

Folsom City Council Staff Report

MEETING DATE:	1/9/2024
AGENDA SECTION:	Public Hearing
SUBJECT:	Resolution No. 11139 - A Resolution to Adopt an Addendum to the Folsom Plan Area Specific Plan EIR/EIS and Approve a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area.
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council adopt Resolution No. 11139 - A Resolution to Adopt an Addendum to the Folsom Plan Area Specific Plan EIR/EIS and Approve a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area.

BACKGROUND / ISSUE

The applicant, TK Consulting, Inc., is requesting approval of a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) in order to add "Electronic Readerboard Sign" as a conditionally permitted use in the Regional Commercial Planned Development District (SP-RC-PD). Specifically, the applicant is proposing that the Specific Plan Amendment only apply to Parcel 61 (APN No. 072-3190-052) which is located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area. In addition, the Specific Plan Amendment would allow for only one double-sided electronic readerboard sign to be placed on Parcel 61. No additional electronic readerboard signs would be permitted on Parcel 61 or elsewhere in the Folsom Plan Area.

Shown in the tables below is the proposed modification to FPASP Table A.7 (Transportation, Communication, Infrastructure):

TABLE 1: FPASP TABLE A.7 (TRANSPORTATION, COMMUNICATION, INFRASTRUCTURE) MODIFICATIONS

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Health Care Facility UP NP P UP P		P	P					Conversion (M)
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Medical Services Minor P		NP	NP					
Office-Business, Service or Government P								4
Office-Headquarters or Processing UP UP P		P					- F	
Office-Professional. Administrative P								
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Notes:

- Light manufacturing includes but is not limited to clean, non-toxic uses such as office centers, research and development facilities, warehouse and distribution centers and other similar uses located in a low intensity, landscaped setting.
- 2. Personal services are defined intellectual or manual work performed by a service provider in serving a customer (for example, consulting services, massage therapy, weight counseling, personal concierge services, etc.).
- 3. Major medical services are defined as services requiring in-patient hospitalization or other services that require acute medical attention.
- Minor medical services are defined as out-patient services including but not limited to Lasik surgery offices, dentistry offices, same day clinics, medical offices, etc.
- 5. Child care facilities connected to office/professional businesses will be considered as an ancellary use.
- 6. SP-GC (Parcels 77, 78 & 85A) and SP-RC (Parcel 61) only.
- 7. Consistent with the SP-MLD development standards.
- 8. Applies to SP-RC-PD Parcel 61 only. Maximum one sign; Conditional Use Permit required.

The proposed project was considered by the Planning Commission at its November 15, 2023 meeting. The Commission engaged in a thorough review of the proposed Specific Plan Amendment including discussions regarding existing sign regulations, implications associated with the proposed Specific Plan Amendment, sign location and sign design, potential sign impacts, Caltrans requirements, and potential sign advertising revenue.

In relation to existing sign regulations, the Commission inquired about the existing regulations regarding placement of an electronic readerboard sign along U.S. Highway 50. City staff explained that the Folsom Municipal Code currently requires approval of a Conditional Use Permit to place an electronic readerboard sign adjacent to U.S. Highway 50, while also requiring removal of two existing billboard signs located along the freeway. Staff noted that the Folsom Auto Mall and Palladio at Broadstone had each received approval of a Conditional Use Permit from the Planning Commission for construction of their respective freeway-oriented electronic readerboard signs. City staff also stated that the purpose of the proposed Specific Plan Amendment was to establish a separate process for approving a freeway-oriented electronic readerboard sign in the Folsom Plan Area whereby a Conditional Use Permit would be required but that the elimination of existing billboard signs, which the applicant has no ownership or control over, would not be required.

With regard to implications associated with the proposed Specific Plan Amendment, the Commission debated if approval of this particular application would preclude any other landowners in the Folsom Plan Area from placing a freeway-oriented electronic readerboard sign on their respective properties. City staff indicated that the proposed Specific Plan Amendment was only intended to allow placement of a single electronic readerboard sign on a specific property (Parcel 61) within the Folsom Plan Area under the ownership of Eagle Commercial Properties. Staff further stated that Eagle Commercial Properties owns a majority of the commercial property located adjacent to U.S. Highway 50 thus making it highly unlikely that there would be a proposal from another property owner for an electronic readerboard sign. That being said, staff indicated that placement of additional freeway-oriented electronic readerboard signs in the Plan Area adjacent to U.S. Highway 50 would be permitted if the landowner were to receive approval of another Specific Plan Amendment relative to freeway signage, with associated environmental review.

The Commission asked specific questions regarding the location and design of the future electronic readerboard sign. City staff stated the final location and design of the electronic readerboard sign would be established through the Conditional Use Permit process that applicant would be required to go through. However, staff did share a preliminary site plan and preliminary sign elevations that the applicant had provided with the Commission. Staff also noted that the applicant had already recorded a sign easement along the northern portion of Parcel 61 adjacent to U.S. Highway 50 and that this would be the most likely location of the future electronic readerboard sign.

The Commission inquired as to whether the electronic readerboard sign would have any adverse impacts on nearby residential properties in the Folsom Plan Area. City staff commented that an Addendum to the Folsom Plan Area Specific Plan EIR/EIS had been prepared for the proposed project and that no new significant environmental impacts were identified. That being said, staff noted that the nearest future residential land uses in the Plan Area are located over 900 feet away to the south of the project site and that the sign is not expected to have a negative visual impact on these future residents. Staff further stated all other potential impacts associated with the electronic readerboard sign would be evaluated as part of the Conditional Use Permit that the applicant is required to obtain from the Planning Commission.

With respect to Caltrans requirements, the Commission asked what types of rules and regulations the electronic readerboard sign would be subject to. City staff commented that Caltrans has very specific requirements regarding the location, size, design and functionality of freeway-oriented electronic readerboard signs. In particular, Caltrans is focused on ensuring that these types of electronic readerboard sign do not distract drivers on the freeway by regulating the illumination, brightness, message duration, and hours of operation. Staff noted that in addition to obtaining approval of a Conditional Use Permit from the City, the applicant will be required to obtain approval of a Sign Permit from Caltrans for operation of the electronic readerboard sign.

The Commission was interested in learning if there were any financial benefits to the City in adding a third freeway-oriented electronic readerboard sign. City staff stated that the applicant would be required to enter into Agreement with the City relative to the operation, maintenance, and advertising associated with the electronic readerboard sign. Staff indicated that the Agreement would likely be similar to existing Agreements the City has with the Folsom Auto Mall and Palladio at Broadstone in that there would be a revenue sharing component for which the City would receive 10% of all net payments received by the sign operator. The City currently receives approximately \$30,000 in revenue on an annual basis through the revenue sharing agreements with the Folsom Auto Mall and Palladio at Broadstone. The applicant also commented that there would likely be secondary economic benefits relative to increased property tax and sales tax associated with new business locating in the Folsom Plan Area partly because of the increased visibility and project identification the electronic readerboard sign will provide.

A more detailed discussion of each of the aforementioned topics is included within the Planning Commission Staff Report (Attachment 2). No members of the public spoke regarding the proposed project. The Planning Commission adopted a motion (5-1-0-1) to recommend approval of the proposed project to the City Council. The lone Planning Commissioner who voted no on the project was actually in support of proposed electronic readerboard sign, however, he was hoping to initiate a broader discussion regarding whether additional freeway-oriented electronic readerboard signs in the Folsom Plan Area would be beneficial to the City.

POLICY / RULE

The Folsom Municipal Code (FMC) requires that applications for Specific Plan Amendments be forwarded to the City Council for final action, following a public hearing and recommendation by the Planning Commission. City Council actions regarding Specific Plan Amendments are covered under Sections 17.68.080 and 17.37.090 of the Folsom Municipal Code.

ANALYSIS

Detailed analysis for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project is provided in the Planning Commission Staff Report which is included as Attachment 2 to this report.

FINANCIAL IMPACT

No financial impact to the FPA Public Facilities Financing Plan is anticipated with approval of the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project as the proposed project will not result in any change in the total number of residential units or total amount of commercial square footage within the Folsom Plan Area. While the proposed Specific Plan Amendment will not directly result in any financial impacts, the required Agreement associated with operation of the Parcel 61 electronic readerboard is expected to provide the City with approximately \$15,000 in revenue on an annual basis.

ENVIRONMENTAL REVIEW

The City, as the lead agency under the California Environmental Quality Act (CEQA), has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed changes to a commercial land use table in the Folsom Plan Area Specific Plan constitute minor changes to the development scenario described in the Final EIR/EIS for the Folsom Plan Area Specific Plan, warranting the preparation of an Addendum. An Addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA, Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162 and 15163.

An Environmental Checklist and Addendum was prepared in accordance with CEQA Guidelines Section 15164 to evaluate whether the proposed project's effects were adequately examined in the FPASP EIR/EIS. The Environmental Checklist and Addendum concluded that no changes associated with the proposed project and no changed circumstances trigger subsequent or supplemental environmental review. The Addendum and associated appendices prepared for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project are also available for viewing on the City's Website at the following link at: https://www.folsom.ca.us/home/showpublisheddocument/15494/638344463582730000

ATTACHMENTS

- Resolution No. 11139 A Resolution to Adopt an Addendum to the Folsom Plan Area Specific Plan EIR/EIS and Approve a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 -APN No. 072-3190-052) located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area.
- 2. Planning Commission Staff Report, dated November 15, 2023
- 3. Vicinity Map
- 4. Proposed Modification to Folsom Plan Area Specific Plan Development Standards Table A.7 (Transportation, Communication, Infrastructure)
- Environmental Checklist and Addendum for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project dated October 26, 2023 (documents can be found on the City's website at https://www.folsom.ca.us/home/showpublisheddocument/15494/638344463582730000)

Submitted,

PAM JOHNS Community Development Director

Attachment 1

Resolution No. 11139 - A Resolution to Adopt an Addendum to the Folsom Plan Area Specific Plan
EIR/EIS and Approve a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic
Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area.

RESOLUTION NO. 11139

A RESOLUTION TO ADOPT AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN EIR/EIS AND APPROVE A SPECIFIC PLAN AMENDMENT TO MODIFY FPASP TABLE A.7 (TRANSPORTATION, COMMUNICATION, INFRASTRUCTURE) TO ADD "ELECTRONIC READERBOARD SIGN" AS A CONDITIONALLY PERMITTED USE ON A SPECIFIC PROPERTY (PARCEL 61 -APN NO. 072-3190-052) LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND EAST BIDWELL STREET WITHIN THE FOLSOM PLAN AREA

WHEREAS, the Planning Commission on November 15, 2023, held a public hearing on the proposed Specific Plan Amendment, considered public comment and determined that the development of an electronic readerboard sign on Parcel 61 within the Folsom Plan area would provide an economic benefit to existing and future businesses in the City of Folsom by providing greater visibility and identification consistent with the goals, policies, and objectives of the City of Folsom General Plan and the Folsom Plan Area Specific Plan as Amended; and

WHEREAS, the Planning Commission on November 15, 2023, held a public hearing on the proposed Specific Plan Amendment, considered public comment and determined that the development of an electronic readerboard sign on Parcel 61 within the Folsom Plan area would provide an economic benefit to the City through an advertising revenue sharing agreement with the Developer and would also provide a public benefit by allowing public service messages to be displayed on the electronic readerboard at no cost to the City consistent with the goals, policies, and objectives of the City of Folsom General Plan and the Folsom Plan Area Specific Plan as. Amended; and

WHEREAS, notice has been given at the time and in the manner required by State Law and City Code; and

WHEREAS, an Environmental Checklist and Addendum to the 2011 Folsom Plan Area Specific Plan Final Environmental Impact Report/Environmental Impact Statement (FPASP EIR/EIS) has been prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby adopts the Addendum to the Folsom Plan Area Specific Plan EIR/EIS for the Parcel 61 Electronic Readerboard Sign Project.

BE IT FURTHER RESOLVED that the City Council of the City of Folsom hereby approves a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area as set forth in the Specific Plan Amendment Exhibit attached as Exhibit "A" and as set forth in the conditions of approval attached as Exhibit "B" based on the following findings:

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GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE PROPOSED SPECIFIC PLAN AMENDMENT IS GENERALLY CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE FOLSOM PLAN AREA SPECIFIC PLAN.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN.
- D. AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT WAS CERTIFIED BY THE CITY IN 2015 FOR THE WESTLAND EAGLE SPECIFIC PLAN AMENDMENT PROJECT IN ACCORDANCE WITH CEQA.
- E. THE CITY HAS DETERMINED THAT NONE OF THE CIRCUMSTANCES DESCRIBED IN PUBLIC RESOURCES CODE SECTION 21166 OR CEQA GUIDELINES SECTION 15162 GENERALLY REQUIRING THE PREPARATION OF A SUBSEQUENT EIR EXIST IN THIS CASE.
- F. THE CITY HAS PREPARED AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT AND HAS DETERMINED THAT THE PROPOSED SPECIFIC PLAN AMENDMENT CREATES NO NEW IMPACTS AND DOES NOT REQUIRE ANY MITIGATION MEASURES IN ADDITION TO THOSE IN THE FINAL ENVIRONMENTAL IMPACT REPORT AND THE ADDENDUM FOR THE WESTLAND EAGLE SPECIFIC PLAN AMENDMENT PROJECT.
- G. THE CITY HAS DETERMINED THAT THE IMPACTS OF THE FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT ARE ADEQUATELY ADDRESSED BY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN, THE ADDENDUM FOR THE WESTLAND EAGLE SPECIFIC PLAN AMENDMENT PROJECT, AND THE ADDENDUM FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT.
- H. THE CITY COUNCIL HAS CONSIDERED THE ADDENDUM WITH THE FINAL EIR BEFORE MAKING A DECISION ON THE PROJECT.

FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FINDINGS

- I. THE PROPOSED AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN IS CONSISTENT WITH THE CITY'S GENERAL PLAN .
- J. THE PROPOSED AMENDMENT TO THE FPASP WILL NOT RESULT IN A NET LOSS OF RESIDENTIAL CAPACITY.
- K. THE PROPOSED SPECIFIC PLAN AMENDMENT IS IN THE PUBLIC INTEREST.
- L. THE PROPOSED SPECIFIC PLAN AMENDMENT IS CONSISTENT WITH THE GOALS, POLICIES, AND OBJECTIVES OF THE FOLSOM PLAN AREA SPECIFIC PLAN.

PASSED AND ADOPTED this 9th day of January, 2024, by the following roll-call vote:

AYES:Councilmember(s):NOES:Councilmember(s):ABSENT:Councilmember(s):ABSTAIN:Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Exhibit A

- C.

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	Table	e A.7 (Cor	ntinued)			
	SP-MU, SP-IND/O	Permitted U		C Land Use		34,210	
	Legend P UP	Permilled Use Use Permit	A	Accessory Use Not Permitted	(1100)	Town Cente	r Olsirict
Use Description			Require	d Pennits		Sec. 11	a different Determine
	SIP-MU	SIP-MU (TCD)	SPHNOKOP	SP-CC	8P-GC	SP-RC	Additional Reference

ervices- Business, Financial, Professional ATM	P	Р	P	P	P	P	
Bank, Financial Services	P	P	P	P	P	P	
Laporaton-Medical	P	P	P	NP	P	P	1
Heath Care Facility	UP	NP	P	UP	P	P	Subject to FMC 17.22
Medical Services-Major	NP	NP	P	NP	P	Р	3
Medical Services Minor	P	P	P	P	P	P	4
Office-Business, Service or Government	P	P	P	P	P	P	
Office-Headquarters or Processing	UP	UP	Р	NP	P	P	
Office-Professional, Administrative	P	P	Р	P	P	p	
Adult Daycare Facilities Barber / Beauty Shops	UP	NP	P	P	P	P	1
Assisted Living Facility	UP	NP	UP	UP	P	P	
Barber / Beauty Shops		-	P		-		
Child Care Facility	UP	UP	P/A	P	P	P	5
Kennel, Animal Boarding	NP	NP	NP	NP	UP	NP	
Maintenance/Repair Services-Equipment, Appliances	NP	NP	P	UP	Р	NP	
Mortuary, Funeral Home	NP	NP	UP	UP	P	NP	
Personal Sentces	Р	P	UP	Р	P	P	2
Public Safety Facility	P	P	P	P	P	P	
Vehicle Services-Major Repair/Body Work	NP	NP	NP	NP	UP	UP	
	NP	NP	NP	NP	UP	UP	
Vehicle Services-Maintenance and Minor Service			P	P	Þ	P	

Alternative Energy Technologies	UP	UP	UP	UP	UP	UP	
City Water Facility	NP	NP	P	Р	Р	P	
City Wastewater Facility	NP	NP	P	P	P	P	4
Parking Facility (Public/Private)	P	P	P	Р	P	P	1
Off-Site Parking Facility (Anciliary Use)	A	A	A	A	A	A	
Storm Drainage Facilities	P	P	P	P	P	P	Subject to FMC 17.95
Underground Utilities	P	P	P	P	P	P	1
Utility Facilities	P	Р	P	P	P	P	
Wireless Communication Facilities	UP	UP	UP	UP	UP	UP	Subject to FMC 17.58.080
Temporary Traot Construction Office	P	NP		-	-		
Temporary Tract Construction Equipment Yard	P	NP					Subject to FMC 17.58.080
Electronic Readerboard Signage	NP	NP	NP	NP	NP	UP	8

Notes:

Light manufacturing includes but is not limited to clean, non-toxic uses such as office centers, research and development facilities, warehouse and distribution centers and other similar uses located in a low intensity, landscaped setting.

2. Personal services are defined intelectual or manual work performed by a service provider in serving a customer (for example, consulting

services, massage therapy, weight counseling, personal concierge services, etc.).

The second second second second

3. Major medical services are defined as services requiring in-patient hospitalization or other services that require acute medical attention.

4. Minor medical services are defined as out-patient services including but not limited to Lasik surgery offices, dentisity offices, same day clinics,

medical offices, etc.

5. Ohlid care facilities connected to office/professional businesses will be considered as an ancellary use.

6. SP-GC (Parcels 77, 78 & 85A) and SP-RC (Parcel 61) only.

7. Consistent with the SP-MLD development standards.

8. Applies to SP-RC-PD Parcel 51 only. Maximum one sign; Conditional Use Permit required.

Resolution No. 11139 Page 5 of 10

Exhibit B

Resolution No. 11139 Page 6 of 10

CONDITIONS OF APPROVAL FOR FOLSOM PLAN AREA SPECIFC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT (SPPL 23-00051) SOUTHWEST CORNER OF THE INTERSECTION OF EAST BIDWELL STREET AND ALDER CREEK PARKWAY

Condition No.	Mitigation Measure	Condition of Approval	When Required	Responsible Department
1.		 The owner/applicant shall submit final plans (updated Specific Plan) to the Community Development Department that shall substantially conform to the exhibits referenced below: 1. Specific Plan Amendment Exhibit, dated November 9, 2020 The Specific Plan Amendment is approved to modify FPAPS Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) with a Regional Commercial Planned Development District (SP-RC-PD) specific plan land use designation located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area. Implementation of the project shall require a separate application and approval that shall be consistent with the above referenced items and these conditions of approval. 	OG	CD (P)
2.		The Specific Plan Amendment, which will take effect 30 days following City Council approval (February 8, 2024) does not have an expiration date.	OG	CD (P)

3,	The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or		
	its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:	OG	CD (P)(E)(B) PW, PR, FD, PD
	 The City bears its own attorney's fees and costs; and The City defends the claim, action or proceeding in good faith 		
	The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. The owner/applicant's obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.		

	DEVELOPMENT COSTS AND FEE REQUIREMENTS		
4.	The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	OG	CD (P)
5.	If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.	OG	CD (P)
6.	The owner/applicant shall update the Folsom Plan Area Specific Plan Document to reflect any textural and graphic changes associated with the proposed project including the Specific Plan Amendment modifications to the commercial land use table (Table A.7) to the satisfaction of the Community Development Department. In addition, the owner/applicant shall provide the City with hard copies and an electronic copy of the updated FPASP Document.	OG	CD (P)
7.	The owner/applicant shall enter into an agreement with the City regarding the inclusion of and terms for third-party, off-site advertising on the Parcel 61 Electronic Readerboard Sign prior to City Council consideration of the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project.	OG	CD (P)

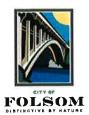
CONDITIONS

See attached tables of conditions for which the following legend applies.

RES	PONSIBLE DEPARTMENT	WH	EN REQUIRED
CD	Community Development Department	Ι	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	В	Prior to issuance of first Building Permit
(B)	Building Division	0	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Attachment 2

Planning Commission Staff Report Dated November 15, 2023



Planning Commission Staff Report

50 Natoma Street, Council Chambers Folsom, CA 95630

Project:	Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign
File #:	SPPL 23-00051
Requests:	Specific Plan Amendment
Location:	Southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area (Parcel 61 – APN No. 072-3190-052)
Staff Contact:	Steve Banks, Principal Planner, 916-461-6207 sbanks@folsom.ca.us
Property Owner	Applicant

Property Owner	Applicant
Name: Eagle Commercial Properties	Name: TK Consulting, Inc.
Address: 100 Pine Street	Address: 2082 Michelson Drive
29th Floor	4th Floor
San Francisco CA 94111	Irvine CA 92612

Recommendation: Conduct a public hearing and upon conclusion recommend to the City Council approval of an amendment to the Folsom Plan Area Specific Plan to allow an Electronic Readerboard Sign (project SPPL 23-00051), based on the findings (Findings A-L) and subject to the conditions of approval (Conditions 1-7) attached to this report.

Project Summary: The proposed project includes a request for approval of a Specific Plan Amendment to modify the Folsom Plan Area Specific Plan (FPAPS) Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area.

Table of Contents:

Attachment 1 - Description/Analysis Attachment 2 - Background Attachment 3 - Conditions of Approval Planning Commission Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign (SPPL 23-00051) November 15, 2023

Attachment 4 - Vicinity Map

- Attachment 5 Proposed Modification to Folsom Plan Area Specific Plan Development Standards Table A.7 (Transportation, Communication, Infrastructure)
- Attachment 6 Preliminary Site Plan, dated June 15, 2021
- Attachment 7 Preliminary Sign Details, dated June 15, 2021
- Attachment 8 Photographs of Existing Electronic Readerboard Signs
- Attachment 9 Environmental Checklist and Addendum for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard project dated October 26, 2023 (documents can be found on the City's website at <u>https://www.folsom.ca.us/home/showpublisheddocument/15494/638344</u> 463582730000

Submitted,

PAM JOHNS Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, TK Consulting, Inc., is requesting approval of a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) in order to add "Electronic Readerboard Sign" as a conditionally permitted use in the Regional Commercial Planned Development District (SP-RC-PD). Specifically, the applicant is proposing that the Specific Plan Amendment only apply to Parcel 61 (APN No. 072-3190-052) which is located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area. In addition, the Specific Plan Amendment would allow for only one double-sided electronic readerboard sign to be placed on Parcel 61. No additional electronic readerboard signs would be permitted on Parcel 61 or elsewhere in the Folsom Plan Area. Shown in the table on the following page is the proposed modification to FPASP Table A.7 (Transportation, Communication, Infrastructure):

TABLE 1: FPASP TABLE A.7 (TRANSPORTATION, COMMUNICATION, INFRASTRUCTURE) MODIFICATIONS

					_	_				
SP-MI	U, SP-IND/C	Permitted U		Land Use						
	Legend P Permilled Use A Accessory Use (TOD) Town Center District UP Use Permit NP Not Permitted									
Use Description			Required	Permits			Additional References			
	SIP-MU	919-MU (TOD)	SP-IND/OP	39-00	0 7- 90	OP-RC	Additional Kalakalicas			
ervices- Business, Financial, Professional										
ATM	P	P	Р	P	P	P				
Bank, Financial Services	P	P	P	P	P	P				
Laporatory-Medical	P	P	P	NP	P	P				
Hearin Care Facility	UP	NP	P	UP	Р	P	Subject to FMC 17.22			
Medical Services-Major	NP	NP	P	NP	P	P	3			
Medical Services-Minor	p	P	P	P	p	P	4			
Office-Business, Service or Government	P	P	P	P	P	P				
Office-Headquarters or Processing	UP	UP	p	NP	P	P				
Office-Professional, Administrative	P	Р	P	P	P	P	I			
ervices - General										
Assisted Living Facility	UP	NP	UP	UP	P	P	1			
Adult Daycare Facilities	UP	NP	P	P	P	р				
Barber / Beauty Shops	-		P	P	Р	P				
Child Care Facility	UP	UP	P/A	P	p	P	5			
Kennel, Animal Boarding	NP	NP	NP	NP	UP	NP				
Maintenance/Repair Services-Equipment, Appliances	NP	NP	р	UP	P	NP				
Mortuary, Funeral Home	NP	NP	UP	UP	P	NP	2			
Personal Sensoes	P	P	UP	P		P	2			
Public Safety Facety	P	P	P	P	P UP	UP UP				
Vehicle Services-Major Repair/Body Work	NP	NP	NP	NP	UP	UP				
Vehicle Services-Maintenance and Minor Service	NP	NP	NP P	P	P	P				
Veterinary Clinic, Animal Hospital	UP	NP	P 1	۲	L P	L P				
ransportation, Communication, Infrastructure			100	UP	UP	UP				
Alternative Energy Technologies	UP	UP	UP	P	P	P				
City Water Facility	NP	NP	P	P	P	P	÷			
City Wastewater Facility	NP	NP	P	P	P	P				
Parking Facility (Public/Private)	P	P		A	Å	A A	1			
Off-Site Parking Faolity (Andilary Use)	A	A	A	P	P P	P	Subject to FMC 17.95			
Storm Drainage Facilities	P	P	P	P	P	P	surface of the triad			
Underground Ublittes	P	P	P	P	P	P	i			
Utility Facilities	UP	UP	UP	UP	UP	UP	Subject to FMC 17.58.08			
Wreless Communication Facilities	P	NP	- UP	-			Complete and them a complete			
Temporary Traot Construction Office	P	NP					Subject to FMC 17.58.08			
Temporary Traol Construction Equipment Yard					ND	the second s	and the second data was not second as a second data was not second data was not second data was not second data			
Electronic Readerboard Signage	NP	NP	NP	NP	NP	UP	8			

Notes:

1. Light manufacturing includes but is not limited to clean, non-locid uses such as office centers, research and development facilities, warehouse and

distribution centers and other similar uses located in a low intensity, landscaped setting. 2. Personal services are defined intellectual or manual work performed by a service provider in serving a customer (for example, consulting

services, massage therapy, weight counseling, personal conclurge services, etc.).

3. Major medical services are defined as services requiring in-patient hospitalization or other services that require acute medical attention.

4. Minor medical services are defined as out-patient services including but not limited to Lasik surgery offices, dentisity offices, same day clinics,

medical offices, etc.

5. Ohid care facilities connected to office/professional businesses will be considered as an ancellary use.

5. SP-GC (Parcels 77, 78 & 85A) and SP-RC (Parcel 61) only.

7. Consistent with the SP-MLD development standards.

8. Applies to SP-RC-PD Parcel 61 only. Maximum one sign; Conditional Use Permit required.

The applicant has indicated to City staff as part of their application submittal that a freeway-oriented electronic readerboard sign is a key component to attracting new commercial businesses to locate in the City of Folsom and more specifically within the Folsom Plan Area. The applicant has also stated that an electronic readerboard sign is critical to the financial stability of future commercial development located adjacent to U.S. Highway 50 in the Folsom Plan Area. Lastly, the applicant commented that the electronic readerboard sign will feature state of the art technology and design elements that will be a showcase for the City and commercial businesses in the Folsom Plan Area.

Although not part of the subject application, the applicant has submitted preliminary details regarding the location and design of the future electronic readerboard sign that will be subject to approval of a Conditional Use Permit by the Planning Commission. Those details are shown in Figure 1 below and Figure 2 on the following page.

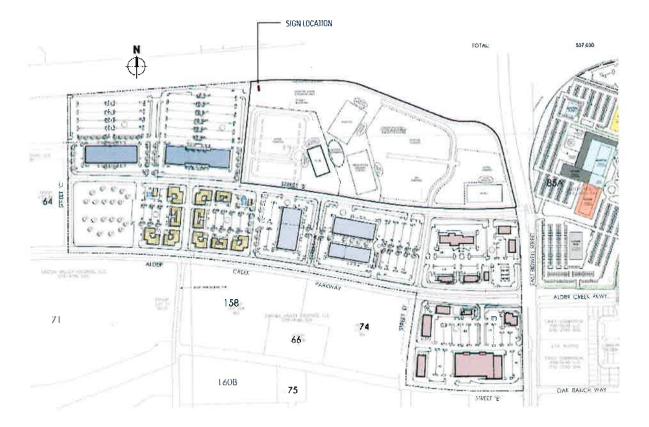


FIGURE 1: PRELIMINARY SITE PLAN

FIGURE 2: PRELIMINARY ELECTRONIC READERBOARD DESIGN DETAILS



Analysis

The following sections provide an analysis of the applicant's proposal. Staff's analysis includes:

- A. Specific Plan Amendment
- B. Conformance with Relevant Folsom General Plan and Folsom Plan Area Specific Plan Objectives and Policies

A. Specific Plan Amendment

The Folsom Plan Area Specific Plan is currently silent on whether or not electronic readerboard signs are a permitted, non-permitted, or conditionally permit land use. As a result, the applicant is requesting approval of a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) for the purpose of adding "Electronic Readerboard Sign" as a conditionally permitted use in the Regional Commercial Planned Development District (SP-RC-PD). Specifically, the applicant is proposing that the Specific Plan Amendment only apply to Parcel 61 which is located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area. As mentioned in the project description, the Specific Plan Amendment would allow for only one double-sided electronic readerboard to be placed on Parcel 61, with no additional electronic readerboard signs being permitted on Parcel 61 or elsewhere in the Folsom Plan Area.

In reviewing the applicant's request for approval of a Specific Plan Amendment to allow for placement of an electronic readerboard sign on Parcel 61 within the Folsom Plan Area upon approval of a Conditional Use Permit by the Planning Commission, staff considered a number of factors including existing regulations contained within the Folsom Municipal Code (<u>FMC</u> Section 17.59.040) regarding freestanding electronic readerboard signs adjacent to U.S. Highway 50, the number and location of existing freestanding electronic readerboard sign adjacent to U.S. Highway 50, the number adjacent to U.S. Highway 50 in the Folsom Plan Area, and prior electronic readerboard sign agreements associated with third-party off-site advertising.

<u>FMC</u> Section 17.59.040(E)(2.5) requires that animated freestanding freeway signs on property abutting U.S. Highway 50 be required to obtain approval of a Conditional Use Permit from the Planning Commission. In addition, the section also requires the removal of more than one <u>billboard along Highway 50 within city limits to ensure that any approval of animated freeway signs such as an electronic readerboard results in a net decrease of highway signs in Folsom. However, as mentioned previously within this report, the Folsom Plan Area Specific Plan does not currently have a mechanism to allow for placement of any animated freestanding sign, electronic readerboard sign, or similar electronic sign adjacent to U.S. Highway 50 within the Folsom Plan Area. As described</u>

in section 13.3 of the Specific Plan, where the FPASP conflicts with the FMC, the Specific Plan takes precedence. Where the FPASP is silent, the FMC prevails. With this application, the applicant is requesting to amend the Specific Plan to allow an animated sign without the FMC requirement to remove existing billboard signs along Highway 50. If the Specific Plan Amendment is not approved, the applicant could still move forward with a proposal for an electronic readerboard at the subject location, but <u>they</u> would be required to either remove existing billboards as described in the FMC or seek approval of a variance of that requirement.

There are currently two electronic readerboard signs located adjacent to U.S. Highway 50 within the City. The first electronic readerboard sign, which is located on the south side of U.S. Highway 50 near Folsom Boulevard, is a 65-foot-tall freestanding double-sided electronic sign intended to provide identification for businesses located at the Folsom Auto Mall. The second electronic readerboard sign, which is located on the north side of U.S Highway 50 near East Bidwell Street, is an 80-foot-tall freestanding double-sided electronic sign intended to provide identification for businesses located at the Palladio at Broadstone Shopping Center. Apart from the two electronic readerboard signs there are two static billboard freeway signs on Highway 50 in Folsom near the Folsom Blvd. highway exit, which are owned by <u>OUTFRONT</u> Media, Inc. There is one other freestanding freeway sign, which was done for the Broadstone Plaza commercial center where Home Depot and Old Navy are located. That sign which is owned by Elliott Homes is located on the north side of Highway 50 west of the E. Bidwell Street on/off-ramp.

In reviewing the Conditional Use Permit for each of the aforementioned freeway-oriented electronic signs, the Planning Commission previously determined that the Folsom Auto Mall and the Palladio at Broadstone Shopping Center are regional entities that warrant the type of enhanced project identification provided by a freeway-oriented electronic readerboard. In addition, the Commission determined that the location, height, size, and design of the aforementioned electronic readerboard signs for the Folsom Auto Mall and the Palladio at Broadstone Shopping Center were appropriate given that they are regional destinations.

As discussed in the Background Section of this staff report, the Folsom Plan Area Specific Plan features a coordinated development plan for over 3,500-acres of residential, commercial, employment and public uses including 2,788,844 square feet of commercial land uses. Parcel 61, which is the subject location of the proposed Specific Plan Amendment, has been allocated 253,245 square feet of Regional Commercial designated land (RC), 216,014 square feet of Industrial/Office Park designated land (IND/OP), and 55,115 square feet of General Commercial designated land (GC) in the Specific Plan. It is anticipated that Parcel 61 will eventually be developed with a mixture of commercial land uses that have importance from a regional perspective as well as multi-family housing and a park. As an example, UC Davis is currently in the process of developing a 400,000-square-foot regional medical facility in the southeast portion of Parcel 61.

While FMC Section 17.59.040(E)(2.5) requires the removal of more than one freeway billboard before issuance of a CUP for an animated freeway sign (i.e., electronic readerboard), the applicant does not own any of the three remaining freeway signs in Folsom and neither owner is willing to sell or remove those signs.

Staff recognizes that amending the specific plan to conditionally allow a freestanding electronic readerboard along Highway 50 in the Folsom Plan Area would increase the amount of freeway signage in Folsom. However, staff believes such a sign is warranted given the large amount of commercial square footage planned not only on Parcel 61, but also on the other commercially zoned and mixed-use areas in the Folsom Plan Area near Based on this information, staff has concluded that an electronic Highway 50. readerboard sign would benefit the commercial uses planned and approved for Parcel 61, particularly regional uses such as the UC Davis medical facility. It is especially important for regional commercial businesses located in the Folsom Plan Area adjacent to the highway to have proper identification near Highway 50. The sign contemplated by the applicant would be oriented toward Highway 50 and, if approved by the Commission, would be approximately 900 feet from the parcels planned for multi-family residential and park uses. In addition, all electronic readerboards located near State highways are subject to review and approval by the California Department of Transportation (Caltrans), which regulates the location, spacing, and size of such signs. Approval from the City is a prerequisite to obtaining approval from Caltrans.

As mentioned earlier in this staff report, there are currently two electronic readerboard signs located adjacent to U.S. Highway 50 within the City, the Folsom Auto Mall electronic readerboard sign and the Palladio at Broadstone electronic readerboard sign. With approval of each of the aforementioned electronic readerboard signs, the owner/applicant was required to enter into an agreement with the City with respect to managing thirdparty, off-site advertising on the electronic readerboard signs. Core elements of the thirdparty, off-site advertising agreements included advertising scheduling and revenue sharing. With respect to advertising scheduling, the agreements generally stated that 40%-50% of advertising space would be available to onsite businesses, 10% of the advertising space would be available to the City of Folsom for non-commercial Cityrelated messages, with the remaining advertising space being available to third-party advertisers. In relation to revenue sharing, the agreements generally stated that the City of Folsom would receive 10% of all net payments received by the sign operator. Staff has determined that a similar advertising agreement would be appropriate for the third proposed electronic readerboard sign within the City (which is the subject of this proposed specific plan amendment) and has added a condition of approval to this projectthat the owner/applicant enter into an agreement with the City regarding the inclusion of thirdparty, off-site advertising on the Parcel 61 Electronic Readerboard Sign prior to City Council approval of the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project. Condition No. 7 is included to reflect this requirement.

Based on the aforementioned analysis, staff is supportive of the proposed Specific Plan Amendment to allow for a single electronic readerboard sign on Parcel 61 within the Folsom Plan Area with approval of a Conditional Use Permit by the Planning Commission.

B. Conformance with Relevant General Plan and Folsom Plan Area Specific Plan Goals and Policies

The City of Folsom 2035 General Plan outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. In addition, the Folsom Plan Area Specific Plan includes goals and policies intended to ensure successful development within the Folsom Plan Area. Staff has determined that the proposed project is consistent with both the General Plan and Specific Plan goals and policies. The following is a summary analysis of the project's consistency with the Folsom General Plan and with key policies of the Folsom Plan Area Specific Plan.

APPLICABLE GENERAL PLAN GOALS AND POLICIES

The overall objective of the Economic Prosperity Element (Element 4- EP) of the General Plan is to improve economic prosperity by ensuring the local economy grows and strengthens our industries, creates family-supporting jobs, and stimulates economic investment in the community. The Economic Prosperity Element also states that a strong economy will help preserve Folsom's high quality of life, attract shoppers from the region, and ensure that Folsom residents can find quality jobs right here in Folsom.

GP GOAL EP 5.1 (Retail Development)

Maintain and expand retail and services to meet local and regional demands and generate tax revenues for City operations.

GP POLICY EP 5.1.1 (Diverse Retail)

Encourage a diverse mix of community and regional retail options to serve Folsom and surrounding communities.

GP POLICY EP 5.1.2 (Regional Retail)

Encourage the development of exemplary retail projects that continue to demonstrate that Folsom is a prominent shopping, dining, and entertainment destination in the region.

GP POLICY EP 5.1.5 (Retail Experience)

Encourage Folsom retailers to engage shoppers in new ways to compete against the perceived convenience of online shopping.

GP POLICY EP 5.1.7 (Entertainment Venues and Restaurants)

Encourage developers of new entertainment venues and restaurants that meet the needs of local residents and the region to locate within the City.

<u>Analysis:</u> The proposed project is consistent with these policies in that, as conditioned, the project will provide improved visibility and project identification for future commercial

businesses located adjacent to U.S. Highway 50 on Parcel 61 and at other commercial locations within the Folsom Plan Area.

In addition, the Land Use Element of the General Plan also identifies goals and policies related to commercial center and employment uses such as those planned and approved for Parcel 61. These include the following:

GP GOAL LU 7.1

Provide for a commercial base of the city to encourage a strong tax base, more jobs within the city, a greater variety of good and services, and businesses, and businesses compatible with Folsom's quality of life.

GP POLICY LU 7.1.3 (Commercial Expansion)

Support the expansion of Folsom's commercial sector to meet the needs of Folsom residents, employees, and visitors.

GP POLICY LU 7.1.6 (Regional Commercial Centers)

Require regional commercial centers to be located close and accessible to U.S. Highway 50, preferably near an interchange.

GP GOAL LU 8.1

Encourage, facilitate, and support the location of office, creative industry, technology, and industrial uses and retention of existing industry in appropriate locations.

GP Policy 8.1.1 (Industrial Expansion)

Promote and assist in the maintenance and expansion of Folsom's employment sector in areas where services are readily available, including adequate water, wastewater, and storm drainage facilities as well as easy access to multiple modes of transportation.

GP Policy 8.1.3 (Clusters)

Encourage complementary businesses and businesses from the same industry to locate in Folsom. These business clusters will benefit from shared resources, a pool of skilled employees, secondary support industries, and concentrated marketing efforts.

<u>Analysis:</u>

The proposed project is consistent with these policies in that, as conditioned, the project will provide improved visibility and project identification for existing as well as potential new large-scale and small-scale employers looking to locate their business adjacent to U.S. Highway 50 in the Folsom Plan Area.

Conformance with Relevant Specific Plan Goals, Objectives, and Policies

The Folsom Plan Area Specific Plan identifies a number of goals, objectives, and policies designed to guide the physical, economic, and environmental growth of the Specific Plan

Area. Staff has determined that the proposed project is consistent with the following Specific Plan policy as outlined and discussed below:

SP POLICY 4.13 (Commercial/Office Policies)

The Plan Area land use plan should include commercial, light industrial/office park and public land use in order to create employment.

<u>Analysis:</u> The proposed project is consistent with this policy in that, as conditioned, the project will provide for improved visibility and project identification for future commercial businesses located adjacent to U.S. Highway 50 on Parcel 61 and at other commercial locations in the Folsom Plan Area.

ENVIRONMENTAL REVIEW

The City, as the lead agency under the California Environmental Quality Act (CEQA), has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed changes to a commercial land use table in the Folsom Plan Area Specific Plan constitute minor changes to the development scenario described in the Final EIR/EIS for the Folsom Plan Area Specific Plan, warranting the preparation of an Addendum. An Addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA, Public Resources CodeSection 21166 and State CEQA Guidelines Sections 15162 and 15163.

An Environmental Checklist and Addendum was prepared in accordance with CEQA Guidelines Section 15164 to evaluate whether the proposed project's effects were adequately examined in the FPASP EIR/EIS. The Environmental Checklist and Addendum concluded that no changes associated with the proposed project and no changed circumstances trigger subsequent or supplemental environmental review. The Environmental Checklist and Addendum are included at Attachment 9 to this staff report.

RECOMMENDATION/PLANNING COMMISSION ACTION

Staff recommends that the Commission:

Move to recommend that the City Council:

- Adopt an Addendum to the Final Environmental Impact Report for the Folsom Plan Area Specific Plan prepared for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project (SPPL 23-00051) per Attachment 9; and
- Approve a Specific Plan Amendment to modify FPASP Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a

conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) with a Regional Commercial Planned Development District (SP-RC-PD) specific plan land use designation located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area per Attachment 5; and

These recommended approvals are based on the findings below (Findings A-L) and subject to the conditions of approval (Conditions 1-7) attached to this report.

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE PROPOSED SPECIFIC PLAN AMENDMENT IS GENERALLY CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE FOLSOM PLAN AREA SPECIFIC PLAN.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN.
- D. AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT WAS CERTIFIED BY THE CITY IN 2015 FOR THE WESTLAND EAGLE SPECIFIC PLAN AMENDMENT PROJECT IN ACCORDANCE WITH CEQA.
- E. THE CITY HAS DETERMINED THAT NONE OF THE CIRCUMSTANCES DESCRIBED IN PUBLIC RESOURCES CODE SECTION 21166 OR CEQA GUIDELINES SECTION 15162 GENERALLY REQUIRING THE PREPARATION OF A SUBSEQUENT EIR EXIST IN THIS CASE.
- F. THE CITY HAS PREPARED AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT AND HAS DETERMINED THAT THE PROPOSED SPECIFIC PLAN AMENDMENT CREATES NO NEW IMPACTS AND DOES NOT REQUIRE ANY MITIGATION MEASURES IN ADDITION TO THOSE IN THE FINAL ENVIRONMENTAL IMPACT REPORT AND THE ADDENDUM FOR THE WESTLAND EAGLE SPECIFIC PLAN AMENDMENT

PROJECT.

- G. THE CITY HAS DETERMINED THAT THE IMPACTS OF THE FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT ARE ADEQUATELY ADDRESSED BY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN, THE ADDENDUM FOR THE WESTLAND EAGLE SPECIFIC PLAN AMENDMENT PROJECT, AND THE ADDENDUM FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT.
- H. THE PLANNING COMMISSION HAS CONSIDERED THE ADDENDUM WITH THE FINAL EIR BEFORE MAKING A DECISION ON THE PROJECT.

FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FINDINGS

- I. THE PROPOSED AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN IS CONSISTENT WITH THE CITY'S GENERAL PLAN .
- J. THE PROPOSED AMENDMENT TO THE FPASP WILL NOT RESULT IN A NET LOSS OF RESIDENTIAL CAPACITY.
- K. THE PROPOSED SPECIFIC PLAN AMENDMENT IS IN THE PUBLIC INTEREST.
- L. THE PROPOSED SPECIFIC PLAN AMENDMENT IS CONSISTENT WITH THE GOALS, POLICIES, AND OBJECTIVES OF THE FOLSOM PLAN AREA SPECIFIC PLAN.

ATTACHMENT 2 BACKGROUND

Background:

The proposed project site is part of the approved Folsom Plan Area Specific Plan (FPASP), a comprehensively planned community that proposes new development based on "Smart Growth" and Transit Oriented Development principles. The FPASP, approved in 2011, is a development plan for over 3,500 acres of previously undeveloped land located south of U.S. Highway 50, north of White Rock Road, east of Prairie City Road, and west of the Sacramento County/El Dorado County line in the southeastern portion of the City.

Since FPASP adoption in 2011, the City Council has approved eight amendments to the Specific Plan with land use and density refinements. In addition, numerous Minor Administrative Amendments have been approved by the Community Development Department also resulting in land use and density refinements. Overall, the changes to the Specific Plan have *reduced* the amount of commercial development planned for the area and *increased* the amount of residential development:

On August 14, 2003, the Planning Commission approved a Planned Development Permit Modification and Conditional Use Permit for development of a 47-foot-tall freewayoriented electronic readerboard sign on the south side of U.S. Highway 50 within the Folsom Auto Mall. The aforementioned 47-foot-tall electronic readerboard sign, which included approximately 672 square feet of sign area (electronic readerboard measures 20 feet in height by 30 feet in width), was subsequently constructed and was in operation until 2014 when it was replaced with a taller sign described below. It is important to note that approval of the existing electronic readerboard sign resulted in the removal of two freeway-oriented billboard signs (672-square-foot billboard sign and a 720-square-foot billboard sign) adjacent to U.S. Highway 50 in the vicinity of the Folsom Auto Mall as required under FMC Section 17.59.040(E)(2.5).

On October 1, 2014, the Planning Commission approved a Planned Development Permit Modification and Conditional Use Permit Modification to replace the existing 47-foot-tall freeway-oriented electronic readerboard sign with a new 65-foot-tall freeway-oriented electronic readerboard sign at the Folsom Auto Mall. The approved 65-foot-tall electronic readerboard sign contains approximately 744 square feet of total sign area including a 672-square-foot high-definition electronic readerboard (LED display) and 72 square feet of fixed sign area for a Folsom Auto Mall identification sign. As noted earlier in this report, the City also approved an electronic readerboard for the Palladio on the north side of Highway 50. This was done with a CUP and Elliott Homes was required to remove various signs around Folsom. In both the case of the Palladio and the Folsom Auto Mall, the owners entered into an operational agreement with the City that dealt with advertising, operations and revenue-sharing.

Attachment 3

Conditions of Approval

Planning Commission Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign (SPPL 23-00051) November 15, 2023

CONDITIONS OF APPROVAL FOR FOLSOM PLAN AREA SPECIFC PLAN AMENDMENT FOR ELECTRONIC READERBOARD SIGN PROJECT (SPPL 23-00051) SOUTHWEST CORNER OF THE INTERSECTION OF EAST BIDWELL STREET AND ALDER CREEK PARKWAY				
Condition No.	Mitigation Measure	Condition of Approval	When Required	Responsible Department
1.		 The owner/applicant shall submit final plans (updated Specific Plan) to the Community Development Department that shall substantially conform to the exhibits referenced below: 1. Specific Plan Amendment Exhibit, dated November 9, 2020 The Specific Plan Amendment is approved to modify FPAPS Table A.7 (Transportation, Communication, Infrastructure) to add "Electronic Readerboard Sign" as a conditionally permitted use on a specific property (Parcel 61 - APN No. 072-3190-052) with a Regional Commercial Planned Development District (SP-RC-PD) specific plan land use designation located at the southwest corner of the intersection of U.S. Highway 50 and East Bidwell Street within the Folsom Plan Area. Implementation of the project shall require a separate application and approval that shall be consistent with the above referenced items and these conditions of approval. 	OG	CD (P)
2.		The Specific Plan Amendment, which will take effect 30 days following City Council approval (December 12, 2023) does not have an expiration date.	OG	CD (P)

3. The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur: The City bears its own attorney's fees and costs; and The City defends the claim, action or proceeding in good faith
The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. The owner/applicant's obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.

	DEVELOPMENT COSTS AND FEE REQUIREMENTS		
4.	The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	OG	CD (P)
5.	If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.	OG	CD (P)
6.	The owner/applicant shall update the Folsom Plan Area Specific Plan Document to reflect any textural and graphic changes associated with the proposed project including the Specific Plan Amendment modifications to the commercial land use table (Table A.7) to the satisfaction of the Community Development Department. In addition, the owner/applicant shall provide the City with hard copies and an electronic copy of the updated FPASP Document.	OG	CD (P)
7.	The owner/applicant shall enter into an agreement with the City regarding the inclusion of and terms for third-party, off-site advertising on the Parcel 61 Electronic Readerboard Sign prior to City Council consideration of the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project.	OG	CD (P)

CONDITIONS

See attached tables of conditions for which the following legend applies.

RESPONSIBLE DEPARTMENT			WHEN REQUIRED				
CD	Community Development Department	Ι	Prior to approval of Improvement Plans				
(P)	Planning Division	Μ	Prior to approval of Final Map				
(E)	Engineering Division	В	Prior to issuance of first Building Permit				
(B)	Building Division	0	Prior to approval of Occupancy Permit				
(F)	Fire Division	G	Prior to issuance of Grading Permit				
PW	Public Works Department	DC	During construction				
PR	Park and Recreation Department	OG	On-going requirement				
PD	Police Department						

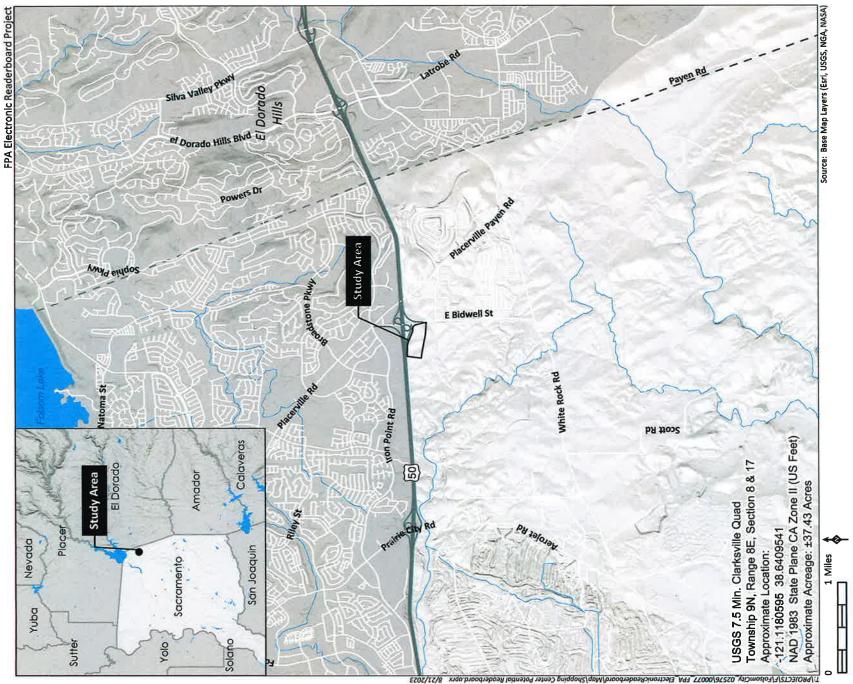
Attachment 4

Vicinity Map

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Attachment 5

Proposed Modification to Folsom Plan Area Specific Plan Development Standards Table A.7 (Transportation, Communication, Infrastructure)

SP-MU, SP-IND/OP, SP-CC, SP-GC & SP-RC Land Use Permitted Uses										
	Legend P Permitted Use A Accessory Use (TCD) Town Center District UP Use Permit NP Not Permitted									
Use Description	Required Permits									
	SP-MU	SP-MU (TCD)	SP-IND/OP	SP-CC	SP-GC	SP-RC	Additional References			
Services- Business, Financial, Professional										
ATM	I P	Р	P	P	P	P				
Bank, Financial Services	P	P	P	P	P	P				
Laboratory-Medical	P	P	P	NP	P	P				
Health Care Facility	UP	NP	P	UP	P	P	Subject to FMC 17,22			
Medical Services-Major	NP	NP	P	NP	P	P	3			
Medical Services-Minor	P	P	P	P	P	Р	4			
Office-Business, Service or Government	P	Р	Р	P	P	Р				
Office-Headquarters or Processing	UP	UP	P	NP	P	Р				
Office-Professional, Administrative	P	P	P	P	P	Р				
ervices - General	UP	NP	UP	UP	ГР	р				
Assisted Living Facility	UP	NP	P	P	P	P				
Adult Daycare Facilities	UP	NP -	P	P	P	p				
Barber / Beauty Shops	UP	UP	P/A	P	P	P	5			
Child Care Facility	NP	NP	NP	NP	UP	NP	0			
Kennel, Animal Boarding	NP	NP	P	UP	P	NP				
Maintenance/Repair Services-Equipment, Appliances	NP	NP	UP	UP	P	NP				
Mortuary, Funeral Home	P	P	UP	P	P	P	2			
Personal Services	P	P	P	P	P	P				
Public Safety Facility Vehicle Services-Major Repair/Body Work	NP	NP	NP	NP	UP	UP				
Vehicle Services-Major Repair/Body Work	NP	NP	NP	NP	UP	UP				
Veterinary Clinic, Animal Hospital	UP	NP	P	P	P	P				
		1 14	l							
ransportation, Communication, Infrastructure						110				
Alternative Energy Technologies	UP	UP	UP P	P	UP P	UP P				
City Water Facility	NP NP	NP NP	P	P	P	P				
City Wastewater Facility	P	P	P	P	P	P				
Parking Facility (Public/Private)	A	A	A	A	A	A				
Off-Site Parking Facility (Ancillary Use)	P	P	P	P	P	P	Subject to FMC 17.95			
Storm Drainage Facilities	P	P	P	P	P	P	Gubject to Fillio 17.95			
Underground Utilities Utility Facilities	P	P	P	P	P	P				
Wireless Communication Facilities	UP	UP	UP	UP	UP	UP	Subject to FMC 17.58.08			
Temporary Tract Construction Office	P	NP		UF .			000,000 00 000 00000			
	P	11 1 1					Subject to EMC 17 EP 09			
Temporary Tract Construction Equipment Yard		NP					Subject to FMC 17.58.08			
Electronic Readerboard Signage	NP	NP	NP	NP	NP	UP	8			

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1. Light manufacturing includes but is not limited to clean, non-toxic uses such as office centers, research and development facilities, warehouse and

distribution centers and other similar uses located in a low intensity, landscaped setting.

2. Personal services are defined intellectual or manual work performed by a service provider in serving a customer (for example, consulting

services, massage therapy, weight counseling, personal concierge services, etc.).

3. Major medical services are defined as services requiring in-patient hospitalization or other services that require acute medical attention.

4. Minor medical services are defined as out-patient services including but not limited to Lasik surgery offices, dentistry offices, same day clinics,

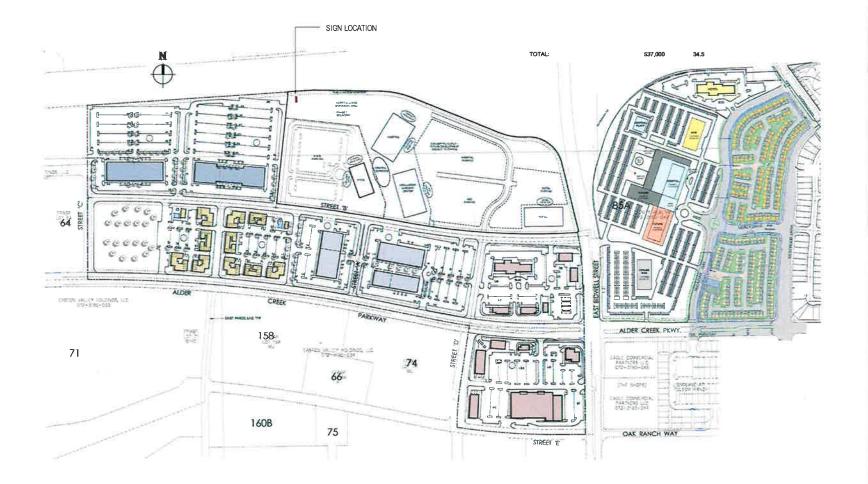
medical offices, etc. 5. Child care facilities connected to office/professional businesses will be considered as an ancellary use.

SP-GC (Parcels 77, 78 & 85A) and SP-RC (Parcel 61) only.
 Consistent with the SP-MLD development standards.

8. Applies to SP-RC-PD Parcel 61 only. Maximum one sign; Conditional Use Permit required.

Attachment 6

Preliminary Site Plan, dated June 15, 2021





1051 46th Avenue Oakland, Ca 94601 T. 510.533,7693 F. 510,533,0815 www.arrowsigncompany.com

Project Folsom Ranch Foisom, Ca

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Rev.	Date	Description
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в	4-29-22	Relocate pylon B
с	8-23-22	Relocate pylon C
D	8-26-22	Relocate pylon C
	12-12-23	Indicate sign location

Customer Approval

This drawing is a representation of colors and may not accurately depict final color of product. Refer to paint swatch or inuterial samples for color inference. ALL RIGHTS RESERVED This is an original unpublished drawing prepared for you by Arrow Sign Co. in a sign program designed for your business It is not to be shown to anyone cutside of your arganization nor to be reproduced, copied or exhibited in any fashion.

Sheet 4

20676

Attachment 7

Preliminary Sign Details, dated June 15, 2021



ITEM	DESCRIPTION	VENDOR	SPECIFICATION
Structure	Abuniatum	Matthews	Dark Gray, color TED
Main Background	HPL	Parklax	Cladding, color TBD
Tenant Cabinets	Abarinaan	Matthews	Dark Gray, color TBD
Tenant Copy	1/2* pash-thra		By others
Lago	2° deep aluminum	Matthews	Dank Gray, color 1980
Logo Humination	LED	Siban	Prism, Warm White #3500
"FOLSOM RANCH"	2" daep fabricated aluminum	Matthews	White #282-202,satin
"FOLSOM RANCH" Hum.	Flood findumers		By others
EMC	LED	Watchfire	16mm to8 color display
Base	Architectural states with cap	El Doredo Stone	Ey others



1051 46th Avenue Oakland, Ca 94601 T. 510.533.7693 F. 510.533.0815 www.arrowsigncompany.com

Project Foisom Ranch Foisom, Ca

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Rev.	Date	Description Increase EMC, overall height
Rev. A	Date 6-16-21 8-25-21	Description Increase EMC, overall height
Rev. A B	Date 6-16-21 6-25-21 7-19-21	Description Increase EMC, overall height If luminate logo
Rev. A B C	Date 6-16-21 8-25-21 7-19-21 4-15-22	Description Increase EMC, overall height fluminate logo Add simensions

Customer Approval

This drawing is a representation of colors and may net accuracy depict that does of product. River to spair sweath or matarul is amplied for color reference. All, BEENTS BESERVED This is an original unpublished clearing prepared for you by new Sign Co. In a sign program daugendfor your basiness. It is not to be shown a suppose shalf bed your equivalent on to be removed, cogied or exhibited your equivalent

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Sheet 2



ARROW

1051 46th Avenue Oakland, Ca 94601 T. 510.533.7693 F. 510.533.0815 www.arrowsigacompany.com

Project Folsom Ranch Folsom, Ca

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Sheet 2.1

20676

SCALE: 1/8" = 1'-0"

Attachment 8

Photographs of Existing Electronic Readerboard Signs

Folsom Auto Mall Electronic Readerboard Sign



Palladio at Broadstone Electronic Readerboard Sign



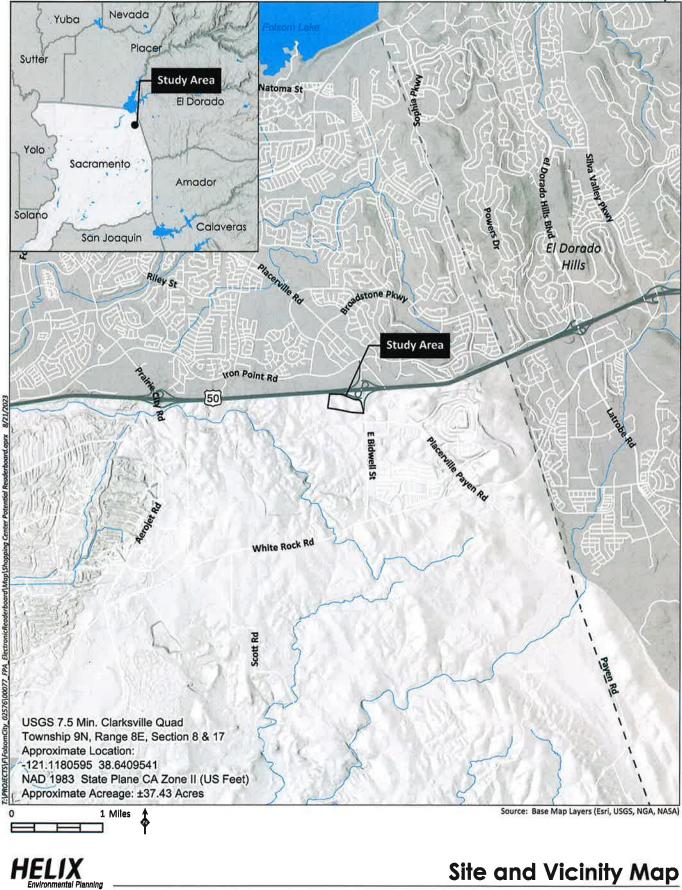
Attachment 9

Environmental Checklist and Addendum for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard project dated October 26, 2023 (documents can be found on the City's website at <u>https://www.folsom.ca.us/home/showpublishedd</u> <u>ocument/15494/638344463582730000</u>

Attachment 3

Vicinity Map

FPA Electronic Readerboard Project



Site and Vicinity Map

Attachment 4

Proposed Modification to Folsom Plan Area Specific Plan Development Standards Table A.7 (Transportation, Communication, Infrastructure)

SP-MU, SP-IND/OP, SP-CC, SP-GC & SP-RC Land Use Permitted Uses										
Use Description	100									
	SP-MU	SP-MU (TCD)	SP-IND/OP	SP-CC	SP-GC	SP-RC	Additional References			
Services- Business, Financial, Professional										
ATM	P	P	P	P	P	P	1			
Bank, Financial Services	P	P	P	P	P	P				
Laboratory-Medical	P	P	P	NP	P	P				
Health Care Facility	UP	NP	P	UP	P	P	Subject to FMC 17.22			
Medical Services-Major	NP	NP	P	NP	P	P	3			
Medical Services-Major Medical Services-Minor	P	P	P	P	P	P	4			
Office-Business, Service or Government	P	P	P	P	P	P				
Office-Headquarters or Processing	UP	UP	P	NP	P	P				
Office-Professional, Administrative	P	P	Р	P	P	P				
ervices - General										
Assisted Living Facility	UP	NP	UP	UP	P	P				
Adult Daycare Facilities	UP	NP	P	P	P	P				
Barber / Beauty Shops	-		P	P	P	P				
Child Care Facility	UP	UP	P/A	P	P	P	5			
Kennel, Animal Boarding	NP	NP	NP	NP	UP	NP				
Maintenance/Repair Services-Equipment, Appliances	NP	NP	P	UP	P	NP				
Mortuary, Funeral Home	NP	NP	UP	UP	P	NP				
Personal Services	P	P	UP	P	P	Р	2			
Public Safety Facility	P	P	P	P	P	P				
Vehicle Services-Major Repair/Body Work	NP	NP	NP	NP	UP	UP				
Vehicle Services-Maintenance and Minor Service	NP	NP	NP	NP	UP	UP				
Veterinary Clinic, Animal Hospital	UP	NP	Р	Р	P	Р				
ransportation, Communication, Infrastructure										
Alternative Energy Technologies	UP	UP	UP	ÜP	UP	UP				
City Water Facility	NP	NP	Р	Р	P	P				
City Wastewater Facility	NP	NP	Р	P	Р	Р				
Parking Facility (Public/Private)	P	P	P	P	P	Р				
Off-Site Parking Facility (Ancillary Use)	A	A	A	A	A	A				
Storm Drainage Facilities	P	Р	Р	P	P	P	Subject to FMC 17,95			
Underground Utilities	P	Р	Р	P	P	Р				
Utility Facilities	P	P	Р	P	P	P				
Wireless Communication Facilities	UP	UP	UP	UP	UP	UP	Subject to FMC 17,58.08			
Temporary Tract Construction Office	P	NP			•	1.41				
Temporary Tract Construction Equipment Yard	P	NP	-				Subject to FMC 17 58 08			
Electronic Readerboard Signage	NP	NP	NP	NP	NP	UP	8			

1. Light manufacturing includes but is not limited to clean, non-toxic uses such as office centers, research and development facilities, warehouse and distribution centers and other similar uses located in a low intensity, landscaped setting.

2. Personal services are defined intellectual or manual work performed by a service provider in serving a customer (for example, consulting

services, massage therapy, weight counseling, personal concierge services, etc.).

3. Major medical services are defined as services requiring in-patient hospitalization or other services that require acute medical attention.

4. Minor medical services are defined as out-patient services including but not limited to Lasik surgery offices, dentistry offices, same day clinics, medical offices, etc.

5. Child care facilities connected to office/professional businesses will be considered as an ancellary use.

6. SP-GC (Parcels 77, 78 & 85A) and SP-RC (Parcel 61) only.

7. Consistent with the SP-MLD development standards.

8. Applies to SP-RC-PD Parcel 61 only. Maximum one sign; Conditional Use Permit required.

Attachment 5

Environmental Checklist and Addendum for the Folsom Plan Area Specific Plan Amendment for Electronic Readerboard Sign project dated October 26, 2023 (documents can be found on the City's website at <u>https://www.folsom.ca.us/home/showpublisheddocument/</u> 15494/638344463582730000) This page is intentionally left blank to facilitate double-sided printing.