

FROM THE PLANNING COMMISSION MINUTES OF MAY 28, 2015

AGENDA ITEMS

2. 13-0086 Hearing to consider the Sign Ordinance Update which consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 130.16 of Title 130 of the El Dorado County Code of Ordinances, and other sections of Title 130 addressing sign regulations and standards) as well as amendments to General Plan Objective 2.7.1 and Policy 2.7.1.2 (pertaining to off-site signs) consistent with the goals of the project; and staff recommending the Planning Commission recommend the Board of Supervisors take the following actions:

- 1) Adopt a Resolution certifying the Environmental Impact Report for an Amendment of the El Dorado County Zoning Ordinance Chapter 130.16; Make Findings of Fact and Issue a Statement of Overriding Considerations;
 - 2) Adopt a Resolution to amend the El Dorado County General Plan Land Use Element Objective 2.7.1 and Policy 2.7.1.2;
 - 3) Approve the final draft comprehensive update to Chapter 130.16 of the County Zoning Ordinance, which includes the recommended Mitigation Measure; and
 - 4) Adopt the Mitigation Monitoring and Reporting Program.
- (Cont. 03/26/15, Item 6)

Public Comment: J. Carpentier, K. Beal, L. Parlin, C. Langley, W. Flores, D. Anderly

[Clerk's Note: Commissioner Shinault left at the lunch recess (1:37 p.m.) and did not return. Commissioner Heflin left his seat on the Commission at 4:22 p.m.]

Motion: Commissioner Miller moved, seconded by Commissioner Pratt, and carried (3-0), to recommend the Board of Supervisors take the following actions: 1) Adopt a Resolution certifying the Environmental Impact Report for an Amendment of the El Dorado County Zoning Ordinance Chapter 130.16; Make Findings of Fact and Issue a Statement of Overriding Considerations; 2) Adopt a Resolution to amend the El Dorado County General Plan Land Use Element Objective 2.7.1 and Policy 2.7.1.2 in accordance with State and Federal law; 3) Approve the final draft comprehensive update to Chapter 130.16 of the County Zoning Ordinance, which includes the recommended Mitigation Measure, with the proposed amendments identified and documented by staff during the hearing; 4) Adopt the Mitigation Monitoring and Reporting Program; and 5) Direct staff to return within approximately one year of adoption, or earlier if necessary, to review the implementation of the Ordinance.

AYES: Pratt, Miller, Stewart
NOES: None
ABSENT: Heflin, Shinault

Proposed Amendments

A. Planning Commission Recommends the Board:

1. Adopt Resolution Certifying the EIR to amend County Zoning Ordinance Chapter 130.16; Make Findings of Fact and Issue Statement of Overriding Considerations; and
2. Adopt Resolution to Amend County General Plan Land Use Element Objective 2.7.1 and Policy 2.7.1.2 in accordance with state and federal law; and
3. Approve final draft Sign Ordinance Update with the recommended mitigation measure and proposed revisions below; and
4. Adopt Mitigation Monitoring and Reporting Program; and
5. Direct staff to return within approximately one year of adoption or earlier, if necessary, to review implementation of the Ordinance.

B. Planning Commission Recommended Revisions to the Draft Sign Ordinance presented to the Planning Commission on March 26, 2015 (see Attachment 5G in Legistar File #13-0086. Note: page numbers referenced below refer to this draft document)

1. All Sections: Replace all references to “urban” with “Community Regions”
2. Section 17.16.030 (B)(5) – Exempt Signs With Limitations, Trespass Sign Spacing (page 5): Allow flexibility when 200 foot separation is too restrictive; allow to be spaced closer than 200 feet in some instances
3. Section 17.16.030 (B)(6)(a) – Exempt Signs With Limitations, Real Estate Signs (page 5): Revise “residential-zoned property” to “single family home and improved multi-family property for 2 to 4 units” and remove “On weekends and holidays,”
4. Section 17.16.030 (B)(6)(b) – Exempt Signs With Limitations, Real Estate Signs (page 6): Add “residential property suitable for investment or development”
5. Section 17.16.030 (B)(8) – Exempt Signs With Limitations, On-site Directional Signs (page 7): Apply rural area height standards when in a Community Region above 3,000 foot elevation
6. Section 17.16.030 (B)(9) – Exempt Signs With Limitations, Off-site commercial signs along rural area private roads (page 7): Revise Sign Ordinance language as shown below:

“Off-site commercial directional signs, ~~located~~ on private property within the designated rural areas of the County, for establishments that are not directly abutting County roads. For ~~those~~ establishments ~~located on~~ that solely derive

access from a private roads, each establishment is allowed 1 non-illuminated commercial ~~identification and~~ directional sign with a maximum sign area of 16 square feet and a maximum height of 12 feet at the intersection of the private road with the county road. Additional commercial directional signs are allowed for the establishment at other intersecting points along the private road to provide guidance to the establishment. Each additional commercial directional sign shall have a maximum allowed area of 12 square feet and a maximum allowed height of 12 feet. Such signs may be permanent or temporary and require property owner consent. This provision does not allow general advertising for hire.”

Revised language to read as follows:

“Off-site commercial directional signs on private property within the designated rural areas of the County, for establishments that are not directly abutting County roads. For establishments that solely derive access from a private road, each establishment is allowed 1 non-illuminated commercial directional sign with a maximum sign area of 16 square feet and a maximum height of 12 feet at the intersection of the private road with the county road. Additional commercial directional signs are allowed for the establishment at other intersecting points along the private road to provide guidance to the establishment. Each additional commercial directional sign shall have a maximum allowed area of 12 square feet and a maximum allowed height of 12 feet. Such signs may be permanent or temporary and require property owner consent. This provision does not allow general advertising for hire.”

7. Section 17.16.030 (B)(10)(b) – Exempt Signs With Limitations, Temporary signs displaying noncommercial messages (page 7): *During election periods, reduce time period to put up signs before election to 45 days; and reduce time period to remove signs to 2 weeks after election. (Strong minority opinion that 60 days before election should also be considered.)*
8. Section 17.16.040 (A)(4) – Permanent Signs, U.S. Highway 50-Oriented Signs: *Clarify 100 feet is from Caltans right-of-way.*
9. Section 17.16.050 (A)(2)(3) – Temporary Signs (page 9): *Add “Feather Banners” as allowed in the temporary sign section; allow only on-site; add limits to allow only 1 “feather banner” per establishment per street frontage, maximum height 12 feet and maximum sign area of 30 square feet to Table 17.16.050.1.*
10. Section 17.16.050 (A)(3) – Temporary Signs (page 8): *Add “Sign Twirlers” as allowed in the temporary sign section; allow only on-site; add limits on sign size (6 feet x 2 feet or 12 square feet) and twirler size no taller than 8 feet to Table 17.16.050.1.Char Char*
11. Section 17.16.050 Temporary Signs (page 9). *Add provision that illegal temporary signs to be removed immediately.*

12. Section 17.16.050 (A)(3) – Temporary Signs, A-Frame Signs (page 9): *Add that A-frame signs are allowed during daylight hours; require removal from dusk to dawn. Add “or event is over” to after “...establishment is closed.”*
13. Section 17.16.060 (B) – Community Sign Programs, Community Identity Signs (page 9): *Remove maximum 250 square feet limitation.*
14. Section 17.16.070 (B)(1) – Sign Area Measurement Procedures (pages 10-11): *Revise measurement methodology to allow for maximum use of the “available display area” for irregularly shaped signs that are not four-sided; and revise Figures 17.16.070.A and 17.16.070.B accordingly.*
15. Section 17.16.070 (H)(3)(c) – Design Standards for Specific Sign Types, Electronic (Digital) Signs (pages 14-15): *Recommend approval of mitigation measure in the EIR and 0.3 foot-candle standard for Electronic Message Center (EMC) signs. Clarify that the measurement procedure shall follow accepted industry measurement standards. Revise mitigation measure language to include industry standard of measurement and carry the requirement into the ordinance.*
16. Section 17.16.070 (J) – Standards for U.S. Highway-Oriented Signs (page 16): *Clarify that on-site signs within 100 feet of U.S. Highway 50 is measured from the edge of the highway right-of-way. Also revise “Highway-Oriented (U.S. Highway 50 only) Sign” definition in Section 17.16.120 (page 38) to define measurement from the edge of the highway right-of-way.*
17. Section 17.16.070 (J)(1)(a) – U.S. Highway-Oriented Signs (page 16): *Allow on-site signage to not be subject to the 1,000 foot separation spacing between signs restriction.*
18. Section 17.16.070 (J)(3)(a) – Standards for U.S. Highway 50-Oriented Signs (page 17): *Provide the Planning Commission or Board of Supervisors the discretion to consider a maximum sign area of up to 500 sq. ft.*
19. Section 17.16.070 (J)(4)(b) – Standards for U.S. Highway 50-Oriented Signs (page 17): *For multi-tenant signs, reduce 60-foot height limit to 50-feet.*
20. Section 17.16.070 (K) - Sign Standards for Home Occupation Signs Table 17.16.070.3 (page 25): *Increase allowed building-attached sign area from 1 square foot to 2 square feet.*
21. Section 17.16.090 (B) – Prohibited Signs (page 29): *Add Movable Signs with commercial messages.*
22. Section 17.16.100 (A) – Illegal Signs (page 30): *Clarify this section applies to Permanent signs only.*

23. Section 17.16.120 – Definitions (pages 34 – 43): Add the following twelve defined terms:

- 1) **Air-activated Sign.** An attention attracting device that is activated by wind or forced air, portions of which flutter or flap in the air; examples are known by commercial names such as sky puppet, air puppets, air crows, air dancers and wind dancers; the definition includes functionally similar devices.
- 2) **Banner.** Any sign made of cloth, lightweight fabric, bunting, plastic, vinyl, paper or similar material that is permanently or temporarily placed on, or affixed to, real property in a location where the message or image displayed is visible to the public from outside of the building or structure. A flag, as defined, shall not be considered a banner.
- 3) **Commercial Directional Sign.** A sign whose primary function is to provide directional information for an establishment offering retail sales to the general public, when the establishment does not have access through frontage on a county road.
- 4) **Electronic Message Center (EMC).** Add to definitions of “Electronic (Digital) Message Sign” and “Digital Display.”
- 5) **Feather Banner.** A pole (typically flexible) with an attachment generally made of fabric and in the shape of a feather or quill, used to attract attention and/or present some visually communicative image to public view. Also known as feather flag, quill flag and similar names.
- 6) **Gas Pricing Signs.** *Revised to Motor Vehicle Fuel Pricing Signs.* Signs identifying the brand, type, octane rating, etc., of ~~gasoline~~ motor vehicle fuel for sale, as required by state law.
- 7) **General Advertising for Hire.** The enterprise of advertising or promoting other businesses, establishments or causes using methods of advertising, in contrast to self-promotion or on-site advertising. The term applies regardless of whether a given message is commercial, noncommercial, or “public service” in nature. Also known as general advertising.
- 8) **Mobile Billboard.** A vehicle which parks upon public land or traverses upon public roads for the primary purpose of displaying general advertising for hire.
- 9) **Movable Sign.** A sign that can easily be moved from one place to another, typically by mounting it on a vehicle or trailer, or by attaching wheels to it.

- 10) **Sign Twirler.** A human being, or a robotic imitation of a human being, displaying signs visible from the public right of way by holding the physical sign and twirling or spinning for the purpose of attracting public attention. Also known as sign spinner.
- 11) **Tourist Industry.** Commercial businesses that provide goods and/or services (such as attractions and recreation; accommodations; restaurants and retail; transportation, travel and rental car services) for people traveling for pleasure (e.g. vacation, recreation, sightseeing). *Upon adoption of the updated Zoning Ordinance, Tourist Industry will be added to the Zoning Ordinance Glossary.*
- 12) **Vehicle Sign.** A sign mounted upon a vehicle which may legally be parked on or move on public roads as well as a sign mounted upon a water vessel which may legally move upon the waters.

C. Planning Commission Recommendations for Compliance

The Planning Commission recommends education and outreach efforts to be implemented to assist with code enforcement and compliance after the updated Sign Ordinance is adopted. Outreach to existing industries (including sign companies and sign industry associations) as well as local organizations such as Chambers of Commerce, community services districts and other community-based organizations to spread the word. Also recommend the County identify ways to incentivize bringing existing structures into conformance with the new code, and Code Enforcement to consider implementing an on-line form for complaints specific to signs.

Mitigation Monitoring Plan

MM Number	Mitigation Measure	Timing/ Implementation	Enforcement / Monitoring	Verification (date and Signature)
3.1.4	The text of Code Section 17.16.070(H)(3)(c) shall be amended as follows: Digital signs shall not operate at brightness levels of more than 0.3 foot-candles above ambient light, as measured using a foot-candle meter <u>industry standard procedures</u> at a distance of 250 feet from the sign face as determined by the following formula: measurement distance $\equiv \sqrt{\text{Area of sign in square feet} \times 100}$ shall equal the square root of Area of sign in square feet multiplied by 100. Each digital display area shall have a light-sensing device that will adjust the brightness of the sign as ambient light conditions change throughout the day.	Prior to project approval	County of El Dorado Planning Services	