

# Capitola Planning Commission

## Agenda Report



**Meeting:** June 2, 2022  
**From:** Community Development Department  
**Topic:** 110 Capitola Avenue Ste. 3

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**Permit Number: 22-0123**

**APN: 035-185-25**

Sign Permit for a new Wall Sign to serve Boba Bay located within the MU-V (Mixed Use Village) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Todd Gummow

Representative: Cheryl Schneider, Filed: 03.18.22

### **Applicant Proposal:**

The applicant is proposing a new wall sign for Boba Bay located at 110 Capitola Avenue Ste. 3 in the MU-V (Mixed Use Village) Zoning District. The new wall sign requires Planning Commission approval of a sign permit.

### **Background:**

On October 19, 2021, the Community Development Department issued a Minor Use Permit to operate a take-out food and beverage establishment for the existing tenant space.

On March 18, 2022, the Community Development Department issued an administrative Sign Permit to for a window sign and village sidewalk sign.

### **Discussion:**

Boba Bay is located at 110 Capitola Avenue Suite 3 near the corner of Capitola Avenue and Monterey Avenue within the Capitola Village. The application is for a new wall sign. The proposed wall sign is a non-illuminated, and to be made of wood and vinyl. The wall sign measures four feet wide by two feet tall with a sign area of eight square feet. The sign includes the business name "Boba Bay" with smaller commercial messaging. Permits for new wall signs in the MU-V zoning district require Planning Commission approval, pursuant to Section 17.80.030(B)(1) of the Capitola Municipal Code (CMC).

Pursuant to Section 17.80.090(F) of CMC, wall signs are required to comply with the following underlined standards:

1. Standards for wall signs in each zoning district are as shown in Table 17.80-6. Within the Mixed-Use Village, this includes up to one wall sign per shopfront, a maximum projection of 4 inches, and a maximum area of 0.5 square feet per linear foot of shopfront, not to exceed 36 square feet.

Staff Analysis: The business has approximately 16 linear feet of shop frontage. The wall sign is 8 square feet, consistent with allowed ratio and below the maximum allowable wall sign size. The sign will project less than four inches from the wall.

2. Wall signs shall be attached parallel to the exterior wall of the business associated with the sign and may not extend above the top of building wall.

Staff Analysis: The sign will be mounted parallel to the building face.

3. Wall signs may be in cabinets, on wood, or on similar material attached to the wall or painted directly on the wall.

Staff Analysis: The wall sign backing will be made of wood with vinyl lettering and mounted to the front façade of the building.

4. Any portion of a wall sign that projects over any public walkway or walk area shall have an overhead clearance of at least eight feet.

Staff Analysis: The proposed wall sign will be flat and provide adequate clearance over the entryway.

5. Wall signs are not allowed in conjunction with a monument sign on a property with three or fewer businesses.

Staff Analysis: Not applicable.

6. On a corner lot, one wall sign is allowed per street frontage.

Staff Analysis: Not applicable.

**CEQA:**

Section 15311(a) of the CEQA Guidelines exempts the construction of on-premise signs. This project involves one new wall sign for a take-out food and beverage establishment. No adverse environmental impacts were discovered during review of the proposed project

**Recommendation:**

Staff recommends the Planning Commission **approve** application #22-0123 based on the following Conditions and Findings for Approval.

**Conditions of Approval:**

1. The project approval consists of a 8-square-foot wall sign for Boba Bay at 110 Capitola Avenue Suite 3. The proposed project is approved as indicated on the final plans and photos and approved by the Planning Commission on June 2, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes shall require Planning Commission approval.
3. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
4. Prior to installation of the wall sign, the window sign shall be removed.
5. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an

application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

6. A building permit shall be secured for any work authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
7. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
8. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

**Attachments:**

1. Sign Plans

**Sign Permit Findings:**

- A. The proposed signs are consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed wall sign complies with the development standards of the MU-V (Mixed Use Village) zoning district.

- B. The proposed signs comply with all applicable standards in Chapter 17.80 (Signs).**

Community Development Staff and the Planning Commission have reviewed the application for the wall sign. The proposed project will maintain the character and integrity of the neighborhood.

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

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposed sign will not have adverse impact on public health, safety, or general welfare.

- D. The number, size, placement, design, and material of the proposed signs are compatible with the architectural design of buildings on the site.**

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposal is compatible with the architectural design of the building(s) on the site.

- E. The proposed signs are restrained in character and no larger than necessary for adequate identification.**

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposal is restrained in character and complies with zoning limitations for size.

**F. This project is categorically exempt under Section 15311(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15311(a) of the CEQA Guidelines exempts on-premise signage for existing facilities. This project involves wall sign for an existing structure within the MU-V (Mixed Use Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.