



TRINITY COUNTY PLANNING DEPARTMENT

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STAFF REPORT

March 24, 2016

From: Carson Anderson, Senior Planner
To: Planning Commission
Subject: Wiley's Market – Conditional Use Permit for Remodeling a Non-conforming Pole Sign: Sign's Proposed Message Reader Installation and Architectural Treatment

Applicant APN
Kenny Wiley, Wiley's Supermarket 014-130-11

Proposal

- 1) Approve the refurbishment of a non-conforming pole sign, including the installation of an electronic message reader panel on the sign face, and;
- 2) Approve the architectural treatment proposed for the pole sign matching the supermarket building façade's architectural design treatment.

Location

7250 State Highway 3 in Hayfork, on the south side of road, approximately 900 feet east from Main Street (Figure 1)

Project Information

- A. Planning Area: Hayfork
- B. Existing General Plan Designation: Commercial
- C. Existing Zoning: Commercial Retail (C-1)
- D. Existing Land Use: Retail commercial uses and accessory structure (e.g., residential caretaker/watchman unit at rear)
- E. Adjacent Land Use Information:

North: C1-zoned property (including vacant parcels) carrying General Plan Commercial land use designations (Figures 2a and 2b)

South: Flood Hazard Zone within Ewing Gulch floodway. Properties zoned Residential, Single-family (R-1) and carrying General Plan designation of R1-M (Residential, Single-family - Medium Density) are located south from Ewing Gulch

East: C-1-zoned properties carrying General Plan Commercial land use designations (including immediately-abutting unpaved, partially improved land)

West: C-1 zoned properties (Old Fire Hall, commercial uses, and residential uses) carrying General Plan Commercial land use designations

The applicant is requesting approval of design improvements to a non-conforming late 1960s-era pole sign that stands on the far north border of the Wiley's Supermarket property parking lot abutting the State Highway 3 roadway curb line, in a perpendicular alignment in relation to the highway, and 62 feet from the supermarket's front porch (Figure 3). The sign is non-conforming in the sense that it is both within the Caltrans right-of-way (i.e., within 50 feet from centerline) and partially within the 40-foot required setback from the highway centerline required by the County. Per Section 15.08.070 of the County Sign Ordinance, a CUP is required for new freestanding business signs, and in staff's opinion, such review seemed warranted in this instance because major improvements are proposed to a non-conforming freestanding business sign.

At present, the sign is 17 feet tall and 86 inches (8 feet, 2 inches) wide in its present design configuration. Under the applicant's design retrofit proposal, the sign would be clad with new wood material to match the siding on the face of the market and receive a stepped treatment at the top echoing the stepped false front treatment of the market's front façade (Figures 4a and 4b). The overall height of the pole sign structure would be increased a few inches above its current 17-foot height—and in width—due to the new wood cladding design treatment.

Currently, the pole sign contains a solid wood backing upon which are affixed a series of smaller wood sign panels of various colors (advertising various market products and services), along with a non-illuminated message board. These occur on two sides and extend down to within 18 inches (approximately) of the ground. Small spotlights shine down from the top of the pole sign structure to illuminate the various signs at nighttime (Figures 5a and 5b).

As part of the retrofit of the pole sign the applicant is proposing to install a 23 square-foot electronic message board sign (one each on both sides of sign structure) along with internally-illuminated channel letter signage near the top reading "Wiley's Supermarket," and totaling approximately 17 square feet together (on both sides of the sign structure). There would be approximately 40 square feet of signage on each side of the sign structure, for a combined total of 80 square feet—less than the maximum 100 square feet (per sign face) allowable per the County Sign Ordinance. In addition, new clearance is proposed at the bottom half of the sign of approximately 8 feet—providing much better sight lines for motorists exiting and entering the market parking lot (Figure 6).

The electronic message reader sign would have messages that would change slowly to enable motorists to read the messages easily. Swirling, scintillating, moving patterns and sharply bright combinations are not proposed for use due the applicant's concern for public safety. The messages will be changed through a computer programming process periodically and can be modified, if need be, to address public safety concerns, should any arise. All signage would be turned off at 10 to 10:30 pm nightly when the market closes for business.

No ground disturbance is proposed as part of the project, as the ground supports for the sign structure would be left as is and would be adequate to support the sign design loads as reconfigured.

The Land Use and Community Design and Economic Development sections (chapters 9 and 8, respectively) of the Hayfork Community Plan (1996) contain goals, policies and objectives related to business development and the desired design appearance of the community. Reference is made to a desirable design typology represented by Hayfork's Frontier Village and its rustic, wood-faced buildings (chapter 9, page 9.25), and to the concept of roofed-porch, "false front" design inspired by the community's historic barns (chapter 9, page 9.27). The proposed sign refurbishment treatment conveys this design theme by echoing the supermarket's architectural treatment. In addition, it appears to support the primary economic objectives contained in the Economic Development chapter related to encouraging existing local business retention and expansion (chapter 8, page 8.21).

Before approving the Use Permit for the refurbishment/retrofit of the sign:

1. Make a finding that the project is consistent with the County's General Plan and with the Hayfork Community Plan (1996).

Environmental Scoping and Comments:

The project was routed for comments on February 11, 2016. Comments received from the routing were as follows:

County Department of Transportation wrote that "The existing sign appears to be located entirely within Caltrans right of way, which is 50 feet of centerline per Assessor Maps. As a Caltrans encroachment permit is required for any work within the State ROW. Caltrans should be notified of this modification. Staff concluded that Caltrans policy would likely be to require the sign to be removed from/repositioned out of Caltrans ROW.

Caltrans did not provide formal written comments but was contacted back in late October 2015, when Mr. Wiley first contacted the Planning Department concerning his proposal to refurbish the freestanding sign and insert a message reader component on the sign face. Staff made contact at that time with the Division of Traffic Operations, Office of Outdoor Advertising. Their posture on this matter was to wait to see what the County's use permitting actions would be before taking any permitting actions.

Based on the remote prospect for impacts to building safety, fire or environmental health concerns neither the County's **Building and Safety Department**, **Environmental Health Department** nor **Cal Fire** had comments.

Environmental Review Action

Staff has determined that the proposed action is categorically exempt per Section 15311 of the *CEQA Guidelines* (i.e., Class 11 qualifying refurbishment of commercial, industrial or institutional accessory structures).

Staff Recommendations

Staff recommends the following:

1) Approve the CUP for the proposed project for refurbishment of the Wiley's Supermarket freestanding business sign subject to condition, finding that on the basis of the whole record before the Commission, including the comments received that there is no substantial evidence that the project will have a significant effect on the environment and reflects the Commission's independent judgement and analysis; and

2) Adopt as part of the CUP approval the following conditions:

a. Due to the fact that the subject sign is located within Caltrans right-of-way, installation of the new design and signage elements approved as part of the project by the County is granted contingent upon the permitting actions taken by Caltrans. The granting of a permit by Caltrans may require relocation of the subject sign outside of the Caltrans right-of-way or other conditions of approval that have not yet been specified by Caltrans.

b. Due to the potential of the electronic message center signage component for setting a new precedent for future business signage treatments in the community in the future, and the on-going changing nature of the proposed messaging, the County reserves the right to discuss with and potentially require the applicant to make modifications in the operation of the electronic message center messaging component should any newly identified significant spill light and public safety impacts be identified in the future.

Findings of Fact

1 .Finding: Sound Principles of Land Use. Approval of the CUP for the proposed refurbishment application for a non-conforming sign is granted based on sound principles of land use.

Statement of Fact: As proposed and conditioned, the project would be compatible with the surrounding uses and consistent with the provisions of the County's zoning ordinance, sign ordinance, and policies contained as part of the Land Use Element of the General Plan and Hayfork Community Plan.

2. Finding: Not injurious. Approval of the CUP for the sign refurbishment request will not be detrimental to the public health, safety or welfare, nor will it create a public nuisance.

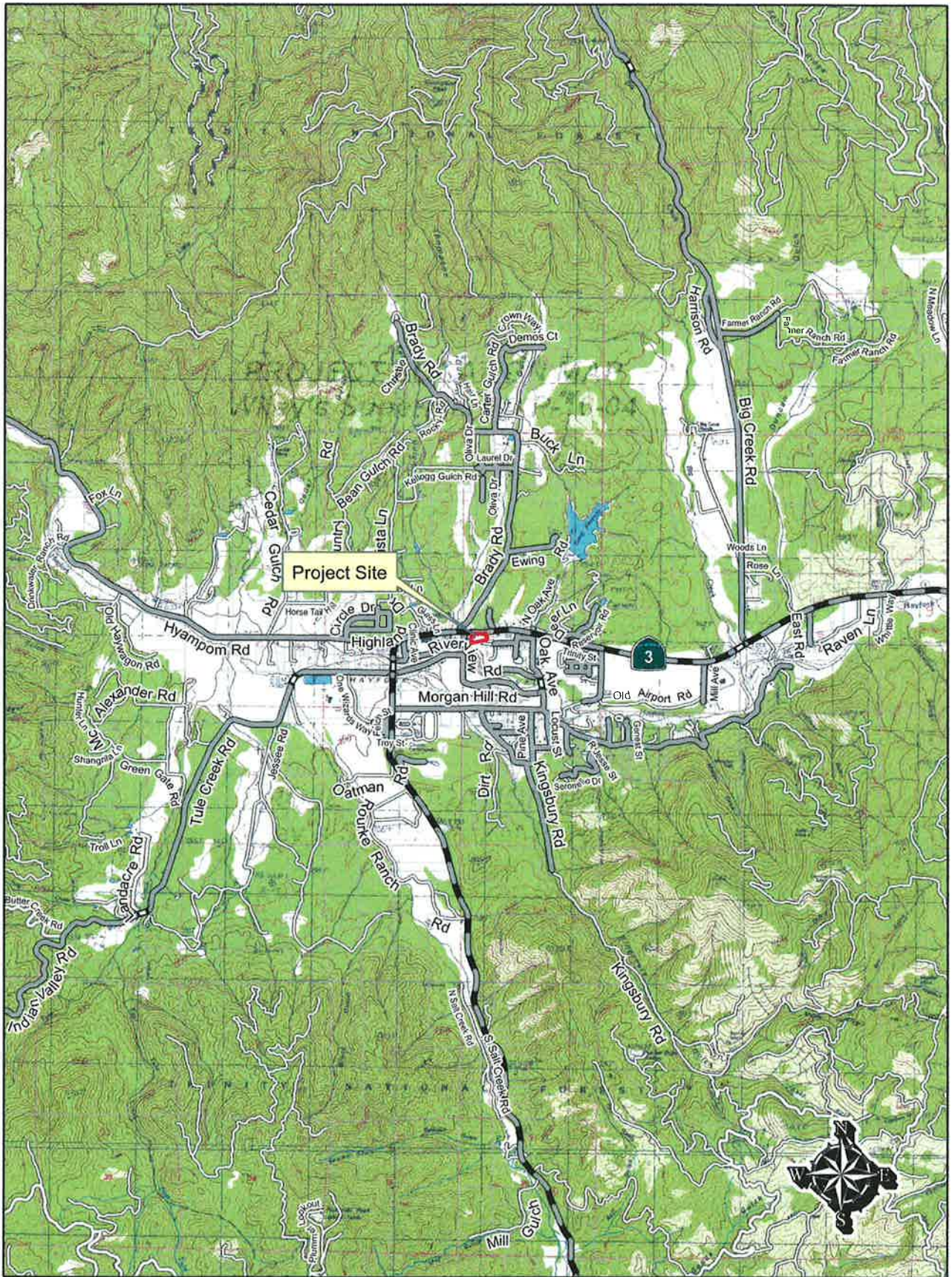
Statement of Fact: As proposed and conditioned, the project can be found compatible with surrounding land uses, and would actually improve motorist sightlines across the applicant's parking lot, and to and from the adjoining highway, such that no injury to the public health, safety or welfare would result.

3. Finding: The request complies with the objectives of the general and community plans for the area in which it is located.

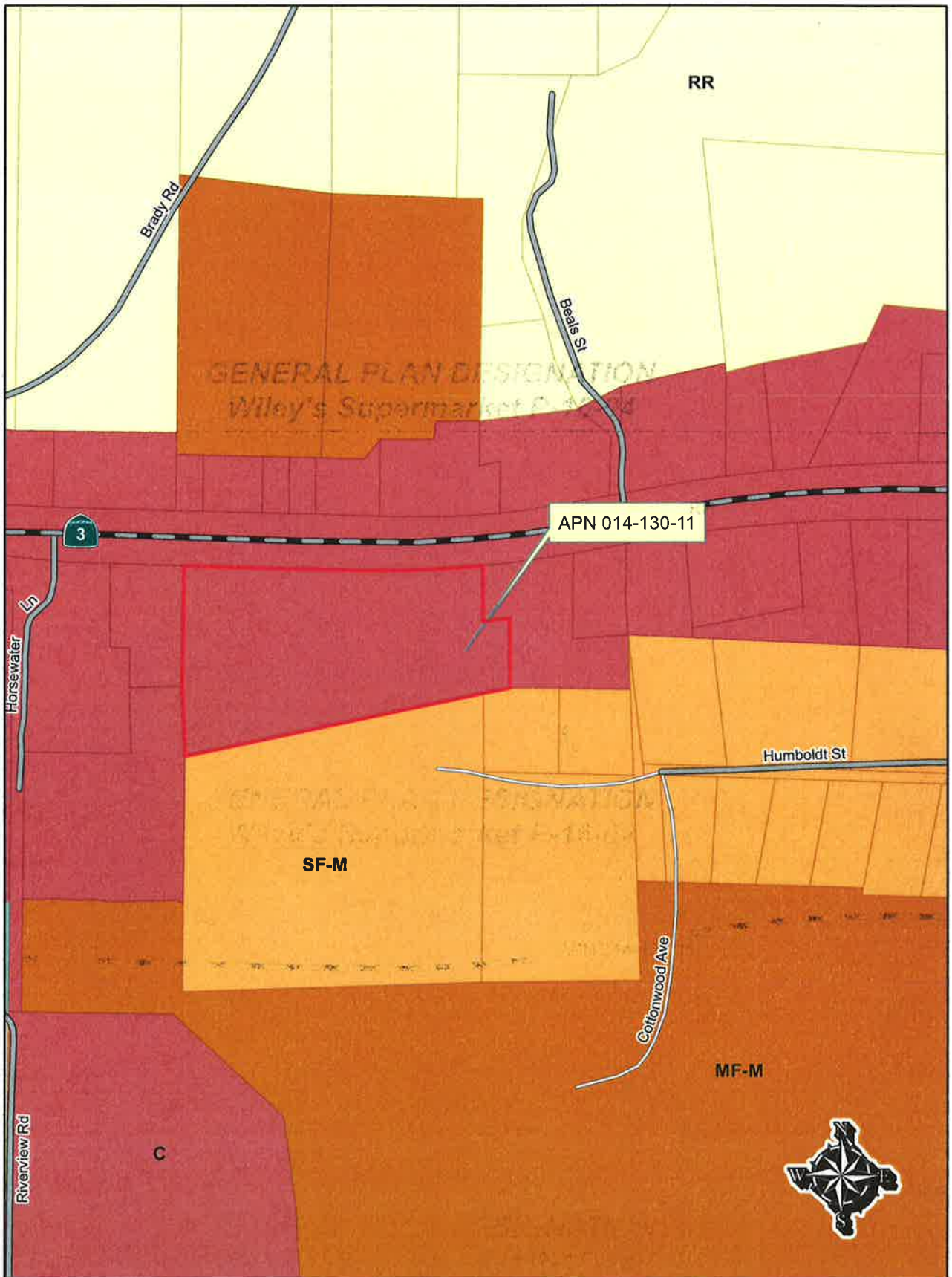
Statement of Fact: Granting approval of the CUP for the application is consistent with the objectives and policies of the County's General Plan and the Hayfork Community Plan. Specifically, per the Hayfork Community Plan, the proposed design treatment reflects a desirable design typology seen in Hayfork's Frontier Village's rustic, wood-faced, "false front" design treatments, echoed in Wiley's Supermarket's existing architectural treatment.

PROJECT LOCATION MAP

Wiley's Supermarket P-16-04



GENERAL PLAN DESIGNATION Wiley's Supermarket P-16-04

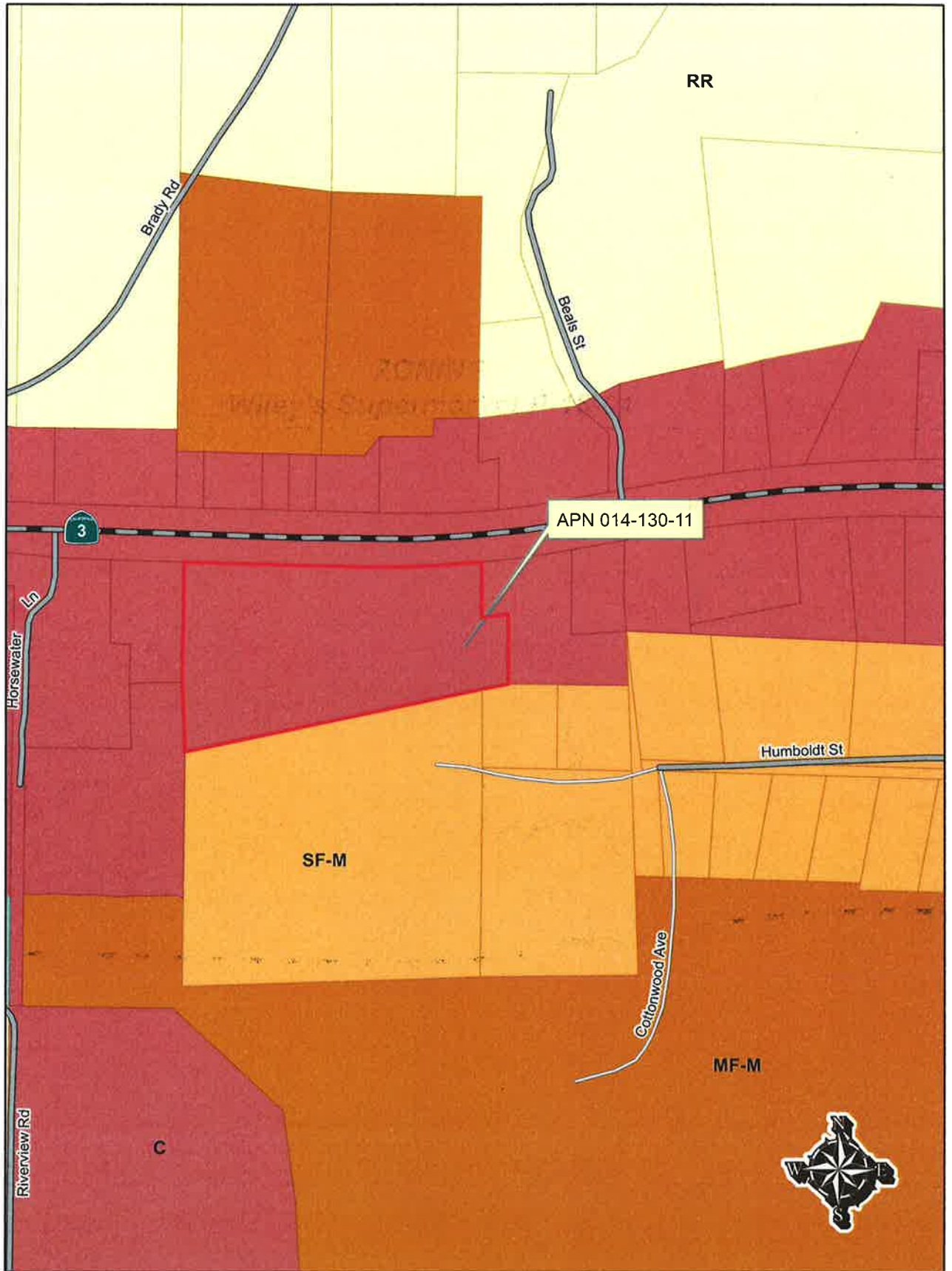


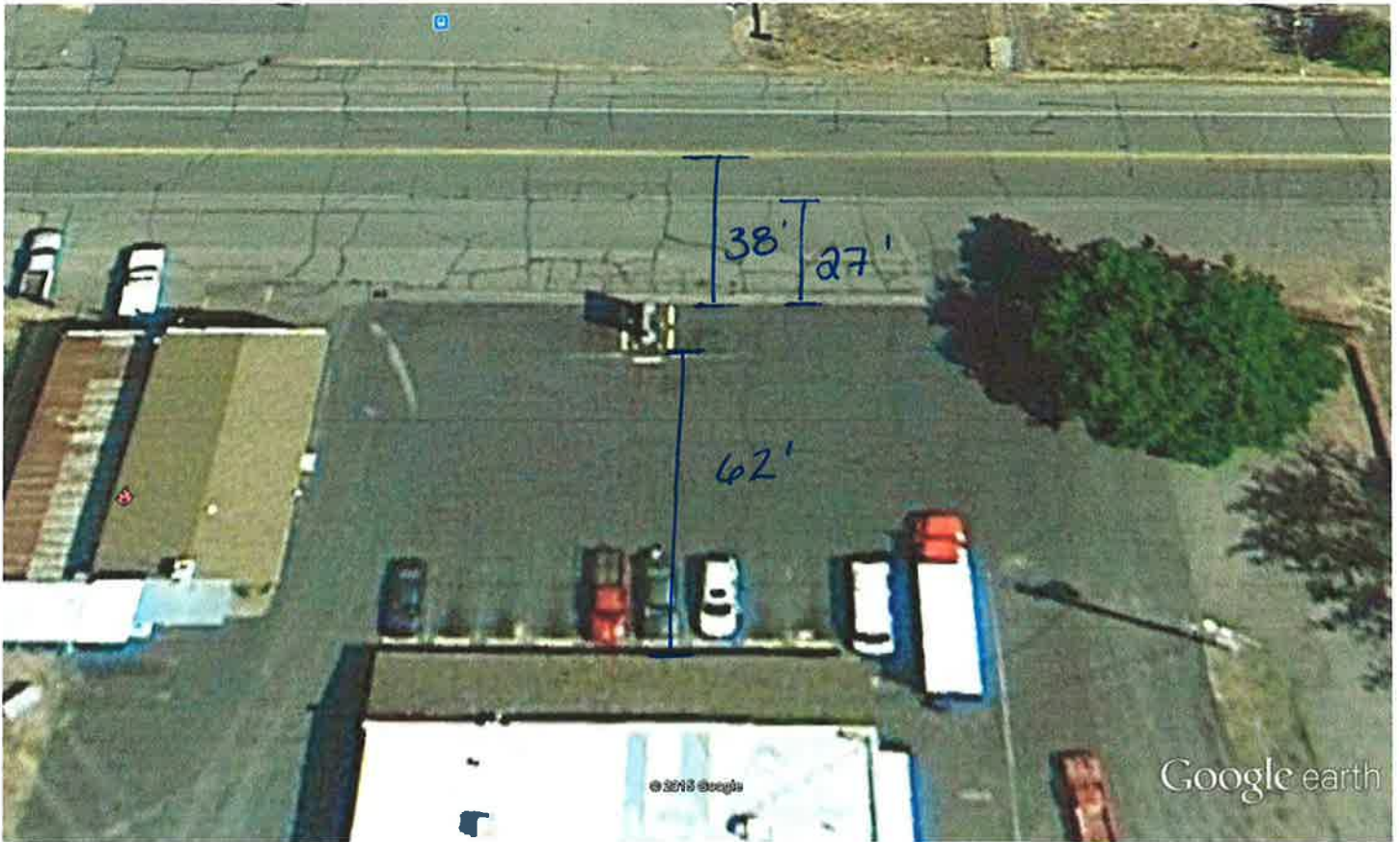
6

Figure 2a

ZONING

Wiley's Supermarket P-16-04





Google earth

feet 100
meters 30

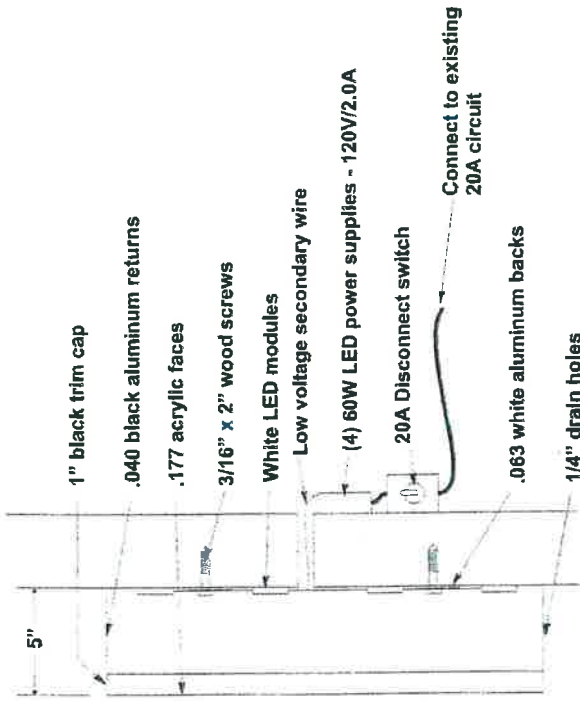


SIGN PLACEMENT IN RELATION
TO FRONT OF THE SUPERMARKET
AND WITH REFERENCE TO THE
HIGHWAY CENTERLINE.



Scale: 1/2" = 1'

ATTACHMENT / ELECTRICAL DETAIL



- 3/16" White translucent acrylic faces
- #33 red vinyl on faces
- 5" deep .040" black returns.
- 1" black trim cap.
- .040" white backs.
- White LEDs
- 53.9 ft²



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THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE INCLUDING PROPER GROUNDING AND BONDING OF THE SIGN.



Google earth



EXISTING SIGN DESIGN FEATURES
(LOOKING SOUTHEASTWARD)



Google earth



EXISTING SIGN DESIGN WHILE
INDICATING WHERE THE PROPOSED
MODIFICATIONS WOULD OCCUR
(LOOKING SOUTHWESTWARD)



Google earth

feet
meters



= APPROXIMATE VIEWING AREA

NOTE: BECAUSE OF THE CHANNEL LETTER DESIGN OF BOTH THE MESSAGE CENTER AS WELL AS THE BACKLITE WILEY'S LOGO, THE SIGN HAS LITTLE TO NO VISIBILITY BEYOND 45° EXTRA SHROUD OF PROTECTION SURROUNDING THE MESSAGE CENTER WILL ALSO DECREASE VIEWING FROM THE SIDE

14 March 2016

Trinity County Planning Department
Planning Commission

Re: Wiley's Market – Use Permit for Pole sign refurbishing

Commissioners:

I would like to call attention to Chapter 9, Policy 3.6.d., p.9.35 of the Hayfork Community Plan, Community Design Goals and Objectives, re signage along Highway 3.

Since this proposal is for the refurbishing of an existing pole sign, not all of the recommended guidelines would apply, including the suggested height limit of ten feet. Specifically applicable, however, are the following:

Encourage use of natural and/or natural appearing materials
Discourage the use of flashing or animated signs

I have discussed the proposed refurbishing with Ken Wiley, pointing out the HCP policy and recommendations, emphasizing concerns re bright, flashing and travelling electronic signage as out of character with the community and a distraction to motorists, as exemplified by the relatively recent school sign at the bus barn access road.

Ken has indicated his sympathy with these concerns and intends for the illuminated portion of the sign to rotate or scroll “periodically” to display his advertised products. He has also indicated a willingness to accept other conditions of the Commission, such as hours of sign operation, content and frequency of message rotation, color and brightness of illumination.

The proposed refurbishing will undoubtedly be an improvement to the existing signage, including improved visibility under the sign for incoming and outgoing vehicles and the use of materials and colors harmonious with the architectural character of the building. We are apparently living in the electronic age, but hopefully we will not see a proliferation of distracting, electronic signage in a community that tries to maintain a rural and rustic village character.

I am unable to attend the 3-24-16 hearing, but would appreciate your consideration of the above comments. Thank you.



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