

TRINITY COUNTY ARCHITECTURAL REVIEW COMMITTEE
STAFF REPORT

PROJECT TITLE: 3'x2' Hanging Sidewalk Sign in Main Street Historic District

APPLICANT: Watershed Research and Training Center (Megan Killeen)

PROPERTY OWNER: Watershed Research and Training Center

REPORT BY: Mitchell Wexler, Assistant Planner

Bella Hedtke, Senior Planner

LOCATION: 509 Main Street, Weaverville, CA 96093 (APN: 001-140-009-000)

ZONING DISTRICT: General Commercial (C2); Special Treatment Overlay (ST)

GENERAL PLAN DESIGNATION: Commercial (C)

PROJECT DESCRIPTION: The Watershed Training request for approval of a new 3' wide and 2' tall metal composite sign identifying the Watershed Resource and Training Center.

SITE INFORMATION: The Watershed Research and Training Center is located in the Main Street Historic District of Weaverville.

PROJECT EVALUATION/DISCUSSION:

Project Consistency with the Trinity County Zoning Code

The following sections of Trinity County Zoning Code are applicable to this project. They are listed below as follows:

1. **17.21.020 – General Commercial (C2):** General office is a permitted by-right use of General Commercial (C-2) zoning.
2. **15.08.070 – Regulations by Zoning Districts:** Signs appurtenant to uses permitted in the district are allowed. Given that this sign is appurtenant to its associated general office use, this sign meets the signage area requirements for its zoning as allowed by the Sign Ordinance.
3. **17.29C.040 – Architectural Review and Preservation: Special Treatment (ST):**
– **Permitted Uses:** Among the uses allowed within a Special Treatment (ST) area, it is mentioned in this section that all uses permitted in the underlying zone shall

be provided in the “ST” or “STA” provided that review and approval is obtained from the appropriate architectural review and preservation committee for any proposal to place, erect, alter, or relocate any sign within a historical district or on a special treatment site. This project is in compliance with this section of code. The proposed sign for the Watershed Research and Training Center is constructed of metal composite, in accordance with suggested materials in subsection B of the general requirements.

- 4. Section 17.29C.110 (D) – Architectural Review and Preservation: Special Treatment (ST) – Signs – General Requirements:** This section states, “All signs shall be consistent in color, design, lettering and style traditionally used in the affected special treatment area. Examples of pre-approved lettering styles and colors are available at the Trinity County Planning Department.”

Colors: Attachment 2 includes the documents available to Planning Division staff that displays the approved colors for the exterior and trim of buildings. Staff could not locate documents for approved colors that apply specifically to signs and would like the Committee to discuss any historical knowledge of approved colors for signs.

Lettering/Font: Attachment 3 includes the documents available to Planning Division staff that displays the approved lettering/font. The proposed signage, which includes lettering that is specific to the Watershed Research and Training Center’s organizational logo, do not conform to the approved lettering/font.

Discussion: Planning Division Staff could not locate any other approved documents that pertain to color, design, lettering and style. The Division requests that the Architectural Review Committee discuss signage compliance with the approved documents.

Project Consistency with Caltrans Requirements: In the California Streets and Highways Code Section 160, the following is stated:

“The width of the right-of-way for all state highways shall be at least 40 feet.”

The proposed sign location is within 40 feet of State Route 299, which would potentially be placed in the right of way of Caltrans. In California Streets and Highways Code Section 660, Encroachment is defined as the following:

“(b) ‘Encroachment’ includes any tower, pole, pole line, pipe, pipe line, fence, billboard, stand or building, or any structure, object of any kind or character not particularly mentioned in this section, or special event, which is in, under, or over any portion of the highway.”

Planning staff sent a request to Caltrans to verify whether an encroachment permit is required for this sign. Caltrans' response and subsequent clarifying questions are attached for Committee discussion (Attachment 4).

Project Consistency with the California Environmental Quality Act (CEQA): Section 15300.2 of the California Environmental Quality Act establishes exceptions to the use of exemptions. In section F, it is mentioned that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. This exception does not apply to this project, as the proposed sign is appurtenant to the parcel's existing use. The sign would not adversely change the significance of the historic resource. This project has been determined to not have a significant effect on the environment and which shall, therefore, be exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301. This section states the following:

“15301. EXISTING FACILITIES

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

(g) New copy on existing on and off-premise signs;(Association of Environmental Professionals, 2023, p. 303-304).”

The sole effect of this project would be the placement of a new sign maintained by the Watershed Research and Training Center. Given this, the project has been determined to be exempt from CEQA.

Project Consistency with the Weaverville Community Plan: The Weaverville Community Plan states that proposed signage within the Main Street Historical District is to be reviewed by the Architectural Review Committee. The proposed signage is being handled in accordance with this process. Relevant sections are as follows:

“Page 90:

6. Community Signage

Signage within Weaverville plays an important role in the appearance of the Community. While it is necessary that businesses have sufficient signage to identify their site and attract customers, excessive signage can create a confusing landscape, which does not serve any purpose.

Signage in Weaverville is handled in two distinct ways. Within the Main Street Historical District all signage must be reviewed and approved by the Architectural Review Committee. In the rest of the basin all signage must adhere to the requirements of the County's Zoning Ordinance. In general, the Zoning Ordinance allows signage, which is attached to the building without any restrictions. However, free standing or detached signage requires a Planning Director's Use Permit. The Plan proposes that future free-

standing signs generally incorporate a monument base and/or perimeter landscaping for aesthetic purposes (Trinity County Department of Transportation and Planning, 1990, p. 90).”

STAFF RECOMMENDATION:

Staff recommends that the Architectural Review Committee:

1. Discuss sign compliance, in regards to the following, in order to approve or continue the discussion to a future meeting, with a request for additional information;
 - a. Approved colors and;
 - b. Approved lettering/font and;
 - c. Comments received from Caltrans.

ATTACHMENTS:

1. Proposed Signage Design with placement location
2. Examples of Pre-Approved Colors
3. Examples of Pre-Approved Lettering
4. Comment from Caltrans District 2

References

California Code, streets and highways code - SHC § 160 | findlaw. FindLaw.com. (n.d.). <https://codes.findlaw.com/ca/streets-and-highways-code/shc-sect-660.html>

California Code, streets and highways code - SHC § 660 | findlaw. FindLaw.com. (n.d.). <https://codes.findlaw.com/ca/streets-and-highways-code/shc-sect-660.html>

Trinity Count Department of Transportation and Planning. (1990, September). Weaverville Community Plan. Weaverville, CA.

SITE PLAN

proof 3 1/30/2024



Wonderland Signs Inc.

3316 S. Market St. Redding, Ca 96001 530-222-3394 ph • 530-222-3713 fx



The yellow dots are where the grommets will be placed. Please let me know which of these combinations you like best?

<p><small>NOTICE: Some types of signs displayed in the city of Redding require a use permit. Signs of all types produced and installed by Wonderland Signs are sold "as is" and the user includes a permit. It is the customer's responsibility to determine the necessity for such permits and to secure them. We are happy to provide general information on how to obtain such a permit.</small></p> <p><small>Wonderland Signs will not be held responsible for any fines, fees or other legal actions or any result from the installation or display of signs where a permit was not issued.</small></p>	<p>Billable Design Time</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Date _____</p> <p><small>Signage delivered with no to be completed as shown</small></p> <p>ESTIMATED COST FOR TO HAVE ALL JOBS REQUIRES 50% DEPOSIT</p> <p>PLUSE OF MATERIALS YOUR ANY WARRANTY IMPLIED OR OTHERWISE</p> <p>SKETCH POLICY</p> <p><small>Sketches are not to be used for anything other than the purpose for which they were created. They are not to be used for any other purpose, and we are not responsible for any errors or omissions in the sketches. We are not responsible for any delays or other legal actions or any result from the installation or display of signs where a permit was not issued.</small></p> <p>Faxed _____ Delivered _____</p>
	<p>Customer: Please carefully review the following proof and make any & all changes necessary, then sign & return</p>	

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Ca. contractors lic. # 943552



TRINITY COUNTY PLANNING DEPT. & CANNABIS DIV.
APPLICANT PREPARED SITE PLAN

Drawn by:	APN:
Date:	Zoning:
Scale:	Lot Area:

Colors

Building Exteriors



Jamestown Red



Sea Glass



Perfection



Madison Cream



Brown Hem



Snow Dust



Cilantro



Tudor Brown (R.M.)

ATTENTION: Please read the following attached documents for more information regarding building colors in the Special Treatment Overlay Zone (Historic District):

1. Minutes from the November 13, 2014 WARC Meeting
2. In regards to commercial buildings, read Section B (7) of Res. No. 2013-20 (Color)
3. In regards to residential buildings, reach Section B (11) of Res. No. 2013-21 (Color)

Trims



Hunter Green



First Light



Sea Star



Terra Cotta

A

Aa Bb Cc Dd Ee Ff Gg Hh Ii
Jj Kk Ll Mm Nn Oo Pp Qq Rr
Ss Tt Uu Vv Ww Xx Yy Zz &

B

Aa Bb Cc Dd Ee Ff Gg Hh Ii
Jj Kk Ll Mm Nn Oo Pp Qq Rr
Ss Tt Uu Vv Ww Xx Yy Zz &

C

A B C D E F G H I
J K L M N O P Q R
S T U V W X Y Z &

D

A B C D E F G H I
J K L M N O P Q R
S T U V W X Y Z &

E

A B C D E F G H I

J K L M N O P Q R

S T U V W X Y Z &

a b c d e f g h i

j k l m n o p q r

s t u v w x y z

F

A B C D E F G H I
J K L M N O P Q R
S T U V W X Y Z &

G

A B C D E F G H I
J K L M N O P Q R
S T U V W X Y Z &

H

A B C D E F G H I

J K L M N O P Q R

S T U V W X Y Z &

0 1 2 3 4 5 6 7 8 9

I
A B C D E F G H I
J K L M N O P Q R
S T U V W X Y Z &

J
A_a B_b C_c D_d E_e F_f G_g H_h I_i
J_j K_k L_l M_m N_n O_o P_p Q_q R_r
S_s T_t U_u V_v W_w X_x Y_y Z_z &

^k

A B C D E F G H I

J K L M N O P Q R

S T U V W X Y Z &

a b c d e f g h i

j k l m n o p q r

s t u v w x y z

L

A B C D E F G H I

J K L M N O P Q R

S T U V W X Y Z &

a b c d e f g h i

j k l m n o p q r

s t u v w x y z

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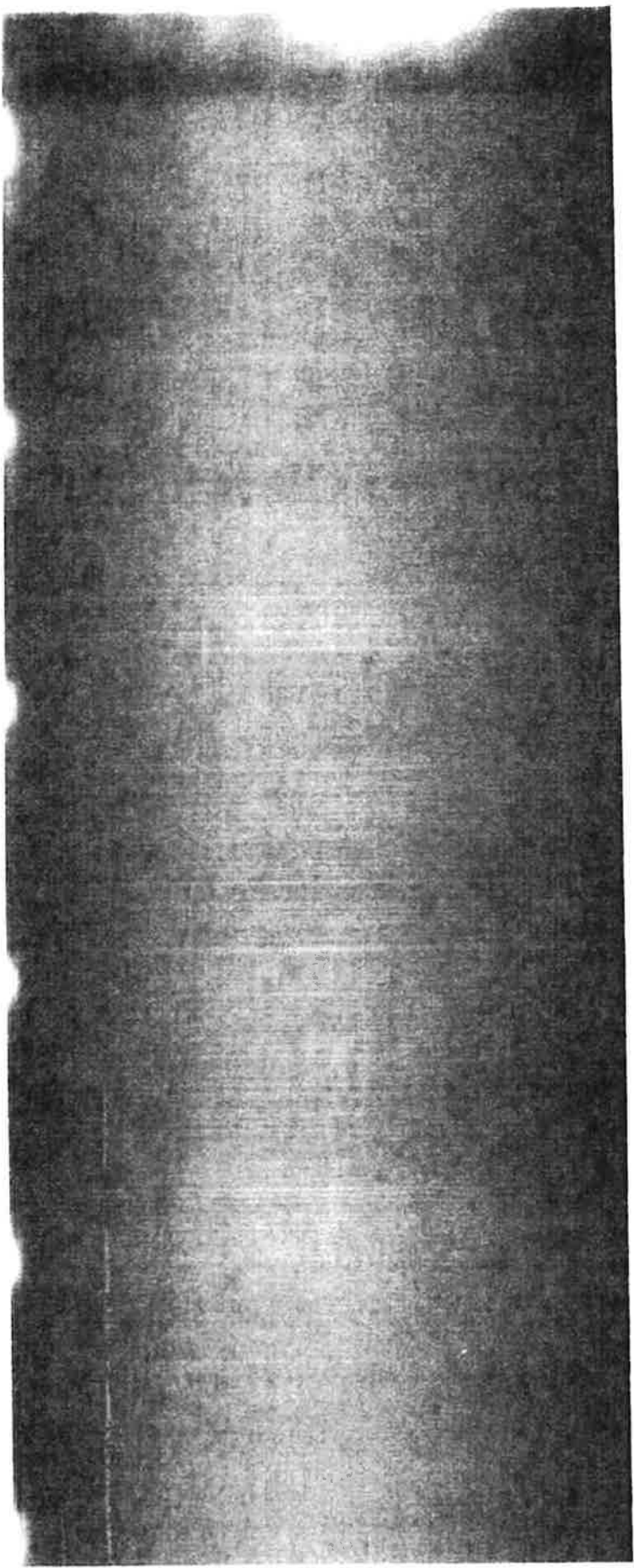
1

M

A B C D E F G H I

J K L M N O P Q R

S T U V W X Y Z &



Bella Hedtke

From: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>
Sent: Thursday, March 28, 2024 1:01 PM
To: Bella Hedtke; Mitchell Wexler
Cc: Battles, Michael@DOT; Babcock, Kelly M@DOT; Edward O. Prestley
Subject: RE: AR-24-001 Referral For Comment
Attachments: awnings.pdf

And additional attachment in regards to awnings.

From: Grah, Kathy M@DOT
Sent: Thursday, March 28, 2024 11:10 AM
To: Bella Hedtke <bhedtke@trinitycounty.org>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>; Edward O. Prestley <eoprestley@trinitycounty.org>
Subject: RE: AR-24-001 Referral For Comment

Hi Bella!

Comments back and guidance attached.

1. Is this sign not allowed in the right-of-way because it is being interpreted as advertising? The sign informs the public of the location of an office that is for a non-profit environmental restoration organization, not a business that sells merchandise or services to the public. Here is their website for more information regarding the structure of their organization: <https://www.thewatershedcenter.com/home-1>
Yes, they are advertising signs and are not permissible within Caltrans right of way.
2. What type of signage would Caltrans approve in downtown historic Weaverville?
As a starting point the signs would have to comply with the California Manual of Uniform Traffic Control Devices. Might want to look at wayfinding.
3. Does Caltrans intend to take corrective enforcement action on property owners in downtown historic Weaverville that have existing or new signage that is hanging above the sidewalk? Currently Caltrans Encroachment Permits does not plan on taking corrective action. What would the mechanism and penalties be? If the signs are advertising Caltrans has authority to remove these without any notice, see attached section of the CA street and highway codes. Caltrans can service notice and recover costs as well for the removal of the signs.

And Permits offered to meet with you if you would like too. . .

Kathy

From: Grah, Kathy M@DOT
Sent: Thursday, March 28, 2024 10:04 AM
To: Bella Hedtke bhedtke@trinitycounty.org; Mitchell Wexler mwexler@trinitycounty.org
Cc: Battles, Michael@DOT Michael.Battles@dot.ca.gov; Babcock, Kelly M@DOT kelly.babcock@dot.ca.gov; Edward O. Prestley eoprestley@trinitycounty.org
Subject: RE: AR-24-001 Referral For Comment

Good morning Bella!

I will follow up with Permits and get back to you on the answers.

Thank you
Kathy Grah

Kathy Grah
Senior Transportation Planner
Regional Planning/Local Development Review
Caltrans District 2-Redding
1657 Riverside Drive, Redding, CA 96001 MS 7
5307823152 work cell

From: Bella Hedtke <bhedtke@trinitycounty.org>
Sent: Thursday, March 28, 2024 10:02 AM
To: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>; Edward O. Prestley <eoprestley@trinitycounty.org>
Subject: RE: AR-24-001 Referral For Comment

EXTERNAL EMAIL. Links/attachments may not be safe.

Hey Kathy,

I greatly appreciate your timely response and assistance with this matter.

There have been a number of signs hanging over the sidewalk in downtown historic Weaverville for decades. Per local ordinance, the County is required to review all signage requests in the historic district, and given your response, we are confused on how we can proceed with this application.

I have some initial follow-up questions that will be relevant to the committee meeting this Wednesday:

1. Is this sign not allowed in the right-of-way because it is being interpreted as advertising? The sign informs the public of the location of an office that is for a non-profit environmental restoration organization, not a business that sells merchandise or services to the public. Here is their website for more information regarding the structure of their organization: <https://www.thewatershedcenter.com/home-1>
2. What type of signage would Caltrans approve in downtown historic Weaverville?
3. Does Caltrans intend to take corrective enforcement action on property owners in downtown historic Weaverville that have existing or new signage that is hanging above the sidewalk? What would the mechanism and penalties be?

The County wishes to collaborate with Caltrans to reach some type of solution, whether that be a short-term solution for this application then long-term solutions (such as a signage program) so all parties involved can better understand how to operate a business that has public store frontage within the Caltrans ROW.

We would support also an in-person or zoom meeting if your team would like to discuss this further in those formats. Looking forward to working this through with you.

Respectfully,

Bella Hedtke

Senior Planner | Planning Division
Trinity County Community Development Department
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530 Main St., P.O. Box 2819, Weaverville, CA 96093
[Trinity County Planning Division Webpage](#)

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From: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>
Sent: Wednesday, March 27, 2024 4:26 PM
To: Bella Hedtke <bhedtke@trinitycounty.org>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>; Edward O. Prestley <eoprestley@trinitycounty.org>
Subject: RE: AR-24-001 Referral For Comment

Hi Bella!

I left a message on your cell and work line.

Thank you
Kathy Grah

Kathy Grah
Senior Transportation Planner
Regional Planning/Local Development Review
Caltrans District 2-Redding
1657 Riverside Drive, Redding, CA 96001 MS 7
5307823152 work cell

From: Bella Hedtke <bhedtke@trinitycounty.org>
Sent: Wednesday, March 27, 2024 3:24 PM
To: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>; Edward O. Prestley <eoprestley@trinitycounty.org>
Subject: RE: AR-24-001 Referral For Comment
Importance: High

EXTERNAL EMAIL. Links/attachments may not be safe.

Hey Kathy,

I just left a voicemail and would like to discuss further when you get a chance.

Thank you,

Bella Hedtke

Senior Planner | Planning Division
Trinity County Community Development Department
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From: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>
Sent: Wednesday, March 27, 2024 3:10 PM
To: Bella Hedtke <bhedtke@trinitycounty.org>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>
Subject: RE: AR-24-001 Referral For Comment

Hi!

Our Permits office wrote that this type of on premise advertising cannot be permitted within the Caltrans right-of-way.

Thank you
Kathy Grah

Kathy Grah
Senior Transportation Planner
Regional Planning/Local Development Review
Caltrans District 2-Redding
1657 Riverside Drive, Redding, CA 96001 MS 7
5307823152 work cell

From: Bella Hedtke <bhedtke@trinitycounty.org>
Sent: Wednesday, March 27, 2024 11:59 AM
To: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>
Subject: RE: AR-24-001 Referral For Comment
Importance: High

EXTERNAL EMAIL. Links/attachments may not be safe.

Excellent, thank you! Even by next Tuesday at the latest would be super helpful for discussion purposes with the historic committee.

Respectfully,

Bella Hedtke

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Trinity County Community Development Department
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From: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>
Sent: Wednesday, March 27, 2024 11:53 AM
To: Bella Hedtke <bhedtke@trinitycounty.org>; Mitchell Wexler <mwexler@trinitycounty.org>
Cc: Battles, Michael@DOT <Michael.Battles@dot.ca.gov>; Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>
Subject: RE: AR-24-001 Referral For Comment

Hi Bella!

We will see what we can do.

Thank you
Kathy

From: Bella Hedtke <bhedtke@trinitycounty.org>
Sent: Wednesday, March 27, 2024 11:45 AM
To: Mitchell Wexler <mwexler@trinitycounty.org>; Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>
Subject: RE: AR-24-001 Referral For Comment
Importance: High

EXTERNAL EMAIL. Links/attachments may not be safe.

Hey Kathy,

Hope all is well.

We have a meeting next Wednesday that we are preparing for and would appreciate a reply regarding an encroachment permit as soon as your team can. Sorry for the urgent request but we would be super grateful to get a response.

Respectfully,

Bella Hedtke

Senior Planner | Planning Division
Trinity County Community Development Department
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STREETS AND HIGHWAYS CODE

SECTION 720-734

720. If any encroachment exists in, under or over any State highway, the department may require the removal of such encroachment in the manner provided in this article.

Except as otherwise provided in sections 680 and 721, notice shall be given to the owner, occupant or person in possession of the encroachment, or to any other person causing or suffering the encroachment to exist, by serving upon any such person a notice containing a demand for the immediate removal of such encroachment from within such highway. Any such notice shall describe the encroachment complained of with reasonable certainty as to its character and location. In lieu of service upon such person, service of such notice may also be made by registered mail and by posting, for a period of five days, a copy of the notice on the encroachment described in the notice. In the case of an owner, occupant or person in possession, who is not present in the county, the notice may be given to his agent in lieu of service by mailing and posting.

721. The department may immediately remove from any State highway any encroachment which:

- (a) Is not removed, or the removal of which is not commenced and thereafter diligently prosecuted, prior to the expiration of five days from and after the service of the notice.
- (b) Obstructs or prevents the use of such highway by the public.
- (c) Consists of refuse.
- (d) Is an advertising sign of any description, unless excepted by subdivision (c) of section 670.

722. The department may remove an encroachment on the failure of the owner to comply with a notice or demand of the department under the provisions of Section 673, Section 680, or Section 720, and shall have an action to recover the expense of the removal, costs, and expenses of suit and, in addition thereto, the sum of three hundred fifty dollars (\$350) for each day the encroachment remains after the expiration of five days from the service of the notice or the demand.

723. If the owner, occupant, or person in possession of the encroachment, or person causing or suffering the encroachment to exist, or the agent of any of them, disputes or denies the existence of the encroachment, or refuses to remove or permit the removal of the encroachment, the department, in the name of the people of the State of California, may commence, in a court of competent jurisdiction, an action to abate the encroachment as a public nuisance. If judgment is recovered by the department, it may, in addition to having the encroachment adjudged a nuisance and abated, recover three hundred fifty dollars (\$350) for each day the encroachment remains after the service of the notice in the manner provided in Section 720, and may also recover its costs and expenses incurred in the action.

724. Unless the encroachment is authorized under Article 2 (commencing with Section 670), any person owning, controlling, or placing, or causing or suffering to exist, any encroachment within any state highway after the service upon that person of the notice, in the manner provided in Section 720, is, in addition to any civil liability therefor, guilty of a misdemeanor.

725. It is unlawful for any person to do any of the following acts:

- (a) Drain water, or permit water to be drained, from his lands onto any State highway by any means which results in damage to the highway.
- (b) Obstruct any natural water course so as to:
 - (1) Prevent, impede or restrict the natural flow of waters from any State highway into and through such water course, unless other

adequate and proper drainage is provided.

(2) Cause waters to be impounded within any State highway, to the damage of the highway.

(3) Cause interference with, or damage or hazard to public travel.

(c) Store or distribute water for any purpose so as to permit it to overflow onto, to saturate by seepage, or to obstruct any State highway, to the damage of the highway.

726. When notice thereof is given by the department, in the manner provided by section 720, to any person permitting or suffering such damage to be done to any State highway, or permitting or suffering any such condition to exist, such person shall immediately cease and discontinue such diversion of waters or shall discontinue and prevent such drainage, seepage, or overflow and shall repair the highway at his own expense.

727. If a person is thus notified, and fails, neglects, or refuses to cease and discontinue the diversion, to discontinue and prevent the drainage, seepage, or overflow of the waters, or to make the repairs required by Section 726, the department may make the repairs and may also perform work as is necessary to prevent the further drainage, diversion, overflow, or seepage of the waters.

The department, in the name of the people of the State of California, may recover in an action at law, in a court of competent jurisdiction, the amount expended for the repairs and work and, in addition thereto, the sum of three hundred fifty dollars (\$350) for each day the drainage, diversion, overflow or seepage of waters is permitted to continue after the service of the notice in the manner required by Section 726, together with the costs and expenses incurred in the action.

728. Any person proposing or desiring to excavate or construct ditches in, under or over any State highway, to carry water for any purpose, shall construct, without expense to the State, such bridges, culverts, pipes, siphons or crossings as are necessary adequately and properly to carry such water in, under or over such State highway.

Any such construction shall be done in accordance with the permit and pursuant to section 671, and shall be subject to the approval of the department. The issuance of any such permit may be withheld until the department finds that proper and adequate provision is made for the protection of such State highway and for the safety of travel thereon.

729. Upon the neglect or refusal of any person to comply with the provisions of section 728, the department may construct any such crossing and may recover, in the name of the people of the State of California, in an action at law in any court of competent jurisdiction, the expense of such construction, together with the costs and expenses incurred in any such action.

730. Any person who by any means wilfully or negligently injures or damages any State highway is liable for the repair thereof, and the department, in the name of the people of the State of California, may recover, in an action in any court of competent jurisdiction, the amount expended for such repairs, together with the costs and expenses incurred in any such action.

Any person wilfully injuring any bridge, culvert or structure in or on any State highway is guilty of a misdemeanor.

730.5. Any person who by any means, without a permit issued by the department, digs up, cuts down, destroys, prunes, trims, or otherwise injures any tree or shrub on any state highway, rights-of-way, or property shall be liable for a penalty in the sum of ten thousand dollars (\$10,000) for each tree so damaged and one thousand dollars (\$1,000) for each shrub so damaged; and the department, in the name of the people of the State of California, may recover the penalty in an action at law, in a court of competent jurisdiction, together with the costs and expenses, including attorney and expert fees, incurred in the action and the actual costs incurred because of the damage to

any tree or shrub on state property.

731. Any vehicle or structure parked or placed wholly or partly within any state highway, for the purpose of selling the same or of selling therefrom or therein any article, service or thing, is a public nuisance and the department may immediately remove that vehicle or structure from within any highway.

Any person parking any vehicle or placing any structure wholly or partly within any highway for the purpose of selling that vehicle or structure, or of selling therefrom or therein any article or thing, and any person selling, displaying for sale, or offering for sale any article or thing either in or from that vehicle or structure so parked or placed, and any person storing, servicing, repairing or otherwise working upon any vehicle, other than upon a vehicle which is temporarily disabled, is guilty of a misdemeanor.

The California Highway Patrol and all peace officers from local law enforcement agencies may enforce the provisions of this chapter with respect to highways under their respective jurisdiction and shall cooperate with the department to that end. Whenever any member of the California Highway Patrol or any peace officer from a local law enforcement agency removes a vehicle from a highway under the provisions of this section, then all of the provisions of Article 3 (commencing with Section 22850), Chapter 10, Division 11 of the Vehicle Code with reference to the removal of a vehicle from a highway shall be applicable.

This section does not prohibit a seller from taking orders or delivering any commodity from a vehicle on that part of any state highway immediately adjacent to the premises of the purchaser; prohibit an owner or operator of a vehicle, or a mechanic, from servicing, repairing or otherwise working upon any vehicle which is temporarily disabled in a manner and to an extent that it is impossible to avoid stopping that vehicle within the highway; or prohibit coin-operated public telephones and related telephone structures in park and ride lots, vista points, and truck inspection facilities within state highway rights-of-way for use by the general public.

731.5. Section 731 does not apply to a coin-activated or credit card-activated telephone available for public use shared and maintained within any bus passenger shelter lawfully erected upon any state highway other than a freeway or expressway if the person placing the telephone has obtained a permit from the department pursuant to Section 670.

732. Any person who wilfully injures, defaces, breaks down or removes any monument or stake placed, erected or used by the department to designate any point in the boundary or survey of any State highway or proposed State highway is guilty of a misdemeanor.

732.5. Survey monuments shall be preserved, referenced, or replaced pursuant to Section 8771 of the Business and Professions Code.

733. All money recovered under the provisions of this chapter shall be paid into any fund which is available to the department for highway purposes and is designated by the department to receive such payment.

734. The procedure provided in this article is not exclusive and shall not prohibit the department from exercising any other remedy provided by law to prevent damage to or to protect any State highway.

the Maintenance Area Superintendent. The Deputy District Director-Maintenance may approve multiple dates at his or her discretion (maximum of three consecutive days).

501.2 Salvage Operations

Consent Letter

The Maintenance Area Superintendent issues salvage permits by issuing a Consent Letter.

Individual salvage permits are required for each specific return to an accident scene by an owner or authorized agent to remove wrecked vehicles or their loads.

Salvage permits are not required when the life or safety of vehicle occupants is involved, to recover victims, to remove wrecked vehicles or their loads that are blocking the roadway, or when a law enforcement officer orders removal from alongside the highway.

In addition, a transportation permit issued by the Caltrans Transportation Permits Issuance Branch is required for oversize or overweight tows. For more information on Transportation Permits go to:

<http://www.dot.ca.gov/trafficops/permits/index.html>

501.3 On-Premise Advertising Displays, Arcades, Awnings, and Marquees

Permit Code AD

AD permits authorize installation and maintenance of on-premise advertising displays, arcades, awnings, and marquees. The following sections describe the general requirements that apply to all AD permits and the specific conditions that apply to each type of installation.

501.3A On-Premise Advertising Displays

AD permits are allowed only for on-premise installations as defined in the Business and Professions Code, Division 3, Chapters 2 and 2.5. Maintenance agreements or more restrictive ordinances or regulations by any city or county take precedence over this section.

An AD permit must not be issued if the proposed installation creates a hazardous condition because of a curb, gutter, cross slope etc., or if the encroachment is an integral structural portion of a building (including: roof eaves, new bay window, and cantilevered upper floors).

A structure advertising the business conducted on the premises may overhang the conventional highway right-of-way if it meets all the conditions specified in Table 5.6.

Contact the Headquarters Chief of Outdoor Advertising Program when questions arise as to whether or not a display conforms to Caltrans' Outdoor Advertising Regulations.

Table 5.6
Guidelines for Allowing a Structure to
Overhang the Conventional Highway Right-Of-Way

An advertising display structure may overhang State right-of-way if it satisfies **all** of these conditions:

1. Conforms to local building code.
2. Structurally adequate.
3. Supporting structure is outside the right-of-way. This includes freestanding or attached to the building it serves (except in special cases where arcades are permitted).
4. Overhang may not extend closer than 24 inches horizontally from the curb face. Exceptions are in historical districts where overhangs are permissible to the curb face. Curbs or other approved safety barriers should protect sign structures.
5. Preferred minimum vertical clearance from the sidewalk is 12 feet. A minimum 8 feet clearance is acceptable when local codes are satisfied.
6. No flashing, rotating or intermittent lights are allowed except for approved public service information signs. Signs containing red, yellow, or green lights are not permitted when they interfere with perception of traffic signals.
7. Wording on the sign may identify only the name of the owner or occupant of the premises or to identify the premises, goods sold or produced, or services rendered on the premises.
8. Displays must not interfere with or hide traffic signals or traffic signs.
9. Any future change in wording or location of a sign requires a separate permit.

501.3B Arcades

Arcades are quasi-permanent, awning-type structures that cover sidewalk areas. They generally are supported by buildings and, when permitted, by freestanding posts on the sidewalks. ADA Certification is required if poles are proposed in the design.

Arcades must not be a structural part of the building roof trusses. They also must not interfere with traffic signals and signs, nor have structural posts that reduce horizontal sidewalk clearance to less than that required under the current Design Information Bulletin 82 (DIB 82). For other requirements, see Table 5.7.

501.3C Awnings

An awning is a temporary removable or retractable shelter supported entirely from the exterior wall of a building. Awnings may identify only the owner or place of business.

501.3D Marquees

A marquee must be supported entirely by the building. Any drainage from the marquee must not fall on, or drain across, the sidewalk.