REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Staff Report
April 3, 2007

Honorable Mayor and
Members of the City Council

Title: Interim Ordinance relating to tethered inflatables for model home complexes (M07-007)

Location/Council District: Citywide

Recommendation: 1) Adopt a **Resolution** approving the Environmental Exemption per the California Environmental Quality Act Section 15061 (b) (3); and 2) Adopt the Interim **Ordinance** allowing tethered inflatables for model home complexes

Contact: Chris Dougherty, Assistant Planner, 808-5680; Joy Patterson, Principal Planner, 808-7158

Presenters: Not applicable

Department: Development Services

Division: Current Planning

Organization No: 4881

Description/Analysis

Issue: Councilmember Tretheway requested staff to investigate and report back to the City Council on an interim ordinance that would allow new subdivisions with homes for sale to have a tethered inflatable, or fixed balloon sign, to assist in directing people to the model homes for the subdivisions. New subdivisions are most often located in newer areas of the City which haven't been mapped and do not have all the street signs in place. In addition, because the subdivision is a construction area, streets are often temporarily blocked, also making it difficult to maneuver in the area.

The Zoning Code currently allows sales offices for new subdivisions and model home complexes on a temporary basis subject to meeting the development standards of the code (Title17.24.050.48). The permit is good for two years and can be renewed for additional one year periods. Upon expiration of the model home complex/temporary sales office permit or upon completion of the sales at the site, all temporary paving, parking, and other temporary improvements are required to be removed and the property reverted back to a use permitted in the zone (typically a single family home). While signage is permitted for a model home complex, the sign regulations of the City Code currently do not permit fixed

balloon signs within the City.

Staff has prepared an interim ordinance (Attachment 1) that would permit one temporary fixed balloon in conjunction with the permit for the temporary sales office or model home complex. The non-illuminated balloon would be restricted in size, height and would only be permitted to be flown on Fridays, weekends and recognized City holidays and when weather conditions were appropriate. The interim ordinance would be in effect for a year period. This would allow staff to evaluate the impact of the balloon on surrounding land uses as part of the sign ordinance update and also evaluate whether or not the fixed balloon would be appropriate for other land uses on a temporary basis.

Policy Considerations: The proposed interim ordinance is consistent with the City's Strategic Plan Area of Economic Development.

Committee/Commission Action: This was heard at the Law and Legislation Committee on March 20, 2007. The Committee suggested changes to the ordinance regarding specific hours and limiting the size of the balloons. These are incorporated in the ordinance.

Environmental Considerations: The proposed interim ordinance is not considered a project and therefore has no potential for an effect on the environment as stated by the provisions of the California Environmental Quality Act (Section 15061 (b) (3)).

Rationale for Recommendation: This interim ordinance to allow tethered inflatables will assist potential home buyers in locating model home complexes in new subdivisions.

During the one (1) year the proposed interim ordinance would be in effect staff will be able to evaluate the impact of the fixed balloons on surrounding land uses as part of the sign ordinance update and also evaluate whether or not the fixed balloon would be appropriate for other land uses on a temporary basis.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

April 3, 2007

Respectfully Submitted by: _____
David Kwong
Planning Manager

Approved by: _____
William Thomas
Director of Development Services

Recommendation Approved:

_____
Ray Kerridge
City Manager

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RESOLUTION NO.

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (ZONING CODE AMENDMENT RELATING TO TETHERED INFLATABLES FOR MODEL HOME COMPLEXES (M07-007)

BACKGROUND

A. The City of Sacramento's Environmental Planning Services has reviewed the ordinance relating to tethered inflatables for model home complexes and has determined the proposal is exempt from review under the California Environmental Quality Act as follows:

1. The proposal is exempt under the following provisions of the California Environmental Quality Act (CEQA) Guidelines: Section 15061 (b) (3);

2. The factual basis for the finding of exemption is as follows:

   Exemption 15061 (b) (3) consists of an activity covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. However, specific projects requiring entitlement approval will be brought back to the Zoning Administrator for authorization to proceed with actual construction/development plans of the proposed project. At the time of final action, appropriate CEQA environmental review documentation will also be completed for each specific project and brought forward to the Zoning Administrator.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council has reviewed and considered the Environmental Planning Services determination of exemption and the comments received at the meeting on the Project and determines that the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

Attachment 2

ORDINANCE NO.

Adopted by the Sacramento City Council

AN INTERIM ORDINANCE ESTABLISHING SPECIFIC REGULATIONS PERTAINING TO TETHERED INFLATABLES FOR MODEL HOMES (M07-007)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. The City Council of the City of Sacramento finds and declares as follows:

A. There has been interest in allowing a different type of directional signage for model home complexes. Model home complexes are often difficult to find as they are in new areas that may not be mapped or have street signs.

B. A one (1) year interim ordinance will allow the City of Sacramento to measure the impacts of tethered inflatables on surrounding land uses and allow staff to evaluate whether this type of directional device is appropriate for this type of land use and for other temporary uses.

SECTION 2.

A. Notwithstanding the provisions of section 15.148.720, which prohibits the use of fixed balloons as signs, the use of one fixed balloon may be approved as part of a model home complex temporary sales office permit under Section 17.24.050(48) of the Sacramento City Code, subject to the following development standards:

(1) A fixed balloon may be approved only for model homes in new housing developments.

(2) Only one (1) fixed balloon shall be allowed for a housing development.

(3) The maximum size of the fixed balloon shall be ten feet (10') in height by fifteen feet (15') in length by ten feet (10') in width.

(4) No pennants, banners, or other materials of any nature shall be attached to the cord or rope of the fixed balloon.

(5) The fixed balloon shall not be illuminated.

(6) The fixed balloon may be used only between the hours of 10:00 AM and 6:00 PM on Fridays, Saturdays, Sundays and holidays recognized by the City of

Sacramento.

(7) The fixed balloon shall not be flown when wind speeds are in excess of fifteen (15) miles per hour.

(8) The height of the fixed balloon when aloft shall not exceed fifty (50) feet from the ground.

SECTION 3.

This ordinance is enacted by the City Council as an interim ordinance. It is anticipated that permanent, comprehensive regulations governing fixed balloons as signs, consisting of amendments to Title 15 of the City Code, will be considered for adoption within one year, and that this interim ordinance will be repealed at that time.