval of the Planned Sign Permit Program with the approval of the Sign Variance as conditioned. Staff supports approval of a Sign Variance to allow future site signs to exceed the separation requirement of 1,000 feet based on the development agreement requirement that future land uses be disclosed to potential homebuyers and based on the size of the project area.

However, staff has been unable to identify any unique circumstances or demonstrated hardship applicable to the Fiddyment Farms development that would justify approval to exceed the height and area restrictions prescribed by the Sign Ordinance. Approval of the Sign Variance allowing illegally constructed ladder and future site signs to exceed the height and area restrictions described below, where a clear hardship has not been demonstrated, would legitimize a self-induced hardship.

If the applicant chooses, they may increase the sign area and height limits within the PSPP to conform to the sign area and height criteria described in the Sign Ordinance.

Therefore, staff recommends approval of a Sign Variance and Planned Sign Permit Program as conditioned below to:

- Allow development identification/future site signs to deviate from the 1,000 foot separation requirement,
- Not allow increased sign height and sign area for development identification/future site signs to exceed Sign Ordinance standards; and
- Not allow sign height for ladder signs to exceed the Sign Ordinance standards.

The applicant disagrees with staff's recommendation and believes that larger "future site" and ladder signs are warranted in order to effectively inform the community of future development projects.

#### **BACKGROUND**

**Location**: The project address is 4900 Fiddyment Road; however the sign program affects the area roughly bounded by Blue Oaks Boulevard, Hayden Parkway, Bob Doyle Drive and Fiddyment Road (Attachment 1).

**Permit History:** In January 2006, the Design Committee approved a Sign Variance to permit off-site subdivision signs (ladder signs) to deviate from the Sign Ordinance standard that requires these signs be located at least 2,500 lineal feet from each other. A PSPP (2005PL-047) was also approved at that time that allowed signs to deviate from the design criteria established in the City's Sign Ordinance. The existing PSPP is provided as Attachment 1.

On October 18, 2007 the Design Committee approved a similar Sign Variance request (2007PL-038) for Pulte Homes, which controls the Westpark portion of the WRSP. Staff had recommended that the Variance be approved with respect to the spacing of "future site" signs, but recommended that the request for larger signs be denied. The Design Committee ultimately approved "future site" signs to be located less than 1,000 linear feet from each other and allowed the signs to be a maximum of 48 square feet in area and 10 feet in height. The approval was based, in part, on Pulte's contention that the City had approved larger "future site" signs than the Sign Ordinance allows and allowed them to be placed less than 1,000 linear feet from each other at the neighboring Fiddyment Farms development. As justification for their request, Pulte verbally stated at the hearing that the requested Sign Variance was necessary to compete with Fiddyment Farms.

After the Design Committee hearing, staff conducted research and determined that no such approval was granted to Fiddyment Farms. Fiddyment Farms does, in fact, have 21 development project ("future site") signs and one (1) ladder sign that are larger and taller than the Sign Ordinance specifies. However, these signs were never issued Sign Permits by the City and they are not in compliance with the City's Sign Ordinance or the Fiddyment Farms PSPP. There are also six (6) ladder signs and numerous on-site directional signs that were issued the appropriate permits and do comply with the PSPP and the Sign Ordinance. Photos of the existing signage are provided in Attachment 2.

At this time, the applicant is requesting approval of a Sign Variance to be given similar consideration to Pulte's approval. Specifically, the request is:

- To allow "future site" signs that range from 36 to 48 square feet and are 12 feet in height, where the Sign Ordinance allows a maximum area of 32 square feet and 6 feet in height,
- To allow two (2) additional ladder signs that are 18 feet in height and 104 square feet in area, where the Sign Ordinance allows a maximum height of 15 feet and a maximum display area of 14' by 8' (112 square feet), and
- To allow approval to locate the development identification signs closer than 1,000 linear feet from each other.

A matrix comparing the applicants proposed signage, Pulte's approved signage, and the sign criteria provided in the Sign Ordinance is provided as Attachment 3.

#### **EVALUATION**

#### **SIGN VARIANCE**

# **Development Site Signs**

The applicant believes that there is a need for additional signage within the Fiddyment Farms project area to better inform visitors and potential customers of the future development and various subdivisions within the plan area. The applicant is proposing to deviate from the standards outlined in the Sign Ordinance for development identification signs (identified as "future site" signs in the existing PSPP), which is defined as an on-site temporary sign identifying the location of an unconstructed development project. The Sign Ordinance indicates that these signs are exempt from permit as long as:

- Not more than one sign is erected for every 1,000 feet of street frontage, and
- The signs do not exceed 32 square feet in area and the maximum height of the sign does not exceed six (6) feet.

Approval of a Sign Variance is required in order to deviate from these standards.

As previously mentioned, the applicant requested a PSPP (2005PL-047) to establish criteria for 16 "future site" signs. The previously approved "future site" signs were to be 6' in height and 12 square feet in sign area. The approved design for those signs is shown in Attachment 2. (Note: the dimension shown is 6'10" in height but the signs were limited to 6' in height by Condition 3 of the PSPP). The applicant constructed 21 future site signs that exceed the maximum height and area of both the PSPP and the Sign Ordinance.

The applicant seeks approval for the subject 21 development identification signs ranging in distance from 350 lineal feet to over 2,000 lineal feet from each other (see Exhibit A). Two designs are proposed: a smaller design that is 36 square feet which would be located in 14 of the 21 locations, and a larger design that is 48 square feet which would be located in the remaining seven (7) locations. Either sign design would reach nearly 12 feet in height at its tallest point (inclusive of the posts). A site plan has been included as Figure 1 below and in Exhibit A. Examples of the two designs are provided in Figures 2 and 3, photos are provided in Attachment 1, and all designs are shown in Exhibit A.

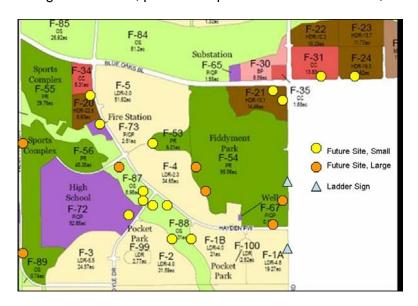


Figure 1 – Proposed Sign Locations



Figure 2:
Development
Project Sign

Design, Small: 36

Square Feet



Figure 3: Development Project Sign Design, Large: 48 Square Feet

In accordance with the provisions of the Sign Ordinance, three (3) specific findings must be made in order to approve a Sign Variance. The required findings for a Sign Variance are listed below and are followed by an evaluation:

Height: 12 feet (to top of sign – including iron scroll)

- 1. There are exceptional or extraordinary circumstances or conditions applying to the land, building or signs involved which do not generally apply to other land, buildings or signs in the neighborhood.
- 2. The granting of this variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- 3. The granting of this variance will not materially and adversely affect the health, safety or welfare of persons in the neighborhood, nor be materially detrimental or injurious to property or improvements in the neighborhood.

# Sign Proximity:

Staff believes that a variance allowing more than one development project sign for every 1,000 feet of street frontage is warranted within the Fiddyment Farm project area. The primary reason is that development identification signs on vacant sites that are slated for future parks, schools, subdivisions, open space, etc. are a requirement of the Development Agreement between the City and Fiddyment Land Ventures in conjunction with the West Roseville Specific Plan. The purpose of these signs is to disclose the intended uses for these parcels to the public.

Second, staff believes that allowing signs to be in closer proximity is appropriate due to the size of the project area (over 1600 acres), the multitude of development planned within the area, and the number of vacant sites that still exist in the plan area. Staff agrees that development identification signs are needed to effectively inform the public of future development plans and therefore recommends approval of the Sign Variance related to the separation requirement of development identification/future site signs within the plan area.

# Sign Area:

Staff is concerned about the overall size of the development identification signs. As noted above, the Sign Ordinance states that development identification signs may not exceed 32 square feet in area and may not exceed a height greater than six feet, as measured at grade from the adjacent right of way.

Staff believes that the applicant has not demonstrated any unique or extraordinary circumstances to warrant approval of this request. There are no visual hindrances that would make it difficult to see the signs within the development area. Additionally, if the Design Committee were to approve the Variance related to the quantity of signs, there will be an increased number of signs within the development area that will help facilitate informing the public of future development. Staff believes that the future development intent of the vacant parcels can be adequately conveyed by using a 32 square foot design. Therefore, staff is recommending that the Design Committee deny the applicants request with respect to increased development identification sign height and area. Staff has included Condition #2 (SV) and Condition #4 (PSPP), requiring that development identification signs not exceed 32 square feet and not exceed six (6) feet in height.

# **Ladder Signs**

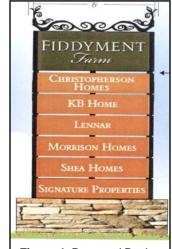
The applicant also requests approval of two (2) ladder signs (off-site subdivision signs) that exceed the maximum height prescribed by the Sign Ordinance. One ladder sign has been erected and was constructed without permits. The Sign Ordinance standards with respect to off-site subdivision signs state that:

- Not more than one sign is erected for every 2,500 feet of street frontage, and
- The maximum height of the sign shall not exceed 15 feet and the maximum width shall not exceed 10 feet, and
- The maximum display area shall not exceed 14 feet by 8 feet.

Approval of a Sign Variance is required in order to deviate from these standards.

The subject ladder signs are located on the west side of Fiddyment Road, south of Blue Oaks. The PSPP allows for six (6) ladder signs at the project site not to exceed 11'7" in height and 4'8" in width. There are currently six (6) ladder signs at the site that comply with the standards described in the PSPP and have been issued Sign Permits by the City. The previously approved ladder signs are shown on the site plan (Exhibit A) as Major Ladder Signs and are identified by an orange square.

As previously mentioned, Fiddyment Farms was granted a Sign Variance in 2006 that allows ladder signs to be located closer than 2,500 linear feet from one another. The signs, shown in Figure 4, are located on the west side of Fiddyment Road. The existing sign is located approximately 500 feet north of the intersection of Fiddyment Road and Hayden Parkway. The proposed sign will be located approximately 1,000 feet south of the same intersection.



**Figure 4:** Proposed Design Large Ladder Sign

It should be noted that the proposed revisions to the Sign Ordinance remove the 2,500 foot separation requirement to ensure consistency with the State Civil Code regulating real estate signs. The ordinance revisions will be considered for first reading by the City Council on March 19<sup>th</sup>, and should become effective in early May. Until the new Ordinance becomes effective, the current separation requirements prevail and a Variance is required to deviate.

If the additional two (2) ladder signs were consistent with the height criteria established in the Sign Ordinance the PSPP could have been modified administratively to allow the additional area, height, and quantity. However, the proposed signs are 18 feet in height, 10 feet wide, and have a display area that is 13 feet in height and 8 feet in width. Therefore, because of the height, the signs require the approval of a Sign Variance

At 18 feet in height, the additional ladder signs are three feet taller than the height prescribed by the Sign Ordinance. As stated above, staff does not believe adequate justification exists to approve a Variance for an increase in allowable height of the ladder signs. There are no visual hindrances that would make it difficult to see the signs within the development area. The previously approved ladder signs are 11 feet in height and could be increased to 15 feet in height, consistent with the Sign Ordinance, by administratively modifying the PSPP. Lastly, constructing non-conforming signs without permits, resulting in a self-induced hardship, does not constitute grounds for approval of a Sign Variance. Staff, therefore, recommends that the Design Committee deny the request for increased sign height of ladder signs.

# **Existing, Unpermitted Sign Location**

As mentioned previously, the existing ladder sign and the 21 development identification signs were erected without benefit of any Building Permits or Sign Permits. Depending on the outcome of the Variance request, the applicant will either have to remove the signs, or obtain the appropriate after-the-fact permits for them. In the event that the signs are allowed to remain, the applicant will be required to confer with the City's various utility departments, as Planning staff has been notified that there are conflicts with sign location and utility trenches.

Staff has also added Condition 3 (SV) and Condition 9 (PSP) which require that any sign located on a future park or open space site be removed prior to the parcels dedication to the City.

#### PLANNED SIGN PERMIT PROGRAM:

Depending on the outcome of the Sign Variance, the applicant would like to update the design criteria for future site within the PSPP. The future site signs approved by the current PSPP depict a semi-circular iron design at the top of the sign and show a tan colored text on an olive green background (see Figure 5 below). The existing signs, as shown in Figures 2 and 3 above, contain a graphic and have white text on a grass green background. The iron design has been modified to depict a curving branch and leaves. This request is minor, and would typically be handled administratively if the area and height of the signs conformed to the standards set forth in the Sign Ordinance.



**Figure 5:** Approved Design - Future Site Sign

In accordance with the provisions of the Sign Ordinance, three (3) specific findings must be made in order to approve the PSPP. The required findings for a PSPP are listed below and are followed by an evaluation.

# 1. The proposed PSPP is consistent with the provisions and intent of the Roseville Sign Ordinance.

The proposed changes to the PSPP are minor. In conjunction with the Planned Sign Permit Program modification, the applicant is requesting a Sign Variance to allow additional "future site" and ladder signs with height and area in excess of the Sign Ordinance criteria. The request also includes approval to place signs closer together than the Sign Ordinance criteria prescribes.

If the Variance request is approved/denied as recommended by staff, and the PSPP modified consistent with the Variance Conditions of Approval, the modified PSPP will be consistent with the Sign Ordinance. The remainder of

the PSPP was previously found to be consistent with the Sign Ordinance upon its approval in 2006.

# 2. The proposed PSPP is in harmony with, and visually related to, the buildings within the Planned Sign Permit Program and the surrounding development.

The Sign Criteria requires a consistent sign appearance throughout the development. The designs of the proposed signs are compatible with the development's physical setting and with existing permitted signage (i.e. iron scroll work theme). The proposed signs will provide continuity throughout the development through use of design, colors and, if the signs are required to comply with the Sign Ordinance standards pertaining to height and area, staff feels that they will be of appropriate scale. Staff supports the request to modify the design criteria and recommends that the PSPP be approved with Condition 4 (PSPP) which requires the proposed signage to comply with Sign Ordinance standards pertaining to height and area.

# 3. The proposed PSPP is consistent with the adopted West Roseville Specific Plan.

The West Roseville Specific Plan (p. 12-17) suggests that project identification signs ("future site") in the Fiddyment Ranch (now known as Fiddyment Farms) neighborhood should be "accented with bright, complementary colors". As shown in Exhibit A and Figures 2 through 5 above, the proposed and existing signage incorporate bright and complementary colors within each sign design and throughout the development area.

#### CONCLUSION

As noted above, the findings can be made for the approval of the Planned Sign Permit Program with the approval of the Sign Variance as conditioned. As previously stated, staff supports approval of a Sign Variance to allow future site signs to exceed the separation requirement of 1,000 feet based on the development agreement requirement that future land uses be disclosed to potential homebuyers and based on the size of the project area.

However, staff has been unable to identify any unique circumstances or demonstrated hardship applicable to the Fiddyment Farms development that would justify approval to exceed the height and area restrictions prescribed by the Sign Ordinance. Approval of the Sign Variance allowing illegally constructed ladder and future site signs to exceed the height and area restrictions described above, where a clear hardship has not been demonstrated, would legitimize a self-induced hardship.

If the applicant chooses, they can increase the sign area and height limits within the PSPP to conform to the sign area and height criteria described in the Sign Ordinance.

Therefore, staff recommends approval of a Sign Variance and Planned Sign Permit Program as conditioned below to:

- Allow development identification/future site signs to deviate from the 1,000 foot separation requirement,
- Not allow increased sign height and sign area for development identification/future site signs to exceed Sign Ordinance standards; and
- Not allow sign height for ladder signs to exceed the Sign Ordinance standards.

#### **ENVIRONMENTAL DETERMINATION**

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15311(a), accessory structures/on-premise signs.

#### RECOMMENDATION

The Planning Department recommends that the Design Committee take the following actions:

- A. Adopt the three findings of fact, as stated in the staff report, for approval of the SIGN VARIANCE -WRSP FIDDYMENT FARMS – 4900 FIDDYMENT ROAD - FILE # 2008PL-008 (V-000053 & PSP-000077);
- B. Approve the SIGN VARIANCE WRSP FIDDYMENT FARMS 4900 FIDDYMENT ROAD FILE # 2008PL-008 (V-000053 & PSP-000077) subject to three (3) conditions of approval as stated below:
- C. Adopt the three (3) findings of fact as stated in the staff report for the PLANNED SIGN PERMIT PROGRAM – WRSP FIDDYMENT FARMS – 4900 FIDDYMENT ROAD - FILE # 2008PL-008 (V-000053 & PSP-000077); and
- D. Approve the PLANNED SIGN PERMIT PROGRAM WRSP FIDDYMENT FARMS 4900 FIDDYMENT ROAD FILE # 2008PL-008 (V-000053 & PSP-000077) subject to nine (9) conditions of approval as stated below.

# **CONDITIONS OF APPROVAL: SIGN VARIANCE (V-000053)**

- 1. The Sign Variance is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
- 2. Development Project "Future Site" signs shall not exceed 32 square feet and are limited to six feet in height as measured from the grade of the adjacent right of way. Ladder (off-site subdivision) signs shall be limited to 15' in height and 10' in length in overall sign area and 14' in height and 8' in length of display area. (Planning)
- All signs located on park or open space parcels shall be removed prior to the parcels dedication to the City of Roseville. (Planning)

#### CONDITIONS OF APPROVAL: PLANNED SIGN PERMIT PROGRAM (PSP-000077)

- 1. The PSPP is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
- 2. Signs shall be located consistent with applicable setback requirements as required pursuant to the Sign Ordinance (Section 17). (Planning)
- 3. All signs within this PSPP are temporary signs and shall be removed according to the timeframes identified in the Sign Ordinance. (Planning)

- 4. Development Project "Future Site" signs shall not exceed 32 square feet and are limited to six feet in height as measured from the grade of the adjacent right of way. Ladder (off-site subdivision) signs shall be limited to 11'7" in height and 4'8" in length. (Planning)
- 5. Signs shall be placed as to not interfere with vehicle sight distance in accordance with Section 7 of the City's Design Standards. (Engineering)
- 6. Any signs that are located over the top of existing joint utility trenches that will reach a depth of four feet shall be moved so they are not directly over the utility trenches. Any signs located in a Public Utility Easement (PUE) shall be approved by the Electric Department. (Electric)
- 7. A Sign Permit and Building Permit are required prior to installation of any signage. (Planning, Building).
- 8. The applicant shall update the current PSPP guidelines (Attachment 1) to reflect the approved changes of the subject SV and PSPP. (Planning)
- 9. All signs located on park or open space parcels shall be removed prior to the parcels dedication to the City of Roseville. (Planning)

# **ATTACHMENTS:**

- 1. Existing PSPP for Fiddyment Farms
- 2. Photos of Existing Signage
- 3. Matrix Fiddyment Farms, Pulte, and Sign Ordinance standards

#### **EXHIBIT:**

A. Proposed Signage & Site Plan

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Design Committee meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Committee in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.