



COUNTY OF HUMBOLDT

For the meeting of: 3/7/2024

File #: 24-280

To: Planning Commission
From: Planning and Building Department
Agenda Section: Public Hearing

SUBJECT:

Eureka's Redwood Christian Center - Sign Replacement
Assessor Parcel Numbers (APN) 306-391-004
Record No.: PLN-2022-17994
Spruce Point / Humboldt Hill area

A modification to a previously approved Conditional Use Permit for the replacement of an existing sign with a new video display sign. The previous sign was damaged by a vehicle and the replacement sign was installed prior to obtaining the appropriate County permits. The sign is a freestanding double-sided monument sign that is 13 feet and 4 inches in height with a sign face of 82 square feet (41 square feet per side). The sign face is internally illuminated with an LED reader board.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 24-__). (Attachment 1) which does the following:
 - a. Finds that the Planning Commission has determined that the project is exempt from environmental review pursuant to Sections 15301 and 15302 of the State CEQA Guidelines which covers permitting and replacement or reconstruction of existing structures; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the modification of the Conditional Use Permit subject to the project modifications outlined in the recommended conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: The project is located in the Humboldt Hill area, on the West side of Humboldt Hill Road, at the intersection of Rolica Circle and Humboldt Hill Road, on the property identified as 6000 Humboldt Hill Road.

Present General Plan Land Use Designation:

*Coastal Zone: Resource Dependent / Residential Low Density (MR/RL)
Inland: Residential Low Density (RL)

Present Zoning:

*Coastal Zone: Residential Single-Family specifying a 5,000 ft.² minimum parcel size (RS-5)
Inland: Residential One-Family specifying a 6,000 ft.² minimum parcel size (R-1*)

*the project is located within the portion of the property outside of the Coastal Zone.

State Appeal: None. The project is located within the portion of the property outside of the Coastal Zone.

Major Concerns: Neighborhood Compatibility, Traffic Safety

Executive Summary: The project involves after-the-fact permitting of a new, replacement sign that was installed prior to obtaining the appropriate County permits. A monument-type structure, the new sign was constructed in nearly the same location as a prior freestanding sign of similar size and height. The previous sign was damaged in 2019 after being struck by a vehicle. Attachment 2 of this report includes photos showing the location and appearance of both the current and prior signage.

Background on Violation

County Code Enforcement received a complaint after the new sign was erected without permits. In January 2022, a letter was mailed to the property owner concerning the matter and the contractor filed an application for a building permit in late April 2022. In June 2022 it was determined that the sign replacement required a modification of a prior Conditional Use Permit (CUP-00-015). Application for the Use Permit modification was made in late October 2022.

Background on Sign & Site

The property on which the sign is located is zoned R-1 (Residential One-Family). The zoning regulations include allowances for appurtenant signage with size limits based on the length of a property's frontage. However, residentially zoned parcels are excluded from this allowance. Signs of this nature are not currently allowed in residential zones according to Humboldt County Code. The sign that was replaced was recognized as a lawful nonconforming structure and lawful nonconforming use during past permitting actions.

The sign is appurtenant to an existing church which was permitted and built in 1965 prior to the advent of the County Zoning Regulations. The earliest General Plan maps for this area show much of the Spruce Point / Lower Humboldt Hill area being planned for agriculture and open space, including the project parcel. The first County Zoning Ordinance regulating use of land and buildings was adopted by the Board of Supervisors on May 11, 1965 (Ordinance #519). The initial ordinance included rules governing signs and allowed for erection of appurtenant signage on parcels in Commercial, Limited Industrial, and Unclassified Zones. Ordinance #519 also included provisions for permitting Quasi-Public Uses & Structures operated by private non-profit institutions, associations, or organizations, including churches. Portions of the Humboldt Hill area were first zoned R-1 in 1960 (Ordinance #391).

At the time of the adoption of Ordinance 519, the zoning of the parcel was likely Unclassified (U), where both quasi-public uses and appurtenant signage are principally permitted.

Sign is Lawful Nonconforming Structure/Use

The parcel has been planned and zoned for residential uses since the early 80's. At the time of the change to residential zoning, the church and associated signage became legal non-conforming uses. The existing sign is located within twenty feet of the front property line, in conflict with front yard setback requirements applicable to parcels in the R-1 zone. For this reason, the sign is also considered a non-conforming structure as well as a non-conforming use. In 2001, the Use Permit was approved by the Planning Commission authorizing remodel and additions to the church together with parking and drainage improvements. The legal non-conforming status of the signage was affirmed during permitting of the church renovation and expansion.

Lawful nonconforming uses and structures are recognized and protected under sections 314-131 and 314-132 of the Zoning Regulations, and are authorized to be continued indefinitely, provided use/occupancy of these structures has not ceased for more than two years from the date of nonconformance to the present. Expansion of a nonconforming use is prohibited unless the use is permitted in the zone in which it is located.

A lawful nonconforming structure destroyed or damaged by casualty may be restored if completed within two (2) years of the event where the damage or destruction occurred. However, nonconforming structures may not be enlarged or extended where an intensification or increase in nonconformity would result. To comply with the rules governing nonconforming uses and structures, the development footprint, nature, and intensity of the use must remain at or below conditions that existed on the date it became nonconforming.

The newly installed sign is a video display sign with LED reader board. This change in the type of sign and illumination resulted in an intensification of the non-conforming structure and increase in the severity of the non-conforming use. The prior signage did not include internal illumination, an LED display, or dynamic/changing copy. It is therefore appropriate to require this sign component be replaced by conventional externally-illuminated signage comparable to the type that was used on the original sign that was damaged. This requirement is included as Condition of Approval #4 and will ensure the degree of nonconformance of the replacement sign will remain at or below conditions that existed on the date it became nonconforming.

Of note is that the Planning Commission has just completed review of draft revisions to the sign ordinance and made recommendations to the Board of Supervisors. The draft ordinance reviewed by the Commission would prohibit digital signs such as the one which is currently constructed without approval. The draft sign ordinance would allow for signs to be internally illuminated and would allow signs in residential zones subject to securing a discretionary permit.

Environmental Review: The project is exempt from environmental review pursuant to Sections 15301 and 15302 of the State CEQA Guidelines which covers permitting and replacement or reconstruction of existing structures.

Public Comments

Public Comments in support of and opposition to the project are included in Attachment 5. Additionally, a petition of support has been provided by the applicant and is included with Attachment 3. A video provided by a neighboring property owner showing past nighttime operation of the current LED sign can be viewed by clicking Attachment 6.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 4)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. Alternative one - Approve modification of the Conditional Use Permit allowing use of the unpermitted LED reader board to resume, subject to Conditions of Approval restricting hours of operation, motion, and brightness.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
2. Location Map, Photos of the Current & Prior Signs
3. Applicant's Evidence in Support of the Required Findings
4. Referral Agency Comments and Recommendations
5. Public Comments
6. Video of nighttime operation of LED sign

Applicant/Owner: Eureka's Redwood Christian Center, Meta E. Davis
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Agent: Allpoints Advertising, Inc.; Geoff Wills
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