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Minutes
Zoning Administrator Meeting
April 1, 2014

Staff Present

Charley Stump, Zoning Administrator
Jennifer Faso, Associate Planner
Cathy Elawadly, Recording Secretary

Others Present

Butch Bainbridge
Jay Epstein

1. CALL TO ORDER

Zoning Administrator Stump called the meeting to order at 2:00 p.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION

Zoning Administrator Stump confirmed the site visit.

3. APPROVAL OF MINUTES: The minutes from the November 14, 2013 and December 12, 2013 meetings will be available for review and approval at the Zoning Administrator hearing.

Zoning Administrator Stump approved the November 14, 2013 and December 12, 2013 minutes as submitted.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No one came forward to speak on non-agenda items.

5. APPEAL PROCESS

Zoning Administrator Stump read the appeal process. For matters heard at this meeting the last day to appeal is April 11, 2014

6. VERIFICATION OF NOTICE

Associate Planner Faso verified that the proposed State Farm Sign (File No. 14-03-SDPA-ZA) was properly noticed in accordance with the provisions of the UMC.

7. PUBLIC HEARINGS

7A. State Farm Sign Site Development Permit Amendment, 704 East Perkins Street. (File No. 14-03-SDPA-ZA). Request for approval of a Minor Site Development Permit to allow modifications to the Planning Commission approved sign program for the development located at 704 East Perkins Street, APN 179-030-04.

Zoning Administrator Stump:

- Dispensed with the staff report noting the only persons in attendance are staff and the applicant.
- Asked about possible typographical errors in the staff report.

Associate Planner Faso:

- Confirmed staff has received no public comments regarding the Project.
- Took notice of the proposed typographical errors and confirmed the corrections.

PUBLIC HEARING OPENED: 2:04 p.m.

Butch Bainbridge, Paramount Sign Contractors, Inc., applicant representative:

- Has no questions/concerns related to the staff report.
- Commented on the original sign program formulated for the multi-business complex where the intent of the proposed sign project was to be respectful of the original sign program objective. Acknowledged that the preference of the property owner is to provide

1 for signage above the awning on the south elevation of the two-story retail office building
2 for the purpose of better exposure than a second story sign would allow.

- 3 • The property owner recognizes the limited site lines of allowing for a second story sign
4 location particularly with the existing goose neck lights and/or other building features that
5 would add to more clutter on the building where allowing for signage in this area would
6 not work.
- 7 • Confirmed other signage options were considered such as a monument sign but
8 discounted for various reasons.
- 9 • When considering signage for the Project, is of the opinion the sign location just above
10 the awning on the south elevation would provide for the best tenant exposure, way
11 finding, architectural compatibility and least visual clutter.
- 12 • Related to compliance with the City Sign Ordinance regulations, recalled the DRB
13 discussed the location of the proposed sign and whether or not it constitutes an 'awning'
14 or 'roof sign.'
- 15 • Is of the opinion the proposed location to be an awning/canopy sign rather than a roof
16 mounted sign.
- 17 • Further recalled the DRB liked the sign exhibit presented at the DRB hearing as opposed
18 to the original submittal and expressed concern about the placement of the proposed
19 sign in terms of it being a roof/awning sign having an effect on future signs on the site
20 and Citywide. As such, there was discussion at the DRB meeting about whether or not
21 the proposed location should be considered a roof or an awning sign. The consensus of
22 the DRB was that while the proposed location is structurally considered a roof and that
23 the sign would not exceed the height of the main building recommended drafting
24 conditions of approval associated with the sign being located on the front portion of the
25 awning/roof. When the DRB reviewed the Project, everyone tried to be sensitive to the
26 architect's intent of the design for the building and noted Chair Hise: 1) happens to be
27 the architect for the building with the opinion the proposed location for the sign does not
28 constitute an awning but rather is a roof because of the size of the structure where the
29 location of the sign is a patio roof and not an awning; 2) commented there are awnings
30 on either side of the patio roof that are wall supported having no structure of their own
31 and this is what constitutes an 'awning.' 3) is of the opinion having a large roof with no
32 wall constitutes a 'roof' and not an 'awning.'
- 33 • Essentially, the job of the DRB was to consider two options: 1) The sign as proposed or,
34 2) bring the sign forward on the building located on top of the parapet. Is of the opinion
35 the latter option was awkward. The Project was about providing a sign for a tenant space
36 that is architecturally accepting/good fit where the general consensus of the DRB was to
37 go along with the design of the sign submitted at the meeting.
- 38 • Related to the DRB discussion about the definition of a roof mounted sign as addressed
39 in the Sign Ordinance that an awning or overhang is a secondary covering attached to
40 the exterior wall of a building having the addition of columns such that the awning
41 becomes a canopy, which is able to extend further from a building. Concerned was
42 expressed by the DRB that the proposed sign was not a roof mounted sign by definition
43 in the City Sign Ordinance and might be precedence setting for the site and Citywide. Is
44 of the opinion the sign type constitutes an awning/canopy and not a roof. As such, 'an
45 awning' is outside the walls of a building and a large awning is 'a canopy' that has to be
46 supported by an additional structure like posts/columns. Many of the buildings in Ukiah
47 do not have a 'sign fascia' scenario so what has occurred for compliance with the Sign
48 Ordinance is a sign would be allowed provided it did not exceed the height of the roof
49 and/or remain below the top of the building to fit with the definition of what constitutes a
50 roof mounted sign. The question is what constitutes a roof mounted sign? What
51 constitutes an overly restrictive interpretation of a roof mounted sign? Do roof mounted
52 signs need to be below the gutter? Provided and discussed good and poor examples of
53 roof/awning signs in the community. Is of the opinion some of the language in the Sign
54 Ordinance is 'awkward' and difficult to interpret. What truly constitutes a sign as being
55 roof mounted? Is this anything on the roof? To this end, all of the examples of signs in

1 the color rendering are essentially mounted on the roof. With all of this being said, the
2 proposed sign does not appear to be out of place and architecturally does not appear to
3 be incompatible with consensus of the DRB.

- 4 • Noted State Farm has made modifications to their 'signature sign' that is tasteful/
5 aesthetically pleasing and a nice improvement.

6
7 **Zoning Administrator Stump:**

- 8 • Acknowledged that past practices allow signs to be placed on roof so long as they do not
9 exceed the height of the roof essentially validating the language in the code.
- 10 • Asked about the problems such as space, etc., associated with signage for this particular
11 tenant space since there is no existing fascia for signage and expressed concern about
12 the location of signs for other tenant spaces and where appropriate placement would be
13 for compliance with the Sign Ordinance.

14
15 **Butch Bainbridge:**

- 16 • Acknowledged the aforementioned question and noted future signage consideration
17 relates to possible changes in tenant space because tenant space could be modified to
18 fit tenant needs that would affect signage.
- 19 • Preference would be to more appropriately center the State Farm sign on the corrugated
20 awning/roof providing for more of a balance.

21
22 **Zoning Administrator Stump and Butch Bainridge** further discussed the front elevation
23 concerning the color rendering depicting sufficient space for signage on the building when in
24 reality this space does not exist. The issue is really about reality versus the fact no fascia for
25 signage exists.

26
27 **Jay Epstein, applicant:**

- 28 • Has a verbal agreement with the property owner that if the title company tenant space
29 becomes available, he would have an opportunity to lease this space in the event his
30 business grows.

31
32 **Associate Planner Faso:**

- 33 • Related to the issue of asking the property owner to modify the existing sign program for
34 the existing multi-building complex, staff is of the opinion there would be no need
35 because the future of the tenant space is not known.

36
37 **PUBLIC HEARING CLOSED: 2:17 p.m.**

38
39 **Zoning Administrator Stump:**

- 40 • Has visited the site and reviewed the minutes from the DRB meeting.
- 41 • Has reviewed the staff report and agrees with staff's analysis.
- 42 • Likes the location and design of the proposed sign and approach taken by Contractor
43 Bainbridge.
- 44 • Supports staff's recommendation to include a condition of approval that no additional
45 signs be allowed on the corrugated roof/awning.
- 46 • Confirmed review of comments made by Chair Hise at the February 27, 2014 DRB
47 meeting.
- 48 • Agrees with staff related to the DRB recommendation the property owner submit an
49 application for a sign program amendment that would address the possibility of signs for
50 future upstairs tenants is not necessary and to not include this as a project condition of
51 approval.

52
53 **Zoning Administrator Stump** approved State Farm Sign Site Development Permit Amendment
54 File No. 14-03-SDPA-ZA with Findings 1-12 and Conditions of Approval 1-14.

1 **7. ADJOURNMENT**

2 There being no further business, the meeting was adjourned at 2:22 p.m.

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5 _____
6 Charley Stump, Zoning Administrator

7 _____
8 Cathy Elawadly, Recording Secretary

9
10 **MINOR SITE DEVELOPMENT PERMIT FINDINGS**
11 **TO ALLOW AN AMENDMENT TO THE SIGN PROGRAM**
12 **FOR 704 EAST PERKINS STREET, APN 179-030-04**
13 **FILE NUMBER: 14-03-SDPA-ZA**

14 The following findings are supported by and based on information contained in this staff report,
15 the application materials, and the public record.

- 16
- 17 1. The proposed project, as conditioned, is consistent with the City of Ukiah *General Plan*
18 as described in Table 1 of the staff report.
 - 19 2. The proposed project, as conditioned, is consistent with the purpose and applicable
20 requirements of the Sign Ordinance as described in Table 2 of the staff report.
 - 21 3. The proposed project, as conditioned is consistent with the criteria of the Airport Master
22 Plan C Zone Compatibility based on the following:
23
24 A. The proposed amendment would allow the installation of a new sign that would be
25 ancillary to an allowed commercial business. This use is consistent with and
26 accessory to uses which are allowed in the C zone.
27 B. The proposed project is ancillary to an allowed commercial/professional office use
28 and the project does not involve the expansion of the existing square footage of the
29 business nor would the project increase the number of employees on the site. For
30 this reason the project is consistent with maximum density compatibility criteria.
31 C. The proposed project would not change the existing structure on the site therefor the
32 existing open land would not change.
33
34 4. The proposed project will not create a hazardous or inconvenient vehicular or pedestrian
35 traffic pattern based on the following:
36
37 A. The proposed sign would be installed on the front elevation of an existing commercial
38 building.
39 B. Given that the sign would be installed on the building a hazardous condition for
40 vehicle and pedestrian traffic would not be created.
41 C. There would be no change to the existing parking configuration as a result of this
42 project.
43
44 5. The accessibility of off-street parking areas and the relation of parking areas with respect
45 to traffic on adjacent streets will not create a hazardous or inconvenient condition to
46 adjacent or surrounding uses based on the following:
47
48 A. The project is the installation of a building mounted sign.
49 B. The location and design of the sign would not create a hazardous or inconvenient
50 condition related to off-street parking areas since the sign would not move and does
51 not project from the building over parking area.
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- 6. Sufficient landscaped areas have been reserved for purposes of separating or screening the proposed structure(s) from the street and adjoining building sites, and breaking up and screening large expanses of paved areas based on the following:
 - A. The project is the installation of new sign. Therefore no new landscaping is proposed as part of this project.
- 7. The proposed project will not restrict or cut out light and air on the property, or on the property in the neighborhood; nor will it hinder the development or use of buildings in the neighborhood, or impair the value thereof based on the following:
 - A. The proposed project would be installed on the front elevation of the building below the main roof line. Therefore the project would not restrict and cut out light and air on the property, or the neighbors and would not hinder future development in the area.
- 8. The improvement of any commercial or industrial structure will not have a substantial detrimental impact on the character or value of an adjacent residential zoning district based on the following:
 - A. The project is not adjacent to a residential zoning district.
- 9. The proposed development will not excessively damage or destroy natural features, including trees, shrubs, creeks, and the natural grade of the site.
 - A. The proposed project would allow the installation of one sign onto an existing commercial building.
 - B. There would be no change to the structure or existing landscaping. Therefore the project would not damage or destroy natural features, including trees, shrubs, creeks, and the natural grade of the site.
- 10. There is sufficient variety, creativity, and articulation to the architecture and design of the structure(s) and grounds to avoid monotony and/or a box-like uninteresting external appearance based on the following:
 - A. The proposed sign would be installed on the front corrugated roof/awning of existing building. This location was not originally approved for a sign location. The project was reviewed by the DRB and there were concerns the proposed sign would not be complementary to the existing building architecture. For this reason the DRB recommended that if the sign were to be approved the draft conditions of approval 3, 4, & 5, be included.
 - B. The majority of the DRB was supportive of the design of the sign and noted that it would be constructed with high quality materials.
- 11. The proposed project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15311, Class 11 (a), Accessory Structures which exempts on-premise signs based on the following:
 - A. The project involves modifications to the exterior of the existing building that will not enlarge the footprint of the building.

1 B. The project is not located within an environmentally sensitive area in that the site is
2 located in an urban area that includes a variety of commercial businesses. The site
3 is developed with existing commercial building used and associated parking areas
4 and landscaping. No water courses, wildlife, wildlife habitat, floodway or flood plain
5 or other environmentally sensitive areas are present.
6

7 12. A notice of public meeting for the proposed project was provided in the following manner as
8 required by the Ukiah Municipal Code:
9

- 10 A. posted in three places on the project site on March 21, 2014;
- 11 B. mailed to property owners within 300 feet of the project site on March 21, 2014;
12 and
- 13 C. published in the Ukiah Daily Journal on March 22, 2014.
14

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16 **SITE DEVELOPMENT PERMIT CONDITIONS OF APPROVAL**
17 **TO ALLOW AN AMENDMENT TO THE SIGN PROGRAM**
18 **FOR 704 EAST PERKINS STREET, APN 179-030-04**
19 **FILE NUMBER: 14-03-SDPA-ZA**
20

- 21 1. Minor Site Development Permit approval is granted to allow an amendment to the Sign
22 Program for the commercial building located at 704 East Perkins Street and as shown on
23 the plans date stamped February 27, 2014 and the project description date stamped
24 February 3, 2014 submitted to the Planning Department except as modified by the
25 following conditions of approval.
26
- 27 2. Approval of a sign permit/ building permit is required prior to installation of sign approved
28 with this sign program amendment.
29

30 From the Design Review Board
31

- 32 3. No additional signs shall be located on the awning/roof next to the sign approved as a
33 result of this amendment.
34
- 35 4. Prior to approval of a sign permit/ building permit a revised sign program shall be
36 submitted to the Planning Department that identifies the new sign location approved with
37 this amendment. The sign program shall also include condition of approval No. 2 that
38 states no additional signs shall be allowed to be located on the awning/roof. The revised
39 sign program is subject to planning staff review and approval.
40
- 41 5. On plans submitted for building/sign permit it shall be demonstrated that the sign shall be
42 installed in a manner such that the sign bracing would not be visible.
43

44 From the Building Division David Willoughby
45

- 46 6. A building permit and electrical permit are required prior to installation of the sign.
47
48

49 Standard Conditions of Approval
50

- 51 7. The property owner shall obtain and maintain any permit or approval required by law,
52 regulation, specification or ordinance of the City of Ukiah and other Local, State, or
53 Federal agencies as applicable. All construction shall comply with all fire, building,
54 electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect
55 at the time the Building Permit is approved and issued.
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- 8. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
- 9. Building, Sign, or other required Permits shall be issued within two years after the effective date of the Site Development Permit, or the discretionary actions granted by the permit shall expire. In the event the required Permits cannot be issued within the stipulated period from the project approval date, a one year extension may be granted by the Director of Planning if no new circumstances affect the project which otherwise would render the original approval inappropriate or illegal. It is the applicant's responsibility in such cases to propose the one-year extension to the Planning Department prior to the two-year expiration date.
- 10. Except as otherwise specifically noted, the Site Development Permit Amendment shall be granted only for the specific purposes stated in the action approving the Site Development Permit and shall not be construed as eliminating or modifying any building, use, or zone requirements except to such specific purposes.
- 11. The approved Site Development Permit Amendment may be revoked through the City's revocation process if the approved project related to the Site Development Permit is not being conducted in compliance with the stipulations and conditions of approval; or if the project is not established within two years of the effective date of approval; or if the established land use for which the permit was granted has ceased or has been suspended for twenty four (24) consecutive months.
- 12. No permit or entitlement shall be deemed effective unless and until all fees and charges applicable to this application and these conditions of approval have been paid in full.
- 13. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.