

MEETING DATE: April 11, 2018

PREPARED BY: M. Jones

PRESENTED BY: M. Jones

## AGENDA ITEM SUMMARY REPORT

**APPLICATION NO.:** Sign Permit (SA 5-18)

**APPLICANT:** Ghulam Ansari

**OWNER:** Ghulam Ansari

**REQUEST:** Rebrand existing SPEEDEX signage to Sinclair: 1) reface the existing Identification/price sign; 2) rebrand canopy signs; 3) install one new building sign.

**LOCATION:** 863 North Main Street

**ASSESSOR'S PARCEL NO.:** 008-034-11

**APPEALABLE PROJECT:** ☒ Can be appealed to City Council

### PROJECT BACKGROUND

In 2016 the applicant obtained a sign permit to replace a fallen nonconforming 17-foot tall freestanding sign with a new nonconforming 14-foot tall freestanding at the Speedex service station located at 863 North Main Street, as part of the approval the applicant also removed two wall signs of 12 square feet, and installed two signs of 9 sf each on the service station canopy for a total of 39.8 SF. The maximum permissible signage based on the old building size was 40.6 square feet. In 2016, the applicant also requested 34 square feet of LED lighting, which was denied by the Planning Commission. In 2016 the total sight signage was reduced from 66 SF to 40 SF.

The applicant is currently adding to the size of the building, which results in a larger signage allowance of 60 SF for the site.

The current request is for 63.7 SF of signage as follows:

1. Reface pre-existing non-conforming (14 feet high) price/identification signage with new logo; both existing and proposed signage would total 30 SF and the resulting signage would remain non-forming in height. Note that the gas pricing sign is exempt from the sign ordinance per state law and 17.38.040E5.
2. Resurface existing 9.8 sf Canopy sign with a new 10.8 SF canopy sign.
3. Add 20.7 SF of new building signage.

### COMMISSION REVIEW AUTHORITY

New nonconforming signage may be approved to replace existing nonconforming signage with Planning Commission approval per the Coastal Land Use Development Code (CLUDC). An exception is allowable per CLUDC Section 17.38.090(B), provided the Commission can make the following findings:

**17.38.090 – Nonconforming Signs.** A nonconforming sign is any permanent or temporary sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this Development Code.

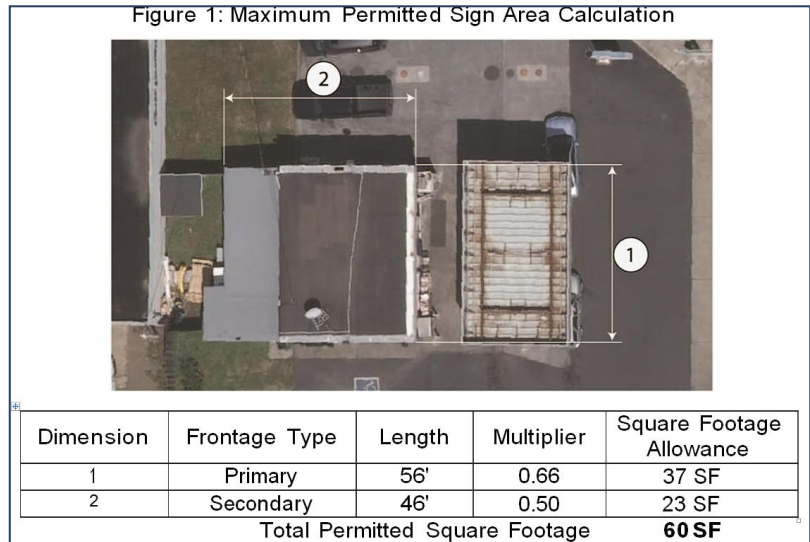
**(B). Exceptions.** An administrative exception to the requirements of Subsection A. may be granted by the Commission, provided the Commission shall make the following findings:

1. The proposed new sign is significantly more conforming in height and/or area than the existing sign; and
2. By approving the new sign, the exception will eliminate the existing nonconforming sign.

## PROJECT ANALYSIS

### Total Sign Area

Table 3-12 of the CLUDC outlines sign standards and allows maximum sign areas based on building frontage. The subject building will have a frontage of 56 linear feet of on Main Street, and 46 linear feet of secondary frontage on Elm Street, permitting a maximum of 60 square feet of total signage (see **Figure 1**).



### Freestanding Sign

This application proposes to reface the freestanding sign. The sign height would not be reduced. The applicant notes that they recently reduced the sign height from 17 feet to 14 feet and have a new sign pole and system that they don't want to replace again as they have invested significant funds in the new pole sign and the attached cabinet.



Previous Sign



Current Sign



Proposed Sign

As the applicant has not proposed to bring the pole sign into more conformance than the existing sign, in order to comply with the intent of section CLUDC Section 17.38.090(B), the Commission could require that the applicant reduce the amount of signage in the rest of the sign plan to a total amount that is less than what is allowable by the sign ordinance. Staff recommends that the total amount of signage on the site be limited to 55 SF instead of the permitted 60 SF as the applicant does not propose to reduce the height of the non-conforming sign.

#### Canopy (Wall) Signs

The application also proposes new canopy signs on the east elevation of the service station canopy. The CLUDC permits the review authority to calculate only the area of the text as sign area, exempting “symbols, pictures, patterns, and illumination approved as architectural ornamentation or decoration by the review authority” (Section 17.38.040(E)(3)). Past interpretations of the sign ordinance have excluded backdrops and the dino logo similar to those proposed by this application from the sign area calculation using this code section. The application proposes two dinosaurs logos which can be excluded from the sign program. The text proposed on the east canopy elevations is 10.8 square feet.

#### Existing Wall Signs

The business presently has no wall signs on the convenience store façade. The applicant proposes to install a 20.7 SF wall sign. A portion of the sign dedicated to an outline of a dinosaur (6.4 SF) could be considered a symbol that is “architectural ornamentation. However staff sees this logo as integral to the sign and not really architectural ornamentation in the same way that the dinosaurs on the canopy could be construed as architectural ornamentation.

Staff recommends that the DinoMart sign be modified so that it not exceed 13.5 square feet through the elimination of the Dino Logo or through a reduction in the overall sign size.

#### Findings for Approval

The Planning Commission may approve the sign requirement exception provided the signage is significantly more conforming in height and/or area than the existing signage, and that the exception eliminates existing nonconforming signage, per CLUDC Section 17.38.090(B). The following discussion represents staff’s recommendation concerning the required findings:

#### **17.38.090(B)(1) – The new proposed signage program is slightly more conforming in area than the existing signage program.**

The freestanding sign is nonconforming for height (14 feet where 6 feet is permitted). The applicant does not propose to reduce the height of the newly installed 14-foot freestanding sign. Thus staff recommends that the entire signage plan have less total signage than is allowed by the code. The code allows 60 SF total for the new building façade, and staff recommends that the Commission consider approval of 55 SF of signage.

The applicant proposes 63.7 SF of signage. Adherence to **Special Condition 1** would reduce the total sign area to 55 SF and the required finding can be made.

**Condition 1:** The applicant shall revise the sign plan to reduce the size of the Building sign by 8 SF to 12 SF total, for a total signage plan for the entire site of 55 SF.

Alternatively, the Commission may find that the identification/price sign should be reduced in height, per CLUDC Section 18.38.060(E)(3), instead require **Special Condition 1A**.

**Condition 1A:** The applicant shall revise the sign plan to reduce the height of the pole sign from 14 feet to 10 feet and total signage of 60 SF.

**17.38.090(B)(2) – By approving the new sign, the exception will eliminate the existing nonconforming sign.**

Approval of the application with **Special Condition 1A** would clearly eliminate the previous nonconforming freestanding sign. Approval of Special Conditions 1 would result in the replacement of the sign copy.

#### **RECOMMENDED PLANNING COMMISSION ACTION**

1. Approve an exception to the height limitation requirement for the proposed freestanding sign, allowing for a 10-foot tall freestanding sign and a reduction in the overall signage from 63 SF to 60 SF.

#### **ALTERNATIVE ACTIONS**

1. Approve an exception to the height limitation requirement for the proposed freestanding sign, so long as the applicant shall revise the sign plan to reduce the size of the Building sign by eight SF to 12 SF total, for a total signage plan for the entire site of 55 SF.
2. Deny the sign permit; or
3. Approve the sign permit with a different height limit or sign size; and/or

#### **FINDINGS FOR APPROVAL**

1. The new proposed sign is significantly more conforming in height than the existing sign.
2. By approving the new sign, the exception will eliminate the existing nonconforming sign.

#### **CONDITION OF APPROVAL**

**Condition 1:** The applicant shall revise the sign plan to reduce the size of the Building sign by 8 SF to 12 SF total, for a total signage plan for the entire site of 55 SF.

Or

**Condition 1A:** The applicant shall revise the sign plan to reduce the height of the pole sign from 14 feet to 10 feet and total signage of 60 SF.

#### **ATTACHMENTS**

1. Location Map
2. Proposed Sign Plan