



Planning & Community Development Department
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 Ukiah, CA 95482
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Planning Services
 Phone: (707) 463-6203
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PORTABLE SIGNS & TEMPORARY ACCESSORY OBJECTS ENCROACHMENT PERMIT

Business Name:	Business License #:
Permittee's Name:	Business Phone #:
Permittee's Address (street number, name, city, state, zip code):	
Site Address:	Site Assessor's Parcel #:
Permittee's Phone #:	Permittee's Email Address:
Property Owner's Name:	Property Owner's Phone #:
Property Owner's Address (street number, name, city, state, zip code):	

TYPE OF ENCROACHMENT (check all that apply)

- Sandwich board type sign (must be removed at close of business each day)
- Cafe table and chairs accessory to eating establishment (removed at close of business each day)
- Display table or rack (limited to 12:00 Noon Friday to close of business Sunday)
- Bench, planter, bicycle rack (circle all that apply)
- Other: _____

If a bench, planter, or similar heavy object is proposed, will it be removed at the close of business each day?
 YES NO

Submittal Requirements Checklist (must be submitted with this application)

	Completed and signed application form
	Planning Department Fee (Annual/Renewal): \$50 Public Works Department Fee (Annual/Renewal Fee): \$45 Total Fee: \$95 (made payable to City of Ukiah)
	Insurance documents conforming to condition 4 on page 2
	Photos or drawing of proposed sign or object, showing dimensions, height, materials, colors, etc.
	Plot Plan: Show width of sidewalk from back of curb to building and curb color; distance from sign or object to: street intersection for corner lot, entrances and pathways, sign and utility poles, trees wells, vaults and fixed objects or obstructions on sidewalk.
	Additional Requirements: Signs - see page 3, condition 6. Temporary accessory objects (CN, C1, C2, M zoning) — see page 4, condition 7. Sidewalk Café subject to requirements of Ukiah City Code section 9224.8
	Annual Renewal or Modification: The encroachment permit is valid for the term of the current calendar year or the term of insurance expiration, but not more than 12 months. It may be renewed as determined by the City, but cumulatively not more than 5 years, after which a new application is required. Other changes may require a fee or new application. You will NOT be notified when insurance or the permit is expired. Additional fees may be required.

Insurance must be current for permit to be valid or to be eligible for renewal of permit.

VALIDATION OF THIS PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. This Encroachment Permit is for the portable sign(s) and/or temporary accessory object(s) and location within the public right of way specified in this Permit. Any incorrect or inaccurate information supplied by the applicant shall void the permit. Substitutions, additions and modifications to type or location are not allowed without modification to this Permit or a new Permit.
2. **The Encroachment Permit is** valid for the term of the current calendar year or the term of insurance expiration, but not more than 12 months for a cumulative total not more than 5 years. No fee is required for updating insurance. Other changes may require a fee or new application. After 5 years maximum, a new application is required. The City of Ukiah reserves the right to amend or revoke this permit as deemed necessary by the City Engineer. **Any lapse in the required insurance immediately renders the permit null and void.** You will NOT be notified when the permit is expired.
3. All Businesses shall possess a valid Business License issued by the City of Ukiah Director of Finance.
4. **INSURANCE REQUIREMENTS FOR BUSINESSES: BE SURE YOUR INSURANCE IS NOT LIMITED TO THE INTERIOR OF THE PREMISES.**
 - A. Businesses shall procure and maintain for the duration of the permit General Liability insurance against claims for injuries to persons or damages to property which may arise from or in connection with the sidewalk encroachment. The General Liability coverage and policy is to contain, or be endorsed to contain, the following provisions:
 - B. Amount: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the location or the general aggregate limit shall be twice the required occurrence limit.
 - C. The certificate must be accompanied by an "Additional Insured Endorsement" which names the City, its officers, officials, employees, and volunteers are to be covered as additional insured with respect to liability arising out of sidewalk encroachment owned, leased, hired or borrowed by or on behalf of the Business; and with respect to liability arising out of sidewalk encroachment on behalf of the Business including materials, parts or equipment in connection with such sidewalk encroachment. General liability coverage can be provided in the form of an endorsement to the Business' insurance, or as a separate owner's policy.
 - D. The Business' insurance coverage shall be primary insurance as respect to the City, its officers officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Business insurance and shall not contribute with it.
 - E. The insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given the City.
 - F. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code.

Verification of Coverage

Businesses shall furnish the City with original certificates and amendatory endorsements affecting coverage required by this clause. The endorsements should be on forms provided by the City or on other than the City's forms. Provided those endorsements or policies conform to the requirements as determined by the City. All certificates and endorsements are to be received and approved by the City before the sidewalk encroachment

permit shall be issued. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

6. Portable Sandwich Board/A-Frame Signs (Ukiah City Code Section 3227 (A5))

- A. The property must be zoned for commercial or industrial uses.
- B. One (1) portable sign may be allowed. Sign area shall not exceed six (6) square feet, per side, and four feet (4') in height.

In cases where more than one business is located on a parcel, the total number of signs shall not in the aggregate exceed the following:

- One (1) portable sign per fifty lineal feet (50') of street frontage per parcel. When four (4) or more businesses are located on a parcel under one ownership, one (1) portable sign per four (4) businesses shall be permitted. Except on parcels within the Downtown Revitalization District where there is no setback between the building and the public right-of-way line and a freestanding or projecting sign is not feasible, one (1) sign per business shall be allowed, not exceeding one (1) sign per fifteen (15) lineal feet of street frontage per parcel.
 - The sign shall be placed along the street frontage of the business; or may be oriented to parking areas, pedestrian malls or internal courts on the same parcel.
 - Parcels with no public street frontage other than the access way (flag lots) shall be allowed one (1) off-premise sign, regardless of the number of businesses, placed near the primary entrance to the parcel with either the approval of the owner of the property where the sign is placed or with issuance of an encroachment permit if located within the public right of way.
- C. The sign shall be removed at close of business each day.
 - D. The sign shall not be secured to trees, hydrants, street signs, or any other infrastructure by any means. The sign shall not be illuminated.
 - E. The sign shall be maintained free of appendages or conditions that pose a hazard to pedestrians and vehicles, and insure visually impaired pedestrians can detect the sign safely. Supporting members should be located within the footprint of the sign to prevent tripping. Any projection shall be flat and measure no more than one-half inch (0.5") in height above the sidewalk surface. Dome-shaped support bases are prohibited.
 - F. Sign placement shall be strictly regulated by this Permit, and provide for the safe and unobstructed movement of pedestrians and vehicles including adequate sight distance to the satisfaction of the Planning Director and Public Works Director. The placement of signs shall maintain a minimum of five feet (5') wide clear space on any sidewalk or pedestrian path and be coordinated with other elements to provide for the public convenience, reduce hazards, and maintain an uncluttered and unobstructed appearance. Signs shall be situated so that neighboring businesses and all legal signs are visible to pedestrians and motorists.
 - G. Corner Properties: Unless modified by this Permit, free standing, projecting, portable and other detached signs or objects from the ground level to eight feet (8') in height shall be prohibited in the area formed by measuring at the property line a distance of thirty feet (30') from the point of intersection of the two (2) streets, and connecting at these lines in triangular fashion unless specifically approved by this permit. (Ukiah City Code Section 3226(N))
 - H. The sign shall at all times present a tastefully designed and well-maintained appearance. Notwithstanding their temporary nature, such signs shall not be made of cardboard or similar materials that exhibit a makeshift or haphazardly constructed or designed appearance. Every sign shall be maintained in a safe and good structural material condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. If the sign is not made to

comply with the requirements of this Section, the Building inspector may require its removal. (Ukiah City Code 3230: Sign Removal)

- I. No deviations from the above are allowed without the approval of a Use Permit.

7. Temporary Accessory Object (Ukiah City Code Sections 9176)

- A. Café tables and chairs accessory to an eating establishment, and street furniture (such as benches and landscape planters) may be placed proximate to an existing legal use. Racks, tables, bins and other merchandise are prohibited, except: (1) between 12:00 Noon on Fridays and close of business on Sundays, or (2) as part of a civic, patriotic or special event of general public interest taking place within the City, subject to a special events permit. Café table umbrellas designed specifically for outdoor patio use are allowed. Podiums, heat lamps and service objects are prohibited.
- B. The placement of any objects under this Permit shall additionally comply with any and all orders of the Fire Marshal.
- C. Object location shall be strictly regulated by this Permit. The location and dimensions of the object shall be coordinated with other elements and shall provide for the safe and unobstructed movement of pedestrians and vehicles and visual attractiveness to the satisfaction of the Planning Director and Public Works Director.
- D. The location shall maintain a minimum width of five feet (5') of space on the sidewalk or pedestrian path clear of obstructions caused by trees, hydrants, posts, poles and any other infrastructure or objects, and providing accessibility to site and building entryways, accessible parking and accessible passenger loading zones, and cross walks. Objects shall not obstruct more than fifty percent (50%) of the width of any sidewalk or pedestrian path that is ten feet (10') or wider, excluding the strip of land adjacent to the street where sign poles, hydrants and other infrastructure are located.
- E. Temporary accessory objects shall be placed adjacent to the building, unless infeasible or an alternative location would be more consistent with this Section as specified by this Permit. Objects shall be situated so that neighboring businesses and all legal signs are visible to pedestrians and motorists.
- F. Temporary accessory objects shall be located and maintained free of appendages or conditions that pose a hazard to pedestrians and vehicles, and insure visually impaired pedestrians can detect the object safely. Supporting members should be located within the footprint of the object to prevent tripping; any projection shall be flat and measure no more than one-half inch (0.5") in height above the sidewalk surface. Dome-shaped support bases are prohibited. Platforms or sidewalk coverings prohibited.
- G. Temporary accessory objects shall not be secured to trees, hydrants, street signs, or any other infrastructure by any means.
- H. Temporary accessory objects shall be removed at close of business each day, with the exception of landscape planters or other approved encroachments that are too heavy or not reasonably feasible to move each day as determined by the Public Works Director.
- I. Temporary accessory objects shall at all times present a tastefully designed and well-maintained appearance. Furniture and objects placed by the same business shall be visually or thematically similar. Café table umbrellas situated so as to not pose a hazard due to tipping or injury are allowed, provided they are of muted solid color, canvas type (no vinyl or plastic) and designed specifically for outdoor patio use. Podiums, heat lamps and service objects are prohibited. Furniture and other objects shall not have any signage, logos, or other commercial representations. All objects shall be maintained in good condition, without visible fading, dents, tears, rust, corrosion, chipping or peeling paint, and of durable and sufficiently sturdy construction so as to not pose a hazard or blow over with normal winds. Planters must have installed healthy live plants at all times.
- J. No deviations from the above are allowed without the approval of a Use Permit.

8. Other Conditions: _____

If said encroachment proves to be a public health or safety hazard, the owner or Permittee shall remove said encroachment at the owner's or Permittee's own expense. City shall notify owner or Permittee with written notice if removal is required and said encroachment shall be removed immediately (not more than 24 hours) after notice to remove is given.

9. Agreement to Indemnify the City of Ukiah:

PERMITEE agrees to waive any claim it might have against the City of Ukiah ("CITY") or its officers and employees for death to any person, personal injury, or property damage, resulting from the use of City right-of-way for the sidewalk encroachment authorized by this permit.

PERMITEE agrees to indemnify and hold CITY and its officers and employees harmless from and against any claim by its members or third parties for death to any person, personal injury, or property damage, including all costs associated with defending against any such claim which arises out of

PERMITEE'S activities under this permit, except for deaths, personal injuries, to property damage resulting solely and exclusively from the active negligence of CITY or its officers or employees.

ACCEPTANCE OF PERMIT CONDITIONS		
<i>Read this permit carefully. Do not sign unless you fully understand and its contents and agree to its terms.</i>		
BUSINESS REPRESENTATIVE NAME:	TITLE:	
SIGNATURE:	DATE:	
PROPERTY OWNER SIGNATURE:	DATE:	

CITY STAFF USE ONLY: PERMIT VALIDATION		
ISSUED BY:	DATE:	EXPIRATION DATE:
PLANNING DEPT APPROVAL (signature):	Zone:	DATE:
PUBLIC WORKS APPROVAL (signature):	DATE:	
RISK MANAGEMENT APPROVAL (signature):	DATE:	
RENEWAL OR MODIFICATION (signature):	DATE:	EXPIRATION DATE:
RENEWAL OR MODIFICATION (signature):	DATE:	EXPIRATION DATE:
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SAMPLE PLOT PLAN

