Council Chambers 300 First Street Woodland, California

December 5, 1995

The Woodland City Council convened a special session at 6:15 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall for a Conference with Labor Negotiator regarding General Services Unit, Mid-Management Association, Confidential Employees, Management Employees and City Manager (Government Code Section 54957.6). Council Members present at the meeting were: Sandy, Borchard, Flory, Rominger, Slaven; Council Members absent: None. City Manager Kris Kristensen and Assistant City Manager Kristine James also attended the closed session but left prior to adjournment.

Council adjourned the closed sessions and the special session at 7:08 p.m.

The Woodland City Council met in regular session at 7:10 p.m. in the City Hall Council Chambers.

#### PLEDGE OF ALLEGIANCE:

Mayor Sandy opened the meeting and invited everyone present to join him in the pledge of allegiance to the Flag of the United States of America.

#### ROLL CALL:

COUNCIL MEMBERS PRESENT: Sandy, Borchard, Flory, Rominger, Slaven

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, Siprelle, Wegener, Vicars, Bryan, Smith,

Ahlgren, McDuffee

#### CITY MANAGER ANNOUNCEMENT:

The City Manager announced that the Council met in closed session from 6:15 p.m. until 7:08 p.m. for a conference with Labor Negotiator (Government Code Section 54957.6). He said no Council action was taken at the meeting.

# MINUTES:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the minutes for the adjourned Council meeting of October 25, 1995, and regular Council meeting of November 7, 1995, as prepared.

#### COMMUNICATIONS:

1. From Richard Hoppin of Hoppin & Hoppin, Inc., a claim against the City was received on behalf of Robert and Arlene Bell. The claim is for breach of agreement and/or inverse condemnation, and the City Attorney's office recommended that the Council reject the claim and refer it to them.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against City filed on behalf of Robert and Arlene bell and referred the claim to the City Attorney.

2. From Michael P. Tucker a letter was received concerning the amended home occupation portion of the City Zoning Ordinance and the modification of homes for business purposes. The Community Development Director recommended that Council refer this letter to staff for review. The matter will be considered by the Planning Commission at a later date and then referred back to the City Council. Mr. Tucker will have an opportunity to express his concerns at the Planning Commission and Council meetings.

The Council referred the letter from Michael Tucker to staff.

# **COMMITTEE REPORTS:**

- 1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board meetings of October 2 and 23, 1995.
- 2. From Assistant City Manager Kristine James a report was received transmitting the minutes of the Public Access meeting of October 9, 1995.

From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Historical Preservation Commission meeting of November 8, 1995.

- 4. From Director of Public Works Gary Wegener a report was received transmitting the minutes of the Tree Commission meeting of November 13, 1995.
- 5. From George Ahlgren, Acting Director of Parks, Recreation and Community Services a report was received summarizing action taken at the Commission on Aging meeting of November 14, 1995.
- 6. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of November 16, 1995, as follows:
  - a.Commission approved the building elevations for the Wal-Mart store at 1716 East Main Street. The only item remaining which requires Planning Commission approval is the comprehensive sign plan.
  - b.Commission approved a tentative map for 433 and 437 Johnston Street which allows an existing duplex to be converted to a split lot duplex.
  - c.Commission made findings, in accordance with Government Code Section 65402,

that the acquisition of property bounded by Fifth Street, Sixth Street, Lincoln Avenue and Oak Avenue for a police station would be consistent with the General Plan.

- 7. From the Community Development Director a report was received transmitting the minutes of the Downtown Parking Committee meeting of November 17, 1995.
- 8. From the Director of Public Works a report was received transmitting the minutes of the Committee on County Road 101/Gibson Road Traffic Issues meeting of November 20, 1995.

#### **PUBLIC COMMENT:**

Council Member Steve Borchard read a statement pointing out that everyone has an equal opportunity to come before the Council and voice their opinion, and he encourages this. He commented on an editorial in the November 26, 1995 edition of The Daily Democrat pertaining to the method of funding backlogged road maintenance and the Woodland City Council's "so-called error" in deferring a tax assessment district and the start of study into a sales tax.

Council Member David Flory invited members of the community to attend the December 9, 1995 Christmas Parade.

#### PRESENTATION - WOODLAND STREET CRUISERS:

Manuel Arteche of Woodland Street Cruisers presented the Council with a check in the amount of \$4,000 to reimburse a portion of City costs incurred in the 1995 Cruise Night program.

#### PRESENTATION - YOLO LITERACY COUNCIL:

Linda Nield, Yolo Literacy Coordinator, presented the Council with a check in the amount of \$16,000 from the Yolo Literacy Council as its share of the 1995-96 budget for the Woodland Library Literacy Service. She updated the Council on Literacy Service grants and projects.

#### PROCLAMATION - DRUNK AND DRUGGED DRIVING PREVENTION MONTH:

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council proclaimed December 1995 as Drunk and Drugged Driving Prevention Month in Woodland.

Mayor Sandy presented the proclamation to Police Chief Russ Smith.

#### HEARING - APPEAL OF KUNZ OUTDOOR ADVERTISING:

Mayor Sandy said the only public hearing scheduled is to consider an appeal filed by Kunz Outdoor Advertising regarding the Planning Commission's denial of a variance and conditional use permit for an off-premise sign north of Dr. Claassen Way, west of I-5 and east of State Route 113.

Senior Planner Colleen McDuffee said on October 19, 1995, the Planning Commission denied on a 4-2 vote Kunz Outdoor Advertising's application for a new offpremise sign that would be located along Interstate 5. She said the Council received a map of the location and the Planning Commission staff report. The reason a use permit was required is that all billboards in the industrial zone are a conditional use, thereby requiring a use permit. She said in addition there are certain criteria the billboards have to meet. One of the criteria is that any new billboard must be located at least 1,000 feet from any existing billboard. This particular billboard, she said, will only be located 975 feet from an existing billboard. For that reason, in addition to the use permit the project needed approval of a variance. She said the 1,000 foot space requirement is a new regulation. In 1994 the Council made several amendments to the Zoning Ordinance concerning off-premise signs or billboards. Prior to 1994 that space requirement had only been 500 feet. At the October 19 meeting the Planning Commission denied both the variance and the conditional use permit because the Commission felt that approval would not be in keeping with the intent of the 1994 amendments. That intent was to limit the number of new billboards that could be located on the freeway. Commission's action an appeal was filed by Tom Flanagan of Kunz Outdoor Advertising. The appeal states why he requested that the Council overturn the Planning Commission's decision. She said he feels the variance is so small (25 feet) that the Council could approve the variance and still meet the intent of the 1994 amendments. Mr. Flanagan had pointed out that the 1,000 spacing requirement could be achieved if a City drainage ditch did not exist along the northern boundary of this property. She said in the event the Council does overturn the Planning Commission action, Mr. Flanagan has also raised the issue of landscaping. One of the 1994 amendments to the Zoning Ordinance stated that whenever the ground plane of the adjacent roadway where the billboard was to be located is visible from the freeway (Interstate 5), landscaping requirements should be considered during the use permit process.

She said staff's position is that if the Council considers the billboard tonight, the Council should consider whether it would like to have landscaping installed. She said Mr. Flanagan in his letter indicated he would be opposed to installing the landscaping because the cost was prohibitive. His position is that the ground plane of the property would not be visible and that requirement should not come into play. Staff recommended that Council uphold the Planning Commission action. Responding to a question from Council Member Borchard, she said that staff is proposing that landscaping would consist of trees that would grow about as high as the billboard but not higher and some shrubs, such as Oleanders and other low maintenance, drought tolerant landscaping. The landscaping would have to be watered the first couple of years and thereafter would be drought tolerant. She said a significant cost would be bringing the water line to the billboard.

Mayor Sandy opened the public hearing.

Tom Flanagan, appellant, said Kunz outdoor Advertising explained their appeal of the October 19, 1995 Planning Commission denial of their application for a conditional use permit and variance to locate a single face off-premise sign, 975 feet from an existing sign. He said they do not agree with the Planning Commission's split decision denial, and hoped the City Council would approve its application. He said they do not feel it was ever the intent of the Council to totally prohibit off-premise signs along Interstate 5. The intent was to have a greater separation between signs within the City. At the time of the 1994 amendment to the sign ordinance the I-5 corridor between County Road 101 and East Street was identified as the only area possible for future sign development. The existing separation between signs was doubled from 500 to 1,000 feet. adoption of the 1,000 foot separation, Caltrans has designated the I-5 corridor between East Beamer Street and the State Route 113 overcrossing and East Street as landscaping. He said this does not allow for the issuance of State permits for outdoor advertising therefore shutting that area down completely. Within this limited area, he said, they have the only sign site that approximates meeting the 1,000 foot standard. With the exception of the 25 foot variance the proposed display conforms completely to the letter of the sign ordinance and the State Outdoor Advertising Act. He said granting the variance does not compromise the intent of the sign ordinance which is to have a greater separation between signs. A special circumstance exists wherein strict application of the 1,000 foot spacing requirement would result in depriving their property of privileges enjoyed by other properties in the same vicinity and zoning designation. A 40-foot drainage easement at the north end of their property prevents the required 1,000 foot spacing. He said as staff pointed out the infrastructure to support landscaping is not available. The estimate to install even meager landscaping would double the cost of their project. He said the grade below the proposed display is four feet lower than the traveled way of I-5. The State Route 113 overcrossing immediately to the north of the site will prevent southbound travelers from any view of this sign or the area beneath the sign. The only view point for the sign is across the freeway from the northbound lanes of the freeway. He said that the fact that the sign ordinance states that landscaping shall be considered if the ground plane is visible gives the Council the latitude to waive landscaping that is so obviously unfeasible in this area. As the property is further developed in the future, he said Kunz would be willing to participate in a landscape project at that time.

Assistant City Ann Siprelle said there could be a condition added requiring Kunz to enter into a landscaping agreement at a certain point in time in the future. The agreement could be recorded to bind future property owners. She suggested that if the Council is inclined to go in that direction, Council could allow a break to give staff time to work out language with the applicant.

There being no further comments, Mayor Sandy closed the public hearing.

After discussion Council expressed support for granting the variance and directed staff to meet with Mr. Flanagan regarding the landscaping requirements. Mayor Sandy said the Council will consider action on the appeal later in the meeting.

## **REPORTS OF CITY MANAGER:**

#### **CONSENT CALENDAR:**

Council Member Borchard requested that the agenda item regarding landscape maintenance services be removed from the Consent Calendar. Mayor Sandy requested that the 1996 Community Service Award item be removed from the Consent Calendar.

On motion of Council Member Flory, seconded by Council Member Rominger and carried by unanimous vote, the City Council approved the following Consent Calendar items:

## ORDINANCE NO. 1279 - PRESIDING OFFICER:

The City Council introduced and the City Clerk read by title only Ordinance No. 1279, "An Ordinance of the City Council of the City of Woodland Amending Section 2-1-11 of Article 1 of Chapter 2 of the Woodland Municipal Code" (regarding presiding officer at Council meetings).

#### FIRE STATION NO. 2 ROOF REPLACEMENT:

The City Council rejected the bids received for the replacement of the roof at Fire Station No. 2 (northeast corner of El Dorado Drive and West Street).

#### RESOLUTION NOS. 3923 THROUGH 3927 - HEALTH PLAN:

The City Council adopted: (1) Resolution No. 3923 authorizing the City of Woodland to enroll employees in the Mid-Management Association into the CalPERS Medical Plan; (2) Resolution No. 3924 authorizing the City of Woodland to enroll employees in the Management Unit into the CalPERS Medical Plan; (3) Resolution No. 3925 authorizing the City of Woodland to enroll employees in the Confidential Unit into the CalPERS Medical Plan; (4) Resolution No. 3926 authorizing the City of Woodland to enroll the City Manager into the CalPERS Medical Plan; and (5) Resolution No. 3927 authorizing the City of Woodland to enroll members of the City Council into the CalPERS Medical Plan.

#### BID AWARD - SWIMMING POOL COVERS:

The City Council awarded the bid for nine (9) swimming pool covers to MacBall Industries from Oakland, California, in the amount of \$10,027.88.

#### BID AWARD - TAR POT FOR SEALING CRACKS IN ROADS:

The City Council awarded the bid for a self-contained 60-gallon crack

filler/melter to Brewer Cote Southwest from Modesto, California, in the amount of \$15,347.48.

#### **REGULAR CALENDAR:**

## 1996 COMMUNITY SERVICE AWARD PROCESS:

The City Manager asked the Council if they wanted any changes to the process for selecting the 1996 Community Service Award recipients. He asked that Council Members submit names of persons to serve on the nominating committee at the December 19 Council meeting.

Mayor Sandy said he felt a need to encourage the nominating committee members to consider diversity in making the awards. There were no other Council comments on the process.

#### BID AWARD FOR LANDSCAPE MAINTENANCE SERVICES:

Council Member Steve Borchard noted that the staff report for the proposed bid award for landscape maintenance services indicates that the contract includes a requirement to pay employees of the contractor prevailing wage rates. He asked why.

George Ahlgren, Acting Director of Parks, Recreation and Community Services, said the City Attorney advised that the prevailing wage rates are required for this kind of contract. He said the City is currently paying entry level temporary park maintenance workers approximately \$10.00 to \$11.00 per hour, and the prevailing wage rate for a landscape laborer is about \$25.00 per hour.

The City Manager said the Governor's office and part of the executive branch of the State are considering rules which would change some of those prevailing wage provisions. He said they expect to make a decision on that in January. He said he was not certain how much of an effect it would have on the City's contract, but there is some desire on the Governor's part to lessen the requirement for adhering to prevailing wages in those types of settings.

Mr. Ahlgren said to protect the City, the contract includes language indicating that should prevailing wages be calculated differently the City would be able to benefit, and the City would have the ability to renegotiate the contract based on that precise calculation.

On motion of Council Member Borchard, seconded by Council Member Slaven and carried by unanimous vote, the City Council awarded the bid for public area landscape maintenance services (Bid #25-95-96) to Custom Landscape Maintenance in the amount of \$38,520.00 (one-year contract).

#### CITYWIDE SALES TAX INITIATIVE:

The City Manager said at the November 21 meeting Council asked that staff take in more information on the possibility of submitting a sales tax ballot measure to the voters in the near future as an alternative to road maintenance assessments. Council appointed Council Members Borchard and Slaven to assist staff in that effort. He said in contacts recently with the City Attorney's office and representatives of Assemblyman Hannigan's office it appeared that the City needed to get some kind of legislation through the State legislature and signed by the Governor in order to authorize the City to conduct such an election. He said the City has been advised that to enhance the City's chances of getting the legislation passed as soon as possible the City needs to have that legislation authored as the new session begins on January 2, 1996. He said that forces the City to make some types of decisions about what kind of sales tax would be appropriate. Staff met with a citizens group which sent the Council a petition on this matter and strongly supported the concept of advocating a general sales tax which has a fifty percent voter requirement. That desire was reemphasized at a meeting yesterday. The City got the initial indication from a representative of Assemblyman Hannigan's office that they were prepared to work with this community to get a general sales tax measure through the legislature. A similar request was made of State Senator Johannessen's office but apparently his staff was unable to attend yesterday's meeting. The recommendation from the group which met yesterday is that the Council seek some assistance from both legislators representing our area to author bills which would authorize the City to go to the voters with a general sales tax measure sometime in the not too distant future. The City Manager suggested that the City send some letters of a general interest in that topic out to the two legislators now so that the City can directly work with their staff and put together a piece of legislation along that line. City staff would then come back to the Council at the December 19 meeting with some specific language. He gave Council copies of a draft letter to get the process started.

Council Member Borchard said he felt the meeting yesterday went well with representatives of Assemblyman Hannigan's office, and he has had subsequent conversations with staff members of Senator Johannessen's office. Council Member Flory said the citizens who attended the meeting seemed determined to support the City in seeking this form of revenue.

Ken Reiff who attended the meeting said he spoke with Bob Davis of Senator Johannessen's office this morning, and he had to cancel at the last minute because an emergency came up. He said he would be supportive, and he would try to arrange a meeting with the Senator. He said they would be supportive of the general sales tax version. He said Elizabeth Huber was the representative of Assemblyman Hannigan's office.

Vice Mayor Rominger noted that the letters appeared to be specific with respect to the use of the sales tax revenue.

The City Manager said it is clear that the City cannot place iron-clad locks on what the money would be used for; however, that does not preclude the Council from listing examples of what types of uses the money might be put to. He said the purpose of the letter is to describe some of the potential uses for that money to show that it is not limited to just one use. He said the language could be revised to indicate examples of how the money would be used.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council directed staff to prepare letters with revisions proposed by the City Manager to Assemblyman Hannigan and Senator Johannessen requesting that they sponsor legislation to authorize a vote on a general sales tax initiative in Woodland.

## **POLICE STATION SITE PURCHASE:**

Police Chief Russ Smith said on October 17 Council directed staff to begin negotiations for the acquisition of the Wood property for a new Police Station site. The property owned by Jack R. Wood of Sacramento contains 3.161 acres and is bounded by Lincoln Avenue, Oak Avenue, Fifth Street and Sixth Street. He said he and the City Manager met with the owner and Mr. Fiske, the owner's agent (who was present at the Council meeting), and negotiated a purchase price of \$400,000 for the parcel. Jim Wirth who appraised the parcel was also present at the Council meeting.

Assistant City Attorney Ann Siprelle reviewed the changes to the purchase and sale agreement.

The City Manager said the City will receive a report prior to close of escrow on the status of the soil conditions assuring the City that the soil is within acceptable limits. With Council's approval tonight he said escrow will be opened tomorrow, and the City will deposit \$25,000 towards the purchase price and go forward. He said as the community is growing the City is collecting development fees which will pay for the cost of constructing the new police station which is attributable to new development. However, there is still a component that the existing community must pay in order to make that building a reality. He said the City will be up against a method of finding a way the existing community can pay its fair share toward completion of the project.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council approved an agreement with Jack R. Wood for the acquisition of 3.161 acres of property at 509 Fifth Street for the eventual construction of a new City Police Station.

#### RESOLUTION NO. 3928 - SOUTHEAST AREA INFRASTRUCTURE FEE:

Finance Director Margaret Vicars said the Council is being asked to consider adoption of a resolution increasing the Southeast Area Infrastructure Fee by the annual 4 percent inflation factor. She said when the fee was first implemented in 1993 the implementing resolution contained a requirement that the fee be increased by 4 percent every year to allow for the cost of inflation. The fee will become effective 60 days from this date which is approximately February 5, 1996.

On motion of Council Member Slaven, seconded by Council Member Borchard and carried by unanimous vote, the City Council adopted Resolution No. 3928, increasing the Southeast Area Infrastructure Fee by the 4 percent annual inflation factor.

#### GENERAL PLAN CONTRACT AMENDMENT:

The Community Development Director said the Council has previously authorized expenditures of \$183,000 for preparation of the draft Woodland Area General Plan and the draft Environmental Impact Report. The contract price did not include the preparation of the final document or the final EIR because staff did not know what the scope of that would entail. She said the City has exhausted the \$183,000 budget. In fact the work that Mintier and Associates have being doing up to this time has been at their own cost and their own time. She said they have expended about \$25,000 of their costs which were not chargeable to the City. In order to prepare the Final EIR and the Final Policy Plan which is Phase 6 of the scope of work, Mintier and Associates have estimated the cost of the work to be \$25,000. That estimate was before they received the comments on the EIR, and she said she hoped they could stay within the \$25,000 which would mean that staff would be doing some of the rewrite on the Policy Plan and Mintier and Associates would focus on the Final EIR. She said the Community Development Department budget contains \$25,000 for professional services which is used to cover any special studies, and this would cover the \$25,000. Additionally, she said her Department budget has salary savings from the Planning Technician position which is not filled at this time. She recommended the allocation of the \$25,000 and the amendment to the contract in order to complete the General Plan and the Final EIR with the provision that the total amount may exceed that.

Council Member Flory said it is unfair that the funds have to come from the Community Development Department Budget because that department is being penalized for savings.

The City Manager said the funds could be taken from the City's general fund reserves. He said it does not matter because the Community Development Department budget is also general fund money.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the City Manager to sign an amendment to the contract with J. Laurence Mintier and Associates for General Plan services in an amount not to exceed \$25,000 for the completion of the Final EIR and the Final Policy document.

# RESOLUTION NO. 3929 - MOBILE HOME RENT CONTROL RESTRICTIONS INITIATIVE:

Mayor Sandy said the City Council received a letter from Pat Mortensen asking the Council to take a position in opposition to the mobile home rent control measure to be on the March 26, 1996 primary ballot.

Bill Mortensen said his wife Pat was called out of town and he spoke on her behalf. He said they are residents of Leisureville Mobile Home Park, and he said two years ago mobile home park owners drafted an initiative which is being called a "fair or rental assistance initiative." He said the initiative is under the guise that they are going to support and aid persons who are residents of mobile home parks when in fact what they are proposing to do with the initiative is do away with all rent stabilization control ordinances throughout the State. The initiative has been assigned a proposition number, and that is 199. He said the residents at Leisureville had been facing rent problems which led to the residents initiating the purchase of the Park. He said they are members of the Golden State Mobile Home Owners League which is the tenant side of the mobile home park issue. He said there is one mobile home park in Southern California which recently experienced a \$400 per month rent increase. In Ventura a rent stabilization ordinance was passed, and these types of regulations will be entirely thrown out the window if Proposition 199 passes. He asked the Council to go on record opposing the Proposition.

On motion of Council Member Slaven, seconded by Council Member Rominger and carried by unanimous vote, the City Council adopted Resolution No. 3929 opposing the mobile home rent control restrictions initiative (Proposition 199) on the March 26, 1996 State-wide ballot.

# BOARD AND COMMISSION REAPPOINTMENTS AND APPOINTMENTS:

On motion of Council Member Borchard, seconded by Council Member Slaven and carried by unanimous vote, the City Council (1) reappointed the following persons for four-year terms ending December 31, 1999, except for Library Board which shall be a three-year terms ending December 31, 1998:

**Board of Building Appeals:** Charles Moore

**Commission on Aging:** Frank Cobos

**Library Board:** Bob Hollingsworth

Jane Sprague

**Parks and Recreation** 

**Commission:** Marlin Davies

Andree Taylor-Solano

Personnel Board: John Morris

**Planning Commission:** Paula Agostini

(2) appointed Rodney Hersom II to the **Traffic Safety Commission** for a term ending December 31, 1999; and (3) appointed Bill Bolinger to the **Tree Commission** for a term ending December 31, 1999.

Council appointed Council Members Flory and Rominger to interview applicants for Commission on Aging to replace LaMar Price. Council appointed two sets of interview panels for replacing Planning Commissioners Jan Hicks and Thomas Schwartz: (1) Council Members Flory and Borchard and (2) Council Members Sandy and Rominger. Council extended the deadline for receiving applications for Planning Commission to December 29, 1995. Council agreed Council Member Borchard and Mayor Sandy will interview applicants for Traffic Safety Commission to replace Wendell Shipman and Jack Potter.

## APPEAL OF KUNZ OUTDOOR ADVERTISING (Continued):

Assistant City Attorney Ann Siprelle gave Council proposed language for action on the conditional use permit for the off-premise sign (of Kunz Outdoor Advertising) west of Interstate 5 and north of Dr. Claassen Way.

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council

- (1) made the finding that the NDEIR for the Kunz Outdoor Advertising project is complete and adequate, that the project is not expected to generate any significant adverse environmental impacts and no further environmental assessment is required.
- (2) approved the proposed variance that would allow an off-premise sign to be built west of Interstate 5 and north of Dr. Claassen Way 975 feet from an existing off-premise sign where the Zoning Ordinance normally requires 1,000 feet with the following findings and conditions of approval:

## **Findings:**

- -This variance is subject to certain conditions as will assure that the adjustment shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity in that there are other off-premise signs in the same zone and vicinity that do not meet the 1,000 foot spacing requirement.
- -There are special circumstances applicable to the subject property and the strict application of the zoning regulation would deprive the property of privileges enjoyed by other properties in the same zone and vicinity in that the existence of the City's easement and storm drainage ditch precludes the sign from locating 1,000 feet from an existing sign.
- -The granting of this variance will be in conformity with the general purpose and intent of the Zoning Ordinance and General Plan in that off-premise signs are allowed as a conditional use in the Industrial Zone.
- -This variance is not granted for a parcel which authorizes a use or activity not otherwise expressly authorized by the zoning regulations governing this piece of property.
- (3) Approved a conditional use permit for an off-premise sign west of Interstate 5 and North of Dr. Claassen Way with the following findings and conditions of approval:

#### **Findings:**

- -The environmental assessment has been completed, an NDEIR has been certified, and no further environmental assessment is required.
- -The project is consistent with the General Plan designation of Industrial.
- -The project is consistent with the Zoning Ordinance in that an off-premise sign is allowed as a conditional use in the Industrial Zone and a variance has been approved for the project which allows the sign to locate 975 feet from an existing sign.

## **Conditions of Approval:**

The Applicant shall:

- 1. Secure approval and satisfy requirements of all agencies of jurisdiction.
- 2.Pay a \$25 fee for the "De Minimis" finding within for working days. The \$25 fee

shall be in the form of a check made out to Yolo County but shall be delivered to the Community Development Department within for working days of Planning Commission action on the environmental assessment.

- 3.The sign post and other structures shall be painted. The Community Development Department shall approve the color of paint.
- 4.Install 320 square feet of drought tolerant landscaping around the sign to the satisfaction of the Community Development Department. Submit and receive approval of a landscape and irrigation plan prior to installation of any landscaping. Landscaping shall be installed at such time as a building permit is issued for the development on the remainder of the parcel. This condition shall be documented by a recorded amendment to applicant's lease.

# **FUTURE MEETING AGENDA ITEMS:**

Vice Mayor Rominger requested a future meeting agenda item regarding upgrading the sound system in the Council Chambers.

#### ORDINANCE NO. 1278 - CEMETERY REGULATIONS:

At 9:05 n m, the meeting was adjourned

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous roll call vote, the City Council adopted and read by title only Ordinance No. 1278, "An Ordinance of the City of Woodland Adding Section 15.50 to Chapter 15 of the Woodland Municipal Code Relating to Cemeteries."

#### **ADJOURNMENT**:

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