

CITY COUNCIL COMMITTEE

SPECIAL MEETING

HOUSING & ECONOMIC DEVELOPMENT

Dan Helix, Chair

Ron Leone, Committee Member

4:45 p.m., Monday, September 28, 2015

(Please note earlier start time)

**Building D, Permit Center Conference Room
1950 Parkside Drive, Concord**

- ANNOTATED AGENDA -

ROLL CALL: All present

STAFF PRESENT: John Montagh, Economic Development and Housing Manager; Laura Simpson, Planning Manager; Afshan Hamid Associate Planner; Jovan Grogan, Deputy City Manager, and Victoria Walker, Director of Community and Economic Development

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COMMITTEE: None

PUBLIC COMMENT PERIOD: None

1. **DISCUSSION** – of Changeable Electronic Variable Message Signs (CEVMS). Report by Afshan Hamid, Associate Planner.

ACTION: Afshan Hamid provided an update on the H&ED Committee's request for Changeable Electronic Variable Message Signs (CEVMS). It is a multi-faceted issue that needs to consider benefits and impacts. Benefits to the City may include: 1) new opportunities for promotional and/or commercial advertising for local businesses; 2) Public Service Announcements (PSA) of public safety, branding, tourism and downtown events, in limited quantities and timeframes, through a licensing agreement; 3) an annual fee to the City; and 4) utilizing the sign as a gateway feature for the City of Concord. The Concord Municipal Code, prohibits freeway signs and Section 18.180.080 (C) prohibits electronic message display signs and variable intensity. This code section also prohibits Brilliant Lights (18.180.080 D), any sign with brilliant lighting that conflicts or interferes

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with traffic, both vehicular and pedestrian, from a public safety standpoint or affects adjacent properties. Ms. Hamid cited legal concerns such as freedom of expression and the First Amendment, where sign ordinances may regulate the time, placement and manner of signage only. The City's current sign regulations allow on-site, which are signs to direct attention to a business or service on the property where the sign is placed, such as a shopping center entrance sign. The sign code currently prohibits off-site or off-premises signs, which direct attention to a business, etc. at a location different from where the sign is located, such as billboards. If a CEVMS is leased on a private property, the sign would allow any commercial business in any location to promote and advertise, thus becoming an off-premise sign which is currently not allowed. Research on driver distraction and safety was cited, with Caltrans 2012 Study and a PAS report through American Planning Association. In terms of Economic Benefits, within Constitutional free speech protections, the sign may advertise all competitive businesses, retail and products, including those from surrounding and distant communities.

Policy Issues:

If a CEVMS were to move forward, the larger issues of public policy to address are:

- Does the proposed CEVMS meet the purpose of the sign regulations?
- Allowing an off-premise sign on a private leased property.
- Regulation of content.
- Legal concerns of equitability.
- A public gateway sign on a private property.
- Evaluating the sign from a safety and traffic perspective.

Staff contacted or visited local communities to better understand the aesthetics, location, and types of freeway-oriented signs. Two communities visited were Benicia and Martinez. Both communities recently approved digital signs along the I-680 north in the industrial parkway zoning district. The sign has a static Benicia City logo topping a CEVMS. Staff observed eight changing images in this CEVMS with commercial advertisements from non-Benicia communities. Pleasant Hill, Walnut Creek and San Ramon prohibit electronic signs and billboards as of right.

Ms. Hamid commented that if a sign amendment proceeds, notice must be given within a 500 foot radius including residential districts. Input on this issue would be needed from residents in City of Pleasant Hill and the City of Concord through public hearings at the Planning Commission.

Committee Member Ron Leone stated that the idea for a CEVMS was his brain child and he was interested in showcasing local events and branding the City of Concord. He was also interested in pursuing it with limited and regulated Cal-Trans approval so that Pleasant Hill does not pursue one. Chairman Dan Helix cited safety concerns with driver distraction. He applauded Committee Member Ron Leone's initiative, however based on research he was not in support of pursuing a CEVMS further. He has seen several in Southern California, and commented that the changing signs are distracting. He would

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prefer to have driver's focused on driving and would not like to see this move forward to full Council.

2. **DISCUSSION** – of Early California Architecture for the Downtown. Report by Joan Ryan, Senior Planner.

ACTION: Joan Ryan presented a report sharing the background of the Downtown Specific Plan, a summary of the current design guidelines and the reasoning behind the implementation strategy included within the plan to further explore the Early California theme. She then introduced Afshan Hamid, Associated Planner, who provided a powerpoint presentation providing a brief history of the mixture of architectural influences that have combined over time, resulting in a variety and melding of architectural styles within California. These influences have included Spanish Revival, Monterey Colonial, Victorian, and Mission Revival architectural styles. Each of these styles has representations within Concord and she highlighted those buildings within the downtown and North Todos Santos district. Staff then requested the Committee's input and direction as to how to move forward to better define this issue in terms of: 1) a preference for more defined architectural design guidelines or standards; 2) the geographic boundary for which projects should be subject to such guidelines or standards; and 3) the type of development thresholds that would be subject to the guidelines or standards.

The Committee discussed the core downtown as a jewel where they would like to see the past reflected. One graphic was provided to staff noting a desire for historical street signs. The Committee indicated a desire to take the next step in establishing a core district and linking that with BART. The Committee noted there may be federal grants available for a tram to improve transportation options and encourage walking. The Committee indicated they are interested in the input of the public, particularly developers in crafting guidelines or standards and invited their comments.

Members of the public provided input and emphasized the need for flexibility, and the desire for variety to provide attractive curb appeal. They stated the need for awareness of cost considerations in preparing any guidelines or standards and requested the need for a clear process for review of projects. They recommended a scaled gradient, where requirements are more substantial in the core downtown around Todos Santos Plaza and reduced as you move away from the core. One caution was to remove roadblocks and reduce costs to renovation/remodels or there is the risk of buildings becoming decrepit.

The Committee provided direction to staff as follows:

- The need to establish boundaries with the immediate area surrounding Todos Santos Plaza as the central focus, along with the primary street corridors and requested staff return with recommended boundaries for an inner core vs. the outer core.
- The need for flexibility in implementation of design guidelines, respecting a variety of styles, and clarifying the process for review.
- The need to respect cost considerations, including a hierarchy of guidelines for the inner vs. outer core and establishing some type of incentive program for revitalization.

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- The need for sketches as well as pictures to represent desired architectural elements.
- The desire to create a transit corridor between BART and Todos Santos Plaza to improve traffic connectivity, with a tram or similar to move people quickly from BART.

3. **ADJOURNMENT** at 6:45 p.m.

Reviewed by:



Jovan Grogan, Deputy City Manager

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