

ORDINANCE NO. 2020-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING ARTICLE 61 (ADMINISTRATION AND ENFORCEMENT), AND ARTICLE 66 (SIGN ORDINANCE) OF THE ESCONDIDO ZONING CODE TO MODIFY SIGN STANDARDS FOR CAR WASH FACILITIES

APPLICANT: Mark Watson, The Namou Group
PLANNING CASE NO.: AZ 20-0003

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That Mark Watson of The Namou Group (“Applicant”) filed an application to amend the City of Escondido Zoning Code, in order to allow menu signs at car wash facilities with approval of a sign permit, and to allow directional signs exceeding two (2) square feet in area and three (3) feet in height at car wash facilities with Zoning Administrator approval of a Comprehensive Sign Program.

SECTION 2. That pursuant to the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000 et seq.), and the State CEQA Guidelines (Title 14 of the California Code of Regulations Section 15000 et. seq.), the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

SECTION 3. That the Planning Division did study said request and does recommend approval of the Project. The Planning Division of the Community Development Department scheduled a public hearing regarding the application before the Planning Commission on May 26, 2020. Following the public hearing, the Planning

Commission adopted Resolution No. 2020-06, which recommended that the City Council, among other things, approve the Project's proposed Zoning Code amendments.

SECTION 4. That proper notices of a public hearing have been given and public hearings have been held before the Planning Commission and the City Council on this issue.

SECTION 5. That the City Council has duly reviewed and considered all evidence submitted at said hearings, including, without limitation:

- a. Written information;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated July 15, 2020, which along with its attachments is incorporated herein by this reference as though fully set forth herein, including the Planning Commission recommendation on the request; and
- d. Additional information submitted during the Public Hearing.

SECTION 6. The City Council finds that menu signs are appropriate for car wash facilities, as these signs display services and prices for customers who often remain in their vehicles as they are ordering services or products. Menu signs will be subject to issuance of a sign permit and limited to one sign per stacking lane, not to exceed 24 square feet in area or six (6) feet in height.

SECTION 7. The City Council finds that directional signs exceeding two (2) square feet in area and three (3) feet in height are appropriate for car wash facilities to facilitate wayfinding for customers. Directional signs exceeding these limits will require Zoning Administrator approval of a Comprehensive Sign Program, to allow case-by-case analysis of the number, location, and design of proposed signs, to ensure compatibility with the surrounding neighborhood and any existing signage on the site.

SECTION 8. This action is categorically exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15311(a) because the project involves on-premise signs as a minor use accessory to, or appurtenant to, an existing commercial, industrial, or institutional use.

SECTION 9. That upon consideration of the staff report, Planning Commission recommendation, Planning Commission staff report, all public testimony presented at the hearing held on this project, and the “Findings of Fact,” attached as Exhibit “A” to this Ordinance and incorporated herein by this reference as though fully set forth herein, this City Council finds the proposed amendments are consistent with the General Plan and all applicable specific plans of the City of Escondido, as amended.

SECTION 10. That the specified sections of the Escondido Zoning Code are amended as set forth in Exhibit “B” to this Ordinance and incorporated herein by this reference as though fully set forth herein.

SECTION 11. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 12. That pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15074(c), all documents and other materials, which constitute the record of proceedings, are located at the City of Escondido, City Hall. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council' s decision is based, and

which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 13. That as of the effective date of this Ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 14. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 12th day of August, 2020 by the following vote to wit:

AYES : Councilmembers: DIAZ, MARTINEZ, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

VACANT : Councilmembers: DISTRICT 2

APPROVED:

DocuSigned by:
Paul McNamara
CAACE20782954D3...
PAUL MCNAMARA, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:
Zack Beck
A58535D0BDC1430...
ZACK BECK, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2020-14 passed at a regular meeting of the City Council of the City of Escondido held on the 12th day of August, 2020, after having been read at the regular meeting of said City Council held on the 15th day of July, 2020.

DocuSigned by:
Zack Beck
A58535D0BDC1430...
ZACK BECK, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2020-14

EXHIBIT "A"**FACTORS TO BE CONSIDERED/FINDINGS OF FACT****AZ 20-0003****Zoning Code**

1. The public health, safety, and welfare would not be adversely affected by the proposed Zoning Code Amendment. The proposed amendment expands the type and size of signage permissible at car-wash facilities. The proposed Zoning Code Amendment, allowing menu signs and oversized directional signs, would not be detrimental to surrounding properties because no physical improvements are proposed as part of this Project. Car wash facilities wishing to install menu signs would be required to obtain administrative approval of a sign permit, while those wishing to install oversized directional signs would be required to obtain Zoning Administrator approval of a comprehensive sign program. In both cases, the design and placement of such signage would be reviewed by staff and/or the Zoning Administrator to ensure that it is compatible with the site and the surrounding neighborhood, and that any required screening is provided. Future construction must comply with any applicable laws and standards. This includes the Building Code, the Fire Code, and any property standards bylaws.
2. The proposed Zoning Code Amendment would be consistent with the goals and policies of the General Plan because the amendment would not, in and of itself, result in development or any other material change to the environment. The proposed Zoning Code Amendment would not diminish the Quality of Life Standards of the General Plan, nor adversely impact community health or natural resources.
3. The proposed Zoning Code Amendment does not conflict with any specific plan. The South Centre City Specific Plan, West Mission Specific Plan, and East Valley Parkway Area Plan allow car washes as a conditional use within certain districts. These plans defer to Article 66 of the Zoning Code (the Sign Ordinance) for all signage regulations, so the changes included this Zoning Code Amendment would also be applicable to these Specific Plans. The Downtown Specific Plan prohibits car washes across the entire plan area, and therefore is not affected by this Zoning Code Amendment.

EXHIBIT "B"

PROPOSED TEXT AMENDMENTS

AZ 20-0003

Article 61, Division 9, Sec. 33-1319. Powers and duties and procedure.

Amend Division 9, Section 33-1319 to add Item (8) to the list.

(a) The zoning administrator is authorized to consider and approve, disapprove or modify applications and/or issue use permits, for requests that include, but are not limited to:

- (1) Minor conditional use permits as defined in Division 1 of this article;
- (2) Minor conditional use permits for non-residential parking pursuant to section 33-764 of Article 39;
- (3) Variances as defined in Division 2 of this article;
- (4) Reasonable accommodation as provided in Division 5 of this article;
- (5) Grading exemptions not associated with a discretionary project pursuant to section 33-1066(d) of Article 55;
- (6) Proposed modifications to an approved precise development plan pursuant to section 33-411 of Article 19;
- (7) Time extensions for maps and permits upon submittal of a written request for an extension request, justification statement, and payment of all required application fees;
- (8) Comprehensive sign programs as specified in section 33-1392(c) of Article 66.

(b) The zoning administrator is authorized to consider and adopt a negative declaration or mitigated negative declaration, prepared pursuant to CEQA and Article 47 of this chapter, upon completion of the CEQA public review period, for administrative projects that do not require a public hearing.

(c) The zoning administrator shall have the power to adopt all rules and procedures necessary for the conduct of the administrator's business.

(1) The zoning administrator shall schedule public hearings as needed.

(2) The zoning administrator shall hold a hearing, issue a notice of intended decision, or take an administrative action on an application as required pursuant to this chapter for the specific type of request.

(3) The decisions of the zoning administrator shall be filed in the planning division and a copy provided to the applicant at the address shown on the application.

(4) Actions of the zoning administrator may be appealed to the planning commission. (Ord. No. 2017-03R, § 4, 3-22-17; Ord. No. 2018-07R, § 7, 4-18-18)

Article 66, Sec. 33-1391. Definitions.

Amend 33-1391(17) and (21) to read as follows:

(17) *Comprehensive sign program* means a sign program for commercial and industrial centers consisting of two (2) or more tenant spaces, which establishes design criteria for all signs in the center and integrates them with building and landscaping design, and achieves architectural compatibility. A comprehensive sign program may also be implemented for car-wash, polishing, vacuuming, and detailing uses with directional/informational signage exceeding two (2) square feet in area or three (3) feet in height, regardless of the number of tenant spaces on the property.

(21) *Directional/informational sign* means an on-premises sign which contains words such as "entrance," "in," "out," "rest rooms," "no parking" or other similar words, or a sign containing arrows or characters indicating traffic directions used either in conjunction with such words or separately. The sign area shall not be greater than two (2) square feet and the sign not higher than three (3) feet. Signs exceeding this area and/or height may be allowed with approval of a comprehensive sign program, for car-wash, polishing, vacuuming, and detailing uses only. No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate kiosk and directional signs as defined in section 33-1396(c) and (d) shall not be included in this category.

Article 66, Sec. 33-1392. Permit administration.

Amend Section 33-1392(c) to read as follows:

(c) Comprehensive sign program for commercial and industrial zones. A comprehensive sign program shall be required for all new commercial, office or industrial centers consisting of two (2) or more tenant spaces, and for existing commercial, office or industrial centers for which the owner requests permission to remodel, expand, or enlarge the building(s) or land use which affects the existing signs. A comprehensive sign program also shall be required for all new or existing car-wash, polishing, vacuuming, and detailing uses that propose the use of directional/informational signs exceeding two (2) square feet in area or three (3) feet in height. The purpose of the program shall be to integrate signs with building and landscaping design into a harmonious architectural unit and, in the case of directional signage exceeding the aforementioned size limits, to ensure that the size and scope of this signage is appropriate for the site. All comprehensive sign programs shall be reviewed by planning staff to determine conformance with the sign design guidelines, planned development approvals, applicable overlay guidelines, and/or specific plan standards. Comprehensive sign programs to allow directional signage as described above must be reviewed and approved by the Zoning Administrator. Staff may agendaize the matter to the planning commission. Method of application shall be the same as designated in section 33-1392(b). Integration of signs shall be achieved by:

(1) Using the same background color on all signs or by using various shades as determined compatible;

(2) Using the same type of support or method of mounting for signs of the same type, and by using the same type of construction material for components such as sign copy, cabinets and supports. Slightly dissimilar signing may be approved if determined compatible;

(3) Using the same form of illumination for all signs, or by using varied forms of illumination where justifiable and determined compatible;

(4) Providing a comprehensive plan for the location, placement and number of all signs to be permitted for all existing or future development in the center, or by identifying common architectural elements where tenants can physically locate their signs;

(5) Incorporating the design standards established in the sign design guidelines, as may be adopted by city council.

Article 66, Sec. 33-1393. Exempt and prohibited signs.

Amend Section 33-1393(a)(7) to read as follows:

(a)(7) Directional/informational signs as defined in section 33-1391. Such signs shall not exceed two (2) square feet in area. Freestanding signs shall not be higher than three (3) feet. Directional/informational signs exceeding these limits may be allowed only for car-wash, polishing, vacuuming, and detailing uses with approval of a comprehensive sign permit, as set forth in Section 33-1392(c). No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate directional and kiosk signs shall not be included in this category.

Article 66, Sec. 33-1395.2. Sign standards—Freestanding signs—CG and CN zones.

Amend Section 33-1395.2(b)(4) to read as follows:

(b)(4) Menu signs. In conjunction with a drive-through business or automated car wash:

(A) Up to two (2) freestanding menu, or other similar signs, up to thirty-two (32) square feet each and a maximum height of six (6) feet may be permitted for drive-through businesses with one (1) stacking lane.

(B) Drive-through businesses with more than one (1) stacking lane shall be allowed one (1) freestanding menu sign, or other similar sign, up to thirty-two (32) square feet and a maximum height of six (6) feet, and one (1) freestanding menu sign, or other similar sign, up to twenty-four (24) square feet and a maximum height of six (6) feet, for each stacking lane.

(C) A maximum of two (2) freestanding menu, or other similar signs, shall be oriented toward each stacking lane for drive-through businesses.

(D) Automated car washes shall be allowed one (1) freestanding menu sign or other similar sign, up to twenty-four (24) square feet and a maximum height of six (6) feet, and one (1) pay station or kiosk, for each stacking lane.

(E) Menu signs shall be screened from view from adjacent properties and rights-of-way through the use of landscaping, earthen berms, walls, etc., to the maximum extent possible.

(F) Menu signs may be internally illuminated and utilize changeable copy.

(G) The area of the menu signs shall not be counted against the allowable sign area for the business.