

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2022-02**

**A RESOLUTION APPROVING A SIGN PERMIT TO ALLOW FOR ONE WALL SIGN AT 39
CALEDONIA STREET
SP 2021-00327**

WHEREAS, an application has been filed by the applicant Susannah Souvestre requesting Planning Commission approval of Sign Permit 2021-00327 to allow one new 13 square-foot wall sign at 39 Caledonia Street (APN 065-056-22) (“the Project”); and

WHEREAS, the project site is within the Mixed Commercial and Residential General Plan land use designation and the Mixed Commercial and Residential zoning district; and

WHEREAS, the Planning Commission a conducted duly-noticed public hearing on January 12, 2022 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the January 12, 2022 staff reports for the Project; and

WHEREAS, the Planning Commission has reviewed and considered the application and sign plans dated November 28, 2021; and

WHEREAS, the Planning Commission finds that, as conditioned herein, the proposed Project complies with the requirements of the General Plan and Zoning Ordinance as described in the staff report; and

WHEREAS, the Planning Commission finds that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(g) of the CEQA guidelines; and

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

Sign Permit 2021-00327 to allow one wall sign measuring 13 square feet at 39 Caledonia Street for the restaurant Zalta Mediterranean is approved based upon the findings provided in Attachment 1 and subject to the conditions of approval provided in Attachment 2. The project plans are provided in Attachment 3.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission on the 12th day of January 2022, by the following vote:

AYES: Planning Commissioner: Feller, Graef, Junius, Luxenberg, Saad
NOES: Planning Commissioner: None
ABSENT: Planning Commissioner: None
ABSTAIN: Planning Commissioner: None



Heidi Scoble
Secretary to the Planning Commission

Attachments: 1. Findings | 2. Conditions of Approval | 3. Project Plans

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JANUARY 12, 2022
SP 2021-00327
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ATTACHMENT 1: FINDINGSSIGN PERMIT FINDINGS

Pursuant to Sausalito Municipal Code (SMC) Section 10.42.090.D (Sign Permits (Planning Commission review)), the Planning Commission finds:

1. *The proposed sign complies with all applicable provisions of this title.*

The proposed sign complies with the applicable provisions of the Zoning Ordinance, including SMC 10.42.0630.

2. *The proposed sign is consistent with the applicable sign standards.*

The sign is consistent with the applicable sign standards in SMC 10.42.060, including measurement of sign area for ground floor businesses.

3. *The proposed sign will not adversely impact the public health, safety, or general welfare.*

As the sign will replace the copy on the existing sign and will reduce the size of the existing sign, the sign will not adversely impact the public health, safety, or general welfare of the site or the surrounding neighborhood.

4. *The proposed color, design, material, and location of the proposed sign are compatible with the architectural design of the building.*

The proposed sign will utilize the same white background that has been in place for the last ten years and will only change the business name, font type, and colors. The dark blue font type and yellow accents will complement the existing gray façade of the building. The modest painted sign is proposed to replace the existing painted sign. The new sign will be smaller in sign area but will have the same orientation of the sign that has been in place for a number of years. The color, design, and location are compatible with the architectural design and dark grey color of the building.

Therefore, the proposed color, design, material, and location of the proposed sign are compatible with the architectural design of the building.

5. *If the property is located within or near a residential area, the sign is harmonious with the character of the residential neighborhood.*

The restaurant is located in the Mixed Commercial and Residential zoning district. The buildings in the area have a commercial character and the proposed sign is harmonious with the commercial character of the area which has many existing commercial signs.

6. *The proposed sign is restrained in character and is no larger than necessary for adequate identification.*

The sign is restrained in both color and design. The applicant has reduced the size of the proposed sign from the size of the existing sign to comply with the sign area requirements of the ordinance. The resultant sign is designed with straightforward blue lettering, is sized appropriately, and does not increase the dimensions of the existing sign.

7. *The proposed sign is consistent with the highest graphic standards and composed of durable and appropriate materials.*

The sign is modest while proposing a design compatible with the existing building and will be painted on the existing white background on the front façade.

8. *If the proposed sign is for an establishment within a commercial or industrial center, the sign is harmonious with the entire center's signage and has been subject to the commercial or industrial center's design review.*

The sign is not for an establishment within a commercial or industrial center and, therefore, this finding is not applicable.

9. *If the proposed sign is oriented toward a residential zoning district and is within 50 feet of the district, the signage is necessary for minimum business identification and will not have an adverse aesthetic effect on the residential character of the adjacent residential neighborhood.*

The restaurant is located in the Mixed Commercial and Residential zoning district. Although the building is within the Mixed Commercial and Residential zoning district, the buildings in the area have a commercial character. Therefore, the proposed sign will not have an adverse aesthetic effect on the residential character of the adjacent residential neighborhood.

10. *Proposed sign serves to primarily identify the business or type of activity being conducted on the same premises, or the product, service or interest being offered for sale or lease on-site.*

The building sign serves to identify the name of the business and the type of activity being conducted on the premises.

11. *If the property is located within a designated historic district or is listed on the local register, the proposed sign has been reviewed and approved by the Historical Landmarks Board and complies with the historic district sign guidelines and SMC 10.42.070 (Sign standards in the historic overlay district and for properties listed on the local register).*

The property is not located within a designated historic district and is not on the local register and, therefore, this finding is inapplicable.

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ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the project plans dated November 28, 2021.

General Conditions

1. Signage shall be consistently maintained to upkeep an aesthetic comparable to new installation (e.g. re-painting, repairing, re-lettering, etc.—all maintenance to be in-kind).
2. Each sign and all its components shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City regulations, and the Uniform Building Code.
3. As part of the Construction Permit application, all final Conditions of Approval shall be restated on the construction drawings and applicant shall thoroughly and accurately document in writing compliance with each Condition of Approval at the time of Construction Permit application and any other subsequent submissions.
4. Applicant shall defend, indemnify (including reimbursement of all fees and costs reasonably incurred by separate counsel retained by the City), and hold harmless the City and its elected and appointed officials, officers, agents, and employees, from and against any and all liability, loss, damage, or expense, including without limitation reasonable attorney's fees which City may suffer or incur as a result of any claims relating to or arising from the City's approval of the project or any portion of the project.
5. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
6. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 9%) shall be paid.
7. The Community Development Director is authorized to approve minor modifications to the project. Major project modifications will require further review and approval by the original decision-making body.
8. Pursuant to Sausalito Municipal Code Section 10.50.120 (Implementation of Permits), it shall be the applicant's responsibility to diligently proceed to carry out the Conditions of Approval and implement any approved permit. This shall include establishing the approved use/implementing the permit within the time limits set forth by the applicable chapter.
9. The sign permit shall expire one year following the effective date of the permit if the project

entitlement has not been implemented, provided no extension has been filed prior to the expiration date. The project entitlement pursuant to the sign permit is determined to be implemented if the applicable Conditions of Approval prerequisite to construction have been satisfied and any required Construction Permits have been issued.

Right of Way Items

10. Applicant is advised that encroachment permit(s) and a Certificate of Additionally Insured shall be obtained from the City prior to any work occurring within the public right of way.

Additional Insured Endorsement: The local agency (City of Sausalito) must be named as an additionally insured on a separate endorsement sheet that modifies the general liability policy.

11. If the permitted work requires the sidewalk or bike lane to be temporarily closed, the applicant shall submit a Traffic Control Plan based on Caltrans Manual of Uniform Traffic Control Devices Chapter 6H.

Advisory Items

12. An approval granted by the Planning Commission does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.
13. The applicant is advised that Construction Time Limits are in effect and enforced pursuant to Sausalito Municipal Code Section 10.54.100 (Time Limits for Construction).
14. The applicant is advised that permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.
15. Time restrictions on the operation of construction, demolition, excavation, alteration or repair devices and equipment in residential zones (Sausalito Municipal Code 12.16.140):

Weekdays: Between 8:00 a.m. and 6:00 p.m.

Saturdays: Between 9:00 a.m. and 5:00 p.m.

Sundays: Prohibited

Holidays officially recognized by the City of Sausalito not including Sundays: Prohibited.

Note 1. Homeowners currently residing on the property and all other legal residents may operate construction, demolition, excavation, alteration, or repair devices and equipment themselves on their own property on Sundays and holidays officially recognized by the City; provided, that such operations occur between 9:00 a.m. and 6:00 p.m. and otherwise comply with the City's laws regulating noise. Building contractors (or anyone other than a homeowner currently residing on the property or legal residents) are prohibited from operating construction, demolition, excavation, alteration, or repair devices and equipment on Sundays and holidays.

16. Per Sausalito Municipal Code 10.42.060.G, signs shall be illuminated only by continuous and stationary light sources, except as allowed for time and temperature signs. For external illumination, the area illuminated shall be the minimum amount necessary to light only the sign. If the light sources are external to the sign or are otherwise physically detached from the sign, they shall be directed at the sign so that only the sign face is illuminated and they do not cast

light onto other properties or the public right-of-way.

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ATTACHMENT 3: PROJECT PLANS