

CITY OF UKIAH Department of Planning & Community Development 300 Seminary Avenue, Ukiah, CA 95482 www.cityofukiah.com



October 24, 2011

Cory Tunnell Entera Branding 1200 Entera Drive Panama City, FL 32401

Re: Applebee's 1201 Airport Park Blvd., Ukiah

File No. 11-15-SDP-PC

Dear: Mr. Tunnell,

The Zoning Administrator on October 20, 2011, reviewed your request for approval of a Site Development Permit to allow exterior modifications to the existing Applebee's at 1201 Airport Park Boulevard. The modifications include new awnings and new signage. It was the action of the Zoning Administrator to approve the project subject to the following findings and conditions.

SITE DEVELOPMENT PERMIT FINDINGS TO ALLOW EXTERIOR MODIFICATIONS AND SIGN MODIFICATIONS TO THE APPLEBEE'S RESTUARNAT AT 1201 AIRPORT PARK BOULELVARD, APN 180-080-41

The following findings are supported by and based on information contained in this staff report, the application materials and documentation, and the public record.

- 1. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan as described in the staff report.
- 2. The proposed project, as conditioned, is consistent with the uses allowed in the Retail Commercial designation of the Airport Industrial Park Planned Development. The existing restaurant received a use permit in 2001 (File No. 01-04) and the proposed project will not change the use.
- 3. The proposed project, as conditioned, is consistent with the development standards for the Airport Park Industrial Park Planned Development as shown in Table 1 of the Staff Report.

1201 Airport Park Blvd. APN 180-080-41 File No. 11-15-SDP-ZA C. published in the Ukiah Daily Journal on October 9, 2011.

SITE DEVELOPMENT PERMIT CONDITIONS OF APPROVAL TO ALLOW EXTERIOR MODIFICATIONS AND SIGN MODIFICATIONS TO THE APPLEBEE'S RESTUARNAT AT 1201 AIRPORT PARK BOULELVARD, APN 180-080-41

- Approval is granted to make exterior modifications to the existing Applebee's Restaurant based on the project description submitted to the Planning and Community Development Department and as shown on the site plan date stamped September 26, 2011, except as modified by the following conditions of approval.
- 2. Application for and approval of a building permit is required prior to installation of the awnings and signs.
- 3. Application for and approval of a sign permit from the Planning and Community Development Department is required prior to installation of signs.
- 4. Any landscaping damaged during construction of project shall be replaced in kind prior to building permit final.
- 5. On plans submitted for building permit these conditions of approval shall be included as notes on the first sheet.

Standard City Conditions of Approval

- 6. Construction hours are limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.
- 7. The property owner shall obtain and maintain any permit or approval required by law, regulation, specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
- 8. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
- 9. Building, Grading or other required Permits shall be issued within two years after the effective date of the Site Development Permit, or the discretionary actions granted by the permit shall expire. In the event the required Permits cannot be issued within the stipulated period from the project approval date, a one year extension may be granted by the Director of Planning if no new circumstances affect the project which otherwise would render the original approval inappropriate or illegal. It is the applicant's

1201 Airport Park Blvd. APN 180-080-41 File No. 11-15-SDP-ZA

1	If you jfaso@d			questions, m.	please	feel	free	to	contact	me	at	(707)	463-6206	or
	Sincere	ly,												
- () (M Jennifer Associa	reaso		A80										
	I		th	e Applicant/C)wner hav	e read	and a	gree	to the abo	ove Co	ondit	ions of <i>i</i>	Approval.	
-	Applicant	t/Owner	Signa	ture					Date			·		

C: Zach Sylvia, 930 Executive Way, Suite 200, Redding, CA 96002





CITY OF UKIAH ZONING ADMINISTRATOR PUBLIC HEARING Conference Room 1 October 20, 2011 2:00 PM

AGENDA

1. CALL TO ORDER

CONFERENCE ROOM # 1, UKIAH CIVIC CENTER 300 SEMINARY AVENUE, UKIAH, CALIFORNIA

- 2. SITE VISIT VERIFICATION
- 3. APPROVAL OF MINUTES

October 13, 2011

4. APPEAL PROCESS

All determinations of the Zoning Administrator regarding minor discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For matters heard at this meeting, the City Clerk will accept appeals no later than 5:00 PM on October 31, 2011.

- 5. VERIFICATION OF NOTICE
- 6. PUBLIC HEARING
 - A. Minor Site Development Permit 11-15-SDP-ZA, 1201 Airport Park Boulevard, APN 180-080-41. Request for approval of Site Development Permit to allow modifications to the exterior of the building. The request includes change to the exterior paint, modifications to the signs and new awnings that include LED lighting.
- 7. ADJOURNMENT

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Community Development and Planning Department 300 Seminary Avenue Ukiah, CA 95482 planning@cityofukiah.com (707)463-6203

DATE:

October 20, 2011

TO:

Zoning Administrator

FROM:

Jennifer Faso, Associate Planner

SUBJECT:

Request for approval of a Site Development Permit to allow modifications to the

exterior of the existing Applebee's Restaurant 1201 Airport Park Boulevard, APN 180-080-41

File No. 11-15-SDP-ZA

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RECOMMENDATION

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Staff recommends that the Zoning Administrator approve this request for a minor site development permit based on the draft findings and subject to the draft conditions of approval (see attachments 1 & 2).

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BACKGROUND

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In 2001 the Planning Commission approved a use permit (File No. 01-04) to allow the construction and operation of the Applebee's Restaurant at 1201 Airport Park Boulevard. The approval included a sign program and exterior paint color.

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PROJECT DESCRIPTION

30 31 32 An application has been received from Entera Branding on behalf of Applebee's for a site development permit to allow exterior modifications to the existing restaurant located at 1201 Airport Park Boulevard, APN 180-080-41. The proposed modifications include:

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New Exterior paint color;

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New "Applebee's" channel letter wall signs on each elevation;

36 37 New "Neighborhood" and "Bar & Grill" cabinet signs on the left and right elevation; New entrance canopy on the front elevation over the entry;

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New LED illuminated window awnings on front, left and right elevations; and New monument sign utilizing the existing base.

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"Neighborhood Bar and Grill "	Mary Mary 1	Show a life	Total 6.13 square feet		
Monument Sign	Front	68.75 square feet	62.32 square feet		
	Total sign area	328.09 square feet	415.23 square feet		
- Charles in house, a		STREET TO STREET			
Total Sign Area Allowed -	Airport Park Boulevard	454 square feet	454 square feet 164 square feet		
	Commerce Drive	164 square feet			
of sign area for every linear for	d on one and one-half (½) square feet of parcel frontage. On corner lots er of square footage is allowed for on 2772 (1) (2).				
Total Sign Area allowed for	entire parcel	618 square feet	618 square feet		

The proposed project involves 748 square feet of modifications to the exterior of the building this includes change to the signs and the awnings. The proposed change to the exterior paint color is not included in the square footage because based on the original Use Permit's conditions of approval discretionary review was not required to change the paint color. A Site Development Permit, discussed below, is required to made the proposed changes to the signs and awnings.

AIRPORT INDUSTRIAL PARK PLANNED DEVELOPMENT (AIP). The development and design requirements of the AIP are included in Ordinance 1098. Staff's analysis of the applicable AIP standards and sign requirements is included below.

Table 2.	Airport Industrial Park
Zoning Regulations Per Ordinance 1098	Staff Analysis
	Use
Retail Commercial Designation : Restaurants are permitted uses and require a Use Permit	The existing use of the site is Applebee's Restaurant. A use permit was approved in 2001. The use of the site will not change as a result of this project.
AIP Do	evelopment Standards
The Airport Industrial Park Planned Development includes development standards for setbacks, building height, site area, and yard setbacks.	The project site is developed with an existing restaurant. The existing building footprint will not change as a result of this project.
Per the AIP Ordinance 1098 (page 9) the size and amount of signs shall generally comply with the requirements of the Ukiah Municipal Code.	Wall Signs: The total amount of existing signs on the building is 259.34 square feet. The amount of sign area proposed for the new signs, including the apple logo on the awnings is 352.71 sq. ft. Based on the AIP, standards which defaults to the UMC, the subject parcel is allowed to have 454 square feet of sign area on the Airport Park Boulevard frontage and 164.01 square feet on the Commerce Drive frontage. However per the sign ordinance the total sign area for any frontage cannot exceed 500 square feet. The proposed signs included with this request are within the allowable sign area.
	Monument Sign: The proposed new monument sign will utilize the existing base. The new sign area of the monument sign will be 62.32 square feet as opposed to the existing 68.75 sq. ft.

Site Development Permit Findings

Table 2: Site Development Permit Analysis

Staff Analysis

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Based on the analysis included above and with the draft conditions of approval included in attachment 2, the project is consistent with the findings required for approval of a site development permit as included in attachment 1.

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FINDINGS - SITE DEVELOPMENT PERMIT FINDINGS

DRAFT SITE DEVELOPMENT PERMIT FINDINGS TO ALLOW EXTERIOR MODIFICAITONS AND SIGN MODIFICATIONS TO THE APPLEBEE'S RESTUARNAT AT 1201 AIRPORT PARK BOULELVARD, APN 180-080-41

The following findings are supported by and based on information contained in this staff report, the application materials and documentation, and the public record.

- 1. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan as described in the staff report.
- 2. The proposed project, as conditioned, is consistent with the uses allowed in the Retail Commercial designation of the Airport Industrial Park Planned Development. The existing restaurant received a use permit in 2001 (File No. 01-04) and the proposed project will not change the use.
- 3. The proposed project, as conditioned, is consistent with the development standards for the Airport Park Industrial Park Planned Development as shown in Table 1 of the Staff Report.
- 4. The proposed project site is currently developed and the existing footprint of the building and the site configuration will not change as a result of this project. Therefore the project will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern
- 5. The accessibility of the existing off-street parking and driveway will not change as a result of the proposed project therefore no hazardous or inconvenient conditions will be created on adjacent streets.
- 6. The site contains landscaping which was required with the original use permit when the building was constructed. The landscaping is well maintained and no new landscaping is proposed as part of this project.
- 7. The existing footprint will not change as a result of the proposed modifications therefore the project will not restrict or cut out light and air on the property, or on the property in the neighborhood; nor will it hinder the development or use of buildings in the neighborhood, or impair the value thereof.
- 8. The site is not located in or adjacent to a residential zoning district.
- 9. The site is located in a commercial area developed with an existing restaurant and parking area, no water courses, wildlife, wildlife habitat, floodway or flood plain or other environmentally sensitive areas are present.

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DRAFT CONDITIONS OF APPROVAL - SITE DEVELOPMENT PERMIT

DRAFT SITE DEVELOPMENT PERMIT FINDINGS TO ALLOW EXTERIOR MODIFICAITONS AND SIGN MODIFICATIONS TO THE APPLEBEE'S RESTUARNAT AT 1201 AIRPORT PARK BOULELVARD, APN 180-080-41

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- 3. Application for and approval of a sign permit from the Planning and Community Development Department is required prior to installation of signs.
- 4. Any landscaping damaged during construction of project shall be replaced in kind prior to building permit final.
- 5. On plans submitted for building permit these conditions of approval shall be included as notes on the first sheet.

Standard City Conditions of Approval

- 6. Construction hours are limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.
- 7. The property owner shall obtain and maintain any permit or approval required by law. regulation, specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
- 8. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
- 9. Building, Grading or other required Permits shall be issued within two years after the effective date of the Site Development Permit, or the discretionary actions granted by the permit shall expire. In the event the required Permits cannot be issued within the stipulated period from the project approval date, a one year extension may be granted by the Director of Planning if no new circumstances affect the project which otherwise would render the original approval inappropriate or illegal. It is the applicant's responsibility in such cases to propose the one-year extension to the Planning Department prior to the two-year expiration date.



Attachment #

1200 Bell Avenue Panama City, FL 32401

> P: 800-868-0284 F: 850-872-8584

www.enterabranding.com

September 21, 2011

RE: Applebee's, 1201 Airport Blvd., Ukiah, CA 95482

To whom it may concern,

Please allow this letter to serve as a description of the scope of work for the above referenced project. Please also refer to the included artwork. This exterior remodel will consist of:

1.) Painting of entire restaurant using the following Sherwin-Williams colors:

Accents – SW 7032 "Warm Stone"

Main Wall – SW 7029 "Agreeable Gray"

Metal Trim, Greenhouse Roof, Caps & Doors – SW 7048 "Urbane Bronze"

2.) New "Applebee's" channel letter wall signs on each elevation.

- 3.) New "Neighborhood" and "Grill & Bar" cabinet signs on the left and right elevations.
- 4.) A new entrance canopy over the entry on the front elevation.
- 5.) New LED illuminated window awnings on front, left and right elevations.
- 6.) A new monument sign replacing utilizing existing base.

Sincerely,

Cory A. Tunnell Program Manager







MAJOR USE PERMIT APPROVAL AGREEMENT

Project Title:

Major Use Permit No. 01-04

Project Applicant:

Applebee's Restaurant

Project Location:

1201 Airport Park Boulevard, Ukiah, County of Mendocino, CA

Pursuant to Ukiah Municipal Code §9262, Major Use Permit No. 01-04 was reviewed and approved by the City Planning Commission on May 23, 2001, with the attached Conditions of Approval being made components of the project's design and development. The applicant understands that all of the approved Conditions of Approval must be implemented in order to comply with the terms of the Planning Commission's approval, and that failure to satisfy such terms constitutes justification for the City withholding the final Building Permit and/or initiating revocation of the Major Use Permit.

Decisions of the Planning Commission, including the imposition of Conditions of Approval, may be appealed to the City Council no later than 5:00 p.m. on June 4, 2001, provided the interested party attended the hearing and stated his or her position on the project appealed. Decisions of the City Council are final in terms of City of Ukiah administrative review or relief. However, pursuant to §1094.6 of the California Code of Civil Procedure, an individual may have the right to a review of the City Council's decision by a court of law.

Accordingly, the City of Ukiah hereby grants the applicant the subject Use Permit, as conditioned, with the understanding that, notwithstanding referral to a court, the project will be developed according to the approved set of plans and the approved Conditions of Approval.

Issued by:

City of Ukiah Planning Department

Date:

May 29, 2001

Issuing Agent of the City:

Associate Planner Brian Keefer

Signature of Issuing Agent

c: Code Enforcement Officer

Conditions of Approval for Major Use Permit Agreement No. 01-04

CONDITIONS OF APPROVAL: The following Conditions of Approval shall be made a permanent part of Major Use Permit #01-04, shall remain in force regardless of property ownership, and shall be implemented in order for this entitlement to remain valid:

- 1. All use, construction, or occupancy shall conform to the application approved by the Planning Commission, and to any supporting documents submitted therewith, including maps, sketches, renderings, building elevations, landscape plans, and alike.
- 2. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission.
- 3. In addition to any particular condition, which might be imposed, any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, regulations and ordinances in effect at the time the Building Permit is approved and issued.
- 4. Applicant shall be required to obtain any permit or approval, which is required by law, regulation, or ordinance, be it required by Local, State, or Federal agency.
- 5. Building Permits shall be issued within two years after the effective date of the Use Permit approval, or it shall be subject to the City's permit revocation process and procedures. In the event the Building Permit cannot be issued within the stipulated period, a one year extension may be granted by the Planning Director if no new circumstances affect the project which otherwise would render the original approval inappropriate or illegal. It is the applicant's responsibility in such cases to propose the one-year extension to the Planning Department prior to the two-year expiration date.
- 6. The approved Use Permit may be revoked through the City's revocation process if the approved project related to the Use Permit is not being conducted in compliance with the stipulations and conditions of approval; or if the project is not established within two years of the effective date of approval; or if the established land use for which the permit was granted has ceased or has been suspended for twenty four (24) consecutive months.
- 7. Except as otherwise specifically noted, the Use Permit shall be granted only for the specific purposes stated in the action approving the Use Permit and shall not be construed as eliminating or modifying any building, use, or zone requirements except as to such specific purposes.
- 8. An Encroachment Permit from the Public Works Department is required to perform all work within the street right-of-way.
- 9. Sewer, water, and electric service shall conform to the specifications of the City Public Utilities and Public Works Departments, and to the applicable written comments submitted on Feb. 20 and April 23, 2001 by the Electric Division (attached), and on Feb. 21, and March 2, 2001 by the Public Works Department (attached).

- 10. Gas service shall conform to the specifications of Pacific Gas and Electric Company and the written comments submitted by PG&E on Feb. 7, 2001 (attached).
- 11. Any roof-mounted air conditioning, heating, and/or ventilation equipment shall be aesthetically screened from view consistent with the architecture of the building upon which it is located.
- 12. Any outdoor refuse/recycle containers shall be aesthetically screened from view; garbage shall not be visible outside the enclosures.
- 13. Street trees shall be incorporated into the planters adjacent to Airport Park Boulevard and Commerce Drive. These trees shall be planted in accordance with the approved Landscape Plan, unless the Planning Director and City Engineer/Director of Public Works approve alternate locations, species, size, or planting methods.
- 14. A Final Landscaping and Lighting Plan shall be submitted by the project applicant and approved by the Director of Planning prior to the issuance of a Building Permit. This plan shall include, but not be limited to the following:
 - A planting legend that includes the names, location, coverage area, and canopy cover of proposed vegetation, including the location of street trees;
 - b) The proposed tree planting details and methods;
 - c) A planting schedule for all vegetation installed on the site;
 - d) A maintenance schedule for existing or proposed vegetation, including a watering schedule and irrigation system design; and
 - e) A lighting plan for any proposed exterior lighting installed or otherwise used on the site. All exterior lighting shall be subdued and directed away from surrounding land uses and the night sky.
 - f) More appropriate substitute tree species for the Crape Myrtle Trees and the Deodar Cedars shown on the submitted plan.
- 15. Landscaping shall be installed prior to the issuance of a Certificate of Occupancy for the restaurant unless the Director of Planning approves an alternate schedule. Landscaping shall be maintained and may not be removed or substantially altered unless the Director of Planning reviews and approves the removal or replacement of vegetation determined to be diseased, unstable, hazardous, or poorly located on the site. Any vegetation removed from the site shall be replaced with similar vegetation approved by the Planning Director.
- 16. All conditions that do not contain a specific date or time period for completion shall be completed prior to the issuance of a Certificate of Occupancy.
- 17. All signs must comply with and are limited to the approved sign program. The Planning Director must approve any additional signs or deviations from the approved signs. In addition, the monument sign including the foundation must be placed a minimum of 13 feet from the face of curb on the adjacent streets for a minimum four-foot setback from the joint trench. Monument sign shall not exceed the height of 6'-7 ½" (six feet, seven and one half inches).
- 18. Prior to the issuance of a building permit, an On-Site Grading and Drainage Plan that includes an Erosion and Sediment Control Component shall be submitted. This report shall be prepared by a licensed civil engineer and shall be approved by the City Engineer.
- 19. All on-site paving shall be a minimum of 2" (inches) of asphalt concrete with a 6" (inch) aggregate base, or, alternatively, any option approved by the City Engineer.

- 20. All reports and plans submitted to the City Engineer for review and approval shall address required mitigation outlined in the certified Airport Industrial Park Environmental Impact Report (EIR).
- 21. Capital improvement fees (traffic) in the amount of \$5,974.31 if paid by June 30, 2001 for the parcel comprising the project site shall be paid in accordance with City Resolution No. 2000-13 prior to the issuance of a Building Permit. If these fees are paid following June 30, 2001, the fees will be incrementally raised quarterly based on the discount factor rate for each quarter.
- 22. Prior to the commencement of construction activities, the applicants shall submit a Storm Water Pollution Prevention Plan to the Regional Water Quality Control Board (RWQCH) and secure a General Construction Activity Permit if required by law.
- 23. The applicants shall participate in a *Transportation Management Association* if and when it is formed.
- 24. Prior to the commencement of site preparation and construction activities, the applicants shall submit a detailed Geotechnical Report of the site conducted by a registered engineering geologist or geological engineer. Field and laboratory data should be analyzed to provide the following geotechnical information:
 - a. A description of the soil and geologic conditions observed, including faulting and landsliding.
 - b. Site grading recommendations.
 - c. Recommended foundation types and design criteria.
 - d. Retaining wall design criteria, as necessary.
 - e. Recommendations for slab-on-grade construction, as applicable.
 - Geotechnical engineering drainage recommendations.
 - g. The applicants shall construct the project per the recommendations contained in the geotechnical investigation.
- 25. All proposed Structures/facilities shall comply with current seismic design standards contained in the Uniform Building Code.
- 26. Every attempt shall be made to keep all construction areas swept and clear of mud and debris to reduce the creation of fugitive dust.
- 27. Construction activities shall be limited to 7:00 a.m. to 5:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays, unless alternative hours are approved by the Planning Director.
- 28. Construction equipment shall be properly muffled and maintained to limit adverse air quality impacts.
- 29. The detailed construction plans submitted for a building permit shall include water conservation devices on toilets, urinals, and faucets.

- 30. The applicants shall pay the required sewer/water connection fees at the time of application for service.
- 31. Sewage collectors for the project shall be sized and constructed according to the requirements of the Ukiah Valley Sanitation District.
- 32. The Applicants shall employ construction activity management techniques, such as; extending construction period; reducing the number of pieces of equipment used simultaneously; increasing the distance between emission sources; reducing or changing the hours of construction; and scheduling activity during off-peak hours as a means to reduce potential adverse impacts to air quality.
- 33. The applicants shall keep all inactive soil piles completely covered to avoid the transportation of dust.
- 34. All construction vehicles shall be limited to a maximum speed of 15 miles per hour while on the site.
- 35. Prior to the issuance of a building permit, the applicants shall pay the required Ukiah School district fees applicable to commercial development.
- 36. Prior to the final inspection of the building, and issuance of a certificate of occupancy, the applicants shall submit a Recycling Plan for all recyclable materials, if any, the restaurant will generate during its operation.
- 37. If, during site preparation and grading activities, any archaeological resources are discovered, all work shall be halted, and the Planning department notified of the discovery. The applicant shall be responsible for funding the services of a professional archaeologist to assess the discovered resources, and for any measures developed by the archaeologist to protect the resources.
- 38. The painted arrow for the exit at the frontage of Airport Park Boulevard shall be painted to indicate a right-turn only.