



DATE: December 13, 2007

TO: PLANNING COMMISSION

FROM: Richard E. Patenaude, AICP, Principal Planner

SUBJECT: Text Amendment No. PL-2007-0586 – Initiated by the Planning Director – Request to Amend the Sign Ordinance to Permit Auto Dealers along Auto Row to Install Permanent Banners

Auto Row Is Located along Mission Boulevard between Highland Boulevard/Sycamore Avenue at the North and Harder Road at the South

RECOMMENDATION:

That the Planning Commission recommend the following to the City Council:

1. Find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15311, Class 11 (a), Accessory Structures; and
2. Approve the Text Amendment subject to the attached findings.

SUMMARY

The proposal is an amendment to the Sign Ordinance to allow auto dealers along Auto Row to install permanent advertising banners. Such banners, 16 to 28 square feet in size, could be placed along the Mission Boulevard frontage, no closer than 30 feet to another and mounted on permanent poles, most likely existing light poles. Smaller banners, 8 to 16 square feet, could be placed on poles within the interior of the properties. Currently, advertising banners, and other promotional displays, are limited to four 2-week periods, and four additional weekends, per year. Dealers that install the permanent banners would not be eligible to also install the temporary banners and displays. This banner program would be the first step in formalizing means by which a sense of place would be established for Auto Row, which would be intended to help boost sales for the dealers. Currently, approximately 11 percent of annual sales tax revenues allocated to the City are generated by new auto dealerships.

BACKGROUND

The City's General Plan calls to "concentrate new car dealerships within Auto Row" between Highland Boulevard/Sycamore Avenue and Harder Road. The Mission-Foothills Neighborhood Plan also encourages consolidation of Auto Row and recommends creation of gateway features.

A strong Auto Row allows for comparison shopping, joint advertising and a continued stream of sales tax revenues to support City services. In addition, for every foot of new car dealership frontage on Mission Boulevard, there are probably two feet of used car lots or auto service and accessorizing businesses that are somewhat dependent on the presence of the dealers. The advertising done by auto dealers also attracts business to these ancillary businesses.

As an economic segment, new auto sales, even at a record low during the second quarter of 2007, comprised 10.6% of the City's economy, with the City receiving \$2,808,009 from sales taxes. This was second only to the wholesale building material segment at 11%, at a record high. The City also received \$328,222 from sales taxes from used car sales.

The neighborhood plan also suggests that the attractiveness of Mission Boulevard for new investment could be increased by a City commitment to public improvements that would enhance the assets of Mission Boulevard. Staff has begun discussion regarding long-term methods by which the City could support the efforts of the auto dealers along Auto Row to attract business. Such efforts could ultimately include physical improvements such as entry monument signs, City-sponsored banners on the light poles (similar to the Downtown banner program), and special sidewalk and crosswalk paving. A short-term method could involve distinctive private signage.

DISCUSSION:

Staff met with the new auto dealers on October 15, 2007, to discuss potential City-sponsored efforts to enhance Auto Row and, thereby, the City's economic well-being. The dealers expressed the desire to install distinctive signage that would set apart Auto Row from other commercial areas of the City. As the industry becomes more competitive, especially during slow economic times, the Auto Row dealers find it difficult to go against the dealers in other cities that have better visibility. The dealers in Dublin, Fremont, Newark and San Leandro enjoy freeway-oriented locations with large, electronic signs directing shoppers to the next exit.

It is expected that the City's Sign Ordinance as a whole will be reviewed and amended over the next year. However, staff now proposes a banner program that would allow the Auto Row dealers to install permanent advertising banners along Mission Boulevard. The intent of such program is to support the policies of the General Plan and the Neighborhood Plan by creating a distinctive, exciting, but uniform, visual experience alerting shoppers that they are in Hayward's Auto Row. Currently, the temporary promotional signs allowed by the Sign Ordinance are installed on an individual basis and create a cluttered appearance. The current Ordinance provides no limits to the number of banners, pennants, balloons and other items displayed. And temporary promotional advertising is difficult to enforce especially regarding the length of installation and number of times displayed per year. Participation in this banner program would eliminate the clutter of the temporary displays and help to upgrade the overall appearance of Auto Row.

The proposed program would allow large banners (16 to 28 square feet) along the Mission Boulevard frontage, no closer than 30 feet to another. For example, this would allow a maximum of 15 banners along the Toyota dealer frontage. However, it is unlikely that the dealers would install new poles and would elect to install the banners on existing poles; the Toyota dealership has 11 luminaires along its frontage. Smaller banners (8 to 16 square feet) would also be allowed within the parking and auto display areas of the dealership properties. One of these banners would be allowed for every 400 square feet of parking area. It is likely that the existing placement of light poles would also further limit the number of small banners installed; the interior light poles on the Toyota property are spaced approximately 50 feet apart, which would provide a ratio closer to one banner per 2500 square feet.

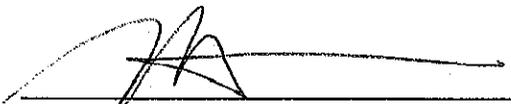
ENVIRONMENTAL REVIEW:

The proposed project is categorically exempt from environmental review pursuant to Section 15311, Class 11(a), Accessory Structures, of the California Environmental Quality Act (CEQA) Guidelines.

PUBLIC NOTICE:

On December 3, 2007, a notice of public hearing was mailed to every property owner and occupant as noted on the latest assessor's records within 300 feet of the Auto Row properties, and the Mission-Foothills Neighborhood Task Force. Additionally, copies of this agenda report were sent to the Auto Row dealerships. No comment has been received.

Prepared by:



Richard E. Patenaude, AICP
Principal Planner

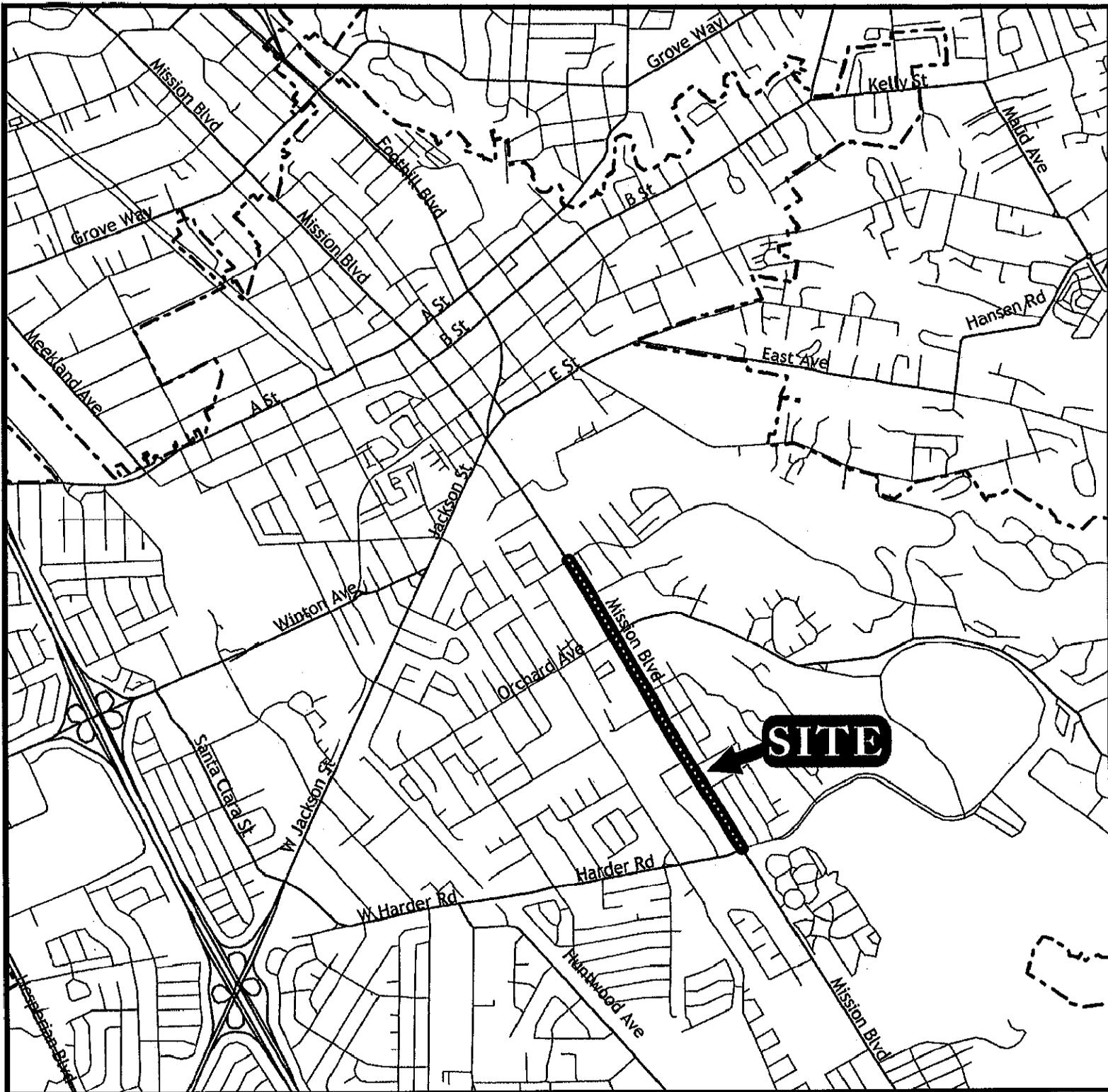
Recommended by:



David Rizk, AICP
Planning Manager

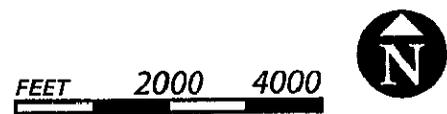
Attachments:

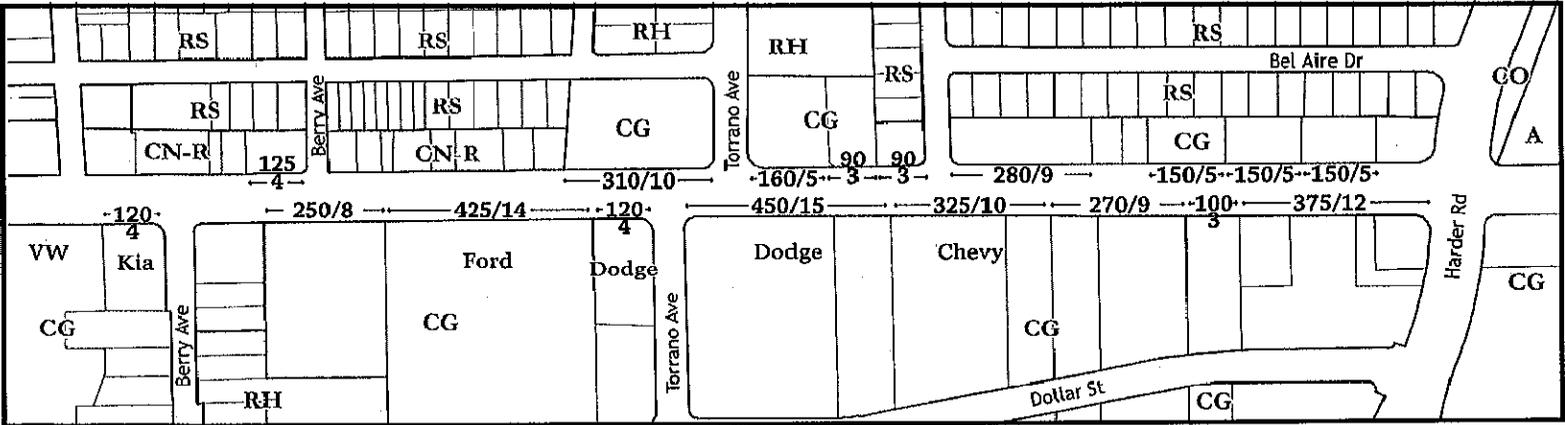
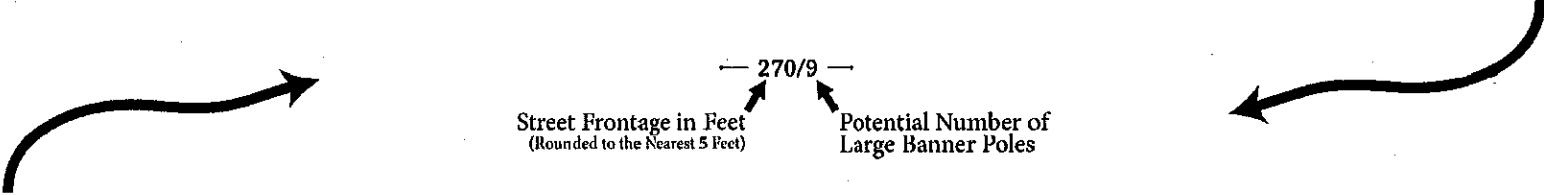
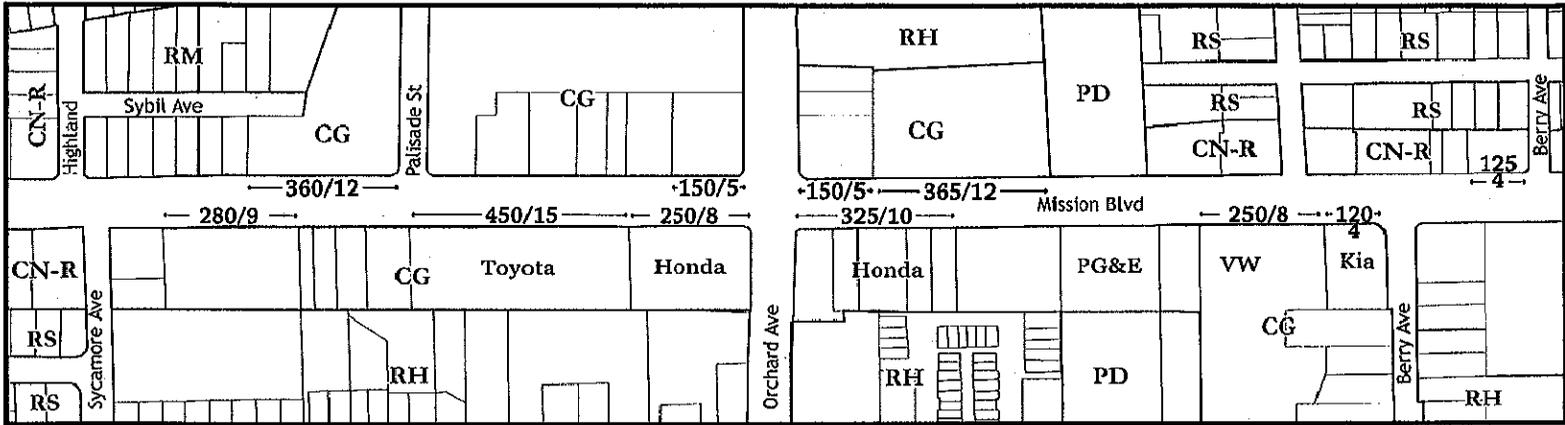
- A. Vicinity Map
- B. Auto Row Map
- C. Photosimulation
- D. Findings for Approval
- E. Proposed Text Amendment



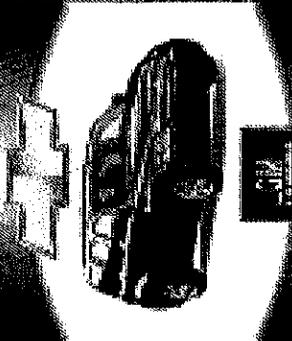
Vicinity Map

Hayward Auto Row
Mission Boulevard





**BUD ALLEN
CHEVROLET**



SALES

**BUD ALLEN
CHEVROLET**



ENTRANCE

FINDINGS FOR APPROVAL
Text Amendment Application No. PL-2007-0586
City of Hayward

**Request to Amend the Sign Ordinance Relative to Permit Auto Dealers
along Auto Row to Install Permanent Banners**

- A. Approval of the Text Change would not cause a significant impact on the environment and is categorically exempt from review pursuant to the California Environmental Quality Act Guidelines, Section 15311, Class 11(a), Accessory Structures;
- B. Substantial proof exists that the proposed changes will promote the public health, safety, convenience and general welfare of the residents of Hayward in that the text changes are designed to support the General Plan and Neighborhood Plan strategies to concentrate new car dealerships within Auto Row and to create gateway features. A strong Auto Row would benefit the community by allowing for comparison shopping and continued vitality of the City's economy;
- C. The proposed change is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans in that the General Plan calls for concentration of new car dealers within Auto Row, the Mission-Foothills Neighborhood Plan calls for consolidation of Auto Row and the creation of gateway features, and the Zoning Ordinance encourages the establishment of new car dealers by not requiring a use permit within Auto Row;
- D. Streets and public facilities existing or proposed are adequate to serve all uses permitted when the amendment is adopted in that the amendment does not propose any change to the type of uses permitted and the Off-Street Parking Regulations provide specific requirements with regard to number of parking spaces required for uses as modifications are made to the dealership properties; and
- E. All uses permitted when the amendment is adopted will be compatible with present and potential future uses as the amendment does not propose any change to the type of permitted uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations in that the banners would provide a means by which Auto Row would be recognized as a distinctive and economically important feature of the City.



SEC. 10-7.402 REGULATIONS BY USE

(a) Auto Dealerships

[Existing Text]

Proposed New Text:

Auto Dealership Banners

(a) Purpose. The purpose of allowing banners for automobile retail establishments located in the CG zoning district along Mission Boulevard, generally between Sycamore Avenue/Highland Boulevard and Harder Road, is to recognize the distinctive requirements of this form of retail and to foster a unified image of a Hayward “auto row.” Uniform banners strengthen the collective impact of display and advertising for auto retail along Mission Boulevard, in a manner that is attractive, compatible, and safe, and enhances the streetscape and the economic well-being of the city.

(b) Automobile Retail Establishment Defined. “Automobile retail establishment” means an establishment whose primary use of a building or property is for outdoor display and sale of new or used automobiles, trucks, vans, motorcycles, trailers or recreational vehicles. The term does not include establishments for which the sale of vehicles is an incidental use, such as rental car agencies.

(c) Banner Defined. “Banner” means a non-permanent sign, made of durable fabric, fastened from the top and bottom to a ground-mounted pole or similar structure on private property. “Large banners” may be located within 10 feet of the property line adjacent to Mission Boulevard. “Small banners” may be located elsewhere within parking and auto display areas.

(d) Banner Permits and Requirements. The Director of Community and Economic Development (Director) may approve a banner permit in accordance with the regulations and criteria set forth in this section and may impose such other reasonable conditions as may be deemed necessary in the public interest. The following regulatory standards are required conditions for any banner:

(1) Location. The entire banner shall be located on private property, outside of vision triangles of motorists and shall not extend into or be allowed to move into the public right-of-way.

(2) Quantity. Each property may display a maximum of one “large” banner for every 30 lineal feet of street frontage. Each property may display a maximum of one “small” banner for every 400 square feet of parking and auto display area.

(3) Size. Each "large banner" shall be a minimum of 16 square feet and a maximum of 28 square feet. Each "small banner" shall be a minimum of 8 square feet and a maximum of 16 square feet. All banners of the same type on a property shall be the same size.

(4) Distance Between Banners. No banner shall be located closer than 10 feet to another banner.

(5) Height. The bottom of each banner shall be at least 8 feet and not more than 12 feet above the surface below it. All decorative banners located on a property shall be the same height.

(6) Materials. Banners shall be of durable fabric intended for outdoor use such as altrafab, pryatone, sunbrella or similar quality fabric. Non-fade inks shall be used on the banners.

(7) Hardware. Brackets for mounting the decorative banners to poles shall be of high quality such as stainless steel banding with fiberglass arms which can flex with the wind.

(8) Maintenance. Banners shall be promptly replaced when ink fades or fabric tears, frays or fades. Hardware shall be replaced or repaired when damaged or twisted. All banners shall be fastened to keep taut and shall not be loose or floppy.

(9) Promotional Signs. The possession of a sign permit for Auto Dealership Banners would prohibit the installation of temporary promotional displays on the same property.

(e) Permit Application. An application for a sign permit shall be made on a form supplied by the Director of Community and Economic Development (Director) and initiated by owners or agents of automobile retail establishments. The application shall be accompanied by the required fee, as adopted by resolution of the City Council. Along with demonstrating that all of the above required conditions of approval have been met, the following information shall be submitted to the Director in conjunction with an application for a permit:

(1) Site plan for the automobile retail establishment, indicating quantity, location and height of banners for the property;

(2) Color drawings showing banner design, including colors, materials, hardware and size;

(3) Explanation of duration of display of the banners that are requested.

(4) Additional information, as determined by the Director may be required.