



## MEMORANDUM

DATE: JUNE 7, 2021

TO: MENDOCINO HISTORICAL REVIEW BOARD MEMBERS

FROM: PLANNING AND BUILDING SERVICES STAFF

SUBJECT: MCC SECTION 20.760.040 SIGN COPY EXEMPTION AND REVIEW BOARD GUIDANCE

On May 3, 2021, staff requested guidance about sign regulations and MCC Section 20.760.040(H). The following is intended to summarize the Review Board's comments, which concluded with a request that the Director prepare a policy (or procedure) regarding MCC Chapter 20.760 sign exemptions.

1. The frequently adopted condition (below) should be interpreted to mean that when a business ceases or relocates, the approved sign permit is no longer valid. A new location for the same business (or a new business at the same location) would apply for a permit when the current sign permit is no longer valid.

*"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."*

To accommodate new business owners' requesting a sign copy change pursuant with MCC Section 20.760.040, staff will suggest revised language for this often adopted condition (above).

The Review Board requests staff to develop a potential condition that could limit the use of telephone, web-address, social media (e.g. facebook, Instagram, twitter) and similar information on business signs in Town.

2. The exemption for sign copy changes as listed in MCC Section 20.760.040(H) states:

*"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."*

Threshold examples of when a sign copy change could satisfy MCC Section 20.760.040(H):

- ✓ The copy change exemption can be applied to signs having the same dimension shown on the permit.
- ✓ The exemption can be applied when sign *colors and design* are similar to what is shown on the permit. A new permit is recommended when both the copy and the design of the sign changes.
- ✓ The exemption can be applied when the sign remains in the same location, as shown on the permit.
- ✓ The colors identified in the MHRB Permit are the colors allowed. The exemption can be applied when the sign colors used are the same as the colors listed in the permit.

A "copy change on a legally existing sign" means the most recently issued permit. When the most recently issued permit is not valid (e.g. by condition or other), then the exemption would not apply.

OTHER

C. Interpretation of exemptions to activities requiring Review Board Approval

Staff requests that Review Board provide guidance which will assist staff in consistently interpreting exemptions in new Historic Ordinance for: (a) copy changes on legally existing signs; and (b) changes to existing roofing materials.

Staff explained exemption for copy changes on legally existing signs provided in Sec. 20.760.040(H) of the new Historic Ordinance. Discussion ensued with the following issues resolved by consensus of the Board:

- (a) Font style can be changed.
- (b) Font size can be changed.
- (c) Orientation and location of type on sign can be changed.
- (d) New colors may be added as accents.
- (e) Sign colors can vary from originally approved colors by a couple of shades.
- (f) The balance of colors on a sign can significantly change (i.e., yellow type on blue background can be changed to blue type on yellow background).
- (g) The sign dimensions cannot vary from the originally approved sign.
- (h) Placement, height and orientation of sign cannot vary from originally approved location.

Staff agreed to place any copy change exemptions which are 'questionable' on an MHRB agenda. If the Board decides the exemption applies, the difference in the filing fees for copy changes and MHRB sign permit will be refunded to the applicant.

Staff explained exemption for changes to roofing materials provided in Sec. 20.760.040(K) of the new Historic Ordinance. Discussion ensued with Board agreeing on the following:

- (a) Any changes in roof color require Review Board approval.
- (b) Any concrete shingles require Review Board approval.
- (c) "Dimensional" composition shingles with significant variation in tones (e.g., Oakridge Shadow) require Review Board approval.

Board agreed to review roofing exemption again at some future date, and to invite local roofing contractors to provide samples and input into the discussion.