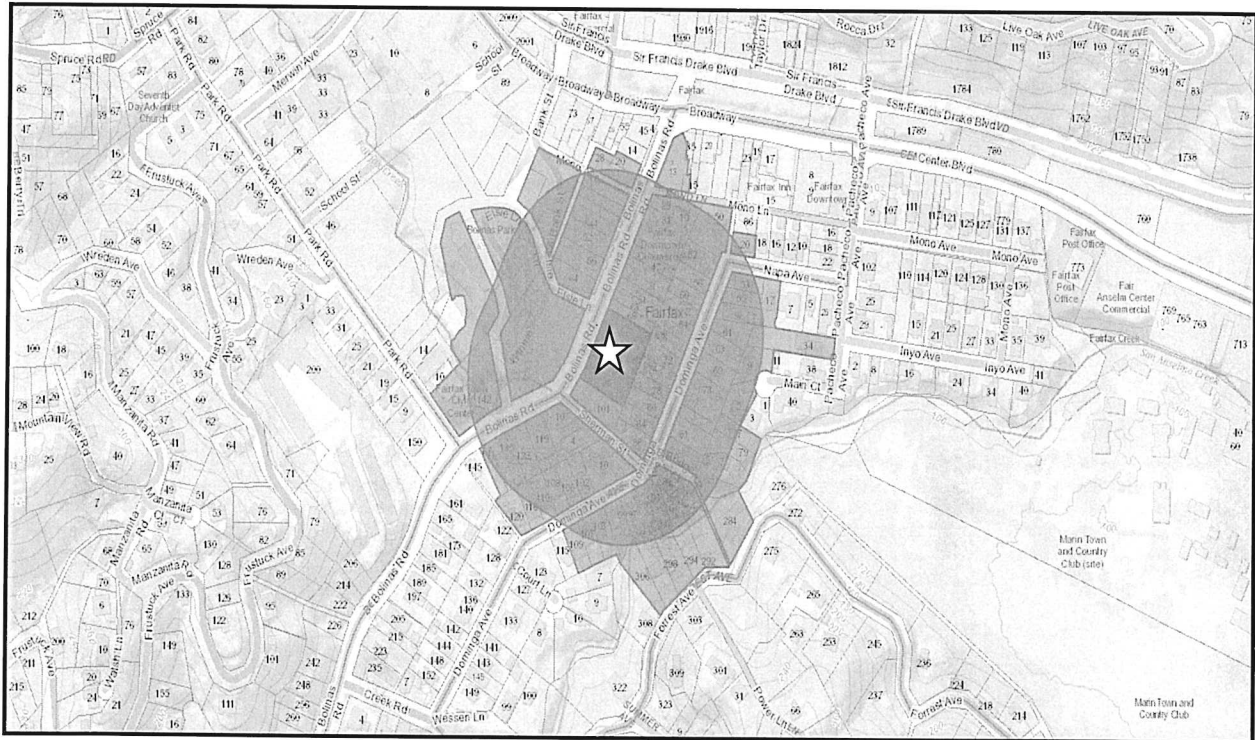


# TOWN OF FAIRFAX STAFF REPORT

## Department of Planning and Building Services

**TO:** Planning Commission  
**DATE:** May 20, 2021  
**FROM:** Linda Neal, Principal Planner  
**LOCATION:** 85 Bolinas Road; APN # 002-122-47  
**PROJECT:** Freestanding monument business identification sign  
**ACTION:** Sign Permit; Application # 21-07  
**APPLICANT:** Robert Sanders  
**OWNER:** Harry Hunt, Bolinas Partners LLC  
**CEQA STATUS:** Categorically exempt, § 15311(a)



## 85 BOLINAS ROAD

### PROJECT DESCRIPTION

The project consists of removal of the existing 6-foot wide by 8-foot-tall monument business directory sign located on the south side of the driveway entrance to the rear parking lot and construction of a new 8-foot by 8-foot, externally illuminated monument, business directory sign for the multi-tenant commercial building at 85 Bolinas Road. The new sign will be built on the north side of the driveway entrance to the rear parking lot. The proposed monument

sign will display an approximately 20 square-foot directory area where there would be space for twelve approximately one square-foot each tenant business name placards. Illumination would be provided by a ground-mounted spotlight directed up to the directory face.

The street number for the complex would be displayed at the top of the sign.

## **BACKGROUND**

The 22,264 square foot site was developed with the existing two-story structure in 1978 when the site was owned by local artist Carl Dern. The landscaping plan for the project included the planting of 26 redwood trees throughout the property. Sixteen of the trees remain.

The building is an octagonal shape with some of the commercial suites facing the parking lot access and egress driveways and the rear parking lot and having no street frontage.

## **DISCUSSION**

The purpose of the Town Sign Ordinance, Town Code Chapter 17.064 is to:

- Protect the public health, safety, and general welfare of the town by ensuring that the number type, size, and design of all signs will be compatible with the Town's unique character;
- Safeguard and enhance the property values;
- Protect and enhance the town's natural setting and small-scale residential character;
- Protect the high quality of architectural design of the new buildings and preserve the character of the older buildings;
- Improve the appearance of the town as a place to live and to work, and as an attraction to non-residents who come to visit or trade;
- Encourage creative design and a high-quality sign program throughout the town through implementation of the design review criteria and standards of this title.

Town Code § 17.064.050(C)(1) allows for a business identification sign in commercial "shopping" centers where there are five or more businesses on a single commonly owned parcel with common access and parking. However, the section applies to signs that are erected on the building.

Town Code § 17.064.060(G) requires an exception granted by the Planning

Commission for any sign permit for a free-standing sign and does not prohibit such sign outright if the total height of the sign, including the structure, does not exceed the building height.

Town Code § 17.064.100(A) gives the Commission the authority to grant exceptions to the sign ordinance for free standing signs if the exception is not inconsistent with the purpose and intent of the sign ordinance and if the strict adherence to the regulations may cause unnecessary hardship if one of the following exists:

1. Exceptional or extraordinary circumstances or conditions, not resulting from any act of the owner or applicant, applies to the location under consideration and not generally to other business or properties in the vicinity.
2. The exception is the minimum necessary to serve its intended use;
3. The application submitted is extraordinary and outstanding in design; or
4. The sign is of historical significance.

The building is octagonal, with some suite's facades facing the entry and exit driveways or the parking lot, and thus currently having no way to visually communicate to passersby walking or driving on Bolinas Road to the location of their businesses. The design of the building with its many windows and upper exterior deck makes it impractical to erect a multi-business commercial directory sign on the building itself. Commercial businesses need to be able to effectively communicate their location, while at the same time avoiding being visually overbearing or inappropriate. Monument signs are often an appropriate way to convey this important information on a site such as this that has multiple tenants.

The area where the sign will be erected is enclosed by a 3-foot tall, wood rail fence. The applicant is proposing for the bottom of the placard portion of the sign to be approximately 3 feet above grade, to be visible over the fence structure. The frame will be heavy timber with the sign background, the street number and tenant business name panels of aluminum painted blue green (Van Deusen Blue (HC-156) with a satin finish while the font will be white, opaque, vinyl overlay to complement the building exterior color palette which is tan siding with dark brown window trim.

Aside from the lighting issue discussed below, the requested exception to have the free-standing multi-tenant monument sign is the minimum necessary to serve the business identification needs of the multiple businesses either currently or potentially located at this commercial center.

### **Sign Location and the Redwoods**

The sign will be in the planter on the west side of the entry drive to the rear parking lot, behind the split rail wooden planter boundary fence, amongst a grove redwood trees.

The project will include installation of a spotlight. There is pre-existing electrical wiring in the planer which will supply the proposed spotlight to illuminate the sign at night.

The subgrade sign support footings will extend 3 feet below grade.

If done incorrectly, the installation of the sign footings could negatively impact the roots of the adjacent redwood trees.

We have included a condition in the resolution of approval that prior to submittal for the building permit for the sign, the applicants obtain an arborist report by an International Society of Arborists (ISA) member assessing the health of the redwood trees within the planter area where the sign is proposed and making recommendation for the protection of the trees and their roots during the sign installation. The arborist shall be on site when any digging is occurring observe the excavation and ensure that if roots are encountered, the sign is constructed in a manner that minimizes impacts on the trees. Examples of this include air excavation to establish root locations and if necessary, relocation of piers, etc. Any roots greater than 2 inches in diameter should be carefully hand cut. Once construction is completed, and prior to the project final inspection, the arborist shall provide a report to the Town detailing compliance with his recommendations during excavation/construction.

## **RECOMMENDATION**

1. Conduct the public hearing.
2. Move to approve Sign Permit Application # 20-07 by adopting attached resolution # 2021-09 setting forth the findings and condition for project approval.

## **ATTACHMENTS**

Attachment A – Resolution No. 2021-09

Attachment B – owner’s supplemental information

## RESOLUTION NO. 2021-09

### **A Resolution of the Fairfax Planning Commission Approving Application No. 21-07 for a 64 Square-Foot, Business Directory Monument Sign for the Multi-business Commercial Building at 85 Bolinas Road**

**WHEREAS**, the Town of Fairfax has received an application for an 8-foot tall, 8 foot wide, business directory, monument sign with an approximately 20 square-foot sign face area with space for twelve approximately one square-foot tenant business name placards; and

**WHEREAS**, the Planning Commission held a duly noticed Public Hearing on May 20, 2021 at which time the Planning Commission determined that the project complies with the Town Code Chapter 17.064, the Sign Ordinance; and

**WHEREAS**, based on the plans and other documentary evidence in the record the Planning Commission has determined that the applicant has met the burden of proof required to support the finding necessary to approve the Sign Permit; and

**WHEREAS**, the Commission has made the following findings:

The project is consistent with the purpose and intent section of Chapter 17.064, Signs, of the Zoning Ordinance as follows:

1. The sign as amended will be compatible with the other signs on the property and will not result in a number of signs out of proportion with the size and mass of the existing building and/or grounds.
2. The sign design will safeguard and enhance property values of adjacent commercial building and uses, will protect and enhance the town's natural setting and small-scale residential character and will provide information necessary to the public to locate businesses within Town that are located within the octagonal shaped building.

The sign location will not conflict with vehicular or pedestrian traffic using the property to access the various businesses.

**WHEREAS**, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. The project approval is limited to the sign project depicted and described in the following plans prepared by Robert Sanders and Company and stamped received by the Town of Fairfax 4/8/21.
2. External illumination for the sign shall be of downcast lights mounted to the top of the sign, and shall be the minimum lumens to communicate signage material. Lighting shall be placed on automatic timers and shall be off when no onsite businesses are open. In no event shall lighting be on after 10 pm or before 6 pm.

**ATTACHMENT A**

3. Prior to issuance of any of the building permits for the project the applicant or his assigns shall submit a construction plan to the Public Works Department which may include but is not limited to the following:
  - A. Location for storage of construction materials prior to and during construction of the sign.
  - B. Construction schedule (deliveries, worker hours, etc.)
  - C. Notification to business tenants
4. Construction vehicles may not block the access driveway to the rear parking lot during the construction process.
5. Any changes, modifications, additions, or alterations made to the approved set of plans will require a modification of Application # 21-07. Modifications that do not significantly change the project, the project design or the approved discretionary permit **may** be approved by the Planning Director. Any construction based on job plans that have been altered without the benefit of an approved modification of Application 21-07 will result in the job being immediately stopped and red tagged.
6. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director, Design Review Board or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.
7. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: The Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban

Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act.

8. Prior to submittal for the building permit for the sign, the applicants obtain an arborist report by an International Society of Arborists (ISA) member assessing the health of the redwood trees within the planter area where the sign is proposed and making recommendations for the protection of the trees and their roots during the sign installation. The report shall be submitted as part of the building permit submittal. The arborist shall be on site when any digging is occurring, observe the excavation, and ensure that if roots are encountered, the sign is constructed in a manner that will not negatively impact the trees. Once construction is completed, and prior to the project final inspection, the arborist shall provide a report of his observations and recommendations during excavation to the Town, including recommendations for the continued good health of the trees.
9. The project does not propose the removal of any trees. If it is determined by the project arborist that any of the redwood trees need to be removed to facilitate the sign construction, project approval is voided until/unless a tree removal permit is obtained from the Planning Commission, with a prior recommendation from the Tree Committee and the concurrence of the Town arborist. When reviewing such a request for a tree removal permit the Planning Commission shall consider requiring the relocation of the sign / it's foundation.
10. Conditions placed upon the project by the project arborist may be amended or eliminated by the approval of the Planning Director after receiving a request for the elimination/amendment in writing from the project arborist.
11. All exterior fixtures be dark sky compliant (fully shielded and emit no light beyond the sign face and the lighting plan shall be submitted with the building permit application and be approved by the Planning Department prior to issuance of the project building permit.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the sign permit is in conformance with the Zoning Ordinance, Title 17; and

Construction of the project can occur without causing significant impacts on neighboring commercial spaces and/or Bolinas Road.

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 20th day of May 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

\_\_\_\_\_  
Chair Michele Rodriguez

Attest:

\_\_\_\_\_  
Ben Berto, Director of Planning and Building Services



## Linda Neal

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**From:** Harry Hunt <harry@huntadvisors.com>  
**Sent:** Monday, May 10, 2021 10:20 AM  
**To:** Bob Sanders; Linda Neal  
**Cc:** evan kraus  
**Subject:** 85 Bolinas Road

Hi, Bob and Linda,

We would like to get the new signage for 85 Bolinas Road in Fairfax approved for 12 tenant names. However, we are in the process of contacting the tenants to see who would like to be on the sign. My best guess is that there will be 10 tenant names on the sign.

We would greatly appreciate the town doing what they can to move this approval along more quickly. We've been trying to get this sign approved for many months and the tenants really would like signage ASAP. It will help their businesses and the town of Fairfax.

Thank you,

Harry T. Hunt  
415-218-2124

# Fairfax Square

## Freestanding Directory Sign

**robert sanders & co.**

environmental graphic design  
fabrication • installation

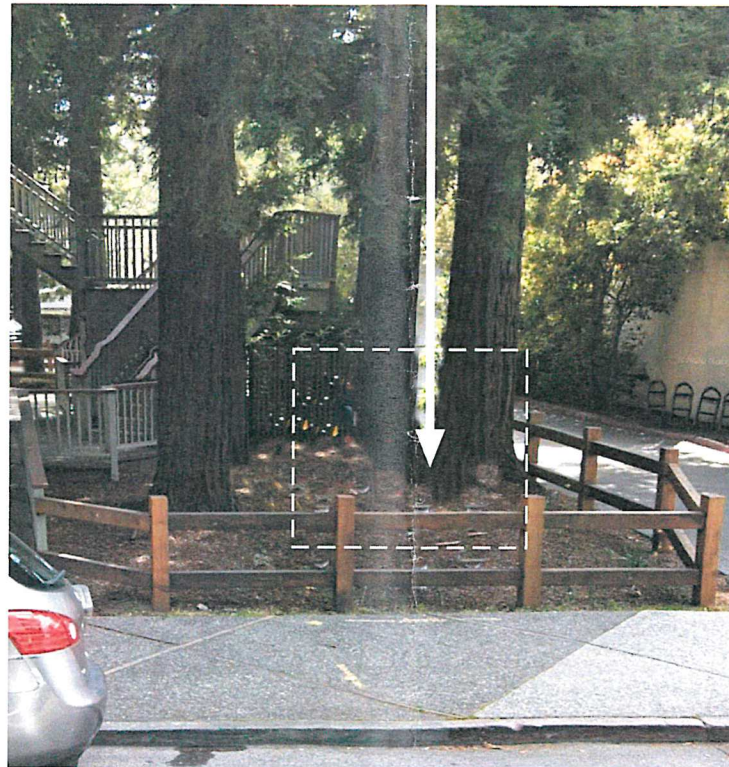
707 326-5851  
robsand@vom.com  
robertsanders.com



Existing Sign Location



Proposed Sign Location



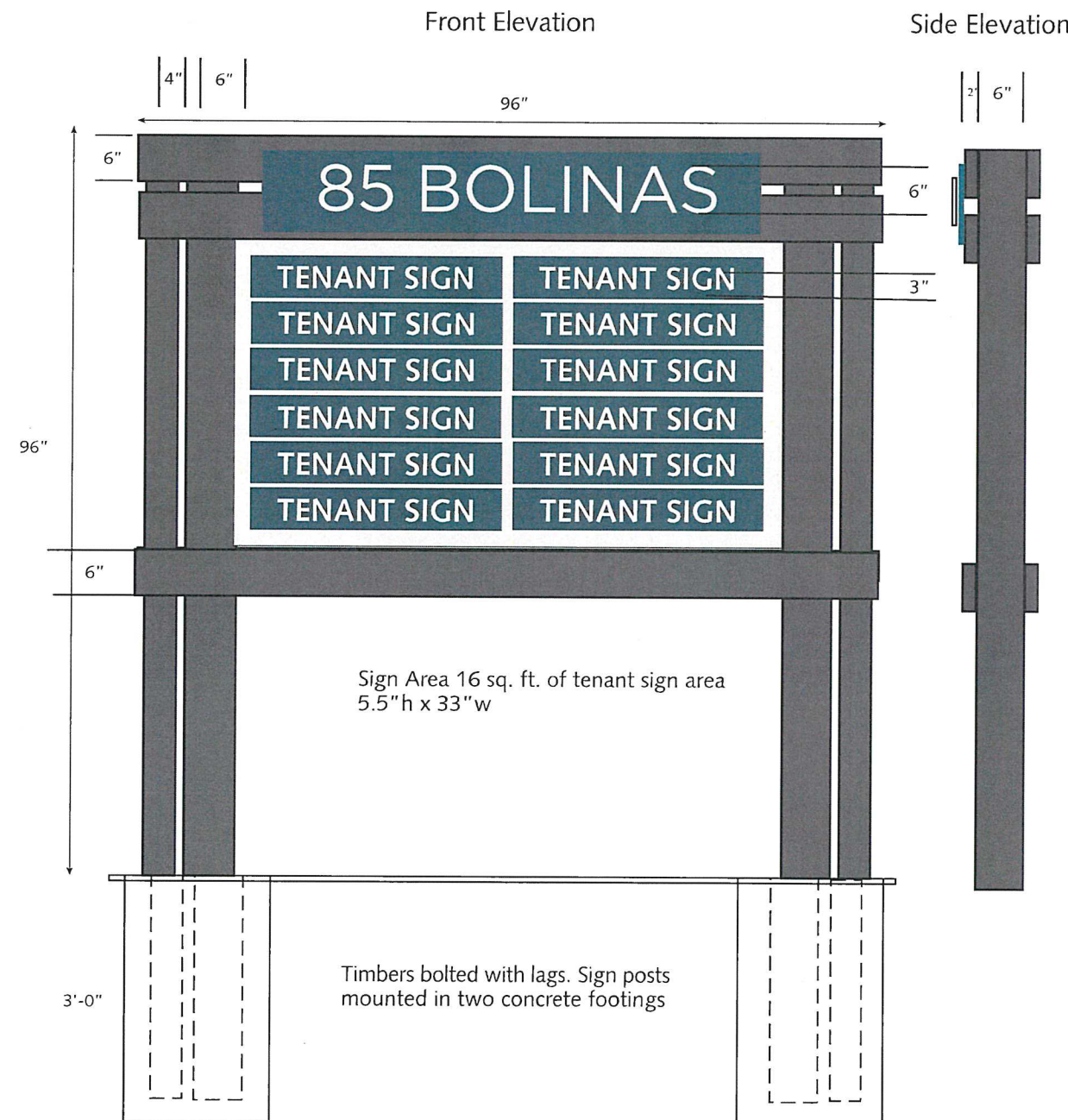
Existing Building Colors



Color Scheme to match building



Single-sided Freestanding Building Directory Sign

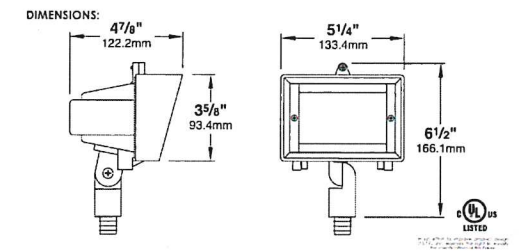


Custom freestanding single-faced directory sign made of heavy timber wood. Building address on top of sign/raised 1/2" thick metal letters pinned off background. Twelve changeable individual tenant directory name plaques. Color theme to match building. Timbers bolted with lags. Sign posts mounted in two concrete footings.



Sign located in front lanscape area behind existing fence posts, set back 2' from form P/L.

24 v spot light led. Electrical junction box for spotlights near sign area. Dedicated circuit 120v/20 amp with astrological timer. Signage connected to low voltage 12v transformer power supply installed in UL approved metal box.



**Fairfax Square** 85 Bolinas Rd., Fairfax,  
Freestanding Directory Sign

**robert sanders & co.**

environmental graphic design  
fabrication • installation

707 326-5851  
robsand@vom.com  
robertsanders.com

Site Location Location

