



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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MEMORANDUM

DATE: MAY 3, 2021
TO: MENDOCINO HISTORICAL REVIEW BOARD MEMBERS
FROM: PLANNING AND BUILDING SERVICES STAFF
SUBJECT: MCC SECTION 20.760.040 SIGN COPY EXEMPTION

To better assist our customers, Staff is requesting guidance from the Review Board about sign regulations and exemptions from MCC Chapter 20.760. Three codified sections apply to commercial signs in Town:

- ✓ Chapter 20.712 *Signs*
- ✓ Section 20.760-050(A)(8) *Sign Standards*
- ✓ Section 20.760.040 *Exemptions (F), (G), and (H)*

Rather than apply for a MHRB Permit, some business owners request an exemption for new business signs under Section 20.760.040(H) that reads as follows:

"(H) Copy changes on legally existing signs [are exempt from Chapter 20.760] provided that the Planning and Building Services Department has determined that the replacement or revised sign: (1) Conforms to sign size and design standards contained in this Chapter and Chapter 20.712; and (2) Is similar in color and design to the original sign; and (3) Is not larger than the original sign; and (4) Is in the same location on the property as the original sign."

To grant a sign exemption, PBS Staff review illustrative and descriptive examples of the proposed replacement sign to determine whether the existing sign previously obtained an MHRB Permit; the replacement sign conforms to size and design standards; the replacement colors were previously authorized; and the replacement size is not larger than what was previously authorized (or located in a different location on the property). For example, staff recently reviewed no less than eighteen issued MHRB Permits to ascertain whether a requested sign copy change met the criteria for an exemption. Not only does the Review Board not act upon exemptions; the County is not compensated for the cost of research, which may include looking at archival MHRB Permits dating back to 1975. The current MHRB Sign Copy application fee is \$250. Between 2017 and 2020 the equivalent fee was \$492.

A frequently adopted sign permit condition states: *"This permit for this sign is valid only for as long as this business is conducted at this location. The Review Board reserves the right to consider all aspects of any future changes to the sign, including size."* Does a MHRB sign permit with this condition remain applicable when a business closes or relocates?

Staff requests guidance regarding the following:

- Should sign copy changes be measured by the most recently issued sign permit?
- Are *legally existing signs* the same as older sign permits that were supplanted by another permit?
- How should staff interpret similar in color and design when a new business has a different brand?
- Should the pattern remain the same or is a different pattern just the same?
- Is dark brown *similar to navy or black*?
- Should staff consider the colors that harmonized within the district circa 1975-2005 just as suitable in 2021?

ATTACHMENT:

Email from Rick Sacks, owner of the Sign Shop

MAY 3, 2021 MEMORANDUM ATTACHMENT

>>> The Sign Shop - Rick Sacks <rick@mendosign.com> 4/5/2021 4:01 PM >>>

Ladies,

Over the years I've done many over the counter copy changes on permitted signs in Mendocino.

As I've understood, this was intended to be a simple, on the spot, determination that saves the county and the applicant time and money.

Recently an application had been approved with color chips saying the colors needed to be exactly the colors from the long ago application. When I read the ordinance about copy changes I see it says something about same or similar color.

There have been numerous applications where a change was approved using the same colors only changing the order of the colors. A letter color and background color were reversed, or something similar to that.

I recently had one of these proposals denied because the background color was too dominant and the colors didn't have the same balance proportionally as the original sign referred to.

I'm asking for clarity of interpretation, and renewal of the intended over the counter approval.

This should not need to go before the MHRB, and the staff in the office needs training to all employ the same understanding.