



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

JULIA KROG, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.gov
www.mendocinocounty.gov/pbs

MEMORANDUM

DATE: December 4, 2023
TO: Planning Division Staff
FROM: Jessie Waldman, Executive Secretary
SUBJECT: Matters from Review Board - Sign Copy Interpretation of "similar" in color and design

BACKGROUND: At the October 2023 MHRB Hearing, Staff presented the Sign Copy Changes Exemption Policy Memorandum, dated September 19, 2023. The policy was adopted and made into effect on November 6, 2023 and is available on the Planning and Building Services Website, under Department Policies, [Departmental Policies | Mendocino County, CA](#).

Pursuant to MCC Section 20.760.040(H), copy changes on legally existing signs are exempt from MCC Chapter 20.760 provided that the Department finds that the change:

- (1) *Conforms to sign size and design standards contained in this Chapter (20.760) 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.*

SUMMARY: At the November 2023 MHRB Hearing, requests from the public and from Review Board Members requested clarifications on the interpretation the word "similar".

STAFF CLARIFICATION: "Similar in color and design to the original sign" means the applicant shall use a color scheme similar to that which was approved. For example, if the previous sign used red lettering on a white background, the new applicant shall endeavor to use the same colors. These colors can be used in the same combination (red lettering on white background) or in a different combination (white letters on red background). Staff will also accept two other colors with in either combination. Additional colors will be allowed provided they not are "fluorescent, metallic, iridescent, or otherwise "modern" colors".

"Similar in design" means the material, size, and shape of the sign shall remain the same, as well as the location of the sign on the premises. This does not mean that the new applicant is limited to previously approved logos, artwork, fonts, or font size on the new sign. New logos and artwork will be allowed provided "modern" colors are not used to create them. The ratio of logo, artwork, emblems, or symbols to letters, numerals, or words will also be considered. For example, if the previously approved project used 25% of the space on the sign for a logo with the remainder used for numbers and words, the new applicant is encouraged propose the same.

ATTACHMENTS:

- A. MHRB Policy - Commercial Sign Exemptions in the Town of Mendocino - 11/2/2023
- B. Historic Interpretation by MHRB on Sign Regulations



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR
PHONE: 707-234-6650
FAX 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

POLICY REGARDING COMMERCIAL SIGN EXEMPTIONS IN THE TOWN OF MENDOCINO

PURPOSE AND BACKGROUND: Consistent with MCC Section 20.760.040, provide guidance for Department approval of changes to commercial signs located within the Town of Mendocino. Pursuant to MCC Section 20.760.040(H), copy changes on legally existing signs are exempt from MCC Chapter 20.760 provided that the Department finds that the change:

- (1) Conforms to sign size and design standards contained in MCC Chapters 20.760 and MCC 20.712, and
- (2) Is similar in color and design to the original sign
- (3) Is not larger than the original sign, and
- (4) Is in the same location on the property as the original sign.

In June of 2021, a memorandum summarized the Review Board's guidance about sign regulations and exemptions. At that time, the Review Board asked that Staff revise the traditional condition limiting sign copy changes that had been often adopted with MHRB permits. In March 2023, the Review Board requested a policy. In June 2023, the Review Board re-interpreted the June 2021 memorandum and determined that when a business ceases or relocates, the approved sign permit remains valid and may be allowed to have the sign copy changed. And further, a copy change to an existing sign may be a copy change to any previously existing sign that was permitted in the same location on the property and is not limited to the most recently issued MHRB permit.

GOALS, OBJECTIVES, AND AUTHORITY: Coastal Element Chapter 4.13, Mendocino Town Plan, Subsection 4.3, includes Policy DG-1 which states, "All new development shall be designed to be compatible with the historical design character of the Town;" and Actions DG 1.1, 1.3, and 1.4. Coastal Element Chapter 4.13 Appendix 7, Section VIII, provides guidelines specific to signs and lighting. MCC Section 20.712.005 states the intent of sign regulations is to "encourage signs that are a quality design, pleasing in appearance and appropriate in size, materials and illumination to the activity to which they pertain."

The authority for this procedure is contained in MCC Chapter 20.760. MCC Section 20.760.030(F) *et seq* lists when work in the Historic District requires prior approval from the Review Board; for example, an MHRB Permit is required for construction, erection, installation, relocation or alteration of any outdoor advertising sign, whether lighted or unlighted, including new sign copy (except as exempted in Section 20.760.040), and any indoor commercial self-contained lighted sign which is visible from a walkway normally used by the public. And MCC Section 20.760.040 establishes an exemption specific to commercial signs.

PLAN: Businessowners are encouraged to leverage local sign regulations and sign exemptions, and are obliged to adhere to existing MHRB Permit conditions or obtain a new MHRB Permit. At the Review Board's direction and when appropriate, Staff suggests the following conditions instead:

- Replacement signs shall be the same shape and size, and similar in color, brightness, tone, and hue. Fluorescent, metallic, iridescent, or otherwise "modern" colors shall be avoided. Replacement signs shall be in the same location on the property.
- Alterations or copy changes to approved signs shall be brought to the attention of Planning & Building Services prior to any changes.

PROCEDURE. Prior to sign alterations or copy changes on legally existing signs, businessowners or their agent will provide PBS with (1) a site plan showing the location of the sign and (2) an 8x11 color rendering of the proposed sign. The rendering shall identify the sign colors, size, shape, and copy. Planning staff will determine whether the proposal satisfies regulations, or conflicts with MHRB Permit Conditions, and is consistent with MCC Section 20.760.040 Exemptions and determine if a MHRB permit is required. If it is deemed MHRB review is not required, Staff shall approve the 8x11 rendering within 3 business days (excluding weekends). Said rendering shall be kept on file.

Policy Initiated By: Mendocino Historical Review Board.

Policy Reviewed by: _____
Chair Ian Roth, Mendocino Historical Review Board

Date: 11/6/23

Policy Approved by: _____
Director Julia Krog, Planning and Building Services

Date: 11/2/2023

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.