

# COUNTY OF EL DORADO

## SIGN ORDINANCE UPDATE

### DRAFT ENVIRONMENTAL IMPACT REPORT

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*Prepared for:*

COUNTY OF EL DORADO  
2850 FAIRLANE COURT  
PLACERVILLE, CA 95667

*Prepared by:*



2729 PROSPECT PARK DRIVE, SUITE 220  
RANCHO CORDOVA, CA 95670

**DECEMBER 2014**

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**DECEMBER 2014**

**EXECUTIVE SUMMARY**

ES.1 Purpose and Scope of the Draft Environmental Impact Report ..... ES-1  
ES.2 Project Background ..... ES-1  
ES.3 Project Summary ..... ES-1  
ES.4 Project Alternatives ..... ES-2  
ES.5 Public Scoping ..... ES-2  
ES.6 Areas of Controversy/Issues to Be Resolved ..... ES-2  
ES.7 Summary of Environmental Impacts ..... ES-3

**1.0 INTRODUCTION**

1.1 Project Overview ..... 1.0-1  
1.2 Document and Purpose ..... 1.0-1  
1.3 Public Review of the Notice of Preparation ..... 1.0-1  
1.4 Areas of Controversy and Issues to Be Resolved ..... 1.0-2  
1.5 Organization and Scope of EIR ..... 1.0-2

**2.0 PROJECT DESCRIPTION**

2.1 Project Overview ..... 2.0-1  
2.2 Project Location ..... 2.0-1  
2.3 Project Background ..... 2.0-1  
2.4 Project Objectives ..... 2.0-7  
2.5 Project Description ..... 2.0-7  
2.6 Required Approvals ..... 2.0-14  
2.7 Related Projects ..... 2.0-14

**3.0 INTRODUCTION TO THE IMPACT ANALYSIS**

3.1 Aesthetics ..... 3.1-1

**4.0 PROJECT ALTERNATIVES**

4.1 Introduction ..... 4.0-1  
4.2 No Project Alternative ..... 4.0-1  
4.4 No Digital Signs Alternative ..... 4.0-2  
4.4 Environmentally Superior Alternative ..... 4.0-2

**5.0 OTHER CEQA TOPICS**

5.1 Significant and Unavoidable Impacts ..... 5.0-1  
5.2 Significant Irreversible Environmental Changes ..... 5.0-1  
5.3 Growth-Inducing Impacts ..... 5.0-1  
5.4 Energy Conservation ..... 5.0-2

**6.0 REPORT PREPARERS**

**APPENDICES**

- Appendix A - NOP and NOP Comments
- Appendix B – Draft Sign Ordinance

**TABLE OF CONTENTS**

---

**TABLES**

Table ES-1 Executive Summary ..... ES-4  
Table 3.1-1 Scenic Vistas and Viewpoints in El Dorado County ..... 3.1-6

**FIGURES**

Figure 2.0-1 Project Location ..... 2.0-3



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# **EXECUTIVE SUMMARY**

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Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15123, this section of the Draft Environmental Impact Report (Draft EIR; DEIR) provides a brief summary of the project, significant impacts, and proposed mitigation measures. The remainder of the document and technical appendices provide the discussion and support for the conclusions summarized herein.

### **ES.1 PURPOSE AND SCOPE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT**

This Draft EIR was prepared as a Program EIR in conformance with the CEQA Guidelines (Sections 15120 through 15132 and 15168). The purpose of this Draft EIR is to satisfy CEQA requirements by addressing the environmental effects specific to the implementation of the proposed Sign Ordinance update (project; proposed project). This Draft EIR evaluates the effects of the proposed project on the physical environment, assessing whether the proposed project would result in any significant environmental impacts. For a complete description of the project, see Chapter 2.0, Project Description, of this Draft EIR.

### **ES.2 PROJECT BACKGROUND**

The County recognizes that signs are an essential element of a community's visual appearance and provide a means to identify and promote local establishments. Signs provide useful information to the public, but should not become visual distractions along public roadways. Signs located within the unincorporated areas of the County are regulated in accordance with the County's adopted General Plan Goal 2.7. The applicable sign regulation included in the County's Zoning Ordinance is broadly written and currently provides limited guidance that would help the County achieve its goal to protect the county's visual appearance, while allowing the use of signs to convey information to the public. The existing Sign Ordinance restricts signs from resembling traffic signs that would create a safety hazard, lighted signs that blink or cause objectionable glare, moving signs, and three-dimensional signs. Minor restrictions are also placed on the number of signs and where they may be located, such as in a public right-of-way or off premises.

In September 2012, the Board of Supervisors directed staff to proceed with a comprehensive amendment of the existing Sign Ordinance which had not been updated since 1980. The update would address key issues including: viewshed protection (particularly within designated scenic corridors); removal and/or relocation of billboards/non-conforming signs; reduce sign clutter with sign consolidation; limit displays on parked mobile vehicles and/or trailers; lighting standards; and provisions for community identification, destination and event signs; electronic (digital) changeable message displays, signs in historic districts; on-site/off-site signs; exempt signs.

### **ES.3 PROJECT SUMMARY**

The proposed project consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 17.16 of the Zoning Ordinance) and amendment of General Plan Objective 2.7.1 and corresponding Policy 2.7.1.2 pertaining to billboards along designated scenic corridors. The purpose of the Sign Ordinance update and General Plan Amendment (GPA) is to ensure signs are consistent with the visual and aesthetic goals and policies set by the El Dorado County General Plan and to protect the county's visual appearance and scenic landscapes.

The proposed Sign Ordinance update applies only to the unincorporated areas of the county; in such areas, it applies to signs located or mounted on private property, as well as County owned properties and land owned by public entities over which the County has land use regulatory authority. Chapter 17.16 does not apply to lands subject to the regulatory authority of the Tahoe Regional Planning Agency. Urban sign regulations established in Chapter 17.16 apply to those areas designated in the County General Plan Land Use Diagram as Community Regions. Similarly, rural sign regulations apply to all other areas in the unincorporated county not otherwise designated as Community Regions in the County General Plan Land Use Diagram. Unless otherwise noted in Chapter 17.16, sign regulations apply to both urban and rural areas equally.

#### **ES.4 PROJECT ALTERNATIVES**

An EIR must evaluate a reasonable range of alternatives to the proposed project, or to the location of the proposed project, that could feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the project's significant effects, and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6). As discussed in Section 3.1 of this Draft EIR, the proposed project could result in significant effects related to the allowance for new digital signs in the County. The Draft EIR briefly describes alternatives typically analyzed to reduce project impacts including an alternative location, a reduced intensity and/or reduced footprint alternative, and a no project alternative. A No Digital Signs Alternative is also discussed in Chapter 4.0, Project Alternatives. The No Digital Signs Alternative was determined to be the environmentally superior alternative, further discussed in Section 4.3.

#### **ES.5 PUBLIC SCOPING**

The County published the Notice of Preparation (NOP) for the Sign Ordinance Update Draft EIR on October 1, 2014, for a 30-day comment period. A public scoping meeting was held on October 23, 2014, in the Planning Commission Hearing Room. The NOP and comments received on the NOP during the public review period are provided in **Appendix A** of this Draft EIR.

#### **ES.6 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED**

The majority of the comments received during the NOP review period were comments on the Sign Ordinance and not on the scope or content of the environmental document. These comments will be considered by the decision-makers prior to taking action on the project but are not discussed further in this document.

A comment was received requesting that the EIR provide photographs of existing signs in the county that are permitted under the current Sign Ordinance as well as pictures of signs which would be permitted under the proposed Sign Ordinance update. This document is a programmatic EIR that is intended to provide a broad analysis of the proposed countywide sign standards which apply to many different sign types and locations. Therefore, descriptions and/or analysis of individual signs would not be appropriate and would be beyond the scope of this document. Furthermore, a small sample of signs may not be representative of the overall proposed standards and it would not be feasible to provide photographs of all sign types and locations. The proposed Sign Ordinance includes illustrative diagrams where necessary to provide visual clarification of the standards.

A commenter requested clarification on the proposed regulation of mobile signs on private property and expressed concern that permitting such signs could lead to a proliferation of mobile signs throughout the county. Per Section 17.16.090(B)(10) of the proposed Sign

Ordinance, mobile billboard advertising displays would be prohibited on public rights-of-way. Furthermore, per Section 17.16.050(C), temporary signs (such as mobile signs) displaying a commercial message would be prohibited on off-site private property. A mobile sign would be permitted only on the site of the establishment it is promoting and would be subject to the standards for temporary on-site signs listed in Table 17.16.070.4 of the proposed Sign Ordinance. Under the current Sign Ordinance, mobile signs are not expressly prohibited on off-site private property. Therefore, the proposed Sign Ordinance would provide more restrictive regulation of mobile signs.

**ES.7 SUMMARY OF ENVIRONMENTAL IMPACTS**

**Table ES-1** lists project and cumulative impacts. The proposed project could result in significant effects related to the allowance for new digital signs in the County; there are no other significant and unavoidable impacts of implementing the proposed project. The proposed project's contribution to light and glare under cumulative conditions would be cumulatively considerable; the project would not result in any other cumulatively considerable impacts.

TABLE ES-1  
EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<b>Aesthetics</b>			
<i>Project Impacts</i>			
<b>Impact 3.1.1</b> The proposed project would not result in a substantial adverse effect on scenic vistas.	Less than significant	None required.	Less than significant
<b>Impact 3.1.2</b> The proposed project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings along scenic highways.	Less than significant	None required.	Less than significant
<b>Impact 3.1.3</b> The proposed project would not substantially degrade the existing visual appearance or quality of a site and its surroundings.	Less than significant	None required.	Less than significant
<b>Impact 3.1.4</b> The proposed project would not create a new source of light or glare that would adversely affect daytime or nighttime views in the area.	Potentially significant	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 at a distance of 250 feet from the sign face as determined by the following formula: Measurement distance = $\sqrt{\text{Area of sign in square feet} \times 100}$ . 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.	Significant and Unavoidable
<i>Cumulative Impacts</i>			
<b>Impact 3.1.5</b> The proposed project's contribution to cumulative impacts on visual resources would be less than cumulatively considerable.	Less than cumulatively considerable	None required.	Less than cumulatively considerable
<b>Impact 3.1.6</b> The proposed project's contribution to cumulative impacts on light and glare would be cumulatively considerable.	Cumulatively considerable	Implement Mitigation Measure 3.1.4.	Cumulatively considerable; Significant and Unavoidable

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# **1.0 INTRODUCTION**

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### 1.1 PROJECT OVERVIEW

This Draft Environmental Impact Report (Draft EIR) has been prepared for the proposed Sign Ordinance update (proposed project). The information presented in this chapter provides a brief description of the guiding regulations and documents that relate to this Draft EIR.

The proposed project consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 17.16 of the Zoning Ordinance) and amendment of General Plan Objective 2.7.1 and corresponding Policy 2.7.1.2 pertaining to billboards along identified scenic corridors and historic routes.

The purpose of the Sign Ordinance update and General Plan Amendment (GPA) is to ensure signs are consistent with the visual and aesthetic goals and policies set by the El Dorado County General Plan and to protect the county's visual appearance and scenic landscapes.

### 1.2 DOCUMENT AND PURPOSE

The California Environmental Quality Act (CEQA) requires that a local agency prepare an EIR on any discretionary action it proposes to approve that may have a significant physical effect on the environment. The purpose of an EIR is not to recommend approval or denial of a project, but to provide decision-makers, public agencies, and the general public with an objective and informational document that fully discloses the potential environmental effects of a proposed project. The EIR process is specifically designed to objectively evaluate and disclose potentially significant direct, indirect, and cumulative impacts of a proposed project; to identify alternatives that reduce or eliminate a project's significant effects; and to identify feasible measures that mitigate significant effects of a project.

The purpose of this Draft EIR is to satisfy CEQA requirements by addressing the environmental effects specific to the implementation of the proposed Sign Ordinance update. This Draft EIR evaluates the effects of the proposed project on the physical environment, assessing whether the proposed project would result in any significant environmental impacts. This EIR serves as a Program EIR under CEQA Guidelines Section 15168.

### 1.3 PUBLIC REVIEW OF THE NOTICE OF PREPARATION

CEQA requires that prior to preparing an EIR the lead agency must provide public notice of its intention to do so and solicit public comment on environmental issues to be addressed in the EIR for a period of at least 30 days. This is called the Notice of Preparation (NOP). The NOP for the proposed Sign Ordinance update was submitted to the State Clearinghouse for public and agency review for 30-day review beginning on October 1, 2014. The NOP, the proposed text of the Sign Ordinance update, and related materials were posted on the project website ([http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)).

The NOP was also posted on the County website home page, under News & Hot Topics (<http://www.edcgov.us/>). In addition, e-mail notices were sent to the Long Range Planning subscriber list and to all the individuals who submitted comments on the July 2013 draft Sign Ordinance, as well as to other County commissions/committees, other agencies, and the chambers of commerce.

A public scoping meeting was held on October 23, 2014, in the Planning Commission Hearing Room. County staff provided an overview of the project, followed by a question-and-answer session and an open house.

## 1.0 INTRODUCTION

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The NOP and comments received on the NOP during the public review period (October 1 through October 31, 2014) are provided in **Appendix A** of this Draft EIR.

### 1.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The majority of the comments received during the NOP review period were comments on the Sign Ordinance and not on the scope or content of the environmental document. These comments will be considered by the decision-makers prior to taking action on the project but are not discussed further in this document.

A comment was received requesting that the EIR provide photographs of existing signs in the county that are permitted under the current Sign Ordinance as well as pictures of signs which would be permitted under the proposed Sign Ordinance update. This document is a programmatic EIR that is intended to provide a broad analysis of the proposed countywide sign standards which apply to many different sign types and locations. Therefore, descriptions and/or analysis of individual signs would not be appropriate and would be beyond the scope of this document. Furthermore, a small sample of signs may not be representative of the overall proposed standards and it would not be feasible to provide photographs of all sign types and locations. The proposed Sign Ordinance includes illustrative diagrams where necessary to provide visual clarification of the standards.

A commenter requested clarification on the proposed regulation of mobile signs on private property and expressed concern that permitting such signs could lead to a proliferation of mobile signs throughout the county. Per Section 17.16.090(B)(10) of the proposed Sign Ordinance, mobile billboard advertising displays would be prohibited on public rights-of-way. Furthermore, per Section 17.16.050(C), temporary signs such as mobile signs displaying a commercial message would be prohibited on off-site private property. A mobile sign would be permitted only on the site of the business it is promoting and would be subject to the standards for temporary on-site signs listed in Table 17.16.070.4 of the proposed Sign Ordinance. Under the current Sign Ordinance, mobile signs are not expressly prohibited on off-site private property. Therefore, the proposed Sign Ordinance would provide more restrictive regulation of mobile signs.

### 1.5 ORGANIZATION AND SCOPE OF EIR

This Draft EIR was prepared in conformance with the CEQA Guidelines (Sections 15120 through 15132) and includes the following chapters:

- **Executive Summary** describes the purpose of the Draft EIR and summarizes the project characteristics, project alternatives, environmental impacts and mitigation measures.
- **Chapter 1.0: Introduction** describes the purpose of the Draft EIR and provides an overview of the environmental review process and scope of the EIR.
- **Chapter 2.0: Project Description** describes the project location, existing conditions, project objectives and characteristics, and regulatory requirements, including necessary permits and approvals.
- **Chapter 3.0: Environmental Setting and Analysis** evaluates the environmental impacts associated with implementation of the proposed project. The analysis provides an overview of the environmental setting for issue areas being evaluated, a discussion of significance thresholds used to determine the level of potential impacts, an assessment of the project-level and cumulative impacts of the proposed project, and a description of the mitigation measures that would reduce or eliminate those impacts.



- **Chapter 4.0: Project Alternatives** describes alternatives typically analyzed in EIRs to reduce project impacts and discusses a No Project Alternative and identifies the environmentally superior alternative.
- **Chapter 5.0: Other CEQA Topics** includes a brief analysis of other topics required under CEQA Guidelines Section 15126: significant and unavoidable impacts; significant irreversible environmental changes; and growth-inducing impacts. It also evaluates energy conservation in accordance with CEQA Guidelines Appendix F.

## 1.0 INTRODUCTION

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## **2.0 PROJECT DESCRIPTION**

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### 2.1 PROJECT OVERVIEW

The proposed project consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 17.16 of the Zoning Ordinance). The Sign Ordinance update is intended to ensure that signs are consistent with the visual and aesthetic goals and policies set by the El Dorado County General Plan and protect the county's visual character and scenic landscapes. The Planning Commission and the Board of Supervisors will also consider amendments to 2004 General Plan Objective 2.7.1 and corresponding Policy 2.7.1.2 pertaining to billboards along designated scenic corridors. (See Section 2.3.3 for proposed amendment language.) The proposed project does not involve amendments to the County General Plan land use designations or zoning districts or any new entitlements.

The intent of the standards is to ensure that signage is consistent with its physical surroundings and does not detract from the surrounding visual character or cause safety hazards. The proposed Sign Ordinance update would generally be more restrictive than the existing ordinance, in that it provides standards with more specificity regarding sizing, location, and content. The proposed update provides for the use of moving signs, such as barber poles or electronic (digital) signs that may use animation, flashing, scrolling, or video screens under certain conditions, whereas the existing Sign Ordinance specifically prohibits all flashing or moving signs. The updated ordinance would also provide for abatement or removal of illegal, abandoned, and nonconforming signs as allowed by state law. The proposed Sign Ordinance update would provide sign regulations for signs in the unincorporated areas of the county that are consistent with the goals and objectives of the El Dorado County General Plan (2004) and the community's visual and aesthetic goals.

### 2.2 PROJECT LOCATION

El Dorado County encompasses 1,805 square miles in east-central California. The county's westernmost portion contains part of Folsom Lake, and the county's eastern boundary is the California-Nevada state line. The county is topographically divided into two zones. The northeast corner is in the Lake Tahoe Basin, while the remainder is in the area referred to regionally as the western slope—the area west of Echo Summit. A major portion of the eastern portion of the county comprises the Eldorado and Tahoe National Forests. See **Figure 2.0-1**.

The proposed Sign Ordinance update applies only to the unincorporated areas of the county; in such areas, it applies to signs located or mounted on private property, as well as County property and land owned by public entities over which the County has land use regulatory authority. Chapter 17.16 does not apply to lands subject to the regulatory authority of the Tahoe Regional Planning Agency, which includes the area east of Echo Summit.

### 2.3 PROJECT BACKGROUND

The County recognizes that signs are an essential element of a community's visual appearance and provide a means to identify and promote local establishments. Signs provide useful information to the public, but they should not become visual distractions along public roadways. Signs located within the unincorporated areas of the County are regulated in accordance with the County's adopted General Plan Goal 2.7. The applicable sign regulation included in the County's Zoning Ordinance is broadly written and currently provides limited guidance that would help the County achieve its goal to protect the county's visual appearance while allowing the use of signs to convey information to the public. The existing Sign Ordinance restricts signs from resembling traffic signs that would create a safety hazard, lighted signs that blink or cause objectionable glare, moving signs, and three-dimensional signs. Minor restrictions are also

## 2.0 PROJECT DESCRIPTION

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placed on the number of signs and where they may be located, such as in a public right-of-way or off premises.

In September 2012, the Board of Supervisors directed staff to proceed with a comprehensive amendment of the existing Sign Ordinance which had not been updated since 1980. The update would address key issues including: viewshed protection (particularly within designated scenic corridors); removal and/or relocation of billboards/non-conforming signs; reduce sign clutter with sign consolidation; limit displays on parked mobile vehicles and/or trailers; lighting standards; and provisions for community identification, destination and event signs; electronic (digital) changeable message displays, signs in historic districts; on-site/off-site signs; and exempt signs.

### 2.3.1 PUBLIC OUTREACH

Following a joint workshop with the Board of Supervisors and the Planning Commission in January 2013, County staff and its consultant began preparing a working draft Sign Ordinance update. In June 2013, staff presented a public review draft version of the Sign Ordinance to the Board, which the Board authorized its release for a 60-day review period. The public review draft Sign Ordinance was made available for public review on July 8, 2013, with the review period ending September 10, 2013. The public review draft Sign Ordinance was posted on the County's Land Use Policy Programmatic Update (LUPPU) website with links provided from both the County and Planning Services home pages.

County staff prepared a notification list of stakeholders, which included Community Service Districts (CSDs), Design Review Committees, Community Advisory Committees, Area Planning Advisory Committees, chambers of commerce, Park West, Barnett, and El Dorado Hills business parks, Caltrans, and all members of the sign industry holding a business license in El Dorado County for Type 615 (Signs: Sales, Service, and Repair).

During the review period, staff gave presentations at six public meetings and answered questions and addressed concerns.

- General Public Meeting - August 12, 2013 at 3:00 p.m. and 7:00 p.m. in the Planning Commission Hearing Room
- Agricultural Commission Meeting - August 14, 2013 at 6:30 p.m. in the Board of Supervisors Chamber
- General Public Meeting - August 19, 2013 at 5:00 p.m. in the Planning Commission Hearing Room
- Planning Commission Meeting - August 22, 2013 at 9:00 a.m. in the Planning Commission Hearing Room
- Community and Economic Development Advisory Committee (CEDAC) - August 22, 2013 at 1:00 p.m. in the OES Conference Room



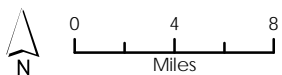
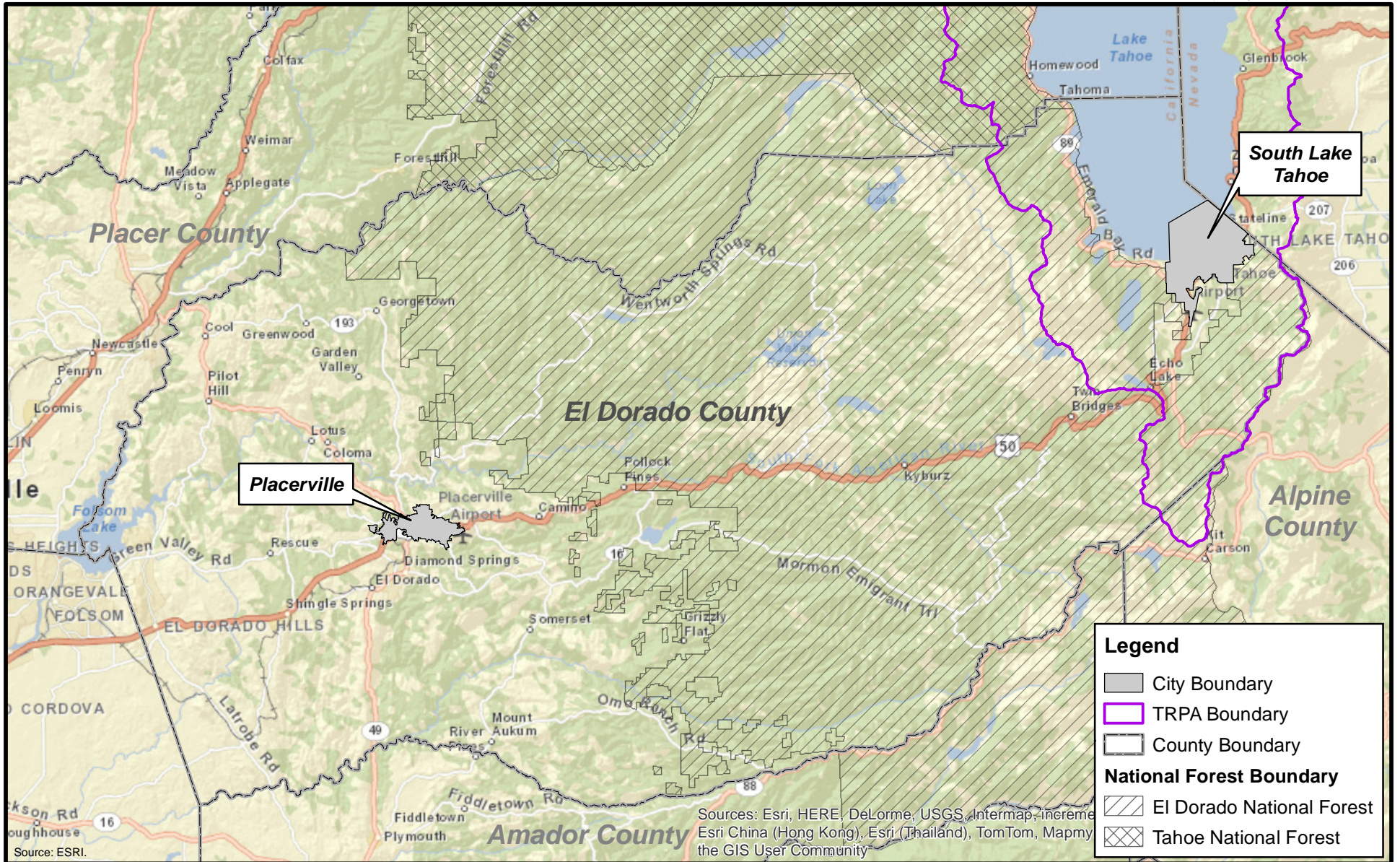


Figure 2.0-1  
Project Location



The County received comments from 42 individuals and 7 agencies (El Dorado County Agricultural Commission, El Dorado County Farm Bureau, El Dorado County Office of Education, El Dorado County Transit Authority, Cameron Park Community Services District, Cameron Park Design Review Committee, and Divide Chamber of Commerce). Comments from individuals were primarily related to prohibited signs and general sign development and design standards. Agency comments addressed a broader range of topics, including permitting, exempt and prohibited signs, general sign development and design standards, and permanent on-site sign regulations.

### 2.3.2 PUBLIC REVIEW DRAFT SIGN ORDINANCE UPDATE

Based on the comments received from agencies, businesses, and the public, the County revised the initial public review draft and presented it in July 2014 for the Board of Supervisors' review. At the July 22,, 2014 Board meeting, the Board adopted Resolution 106-2014 authorizing County staff to proceed with the Sign Ordinance update and CEQA environmental review requirements. The resolution also indicated that the Planning Commission and the Board of Supervisors will consider an amendment to General Plan Objective 2.7.1 and Policy 2.7.1.2 concerning billboards along designated scenic corridors. The text of the amendments is shown below in subsection 2.3.3.

On October 1, 2014, the County published the public review draft Sign Ordinance update in conjunction with publication of the Notice of Preparation. The public review draft Sign Ordinance update is the proposed project evaluated in this Draft EIR and is included in **Appendix B**. The elements of the proposed Sign Ordinance update are described in subsection 2.5, Project Description.

### 2.3.3 PROPOSED GENERAL PLAN AMENDMENT

The Planning Commission and the Board of Supervisors will also consider amendment of the General Plan as follows:

Objective 2.7.1 Signs Regulation – Regulation of the location, number and size of highway signs and potential relocation or elimination of billboards along identified designated scenic corridors and historic routes (as may be designated in the future) in accordance with state and federal law.

Policy 2.7.1.2 – Existing billboards within designated scenic corridors shall be removed or relocated out of the corridor in accordance with state and federal law. ~~allowing an adequate time period for billboard owners to amortize the value of their signs pursuant to an amortization schedule to be included in the Sign Ordinance.~~

### 2.3.4 SUMMARY OF MODIFICATIONS TO EXISTING SIGN ORDINANCE

- 1) Expands purpose statement to include goals and intent tied to state and federal laws and the County General Plan, including reference to protection of viewsheds in designated scenic corridors and reduction of sign clutter through consolidation of signs.
- 2) Includes general sign requirements that outline legal framework and explain regulatory interpretations, message neutrality, message substitution, distinction between on- and off-site signs and signs in urban and rural areas; provides that signs not expressly permitted are prohibited; and provides that any request for exception to the limitations in the chapter requires a Variance.

## 2.0 PROJECT DESCRIPTION

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- 3) Establishes a comprehensive list of exempt signs without limitations (e.g., traffic signs) and exempt signs with limitations (e.g., window signs).
- 4) Includes regulations for permanent on-site signs (e.g., building-attached signs) and permanent off-site signs (e.g., subdivision signs).
- 5) Includes conditions for temporary signs (e.g., time duration) and prohibits illumination of temporary signs.
- 6) Provides regulations for community signs programs including: directional, identity, events and industry association signs
- 7) Includes sign development and design standards with a clear method for measuring sign area and height; outlines construction requirements, sign placement, maintenance and removal requirements. Minimum design standards have also been added for design compatibility with buildings, illumination, and design standards for specific types of signs (e.g., A-Frame, awning/canopy, electronic/digital freestanding/projecting, and wall signs); Added standards for off-site subdivision signs, on-site U.S. Highway 50-Oriented signs, on-site menu/order board signs for drive-in and drive-through uses, and on-site home occupation signs.
- 8) Provides sign standards for permanent on-site signs located in urban/rural areas; displayed in two separate tables grouped by zone districts (e.g., commercial, industrial, residential, agricultural); and expands or modifies standards for consistency in allowed type, number, and size. Specific modifications include:
  - a) Describes changes to method of measure for building-attached signs in commercial districts from a percentage of the wall area to a maximum sign area based on zoning district. For commercial districts, maximum sign area directly relates to the building square footage in one of three new categories.
  - b) Modifies freestanding sign area and height standards for commercial and industrial districts based on individual establishments or integrated developments. Integrated developments with three or more establishments are required to share a multi-tenant sign.
  - c) Modifies freestanding sign allowance with sign area and height standards for both primary and secondary streets.
- 9) Includes standards for allowed type, number, size and minimum setback from right-of-way for allowed temporary on-site signs. Temporary signs that comply with the standards do not require a permit.
- 10) Adds permit requirements and review procedures that includes a table listing the sign types and type of permit and review authority required.
- 11) Establishes a comprehensive list of signs to be prohibited in El Dorado County.
- 12) Establishes regulations for abatement or removal of illegal, abandoned, and nonconforming signs as allowed by state law.



- 13) Establishes clear rules and policies about the type, number, and size of signs permitted on County property (including the public right-of-way). Includes purpose and intent as to public form, general prohibitions, certain government signs, temporary signs displaying noncommercial messages, and community directional sign program.
- 14) Consolidates, updates, and expands sign definitions consistent with new regulations.

### 2.4 PROJECT OBJECTIVES

Regulation of the size, quantity, and location of signs to maintain and enhance the county's visual appearance is generally established in Goal 2.7 of the 2004 El Dorado County General Plan. Additionally, Objective 2.7.1 directs the regulation of the location, number, and size of highway signs and the elimination of billboards along identified scenic and historic routes. The regulations set forth in the Sign Ordinance update are intended to protect the public health, safety, and welfare and provide for the integrity of the county's aesthetics.

The objectives of the proposed Sign Ordinance update are to:

- Promote economically stable and visually attractive communities within the county.
- Promote signs and graphics that are attractive, pleasing, and harmonized with the physical character of the structure and environment of surrounding properties.
- Recognize the distinct signage needs and applications in the county's designated urban and rural areas through distinct sign regulations.
- Prevent an inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message.
- Protect viewsheds in designated scenic corridors.
- Encourage individuality among communities and businesses through signage.
- Encourage consolidation of signs to reduce visual clutter.
- Improve traffic safety and the smooth and efficient flow of pedestrians, bicyclists, and vehicles to their destinations.
- Direct persons to various activities and enterprises, to provide for maximum public convenience.

### 2.5 PROJECT DESCRIPTION

The following summarizes the policies, permit requirements and review procedures, and specific standards and regulations of the Sign Ordinance update that would be codified in Zoning Ordinance Chapter 17.16.<sup>1</sup> The Sign Ordinance update is a policy document and does not

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<sup>1</sup> The full text of the Sign Ordinance update is provided in Appendix B of this Draft EIR. An electronic version is available on the County website at: [http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx). A copy

## 2.0 PROJECT DESCRIPTION

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directly construct new or modify any signs; it only consists of new policies, permit requirements and review procedures, and specific standards and regulations pertaining to signage proposed in the future. Section 17.16.120 of the proposed update includes detailed definitions of all the sign types addressed in the ordinance, including diagrams and descriptive material. This information is included in **Appendix B** of this Draft EIR.

The proposed Sign Ordinance update applies only to the unincorporated areas of the county; in such areas, it applies to signs located or mounted on private property, as well as to County owned properties and land owned by public entities over which the County has land use regulatory authority. Chapter 17.16 does not apply to lands subject to the regulatory authority of the Tahoe Regional Planning Agency. Urban sign regulations established in Chapter 17.16 apply to those areas designated in the County General Plan Land Use Diagram as Community Regions. Similarly, rural sign regulations apply to all other areas in the unincorporated county not otherwise designated as Community Regions in the Land Use Diagram. Unless otherwise noted in Chapter 17.16, sign regulations apply to both urban and rural areas equally.

The proposed General Plan policy amendment that will be considered by the Planning Commission and the Board of Supervisors is included following the description of the elements of the Sign Ordinance update.

### 2.5.1 GENERAL SIGN REQUIREMENTS

Section 17.16.020 of the proposed Sign Ordinance update establishes seven general requirements:

- A. **Regulatory Interpretations.** The requirements of this Chapter shall not be interpreted to nullify any easements, covenants, or other private agreements that provide for more restrictive sign regulations than are required by this Chapter.
- B. **Message Neutrality.** In adopting this Chapter, the County intends to regulate signs within the scope of this Chapter in a way that does not favor commercial over noncommercial speech and does not regulate noncommercial speech based on message content. The message of any sign shall not be reviewed except to the minimum extent necessary to identify the type of sign.
- C. **Message Substitution.** Subject to the property owner's consent, a constitutionally protected noncommercial message of any type may be substituted in whole or in part for the message displayed on any sign for which the sign structure or mounting device is authorized in compliance with this Chapter, without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular protected noncommercial message over any other protected noncommercial message. In addition, any on-site commercial message may be substituted, in whole or in part, for any other on-site commercial message, provided that the sign structure or mounting device is authorized in compliance with this Chapter, without consideration of message content. This provision does not create a right to increase the total amount of signage on a parcel, lot, or land use; does not affect the requirement that a sign

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of the Sign Ordinance update is also available for review at the County Community Development Agency, public counter at 2850 Fairlane Court, Placerville, and at all of the El Dorado County public libraries.

structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device or location; does not allow for the substitution of an off-site commercial message in the place of an on-site commercial or noncommercial message and does not authorize the conversion of an existing sign to general advertising for hire.

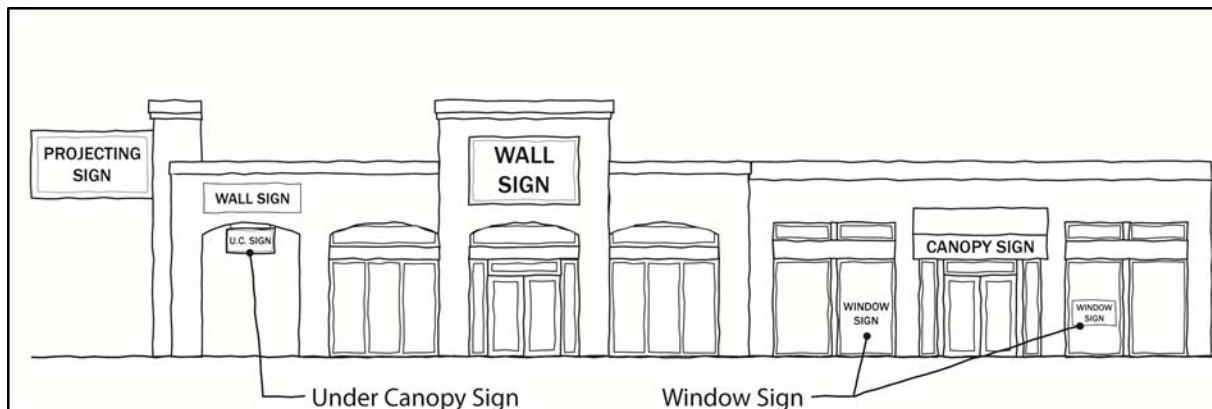
- D. **On-Site/Off-Site Distinction.** Within this Chapter, the distinction between on-site and off-site signs applies only to commercial messages.
- E. **Urban/Rural Distinction.** Within this Chapter, urban sign regulations shall apply to those areas designated as Community Regions on the County General Plan Land Use Diagram. Rural sign regulations shall apply to areas in the unincorporated county not otherwise designated as Community Region on the County General Plan Land Use Diagram. Unless otherwise noted, sign regulations in this Chapter shall apply to both urban and rural areas equally.
- F. **General Prohibition.** Permanent signs not expressly allowed by this Chapter are prohibited.
- G. **Exceptions to Limitations.** Any exception to the limitations and/or sign development standards stated or shown within this Chapter shall require a Variance in compliance with Chapter 17.22, Section 17.22.600 (Variance). However, consideration of the Variance request shall not evaluate the message or graphic design of the sign.

2.5.2 EXEMPTIONS

Section 17.16.030 of the proposed Sign Ordinance update establishes the types of signs that would be expressly exempt (with and without limitations) from the sign permit requirements. Signs such as official traffic signs, noncommercial utility company signs identifying utility locations, tablets and certain historical plaques, gas pricing signs, and signs on California State Park Land and National Forest Lands are exempt without limitations. Readers are encouraged to review the complete text of the exemptions, which is provided in **Appendix B** of this Draft EIR.

2.5.3 PERMANENT SIGNS

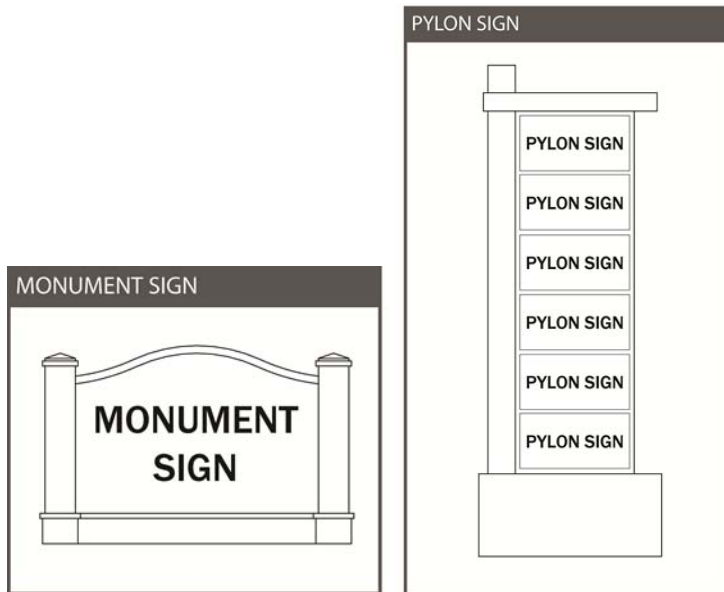
Section 17.16.040(A) identifies allowed types of permanent on-site signs as building-attached signs, freestanding signs (e.g., monument and pylon signs), menu/order board signs for drive-in and drive-through uses, and U.S. Highway 50-Oriented signs. Examples of building-attached sign types are shown below.



## 2.0 PROJECT DESCRIPTION

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Examples of freestanding monument and pylon signs are:



Specific design and development standards for building-attached and freestanding signs are set forth in Tables 17.16.070(1) and 17.16.070(2), which address urban area and rural area signage, respectively. These tables establish allowed signs and development standards by zoning district. The regulations establish the maximum number of signs, size, and illumination conditions for freestanding signs in both urban and rural areas.

In urban areas, building-attached signs are not allowed in any residential or agricultural district; freestanding signs are allowed. In rural areas, building-attached signs are allowed only in certain zoning districts (RA-20, RA-40, RA-60, RA-80, RA-160, A, SA-10, AE, and PA). Freestanding signs are allowed in rural areas. Building-attached and freestanding signs are allowed in all commercial and industrial districts and must meet certain specifications, which are listed in the ordinance. Detailed descriptions of the requirements for each of these sign types are provided in **Appendix B** of this Draft EIR.

Section 17.16.040(A)(4) addresses U.S. Highway 50-oriented signs. This section addresses signs on properties within 100 feet of U.S. Highway 50 that are outside of the designated State Scenic Highway Corridor. Specific standards are provided in Section 17.16.070(J) (see below).

The proposed Sign Ordinance update notes specifically that designated State Scenic Highway Corridors in El Dorado County are subject to special sign regulations under "Design Review - Scenic Corridor Ordinance" in the reserved Section 17.27.070 of the draft Zoning Ordinance.

Section 17.16.040(B) addresses subdivision signs (off-site permanent signs) that direct traffic to new residential subdivisions. Such signs must be consistent with the sign design and development standards set forth in Section 17.16.070(I).

#### 2.5.4 TEMPORARY ON-SITE SIGNS

Section 17.16.050 describes regulations and standards for temporary on-site signs, which may include, but are not limited to, commercial signs for grand openings or for special products/services, sales, special events, and new apartments/multi-family units. The regulations establish how long temporary signs may be displayed (by sign type) and that no illumination is allowed. Signs must comply with the standards listed in Table 17.16.070(4).

#### 2.5.5 COMMUNITY SIGN PROGRAMS

Section 17.16.060 establishes the Community Sign Program and the Board of Supervisors as the decision-making authority for all new community sign programs. There are four program types: community directional, community identity, community events, and industry association. The section identifies the purpose of each program and general standards and limitations for each program type. For example, the community identity program recognizes the need for individual communities in the county to designate their name at main point(s) of entry to their community and as a means to define their character, quality, or historic contribution to the county. The industry association signs establish directional and identifying agricultural industry association signs such as those offered by the El Dorado County Farm Bureau, Farm Trails, Apple Hill Growers Association, El Dorado Winery Association, and similar groups.

#### 2.5.6 SIGN DEVELOPMENT AND DESIGN STANDARDS

Section 17.16.070 establishes standards for sign development and design, including but not limited to, methods for measuring sign size, area and height, sign placement, construction, design, illumination, maintenance, and removal. Unless otherwise specified in this section, sign development and design standards apply to all signs in the unincorporated (urban and rural) areas of the county. It also includes regulations for U.S. Highway 50-oriented signs.

##### **A. Permanent On-Site Signs**

Section 17.16.070(A) sets forth general design criteria for permanent on-site signs:

- 1) Design Compatibility with Structure. Signs shall be compatible in architectural scale and bulk with the architectural style of the main structure or structures on the site where the sign is located. The applicant shall incorporate construction materials, color, letter style, and other design details in designing an architecturally compatible sign. Multiple signs on any structure, or on structures within the same development, shall have the same primary type of building-attached sign.
- 2) Sign Illumination. The artificial illumination of signs, from either an internal or external source, shall be designed to prevent the casting of stray light on surrounding rights-of-way and properties. All illuminated signs shall comply with the following:
  - a) External light sources shall be directed toward the sign and fully shielded to limit direct illumination of an object other than the sign.
  - b) The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impacts on residential properties in direct line of sight to the sign.

## 2.0 PROJECT DESCRIPTION

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- c) Unless otherwise allowed by another provision of this Chapter, signs shall not have blinking, flashing, or fluttering lights or other illumination devices that have a changing light intensity, brightness, or color.
- d) Colored lights shall not be used at a location or in a manner so as to be confused or interpreted as traffic control devices.
- e) Light sources shall utilize energy-efficient fixtures compliant with Title 24 of the California Code of Regulations.

Sections 17.16.070(B) and 17.16.070(C) establish procedures for determining the sign area (square feet) and sign height. Section 17.16.070(D) requires that every sign be manufactured, assembled, and erected in compliance with all applicable federal, state, and county laws and regulations, including the locally adopted building code. Section 17.16.070(E) sets forth regulations for sign placement, including location on a building, clearance from electric and utility facilities, interference with motorist field of vision, and setbacks and spacing. Sections 17.16.070(F) and 17.16.070(G) address sign maintenance, removal, and replacement.

### **B. Design Standards for Specific Sign Types**

In addition to the general sign design requirements, the regulations in Section 17.16.070(H) identify requirements for the following specific sign types: A-frame signs, awning and canopy signs, electronic (digital) signs, freestanding signs, projecting signs, and wall signs. Detailed descriptions of the requirements for each of these sign types are provided in **Appendix B** of this Draft EIR.

### **C. Standards for U.S. Highway 50–Oriented Signs**

Section 17.16.070(J) establishes that proposed on-site signs within 100 feet of U.S. Highway 50, outside of the officially designated scenic corridor, are subject to a Design Review Permit. U.S. Highway 50–oriented signs must be consistent with the standards in this section and as required in other provisions of Chapter 17.16. U.S. Highway 50–oriented signs may not be used as general advertising for hire.

Under the proposed regulations, U.S. Highway 50–oriented signs must be separated by at least 1,000 feet. All signs must be set back a minimum of 10 feet from the highway right-of-way or other distance as determined by the California Department of Transportation (Caltrans). All U.S. Highway 50–oriented signs must be a minimum of 200 feet from any residential district. All signs must be designed as pylon signs and made of materials and design-compatible with the building materials and design of the applicable establishment. If illuminated, the signs must be internally lit, with no blinking, flashing, or intermittent lights or other illuminating devices that have a changing light, brightness, or color. Electronic (digital) changeable copy LED lights are allowed to be incorporated into the structure consistent with the restrictions listed in Section 17.16.070(H)(3).

Section 17.16.070(J) reserves a section entitled Special Development and Design Standards for Designated State Scenic Highway Corridors (future Scenic Corridor Ordinance).

### 2.5.7 PERMIT REQUIREMENTS AND REVIEW PROCEDURES

Section 17.16.080 of the proposed Sign Ordinance update includes specific permit requirements and review procedures. It applies to all signage in the unincorporated areas of the county. Signs proposed in communities that have County-adopted local sign standards or guidelines must conform to those standards and guidelines. Signs proposed in communities that have a Board-appointed community design advisory committee are required to be submitted to the committee for a review of consistency with local sign standards and guidelines.

Proposed Sections 17.16.080(A) through 17.16.080(F) establish the following permit and entitlement procedures (when a permit is required and the process to obtain a permit):

- A. Planning Sign Permits (requires permits for specific types of permanent signs, which are listed in Table 17.16.080.1 of the Sign Ordinance update).
- B. Uniform Sign Program (a process for County decision-making concerning signage at new multi-tenant projects, office parks, and other multi-tenant, mixed-use, or other certain developments listed in the ordinance)
- C. U.S. Highway 50–Oriented Sign Permit (requires Design Review for all U.S. Highway 50–oriented signs located within 100 feet of the designated state highway and decision process for determining whether the sign is a ministerial project or requires Planning Commission or Board of Supervisors approval)
- D. Subdivision Sign Permit (requires a sign permit for all multi-subdivision signs)
- E. Variances (provides for variances in accordance with procedures set forth in Section 17.22.600 of the Zoning Code)
- F. Review Procedures (describes application process, decisions, and appeals)

### 2.5.8 PROHIBITED SIGNS

Section 17.16.090 of the proposed Sign Ordinance update identifies signs that are prohibited in all zones. It applies to all unincorporated (urban and rural) areas of the county, except as noted in Section 17.16.090. This section specifically addresses billboards; roof signs; animated, flashing, scrolling, digital, or video screen signs; pennants, banners, balloons, or other paraphernalia composed of paper, cloth, or other flexible material; pole signs; signs placed on public right-of-way or on light standards or utility poles or traffic control poles; inflatable balloon signs; signs painted on a fence or freestanding wall, mobile billboard advertising displays; signs affixed to a structure or property not owned by the person or entity installing the sign; and signs that are dilapidated, abandoned, or in disrepair, or dangerous condition. Readers are encouraged to review the specific language for each type of prohibited sign, which is provided in **Appendix B** of this Draft EIR.

### 2.5.9 ILLEGAL, ABANDONED, AND NONCONFORMING SIGNS

Section 17.16.100 of the proposed Sign Ordinance update establishes the procedures for abatement of illegal, abandoned, and nonconforming signs. It requires abatement of illegal signs and describes requirements for abandoned and nonconforming signs.

## **2.0 PROJECT DESCRIPTION**

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### **2.5.10 SIGNS ALLOWED ON COUNTY PROPERTY**

Section 17.16.110 provides the process and standards for establishing signage on properties owned by the County, either in fee or by holding the present right of possession and control. Section 17.16.110 allows for digital signs and relocation of general advertising for hire signs. Section 17.16.110(B) prohibits private party signs on County property unless authorized by the County. Section 17.16.110(C) provides for governmental signs such as traffic control and traffic directional sign, official notices, and County government-related signs.

### **2.6 REQUIRED APPROVALS**

The proposed project is intended to bring the Sign Ordinance into compliance with the General Plan. No specific projects that involve construction or changes in land use or zoning are proposed, and the proposed project would not require any new entitlements. The Sign Ordinance update is a policy document and does not directly construct new or modify any signs.

No actions or approvals other than those of the County Board of Supervisors are required to implement the Sign Ordinance update. These actions will consist of:

- Certification of the EIR by the Board of Supervisors.
- Approval of the Zoning Code amendment to incorporate the Sign Ordinance update.
- Approval of the General Plan policy amendment.

### **2.7 RELATED PROJECTS**

The County is initiating a number of other projects related to implementing its General Plan. Although related to the General Plan, these County projects are being undertaken separately from the Sign Ordinance update. The 2013 Housing Element update was adopted October 29, 2013. The other projects will also be considered for approval separately.

#### **2.7.1 BIOLOGICAL RESOURCES GENERAL PLAN POLICY AMENDMENTS AND EIR.**

The County is reinitiating the process of considering changes to the biological resources policies. At such time as draft policies are developed, an EIR will be prepared to analyze their potential impacts before the County takes action to approve, modify, or reject the proposed changes.

#### **2.7.2 TARGETED GENERAL PLAN AMENDMENTS, COMPREHENSIVE ZONING ORDINANCE UPDATE (TGPA/ZOU), AND DESIGN STANDARDS AND GUIDELINES FOR MIXED USE**

Following completion of the first 5-year review of the adopted 2004 General Plan, the Economic Development Advisory Committee (EDAC), Regulatory Reform Subcommittee, and County staff, after an extensive public outreach and participation process, developed a set of targeted amendments (the TGPA) to the policies adopted in the 2004 plan and implementation actions for the General Plan policies. The primary implementing actions for the General Plan are the ZOU and the development of design standards and guidelines for mixed-use development. As part of this project, the County will also consider amending the Camino/Pollock Pines Community Region Boundary and Agricultural District Boundaries in the General Plan. The TGPA/ZOU project does not involve the adoption of a new County General Plan. A Draft EIR for the TGPA/ZOU and



design changes was released for public review in March 2014. The final EIR and Planning Commission recommendation is anticipated to be presented to the Board for adoption in April 2015.

### 2.7.3 PRIVATELY INITIATED GENERAL PLAN AMENDMENT APPLICATIONS

Private applications that propose to change land use designations are not included in or facilitated by the Sign Ordinance Update. As is true for all counties in California, El Dorado County allows landowners to request changes to the adopted General Plan and Zoning Ordinance. Separate CEQA analyses are under way for private General Plan amendment proposals unrelated to the Sign Ordinance Update, but the County is not obligated to approve any of those proposals. However, the County must include major proposed projects in its discussion of future contributors to significant cumulative impacts according to CEQA Guidelines Section 15130 and related case law (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099; *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98).

## 2.0 PROJECT DESCRIPTION

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### REFERENCES

El Dorado County. 2004. *2004 El Dorado County General Plan: A Plan for Managed Growth and Open Roads; A Plan For Quality Neighborhoods and Traffic Relief.* [http://www.edcgov.us/Government/Planning/Adopted\\_General\\_Plan.aspx](http://www.edcgov.us/Government/Planning/Adopted_General_Plan.aspx).

El Dorado County Community Development Agency. 2013. Long Range Planning Division. "Sign Ordinance Update – 12/17/13" presentation to Board of Supervisors, regular meeting, December 17, 2013, Legistar #13-0086 3A.

Trout, Roger. 2013. Director, El Dorado County Community Development Agency Development Services Division. "OR12-0001 – Comprehensive Sign Ordinance Amendment," informational memo to Board of Supervisors. May 2013.

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## **3.0 INTRODUCTION TO THE IMPACT ANALYSIS**

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### OVERVIEW

The primary purpose of this Draft EIR is to analyze the potential significant physical impacts of the project. The CEQA Guidelines define a significant environmental impact as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (Section 15382). The CEQA Guidelines encourage EIRs to “focus on the significant effects on the environment” (Section 15143). Impacts that have been considered and dismissed in an Initial Study as less than significant and unlikely to occur do not need to be included in the EIR “unless the lead agency subsequently receives information inconsistent with the finding in the Initial Study” (Section 15143).

The analyses in this Draft EIR address the project’s short- and long-term adverse impacts on the physical (natural and built) environment. As discussed in Chapter 2.0, Project Description, the Sign Ordinance update is a policy document and does not directly construct new signs or modify any signs. Consequently, no direct physical impacts would be associated with the project. The project would update the existing Sign Ordinance requirements and restrictions for new signs and the conditions under which new signs can be erected. The physical conditions in the county are the baseline against which the significance of the project’s potential impacts is evaluated.

The County adopted the General Plan in 2004 and certified an EIR for the General Plan at that time. Although this Draft EIR does not tier from the 2004 General Plan EIR, the impact analyses in this document reference the 2004 General Plan EIR’s conclusions where pertinent.

### ENVIRONMENTAL ISSUES EVALUATED IN DETAIL IN THIS DRAFT EIR

This Draft EIR evaluates the environmental effects on aesthetics and visual resources. The analysis is provided in Section 3.1, Aesthetics, in this Draft EIR. Based on a review of potential impacts and comments received in response to the Notice of Preparation (NOP) and during public outreach efforts, the County of El Dorado determined that there was no substantial evidence that the proposed project would cause or otherwise result in significant environmental effects in the resource areas identified in “Environmental Issues Not Evaluated Further in This Draft EIR,” below.<sup>1</sup>

### IMPACT ANALYSIS FORMAT

Section 3.1, Aesthetics, includes an Existing Conditions subsection, which summarizes applicable laws and regulations. It also includes a list of relevant General Plan policies. The Environmental Setting subsection describes the existing visual environment. The General Plan EIR provides the general background for the existing setting, and the setting includes updated information to reflect conditions at the time the NOP was published (October 1, 2014). The Environmental Impacts subsection identifies direct and indirect environmental effects associated with project implementation. Methods used to evaluate potential impacts and standards of significance are identified and used to determine whether the environmental effects would be significant and would require mitigation measures. Each environmental impact analysis is identified numerically and is supported by substantial evidence.

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<sup>1</sup> List of topics based on Appendix G of the 2014 Guidelines for California Environmental Quality Act (California Code of Regulations, Title 14, Chapter 3, Sections 15000–15387).

### 3.0 INTRODUCTION TO THE IMPACT ANALYSIS

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#### ENVIRONMENTAL ISSUES NOT EVALUATED FURTHER IN THIS DRAFT EIR

The proposed project is the adoption and implementation of an update to Chapter 17.36 (Signs) of the El Dorado County Zoning Ordinance. The proposed Sign Ordinance update contains policies, permit requirements and review procedures, and specific standards and regulations. The Sign Ordinance update does not propose specific signage projects, does not include any changes to General Plan land uses or zoning designations, and is not a development project involving construction or occupancy. The Sign Ordinance update would not allow signs in areas in which signs are restricted under the existing ordinance. To the extent adoption and implementation of the Sign Ordinance would result in future sign installations and modifications, which could be either ministerial or discretionary actions by the County, each specific project would be evaluated by County staff to determine the appropriate level of review under CEQA.

#### AGRICULTURE AND FORESTRY RESOURCES

Project implementation would not result in construction or changes in land use designations or zoning districts, and therefore would not result in any physical changes related to agriculture or forestry uses. The proposed project would not result in the conversion of important farmland or agricultural or forest land, nor would it conflict with agricultural zoning or Williamson Act contracts. There would be **no impact**, and this issue is not evaluated further.

#### AIR QUALITY

Project implementation would not involve construction or operational uses that would generate criteria air pollutant emissions, toxic air contaminants, odors, or other pollutants. It would not place people near sources of emissions or odors. Therefore, it would not violate any adopted standards, conflict with air quality plans or contribute to existing air quality problems, or result in a cumulatively considerable net increase in a criteria air pollutant. There would be **no impact**, and this issue is not evaluated further.

#### BIOLOGICAL RESOURCES

The Sign Ordinance update is a policy document and does not directly construct new signs or modify existing signs. Per proposed Sign Ordinance Section 17.16.070(D) (Construction Requirements), any sign constructed in accordance with the Sign Ordinance will be required to comply with all applicable regulations, which would include federal and state species and habitat protection and permitting requirements. It would also require compliance with the County's oak woodland and native vegetation and landmark tree General Plan policies and standards. Therefore, the proposed project would not have a substantial adverse effect on special-status species, riparian or other sensitive habitat, wetlands, or waters of the United States or waters of the State, interfere with wildlife migration corridors, conflict with General Plan policies for tree preservation, or conflict with any conservation plan. There would be **no impact**, and this issue is not evaluated further.

#### CULTURAL RESOURCES

The existing Sign Ordinance does not include provisions for the protection of cultural resources. The proposed project recognizes the importance of signage indicating locations of historic interest and significance in the county. Some of the signs may be attached to buildings that contribute to the county's history. The Sign Ordinance update would not directly construct new signs or modify existing signs. Per proposed Sign Ordinance Section 17.16.070(D)

(Construction Requirements), any sign constructed in accordance with the Sign Ordinance will be required to comply with all applicable regulations. This would include ensuring new or modified signage is consistent with General Plan historic preservation policies. General Plan Policy 7.5.1.6 requires compliance with CEQA standards (Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5), and Policies 7.5.2.4 and 7.5.2.5 require mitigation if a significant historic resource would be affected. In addition, the County's Historic Design Guide directs that no sign is to be placed in a manner that would disfigure or conceal any architectural features or details or any building in a historical district or historical site. It also prescribes specific sign design features, including materials and lettering. There would be **no impact**, and this issue is not evaluated further.

#### GEOLOGY AND SOILS

Project implementation would not involve construction or occupied uses that would expose people to fault rupture, seismic hazards, landslides, or unstable geologic or soils conditions, or be a source of erosion. It would not involve wastewater disposal requiring septic or alternative disposal systems. No signs are proposed as part of the update. Per proposed Sign Ordinance Section 17.16.070(D) (Construction Requirements), any sign constructed in accordance with the Sign Ordinance will be required to comply with all applicable regulations, including the County's building code, which adopts and implements the California Building Code (CBC) (Chapter 15.16) to ensure it is designed and installed correctly for safety. This would apply to footings for freestanding signs and attachments for canopies and projecting signs, among others. There would be **no impact**, and this issue is not evaluated further.

#### HAZARDS AND HAZARDOUS MATERIALS

Project implementation would not directly involve hazardous materials use. No signs are proposed as part of the update. Per proposed Section 17.16.070(D) (Construction Requirements), any sign constructed in accordance with the Sign Ordinance will be required to comply with all applicable regulations, which includes all federal, state, and local hazardous materials and waste regulations. Prior to approving a sign, the County will determine whether the site it is on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, if it is, will require appropriate measures to be taken to reduce potential risks. There would be **no impact**, and this issue is not evaluated further.

Per proposed Section 17.16.070(D) (Construction Requirements), any sign constructed in accordance with the Sign Ordinance will be required to comply with all applicable regulations, which includes Federal Aviation Administration height and placement regulations. There would be **no impact**, and this issue is not evaluated further.

Project implementation would not result in inadequate emergency access or affect evacuation routes because it does not include projects that would affect roadways or increase the number of people from whom a response or for whom an evacuation plan may be necessary. There would be **no impact**, and this issue is not evaluated further.

Project implementation would not involve construction or occupancy of structures that would expose people or property to risk from wildland fire. Proposed Sign Ordinance Section 17.16.070(E)(2) (Clearance from Public Utility Facilities) requires that the legally required clearance from communications and electric facilities be maintained. There would be **no impact**, and this issue is not evaluated further.

### 3.0 INTRODUCTION TO THE IMPACT ANALYSIS

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#### HYDROLOGY AND WATER QUALITY

Project implementation would not involve construction or operational activities that would alter drainage patterns, require groundwater or reduce an area available for recharge, generate stormwater runoff, or be located in areas that could be at risk of flood hazards. Therefore, the proposed project would not violate any water quality standards, deplete groundwater supplies or interfere with recharge, cause siltation or erosion, generate pollutants in runoff or affect stormwater drainage system capacity, place people or structures in 100-year flood hazard areas, or expose people to risk of flooding from dam or levee failure, dam inundation, seiche, or mudflow. The western slope of the county is not at risk of tsunami. There would be **no impact**, and this issue is not evaluated further.

#### LAND USE AND PLANNING

Project implementation would not physically divide an established community because it would not involve construction of any project or changes in land use designations or zoning districts that could accommodate a development project. There would be **no impact**, and this issue is not evaluated further.

With the proposed project, the County wishes to ensure that signs are consistent with the visual and aesthetic goals and policies set by the El Dorado County General Plan and to protect the county's visual appearance and scenic landscapes. The intent of the standards is to ensure that signage is consistent with its physical surroundings and does not detract from the surrounding visual environment or cause safety hazards. The proposed project would be generally more restrictive than the existing ordinance, in that it provides standards with more specificity regarding sizing, location, and content. The proposed project also includes an amendment to Objective 2.7.1 and Policy 2.7.1.2 in the 2004 General Plan to clarify the applicability of the proposed Sign Ordinance update to billboards along designated scenic corridors.

The proposed project is intended to bring the Sign Ordinance into compliance with the General Plan. Therefore, the proposed project would not conflict with the County's adopted General Plan. The Sign Ordinance update is a policy document and would not directly construct new signs or modify existing signs and would not directly result in any changes in land use or development project entitlements or approvals that could conflict with other applicable resource plans or program (e.g., regional air quality plan). There would be **no impact**, and this issue is not evaluated further.

#### MINERAL RESOURCES

Project implementation would not involve land development that could affect mineral resources, and it would not involve the extraction of mineral resources. There would be **no impact**, and this issue is not evaluated further.

#### NOISE

The Sign Ordinance update is a policy document and does not directly construct new signs or modify existing signs. Per proposed Sign Ordinance Section 17.16.070(D) (Construction Requirements), any sign constructed in accordance with the Sign Ordinance will be required to comply with all applicable regulations, which includes the County's construction noise limitations set forth in Table 6-4 of the General Plan. Signs would not generate noise. There would be **no impact**, and this issue is not evaluated further.

Project implementation would not result in exposure of persons to excessive airport noise levels because no development is proposed. There would be **no impact**, and this issue is not evaluated further.

#### POPULATION AND HOUSING

Project implementation would not increase population or the demand for housing because it does not propose land use or zoning district changes or development projects or entitlements. Therefore, the proposed project would not displace people or housing or be growth-inducing. There would be **no impact**, and this issue is not evaluated further.

#### PUBLIC SERVICES

Project implementation would not increase population or result in the development of occupied uses that would increase demand for public services or facilities. Therefore, the proposed project would not result in adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. There would be **no impact**, and this issue is not evaluated further.

#### RECREATION

Project implementation would not increase population or result in the development of occupied uses that would increase demand for recreation and park facilities, and would not involve changes in land use designations or zoning pertaining to recreational uses. There would be **no impact**, and this issue is not evaluated further.

#### TRANSPORTATION/TRAFFIC

Project implementation would not result in a change in the circulation system in the county because it would not generate vehicle trips or alter roadways. The update does not contain any policies or standards regarding congestion management. Therefore, it would not conflict with plans or policies that establish performance standards for transportation facilities in the county or conflict with congestion management plans. The proposed Sign Ordinance update would not result in a change in air traffic patterns. There would be **no impact**, and this issue is not evaluated further.

Project implementation would not result in a substantial increase in hazard related to a design feature or incompatible uses because it does not propose development or roadway modifications. Per proposed ordinance Section 17.16.070(E)(3) (Interference with Motorist Field of Vision), no sign is to be located in a manner that would obstruct or interfere with view of a traffic signal or other traffic regulatory agency sign. There would be **no impact**, and this issue is not evaluated further.

Project implementation would not result in inadequate emergency access because it does not include projects that would affect roadways. There would be **no impact**, and this issue is not evaluated further.

Project implementation would not generate demand for transit or bicycle and pedestrian facilities. There would be **no impact**, and this issue is not evaluated further.



### 3.0 INTRODUCTION TO THE IMPACT ANALYSIS

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#### UTILITIES AND SERVICE SYSTEMS

Project implementation would not result in the development of occupied uses that would increase water demand or generate wastewater, stormwater runoff, or solid waste. Therefore, the proposed project would not exceed Regional Water Quality Control Board (Central Valley and Lahontan) wastewater treatment requirements, require the construction of new or expanded water supplies or treatment wastewater treatment facilities, or new or expanded storm drainage facilities, or reduce landfill capacity. There would be **no impact**, and this issue is not evaluated further.

## **3.1 AESTHETICS**

### INTRODUCTION

This section evaluates the potential impacts of implementing the regulations in the proposed Sign Ordinance update and proposed General Plan policy amendment on visual resources. Comments on the Notice of Preparation requested photographs of existing signs in the county currently permitted under the Sign Ordinance compared with pictures of signs which would be permitted under the proposed Sign Ordinance update. As discussed in Chapter 1.0, Introduction, of this Draft EIR, such an analysis is beyond the scope of this document. Furthermore, a small sample of signs may not be representative of the overall proposed standards and it would not be feasible to provide photographs of all sign types and locations. The proposed Sign Ordinance includes illustrative diagrams to provide visual clarification of the standards.

A commenter requested clarification on the proposed regulation of mobile signs on private property and expressed concern that permitting such signs could lead to a proliferation of mobile signs throughout the county. As discussed in Chapter 1.0, Introduction, the proposed Sign Ordinance would be more restrictive of mobile signs than the current ordinance.

#### 3.1.1 EXISTING CONDITIONS

##### REGULATORY SETTING

The regulatory setting focuses on the regulations that apply to areas under El Dorado County's jurisdiction. While large portions of the county are under the jurisdiction of other agencies (e.g., U.S. Forest Service, Bureau of Reclamation, State of California, City of Placerville), those agencies' regulations typically do not apply to development and land uses that are under the County's jurisdiction. Accordingly, with the two exceptions noted below, federal and state regulations are not pertinent to a discussion of existing regulatory conditions that relate to the proposed project and its visual impacts.

##### **Federal**

As part of the Eldorado and Tahoe National Forests and the Lake Tahoe Basin Management Unit, a large portion of El Dorado County is under the jurisdiction of the U.S. Forest Service. The U.S. Forest Service is responsible for regulating activities within the National Forests and assesses the visual quality of proposed activities in accordance with the National Environmental Policy Act (NEPA) and the U.S. Forest Service's regulations. It has no regulatory powers over lands under the County's jurisdiction.

The U.S. Congress has jurisdiction, under the federal Wild and Scenic Rivers Act, to designate rivers or river sections to "be preserved in free-flowing condition and ... protected for the benefit and enjoyment of present and future generations." To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status. Accordingly, this designation is not discussed further.

## 3.1 AESTHETICS

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### State

#### Scenic Highways

The State Scenic Highway Program (Streets and Highways Code Sections 260–263) was established in 1963 for the purpose of protecting and enhancing the natural scenic beauty of selected California highways and adjacent corridors through special conservation treatment. The California Department of Transportation (Caltrans) may officially designate a highway segment as a Scenic Highway when the local governing body applies to Caltrans for scenic highway approval and adopts a Corridor Protection Program. A Scenic Highway designation does not preclude or otherwise directly regulate development along the highway. However, the local Corridor Protection Program is expected to ensure that activities within the scenic corridor are compatible with scenic resource protection and consistent with community values.

Caltrans's (2014) Frequently Asked Questions about the Scenic Highway Program explains how a Corridor Protection Program works.

*Scenic corridors consist of land that is visible from the highway right of way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. The city or county must also adopt ordinances, zoning and/or planning policies to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. They should be written in sufficient detail to avoid broad discretionary interpretation and demonstrate a concise strategy to effectively maintain the scenic character of the corridor. These ordinances and/or policies make up the Corridor Protection Program.*

The following state highway segments in El Dorado County are officially designated Scenic Highways:

- U.S. Highway 50 from the County Government Center interchange near Placerville to South Lake Tahoe city limit
- State Route (SR) 89 from the Alpine County line to the Placer County line

Appendix G of the State CEQA Guidelines suggests that substantial damage to scenic resources along a designated Scenic Highway may result in a significant environmental impact.

### Local

The 2004 El Dorado County General Plan Land Use Element establishes several goals for the protection of visual resources, with corresponding objectives and policies, under the topic of Visual Resources and Community Design. Goals, objectives, and policies that are relevant to adoption and implementation of the Sign Ordinance update are listed below.

**Goal 2.3:** Natural Landscape Features. Maintain the characteristic natural landscape features unique to each area of the county.

**Objective 2.3.1:** Topography and Native Vegetation. Provide for the retention of distinct topographical features and conservation of the native vegetation of the county.

**Objective 2.3.2:** Hillsides and Ridge Lines. Maintain the visual integrity of hillsides and ridge lines.

**Goal 2.4:** Existing Community Identity. Maintain and enhance the character of existing rural and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life, economic health, and community pride of county residents.

**Goal 2.6:** Corridor Viewsheds. Protection and improvement of scenic values along designated scenic road corridors.

**Policy 2.6.1.2:** Until such time as the Scenic Corridor Ordinance is adopted, the County shall review all projects within designated State Scenic Highway corridors for compliance with state criteria.

**Policy 2.6.1.3:** Discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoints identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report, shall be subject to design review, and Policies 2.6.1.4, 2.6.1.5, and 2.6.1.6 shall be applicable to such projects until scenic corridors have been established.

**Goal 2.7:** Signs. Regulation of the size, quantity, and location of signs to maintain and enhance the visual appearance of the county.

**Objective 2.7.1:** Signs Regulation. Regulation of the location, number and size of highway signs and elimination of billboards along identified scenic and historic routes.

Note: Objective 2.7.1 is proposed to be amended as noted in subsection 2.3.3, Project Description/Proposed General Plan Amendment.

**Policy 2.7.1.1:** The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection.

**Policy 2.7.1.2:** Existing billboards within scenic corridors shall be removed or relocated out of the corridor allowing an adequate time period for billboard owners to amortize the value of their signs pursuant to an amortization schedule to be included in the Sign Ordinance.

Note: Policy 2.7.1.2 is proposed to be amended as noted in subsection 2.3.3, Project Description/Proposed General Plan Amendment.

**Goal 2.8:** Lighting. Elimination of high intensity lighting and glare consistent with prudent safety practices.

**Objective 2.8.1:** Lighting Standards. Provide standards, consistent with prudent safety practices, for the elimination of high intensity lighting and glare.

**Policy 2.8.1.1:** Development shall limit excess nighttime light and glare from parking area lighting, signage, and buildings. Consideration will be given to design features, namely directional shielding for street lighting, parking lot lighting, sport field lighting, and other significant light sources, that could reduce effects from nighttime lighting. In addition, consideration will be given to the use of automatic shutoffs or motion sensors for lighting features in rural areas to further reduce excess nighttime light.

## 3.1 AESTHETICS

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### El Dorado County Design Guidelines

The County has adopted the following six design guidelines:

- **Community Design Guide.** The Community Design Guide, prepared in 1981, provides sign standards related to design compatibility, consistency, restraint, types, simplicity, and lighting.
- **Historic Design Guide.** The Historic Design Guide provides sign standards related to sign prominence, compatibility with building and community character, size, and materials, and provides examples of recommended sign lettering (El Dorado County, n.d.).
- **Missouri Flat Design Guidelines.** The Missouri Flat Design Guidelines, prepared in 2008, provide general sign standards related to location, materials and colors, coordination with business type and building design, and illumination as well as specific standards for different types of signs including monument, awning/canopy, window, wall, projecting, and hanging signs.
- **El Dorado Hills Business Park Design Guidelines.** The El Dorado Hills Business Park Design Guidelines, prepared in 1992, provide standards for identification signage, information/directory signage, vehicular control signage, and temporary signage for development in the El Dorado Hills Business Park.
- **Sierra Design Guide.** The Sierra Design Guide, prepared in 1982, provides architectural styles and design standards applicable to sites and buildings within districts defined and designated on County zoning maps as "Design Sierra."

### ENVIRONMENTAL SETTING

El Dorado County contains suburban, rural, agricultural, and forest landscapes. The communities of El Dorado Hills and Cameron Park are suburban or urban in character; areas of the western county away from the U.S. Highway 50 corridor have a rural feel with scattered residences on large lots and small community centers; vineyards, orchards, and pasturelands represent the county's agricultural side; much of the central to eastern county, particularly in the National Forest, is heavily forested.

The county has a complex topography made of rolling hills and steep valleys. From west to east across the county, the elevation steadily rises and the natural landscape transitions from oak woodlands to coniferous forest. Elevations range from 200 feet in the western rolling foothills, adjacent to Sacramento County, to more than 10,000 feet along the Sierra Nevada crest on the edge of the Lake Tahoe Basin.

The communities of El Dorado Hills and Cameron Park include extensive retail, office, and residential development. They do not have the rural appearance found in much of the rest of the county. Large-lot residential development near Placerville and in Diamond Springs, Pollock Pines, and a number of other unincorporated communities scattered around the west side of the county generally possesses a rural residential character represented by more undeveloped open space between homes and businesses, agricultural activities (e.g., wineries, orchards), and substantial natural vegetation. Residents and visitors appreciate this rural residential character as having high scenic value.

U.S. Highway 50 extends across the county west to east from the Sacramento County line through the Sierra Nevada to the state of Nevada at Lake Tahoe. State Route (SR) 89 is a north-south road passing through El Dorado County from Alpine County at Luther Pass to El Dorado just north of Meeks Bay on the west side of Lake Tahoe. SR 49 runs along a north-south axis from the Placer County line south of Auburn to the Amador County line, passing through Placerville. Travelers on all of these roads pass through areas that have scenic qualities.

### **Scenic Resources and Scenic Views**

Visual resources can be classified in two categories: scenic resources and scenic views. Scenic resources are specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historical buildings and are also referred to as scenic vistas. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middleground or background elements of a viewshed that can be seen from a number of viewpoints, often along a roadway or other travel corridor.

A list of the county's key scenic views and resources is presented in **Table 3.1-1**. This list is similar to that used in the visual impact analysis prepared for the 2004 General Plan EIR. The viewpoints are general locations where the public can access scenic views and resources. Many of the viewpoints are areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, or forests. Other viewpoints are the locations of historical structures or districts that are reminiscent of El Dorado County's heritage. **Table 3.1-1** indicates where the scenic viewpoints are located and the scenic views and resources that can be seen from those viewpoints. This is not an exhaustive list of scenic views and resources, but it is representative of scenic views and resources in the county. It also includes areas that are in the Eldorado National Forest with views that would not be affected by adoption and implementation of the proposed Sign Ordinance update, but the forest is an important visual resource that draws tourists to the area for recreational opportunities. People traveling to forest areas would use major public roadways to access those areas.

Rivers are also important visual resources that draw tourists to the area. The American, Cosumnes, Rubicon, and Upper Truckee rivers run through El Dorado County. Where the public has access to the rivers for recreational use (e.g., whitewater rafting), portions of the rivers that are not accessible by or visible from roads can be scenic corridors. The Middle Fork of the American River is a popular rafting and kayaking venue. The South Fork of the American River is used by whitewater boaters from as far east as Strawberry, depending on flow conditions. For example, the lower portion of the South Fork of the American River offers a popular 21-mile stretch of whitewater rapids, which serves as a recreational boating resource, from Chili Bar to Folsom Reservoir. The Middle Fork of the Cosumnes River, from SR 49 to SR 16, is also a popular section for whitewater enthusiasts (El Dorado County 2014a).

### 3.1 AESTHETICS

**TABLE 3.1-1  
SCENIC VISTAS AND VIEWPOINTS IN EL DORADO COUNTY**

Viewpoint	Location	Predominant Direction of View	Scenic View (V) or Resource (R)
<b>Highways</b>			
U.S. Highway 50 eastbound	East of Bass Lake Road	South	Marble Valley (V)
	Between South Shingle Road/Ponderosa Road interchange and Greenstone Road	East	Crystal Range (V)
	East of Placerville, various locations	East, north, and south	Sierra Nevada peaks (V), American River canyon (V, R), lower Sierra Nevada ridgelines (V)
	Echo Summit	East	Lake Tahoe (V), Christmas Valley (V, R)
U.S. Highway 50 westbound	Between Echo Summit and Placerville	West, north, and south	Horsetail Falls and Lovers Leap (R), lower Sierra Nevada ridgelines (V), American River canyon (V, R), Sacramento Valley (V)
	Camino Heights	West	Sacramento Valley (V)
	Bass Lake Grade	West	Sacramento Valley (V)
SR 49 northbound	Coloma	All	Historic townsite of Coloma (R)
	Marshall Grade Road to Cool	East and west	Coloma Valley (V), American River (V, R), ridgelines (V), rolling hills (V)
	North of Cool quarry	North	Middle Fork American River canyon (V, R)
SR 49 southbound	Pedro Hill Road to Coloma	East and west	Coloma Valley (V), American River (V, R), Mount Murphy (V, R), rolling hills (V)
	Coloma	All	Historic townsite of Coloma (R)
	South of Crystal Boulevard	East and south	Cosumnes River canyon (V), ridgelines (V)
SR 89 northbound	Emerald Bay to Sugar Pine Point	East	Lake Tahoe (R)
SR 89 southbound	Sugar Pine Point to Emerald Bay	East	Lake Tahoe (R)
SR 193 northbound (from Georgetown to Placerville)	Intersection with SR 49 to Kelsey	North, east, and west	American River canyon (V, R), ridgelines (V)
SR 193 southbound (from Placerville to Georgetown)	Kelsey to intersection with SR 49	South, east, and west	American River canyon (V, R), ridgelines (V)
SR 88 westbound	Kirkwood to Omo Ranch	North, west, and south	Lower Sierra Nevada ridgelines (V)
SR 88 eastbound	Omo Ranch Road to Kirkwood	North, east, and south	Sierra Nevada peaks (V), lower Sierra Nevada ridgelines (V)



Viewpoint	Location	Predominant Direction of View	Scenic View (V) or Resource (R)
<b>Other Major Roadways</b>			
Mormon Emigrant Trail	Intersection with SR 88 to approximately 10 miles west	north	Sierra Nevada peaks (V), South Fork American River (V, R), lower Sierra Nevada ridgelines (V)
Mount Aukum Road	Crossing of the North and Middle forks of the Cosumnes River, road section north of the South Fork of the Cosumnes River	All	Cosumnes River canyons (V, R)
Omo Ranch Road	Between Omo Ranch and SR 88	Various	Ridgelines (V), canyons (V, R)
Icehouse Road	Peavine Road to U.S. Highway 50	South	American River canyon (V, R)
Salmon Falls Road, southbound	South of SR 49 to Folsom Reservoir	South and west	American River canyon (V, R), Folsom Reservoir (V, R)
Latrobe Road	From White Rock Road to county line	All	Rolling hills (V), vistas of Sacramento Valley (V)
Wentworth Springs Road	East of Georgetown	All	Intermittent forest and ridge views (V), views of water bodies (Rubicon River, Stumpy Meadows Reservoir) (V)
Cold Springs Road	Gold Hill area	All	Rolling hills (V), ridgelines (V)

Source: *El Dorado County 2014a*

### 3.1.2 ENVIRONMENTAL IMPACTS

#### METHODS OF ANALYSIS

Visual sensitivity depends on the number and type of viewers and the frequency and duration of views. Generally, visual sensitivity increases with an increase in the total number of viewers, the frequency of viewing (e.g., daily or seasonally), and the duration of views (i.e., how long a scene is viewed). Also, visual sensitivity is higher for views seen by people who are driving for pleasure; people engaged in recreational activities such as hiking, biking, or camping; and residents. Sensitivity tends to be lower for views that people see routinely while driving to and from work or as part of their work. Views from recreational trails and areas, scenic highways, and scenic overlooks are generally assessed as having high visual sensitivity.

For the purpose of the broad analysis presented in this section, existing rural views are considered to be scenic. This is consistent with the General Plan's first statement of vision: "Maintain and protect the county's natural beauty and environmental quality, vegetation, air and water quality, natural landscape features, cultural resource values, and maintain the rural character and lifestyle while ensuring the economic viability critical to promoting and sustaining community identity."

The following analysis takes into account the attribute of aesthetics or visual character, which pertains to aspects of the county's visual character, including the natural and man-made environment. Impacts regarding visual character typically include changes to the original visual character of an area or the elimination of a significant natural feature. However, such methods are not suited to examining the potential impacts of the project (i.e., updating the Sign Ordinance) because the project does not describe or permit, authorize, or propose any specific

### 3.1 AESTHETICS

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signage projects that can be examined in detail for their effect on specific scenic views and resources.

#### Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect if it would result in any of the conditions listed below.

- 1) Result in a substantial adverse effect on a scenic vista.
- 2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- 3) Substantially degrade the existing visual character or quality of the site and its surroundings.
- 4) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

#### Impacts and Mitigation Measures

**Impact 3.1.1** The proposed project would not result in a substantial adverse effect on scenic vistas. This impact would be **less than significant**.

Public views of scenic resources would not be affected by the proposed project. It does not propose the development of any structures or changes in the natural landscape that would interfere with a view by obscuring it or limiting the field of view, nor would it allow the placement of signs in areas that are not allowed by the current Sign Ordinance.

The proposed Sign Ordinance update includes several regulations that address signage in public areas available for viewing scenic resources. For instance, Section 17.16.090 would prohibit new billboards, so billboards would not obscure or limit the field of existing views. This section would also prohibit signs placed on the public right-of-way. Section 17.16.070 would provide design standards for permitted signs, including those oriented to U.S. Highway 50, with limits on maximum quantity, sign area and height, and sign placement and spacing. Enforcement of these standards would ensure that future signs installed in the county would not result in a substantial adverse effect on a scenic vista. This impact would be **less than significant**.

#### Mitigation Measures

None required.

**Impact 3.1.2** The proposed project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings along a designed scenic corridor or highway. This impact would be **less than significant**.

As described previously, segments of U.S. Highway 50 and SR 89 in the county are designated by the State Scenic Highway Program as scenic highways. However, scenic resources along the U.S. Highway 50 and SR 89 corridors would not be affected by the proposed project as it includes regulations that address signage along the U.S. Highway 50 corridor. For instance, Section 17.16.070 would provide specific standards for those on-site signs oriented to U.S. Highway 50

including minimum spacing and setback. Section 17.16.080 of the proposed Sign Ordinance update would require a Design Review Permit for all signs oriented to U.S. Highway 50 and located within 100 feet of the highway. Enforcement of these standards would ensure that future signs installed along U.S. Highway 50 segments designated as a state scenic highway would not substantially damage scenic resources. This impact would be **less than significant**.

### Mitigation Measures

None required.

**Impact 3.1.3** The proposed project would not substantially degrade the existing visual character or quality of a site and its surroundings. This impact would be **less than significant**.

As described in the Environmental Setting subsection, the County contains suburban, rural, agricultural, and forest landscapes of varied topography with numerous scenic vistas of large water bodies, river canyons, and mountain ridgelines as well as scenic resources such as rivers, forested areas, and historic structures. These abundant visual resources indicate an overall high visual quality in the county. However, the proposed project is an update to the existing Sign Ordinance and would be generally more restrictive than the existing ordinance in that it provides standards with more specificity regarding sign sizing, location, and content. Although the proposed project would in some limited cases allow a greater number of signs or total sign area, these increases would be minor or would occur outside the visually sensitive areas (i.e., residential and open space zoning districts) and would not result in substantial adverse aesthetic impacts. Additionally, the project would not permit or authorize the installation of new or modified signs at any location in the county and would not therefore substantially degrade the visual character or quality of any site.

Furthermore, the proposed project would establish size, quantity, and location regulations with the intent of maintaining and enhancing the visual appearance of the county, including along identified scenic and historic routes and in the foreground and background of designated scenic corridors. Section 17.16.070 would provide specific sign development and design standards related to size, area and height, sign placement, compatibility with associated building architecture, construction, design, illumination, maintenance, and removal. Section 17.16.080 would include sign permit requirements and review procedures to ensure compliance with the proposed sign standards. Section 17.16.100 would provide for the abatement or removal of illegal, abandoned, and nonconforming signs as allowed by state law. Enforcement of these standards would ensure that future signs installed in the county would be consistent with the goals, objectives, and policies of the El Dorado County General Plan and the County's visual and aesthetic goals. Therefore, this impact would be **less than significant**.

### Mitigation Measures

None required.

**Impact 3.1.4** The proposed project would not create a new source of light or glare that would adversely affect daytime or nighttime views in the area. This impact would be **potentially significant**.

The proposed project would establish specific design standards and requirements for both non-digital and digital sign illumination. All sign lighting has the potential for light or glare that could adversely affect daytime or nighttime views. However, both the existing and the proposed sign

### 3.1 AESTHETICS

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ordinance contain provisions that regulate sign illumination. For instance, Section 17.16.050(B) of the Sign Ordinance update would prohibit illumination of temporary signs, and Section 17.16.070(A)(2) provides the following standards for illumination of all future signs, which would minimize stray light on surrounding rights-of-way and properties.

- a. External light sources shall be directed toward the sign and fully shielded to limit direct illumination of an object other than the sign.
- b. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impacts on residential properties in direct line of sight to the sign.
- c. Unless otherwise allowed by another provision of this Chapter, signs shall not have blinking, flashing, or fluttering lights or other illumination devices that have a changing light intensity, brightness, or color.

All signs must be consistent with the Sign Ordinance. Because the proposed project includes provisions to either prevent or ensure that lighting of non-digital signs will not create a new source of light that would adversely affect nighttime or daytime views, this impact is **less than significant** with regard to non-digital signs.

With regard to digital signs, the proposed project will change the existing Sign Ordinance to provide for electronic (digital) signs. Similar to non-digital signs, the proposed project includes limitation on lighting. The proposed Section 17.16.070(H)(3)(c) would restrict the sign's brightness in order to minimize the potential for glare:

- c. 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 at a distance of 250 feet from the sign face. 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.

As noted above, the proposed project requires that digital signs be equipped with light sensors to increase or decrease digital sign lighting in response to changing ambient light levels during the day and night. The code section also limits illumination from digital signs to 0.3 foot-candles above ambient light measured 250 feet from the sign face.

The proposed 0.3 foot-candle limit is supported by research, which found that an eye illuminance limit of 0.3 foot-candle in areas of low ambient electric light is a level that is unlikely to be objectionable to most persons (Lewin 2008). However, the distance at which a measurement for illuminance is taken is dependent on the surface area of the sign generating the light. For example, for two signs of different sizes to produce the same amount of illuminance at 250 feet, the smaller sign would need to produce more (brighter) light at the sign face than the larger sign. This increase in light could result in glare or light sufficient to adversely affect daytime or nighttime views. For example, signs less than approximately 600 square feet would generate light that exceeds 0.3 foot-candle at 250 feet or less from the sign face.

To account for differing light intensities from digital signs of different sizes, the proposed project should be amended to provide a method of measurement that takes into account both sign size and distance to the measurement. The proposed formula, developed by the International Sign Association, requires that the measurement distance be equal to the square root of the area of the sign times 100 (measurement distance =  $\sqrt{\text{Area of sign in square feet} \times 100}$ ) (ISA 2011). Using this methodology, smaller signs must meet the 0.3 foot-candle maximum closer to the sign face than larger signs. Using the above 600-square-foot sign example and applying the

proposed formula, the digital sign in the example would need to meet the 0.3 foot-candle maximum illumination at approximately 245 feet ( $\sqrt{600 \times 100} = 244.94$ ). Mitigation Measure 3.1.4 would amend the proposed code to include the formula that addresses the potential impact associated with illumination of signs of different sizes.

### Mitigation Measures

**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 at a distance of ~~250 feet~~ from the sign face as determined by the following formula: measurement distance =  $\sqrt{\text{Area of sign in square feet} \times 100}$ . 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.

The above mitigation measure would ensure that the size of the digital sign is taken into consideration when determining the appropriate light levels for digital signs. In addition, the light levels for digital signs can be adjusted to account for the ambient light levels in the vicinity of the sign, which is not typical for conventional lighted signs. Consequently, digital signs may result in less light intrusion than conventional signs. With the above mitigation, this impact would be considered less than significant.

However, the message on a digital sign can be changed without physical changes to the sign, as is the case for conventional signs, which could generate more applications for digital signs than would otherwise occur for conventional lighted signs. Because the County cannot predict the location or number of new digital signs that would be built, the County cannot be certain that light from new digital signs would not result in a visual intrusion. This impact would be **significant and unavoidable**.

### **Cumulative Impacts**

The cumulative impact evaluation addresses the effects of the proposed project in combination with buildout of the adopted 2004 General Plan. The cumulative context for light and glare impacts would be development that could affect the same sites that would be affected by light or glare generated by the project.

**Impact 3.1.5** The proposed project's contribution to cumulative impacts on visual resources would be **less than cumulatively considerable**.

Cumulative development that would occur as a result of buildout of the County's General Plan would significantly affect the county's visual resources by converting undeveloped land to suburban and urban uses. As discussed in Impacts 3.1.1 through 3.1.3, the Sign Ordinance update is a policy document and would not directly construct new signs or modify existing signs. The proposed project would not permit signs in areas that are currently restricted and would be generally more restrictive than the existing Sign Ordinance. The project would establish regulations related to future signs' size, quantity, and location with the intent of maintaining and enhancing the county's visual appearance consistent with its visual and aesthetic goals. Therefore, the proposed project's contribution to cumulative visual impacts would be **less than cumulatively considerable**.

### 3.1 AESTHETICS

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#### Mitigation Measures

None required.

**Impact 3.1.6** The proposed project's contribution to cumulative impacts on light and glare would be **cumulatively considerable**.

Cumulative development that would occur as a result of buildout of the County's General Plan would introduce new sources of light and glare, including exterior building lighting, illuminated signs, street lighting, parking lot lighting, vehicle headlights, and reflective building surfaces. However, as discussed in Impact 3.1.4, the proposed project would not create any new sources of light or glare, as the Sign Ordinance update is a policy document and would not directly construct new signs or modify existing signs. The project would provide additional standards in Section 17.16.070 to reduce the potential for negative light effects, with specific design standards and requirements for sign illumination and reflective sign surfaces intended to prevent the casting of stray light on surrounding rights-of-way and properties and restrict the level of brightness. However, the project would allow digital signs that are not permitted in the current Sign Code. Implementation of Mitigation Measure 3.1.4 would reduce the impact of light from digital signs; however, the number and location of digital signs cannot be determined at this time. Therefore, the proposed project could increase the overall light in the county generated by signs and the project's contribution to cumulative light and glare impacts would be **cumulatively considerable**.

#### Mitigation Measures

Implement Mitigation Measure 3.1.4.

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### 3.1 AESTHETICS

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## **4.0 PROJECT ALTERNATIVES**

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### 4.1 INTRODUCTION

An EIR must evaluate a reasonable range of alternatives to the proposed project, or to the location of the proposed project, that could feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the project's significant effects, and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6). The EIR need not evaluate the environmental effects of alternatives in the same level of detail as the proposed project, but must include enough information to allow meaningful evaluation, analysis, and comparison with the proposed project.

The primary intent of the alternatives analysis is to disclose other ways that the project objectives could be attained while reducing the magnitude of or avoiding the project's environmental impacts. Alternatives included and evaluated in the EIR must be feasible. However, the Public Resources Code and the CEQA Guidelines direct that the EIR need "set forth only those alternatives necessary to permit a reasoned choice." The CEQA Guidelines provide a definition for "a range of reasonable alternatives" and thus, limit the number and type of alternatives that need to be evaluated in an EIR. An EIR is not required to analyze alternatives when the effects of the alternative "cannot be reasonably ascertained and whose implementation is remote and speculative" (CEQA Guidelines Section 15126.6(f)(3)).

As discussed in Section 3.1 of this Draft EIR, the proposed project could result in significant effects related to the potential for light and glare from new digital signs. Therefore, the alternatives analysis focuses on that impact.

As noted above, CEQA Guidelines Section 15126.6 states that an alternative location for a project should typically be addressed. For development projects, an off-site alternative avoids on-site impacts, but in many cases results in similar impacts at the off-site location. However, given that the proposed project is an ordinance that applies throughout most of the county, an "off-site" alternative is not appropriate.

A reduced intensity and/or reduced footprint alternative is also typically addressed in an EIR. However, given the proposed sign ordinance does not have an established footprint or specific proposals for signs, such an alternative would not be appropriate.

### 4.2 NO PROJECT ALTERNATIVE

CEQA Guidelines Section 15126.6(e)(1) states that a No Project Alternative shall be analyzed. The purpose of describing and analyzing a No Project Alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The No Project Alternative analysis is not the baseline for determining whether the project's environmental impacts would be significant.

The existing Sign Ordinance (Chapter 17.16 of the Zoning Ordinance) is broadly written and currently provides limited guidance that would help the County achieve its goal to protect its visual appearance, while allowing the use of signs to convey information to the public. Under the No Project Alternative, new and modified signs would be subject to the existing ordinance and could cause significant impacts on scenic resources due to their size, location, and/or height. The proposed project would result in a significant impact related to the generation of light from digital signs. There would be no impact for other resource areas. Because the No Project Alternative would not allow digital signs, it could avoid the project's significant impact related to light generated by digital signs. However, the No Project Alternative would not achieve the project objectives.

## **4.0 PROJECT ALTERNATIVES**

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### **4.3 NO DIGITAL SIGNS ALTERNATIVE**

As discussed in Chapter 2.0, Project Description, the project would update the existing Sign Ordinance to allow digital signs, which could result in construction of more digital signs than would otherwise occur if only conventionally lighted signs were allowed. An alternative that restricts or prohibits digital signs would reduce lighting in the county, relative to the proposed project. The No Digital Signs Alternative assumes that all portions of the proposed Sign Ordinance update would be adopted, with the exception that digital signs would not be allowed. As discussed in Impact 3.1.4 in Section 3.1, Aesthetics, the proposed Sign Code includes Section 17.16.070(H)(3)(c) that would restrict the sign's brightness in order to minimize the potential for glare. Mitigation Measure 3.1.4 was identified for the project to ensure that the distance at which light measurements are taken are appropriate for the size of the sign. The measure would ensure that the light level from digital signs is within the 0.3 foot-candle limit. Allowing for digital signs may encourage more applications for digital signs than would otherwise occur for conventional lighted signs. For this reason, the impact was conservatively determined to be significant and unavoidable. Because the No Digital Sign Alternative would prohibit digital signs and would establish controls on the illumination of conventionally lighted signs (see Sections 17.16.050(B) and 17.16.070(A)(2)), this alternative would not result in the significant impact identified for the project.

### **4.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA Guidelines Section 15126(e)(2) requires an EIR to identify the "environmentally superior" alternative from among the range of reasonable alternatives evaluated. CEQA Guidelines Section 15126(d)(2) states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. The No Project Alternative would continue the implementation of the current Sign Code, and therefore would not achieve the project objectives. The No Digital Signs Alternative would not result in the significant impact related to light from digital signs that was identified for the project and would achieve the project objectives. Therefore, the No Digital Signs Alternative would be the environmentally superior alternative.

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## **5.0 OTHER CEQA TOPICS**

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This section describes the unavoidable significant effects of the proposed project, significant irreversible environmental changes/irretrievable commitment of resources, and growth inducement, in accordance with CEQA Guidelines Sections 15126.2(b) through 15126.2(d). It also addresses CEQA Guidelines Appendix F regarding energy conservation.

### 5.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The proposed project would result in a significant and unavoidable impact due to light generated by additional digital signs that would be allowed under the proposed Sign Code.

### 5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA Guidelines Section 15126.2(c) requires that an EIR consider significant irreversible environmental changes with project implementation. It defines such changes as follows:

*Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

Project implementation would not result in long-term, irreversible environmental changes. The proposed project does not involve development entitlements or propose any change in land use that would irretrievably commit future generations to similar uses. The Sign Ordinance update is a policy document and does not directly construct new or modify any signs. Signs that could be erected under the proposed project would be allowed only if they comply with the design standards. For these reasons and because any sign erected under the Sign Ordinance would not be permanent, there would be no significant irreversible changes on scenic vistas and views or visual quality.

### 5.3 GROWTH-INDUCING IMPACTS

CEQA Guidelines Section 15126.2(d) requires that an EIR evaluate the growth-inducing impacts of a proposed project, and that the analysis should consider:

*...the way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth... Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also...the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.*

The proposed project is the adoption and implementation of an update to the County's existing Sign Ordinance (Zoning Ordinance Chapter 17.16) to ensure that signs are consistent with the El Dorado County General Plan's visual and aesthetic goals and policies and to protect the county's visual appearance and scenic landscapes. It consists of new general sign requirements, permit requirements and review procedures, and specific standards and regulations pertaining to signage only. The proposed amendment to General Plan Objective

## **5.0 OTHER CEQA TOPICS**

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2.7.1 and Policy 2.7.1.2 addresses billboards along scenic corridors only. The proposed project does not permit or authorize new or modified billboards.

The proposed project does not involve amendments to the County General Plan land use designations or zoning districts or any new entitlements for any development project that would increase growth in the county or develop infrastructure that could foster growth. As such, the proposed project would not be growth-inducing.

### **5.4 ENERGY CONSERVATION**

CEQA Guidelines Appendix F, Energy Conservation, requires consideration of project impacts on energy and focuses particularly on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (Public Resources Code Section 21100[b][3]). The potentially significant energy implications of a project must be considered in an EIR to the extent relevant and applicable to the project.

The Sign Ordinance update is a policy document and does not directly construct new or modify any signs or any other type of development that would require energy. Proposed Section 17.16.070(A)(2) would allow sign illumination from either internal or external sources. Subsection 17.16.070(A)(2)(e) would require that light sources use energy-efficient fixtures which comply with energy efficiency standards set forth in Title 24 of the California Code of Regulations. As a result, any sign erected in accordance with the project would not use energy in an inefficient, wasteful, or unnecessary manner. There would be no significant energy implications.

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## **6.0 REPORT PREPARERS**

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**EIR CONSULTANTS**

PMC

Patrick Angell.....EIR Project Director

Patrick Hindmarsh ..... EIR Project Manager

Kristin Faoro ..... Environmental Planner

Suzanne Wirth ..... Technical Editor

Ashley Grey..... Publication

Stephanie Wolfe ..... Publication



## 6.0 REPORT PREPARATION

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# APPENDICES

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# **APPENDIX A - NOP AND NOP COMMENTS**

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# COMMUNITY DEVELOPMENT AGENCY

## LONG RANGE PLANNING

2850 Fairlane Court, Placerville, CA 95667  
Phone (530) 621-4650, Fax (530) 642-0508

### COUNTY OF EL DORADO

#### NOTICE OF PREPARATION AND NOTICE OF PUBLIC SCOPING MEETING

#### DRAFT EIR FOR SIGN ORDINANCE UPDATE

**FILED**

OCT 01 2014

Date: October 1, 2014

To: Interested Parties

From: El Dorado County Community Development Agency

Subject: Notice of Preparation of an Environmental Impact Report for the Sign Ordinance Update  
(SCH # 2014102001)

WILLIAM E. SCHULTZ, Recorder-Clerk  
By *Janet Koch*

The County of El Dorado (County) is the lead agency under the California Environmental Quality Act (CEQA) for preparation of an environmental impact report (EIR) for the comprehensive update to the County Sign Ordinance (Zoning Ordinance, Title 17, Chapter 17.16). The purpose of this notice of preparation (NOP) and notice of public scoping meeting is to solicit comments from public agencies and interested persons regarding the scope and content of the environmental information and analyses, including the significant environmental impacts, reasonable alternatives, and mitigation measures that should be included in the draft EIR.

One public scoping meeting is required to be held during the 30-day public review period of the NOP. The meeting has been scheduled on **Thursday, October 23, 2014, at 6:00 p.m.** in the Planning Commission Hearing Room, 2850 Fairlane Court, Building C, Placerville, CA 95667. County staff will provide a brief overview of the project, followed by a question and answer session and an open house.

All interested parties are invited to attend the public scoping meeting and to submit written comments on the environmental issues that will be analyzed in the EIR. Due to time limits mandated by state law, written comments to this NOP must be received by the County within 30 days of the date of this notice, but not later than **5:00 p.m. on Friday, October 31, 2014**. There will be another opportunity to submit detailed comments when the draft EIR is released for public review.

Please email, fax, mail or hand deliver your comments to:

Anne Novotny, Senior Planner

El Dorado County Community Development Agency, Long Range Planning  
2850 Fairlane Court, Placerville, CA 95667

**Email:** [anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)

**Fax:** (530) 642-0508

The project location, project description, proposed entitlement requests, and potential environmental effects of the proposed Sign Ordinance Update are summarized in the attached materials. For more information, visit the project website at:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)



# COMMUNITY DEVELOPMENT AGENCY

## LONG RANGE PLANNING

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2850 Fairlane Court, Placerville, CA 95667  
Phone (530) 621-4650, Fax (530) 642-0508

### NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE SIGN ORDINANCE UPDATE

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**Project Location:** El Dorado County is located in the Sierra Nevada Mountains in east-central California. The terrain varies from a portion of Folsom Lake and rolling foothills in the western portion of the county to the high mountain peaks, Lake Tahoe, and the Nevada state line to the east. The County's landscapes include rolling rangeland, oak woodlands, vast forests, canyons, and high-altitude alpine terrain. The proposed Sign Ordinance Update (Project) will be implemented throughout the unincorporated areas of El Dorado County with the exception of lands in the Tahoe Basin subject to the regulatory authority of the Tahoe Regional Planning Agency

**Project Description:** The proposed project consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 17.16 of the Code of Ordinances) and related General Plan amendments to Objective 2.7.1 and Policy 2.7.1.2 as approved in Resolution of Intention to Amend the Sign Ordinance (Resolution No. 106-2014). The proposed update to the Sign Ordinance would ensure that signs are consistent with the visual and aesthetic goals and policies set by the El Dorado County General Plan to protect the County's visual character and scenic landscapes. The County's intentions in updating the Sign Ordinance are as follows:

- A. Promote economically stable and visually attractive communities within the County;
- B. Promote signs and graphics that are attractive, pleasing, and harmonized with the physical character of the structure and environment of surrounding properties;
- C. Recognize the distinct signage needs and applications in the County's designated urban and rural areas through distinct sign regulations;
- D. Prevent an inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message;
- E. Protect viewsheds in designated scenic corridors;
- F. Encourage individuality among communities and businesses through signage;
- G. Encourage consolidation of signs to reduce visual clutter;
- H. Improve traffic safety and the smooth and efficient flow of pedestrians, bicyclists and vehicles to their destinations; and
- I. Direct persons to various activities and enterprises, in order to provide for maximum public convenience.





# COMMUNITY DEVELOPMENT AGENCY

## LONG RANGE PLANNING

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2850 Fairlane Court, Placerville, CA 95667  
Phone (530) 621-4650, Fax (530) 642-0508

The existing Sign Ordinance is broadly written and currently provides limited guidance that would help the County achieve its goal to protect the visual character of the County, while promoting the use of signs for business and for conveying important information to the public. The existing Sign Ordinance restricts signs from looking too much like traffic signs, creating a safety hazard, lighted signs that blink or cause objectionable glare, moving signs, and three-dimensional signs. Minor restrictions are also placed on the number of signs and where they may be located, such as in a public right-of-way or off-premises.

The proposed Sign Ordinance Update would generally be more restrictive than the existing ordinance and provides specific sign development and design standards regarding sign type, sizing, quantity, location placement, illumination, etc. The intent of the standards is to ensure that signage is consistent with its physical surroundings and does not detract from the surrounding visual character or cause safety hazards. Additionally, the proposed update generally prohibits all off-site commercial signage (e.g. billboards) on private property. The proposed update also provides for the use of electronic (digital) signs that may use animation, flashing, scrolling, or video screens under certain conditions. This change will be addressed in the draft EIR.

An update of the County's Sign Ordinance itself would not create impacts on the physical environment. However, implementation of the Sign Ordinance Update would result in changes to the visual character of signs that could be placed within the county. The draft Sign Ordinance Update can be viewed at the El Dorado County Community Development Agency, Long Range Planning, 2850 Fairlane Court, Placerville, CA 95667; or online on the County website at:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

**Proposed Entitlement Requests:** The proposed project is intended to bring the Sign Ordinance into compliance with the General Plan. The project would not require any new entitlements.

**Potential Environmental Effects:** Based on a preliminary environmental analysis of the project, the potential significant impacts that may occur as a result of implementation of the proposed Sign Ordinance update are related to aesthetic/visual resources. The draft EIR may address additional impacts, based on the comments received on the NOP and at the public scoping meeting. Comments and suggestions are requested regarding the environmental issues that will be analyzed in the EIR.

# **COMMENTS ON THE NOP**



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

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**ACTION REQUIRED: Sign Ordinance-Public Comment**

1 message

**Christy White** <christy.white@edcgov.us>

Fri, Oct 3, 2014 at 4:14 PM

To: anne.novotny@edcgov.us

Cc: Stephanie Carlson &lt;stephanie.carlson@edcgov.us&gt;, Kristine Oase-Guth &lt;kristine.oase@edcgov.us&gt;, Teresa Salerno &lt;teresa.salerno@edcgov.us&gt;

Hi Anne,

I oversee our countywide Tobacco Use Prevention Program (TUPP). I noticed that the county sign ordinance is open for public comment. I was wondering if the Lee Law is incorporated within the the ordinance?

The Lee Law (toolkit attached) refers to California Business and Professions Code § 25612.5, enacted in 1994. It requires off-sale alcohol retailers (e.g. liquor stores, grocery stores, but not bars or restaurants) to abide by a set of public health and safety standards to protect surrounding neighborhoods and communities from problems associated with alcohol sales. Two provisions in the Lee Law:

- **No more than 33% of window space can be covered with advertising or signs;**
- **Window signage must be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store, including the cash registers.**

During the month of September in 2013, TUPP staff surveyed 132 retailers countywide (results attached) as part of the statewide Healthy Stores for a Healthy Community campaign. This campaign is a collaboration between tobacco use prevention, nutrition and alcohol prevention partners. The goal is to improve the health of Californians through changes in community stores and to educate people how in-store product marketing influences consumption of unhealthy products.

The percentage of stores in El Dorado County that have **unhealthy exterior advertising was 67.4%** as compared to healthy exterior advertising at 8.3%. Additionally, **alcohol exterior advertising was 63.6%**. Unhealthy exterior advertising by product/type is broken down in our Healthy Stores for a Healthy Community brochure (attached).

I look forward to you response. Let me know if you would like additional information. Thank you!

Christy

Christy White  
Supervising Health Education Coordinator  
El Dorado County Health & Human Services Agency  
Public Health Division  
(530) 621-6142 Fax (530) 626-4277  
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***Vision Statement:  
Transforming Lives and Improving Futures***

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EXHIBIT H

13-0086 5J 68 of 243



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**4 attachments**

-  **FNL-Lee-Law-toolkit-draft\_v2.pdf**  
3564K
  
-  **EDC Retail Data.page 1.pdf**  
170K
  
-  **EDC Retail Data.page 2.pdf**  
203K
  
-  **1-3-3 HSHC Brochure.pdf**  
433K



Friday Night Live

# Using the Lee Law to Reduce Youth Exposure to Alcohol Retail Outlet Advertising



July, 2013

CALIFORNIA  
**Friday  
Night  
Live**  
PARTNERSHIP



## **California Friday Night Live Partnership**

The mission of Friday Night Live is to build partnerships for positive and healthy youth development which engage youth as active leaders and resources in their communities.

The primary focus of the FNL/CL/FNL Kids/FNL Mentoring Programs is to form youth/adult partnerships with young people, providing programs rich in opportunities and support, so young people will be less likely to engage in problem behaviors, more likely to achieve in school, and more likely to attend higher education or secure a full-time job. FNL's vision is to work hand-in hand with young people so they are both problem free and fully prepared.

The California Friday Night Live Partnership provides the leadership and field support needed for continued growth and enhancement of FNL/CL/FNL Kids and FNL Mentoring programs. The California Friday Night Live Partnership (CFNLP) was formed to support the following goals for the Friday Night Live system: to provide guidance and leadership to the Friday Night Live Partnership counties, and to build alliances in support of youth development.



# Table of Contents

<b>I. Introduction and Background .....</b>	<b>1</b>
A Brief History of the Lee Law .....	1
The Problem .....	1
Project Goals .....	2
Why a Local Ordinance? .....	3
<b>II. Implementing the Project.....</b>	<b>4</b>
Overview.....	4
Part A: Assess Resources and Establish Timelines .....	4
Part B: Research Component.....	6
Part C: Dissemination and Voluntary Compliance Publicize results and promote voluntary compliance with alcohol retailers .....	12
Part D: Implement a Local Ordinance to Strengthen the Lee Law Provisions and/or Enforce an Existing Local Ordinance.....	16
<b>Appendix A: Lee Law Statute Text.....</b>	<b>A-1</b>
<b>Appendix B: Alcohol Advertising and Youth .....</b>	<b>A-4</b>
<b>Appendix C: Sample Map .....</b>	<b>A-8</b>
<b>Appendix D: Lee Law Survey Results Template.....</b>	<b>A-9</b>
<b>Appendix E: Sample Poster.....</b>	<b>A-10</b>
<b>Appendix F: Sample Merchant Letter .....</b>	<b>A-11</b>
<b>Appendix G: Model Ordinance .....</b>	<b>A-12</b>

# I. Introduction and Background

The Lee Law refers to California Business and Professions Code § 25612.5, enacted in 1994. It requires off-sale alcohol retailers (e.g. liquor stores, grocery stores, but not bars or restaurants) to abide by a set of public health and safety standards to protect surrounding neighborhoods and communities from problems associated with alcohol sales (see Appendix A for a full text of the law). This project focuses on two provisions in the Lee Law:

- No more than 33% of window space can be covered with advertising or signs;
- Window signage must be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store, including the cash registers.

These requirements are widely disregarded by alcohol retailers and law enforcement officials, resulting in a high level of youth exposure to alcohol advertising. This is particularly true in low income, ethnic communities, where there are high concentrations of liquor stores and violations are more likely to occur.

## A Brief History of the Lee Law

The Lee Law is named after Barbara Lee, then a State Assemblywoman (now a Congresswoman), who sponsored the legislation in 1994 following the civil unrest in South Central Los Angeles that erupted after the Rodney King verdict. Bystanders had captured Los Angeles police officers beating King while handcuffed and under arrest in 1992. In 1993, when the officers were acquitted of criminal charges, South Central erupted with looting and arson, burning down nearly 200 liquor stores. The stores had been a focal point of community discontent because of the crime, violence, drug dealing and other nuisance activities associated with their operation. They also highlighted the lack of economic development and opportunity.



Karen Bass (later to become Speaker of the California Assembly and Congresswoman), Sylvia Castillo, and their staff at the Community Coalition led a grassroots campaign to keep the liquor stores from being rebuilt, reform the practices of those that remained, and promote economic growth. As part of the campaign, they approached Assemblywoman Lee and worked with her to enact the Lee Law reforms. The law represented one of the few significant public health and safety reforms related to alcohol marketing and sales ever enacted by the State legislature.

## The Problem

The Lee Law advertising provisions address two critical community problems:

1. Youth exposure to alcohol, tobacco, and junk food advertising increases the risk of youth alcohol and tobacco consumption and problems associated with those risks;
2. Large numbers of window signs on liquor stores contributes to crime, violence, neighborhood blight and other nuisance activities, particularly when they block a clear view into the stores.



As noted above, the problems are more likely to occur in low income, ethnic communities already facing a myriad of problems associated with racism, economic underdevelopment, and violence. Enforcing and strengthening these advertising provisions therefore reflects an important social justice agenda.

Extensive research now connects increased youth exposure to alcohol advertising and increased use and problems. A recent review of the research concluded (at p. 196):

*The evidence reviewed has suggested that exposure of young people to alcohol marketing speeds up the onset of drinking and increases the amount consumed by those already drinking. The extent and breadth of research available is considerable, utilized a range of methodologies, and is consistent in showing effects with young people.”<sup>1</sup>*

Advertising on store fronts near schools is particularly problematic. Another study found 931 alcohol ads, mostly beer ads in storefronts, within a 1,500-foot radius of 63 Chicago schools. The researchers compared 6<sup>th</sup>-graders’ opinions on drinking to their opinions two years later, when they were 8<sup>th</sup> graders. Students at the schools surrounded by the most ads expressed greater intention to drink and more positive associations with alcohol.<sup>2</sup>

Although the research literature supports these general findings, surprisingly little research has been done on the relative concentration of alcohol signage in low income communities. One of the goals of the project is to document this phenomenon in a systematic manner.

(See Appendix B for fact sheet on youth exposure to advertising.)

## Project Goals

The project has as its overall goal to create safer community environments for youth particularly in low income, ethnic neighborhoods. It has two **primary policy goals** to achieve this end:

- Promote compliance with the Lee Law provisions related to off-sale retail alcohol advertising and window coverage practices;
- Enact and implement a local ordinance strengthening Lee Law provisions to reduce youth exposure to alcohol advertising.

As discussed later in the toolkit, some cities and counties may already have a sign ordinance that is applicable to liquor stores. If this is the case, the goal of the project is insuring compliance with the local ordinance.

These represent the desired outcomes in terms of actions by alcohol retailers, policy makers, and law enforcement agencies. Perhaps more significant are the **implementation goals**, which include:

- Increase youth engagement and leadership in community policy making;
- Educate the public regarding the risks associated with youth exposure to alcohol advertising as well as the social justice issues associated with retail alcohol advertising practices;
- Shift social norms regarding acceptability of youth exposure to alcohol advertising.

<sup>1</sup> Babor, T., et al. (2010). *Alcohol: No Ordinary Commodity*. New York, NY: Oxford University Press.

<sup>2</sup> Pasch, K., Komro, K., Perry, C., Hearst, M., Farbakhsh, K. (2007). Outdoor alcohol advertising near schools: What does it advertise and how is it related to intentions and use of alcohol among young adolescents? *Journal of Studies on Alcohol & Drugs* 68: 587-596.

**Youth engagement and leadership** is a critical aspect of the project. It is designed to:

- Engage youth in an important research endeavor – determining the level of violations in the community and assessing the differential rates of violation by neighborhood characteristics;
- Teach youth how to link these research findings to the policy making process; and
- Give youth the opportunity to lead a grassroots policy campaign to convince local policy makers to enact important reforms in alcohol retail marketing practices that affect youth health and safety.

## Why a Local Ordinance?

A question likely to arise in the course of the project is why a local ordinance is needed. After all, there is already a state law and if that law is enforced, won't that solve the problem?

The state law does not solve the problems identified above for the following reasons:

### **The restrictions on retailer signage practices are inadequate.**

The 33 percent limit, on window signage, even if adhered to, is much too high to provide adequate protection to the neighborhood and the youth who live there. The model ordinance for this project (see below for description) therefore proposes a 15 percent limit.

### **The State law has loopholes that undermine its effectiveness.**

The state law is administered by the State Alcohol Beverage Control (ABC) Department of the state government. The Department has determined that the law has three major loopholes that make it largely unenforceable. When calculating the 33 percent limit, the Department:

- Includes windows not readily visible to the public (for example in alley ways or in a second story of the building);
- Does not include clear spaces within ads and signage; and
- Does not include ads and signage on fixtures visible through or in front of the windows but not actually attached to the windows.

In addition, banners and other advertising outside the store are not addressed by the law and there are no restrictions on advertising placed close to the floor, at the eye level of young children. The model ordinance closes all of these loopholes.

### **State enforcement and administration is ineffective.**

Although local law enforcement officials can alert the ABC Department of likely violations, the ABC Department is responsible for determining if a violation has occurred and imposing sanctions. Its administrative procedures are complex, largely ineffectual and not readily accessible to community members. A local ordinance, by contrast is administered by local government agencies and enforced by local police and sheriffs' departments. These agencies are more responsive to community concerns and more accessible to youth advocates.

### **Enacting and implementing a local ordinance provides a laboratory for youth advocacy and learning.**

Mentoring youth and building youth leadership is more feasible with a local campaign, working with local officials who are often willing or eager to engage youth leaders.



# II. Implementing the Project

## Overview

The project has four key components, as follows: (1) Assess resources, including any foundational work already accomplished; (2) Conduct research to determine compliance rates in specific communities; (3) Promote voluntary compliance by alcohol retailers; and (4) Implement a local ordinance to strengthen the Lee Law provisions (and/or enforce an existing local ordinance).

## Part A: Assess Resources and Establish Timelines

### STEP 1: Determine resources within your organization and among allied organizations that can be dedicated to the project.

- Determine who is available to work on the campaign, including both youth activists and adult coaches/mentors and the number of hours they can dedicate to it.
- Identify and contact organizations in the community who could assist in the project with resources, volunteers, and staff.

#### Tips:

- Planning and implementing the remaining components of the project will be dependent on the resources available, particularly regarding the number of youth advocates and staff.
- Be specific in terms of the resource needs, including possible contacts with key stakeholders, research capacity, etc. For example, an allied organization may have the capacity to build sophisticated maps for illustrating compliance rates and other findings from the research component.
- Be realistic! You want to be sure that the project's scope and timeline is appropriate to the resources available.
- Review the introductory section of the Friday Night Live's Guide to Engaging Youth in Policy Change Toolkit (<http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>). It provides a valuable guide to the general considerations you should take into account when deciding whether to engage in a youth policy campaign.

### STEP 2: Review previous work done by your organization and others to address problematic alcohol retailer practices, including those related to the Lee Law signage provisions.

#### Tips:

- Your organization or others may have conducted a version of this project previously. If so, you may have access to documents needed for the research component and may have good background knowledge regarding the attitudes and practices of alcohol retailers in your region.
- The project will be enhanced to the extent that it can build on previous work.



**STEP 3: Identify key law enforcement officials, elected representatives, and governmental officials who, based on previous contacts, are possible supporters for the project.**

**Tips:**

- If you have good relationships with local law enforcement officials, we recommend contacting and meeting with them before starting the Research Component to brief them on the project. However, it is important that retailers not be made aware of the initial phase of the project in order to insure that an accurate compliance rate is determined. (If retailers are given advance warning, they may take action that would distort research results.) The project includes a strong focus on voluntary compliance (see the Voluntary Compliance Component below) that includes positive outreach to retailers.
- Similarly, reaching out to other key policy makers early (e.g., city council members, the city attorney's office, local zoning officials and others likely to be involved in implementation of the local ordinance) can promote support for the project.
- You will eventually need to contact, brief, and ask support from the regional office of the ABC Department (see the Voluntary Compliance Component below). If you already have relationships with officials in the regional office, you may wish to contact and brief them early in the project in order to promote their support and involvement.
- These meetings can be an important learning experience of youth advocates and leaders.
- Local law enforcement officials may be particularly helpful. For example, they may already be enforcing, at least on an informal basis, the Lee Law provisions and may have insights regarding building a positive working relationship with the ABC Department. They will play a critical role in promoting voluntary compliance.

**STEP 4: Create a realistic timeline.**

**Tips:**

- The timeline should be based on a review of the project goals, components, and steps, the resources available, and the extent to which the project can build on previous work conducted in your region.
- Be sure to take into account obligations the youth may have that can affect the timeline. For example, school, family, sports or other obligations may affect their availability for working on the project.

## Part B: Research Component

### Determine Rates of Compliance with the Lee Law Advertising Requirements and the Requirements of Applicable Local Sign Ordinances

#### STEP 1: Select off-sale retail alcohol outlets to be included in the research study.

- Create a map of the cities/neighborhoods/regions ("regions") to be included in the project showing the location of alcohol retail outlets ("stores"), schools, and ethnic/racial compositions.
- Create a list of stores in your region, with addresses and types of licenses.
- If possible, select at least two neighborhoods/regions with differing income and ethnic/racial composition, to compare compliance rates. If feasible, include additional neighborhoods/regions.
- If possible, 20 stores should be included for each region selected (liquor, grocery, convenience stores – but not restaurants or bars). All stores in the region selected should be included in the study. Having more stores (up to 100 in each region) provides a better foundation for reporting research findings. Regions can be combined in order to reach the 20-store minimum.

#### Tips:

- Use the following steps to develop a list of alcohol retailers:
  - Go to [www.ABC.ca.gov](http://www.ABC.ca.gov) and click on the Licensing Reports on the right hand side of the page.
  - Scroll the bottom of the page and select "Query by County, Zip Code and License Type Information" and select continue.
  - Select your county in the drop down box, then plug in the zip code for the community you want to work in.
  - Under "Report Types" select "Active Off-Sale Retail Licenses," and continue. The page that comes up is the list of licensee's in that zip code area.
  - Print the information. Go back and click on the license number and look up the owners name and document it on the sheet you have printed. Only look at License Type 20 (beer and wine) and 21 (general – including sales of distilled spirits). Some of these licenses will be wholesalers, wine boutiques and internet sales. These retailers are NOT included in the project.
- The ABC Department website also has a mapping function. Select "License Query System – Map Query" and type in the census tract or city.
- Stores will be either type 20 (beer and wine) or type 21 (general – include sales of distilled spirits).
- Although the project is focused on off-sale retailers, you may wish to create a map that includes on-sale licensees (types 40-42) to illustrate the level of overall alcohol outlet density in particular regions and how they compare.
- You may also want to determine the populations in each region selected. With this information, you can describe the density of the alcohol outlets per population.



- Google maps is a useful tool for creating maps, using the “create your own map” function.
- The website [www.Healthycities.org](http://www.Healthycities.org) is another valuable resource for developing maps, with many options for mapping various demographic characteristics, location of schools and other community institutions, etc.
- Allied organizations in your region may be able to assist in building more sophisticated maps that overlay key demographic variables.
- See Appendix C for a sample map of stores in Watsonville, CA.
- Note that the campaign to enact a local ordinance (or to enforce an existing sign ordinance) will take place in the local jurisdiction selected for inclusion in the project. If you have more than one possible city or unincorporated county region to select from, you may wish to assess the likely support for a local ordinance among city/county officials and elected representatives.

**STEP 2: Determine whether local sign ordinances exist in the jurisdictions selected that would apply to liquor store windows.**

- Many California cities and counties have existing sign ordinances that may restrict signage on liquor stores. For example, the city of Watsonville restricts signage on any retail outlets to 20 percent of total window and clear door area.
- There are two complementary methods for finding relevant sign ordinances;
  - Call your city or county clerk’s office. Make a request for any provisions in the city’s municipal code pertaining to the retail signage. Proceed to the second method even if you are told there are no relevant provisions.
  - Search for the city or county sign code on the internet. California cities and counties post their municipal code on an internet-accessible database, which you can usually find by going to your city’s website and locating the link to its municipal code. Alternatively, conduct a Google search as follows: “[name of city] municipal code.” Use the following search terms: “window”, “alcohol”, “signage” and “advertising.”
- If you find a sign ordinance that applies to liquor stores, analyze the provisions to determine if it provides at least as good a tool for restricting liquor store window advertising as the Lee Law. (See Part D for further discussion.)

**Tips:**

- If you know a local attorney or someone who works for the local government, you may want to consult with them to be sure you have not missed relevant legislation.
- Typically, if an ordinance exists, it is found in the part of the ordinance addressing signs generally. We found that searching for “window” within the sign provisions was an effective strategy for locating relevant laws.
- Larger cities often have a separate section of their municipal codes that address retail signage.
- The language of the sign ordinance may be difficult to interpret and have its own loopholes. If this is the case, try to identify a city official or attorney to assist in interpreting the relevant provisions.

### STEP 3: Collect Compliance Data

- Develop plan for taking pictures of all stores in the regions identified in step 1.
  - Create walking and/or driving routes.
  - Assign participants in project to routes with list of stores to be photographed. The list should provide space for recording notes.
  - Identify cameras to be used. Digital cameras are a must. Be sure that the cameras will provide sharp images.
  - Give young people clear instructions of what is expected.
- Take pictures of the windows and doors at each store.
  - All windows and clear doors of each store should be photographed. Multiple pictures of each site may be necessary.
  - Determine whether there is a clear and unobstructed view inside the store, including all of the cash registers. If not, be sure pictures are taken to document the lack of an unobstructed view.
  - Record findings on the list of stores.
  - Organize pictures in computer files. If feasible, print the pictures and organize them in a binder. Coding in a group setting is easier to do with printed images.
- Obtain population data for each region being canvassed.
- If available, obtain data regarding income and ethnic makeup for each region.

#### Tips:

- Adult supervisors should accompany young people on the routes. The photography should be done in an organized, group fashion.
- The time needed for completing a route will vary based on transportation requirements. Photographing each store will take about 3-5 minutes.
- There is no need to approach store owners or clerks at this time. If any questions are asked, politely describe the project's goals and purpose. If objections are raised by store staff, discontinue picture taking and make a note that data is unavailable due to objections raised by the store.
- An alternative approach is to enter the store, briefly describe the project and ask permission to take pictures of the exterior of the store. If permission is denied, do not proceed with the picture taking and make a note that data is unavailable due to objections raised by the store. We experimented with both approaches and in the vast majority of cases, permission was obtained.

The picture taking can be enlivened with creative planning. For example, we scheduled a Saturday "fun day" for the youth, we created a scavenger hunt where each team had to find something specific at each outlet they were at taking pictures of, we broke off into teams of 4 youth each per an adult, had a list of all the outlets, took photos of all the outlets and made it a hunt for goodies! We also included lunch and transportation.



## STEP 4: Code Data

- Create a spreadsheet that has a column for each store being analyzed and columns for coding these four variables:
  1. Is the store in compliance with loopholes applied (yes/uncertain/no)?
  2. Would the store be in compliance if the loopholes are ignored (yes/uncertain/no)?
  3. Can you clearly see the cash register (yes/uncertain/no)?
  4. Is the store in compliance with the Lee Law (i.e., is the answer to either 1 or 3 “no”)? (See sample spreadsheet, Appendix D.)
  5. Would the store be in compliance if the loopholes were ignored (i.e., is the answer to 2 or 3 “no”)?
- If a local ordinance has been identified in Step 2 that has stronger provisions than the Lee Law, create a sixth column or a separate spreadsheet for recording whether the store is in compliance with the local law. The percentage coverage allowed in the local ordinance should be used in assessing compliance (e.g., 20 percent, if that is the limitation in the local ordinance).
  - Note that any store that is out of compliance with loopholes applied will be out of compliance if the loopholes are ignored. If the answer to #1 is “no” then the answer to #2 will also be “no”.
- A separate spreadsheet should be prepared for each region involved in the study. Create a summary spreadsheet for reporting results for all regions.
- Coding should be based on all windows and clear doors readily accessible and visible to the public.
- Codes #1 and #2 require an understanding and application of two of the loopholes described on page 4:
  - Clear spaces within ads and signage are not counted in code #1 but are counted for code #2; and
  - Banners, ads, signage, fixtures and other obstructions that are not attached to the windows but nevertheless block the view through the window are not counted for code #1 but are counted for code #2.
- Choose coding methodology. At least two options are available:
  - Conduct coding as a group project, with the entire group discussing each store and reaching consensus. This procedure will take more time but has the advantage of building team cohesion and making the process more fun.
  - Break group into pairs and divide store pictures among the pairs. Rotate pictures so that at least two pairs code each store independently. When teams have differing coding for particular stores, have the entire group review and come to consensus.
- Once a methodology has been chosen, examine pictures from each store and conduct coding.
  - Strive to reach consensus regarding the coding of each store. If there is conflict, have an adult advocate serve as final arbiter.

- Note that the “uncertain” category provides a means to promote consensus coding. It is important that only those stores clearly out of compliance be counted as violating the law, so use the code if there is uncertainty.
- When reviewing the photos, tag the “best” and the “worst” in each coding category for later reference. Also tag photos that can best illustrate loopholes.

**Tips:**

- Create a “chart” that illustrates what 33% window coverage in various formats. Use an excel spreadsheet to draw up the chart and fill in each box to represent differing configurations of 33% coverage. Create a similar chart for limitations found in local ordinances.
- Use a few large pictures at the beginning of the process and practice coding as a full group.
- Emphasize that this is a research project so reliability is important. This can be both a serious and fun exercise.
- When all our photos were printed out, we went through each one. Each youth had a job, such as: being in charge of and organizing the photos; developing and maintaining the “master list” of all the stores – checking off the stores as their coding was completed and determining which stores needed to be revisited.
- Revisits for additional pictures were needed in several cases. The need for revisits should be planned for. Do not be discouraged; this should be considered part of the process. Reasons for revisiting may include:
  - Some of the pictures are blurry or difficult to analyze due to glare;
  - After review, it is unclear whether all relevant windows and doors were included;
  - Reflections make it difficult to determine whether views of cash registers are unobstructed.
- The goal should be to minimize revisits, but anticipate that revisits will be necessary.
- Adult advisors may want to do a “dry run” with one or two youth to test equipment, determining procedures for insuring clear photos, and develop procedures for storing and labeling pictures.
- One method for storing hard copies of photos is to write on the back of each photo with a sharpie pen the name of the store, paper clipping all the pictures for a given store together.
- We found that having the pictures in both printed and electronic form was helpful. Whichever method is selected, be sure that labeling and storage is planned for easy retrieval and identification.
- For determining whether there was an unobstructed view of the cash registers, we assumed the role of a law enforcement officer driving or walking by the store. This assumption was based on input from law enforcement officers who have actively enforced this portion of the Lee Law.
- We were surprised by the number of violations of the “unobstructed view” requirement, suggesting the need for increased emphasis on the importance of this provision in reducing crime and violence.



## STEP 5: Analyze data

- Calculate the compliance rates for each region by dividing the number of stores in compliance (with either a yes or uncertain code) by the total number of stores. See Appendix D for sample spreadsheet and more detailed instructions.
- If applicable, calculate the rate of compliance for any local sign ordinance identified in Step 3.
- Create a summary spreadsheet that lists the compliance rates for each region. Insert the population data for each region and calculate the ratio of stores to population by dividing the population by the number of stores. See Appendix D for sample spreadsheet.
- Insert other demographic data for each region collected in Step 2.
- Review findings as a group. Key questions to answer include:
  - Overall, how well do stores comply with the requirements of the Lee Law? If compliance rates are less than 80%, the project has documented widespread violation of the law.
  - How much impact do the loopholes have on the compliance rate? Significantly lower compliance rates provide documentation of the weakness of the Lee Law as currently written.
  - Are there variations in compliance rates across your regions? If so how do the variations correspond with the income, population, and racial/ethnic data? If your regions are typical, significantly lower compliance rates will occur in low income, racial/ethnic communities and there will be significantly more stores in these regions. This suggests that in these regions children are more exposed to alcohol advertising and stores pose greater risks of crime and violence.
  - Identify the most important findings and summarize them in bullet points.
- Create attractive graphs and charts to illustrate the key results.

### Tips:

- The analysis can be done in a group setting, promoting discussion and insights into the reasons for differential compliance rates across regions.
- You can ask young people to write short vignettes of the personal impact the stores have on their community and their reaction to the findings of the study. These can be used in the next Step and Component.
- Because the "uncertain" code is used, the compliance rates can be described as conservative, since stores on the cusp of being in violation are considered to be in compliance.

## Part C: Dissemination and Voluntary Compliance

### Publicize results and promote voluntary compliance with alcohol retailers

#### Step 1: Prepare your message and document your results.

Now that you have completed the research phase, it is time to prepare for taking action. The first step is preparing your message and documenting your results so that you can begin the process of policy change.

- **Identify the specific policy goals for the campaign.** This will depend in part on whether your target jurisdiction has a local sign ordinance or not.
  - If a local does exist that is worth enforcing, then your primary policy goal is to promote compliance with the ordinance through voluntary action by the merchants and local enforcement.
  - If a local ordinance does not exist or is too weak to effect adequate change, then the primary policy goals are to promote voluntary compliance with the Lee Law provisions and enact a new or revised local sign ordinance.
  - Note that Part D addresses the campaign activities for enacting a local ordinance and provides a model ordinance to work from (Appendix G).
- **Develop your message.** Adapt the workshop instructions for message development and the message development exercise found in the Friday Night Live's *Guide to Engaging Youth in Policy Change* Toolkit, pages 6-2 through 6-6 (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>). Replace the scenario in that toolkit with the actual results from your research. Have the youth develop the key messages of the policy campaign by answering these three questions:
  - What do you want your audience to know?
  - Why should anyone care?
  - What action steps are you recommending?
- **Develop dissemination tools.** The tools should include your key messages.
  - Fact sheet/Flyer:** A one or two page fact sheet/flyer is a basic dissemination tool. It needs to be brief and easy to read, highlighting key points and providing contact information. The fact sheet can be used with the media, policy makers, law enforcement and others who you are reaching out to for support.
  - Poster:** A large, professional-looking, laminated poster (8 feet by 5 feet) is an excellent dissemination tool. The poster can be used in multiple venues (e.g., press conference, as part of presentations to community groups, other youth groups, and policy makers). The poster should include:
    - The problem, a description of the Lee Law and (if applicable) the local ordinance;
    - A description of the project, the role of Friday Night Live, and the role of young people in the project;
    - The results (in chart form);
    - Photos of outlets
    - See Appendix E for sample poster.



**Merchant letter:** As described in Step 2, you are hoping that the merchant letter will be sent jointly by the local law enforcement agency and your group (and the planning department if there is local ordinance). The letter should:

- Identify the problem;
- Summarize the key provisions of the Lee Law and, if relevant, the local sign ordinance;
- Provide an overview of the results of your research;
- Encourage voluntary compliance with the laws so that enforcement will not be necessary.

The final version of the merchant letter will be completed following the meetings described in Step 2. At this stage, you want to have an outline of the letter with suggested bullet points.

A sample merchant letter can be found in Appendix F.

- Be sure to highlight findings of the research using graphs and charts, which should include:
  - Violation rates regarding the Lee Law provisions with and without loopholes;
  - If applicable, violation rates for local sign ordinances;
  - Differences in violation rates across neighborhoods, noting demographic differences.
- Be creative in brainstorming dissemination tools. Web-based and power point presentations should be considered. Return to this task after determining key audiences and venues for dissemination (see Step 2).

**Tips:**

- We used FedEx for printing and formatting the poster, which gave us the lowest bid and was very helpful. It required a two day turn-around.
- Keep in mind that new formats may need to be created for differing target audiences.

**Step 2: Disseminate materials developed in previous step to community groups.**

- Brainstorm opportunities for presenting results to community groups. Possible venues include:
  - Community meetings
  - School events
  - Board meetings of non-profit organizations involved in public health, youth development and public safety
  - Youth groups engaged in community action projects
  - Street fairs and other community gatherings
  - Meetings with groups involved in tobacco control and the prevention of obesity
- Practice making the presentations, tailoring the practices to the specific venue and audience.

### Tips:

- Practice, practice, practice! The presentations offer a valuable opportunity for young people to engage in public speaking and take pride in the work they have done.
- In Watsonville, the young people involved in the project presented their findings to the Watsonville Youth Council. This was a valuable experience and built support among other youth in the community.
- Seeking out youth groups that are working on tobacco control and the prevention of obesity in your community could be a good recruiting tool for the policy campaign described in Part D. These groups are also concerned about window signage on liquor stores.

### Step 3: Conduct meetings with key agency representatives and policy makers.

- Law enforcement meeting: Contact the chief of police or other appropriate local law enforcement official and request a meeting to discuss results and possible action steps.
  - The purpose of the first meeting is to build a relationship and make two “soft” demands: (1) The police department co-sign a letter (with your organization) to merchants informing them of the results of the research, highlighting the requirements of the Lee Law and any relevant local ordinance, and encouraging voluntary compliance so that further action by the department or the city will not be necessary. (2) The police department work with your group to secure the cooperation of the California ABC Department (see next bullet).
  - Adapt the “Demands” workshop exercise in the Friday Night Live’s *Guide to Engaging Youth in Policy Change* Toolkit, pages 5-2 through 5-7 (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>) to prepare youth for this meeting.
- ABC Department Representative meeting. Similarly, contact the regional office of the California Alcoholic Beverage Control Department and request a meeting with the enforcement officer assigned to your city or county. The officer should be able to meet in a venue that is convenient for the youth and your local law enforcement agency should be able to assist you in scheduling this meeting.
  - Make the same request as made to the local police representative: A letter from the ABC Department informing merchants of the results of your research, describing the key provisions of the Lee law signage provision, and encouraging voluntary compliance so that further enforcement action will not be necessary.
  - If your city or county has a strong local ordinance, this meeting is not necessary.
- City Planning Department meeting: If you have as one of your goals enforcement of a local sign ordinance, schedule a similar meeting with a representative of the planning department. The request in this case is to co-sign the letter to the merchants described above from the police department and your group.



- Meetings with friendly local decision-makers. If through previous work your group has good relationships with key decision-makers including the Mayor, members of the City Council (or Board of Supervisors), then request an informational meeting.
  - This is a “soft” demand meeting. You want to inform them of your research and policy goals, emphasizing that the first goal is to promote voluntary compliance with existing laws. You can ask for their assistance in gaining support from local law enforcement, planning department and California ABC Department representatives.
  - You can also gauge their support for a local ordinance (assuming this is one of your goals) and request advice regarding who you should contact to promote its adoption once the campaign reaches that stage (see Part D).

**Tips:**

- The Friday Night Live guide referenced above is an important resource for preparing for the meetings described in this step.
- Practice makes perfect! Role-play the meetings. Have specific roles and scripts for each participant and be sure they are clear on what needs to be communicated. The roles and scripts will be similar for most meetings; youth participants can swap roles to deepen their experience.
- The dissemination tools should be developed with these meetings and presentations in mind. They may need to be modified and tailored to each audience.
- The letter from your group, the law enforcement agency, and the planning department may take a variety of forms. It is not critical that it come from all three groups. If one or the other governmental agency wants to take the lead and have the letter only on one letterhead this is acceptable.
- At this stage, a press conference or release is not recommended. Save media advocacy activities for Part D. Your goal is to inform key constituencies of your research and to promote voluntary compliance. Engaging the press may alert retailers prematurely of your policy goals and may deter voluntary compliance.

**Step 4: Send merchant letters and re-survey stores.**

- Once the merchant letters described above have been sent, prepare to re-survey the stores using the methodology described in Section B.
- The re-survey can occur between 30 and 90 days after the letters have been sent.
- An option to reduce the work involved is to only survey the stores that were previously out of compliance.
- Document each store and photo and then create a side by side comparison to show any changes. This will become a very important document to be able to show the changes.
- Summarize the results using similar tools described above.



### Tips:

- The purpose of the re-survey is to assess the level of voluntary compliance. This will be important as you prepare for Part D, the policy campaign.
- If your policy goal is to enforce a local sign ordinance and does not include enacting a new ordinance, you may want to modify the sequencing of the re-survey depending on the level of support of local law enforcement and the planning agency. If there is strong support, you may be able to convince them to engage in enforcement after the letter is sent without determining the level of self-compliance. Your results will help target further enforcement efforts.

## Part D: Implement a Local Ordinance to Strengthen the Lee Law Provisions and/or Enforce an Existing Local Ordinance

### Introduction

Parts A-C have set the foundation for your policy campaign. You have the research demonstrating that there are widespread violations of the Lee Law window signage provisions. If a local ordinance is in place, you have the data to show that its provisions are also being violated. You have made presentations regarding your findings to community groups, reached out to other youth groups, and met with key decision makers. The alcohol retailers have been informed of the violations and encouraged to comply with the law voluntarily. You have the data to show that voluntary compliance is at best partial and, most likely, has eroded over time. (If you find that voluntary compliance has worked, declare victory and delay this component until such time that your periodic scans suggest that voluntary compliance has eroded.)

Most likely, despite the work to date, there has been little actual change in the retailers' behavior. Youth are still being overexposed to alcohol and tobacco advertising; law enforcement personnel do not have a clear view into many retail outlets, increasing the risk of crime and violence; many stores are contributing to community blight. These consequences are occurring because retailers are openly violating the law and not being held accountable. And, if your community is typical, the problems are most prevalent in neighborhoods that face economic hardships and racial discrimination.

You are therefore at the critical stage: Action! You are ready to change policy, insure that laws are enforced, and protect your community. With the groundwork in place, you have a high likelihood of success by following the steps in this component. There is still work to be done and barriers to overcome. Yet this stage of the campaign is the most exciting and rewarding, and the most educational for the youth involved.

### Tips:

- We have previously referenced the Friday Night Live's Guide to Engaging Youth in Policy Change Toolkit (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>). The guide will be particularly helpful at this stage of the campaign, as group moves to action. The guide has exercises and workshop programs that can introduce the group to the policy campaign structure, the meaning of power, and the general tactics to employ. The materials can be adapted to focus specifically on the policy goal you are seeking here.

## Step 1: Clarify your policy goal.

- A key decision at the beginning of this component is determining exactly what your policy goal is to address the problems you have identified. As discussed earlier, there are two basic paths to choose from. If you have a good local ordinance that limits retail signage, then your policy goal can be to have the ordinance enforced. If a local ordinance does not exist or is weak, your goal can be to enact a new local ordinance that addresses the problems in the Lee Law as described in the introduction.
- Note that this may be a two-stage process. You may decide as a first step to seek enforcement of a local ordinance. Once enforced, you may show through the implementation and assessment phase (see Step 8 below) that the ordinance is inadequate to the task. You can then seek a new or revised local ordinance.
- Drafting a *policy action statement* provides a means to clarify exactly what your goal is in this action stage. It needs to be short (approximately 25-30 words) and precise. It should include: (1) The problem; (2) The policy solution; (3) What the policy will do – its positive impact; (4) Who will benefit; and (5) Names or names of policy makers that can make it happen – the target.

### **Sample policy action statement: enforce local ordinance**

The Chief of Police should ensure that [city's] retail window sign ordinance is strictly enforced, thereby reducing community blight, crime, violence, and youth exposure to alcohol and tobacco advertising.

### **Sample policy action statement: new ordinance**

The city council should enact an ordinance that restricts signage to 15% of the window and door area, thereby reducing community blight, crime, violence, and youth exposure to alcohol and tobacco advertising.

## Tips:

- If your policy goal is to enact a new local ordinance (or to amend an existing weak ordinance) refer to the Model "Lee Law" Local Ordinance in Appendix G. This can serve as your template in approaching policy makers.
- Draft several versions of the action statement to promote discussion and to insure that it communicates the group's goal effectively while remaining short and easy to understand.
- The focus should be on making the campaign local. You may receive advice that this is a state matter and that the appropriate solution is to seek enforcement of the Lee Law by the California ABC Department. We strongly recommend that you avoid this path for the reasons stated in the introduction.



## Step 2: Make your case and frame the issue – the “issue brief”

- You have already developed fact sheets, power point presentations, posters and/or other dissemination materials in Part C. The task here is to revise these materials so that they focus specifically on your policy goal. This is done by creating an issue brief, which “frames” the issue and the solution in a way that promotes support among key policy makers and community leaders.
- The fact sheets and other materials will provide a good starting point for the issue brief. The key distinction is that the primary focus here is on the need for the policy solution.

### Tips:

- Brainstorm the likely arguments that opponents will use to try to defeat your policy goal. The issue brief should anticipate these arguments and respond to them.
- For example, as noted above, opponents may argue that this is a state matter, a new ordinance is not necessary, and the appropriate solution is to seek enforcement by the ABC Department. The issue brief should address this issue by noting the weaknesses of the state law and the lack of ABC department personnel and resources. You should emphasize the importance of local action.
- Identifying opponents’ arguments and coming up with responses can be done as a role play.
- Keep a master list of opponents’ arguments and your responses, which should be added to as the campaign progresses. This will be useful in later steps of the campaign, including media advocacy and meetings with decision makers.

## Step 3: Conduct a power analysis

- You have identified your “target” – the person or persons that can deliver the policy change you are seeking. The policy analysis identifies:
  - The target’s self-interest, current stance and likely position on the policy;
  - Key individuals and organizations that have influence over the target and the points that will bring them to your side;
  - Allies and opponents and their potential influence over the decision makers.
- Create a sheet that lists each target with columns for each of the items listed above. This is a “living” document. If the City Council or Board of Supervisors is your target then you may have to do research on several of the council or board members. The research involves seeking information from key informants (e.g., youth group leaders, school officials, law enforcement, etc.) As you learn more about each person, add the information to your analysis.
- Make an initial assessment. How many votes do we probably have? Who do we need to sway in order to reach a majority?
- For a City Council or Board of Supervisors vote, be focused on getting a majority. If you determine that one or two members are probably going to be against your proposal, then do not waste your time and resources on trying to convince them.
- If your assessment is that you do not have the votes to enact your policy, then be prepared to put extra emphasis on the organizing and media advocacy steps described below.

### Tips:

- If your target is the Chief of Police and/or the head of the city's planning department, the power analysis is simpler, since only one or two persons need to be swayed. You will still need to make a careful analysis of the pressure on the Chief and agency head and be prepared to provide support for them using the city's resources to enforce the existing ordinance. This may include having meetings with City Council or Board of Supervisors members, seeking their support and asking them to communicate their support to your target.
- Do not be fooled into complacency by initial statements of support; it is likely that the opposition will vigorously organize after your initial visits and your targets are likely to waver in their support.
- The Friday Night Live's Guide to Engaging Youth in Policy Change Toolkit , pp. 3-2 through 3-8 will be particularly helpful in structuring exercises and activities in support of the power analysis (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>)

### Step 4: Organize, organize, organize

- The next three steps, organizing your base, conducting media advocacy, and meeting with your targets and key influencers, happen concurrently, not sequentially. Each activity informs the other.
- Organizing your base is a critical step in the process. Since this is a youth-led campaign, the key constituency is other youth in the community. You have already done presentations with other youth groups in Component C. The time has come to meet again with these groups and make specific "asks." These include signing letters of support that can be sent to your targets; agreeing to attend key meetings, including, if appropriate the City Council or Board of Supervisors meetings where the policy proposal will be heard; and asking for contacts with other groups that may be supportive.
- Your goal in a relatively large city is to have at least 50 supporters at the City Council or Board of Supervisors meeting, hopefully more. You need to get specific commitments.

### Tips:

- Social media can be an important tool in keeping in touch with supporters.
- A key to successful organizing is building relationships with other youth, engaging them in activities, and seeking their input.

### Step 5: Conduct media advocacy

- It is time to engage the media. It will play an important role in convincing your target and key community leaders to support your policy goal.
- Media advocacy is both an art and a skill. It involves several key steps and attention to timing and opportunities for placing stories.



- The window signage issue lends itself to media advocacy. There are interesting visuals. The research showing that violations are more likely to occur in poor neighborhoods and the fact that the campaign is youth-run with youth voices will be attractive to media representatives. Be creative in using these assets to garner media attention.
- Practice sound bites. They should be short (no more than one or two sentences) and should capture your message in a forceful and attention-grabbing manner. Remember that your policy goal should be a central part of the message.
- Strategically plan your media to influence your key targets. For example, you may want to organize a press event in front of a particularly bad retail outlet in the district of a city councilor whose vote is needed.

**Tip:**

- Media advocacy is distinct from social marketing, a more familiar form of media work. Media advocacy is used to influence the policy process and is used very strategically to frame the debate and put pressure on policy makers. Social media, by contrast, seeks to educate the public regarding health issues and promote individual behavior change. It will have only tangential benefits to a focused policy campaign.

**Step 6: Meet with and influence your target and other key decision makers**

- This step builds on the power analysis step. You want to have personal meetings with both your targets and those that influence them.
- The meetings will be similar to those conducted in Part C but with a key difference: Here you are making a "hard" ask or demand. You want the targets to commit to supporting your proposal; you want their influencers to communicate their support to the targets.
- It will be during this step that you present the concrete proposal to the target. If you are seeking a new or revised local ordinance (e.g., the Model Ordinance found in Appendix G), identify the best member of the City Council or Board of Supervisors to submit it as a proposal to the City Attorney or County Counsel's office for review. (The best person will be your strongest supporter and/or a supporter with considerable influence, e.g., the Mayor).
- Expect some give and take with the City Attorney/County Counsel, the Council or Board and your group. Your goal is to be at the negotiating table. Make clear you want to be informed of any proposed amendments and have an opportunity to review and provide input into the process.
- Include questions regarding who you should be meeting with to bolster support for your proposal. The information gathered at the meetings should be added to the power analysis, including your assessment of the level of support that you have developed.



**Tips:**

- Role-play the meetings, and be strategic regarding who should be meeting with each target and influencer. Personal connections are important in building trust and support.
- For meetings with City Council and Board of Supervisors members, have a relatively large group in attendance, and be sure to have at least some members for their districts.
- Meetings with key influencers can be handled in small groups.

**Step 7: Convince the policy maker/target to adopt the proposed policy.**

- The moment has come for the vote (if you are seeking a new or amended local ordinance).
- Carefully plan and script your presentation to the board. Select speakers who can effectively communicate your key points and be sure that speakers are not repetitive or speak for too long. Prepare visuals.
- Practice, practice, practice!
- As noted above, have as many supporters as possible fill the room. The audience should be demonstrative but also respectful.

**Tips:**

- Use the information you have gathered from your meetings to assess the likely vote. If you are not confident that you have a majority, seek to delay the decision so that you can do more media advocacy, organizing, and meetings with decision-makers.
- Don't be deterred if you hit unexpected opposition. This is typical in policy campaigns where the alcohol industry is in opposition. This is a winnable issue, and the tools you have developed together with the passion of your group and the potency of the issue and your policy proposal will win the day in the end.
- If your policy goal is to increase enforcement of an existing local ordinance, then this step is obviously quite different. You will want to plan meetings with the Chief of Police and/or the head of the planning department and assess their level of support. You will want to schedule follow up meetings to discuss next steps. The specific strategic decisions will be dependent on the responses you receive. Keeping close watch on implementation over time will be critical, as discussed in Step 8.
- Promote media coverage of the event and follow up. Be sure to give your key supporters a chance to talk before the cameras.

## Step 8: Implementation and Assessment

- You've won! The ordinance has been adopted, but don't be fooled, as the work is not yet done. The city code is loaded with provisions that are ignored by city officials and law enforcement. Once the ordinance is passed you must insure it is properly implemented and enforced.
- Anticipate problems and challenges in the implementation process. By now, you have built good relationships with key city officials and community leaders. Keep in communication with them to assess what problems are being encountered.
- Conduct periodic scans of the liquor stores' compliance with the new requirements and report violations to the police and planning departments. If no action is taken make inquiries and make it clear your group expects action.
- If action is not taken, reach out to your key supporters on the City Council or Board of Supervisors and ask that they look into the situation. Seek solutions initially through internal, informal processes.
- Use media to bring attention to problems in the enforcement process only when internal avenues for correcting the problems have been exhausted.



# Appendix A: Lee Law Statute Text

## **Operating standards for certain retail premises** **California Business and Professions Code § 25612.5**

(a) This section shall apply to licensees other than a retail on-sale licensee or on-sale beer and wine licensee who is licensed and operates as a bona fide public eating place, as defined in Section 23038, 23038.1, or 23038.2, or as a hotel, motel, or similar lodging establishment, as defined in subdivision (b) of Section 25503.16; a winegrowers license; a licensed beer manufacturer, as defined in Section 23357; a retail licensee who concurrently holds an off-sale retail beer and wine license and a beer manufacturer's license for those same or contiguous premises; and a retail on-sale licensee or on-sale beer and wine licensee who is licensed and operates as a bona fide public eating place, as defined in Section 23038, 23038.1, or 23038.2, or as a hotel, motel, or similar lodging establishment, as defined in subdivision (b) of Section 25503.16, a licensed beer manufacturer, as defined in Section 23357, or a winegrowers license, who sells off-sale beer and wine under the on-sale license on those same or contiguous premises.

(b) The Legislature finds and declares that it is in the interest of the public health, safety, and welfare to adopt operating standards as set forth in this section for specified retail premises licensed by the department. The standards set forth in this section are state standards that do not preclude the adoption and implementation of more stringent local regulations that are otherwise authorized by law.

(c) Other than as provided in subdivision (a), each retail licensee shall comply with all of the following:

(1) A prominent, permanent sign or signs stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is loitering adjacent to the premises.

(2) A prominent, permanent sign or signs stating "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is drinking in public adjacent to the premises.

(3) No alcoholic beverages shall be consumed on the premises of an off-sale retail establishment, and no alcoholic beverages shall be consumed outside the edifice of an on-sale retail establishment.

(4) The exterior of the premises, including adjacent public sidewalks and all parking lots under the control of the licensee, shall be illuminated during all hours of darkness during which the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel. However, the required illumination shall be placed so as to minimize interference with the quiet enjoyment of nearby residents of their property.

(5) Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking lots under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.

(6) Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti 72 hours following the beginning of the next weekday.

(7) No more than 33 percent of the square footage of the windows and clear doors of an off-sale premises shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises. However, this latter requirement shall not apply to premises where there are no windows, or where existing windows are located at a height that precludes a view of the interior of the premises to a person standing outside the premises.

(8) Upon request of the local law enforcement agency in whose jurisdiction the licensed premises are located or at the discretion of the department, each public telephone located on off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone.

(9) Every licensed retailer who sells or rents video recordings of harmful matter, as defined by Section 313 of the Penal Code, shall create an area within his or her business establishment for the placement of video recordings of harmful matter and for any material that advertises the sale or rental of these video recordings. This area shall be labeled "adults only." The licensed retailer shall make reasonable efforts to arrange the video recordings in this area in such a way that minors may not readily access the video recordings or view the video box covers. The failure to create and label the "adults only" area is an infraction punishable by a fine of not more than one hundred dollars (\$100). The failure to place a video recording or advertisement, regardless of its content, in this area shall not constitute an infraction.

(10) A copy of the applicable operating standards shall be available during normal business hours for viewing by the general public.



**Penalty for Violation*****California Business and Professions Code § 25617***

Every person convicted for a violation of any of the provisions of this division [including Section 25612.5] for which another penalty or punishment is not specifically provided for in this division is guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

**Enforcement of provisions required*****California Business and Professions Code § 25619***

Every peace officer and every district attorney in this State shall enforce the provisions of this division [including Section 25612.5] and shall inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions of this division. Every such officer refusing or neglecting to do so is guilty of a misdemeanor.

# Appendix B:

## Alcohol Advertising and Youth

Center on Alcohol Marketing and Youth (CAMY) 2007

[http://www.camy.org/factsheets/sheets/Alcohol\\_Advertising\\_and\\_Youth.html](http://www.camy.org/factsheets/sheets/Alcohol_Advertising_and_Youth.html)

Research clearly indicates that, in addition to parents and peers, alcohol advertising and marketing have a significant impact on youth decisions to drink.

"While many factors may influence an underage person's drinking decisions, including among other things parents, peers and the media, there is reason to believe that advertising also plays a role." (Federal Trade Commission, Self-Regulation in the Alcohol Industry, 1999)<sup>1</sup>

Parents and peers have a large impact on youth decisions to drink. However, research clearly indicates that alcohol advertising and marketing also have a significant effect by influencing youth and adult expectations and attitudes, and helping to create an environment that promotes underage drinking.

### Evidence from long-term studies

- A national study published in January 2006 concluded that greater exposure to alcohol advertising contributes to an increase in drinking among underage youth. Specifically, for each additional ad a young person saw (above the monthly youth average of 23), he or she drank 1% more. For each additional dollar per capita spent on alcohol advertising in a local market (above the national average of \$6.80 per capita), young people drank 3% more.<sup>2</sup>
- Another study found that, among a group of 2,250 middle-school students in Los Angeles, those who viewed more television programs containing alcohol commercials while in the seventh grade were more likely in the eighth grade to drink beer, wine/liquor, or to drink three or more drinks on at least one occasion during the month prior to the follow-up survey.<sup>3</sup>
- Researchers followed 3,111 students in South Dakota from seventh to ninth grade, and found that exposure to in-store beer displays in grade 7 predicted onset of drinking by grade 9, and exposure to magazine advertising for alcohol and to beer concessions at sports or music events predicted frequency of drinking in grade 9.<sup>4</sup>
- A study of 2,406 never-drinking New Hampshire middle school students found that ownership of alcohol-branded merchandise at baseline was significantly associated with increased likelihood of having initiated drinking (OR=1.5) at follow-up one to two years later, after adjusting for wide range of confounders.<sup>5</sup>
- Researchers from Dartmouth Medical School followed more than 5,000 Vermont and New Hampshire students ages 10 to 14 from 13 to 26 months, and found that those with higher exposure to movie alcohol use at the initial assessment were more likely to have started drinking at time of follow-up. They also found depictions of alcohol use in 92% of 601 contemporary movies, including in 52% of G-rated films.<sup>6</sup>



### **Evidence from studies of the effects of reductions in alcohol advertising**

- An econometric analysis using data from the National Longitudinal Survey of Youth 1997 estimated that a 28% reduction in alcohol advertising would reduce adolescent monthly alcohol participation from 25% to between 24% and 21%, and would reduce adolescent participation in binge drinking from 12% to between 11% and 8%.<sup>7</sup>
- An effort to estimate the likely effects of several alcohol policies on youth drinking behavior in the U.S. population concluded that a complete ban on alcohol advertising would be the most effective, resulting in 7,609 fewer deaths from harmful drinking and a 16.4% drop in alcohol-related life-years lost.<sup>8</sup>
- An analysis of the impact of evidence-based personal and environmental interventions on disability-adjusted life-years (DALYs) in 12 regions of the world found that in regions where heavy drinking is less prevalent, targeted strategies such as brief physician advice, roadside breath testing, and advertising bans would be most effective.<sup>9</sup>

### **Evidence of how alcohol advertising attracts and influences young people**

- A study on the responses of young people to alcohol advertising found that underage youth are drawn to music, animal and people characters, story and humor in alcohol advertising. Ads that were liked by youth in the study were more likely to elicit responses from youth saying they wanted to purchase the brand and products advertised. The three most popular alcohol ads among youth in the study used animal characters as the leading actors.<sup>10</sup>
- A review of the neuroscience, psychology and marketing literatures concluded that adolescents, because of how the human brain develops, may be particularly attracted to branded products such as alcohol that are associated with risky behavior and that provide, in their view, immediate gratification, thrills and/or social status.<sup>11</sup>
- If young people like alcohol ads, they are more likely to have positive expectancies about alcohol use and to intend to drink or to drink.<sup>12,13</sup>
- Exposure to alcohol advertising shapes attitudes and perceptions about alcohol use among both young people (defined in this study as ages 15-20) and young adults (ages 21 to 29). However, these attitudes and perceptions predict young people's positive expectancies and intentions to drink, but not those of young adults.<sup>14</sup>

### **What teens and others think about alcohol advertising and youth**

- A *USA Today* survey found that teens say ads have a greater influence on their desire to drink in general than on their desire to buy a particular brand of alcohol.<sup>15</sup>
- Eighty percent of general public respondents in a poll by the Bureau of Alcohol, Tobacco and Firearms believed "that alcohol advertising influences youth to drink alcoholic beverages."<sup>16</sup>
- Another poll, done for an alcohol-industry-funded organization called the Century Council, found that 73% of the public believes that "alcohol advertising is a major contributor to underage drinking."<sup>17</sup>
- The National Association of Broadcasters (NAB) recognizes the influence advertising can have on youth: "[T]he impact of advertising on radio and television audiences, particularly kids, cannot be overstated. Clever jingles, flashy lights, fast talking, and quick pacing, all contribute to the message of commercials."<sup>18</sup>

## How much alcohol advertising reaches youth

- Alcohol advertisers spent \$2 billion on alcohol advertising in measured media (television, radio, print, outdoor, major newspapers and Sunday supplements) in 2005.<sup>19</sup>
- Working from alcohol company documents submitted to them, the Federal Trade Commission estimated in 1999 that the alcohol industry's total expenditures to promote alcohol (including through sponsorship, Internet advertising, point-of-sale materials, product placement, brand-logoed items and other means) were three or more times its expenditures for measured media advertising.<sup>20</sup> This would mean that the alcohol industry spent approximately \$6 billion or more on advertising and promotion in 2005.
- The Center on Alcohol Marketing and Youth at Georgetown University has found that:
  - Between 2001 and 2005, youth exposure to alcohol advertising on television in the U.S. increased by 41%. Much of this increase resulted from the rise in distilled spirits advertising on television from 1,973 ads in 2001 to 46,854 ads in 2005.<sup>21</sup>
  - Youth exposure to alcohol advertising in magazines decreased by 31% between 2001 and 2004. In 2004, more than half of youth exposure to alcohol advertising in magazines came from 22 brands, all of which exposed youth to their advertising more effectively than adults.<sup>22</sup>
  - In a sample of radio advertising for the 25 leading alcohol brands in the summer of 2004, more than two-thirds of youth exposure to alcohol advertising came from ads placed on youth-oriented programming, defined as programming with youth audiences larger than the population of youth ages 12 to 20 in the local market.<sup>23</sup>
  - From 2001 through 2003, youth in the United States were 96 times more likely per capita to see an ad promoting alcohol than an industry ad discouraging underage drinking.<sup>24</sup> In fact, compared to underage youth, adults age 21 and over were nearly twice as likely per capita to see advertising discouraging underage drinking.<sup>25</sup>
  - A study of alcohol advertising in magazines from 1997 to 2001 found that the number of beer and distilled spirits ads tended to increase with a magazine's youth readership. For every 1 million underage readers ages 12-19 in a magazine, researchers found 1.6 times more beer advertisements and 1.3 times more distilled spirits advertisements.<sup>26</sup>

## Notes

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# Appendix C: Sample Map

Watsonville, California





# Appendix D: Lee Law Survey Results Template

[Region Name Here]											
	Are store windows in compliance w/ loopholes applied? (ex: Neon sign=a clear window)			Would store windows be in compliance if loopholes were ignored? (ex: Neon sign=not a clear window)			Can you clearly see the register from outside the store?			Is this store in compliance w/ the Lee law (if column C or I are checked then answer is no)?	Would the store be in compliance w/ the Lee law if loopholes were ignored? (if columns F or I are checked then answer is no)?
CODES	yes = 1	no=1	uncertain=1	yes = 1	no=1	uncertain=1	yes = 1	no=1	uncertain=1	1=yes; 0=no	1=yes; 0=no
Store #1											
Store #2											
Store #3											
[List all stores here]											
Totals											
Compliance rate	[divide number of stores with "yes" and "uncertain" codes by number of stores.] Formula: (B9+D9)/number of stores			[divide number of stores with "yes" and "uncertain" codes by number of stores.] Formula: (E9+G9)/number of stores			[divide number of stores with "yes" and "uncertain" codes by number of stores.] Formula: (H9+J9)/number of stores			[divide number of yes codes by number of stores]	[divide number of yes codes of by number of stores]
NOTE: IF A STORE IS IN VIOLATION WHEN APPLYING LOOPHOLES THEN IT WILL ALSO BE IN VIOLATION IF LOOPHOLES ARE IGNORED. THUS, IF COLUMN C IS CODED "NO" THEN COLUMN F SHOULD ALSO BE CODED "NO" AND IF COLUMN K IS CODED "NO" THEN COLUMN L SHOULD ALSO BE CODED "NO".											
Average											
Compliance Rate				0.0      0.0							
				72.3%    48.9%			46.8%				38.3%

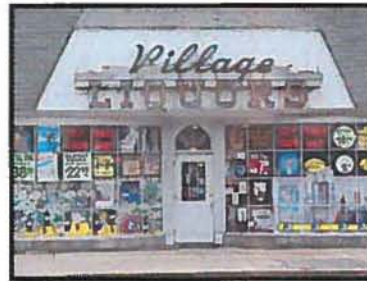


## The Lee Law Project

### WHAT IS THE LEE LAW?

The Lee Law (California Business and Professions Code § 25612.5) includes these two provisions affecting off-sale alcohol retailers:

- No more than 33% of window space can be covered with advertising or signs;
- Window signage must be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store, including the cash registers.



### PROJECT DESCRIPTION AND GOALS

This is youth-led, statewide effort seeks to:

- (1) Promote compliance with the two Lee Law provisions involving window signage, and
- (2) Enact local ordinances that have stricter, more protective requirements.

The project has begun in Santa Cruz County, California, with a local Friday Night Live (FNL) chapter. The experience in Santa Cruz will form the basis for a tool kit that can be used by FNL chapters across the state. The first phase of the project, determining compliance rates with local merchants, is reported here.

The project has three implementation goals in addition to the policy goals listed above:

1. Increase youth engagement and leadership in community policy making;
2. Educate the public regarding the risks associated with youth exposure to alcohol advertising as well as the social justice issues associated with retail alcohol advertising practices;
3. Shift social norms regarding acceptability of youth exposure to alcohol advertising.

*Youth engagement and leadership* is a critical aspect of the project, designed to:

- Engage youth in an important research endeavor;
- Teach youth how to link these research findings to the policy making process; and
- Give youth the opportunity to lead a grassroots policy campaign.

**Enacting a local ordinance provides a laboratory for youth advocacy and learning.**

### THE PROBLEM

The Lee Law advertising provisions address two critical community problems:

1. Youth exposure to alcohol and tobacco advertising increases the risk of youth alcohol and tobacco consumption and problems;
2. Large numbers of window signs on liquor stores contributes to crime, violence, neighborhood blight and other nuisance activities, particularly when they block a clear view into the stores.

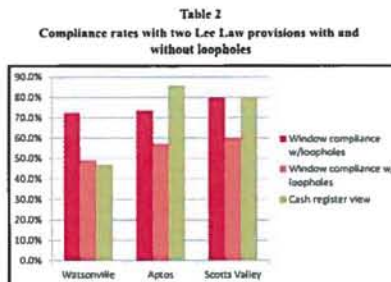
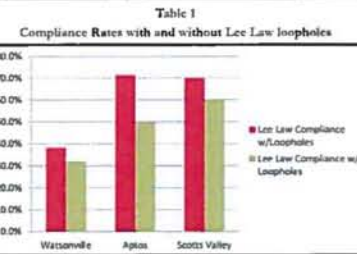
Anecdotal reports suggest that violations are more likely to occur in low income, ethnic communities already facing a myriad of problems associated with racism, economic underdevelopment, and violence. Enforcing and strengthening these advertising provisions therefore reflects an important social justice agenda.

### METHODOLOGY

Three Santa Cruz County communities with diverse ethnic and income makeup were selected for the study (Watsonville – large Latino population, lower income) compared to Aptos and Scotts Valley – primarily Anglo populations, high income). Young people with adult mentors photographed the windows of all retailers in the three communities. The photos were then examined to determine compliance rates with the two Lee Law provisions both with and without the law's loopholes (see sidebar for description).

### RESULTS

- Compliance rates were substantially lower in Watsonville (39%) than in Aptos (71%) or Scotts Valley (70%).
- Compliance rates would be lower if the law's loopholes were not applied. (See Table 1).
- The loopholes' effects are more pronounced when examining only the compliance rates with the store window coverage provision. (see Table 2).
- Watsonville stores were much more likely to be out of compliance with the "clear view" provision than stores in the other two sites.



### THE LEE LAW LOOPHOLES AND WEAKNESSES

The study assessed the impact of three Lee Law. When calculating the 33% window coverage limit, the California Alcohol Beverage Control (ABC) Department does not include:

- Clear spaces within ads and signage; and
  - Ads and signage on fixtures visible through or in front of the windows but not actually attached to the windows.
  - Banners and other advertising outside the store.
- In addition to closing these loopholes, the model local ordinance being developed will strengthen the Lee Law by:
- Lowering the 33 percent limit to 15 percent;
  - Including alcohol advertising placed close to the floor, at the eye level of young children.

### DISCUSSION

Our findings support three key hypotheses:

- Lower income, ethnic communities are more likely to have stores that violate the Lee Law, resulting in increased youth exposure to alcohol advertising and increased risk of crime.
- The Lee Law loopholes substantially undermine the law's effects.
- Local ordinances that tighten the Lee Law's requirements and promote enforcement by local law enforcement agencies can significantly enhance community safety and reduce youth exposure to alcohol advertising.

Maia D'Andrea and Jim Mosher  
Alcohol Policy Consultations

831.246.2905  
maiaandrea@icloud.com





# Appendix F: Sample Merchant Letter

Dear Merchant,

We are writing to urge you to become aware of the advertising provisions in (YOUR TOWN/COUNTY/CITY) and the California's state Lee Law and to insure that you are complying with them.

The California's Lee Law prohibits off-sales retailers from covering more than 33% of their windows with advertising and other signage. It also requires that the cash register area is readily visible from outside the store. The law is important because it promotes healthy community environments by reducing youth exposure to alcohol advertising and risk of crime. Law enforcement officials report that their ability to protect you from robbery and other illegal activity is greatly enhanced when they can easily view the inside of your premises from the outside.

Recently, youth from (INSERT YOUR GROUP HERE) conducted a research project to determine compliance with the law in (YOUR TOWN). They found that many stores were in violation of the Lee Law. We can provide you with the results for each community at your request.

We assume that one major reason for these violations is the lack of awareness of the requirements of the Lee Law. We have enclosed an information sheet regarding the law from the California Department of Alcoholic Beverage Control. We encourage you to review this document as well as your current window signage practices to insure that you are in compliance.

The (INSERT YOUR GROUP PROGRAM) is sponsoring this youth-led project to promote compliance with the Lee Law and to promote (INSERT PROJECT GOAL) of youth development and leadership in community programs. We plan to follow up with you and other merchants in 30 days to assess voluntary compliance and to report our results to policy makers and the public.

Please do not hesitate to contact (INSERT GROUP, OR CONTACT PERSON) at (PHONE NUMBER OR EMAIL)

Sincerely,



# Appendix G: Model Ordinance

## MODEL "LEE LAW" LOCAL ORDINANCE TO REDUCE OFF-SALE ALCOHOL RETAIL OUTLET ADVERTISING

### ARTICLE 1: Findings

The City Council or Board of Supervisors of \_\_\_\_\_ finds the following:

- A. California Business and Professions Code Section 25612.5 (c)(7) provides as follows:

*"No more than 33 percent of the square footage of the windows and clear doors of an off-sale outlets shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlets, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the outlets."*
- B. California Business and Professions Code Section 25612.5(b) states: *"The standards set forth in this section [including the signage provision in subsection (c)(7)] are state standards that do not preclude the adoption and implementation of more stringent local regulations that are otherwise authorized by law."*
- C. The state law provisions regarding signage at off-sale alcohol retail outlets are weak and ambiguous and are therefore difficult to enforce. Specifically:
  1. The 33 percent calculation is made based on all windows and glass doors measured in aggregate, including those that do not provide ready *visual access to the public (for example, windows in alley ways or in a second story of the building). This allows for much higher concentrations of signage on windows and glass doors that create an obstructed view of the interior of the outlet.*
  2. The calculation does not include clear spaces within ads and signage even though the clear space is an integral part of the advertisement or sign.
  3. The calculation does not include advertisements and signage on fixtures not actually attached to the windows or doors but nonetheless visible through or in front of the windows or doors. From the standpoint of the viewer, this distinction is irrelevant.
- D. The weak and ambiguous provisions found in Business and Professions Code Section 25612.5(c)(7) impairs the ability of law enforcement personnel to observe criminal activities occurring in the outlets and to reduce neighborhood blight and crime.<sup>3</sup>
- E. Enacting this local ordinance will strengthen the state provisions related to off-sale alcohol retail outlets window signage, and enhance enforcement.

<sup>3</sup> Maguire, M., Foote, R., Vespe, F. (1997). Beauty as well as bread. *Journal of the American Planning Association* 63: pp. 317-328; Parker, R., McCaffree, K., Alaniz, M. and Cartmill, R. (2013). *Sexual violence, alcohol, and advertising*. Pp. 39-60 in: Parker, R. and McCaffree, K. *Alcohol and Violence: The Nature of the Relationship and the Promise of Prevention*. NY, NY: Lexington Books.

- F. *[Insert results of compliance surveys here. For example: "A recent compliance survey conducted by ----- determined that – percent of off-sale alcohol retail outlets were in violation of the state law provision cited in Section A. If supported by the data, add a statement that compares violation rates in low and high income neighborhood, and note that public nuisance activities associated with off-sale alcohol retail outlets are more likely to occur in low income areas.]*
- G. A requirement that off-sale alcohol retail outlets limit advertisements and signage on no more than 15 percent of window and clear door space represents a reasonable standard that does not unduly restrict the ability of alcohol off-sale retailers to market alcoholic beverages to adult customers. Many off-sale alcohol retail outlets already voluntarily follow stricter standards without harm to their businesses.

### **Commentary**

*The Findings provide the rationale for the ordinance and establish the authority of the local City Council or Board of Supervisors to enact it. Sections A and B address the issue of state preemption. As stated in California Business and Professions Code (B & P Code) Section 25612.5(b), the fact that the state has enacted provisions related to window coverage does not preclude a local government from enacting stricter standards because the legislature has stated that this is permitted. Sections C, D, E, and F list the purposes of the ordinance. Section G should be augmented with the findings from the compliance survey. See example. Section H establishes a basis for defending against arguments that the ordinance violates the retailers' commercial speech rights under the U.S. Constitution's First Amendment.*

## **ARTICLE 2: Definitions**

- A. "Off-sale alcohol retail outlet" means any establishment licensed by the California Department of Alcoholic Beverage Control to sell alcohol for consumption by patrons outside of the establishment.
- B. "Signs" and "signage" means any advertisement, placard, or object of any kind that is affixed or attached to, or otherwise obstructs the view through, the windows or glass doors of an off-sale alcohol retail outlet.

## **ARTICLE 3: Off-Sale Alcohol Retail Outlet Signage Provisions**

- A. No more than 15 percent of the square footage of each window and clear door that is visible to the public from a public thoroughfare, sidewalk, or parking lot of an off-sale alcohol retail outlet shall bear advertising, signs or other obstructions of any sort.
1. For the purposes of this section, the area covered by signs or advertising includes all clear areas within signs or advertising, such as the clear area within neon signs.
  2. For purposes of this subsection, signage, advertising or other obstructions inside or outside the off-sale alcohol retail outlet that are not physically attached to the windows or doors but are visible from a public thoroughfare, sidewalk, or parking lot in the same manner as if they were physically attached is included in the 15 percent limitation.



- B. All advertising and signage on windows and clear doors shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlets, including the area in which the cash registers are maintained, from exterior public sidewalks, parking lots, or entrance to the outlets. This requirement shall not apply to outlets where there are no windows or clear doors.

### **Commentary**

*Article 3 lists the specific restrictions associated with advertising and signage on the windows and buildings of off-sale alcohol retail outlets and on public thoroughfares in close proximity to the outlets. The restrictions incorporate and extend relevant provisions of the State Lee Law (B & P Code Section 25612.5[c][7]) quoted in the Findings and address the State law's loopholes and omissions.*

*Section A addresses window signage. State law restricts signage to 33 percent of all windows (without regard to their visibility to the public), which can result in windows and doors most visible to the public being largely or even completely covered. The model ordinance improves on this provision by limiting signage to 15 percent of each window or clear door visible to the public. The subsections close loopholes to the state law regarding the clear space within advertisements and signs and including signage or obstructions to windows and doors that are not actually attached to the windows or doors. Section A is designed to promote effective enforcement of and compliance with the law concerning obstruction of view into the interior of alcohol retail outlets, reduce community blight as the result of excessive signage on windows and doors, and reduce youth exposure to alcohol and tobacco advertising.*

*Section B incorporates into the Model Ordinance the same provision found in the Lee Law (B & P code Section 25612.5[c][7]). This will allow local authorities to enforce this provision through local procedures included in Articles Four and Five.*

*Note that many local jurisdictions already have sign ordinances that may restrict window signage on alcohol retail outlet windows and doors. These ordinances may be specific to alcohol retail outlets or may address signage in all retail businesses. The provisions here may need to be integrated into these pre-existing provisions.*

## **ARTICLE 4: Enforcement and Penalties**

- A. The Director of the Planning Department, the Chief of Police, the Director of the Department of Public Health or the Director of the Department of Building Inspection, or the designee of any of these officials, may issue a citation notifying a licensee of an off-sale alcohol retail outlet that it is in violation of the provisions of Article 3. The citation shall notify the licensee that penalties will be imposed as specified in Section B of this Article and the waiver of those penalties if corrective action is taken as specified in Section C of this Article. The citation shall also notify the licensee that the licensee has the right to appeal as provided in Article 6. Pictures documenting the violation(s) shall be taken by the officer issuing the citation. All records, including pictures, shall be maintained by the [designate agency administering the ordinance].



- B. Violations of any provision of Article 3 shall be punishable by a fine of \$500 for a first violation that is corrected within a 48 hour period. An additional fine of \$250 per day shall be imposed for a first violation that continues longer than 48 hours, subject to the waiver provided in subsection C. A fine of \$1,000 shall be imposed for second and subsequent violations within a 12 month period that are corrected within a 48 hour period. An additional fine of \$300 per day shall be imposed for second and subsequent violations that continue longer than 48 hours. The maximum fine for a single violation shall be \$10,000.
- C. If the licensee of the off-sale alcohol retail outlets provides evidence to [designate agency administering the ordinance] that the first violation in a three year period was corrected within 48 hours of date of the citation and that no subsequent violations have occurred, the penalty listed in Section B of this Article shall be waived. A maximum of one waiver shall be issued to a licensee of an off-sale alcohol retail outlet in any three year period.

### **Commentary**

*Article 4 establishes procedures to enforce the model ordinance and penalties for violation. The enforcement provisions should be modified as needed to conform to local practice. In general, giving multiple agencies authority to issue citations can enhance the likelihood that enforcement may occur. Additional provisions may be advisable to specify what agencies handle citations and maintain records.*

*Penalties may also be adjusted to conform to local practice. The model ordinance provisions are designed to promote compliance by providing a grace period and by imposing additional fines for violations that are not corrected over time.*

## **ARTICLE 5: Appeal**

The licensee of an off-sale alcohol retail outlet may appeal the issuance of the citation and any penalty imposed pursuant to Article 4 to a hearing officer appointed by the City Administrator. Hearings shall be limited to determining whether the violation or violations specified in the citation has occurred or is continuing to occur. Decisions of the hearing officer may be appealed as specified in [relevant provisions of the city or county zoning code].

### **Commentary**

*An appeals process is required to insure that the due process rights of those receiving citations are protected. An administrative appeal is recommended that is limited to a determination whether the violation has occurred or is continuing to occur. The provision should conform to similar appeals processes in place in the particular jurisdiction.*









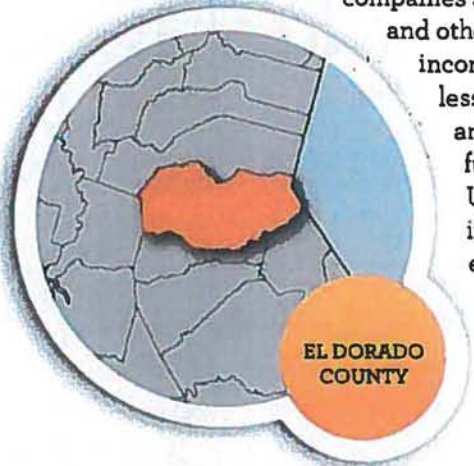
## The Situation

Stores in our communities play a critical role in our health. They not only impact the economic well-being of neighborhoods, but also the physical health of the people who visit them. The types of products available, many of which contribute to chronic health issues, and how they're promoted influence us all, but especially our kids.

In 2011, the tobacco industry spent \$605 million<sup>1</sup> advertising and promoting tobacco products in California and our kids are paying the price. Exposure to tobacco marketing in stores increases tobacco experimentation and use by youth<sup>2</sup> and is more powerful than peer pressure.<sup>3</sup>

Marketing of unhealthy foods also has a great impact, particularly on kids. They consume more of it, more often because it's promoted heavily to them - \$1 million an hour is spent by

companies selling soda, candy, chips and other unhealthy foods.<sup>4</sup> Low-income communities also have less access to fresh, affordable and nutritious food furthering the problem.<sup>5</sup> Underage drinking also increases when youth are exposed to alcohol ads.<sup>6</sup> In fact, 1 in 5 California high school students drink 5 or more alcoholic drinks in a row per month.<sup>7</sup>



## The Campaign

The Healthy Stores for a Healthy Community campaign is a statewide collaboration between tobacco use prevention, nutrition and alcohol prevention partners. The goal is to improve the health of Californians through changes in community stores and to educate people how in-store product marketing influences consumption of unhealthy products. Working together, we can make our community a healthier place and maintain a vibrant business community.

## The Survey

Scientific surveys were recently conducted throughout California to assess product marketing and the availability of healthy and unhealthy options offered in stores that sell tobacco - the first time in California that tobacco, alcohol and food were analyzed together in stores. This is valuable information to help make the places we shop healthier.

More than 7,000 stores were surveyed in all 58 counties, which included convenience, supermarket, liquor, tobacco, small market, discount, drug and big-box stores. Approximately 700 individuals participated in gathering information statewide, including representatives from public health, community volunteers and youth.

### WHAT WE KNOW...

	EL DORADO	CA
% of adults who smoke (2011-12)	12.6%	13.8%
% of youth who smoke (2012, grades 9-12)	10%	10.5%
Cost of smoking (2012)	\$31,347,272	\$6.5B
% of adults who are overweight or obese (2011-12)	55.9%	59.8%
% of adults who ate 3+ fruits and vegetables yesterday (2011-12)	37.6%	27.2%
% of youth who used alcohol in the past 30 days (2009-11, 11th grade)	30%	35%
% of youth who binge drink (2009-11, 11th grade)	22%	22%

For sources, please see website



**FACT: CHRONIC DISEASES**  
 Obesity, diabetes, heart disease, cancer and tobacco-related diseases account for more than 80% of all deaths in California. These deaths could be prevented by eliminating tobacco use, limiting alcohol intake, eating healthy and being physically active.



WHAT WE KNOW ABOUT STORES THAT SELL TOBACCO (2012)

	EL DORADO	CA
Stores that sell tobacco products	173	36,777
% of stores near schools**	9.8%	27.4%
% of stores in low income areas (185% of federal poverty level)	21.3%	46.5%
Number of youth for every 1 store	225	251
Number of adult smokers for every 1 store	104	101

SURVEY RESULTS OF STORES THAT SELL TOBACCO (2013)

	EL DORADO	CA
<b>GENERAL</b>		
Number of stores surveyed	132	7,393
% of stores that have <u>unhealthy</u> exterior advertising	67.4%	71%
% of stores that have <u>healthy</u> exterior advertising	8.3%	12.2%
<b>TOBACCO</b>		
<b>% OF STORES THAT SELL...</b>		
Lowest price of cigarettes	\$4.27	\$4.30
e-cigarettes	58.3%	45.7%
candy, mint and liquor flavored non-cigarette tobacco products	92.4%	79.4%
candy, mint and liquor flavored non-cigarette tobacco products and <u>are near schools</u> **	100%	75.3%
candy, mint and liquor flavored non-cigarette tobacco products vs. alcopops	92.4%/96.6%	79.4%/82.4%
candy, mint and liquor flavored non-cigarette tobacco products vs. milk	92.4%/48.5%	79.4%/37.2%
chewing tobacco	81.1%	56.1%
little cigars and cigarillos	92.4%	83.7%
the most popular brand of cigarillos for under \$1	70.4%	78.1%
tobacco products near candy at the check-out	43.2%	39.1%
tobacco products near candy at the check-out and <u>are near schools</u> **	50%	40.5%
<b>FOOD</b>		
<b>% OF STORES THAT SELL...</b>		
low- or non-fat milk	48.5%	37.2%
sugary drinks at the check-out	83.3%	56.9%
sugary drinks at the check-out and <u>are near schools</u> **	80%	55.6%
<u>any</u> fresh fruit or vegetable	47%	42.4%
a good selection of <u>good quality</u> fresh fruits and vegetables	43.3%	33.2%
a good selection of <u>good quality</u> fresh fruits and vegetables in low income vs. <u>not</u> low income areas	50%/42%	30.3%/36%
that accept CalFresh that sell a good selection of <u>good quality</u> fresh fruits and vegetables	60.6%	41%
that accept CalFresh or WIC	44.7%	53.7%
<b>ALCOHOL</b>		
<b>% OF STORES THAT SELL...</b>		
overall % of stores that sell alcohol	89.4%	71.3%
that sell alcopops	96.6%	82.4%
with alcohol ads near candy/toys or below 3 feet	74.4%	36.7%
that sell malt liquor in low income vs. <u>not</u> low income areas	73.9%/56.4%	81.6%/71.4%
with alcohol exterior advertising	63.6%	54.3%

\* = no information available \*\* = within 1,000 feet Reference the technical report for confidence intervals



## WHAT IS HEALTHY STORES FOR A HEALTHY COMMUNITY...

El Dorado County is ranked 7th healthiest out of the 58 Counties in California according to the County Health Rankings and Roadmaps report. To continue our role in improving the health of our communities El Dorado County Health & Human Services Agency, Public Health Division, participated in the Healthy Stores for a Healthy Community (HSHC) campaign.

The HSHC campaign is a statewide collaboration between tobacco use prevention, nutrition and alcohol prevention partners.

This is the first time in California that more than 7,000 stores that sell tobacco products were surveyed in all 58 counties.

The goal of the campaign is to improve the health of our community by educating consumers and retailers about how marketing practices influence consumption of unhealthy products and to assist in making the retail environment a healthier place for our residents.

## JOIN US...

- Help to promote family friendly check out aisles
- Motivate retailers to offer a variety of good quality, healthy and affordable foods
- To restrict marketing and advertising of tobacco, alcohol and non-nutritional items

## DID YOU KNOW...

- In California, many corner stores that sell tobacco are less than 2 blocks away from a school.<sup>3</sup>
- In California, communities with a higher number of corner stores that sell alcohol have a higher crime rate.<sup>4</sup>
- Lower income communities have the lowest access to fresh and healthy foods.<sup>5</sup>
- Each year, 36,600 adults in California die from smoking and 30,600 kids become new daily smokers.<sup>6</sup>
- The largest source of calories for teenagers are sugary drinks, including sodas and sports drinks.<sup>7</sup>

1 Institute for Health Metrics and Evaluation at the University of Washington, (2012), *Population Health Metrics*  
2 California Health Interview Survey, CHIS 2011-2012 Teen Public Use File, Los Angeles, CA:UCLA Center for Health Policy Research  
3 Henriksen, L. (2012). Presentation: The Retail Environment for Tobacco.  
4 Pacific Institute. (2009). Liquor Stores and Community Health.  
5 Children Now. (2013). Obesity Facts and Figures.  
6 Campaign for Tobacco Free Kids. (2013). The Tool of Tobacco in California.  
7 Harvard School of Public Health. (2012). Sugary Drinks Supersizing and the Obesity Epidemic

Made possible with funds from Prop. 99,  
the 1988 Tobacco Tax Initiative,  
CA Tobacco Control Program,  
Contract Number CTCP-1309

EXHIBIT H  
Revised 2014

## HEALTHY STORES FOR A HEALTHY COMMUNITY El Dorado County



El Dorado County Tobacco Use Prevention Program  
931 Spring Street  
Placerville, CA 95667  
(530) 621-6142





## — From a Child's Viewpoint —

The type of stores we have in our community, the types of products available in the stores and how they're promoted influence us all, especially our kids.

### TOBACCO



In El Dorado County, over 17% of adults are smokers compared to the state average of 12%. Nearly 12% of teens have reported using tobacco products.<sup>1</sup>

### ALCOHOL



Nearly 40% of teens in El Dorado County have reported having an alcoholic drink.<sup>2</sup>

### JUNK FOOD



In El Dorado County, 1 in 4 teenagers are obese or overweight.<sup>2</sup>

Scientific surveys were conducted throughout California to assess product marketing and the availability of healthy and unhealthy options offered in stores that sell tobacco. In El Dorado County 132 tobacco retailers were surveyed. *The results of the Healthy Stores for a Healthy Community campaign for our county are as follows:*

#### TOBACCO

Percent of stores that sell tobacco products:

- Cigarettes – 96%
- Menthol cigarettes- 94%
- Little Cigars – 93%
- E-cigarette or E-hookah – 58%
- Chewing tobacco – 81%

#### ALCOHOL

Percent of stores that sell alcoholic beverage products:

- Bud Light 6 pack- 77%
- Alcopops – 83%
- Malt liquor – 53%
- Alcohol pouches/slushies – 37%
- Low-end fortified wine -11%

#### NUTRITION

Percent of stores that sell healthy products:

- Non-low/fat milk – 48%
- Whole wheat bread – 29%
- Tortillas corn/wheat – 29.5
- Fresh fruits – 52%
- Fresh vegetables – 27%

#### NON-NUTRITIONAL

Percent of stores that sell non-nutritional products:

- Tobacco – 96%
- Alcohol -89%
- Candy/chips – 97%
- Sugary drinks (on/near counter) – 83%

#### PRODUCT PLACEMENT

- Tobacco products near candy – 43%
- Alcoholic beverage products placed within 3 feet of candy or toys – 33%
- Tobacco products on/near checkout – 49%
- Alcoholic beverages on/near checkout – 26%
- Sugary drinks on/near checkout – 83%
- Candy on/near checkout – 90%
- Fresh fruits on/near checkout – 14%

#### ADVERTISEMENTS

Percent of product advertisements located on entry doors and windows of stores:

- Tobacco advertisement – 42%
- Alcoholic beverage advertisement -57%
- Sugary drink advertisements – 34%
- Healthy advertisements – 8%



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

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**RE: County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping meeting**

1 message

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**Renee Hargrove** <reneeh@edcfb.com>  
To: Anne Novotny <anne.novotny@edcgov.us>

Mon, Oct 6, 2014 at 9:24 AM

Morning, Anne! My contact info is below and I look forward to meeting/working with you as well...

*Renee' Hargrove**Executive Director**El Dorado County Farm Bureau**reneeh@edcfb.com**530.622.7773*

---

**From:** Anne Novotny [mailto:anne.novotny@edcgov.us]  
**Sent:** Monday, October 06, 2014 8:58 AM  
**To:** Valerie Zentner  
**Cc:** Renee Hargrove; Shawna Purvines  
**Subject:** Re: County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping meeting

Thanks Valerie. It's been a pleasure collaborating with you on the Sign Ord Update.

Renee, would you please email me your contact info so I can add you to my email address book. Looking forward to meeting you in the near future.

--Anne

Anne Novotny

Senior Planner

**County of El Dorado**

Community Development Agency

Long Range Planning Division

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5931 / (530) 642-0508

anne.novotny@edcgov.us

On Fri, Oct 3, 2014 at 1:15 PM, Valerie Zentner <valeriez@edcfb.com> wrote:

Thank you, Ann. I notified my board members. Renee will notify members. Please substitute Renee's contact information for mine in the future as she is the new Farm Bureau Executive Director!.

Valerie

---

**From:** Anne Novotny [mailto:anne.novotny@edcgov.us]  
**Sent:** Friday, October 03, 2014 11:43 AM  
**To:** Valerie Zentner  
**Subject:** County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping meeting

Hello Valerie,

Please feel free to forward this email to the Farm Bureau members and anyone else who may be interested.

On October 1, 2014, a Notice of Preparation (NOP) was released for the Sign Ordinance Update draft Environmental Impact Report (EIR). A public scoping meeting is scheduled for **Thursday, October 23rd at 6:00 PM** in the Planning Commission Hearing Room.

The NOP is posted on the Long Range Planning Website, along with the Public Review Draft of the proposed Sign Ordinance Update:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

If you have any questions, please contact:

**Anne Novotny**

Senior Planner

**County of El Dorado**

Community Development Agency

Long Range Planning Division

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5931 / (530) 642-0508

anne.novotny@edcgov.us

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Thank you.





Anne Novotny <anne.novotny@edcgov.us>

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**RE: Sign Ordinance comments**

1 message

---

Valerie Zentner <valeriez@edcfb.com>  
To: Anne Novotny <anne.novotny@edcgov.us>

Thu, Oct 23, 2014 at 4:52 PM

Thank you, Anne. I will not be attending tonight. We had a late Farm Bureau board meeting last night and early day here so I'm going to pass.

*Valerie*

---

**From:** Anne Novotny [mailto:anne.novotny@edcgov.us]  
**Sent:** Thursday, October 23, 2014 3:08 PM  
**To:** Valerie Zentner  
**Cc:** Shawna Purvines; Chris Flores  
**Subject:** Re: Sign Ordinance comments

Thanks Valerie. I will make sure your letter gets added.

--Anne

**Anne Novotny**

Senior Planner

**County of El Dorado**

Community Development Agency

Long Range Planning Division

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5931 / (530) 642-0508

anne.novotny@edcgov.us

On Thu, Oct 23, 2014 at 11:55 AM, Valerie Zentner <valeriez@edcfb.com> wrote:

EXHIBIT H

13-0086 5J 118 of 243

Anne,

I don't see posted on line the Farm Bureau's comment letter that was submitted in July. I have attached it. Could you please include this in the public comments? Thanks.

*Valerie Zentner, Executive Director*

El Dorado County Farm Bureau

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Thank you.



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

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**My Comments and DRC Comments re EIR**

1 message

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**danderly@comcast.net** <danderly@comcast.net>

Wed, Oct 29, 2014 at 2:17 AM

To: anne novotny &lt;anne.novotny@edcgov.us&gt;

Cc: "Anderly, Dyana" &lt;danderly@comcast.net&gt;, "Driever, Eric" &lt;driever.eric@yahoo.com&gt;, "Harris, Mark" &lt;mark54@comcast.net&gt;, "Layton, Jane" &lt;janelayton@directcon.net&gt;, "Neibauer, Vicky" &lt;VicNeibauer@gmail.com&gt;

Hi Anne,

I've attached my older comments, which is fine to attached to whatever you wish. You can just please destroy my other email comments. Thank you for asking.

Regarding the DRC's comments re what should be included in the EIR for the draft Sign Ordinance, we request the following:

Since the major issue associated with signs is the visual impact, there should be plenty of pictures representative of signs allowed under the current sign ordinance (no project), the proposed sign ordinance, and the alternatives.

When deciding on the range of reasonable alternatives to the sign ordinance, we are suggesting, with the exception of two shopping center signs (one on either side of 50), eliminating any additional large freeway-oriented signs and showing the blue State-authorized square freeway signs instead, using individual letters rather than any can signs on building walls, showing the use of natural materials such as wood and rock in the signs, and showing shorter signs, such as a maximum of 6-foot-high monument signs as measured from the street grade, all of which are potentially feasible alternatives.

We appreciate your willingness to consider our suggestions.

Regards,

Dyana Anderly

---

**From:** "Anne Novotny" <anne.novotny@edcgov.us>**To:** "Driever, Eric" <driever.eric@yahoo.com>, "Anderly, Dyana" <danderly@comcast.net>**Cc:** "Shawna Purvines" <shawna.purvines@edcgov.us>**Sent:** Friday, October 3, 2014 10:32:42 AM**Subject:** County Sign Ordinance Update - Notice of Preparation for draft EIR and Public Scoping Meeting

Eric &amp; Dyana,

On October 1, 2014, a Notice of Preparation (NOP) was released for the Sign Ordinance Update draft

EXHIBIT H

13-0086 5J 120 of 243

Environmental Impact Report (EIR). A public scoping meeting is scheduled for **Thursday, October 23rd at 6:00 PM** in the Planning Commission Hearing Room.

The NOP is posted on the Long Range Planning Website, along with the Public Review Draft of the proposed Sign Ordinance Update:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

Please forward this email to the other members of the Cameron Park Design Review Committee and anyone else who may be interested.

Thank you for your valuable input on this comprehensive update to the Sign Ordinance. If you have any questions, please contact me.

Regards,

**Anne Novotny**  
Senior Planner

**County of El Dorado**  
Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5931 / (530) 642-0508  
[anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)

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**Comments re EDC sign ord..docx**

15K



CAMERON PARK DESIGN REVIEW COMMITTEE  
COMMENTS ON COUNTY SIGN ORDINANCE

The environmental document should focus on visual examples of what the County would look like if signs were to be installed in accordance with the proposed County sign ordinance.

There should be a "Purpose" section. The "Content" section should be renamed "Purpose."

1. The "Content" section would to the extent allowable by law eliminate billboards along "identified scenic and historic routes." This paragraph refers to "objective 2.7.1, but it does not indicate that this is an objective of the County General Plan.

Cameron Park is not located in an identified scenic and historic route, but the goal of the sign ordinance should be to eliminate the billboards in Cameron Park or actually the entire County. They mostly advertise goods and locations that are not helpful to the local economy (beer, Thunder Valley Casino, etc.) Objective 2.7.1 (***OBJECTIVE 2.7.1: SIGNS REGULATION, Regulation of the location, number and size of highway signs and elimination of billboards along identified scenic and historic routes. Policy 2.7.1.1 The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection.***)

2. Under the "Applicability" Section, subsection E. states "Protect viewsheds in designated scenic corridors." Because billboards are inherently unattractive and constitute a visual blight and contribute nothing positive to the character of El Dorado County, they should not be allowed anywhere and more specifically in Cameron Park.

3. Under "General Sign Requirements" subsection A, refers to complying with "other private agreements that provide more restrictive sign regulations than are required by this chapter. Reference should be made to complying with community-based, officially adopted sign guidelines.

Under subsection G. there is an indication that exceptions from sign standards require a variance. However, those businesses pursuing signs are typically just starting out and the costs and time associated with the variance process are too restrictive and not practical. Come up with another process, such as "Sign Exceptions" (or other wording) which can be approved by the Planning Director when certain criteria are met.

4. Under "Exemptions," subsection 6, there should be a maximum area for street addresses and oversized addresses can be used as an advertisement in themselves. Under subsection 10, vehicles with signs on them should also be registered, operable, should not be stationary (not parked in a field and serve as a huge sign.)

5. Under "Exempt Signs With Limitations," subsection 3 relating to flags, there should be a limitation on the number of flags. There should be an indication that when a flag is used as a sign to identify a business, the flag must count toward the number and area of allowable signage.

Under subsection 8, real estate signs cannot be placed in the public right-of-way, but this is not very practical given the rural character of the area.

Subsection 12, sub-subsection a. refers to temporary signs and indicates that temporary signs should not project above the roof line. They should be prohibited from being on the roof at all.

Under "Permanent Signs, subsection 4, indicates where permanent signs are permitted. Sub-subsection 4 would indicate that permanent signs are allowed only outside designated scenic corridors. The reader would incorrectly conclude that permanent signs are not allowed in the scenic corridor at all if within 100 feet of Highway 50.

Under "Sign Development and Design Standards," subsection C, "Sign Height Measurement," the height should be measured from the sidewalk or street grade given the topography of the area. One sign might sit on the high side of the street and another on the down-hill side of the street where visibility is equally important. Signs should not be placed on landscaped mounds to achieve greater height. Signs are viewed by motorists and pedestrians, so measuring the height from the sidewalk or road grade is ideal.

Under "Sign Development and Design Standards," subsection C, sub-subsection 4.b. relates to minimum spacing distance between permanent freestanding signs. Highway 50 signs are to be separated by 1000 feet. Did County staff determine how that might look in Cameron Park or how that could result in many signs already existing being rendered nonconforming? If nonconforming, which sign should be removed first? The environmental analysis should include visual depictions of what this might look like. This section goes further to say that approving authority may allow a reduction in spacing to ensure that a qualified (whatever that is) business can have at least one freestanding sign. If this is the case, then the separation requirement does not hold any water and most signs in Cameron Park and along Highway 50 would be much less than 1000 feet apart. Would a variance be required?

Under "Sign Development and Design Standards," subsection F relates to maintenance and indicates that violations could be considered a nuisance and a zoning violation and would be enforced as such. There should be different enforcement procedures for signs. For example, temporary signs in the public right of way that cause a nuisance should not be allowed to wait until a court date or given a couple of weeks to comply. There should be a provision for County staff removing dangerously placed signs.

Under "Sign Development and Design Standards," subsection H, "Design Standards for Specific Sign Types," raceway signs should not be allowed as individual letters (push pin signs) are much more attractive. Also, canned signs should not be permitted.

Under "Sign Development and Design Standards," subsection J, "Standards for U.S. Highway 50-Oriented Signs, design review by the Planning Commission is required. However, these signs should not be taken for granted and a use permit should be required. Further, under subsection J, sub-subsection 4 relates to height. Although maximums are indicated, there should be proof that the maximum height is necessary for adequate visibility and not just be taken for granted. A much lesser height may be

adequate and more readily and safety seen by motorists. The sign should be within a motorist's line of sight and no higher.

## TABLES

The tables make reference to "public" streets, yet many of the County's streets are private.

Monument signs should not exceed 6 feet high. This height is within the line of site of motorists. County communities are small and speed-limits are relatively low so that large, tall signs are unnecessary and unnecessarily intrusive.

It should be clear that when there are multi-tenant buildings or campus-type developments each tenant should not be allowed a free-standing sign. One sign for most developments, with space on the sign for each tenant is adequate. This is especially true in an industrial area where the general public is generally not looking for a specific location. Once a truck driver finds an industrial business, they need to find it only the first time.

Within the AE-PA zone the maximum height is 6 feet above the roofline. There is no such thing as an attractive roof line and all roof signs should be prohibited in every zoning district.

Under "Permit requirements and Review Procedures," it should be made clear that sign design and location should be a part of any proposed development, especially commercial development. It should be shown how the sign will relate to the architecture of the building, where on the building a sign may be situated, where within the proposed landscaping a sign would be located, and how a sign will not interfere with proposed landscaping, such as trees and shrubs, and with proposed light standards. Landscaping should be designed to ground a sign by providing an attractive and colorful base around the sign. Attractive signs are not afterthoughts. Signs should not overlap architectural features, including windows or other decorative elements, or hang off an eave.

Under "Prohibited Signs," subsection b, sub-subsection 3, provides for roof signs in rural areas. All roof signs should be prohibited. (What defines a "rural" area?)

Under "Prohibited Signs," subsection b, sub-subsection 12, and subsection C. "nonconforming signs," refer to a "person installing the sign." This language is likely non-enforceable in that the "person" may no longer be available or his/her whereabouts may not be known, and a sign company rather than an individual may be responsible for the sign. Re-write this section.



Anne Novotny <anne.novotny@edcgov.us>

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## El Dorado County Sign Ordinance Comments

1 message

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**CPCSD User** <CPCSD@cameronpark.org>

Fri, Oct 31, 2014 at 4:27 PM

To: "anne.novotny@edcgov.us" <anne.novotny@edcgov.us>

Cc: Mary Cahill <MCahill@cameronpark.org>, Paul Ryan <PRyan@cameronpark.org>

Hi Anne –

The attached letter from the Cameron Park Community Services District is in response to your request for comments on the El Dorado County Sign Ordinance. A hard copy is on the mail to you.

Please let me know if you have any questions. Thank you.

Kathy Matranga-Cooper

Cameron Park Community Services Department

(530) 677-2231

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 **Sign Ordinance Comment Letter 10.31.14.pdf**  
342K





RECEIVED  
DOT

2014 NOV -3 PM 2:31

October 31, 2014

Ms. Anne Novotny, Senior Planner  
County of El Dorado  
Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667

Dear Ms. Novotny:

Below are our comments on the draft Sign Ordinance Update.

- 1) 17.16.030 –B; More definition is needed regarding political signs, such as; location, freeway, empty lots, government buildings, Department of Transportation (DOT) right-of-way, etc.
- 2) 17.16.060; There are six public relation signs (two at Hacienda Park, three at Christa McAuliffe Park and one at David West Park) that the Cameron Park Community Services District (CPCSD) has grandfathered in to this Sign Ordinance. The design and detailed descriptions were given to County Building Department in November 2013. These signs have been in use by the CPCSD for many years advertising civic and community events.
  - Regarding signage on landscape corridors, is there any intended regulation regarding commercial, political, or real estate signs in landscape corridors?
  - Thank you for recognizing that some communities require more than one identity sign for multiple points of entry.
- 3) 17.16.070 – E – 4. – b.; The CPCSD existing signs at Christa McAuliffe Park are restricted to 450' due to property size. The remainder of the park is in a bowl which is also in a large PG&E easement which makes it impossible for signage and may require an exemption for existing signs.

Please also consider the enclosed comments from our Design Review Committee.

These are initial comments and I will submit additional comments if needed. Thank you for giving us this opportunity and feel free to contact me if you have any questions.

Sincerely,

Mary Cahill  
General Manager

Enclosure  
cc: Paul Ryan, Park Superintendent

2502 Country Club Drive  
Cameron Park, CA 95682  
(530) 677-2231 / (530) 677-2201 (f)  
[www.cameronpark.org](http://www.cameronpark.org)

EXHIBIT H

13-0086 5J 126 of 243

DESIGN REVIEW COMMITTEE  
COMMENTS ON COUNTY SIGN ORDINANCE

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Anne Novotny &lt;anne.novotny@edcgov.us&gt;

## El Dorado County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping Meeting

1 message

Stephen Ferry &lt;stephen.ferry@me.com&gt;

Fri, Oct 3, 2014 at 11:47 AM

To: Anne Novotny &lt;anne.novotny@edcgov.us&gt;

Cc: Beth Ferry <beth.ferry@me.com>, Tom Napolillo <tom\_nap@hotmail.com>, Bill Delaney <william.delaney@sncorp.com>, Jay Lensch <Jay@jayster.com>, Tony Wereta <awereta@aol.com>, Steve Ferry <steve@steveferry.com>, Nancy & Rick Hendrick <ricknancy@reagan.com>, Bob Summers <bob.summers@hitechgov.com>, Bill Webb <WDbillwebb@sbcglobal.net>, Kristin Napolillo <knap95762@yahoo.com>

Anne,

I do have a couple of questions:

1. I don't see a reference to schools and their fully digital signs and no reference to this being a state issue. There should be a reference.
2. I don't see a reference to the Religious Land Use Practices and Institutionalized Persons Act as exempting churches and the reference in the act to the possible civil rights violations that come with not exempting the churches.
3. Partially digital lit signs are not looking to the future. Creating a luminance requirement instead would be more beneficial than portion requirements.

Thank you for your efforts.

Steve Ferry, President  
TEA PARTY PATRIOTS  
EL DORADO HILLS  
916-468-3300  
<http://www.teapartypatriotsedh.com/>  
Stephen.Ferry@me.com

On Oct 3, 2014, at 11:27 AM, Anne Novotny &lt;anne.novotny@edcgov.us&gt; wrote:

On October 1, 2014, a Notice of Preparation (NOP) was released for the Sign Ordinance Update draft Environmental Impact Report (EIR). A public scoping meeting is scheduled for **Thursday, October 23rd at 6:00 PM** in the Planning Commission Hearing Room.

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[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

Please feel free to forward this email to anyone who may be interested.

If you have any questions, please contact me.

**Anne Novotny**  
Senior Planner

**County of El Dorado**  
Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5931 / (530) 642-0508  
anne.novotny@edcgov.us

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Thank you.



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

**RE: El Dorado County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping Meeting**

1 message

---

**tara mccann** <mccannengineering@sbcglobal.net>

Fri, Oct 3, 2014 at 10:01 PM

To: Anne Novotny &lt;anne.novotny@edcgov.us&gt;

Cc: bosfive@edcgov.us, bosfour@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us, bosone@edcgov.us

Ms. Anne Novotny,

RE: October 1, 2014, a Notice of Preparation (NOP) released for the Sign Ordinance Update draft Environmental Impact Report (EIR).

I had submitted fairly thorough comments on the first Update Draft Sign Ordinance that I felt could be useful in analyzing and moving to a final Sign Ordinance much needed in El Dorado County. This email is intended as public comment and a request that the County include my first comments found in the record and submitted in the 2013 public comments.

I am writing to inquire what happened to the County Review of the "Update Draft" Sign Ordinance back in 2013. It seemed there were extensive County resources and meetings back then for the NOP of an "Update Draft" EIR. Did anything come of the public comments and meetings. Can you clarify what the process is at this point to move from "updates to the draft" and achieve a final sign ordinance.

It is solely my perspective but what I seem to hear is that El Dorado County residents would really like to see the County Finalize the Sign Ordinance not another "Update of a Draft". It seems to have been in draft form for as long as I can remember, over 20 years or more.

I am writing to encourage the County to not continue to "update a draft" and work to finalize a Sign Ordinance for our County. Please include my sign ordinance comment submitted on first public comment request in 2013. Thank You for the opportunity to comment.

Tara Mccann

El Dorado County Resident

**From:** Anne Novotny [mailto:[anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)]  
**Sent:** Friday, October 3, 2014 11:27 AM  
**To:** Anne Novotny  
**Subject:** El Dorado County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping Meeting

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If you have any questions, please contact me.

**Anne Novotny**

Senior Planner

**County of El Dorado**

Community Development Agency

Long Range Planning Division

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5931 / (530) 642-0508

[anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)

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EXHIBIT H

13-0086 5J 133 of 243



Thank you.

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 **ED Co Sign Code Public Review Draft (1).pdf**  
856K



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

## Fwd: Comments El Dorado County Draft Sign Ordinance

1 message

Shawna Purvines <shawna.purvines@edcgov.us>  
To: Anne Novotny <anne.novotny@edcgov.us>

Wed, Nov 20, 2013 at 8:56 AM

—— Forwarded message ——

From: Tara Mccann <mccannengineering@sbcglobal.net>  
Date: Mon, Sep 9, 2013 at 12:33 PM  
Subject: Comments El Dorado County Draft Sign Ordinance  
To: "shawna.purvines@edcgov.us" <shawna.purvines@edcgov.us>

To: Community Development Agency, Shawna Purvines

### Comments for El Dorado County Draft Sign Ordinance

The Draft Sign Ordinance should be updated to include "El Dorado County Draft Sign Ordinance and Cell Tower/ Broadband Policy" to reflect the need for significant policy for current Broadband infrastructure. The idea that it's too big a job for the County to undertake has come to the point of necessity. We must as a County establish Broadband policy and at least have a starting point of a draft ordinance.

I agree and concur with Cameron Park Design Review Committee's Comments. 13-0086 pg 4/44-21/44 the full 18 pages of comments from CPDR committee. This was an excellent review and comment of the Draft Sign Ordinance and the documents significant failings in an attempt to update El Dorado County Draft Sign Ordinance.

I found the El Dorado County Draft Sign Ordinance confusing, lacking organization, redundant, unclear, lacking any enforcement mechanisms or dealing with the lack of enforcement within the County. There are many examples over many years of non-enforcement within the County.

This proposed sign ordinance fails to adequately address procedures, enforcement, illegal and non conforming signing and clear authority of County staff to implement and enforce a sign program.

Are County staff comments on file and available for review?

Document should make much more use of visuals and graphics.

#### **Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 1*

#### **CHAPTER 17.16 – SIGNS**

##### **Sections:**

17.16.010 Content

17.16.020 Policies for Sign Regulations

EXHIBIT H

13-0086 5J 135 of 243

- 17.16.030 Permit Requirements and Review Procedures
- 17.16.040 Exempt Signs
- 17.16.050 Prohibited Signs
- 17.16.060 General Sign Development and Design Standards
- 17.16.070 Permanent On-Site Sign Regulations
- 17.16.080 Temporary On-Site Sign Regulations
- 17.16.090 Off-Site Sign Regulations
- 17.16.100 Allowed Signs on Public Property
- 17.16.110 Illegal, Abandoned, and Nonconforming Signs
- 17.16.120 Definitions

### **17.16.010 Content**

The County recognizes that signs and other graphics are an essential element of a community's visual appearance and provide a means to identify and promote businesses, provide useful information to the public, and should not become visual distractions along public roadways. Consequently, this Chapter is to provide sign regulations for signs on private property that are consistent with the goals and objectives of the El Dorado County General Plan and the community's visual and aesthetic goals. In addition, these regulations are intended to:

- A.** Promote an economically stable and visually attractive community;
- B.** Promote signs and graphics that are attractive, pleasing, and harmonized with the physical character of the structure and environment surrounding properties;
- C.** Prevent an inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message;
- D.** Protect viewsheds in designated scenic corridors; Protect all view sheds. El Dorado County has significantly unique and scenic view sheds many that are outside the defined scenic corridor.
- E.** Encourage individuality among businesses through signage;
- F.** Encourage consolidation of signs to reduce visual clutter;
- G.** Improve traffic safety and the smooth and efficient flow of pedestrians and vehicles to their destinations; and
- H.** Direct persons to various activities and enterprises, in order to provide for maximum public convenience.

### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

### ***El Dorado County Zoning Ordinance Page 2***

### **17.16.020 Policies for Sign Regulations**

The following policies regarding signage in the county are established:

- A. Regulatory Interpretations.** The requirements of this Article shall not be interpreted to nullify any easements, covenants, or other private agreements that provide for more restrictive sign regulations than are required by this Article.
- B. Message Neutrality.** It is the County's policy to regulate both commercial and noncommercial signs in a viewpoint-neutral and/or content-neutral manner. The message of the sign shall not be reviewed except to the minimum extent necessary to identify the type of sign. Not sure what this verbage means? Is the County not reviewing content?
- C. Message Substitution.** Subject to the property owner's consent, a noncommercial message of any type may be substituted in whole or in part for the message displayed on any sign for which the sign structure or mounting device is authorized in compliance with this Article, without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This requirement is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other

noncommercial message. In addition, any on-site commercial message may be substituted, in whole or in part, for any other on-site commercial message, provided that the sign structure or mounting device is authorized in compliance with this Article, without consideration of message content. This requirement does not create a right to increase the total amount of signage on a parcel, lot, or land; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; and does not allow for the substitution of an off-site commercial message in the place of an on-site commercial or noncommercial message.

**D. On-Site/Off-Site Distinction.** Within this Article, the distinction between on-site and off-site signs applies only to commercial messages.

**E. General Prohibition.** Permanent signs not expressly permitted by this Article are prohibited.

**F. Exceptions to Limitations.** Any exception to the limitations listed herein shall require a Variance in compliance with Section 17.22.600 (Variance). However, consideration of the Variance request shall not evaluate the message or graphic design of the sign.

**G. Indecent or Obscene Matter.** To the extent allowed by law, signs with any statements or words of an obscene, indecent, or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency, or any other matter or thing of an obscene, indecent, or immoral character, shall be prohibited. (Offsite advertising for a business in another State should be addressed in the Draft )

#### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

#### ***El Dorado County Zoning Ordinance Page 3***

#### **17.16.030 Permit Requirements and Review Procedures**

This Section describes permit requirements and review procedures for signs.

##### **A. Permit Required**

The following permits or entitlements shall be required for signs:

1. **Sign Permit Required.** Sign Permits shall be required for all permanent signs (building attached or freestanding) prior to erection, relocation, alteration, or replacement of a sign, as follows, unless otherwise exempted by this Article. Sign Permits shall be processed in accordance with Section 17.22.700 (Sign Permit. To be developed – see specific “Note”).

a. Sign Permits shall be part of the review of the Building Permit in ministerial applications. No planning approvals shall be required for general maintenance of existing conforming signs or replacement of a conforming sign face (including message) when the area of the sign is not being changed and a Building Permit is not required (e.g., the replacement of a sign face on a legal conforming sign), subject to Section 17.16.020 (Policies for Sign Regulations).

b. Sign Permit(s) shall be required as part of the review of any discretionary application where signage is being proposed. The Sign Permit shall be in addition to the discretionary application or permit.

c. Sign Permits are not required for the establishment of temporary signs. However, temporary signs shall be consistent with the development standards and time duration limits established in this Chapter.

2. **Uniform Sign Program Required.** A Uniform Sign Program shall be required for all new multi-tenant shopping centers, office parks, and other multi-tenant, mixed-use, or otherwise integrated developments of three or more separate tenants/uses that share structures, public spaces, landscape, and/or parking



facilities. A Uniform Sign Program provides a process for the County's review of, and decisions related to, requests for signs for multi-tenant projects. The Uniform Sign Program allows for the integration of a project's signs with the design of the structures to achieve a unified architectural statement and to approve common sign regulations for multi-tenant projects. No deviations from the sign standards of this Chapter are allowed through a Uniform Sign Program. The zoning administrator is the decision-making authority for Uniform Sign Programs. However, if part of an application is reviewed and decided by the Planning Commission or Board of Supervisors, the Uniform Sign Program shall be decided by same higher-level Review Authority in conjunction with other entitlements. Standard procedures for application submittal, review, decision, and appeal are outlined in Section 17.22.700 (Sign Permit. Note: shall be similar to a special use permit).

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 4*

**3. Community Sign Program Required.** The Board is the decision-making authority for all new Community Sign Programs. Standard procedures for application submittal, review, and decision are outlined in Section 17.22.700 (Sign Permit. Note: shall be similar to an administrative permit). Development and design standards are listed in Section 17.16.090C (Community Sign Programs). Three types of Community Sign Programs are outlined below.

a. Community directional sign program: Said program shall establish directional wayfinding signs as off-site signs on public streets or public rights-of-way to encourage, facilitate, and assist visitors and residents to find points of interest, recreational areas, and tourist industries in the county, such as rafting, wineries, and ranch marketing.

b. Community identification sign program: Said program shall establish a means for individual communities within the county to designate their name at main point(s) of entry to their community. Such signage can be unique to each community as a means to define their character, quality, or historic contribution to the county.

c. Community event sign program: Said program shall establish general standards for both promoting and informing the public of special events within the individual communities or the county as a whole.

**4. Highway-Oriented Sign Permit.** A Highway-Oriented Sign Permit shall be required for all highway-oriented signs located within 100 feet of a designated state highway. This permit would allow consideration of taller and larger freestanding signs intended to be visible from the highway and would be in lieu of other permanent on-site freestanding signs. The Planning Commission is the decision-making authority for Highway-Oriented Sign Permits. However, if part of an application is reviewed and decided by the Commission or Board, the Highway-Oriented Sign Permit shall be decided by same higher-level Review Authority in conjunction with other entitlements. Standard procedures for application submittal, review, decision, and appeal are outlined in Section 17.22.700 (Note: shall be similar to a special use permit). ( Insert Caltrans requirements/ policy for signing within Hwy corridor – has Draft been sent to Caltrans for review? )

**5. Subdivision Ladder Sign Permit.** A Sign Permit shall be required for all multi-subdivision ladder signs to ensure their locations are approved within or outside the County's right-of-way and that they are consistent with the

standards under Subsection 17.16.090.B (Subdivision Ladder Signs). (Note: shall be similar to an administrative permit)

6. **Variances.** Applications for a Variance from the terms of this Chapter shall be reviewed according to the Variance procedures set forth in Section 17.22.600 (Variance).

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 5 Should include the language here and not refer out*

**B. Review Procedures**

1. **Method of Application.** An application for a Sign Permit, Uniform Sign Program, Highway-Oriented Sign Permit, or Variance shall be made on the form(s) prescribed by the Planning Division. The application shall be accompanied by any fees as specified by Board resolution.

2. **Application Review Procedures, Decisions, and Appeals.** The application review procedures, decisions, and appeals of decisions for Sign Permit, Uniform Sign Programs, Highway-Oriented Sign Permits, or Variances shall be as provided in Chapter 17.22 (Land Use Permit Procedures).

**17.16.040 Exempt Signs**

The following sign types are expressly exempted from the Sign Permit requirements of this Article but must satisfy any and all other applicable permit requirements when necessary (e.g., Building, Electrical, Plumbing, Grading, Encroachment).

A. **Exempt Signs Without Limitations.** The following signs are exempt from Sign Permit requirements with no specific limitations:

1. Change of copy that does not alter the size, location, or illumination of a conforming sign.
2. All devices which are excluded from the definition of a "sign" as set forth in this Title. Confusing language in this section. IS this saying exempt signs can change/ alter the devices which are excluded from the definition of signing without permit review and approval for modifying the sign structure permitter or attachments to?
3. Official traffic signs or other municipal governmental signs, legal notices, advertisements prescribed by law and placed by governmental entities, and signs indicating the location of buried utility lines or any notice posted by a governmental officer in the scope of his or her duties.
4. Direction, warning, or information signs or structures required or authorized by law, or by federal, state, county, or county authority, including, but not limited to, traffic control signs (e.g., stop, yield), highway route number signs, and construction zone signs.
5. Noncommercial utility company signs identifying cables, conduits, and dangerous situations.
6. Street address signs on structures and building identification signs consistent with the County-adopted building code or relevant provisions of the County Municipal Code. Notwithstanding anything in this Section, street address signs may be illuminated and may contain reflective paint or material.
7. Tablets and plaques, installed by the County or by a state, federal, or county authorized historical organization, including names of structures and date of erection.

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 6*

8. Signs and advertising for the California state lottery as authorized by California

Government Code Section 8880 et seq.

9. Gas pricing signs, as required by state law, which identify the brand, types, octane rating, etc., of gasoline for sale within the county (Sections 13530–13540 of the Business and Professional Code). This does not limit the approval and design requirement for permanent or temporary placement and approval provisions listed herein.

10. Signs on vehicles and vessels, including license plates, license plate frames, registration insignia, noncommercial messages, messages relating to the business for which the vehicle or vessel is an instrument or tool (not including general advertising, such as mobile billboards), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.

11. Agricultural Industry Association on-site identification signs, as approved by the Board of Supervisors, such as those offered by the El Dorado County Farm Bureau, Farm Trails, Apple Hill Growers, and similar associations. Any and all associations could be applying for signing which could lead to proliferation of signing. ( Ex: Pot growers assoc, pot farmers assoc. need more thought and sign management policies in place to address this)

**B. Exempt Signs With Limitations.** The following signs are exempt from Sign Permit requirements, provided that they meet the size, height, duration, and/or maximum number limitations listed below. Exempt signs that do not meet the limitations listed herein require approval of a Variance as outlined Section 17.22.500 (Variance).

1. Window signs that do not exceed 25 percent coverage of any window. Window signs do not count toward allowable sign area. This limitation is considered industry best practice for natural surveillance that serves to increase the risk of detection for offenders, enable evasive actions by potential victims, and facilitate intervention by police (Crime Prevention through Environmental Design and Defensible Space). As such, window signs that exceed 25 percent of any window are not allowed.

2. Temporary signs in conformity with this Chapter.

3. Flags, provided they meet the following requirements:

- a. Flag poles shall be located outside of the public right-of-way.
- b. The maximum height for flag poles is 25 feet.
- c. The maximum size for any one flag is 25 square feet. Any flag other than the official United States and California flag shall count toward the total square footage allowed for freestanding signs in commercial and industrial zones.

4. Signs on property undergoing construction or remodeling not exceeding 32 square feet each in area and limited to one sign for each street frontage. Such signs shall not be illuminated. Such signs shall be removed within 30 days of

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 7*

the earliest of the following events: final building inspection approval, issuance of a valid certificate of occupancy, opening for business to the public, or expiration of the Building Permit.

5. Signs warning against trespass, hunting or shooting on the premises not to exceed 2 square feet per sign and spaced not less than 200 feet apart.

6. Murals on nonresidential structures with noncommercial messages.

7. Signs on property for sale, lease, or rental as follows:

- a. On residential-zoned property, one sign not exceeding eight square feet and not exceeding a height of five feet. On weekends and holidays, up to

four signs to direct traffic to the subject property are allowed, provided each sign does not exceed eight square feet in area and three and onehalf feet in height. A sign shall not be placed on the sidewalk or street or where it creates a safety hazard. The sign shall not be illuminated.

b. On nonresidential and agricultural and resource-zoned property, one sign per street frontage, not exceeding 30 square feet in area or 10 feet in height. The sign shall not be illuminated.

8. Signs on property where there is a garage, yard, or estate sale taking place. Such signs may be posted for no more than 48 hours and must be removed at the end of the sale. A maximum of six square feet is allowed per sign.

9. On-site directional signs, such as exit, entrance, or other on-site traffic directional signs. The maximum height of any directional sign shall be 42 inches and the maximum size shall be 6 square feet. No advertising or message other than for traffic direction shall be displayed.

10. Noncommercial signs, as defined in this Title, consistent with the following requirements:

a. Six square feet of signage, set back at least five feet from the public right-of-way and not projecting above the roofline of any structure.

b. During the time period beginning 90 days before a special, general, or primary election and ending 3 weeks after such election, the total allowed sign area for noncommercial signs may be increased by an additional 30 square feet in area (for a total of 36 square feet). The same setback and height restrictions listed above shall apply to this additional area.

11. Home business signs as listed in Table 17.16.040 (Sign Standards for Home Business Signs). All home business signs shall be non-illuminated.

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 8*

**Table 17.16.040 – Sign Standards for Home Business Signs**

**Zoning District**

**Permitted Signs and Development Standards**

**Building-Attached Signs Freestanding Signs**

R1, R1A, R-

20,000, RM

1 sign per home business adjacent to front entrance, 1 sf max area

Not allowed

R2A, R3A, RE-5

1 sign per home business adjacent to front entrance, 1 sf max area

2 signs (1 within front setback, 1 adjacent to residence or structure where home business is

conducted), 6 sf max area each, 6 ft height limit

RE-10,

Agriculture and

Resource Zones

1 sign per home business adjacent



to front entrance, 1 sf max area  
 2 signs (1 within front setback, 1  
 adjacent to residence or structure  
 where home business is  
 conducted), 12 sf max area each, 6  
 ft height limit

### **17.16.050 Prohibited Signs**

The signs listed in this Section are inconsistent with the requirements of this Chapter as described below and as such are prohibited in all zones, unless specifically authorized by another requirement of this Article.

- A.** Any sign not specifically in accordance with the requirements of this Chapter.
- B.** Billboards (off-site signs with commercial message), as defined in this Title. The County prohibits the construction, erection, or use of any billboards other than those that legally exist in the county, or for which a valid permit has been issued and has not expired, as of the date on which this provision is first adopted. No permit shall be issued for any billboard that violates this policy, and the County will take immediate enforcement or abatement action against any billboard constructed or maintained in violation of this policy.
- C.** Roof signs or signs placed above the roofline.
- D.** Animated, flashing, scrolling, or video screen signs (e.g., electronic readerboard sign) where the message changes more frequently than once every 12 seconds. Other types of signs such as barber poles or electronic readerboard signs that change message less frequently than once every 12 seconds may be permitted consistent with the requirements of this Chapter.
- E.** Pennants, banners, balloons, or other paraphernalia composed of paper, cloth, or other flexible material, except as otherwise permitted.

#### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

#### ***El Dorado County Zoning Ordinance Page 9***

- F.** Pole signs, as defined in this Title. Note that freestanding signs constructed with poles as the substructure where the poles are encased to incorporate design features are not considered pole signs.
- G.** Signs which are mobile, rotate, or move.
- H.** Signs placed on the public right-of-way or affixed to an element or structure on the public right-of-way, or located on a publicly owned tree, fence, or utility pole or otherwise posted on public property, except where required by a governmental agency; or signs on private property affixed to a fence; or signs affixed to a tree, shrub, rock, or other natural object on private property.
- I.** Inflatable balloon signs, including, but not limited to, individual balloons, balloon strings, and other inflatable objects made of a flexible material and inflated so as to be lighter than air.
- J.** Signs painted upon a fence.
- K.** Mobile billboard advertising displays attached to a mobile, nonmotorized vehicle, device, or bicycle that carries, pulls, or transports a sign or billboard and is for the primary purpose of advertising.
- L.** Signs attached to light standards (poles) unless part of a Uniform Sign Program or community directional sign.
- M.** Signs affixed to a structure or property not owned by the person installing the signs without the written consent of an owner.
- N.** Signs that are dilapidated, abandoned, or in disrepair or dangerous condition.

**O.** Signs displaying any statements or words of an obscene, indecent, or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency, or any other matter or thing of an obscene, indecent, or immoral character to the extent allowed by law.

How is the County enforcing these above non-compliant signs. What is the enforcement protocol. Language on enforcement, notice of violations and fines should be clearly identified.

### **17.16.060 General Sign Development and Design Standards**

This Section establishes the method for measuring sign area and height, and outlines construction standards, maintenance standards, and removal requirements. This Section also identifies County development and design standards relative to placement, illumination, and design compatibility of signs.

#### **A. Sign Area Measurement Procedures**

Generally, the area of a sign shall be measured as the overall length of the sign multiplied by the overall height of each segment of copy or logo. See Figure 17.16.060.A (Sign Area).

*Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 10*

#### **Figure 17.16.060.A: Sign Area**

1. **Awning, Canopy, Push Pin, and Channel Letter Sign Area.** Sign area for copy which is applied to an awning, canopy, or as separate lettering onto the building face shall be computed at 100 percent of the area within a single rectangle enveloping the sign copy.

2. **Freestanding Sign Area.** Freestanding sign area is to be computed as total height by the total length of the sign face for one side regardless if it is single or double-face, excluding structural or architectural framework with no sign copy. See Figure 17.16.060.B (Freestanding Sign Area).

#### **Figure 17.16.060.B: Freestanding Sign Area**

*Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 11*

3. **Three-Dimensional Objects.** Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculptures, or statue-like trademarks), the sign area shall be measured as their maximum visible surface area from any vantage point. See Figure 17.16.060.C (Area of Three-Dimensional objects).

#### **Figure 17.16.060.C: Area of Three-Dimensional Objects**

##### **A. Sign Height Measurement**

Sign height shall be measured from the uppermost part of the structure containing the sign to the finished grade at the base of the structure.

##### **B. Construction Requirements**

Every sign and all parts, portions, and materials thereof shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and county laws and regulations, including the locally adopted building code. All signs shall comply with the following criteria:

1. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the structure or shall be concealed within the sign.

2. All permanent signs shall be constructed of quality materials such as metal, concrete, natural stone, wood, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements.
3. All freestanding signs that incorporate lighting shall have underground utility service.
4. All temporary signs and banners shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed.

#### **C. Clearance from Public Utility Facilities**

The person erecting a sign and the owner of the premises shall maintain any legally required clearance from communications and electric facilities. A sign may not be constructed, erected, installed, maintained, or repaired in any manner that conflicts with *Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 12*

a rule, regulation, or order of the California Public Utilities Commission pertaining to the construction, operation, and maintenance of public utilities facilities.

#### **D. Interference with Motorist Field of Vision**

1. No sign shall be located in a manner which may obstruct or interfere with the view of a traffic signal or other traffic regulatory signs. No sign shall, as determined by the Director, be so located as to create a hazard to the life or property of any person using the public right-of-way.
2. Any landscaping shall be trimmed as needed to provide clear visibility of the sign or signs.
3. Signs shall not be located within the 'cross visibility area', as defined. More specifics on setbacks should be given in the ordinance from DOT relative to field of visions, vertical/ horizontal curves/ general and site specific language and curb return setbacks for visibility for safety of entering and exiting side streets so that signs do not encroach, sign owner has more concrete knowledge of dimensions of setback and enforcement is not arbitrary or delayed because they need DOT to review.

#### **E. Sign Placement**

1. **Location of Building-Attached Signs.** Building signs may be located along any frontage of a building that faces directly onto a public right-of-way or an internal circulation path of the site. Orientation of signs such that they face directly onto residential property is to be avoided and is allowed only when there is no practical alternative and the visibility of the sign from the residence is minimized and not illuminated.
2. **Setback and Spacing of Freestanding Signs.** Setback and spacing standards for freestanding signs are as follows:
  - a. The minimum setback distance for freestanding signs shall be measured from the back of the public right-of-way or side of a driveway. Unless an Encroachment Permit is granted, all freestanding signs shall be located outside of the public right-of-way and any required cross visibility area.
  - b. The minimum spacing distance between permanent freestanding signs, excluding on-site directory and menu/order board signs, shall be 250 feet, except that highway-oriented signs shall be separated by a minimum of 1,000 feet). The designated approving authority will review a proposed sign location on a case-by-case basis to ensure the sign is located outside the required cross visibility area and does not otherwise inhibit motorist safety.

## **F. Maintenance Requirements**

Every sign and all parts, portions, and materials thereof shall be maintained and kept in proper repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other non-maintained or damaged portions of a sign shall be repaired or replaced within 30 days following notification by the County.

### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

### ***El Dorado County Zoning Ordinance Page 13***

Noncompliance with such a request will constitute a nuisance condition and zoning violation and will be enforced as such.

## **G. Sign Removal or Replacement**

When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected surfaces shall be restored to match the adjacent portion of the structure. This requirement does not apply to routine maintenance.

## **H. General Sign Design Requirements**

The following criteria shall be utilized for permanent on-site signs. Signs shall comply with general design standards listed herein, as well as design standards applicable to specific types of signs listed in Subsection J.

1. **Design Compatibility with Structure.** Signs shall be visually compatible with the architectural style of the main structure or structures on the site where the sign is located. The applicant shall consider construction materials, color, letter style, and other design details in designing an architecturally compatible sign. Multiple signs on any structure, or on structures within the same development, shall have the same primary type of building-attached sign.

2. **Sign Illumination.** The artificial illumination of signs, from either an internal or external source, shall be designed to prevent the casting of stray light on surrounding rights-of-way and properties. The following requirements shall apply to all illuminated signs:

- a. External light sources shall be directed downward and fully shielded to limit direct illumination of an object other than the sign.
- b. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impacts on residential properties in direct line of sight to the sign.
- c. Unless otherwise permitted by another provision of this Chapter, signs shall not have blinking, flashing, or fluttering lights or other illumination devices that have a changing light intensity, brightness, or color.
- d. Colored lights shall not be used at a location or in a manner so as to be confused or constructed as traffic control devices.
- e. Light sources shall utilize energy-efficient fixtures to the greatest extent possible and shall comply with Title 24 of the California Code of Regulations.

### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

### ***El Dorado County Zoning Ordinance Page 14***

## **I. Design Standards for Specific Sign Types**

In addition to the general sign design requirements in Subsection I, the following requirements shall apply to specific sign types listed below.

1. **A-Frame Signs.** A-frame signs, where permitted under Section 17.16.080



(Temporary On-Site Sign Regulations), shall be placed at least five feet behind the face of curb and outside the County right-of-way. No A-frame signs may be placed where they may obstruct vision or create other public safety hazards or ADA obstruction. A-frame signs shall be removed during all times when the business is closed.

**2. Awning and Canopy Signs.** Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied and shall be considered wall signs for sign area calculation purposes.

The following requirements shall apply:

a. Lettering shall be located within the middle 70 percent of the awning area, not to exceed 25 percent of the total surface area.

b. Only permanent signs that are an integral part of the awning or architectural projection shall be allowed. Temporary signs shall not be placed on awnings.

c. Awning signs shall only be allowed for first- and second-story occupancies.

d. Awnings shall not be lit from under the awning (backlit) so that the awning appears internally illuminated. Lighting directed downward that does not illuminate the awning is allowed.

**3. Electric (Digital) Signs.** The following standards apply to electric (digital) signs:

a. Electric (digital) changeable copy signs are limited to a maximum 50 percent of the total sign area of the sign.

b. Electric (digital) changeable copy signs shall not change message more than one time every 12 seconds.

c. Digital signs shall not operate at brightness levels of more than 0.3 footcandles above ambient light, as measured using a foot-candle meter at a distance of 250 feet from the sign face. 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.

**4. Freestanding Signs.** Freestanding sign materials and design, including monument and pylon signs, shall be complementary to the materials and design *Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 15*

of the structures for the related development. For example, if the façade of the structure is made of brick or brick veneer, a complementary freestanding sign would also include brick.

**5. Projecting Signs.** Projecting signs, including, but not limited to, blade signs, bracket signs, and marquee signs, shall be considered wall signs for the purposes of sign area calculation purposes. Projecting signs shall only be permitted as follows:

a. Location. Projecting signs shall be placed only on ground-floor façades, except for businesses located above the ground level with direct exterior pedestrian access.

b. Angle of projection. Projecting signs shall either be located at right angles to the structure front along the façade, or, when located on the corner of a building, at a 45-degree angle to the corner of the structure.

c. Height. The lowest point of a blade or bracket sign shall be a minimum of six feet eight inches above grade.

- d. Projection. The sign may project a maximum of five and a half feet from the structure.
- e. Suspension. The sign shall be suspended with a clear space of at least six inches between the sign and the structure.
- f. Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

#### 6. Wall Signs

- a. Wall signs shall not project more than 12 inches from the structure's façade.
- b. Wall sign raceways shall be concealed from public view (e.g., within the structure's wall or otherwise integrated with the design of the sign and structure) so as to not detract from the architectural character of the structure.
- c. Signage containing multiple elements (e.g., logo and text) on one façade shall be designed so that the multiple elements are located and scaled with relationship to each other and the structure they are attached to.

**7. Temporary Signs.** In addition to the standards of Section 17.16.080 (Temporary On-Site Sign Regulations), no temporary sign shall be day-glo or fluorescent in color. More discussion needs to be included here on length of time for allowable temporary signing, enforcement and a mechanism that the County could implement to better effect enforcement as manual site review is time consuming and costly.

#### *Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

#### *El Dorado County Zoning Ordinance Page 16*

#### **17.16.070 Permanent On-Site Sign Regulations**

This Section identifies allowed types of permanent on-site signs and establishes corresponding standards, including height, size, placement, and illumination. Regulations are listed in Table 17.16.070 below based on zone and sign type.

#### **A. Allowed Types of Permanent On-Site Signs**

Generally, there are two types of permanent on-site signs allowed in the County's zoning districts as listed below.

- 1. **Building-Attached Signs.** Allowed permanent on-site signs attached to a structure include wall signs, projecting signs, and awning or canopy signs.
- 2. **Freestanding Signs.** Allowed permanent freestanding signs include monument and pylon signs.

B. Except as provided in Subsections D and E, permanent on-site signs shall be consistent with the standards listed in Table 17.16.070 (Signage Standards for Permanent On-Site Signs) by base zone. All referred to language should be included in the sign ordinance

#### **Table 17.16.070 – Signage Standards for Permanent On-Site Signs**

##### **Zoning**

##### **District**

##### **Permitted Signs and Development Standards**

##### **Building-Attached Signs Freestanding Signs**

##### **Residential and Agricultural Districts**

R1, R1-A, RE-

5, RE-10, R-

20,000, R3A

Not allowed

1 sign per subdivision or

neighborhood, 12 sf max area, 8 ft

max height, non-illuminated

R2, RM Not allowed

1 sign per subdivision or

neighborhood, 12 sf max area, 8 ft

max height, non-illuminated

RT Not allowed

1 sign per development, 12 sf max

area, 8 ft max height

MP Not allowed

1 sign per park, 12 sf max area, 8

ft max height

RA-20, RA-40,

RA-60, RA-80,

RA-160, U

Not allowed

1 sign per parcel, 12 sf max area,

12 ft max height, non-illuminated

A, SA-10 Not allowed

1 sign per parcel, 16 sf max area,

12 ft max height, non-illuminated

AE, PA Not allowed

2 signs per parcel, 32 sf max area

each, 12 ft max height, nonilluminated

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 17*

**Zoning**

**District**

**Permitted Signs and Development Standards**

**Building-Attached Signs Freestanding Signs**

**Commercial Districts**

C, CP, CG

Individual

Business

1 or more signs per

business based on

floor area as follows:

< 10,000 sf floor area

= 50 sf max sign area

10,001–25,000 sf

floor area = 75 sf

max sign area

25,001 sf floor area =

100 sf max sign area

1 sign per public street frontage as

follows:

One street frontage -50 sf max

area, 12 ft max height

Other street frontage(s) – 30 sf

max area, 8 ft max height

**Integrated  
Development**

1 multi-tenant sign per public street frontage as follows:

One street frontage – 80 sf max area, 20 ft max height

Other street frontage(s) – 40 sf max area, 10 ft height limit

**CPO**

**Individual**

Business 1 or more signs not exceeding a

combined total of 50

sf per business,

roofline is max

height

1 sign per public street frontage as follows:

One street frontage – 50 sf max area, 12 ft max height

Other street frontage(s) – 30 sf max area, 8 ft max height

**Integrated**

**Development**

1 multi-tenant sign per public street frontage as follows:

One street frontage – 80 sf max area, 20 ft max height

Other street frontage(s) – 40 sf max area, 10 ft height limit

**Industrial Districts**

**I**

**Individual**

**Business**

1 or more signs not exceeding a

combined total of 50

sf per business,

roofline is max

height

1 sign per public street frontage, 50 sf max area, 12 ft max height

**Integrated**

**Development**

1 multi-tenant sign per public street frontage, 80 sf max area, 20 ft max height

**R&D**

2 signs per business, 80 sf max area, roofline is max height



1 sign per public street frontage  
for individual business or  
integrated development, 50 sf max  
area, 12 ft max height

#### **Miscellaneous Districts**

TPZ Not allowed

2 signs per parcel, 32 sf max area  
each, 12 ft max height, nonilluminated  
MR Not allowed

2 signs per parcel, 12 sf max area  
each, 12 ft max height, nonilluminated

#### **Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 18*

### **Zoning**

#### **District**

#### **Permitted Signs and Development Standards**

#### **Building-Attached Signs Freestanding Signs**

RF Not allowed

1 sign per parcel, 16 sf max area  
each, 12 ft max height, nonilluminated

O, CN Not allowed Not allowed

#### **C. Standards for Permanent On-Site Signs**

The signage standards listed below are summarized, where applicable, in table format for ease of use and organization. Concepts described in these tables are as follows:

1. **Building-Attached Sign Allowance.** Where permitted, building-attached signs have a maximum allowable sign area that can be used for one or more signs as specified in Table 17.16.070 (Signage Standards for Permanent On-Site Signs). Building-attached signs are permitted on walls that face public streets, parking areas, and pedestrian walkways. Wall signs are not permitted on walls facing adjoining residential property.
2. **Freestanding Sign Allowance.** Where permitted, freestanding sign regulations include a maximum number, maximum sign area, and maximum height standard. For purposes of sign regulations, commercial businesses are either categorized as individual businesses or integrated developments. As defined in this Chapter, an integrated development is a property or combination of properties containing three or more separate tenants and which share common parking, driveway, and access areas. Where allowed, changeable copy is limited to a maximum 50 percent of the total sign area of the sign.
3. **Changeable Copy Allowance.** Changeable copy signs are only permitted in commercial zoning districts and for nonresidential uses in residential zones (e.g., religious institutions and public service uses, community centers, and schools).

#### **D. Menu/Order Board Signs for Drive-In and Drive-Through Uses**

Each drive-in or drive-through use is permitted a maximum of 60 square feet of menu/order board signage, with no one sign to exceed 30 square feet. The sign(s) shall not count as a sign for purposes of Table 17.16.070 (Signage Standards for Permanent On-Site Signs), either in terms of number or cumulative area. The maximum height for a menu/order board sign shall be six feet. No alterations or additions (e.g., rider signs) along the exterior of the menu/order board sign are permitted.

EXHIBIT H

13-0086 5J 150 of 243

### E. Highway-Oriented Signs

Properties within 100 feet of U.S. Highway 50 that are outside of the officially designated scenic corridor may, upon issuance of a Highway-Oriented Sign Permit, **Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

#### *El Dorado County Zoning Ordinance Page 19*

establish a highway-oriented sign consistent with the following provisions, in addition to other provisions of this Chapter. This permit would allow consideration of taller and larger freestanding signs intended to be visible from the highway and would be in lieu of other permanent on-site freestanding signs. Officially designated scenic corridors in El Dorado County shall be subject to special sign regulations under the Design Review - Scenic Corridor Ordinance (Note: TBD in Section 17.27.070 of comprehensive Zoning Ord. update). Much more discussion and policy needed here. Caltrans policy /requirements should be reviewed and included where appropriate. At least language that notifies sign owner of Caltrans review of signing along corridor. This County Draft Sign Ordinance should have local community design goals and master plan for large corridor signs defined and vetted in the sign ordinance.

I recommend the Sign Ordinance be changed to the El Dorado Sign & Cell Tower/Broadband Equipment Ordinance. That the Draft get recirculated with the Broadband section and included in County discussion of updating draft policies.

1. **Permit Requirements.** All highway-oriented signs require the approval of a Highway-Oriented Sign Permit prior to issuance of a Building Permit. The procedures for application, review, and decision of a Highway-Oriented Sign Permit are as provided in Subsection 17.16.030.A.4 (Highway-Oriented Sign Permit).

#### 2. **Location**

a. Spacing between signs. No highway-oriented sign shall be located closer than 1,000 feet from any other highway-oriented sign.

b. Setbacks. All signs must be set back a minimum of 10 feet from the highway right-of-way or other distance as determined by Caltrans. All highway-oriented signs must be distanced from any residential district by a minimum of 200 feet.

c. Visibility. Highway-oriented signs shall not be located to inhibit pedestrian or vehicular visibility and more specifically shall not be located within the clear visibility area as defined in this Title.

Illuminated signs shall be directed away from any residentially designated land. Language to vague DOT should review and comment for minimum specific setback and include language for site specific locations taken into consideration for more stricter restrictions. ( Ex: Driveway spacing intersecting conventional Highways, vertical/ horizontal curves, minimum setbacks from curb return or edge of travelway, restriction on size within a defined setback.

3. **Number.** One highway-oriented sign shall be permitted per either:

- a. Integrated developments, as defined in this Chapter; or
- b. Sites with a single tenant of 10 acres or more.

4. **Area.** Highway-oriented signs shall comply with the following limitations on sign area:

- a. Generally. The maximum allowed sign area for single-tenant highway-oriented

EXHIBIT

13-0086 5J 151 of 243

signs shall be 60 square feet. For multi-tenant signs, the maximum sign area shall be 200 square feet, with each tenant space limited to 40 square feet. Ancillary components of the sign, such as shopping center identification, shall not exceed 25 percent of the total sign area and shall be excluded from the calculation of the sign area.

b. Freestanding sign area. The area of a highway-oriented sign shall be in lieu of allowable freestanding sign area for the underlying property.

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

**El Dorado County Zoning Ordinance Page 20**

5. **Height.** The maximum height of highway-oriented signs shall be as follows:

a. For single-tenant signs, 1.5 times the height of an adjacent structure up to a maximum of 30 feet. Within designated scenic corridors, the maximum height of a single-tenant sign shall be 24 feet.

b. For multi-tenant signs, a maximum of 60 feet. Within designated scenic corridors, the maximum height of a multi-tenant sign shall be 48 feet.

6. **Architecture.** Highway-oriented signs shall be designed as pylon signs. Pole signs are not permitted. Highway-oriented signs shall be composed of materials and design compatible with the building materials of the corresponding development.

7. **Illumination.** All highway-oriented signs must be internally lit. Signs shall not have blinking, flashing, or fluttering lights or other illuminating devices that have a changing light, brightness, or color. Electric (digital) changeable copy LED lights are allowed to be incorporated into the structure consistent with restrictions listed in Subsection 17.16.060.J.3 (Electric (Digital) Signs).

8. **Special Development and Design Standards for Designated Scenic Corridors.** (Reserved for future use)

**F. Ranch marketing, winery, and bed and breakfast inn signs** shall be subject to requirements and standards under Sections 17.14.190, 17.14.200, and 17.14.220, respectively.

G. Locations- add extensive verbiage and policy on allowable locations and offsets per previous comment. Define locations into 2 categories 1) Access control Hwy such as Placerville west to the County Line and 2) Conventional Hwy, all rural non access control highway.

**17.16.080 Temporary On-Site Sign Regulations**

This Section describes standards for temporary on-site signs. Temporary signs may include, but are not limited to, commercial signs for grand openings or for special product, sale, or event advertising. All temporary signs must comply with the standards listed in Table 17.16.080 (Allowed Temporary On-Site Sign Standards) and are subject to the following:

**A. Time Duration**

1. **Generally.** Display periods for temporary on-site signs shall be limited to a maximum of 30 days per business per calendar year. Enforcement has been a huge issue. Need better more effective enforcement mechanism.

2. **Subdivision Signs.** All temporary signs for subdivisions shall be removed within 10 days after all lots in the subdivision are sold. I assume this means initial sale. This policy more specific verbiage. Some subdivisions are over 20 years old and have unsold lots. Maybe consider changing to a percentage of sold lots.

What if all lots The County may require the subdivider or developer to submit a performance deposit or other form of security to ensure compliance with the standards of this Section.

Subdivision signs at new or substantially renovated apartments shall be removed six months from opening.

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

**El Dorado County Zoning Ordinance Page 21**

3. **Banner Signs.** All banner signs utilized for grand opening events shall be limited to a maximum of 30 consecutive days per business per calendar year.

4. **A-Frame Signs.** A-frame signs shall be removed nightly.

**B. Illumination**

Temporary signs shall not be illuminated.

**C. Message**

Temporary signs displaying a commercial message shall be limited to on-site signage only. Off-site signage displaying a commercial message shall not be permitted.

**Table 17.16.080 – Allowed Temporary On-Site Sign Standards**

**Sign Type**

**Development Standards**

**Maximum Number**

**Permitted**

**Maximum**

**Area**

**Maximum**

**Height**

**Minimum**

**Setback from**

**Right-of-Way<sup>1</sup>**

**On-Site Subdivision Signs**

Banner 3 30 sf each Roofline 5 ft

Entrance Signs

1 per subdivision

entrance

80 sf each 15 ft 5 ft

Model Home

Sign

1 per model home 8 sf 2 ft 5 ft

Flags

5 poles per street

frontage, max 15 poles

per subdivision

20 sf/pole 25 ft 5 ft

**All Other Uses**

Banner

1 sign (any type) per

establishment per street

frontage

50 sf Roofline

5 ft behind face

of curb, outside

A-Frame 8 sf 4 ft of right-of-way

**Notes**

1. *Must be located outside of the required cross visibility area.*



## **17.16.090 Off-Site Sign Regulations**

### **A. General Prohibition**

Generally, all new off-site commercial signage is prohibited within the county. Existing off-site commercial signs (e.g., billboards) are considered nonconforming signs as regulated by Section 17.16.110 (Illegal, Abandoned, and Nonconforming Signs). However, consistent with state law, the County does permit temporary off-site subdivision directional signs (subdivision ladder signs) as provided in this Section. Additionally, the County has a program for community directional signs.

#### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 22*

### **B. Subdivision Ladder Signs**

The purpose of subdivision ladder signs is to direct the traffic related to new residential subdivisions in a manner that minimizes visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high-quality image of the county. When originally placed, ladder signs will require approval of a subdivision ladder sign permit as required under Subsection 17.16.030.A.5 (Subdivision Ladder Sign Permit) and their locations approved within or outside of the County's right-of-way.

1. Subdivision ladder signs shall not exceed 40 square feet in sign area, 12 feet in height, and 4 feet in width with signage at least 24 inches off the ground.
2. Subdivision ladder signs shall include removable sign panels with no more than one panel per residential subdivision.
3. No subdivision ladder sign may be located within 1,000 feet of another directional ladder sign except in the case of signs on different corners of an intersection, unless an unusual situation causes the need for a deviation as determined by the County.
4. All subdivision ladder signs shall be placed on public or private property with written consent of the property owner subject to approval by the Director and approval of an Encroachment Permit when required by the Transportation Division.
5. Subdivision ladder signs may only be located in a manner that does not obstruct the view of traffic or safety signs, encroach within the cross visibility area, or otherwise pose a traffic or safety hazard.
6. There shall be no additions, tag signs, streamers, balloons, flags, devices, display boards, or appurtenances added to the subdivision ladder signs as originally approved.
7. Panels on directional ladder signs may not be displayed after a subdivision developer has completed the sale of all units in the development. Each developer shall be responsible for sign removal.

### **C. Community Sign Programs**

In an effort to encourage, facilitate, and assist visitors and residents to recognize communities, find points of interest, and be informed of community events throughout the county, the County hereby establishes Community Sign Programs. Permit requirements and procedures are listed in Subsection 17.16.030.A.3 (Community Sign Program Required). The following development and design standards apply

1. **Community Directional:** The community directional sign program is limited to signs placed by the County on County roads to direct residents and visitors

#### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 23*

to points of interest, recreational areas, and tourist industries in the county. Where applicable, the use of ladder signs shall be required in higher density use areas to reduce sign clutter.

2. **Community Identity:** The community identity sign program is limited to monument signs placed by the community at their main entry point(s).

3. **Community Events:** Street banners, signs, or other displays on County streets for any civic or public events/activities shall be allowed to be displayed up to 30 days prior to the event and shall be removed within 3 days after the event has ended.

4. Street signs shall be located so as not to obscure vision or create other public safety hazards as determined by the Public Works Director.

**17.16.100 Allowed Signs on Public Property**

**A. Content**

This Section provides the process and standards for establishing signage on County property. In adopting this Section, the Board acts in its proprietary capacity as to County property, as defined in this Title, within the county. This Section is adopted in compliance with the County's general powers, property rights, Government Code Sections 65850(b), 38774, and 38775, Business and Professions Code Section 5200, et seq., and Penal Code Section 556, et seq.

**B. Public Forum**

The County declares that not all County property shall function as a designated public forum, unless some specific portion of County property is designated herein as a public forum of one particular type. In such case, the declaration as to public forum type shall apply strictly and only to the specified area and for the specified time period.

**C. General Prohibition**

Unless specifically authorized by this Section, no signs may be displayed on County property by private parties. Any sign posted on County property in violation of this Section may be summarily removed by the County as a trespass and a public nuisance.

**D. Certain Governmental Signs**

The following signs may be erected and displayed on County property:

1. Traffic control and traffic directional signs erected by the County or another governmental unit;
2. Official notices required or authorized by law;

**Sign Ordinance Chapter 17.16**

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 24*

3. Signs placed by the County in furtherance of its governmental functions; and

4. Signs allowable under Subsection F of this section.

**E. Temporary Signs Displaying Noncommercial Message**

In areas qualifying as traditional public forums, private persons may display noncommercial message signs thereon, provided that such signs conform to all of the following:

1. The signs must be personally held by a person or personally attended by one or more persons. "Personally attended" means that a person is physically present within five feet of the sign at all times.
2. The maximum aggregate size of all signs held or personally attended by a single person is six square feet. For purposes of this rule, apparel and other aspects of personal appearance do not count toward the maximum aggregate sign area.
3. The maximum size of any one sign which is held or personally attended by two or

more persons is 50 square feet.

4. The sign must have no more than two display faces and may not be inflatable or air-activated.

5. In order to serve the County's interests in traffic flow and safety, persons displaying signs under this Section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give at least five feet width clearance for pedestrians to pass by. Persons holding signs may not obstruct the clear visibility area, as defined in this Title.

6. The message substitution policy of this Chapter applies only to traditional public forum areas.

#### **F. Community Directional Sign Program**

As outlined in Section 17.16.090 (Off-Site Sign Regulations), the County has a community directional sign program in an effort to encourage, facilitate, and assist visitors and residents to find points of interest, recreational areas, and tourist industries throughout the county. The County may approve a community directional sign program for off-site signs on public property and/or for signs located in the public right-of-way or other public property. Permit requirements and procedures are listed in Subsection 17.16.030.A.3 (Community Sign Program Required), and design standards are listed in Subsection 17.16.090.C.1.

#### ***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 25*

### **17.16.110 Illegal, Abandoned, and Nonconforming Signs**

#### **A. Illegal Signs**

Illegal signs shall be abated by the property owner or person responsible for installing or maintaining the sign. The duty to abate arises upon notice by the Planning Director. Such notice shall give such parties a 30-day opportunity to cure by conformance to current law and/or current permit, to abate by removal or other remedial action. Such notices may be appealed in the same manner as any other sign-related decision. However, when a sign poses a serious and immediate threat to public health or safety by virtue of its physical condition, without consideration of the message thereon, then the threat may be summarily abated by the court, with the reasonable cost of abatement chargeable to the sign owner and/or property owner.

#### **B. Abandoned Signs**

"Abandoned signs" shall be those signs left after the close of a business and which have not been updated upon occupancy of a new business at the same location. The following standards shall apply to conforming and nonconforming abandoned signs:

1. If a sign is maintained, the sign copy shall be replaced with blank sign copy within 90 days of the close of the business (e.g., no utility service, not open for more than 2 weeks).
2. A sign that is maintained with blank copy shall only be allowed to remain for 9 months (for a total of 12 months from business closure). At the conclusion of this time period, if a new business that utilizes the nonconforming sign structure has not been established, the sign shall be removed.
3. Abandoned signs that are not maintained or removed consistent with the requirements of this Section may be abated by the County and reimbursed by the property owner.

#### **C. Nonconforming Signs**

Any sign which becomes nonconforming as a result of the provisions of this Chapter



shall be considered to be an illegal sign after the amortization period provided in Table 17.16.110 (Amortization Timeline for Nonconforming Signs) has expired and conformance has not been accomplished. The County shall order the sign to be abated by the property owner and/or person responsible for its installation and/or maintenance. The use, routine maintenance, and repair of any sign that was legally installed but does not conform to the requirements of this Chapter may be continued during the amortization period subject to the following conditions:

1. **Relocation and Alteration.** No nonconforming sign shall be moved, enlarged in size, or raised in height unless such relocation, alteration, or enlargement is

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

***El Dorado County Zoning Ordinance Page 26***

required by law or brings the sign into conformance with the provisions of this Chapter. Modification of a nonconforming sign may be permitted through the plan check application process so long as it is determined that there is an increase in the level of conformity of the subject nonconforming sign. Modifying a nonconforming sign will not change its status in the amortization schedule below.

2. **Restoration of Damaged Signs.** As determined by the Director, whenever 50 percent or less of a nonconforming sign is destroyed by fire or other calamity (not including intentional acts), the sign may be restored to its nonconforming condition and the use modified as necessary to comply with current safety code requirements, and routine maintenance and repair of the sign may be continued for the remainder of the amortization period. Any nonconforming sign destroyed by more than 50 percent shall not be restored unless it is brought into compliance with the provisions of this Chapter.

3. **Building Façade Modifications.** If a Building Permit is issued for major modifications to the exterior of a building façade, as determined by the County, any nonconforming building signs on the façade undergoing modification shall be brought into full conformance with the provisions of this Chapter prior to approval for final occupancy.

In compliance with state law, nonconforming signs shall be removed, modified, replaced, or otherwise made to comply with the provisions of this Chapter within the time periods listed in Table 17.16.110 (Amortization Timeline for Nonconforming Signs). These time periods shall commence to run on the effective date of this Chapter (identify date) or upon completion of legally required inventory and noticing of nonconforming signs by the Director, whichever is later.

**Table 17.16.110 Amortization Timeline for Nonconforming Signs**

**Type of Nonconforming Sign**

**Time for**

**Compliance**

Architectural banners, awning/canopy signs, under-canopy signs, advertising artwork, and blade signs

2 years

Other building signs (e.g., roof signs) 4 years

Freestanding signs and all other signs 7 years

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

***El Dorado County Zoning Ordinance Page 27***

**17.16.120 Definitions**

This Section includes sign definitions used throughout this Chapter.



**A. Abandoned Sign.** Any display or sign remaining in place or not maintained for a period of 90 days, which no longer identifies an ongoing business, product, or service available on the premises where the display or sign is located or where the structure, business, or establishment to which the display or sign is related has ceased operation. For purposes of this definition, abandonment for the applicable period shall be deemed conclusive evidence of abandonment regardless of the property, business, or sign owner's intent.

**B. A-Frame Sign.** A sign made of wood, cardboard, plastic, or other lightweight and rigid material having the capability to stand on its own support(s) and being portable and movable.

**C. Animated Sign.** Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

**D. Billboard.** A sign which meets any one or more of the following criteria (also see offsite sign):

A permanent structure sign which is used for the display of off-site commercial messages;

A permanent structure sign which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located;

An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration; or

An off-site outdoor advertising sign on which space is leased or rented.

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 28*

**E. Building-Attached Sign.** A sign placed on a wall or canopy, projecting from a wall, or hung underneath a canopy or overhang structure, or placed in a window as described below.

a. **Wall Sign.** A sign attached to or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall.

b. **Canopy Sign.** Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover (excluding a marquee) over a door, entrance, window, or outdoor service area.

c. **Projecting Sign.** A sign attached to and extending outward from the face of a structure. Includes, but is not limited to, a blade/bracket sign, or marquee sign.

i. **Blade/Bracket Sign.** A small, pedestrian-oriented sign that projects perpendicular from a structure.

ii. **Marquee.** Any permanent roofed structure projecting over public property or right-of-way, attached to and supported by a building.

d. **Under Canopy Sign.** A pedestrian-oriented sign hung from underneath an awning, canopy or overhang structure/breezeway.

e. **Window Sign.** Any permanent or temporary sign, picture, letter, character, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed upon and/or inside and/or within three feet of a window for the purpose of being visible from the exterior of the window.

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 29*

**F. Can Sign.** A type of sign which contains all the text and/or logo symbols within a single enclosed cabinet that is mounted to a wall or other surface.

**G. Changeable Copy Sign.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign. A sign on which the message or characters change less than every 12 seconds shall be considered an animated sign and not a changeable copy sign for purposes of this Chapter.

**H. Channel Letter Sign.** A type of sign comprising individual letters that are independently mounted to a wall or other surface and internally illuminated with a covered face. The "air space" between the letters is the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements.

**I. Commercial Message.** Any sign, wording, logo, or other representation that names or advertises a business, product, service, or other commercial activity.

**J. Community Sign Programs.** An off-premise sign located on County-maintained roads or rights-of-way that is part of a County-sponsored and coordinated program to provide the public with information and guidance concerning public accommodations, facilities, commercial services, events, and points of scenic, cultural, historic, educational, recreational, religious interest, and other local community destinations as designated and recognized by a Community Sign Program.

**K. Construction Sign.** A temporary sign directly connected with a construction project; may include the construction company's name, addresses, and/or telephone number.

**L. Copy.** The words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

*Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 30*

**M. Cross-visibility Area. Cross-visibility Area (CVA).** For motorist safety purposes, the triangular area that is to be maintained free of impacts to line of sight visibility, formed as follows:

**At any Street Corner Intersection.** The CVA shall be a triangle having two sides 35 feet long, running along each roadway edge of pavement, said length beginning at their intersection, and the third side formed by a line connecting the two ends.

**At an Encroachment onto the Roadway.** The CVA shall be a triangle having two sides 15 feet long, running along the driveway/encroachment edge and the roadway edge-of-pavement, said length beginning at their intersection, and the third side formed by a line connecting the two ends.

**N. Directional Sign.** Any sign (building-attached or freestanding) intended to be permanently affixed and utilized only for the purpose of indicating the direction of any object, place, or area.

**O. Directory Sign.** A pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.

**P. Electronic Message Sign.** An electronic sign, typically

comprising a liquid crystal diode (LCD), light-emitting diode (LED), plasma, or other digital illuminated display that contains one or more messages. An electronic message sign is different from an illuminated sign in that the illumination of the display creates the message, rather than an internal or external light source illuminating the message.

**Q. Exempt Sign.** A sign that is not subject to a plan check approval.

**R. Face Change (Sign).** A change in color, material, copy, graphics, or visual image that requires the installation of a new or modified sign face, but which does not involve any change to an existing sign structure or mounting device.

**S. Flag.** Any fabric, banner, or bunting containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

***El Dorado County Zoning Ordinance Page 31***

**T. Freestanding Sign.** A permanent sign that is self-supporting in a fixed location and not attached to a building. A freestanding sign can be connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Freestanding signs include, but are not limited to, monument/pylon signs and pole signs as described below.

a. **Monument/Pylon Sign.** A freestanding sign detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick.

b. **Pole Sign.** A freestanding sign detached from a building and supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than one-quarter the width of the sign face.

**U. Gas Pricing Signs.** Signs identifying the brand, type, octane rating, etc., of gasoline for sale, as required by state law.

**V. Highway-Oriented Sign.** An on-site freestanding sign structure (single or multi-tenant identification) located on property within 100 feet of U.S. Highway 50 that are outside of the officially designated scenic corridor for which a Highway-Oriented Sign Permit is issued.

**W. Home Occupation Sign.** A sign located at a residence advertising a business or profession legally conducted in the residence.

**X. Illuminated Sign.** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign; includes signs made from neon or

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

***El Dorado County Zoning Ordinance Page 32***

other gas tube(s) that are bent to form letters, symbols, or other shapes. An illuminated sign excludes electronic message signs, which are separately defined.

**Y. Incidental Sign.** A sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, including but not limited to restrooms, phones, credit cards, or hours of business.

**Z. Inflatable Balloon Sign.** A sign consisting of balloons and inflatables made of metallic and/or cloth material, regardless of the size that is used, for the purpose of attracting attention.

**AA. Integrated Development.** A property or combination of properties containing three or more separate tenants and which share common parking, driveway, and access areas.



**BB. Logo.** A proprietary graphic used as an identifying mark of a company, business, or organization.

**CC. Menu/Order Board Sign.** A sign installed in a drive-through facility and oriented so as to be visible primarily by drive-through customers.

**DD. Mural.** A painted or otherwise attached or adhered image or representation on the exterior of a structure that is visible from a public right-of-way or neighboring property, does not contain commercial advertisement (is noncommercial in nature), and is designed in a manner so as to serve as public art, to enhance public space, and to provide inspiration.

**EE. Noncommercial Sign.** A sign that displays noncommercial speech, e.g., commentary or advocacy on topics of public debate and concern.

**FF. Nonconforming Sign.** A sign lawfully erected that does not comply with the provisions of this Title.

**GG. Off-Site Sign.** A sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than where the sign is located. This definition shall include, but is not limited to, billboards, posters, panels, painted bulletins, and similar advertising displays. An off-site sign meets any one of the following criteria and includes only commercial messages:

A permanent structure sign which is used for the display of off-site commercial messages;

A permanent structure which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located; or

An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is

*Sign Ordinance Chapter 17.16*

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 33*

on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.

**HH. On-Site Sign.** A sign which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered upon the lot or parcel on which the sign is placed. In the case of multi-tenant commercial or industrial development, a sign is considered on-site whenever it is located anywhere within the development. In the case of a duly approved Uniform Sign Program, a sign anywhere within the area controlled by the program may be considered on-site when placed at any location within the area controlled by the program.

**II. Painted Sign.** A sign that comprises only paint applied on a structure.

**JJ. Pennant.** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention.

**KK. Permanent Sign.** A sign that is entirely constructed out of durable materials, is fixed in place, and is intended to exist for more than 120 days.

**LL. Political Sign.** A sign erected prior to (and may exist after) an election to advertise or identify a candidate, campaign issue, election proposition, or other related matters.

**MM. Portable Sign.** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. Portable signs include, but are not limited to, signs designed to be transported by means of wheels, A-frame signs, menu and sandwich board signs, and umbrellas used for advertising. Clothing or other aspects of personal appearance are not within this definition.



**NN. Pushpin Letter Sign.** A type of sign comprising individual letters that are independently mounted to a wall or other surface. Such sign may be illuminated by an external light source, such as pendant lighting. The “air space” between the letters is the building façade.

**OO. Real Estate Sign.** A temporary sign advertising the sale or lease of real property. The sign may include the identification and contact information of the person and/or company handling such sale, lease, or rent.

**PP. Roof Sign.** A sign erected, constructed, painted, or placed upon or over a roof or parapet wall of a building and which is wholly or partly supported by the building or roof structure.

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 34*

**QQ. Sign.** Any device, structure, fixture, or placard displaying graphics, symbols, and/or written copy for the primary purpose of communicating with the public.

Notwithstanding the foregoing, the following do not fall within the definition of a “sign”:

Interior signs. Signs or other visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof, or located at least three feet from the window on the interior of the structure.

Architectural features. Decorative or architectural features of buildings (not including lettering, trademarks, or moving parts).

Symbols embedded in architecture.

Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a building; the definition also includes foundation stones and cornerstones.

Personal appearance. Items or devices of personal apparel, decoration, or appearance, including, but not limited to, tattoos, makeup, wigs, costumes, and masks (but not including commercial mascots).

Manufacturers’ marks. Marks on tangible products that identify the maker, seller, provider, or product and which customarily remain attached to the product even after sale.

Fireworks, candles, and artificial lighting. The legal use of fireworks, candles, and artificial lighting not otherwise regulated by this Title.

Mass transit graphics. Graphic images mounted on trains or duly licensed mass transit vehicles that legally pass through the county.

Vehicle and vessel insignia. As shown on street-legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, noncommercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.

Gravestones and grave markers.

News racks and newsstands.

Shopping carts, golf carts, and horse-drawn carriages.

***Sign Ordinance Chapter 17.16***

*Public Draft Dated 7-8-13*

*El Dorado County Zoning Ordinance Page 35*

Vending machines that do not display off-site commercial messages or general advertising messages.

Graphic images that are visible only from above, such as those visible only from airplanes or helicopters, but only if not visible from the street surface or public right-of-way.

Holiday and cultural observance decorations that are on display for not more than 45 calendar days per year (per parcel or use) and which do not include commercial advertising messages.

**RR. Sign Face.** That area or portion of a sign on which copy is intended to be placed.

**SS. Subdivision Ladder Sign.** A temporary or otherwise limited-term sign for the purpose of providing direction for vehicular and/or pedestrian traffic to the new home sale of multiple lots or dwelling units with a single builder within a master planned community, including both single-family and multi-family for-sale products. All other home sales signs are included within the definition of real estate sign.

**TT. Temporary Promotional Sign.** Any flag displaying a commercial/promotional message, pennant, streamer, banner, beacon, bunting material, or other similar nonpermanent sign made of paper, cloth, canvas, lightweight fabric, or other non-rigid material, with or without frames, whether displayed as freestanding, wall-mounted, pole-mounted, window-mounted, or painted, or any other method of attachment, or beacon, which is intended to be displayed for a limited period of time.

**UU. Temporary Sign.** A structure or device used for the public display of visual messages or images, which is easily installed with or without common hand tools, and which is not intended or suitable for long-term or permanent display (e.g., less than 120 days), due to lightweight or flimsy construction materials. Examples include, but are not limited to, A-frame signs, banners, pennants, streamers, or similar nonpermanent signs made of paper, cloth, canvas, lightweight fabric, or other nonrigid material, with or without frames.

Tara Mccann  
El Dorado County Resident

—  
  
Shawna L. Purvines  
Community Development Agency, Long Range Planning  
County of El Dorado  
2850 Fairlane Court  
Placerville, CA 95667  
Phone:(530) 621-5362  
Fax: (530) 642-0508  
[shawna.purvines@edcgov.us](mailto:shawna.purvines@edcgov.us)  
[www.edcgov.us](http://www.edcgov.us)

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EXHIBIT H

13-0086 5J 163 of 243





Anne Novotny <anne.novotny@edcgov.us>

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**Would you please interpret this for me.**

1 message

---

**Kathy McCoy** <kathy@mccoypartners.com>  
To: Anne Novotny <anne.novotny@edcgov.us>

Fri, Oct 3, 2014 at 12:37 PM

Prevent an inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message;

**Kathy McCoy**

***Diamond Springs El Dorado Community Advisory Committee member***





Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

**Re: El Dorado County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping Meeting**

1 message

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**Linnea Marenco** <ldmarenco@yahoo.com>  
Reply-To: Linnea Marenco <ldmarenco@yahoo.com>  
To: Anne Novotny <anne.novotny@edcgov.us>

Sat, Oct 4, 2014 at 10:32 AM

Hi, Anne,

Thank you for the opportunity to review the sign ordinance update. Would I be correct in thinking that you are using current zoning rather than the draft zones in the TGPA and revised draft zones, such as RL (and not more AE)?

On Friday, October 3, 2014 11:27 AM, Anne Novotny <anne.novotny@edcgov.us> wrote:

On October 1, 2014, a Notice of Preparation (NOP) was released for the Sign Ordinance Update draft Environmental Impact Report (EIR). A public scoping meeting is scheduled for **Thursday, October 23rd at 6:00 PM** in the Planning Commission Hearing Room.

The NOP is posted on the Long Range Planning Website, along with the Public Review Draft of the proposed Sign Ordinance Update:  
[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

Please feel free to forward this email to anyone who may be interested.

If you have any questions, please contact me.

**Anne Novotny**  
Senior Planner

**County of El Dorado**  
Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5931 / (530) 642-0508  
[anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)

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Thank you.





Anne Novotny <anne.novotny@edcgov.us>

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## Meetings re: sign ordinance?

1 message

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**Linnea Marengo** <ldmarengo@yahoo.com>

Mon, Oct 13, 2014 at 3:02 PM

Reply-To: Linnea Marengo <ldmarengo@yahoo.com>

To: "anne.novotny@edcgov.us" <anne.novotny@edcgov.us>

Hello,

When are the public meetings to review/discuss the draft sign ordinance?



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

**Re: Meetings re: sign ordinance?**

1 message

---

Linnea Marengo <ldmarengo@yahoo.com>  
Reply-To: Linnea Marengo <ldmarengo@yahoo.com>  
To: Anne Novotny <anne.novotny@edcgov.us>

Mon, Oct 13, 2014 at 8:15 PM

Thanks, Anne, that is what I thought.

On Monday, October 13, 2014 3:23 PM, Anne Novotny <anne.novotny@edcgov.us> wrote:

Hello Linnea,

A public scoping meeting will be held on **Thursday, October 23, 2014, at 6:00 p.m.** in the Planning Commission Hearing Room to receive public comments on the scope of the draft Environmental Impact Report. Staff will be available at this meeting to discuss any questions or receive any comments you have on the draft Sign Ordinance Update. No other meetings are scheduled at this time.

Here's the link to the project website:  
[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

**Anne Novotny**  
Senior Planner

**County of El Dorado**  
Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5931 / (530) 642-0508  
[anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)

On Mon, Oct 13, 2014 at 3:02 PM, Linnea Marengo <ldmarengo@yahoo.com> wrote:

Hello,

When are the public meetings to review/discuss the draft sign ordinance?

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EXHIBIT H

13-0086 5J 169 of 243



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Thank you.



Anne Novotny <anne.novotny@edcgov.us>

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## Draft Sign Ordinance--File# 13-0086; OR12-0001

1 message

---

**Russell Langley** <rlangley40@gmail.com>

Fri, Oct 17, 2014 at 9:09 AM

To: anne.novotny@edcgov.us

Cc: edc.cob@edcgov.us, lillian.macleod@edcgov.us, jim.wassner@edcgov.us

Hi Anne & Jim—

I've attached a file with a question about the draft sign ordinance. This is a follow-up of my correspondence dated September 21, 2014.

**Jim**—Please submit this correspondence (attachment) into the public record (File13-0086; OR12-0001).

Thank you both—

Cheryl Langley



**SignOrdQuestions.Oct 17.2014.docx**

345K

**Cheryl Langley  
Shingle Springs Resident**

**Date: October 17, 2014**

Anne Novotny, Senior Planner  
El Dorado County Community Development Agency  
Long Range Planning  
2850 Fairlane Court, Placerville, CA 95667  
Email: anne.novotny@edcgov.us

**Subject:** Proposed Sign Ordinance; File# 13-0086; OR12-0001

Ms. Novotny:

On September 21, 2014, I sent an inquiry to Lillian MacLeod regarding the proposed sign ordinance. I asked a few questions so I could better understand the ordinance and comment more effectively on its contents. While some of the questions were responded to in a reply from Jim Wassner, I nonetheless didn't receive an answer to one of the more pressing questions posed in my correspondence. That is, specifically:

- **Are mobile billboards going to be allowed under the proposed sign ordinance?** The ordinance language is unclear.

Specifically, I'm wondering if mobile billboards can—**based upon language currently in the draft**—be placed legally on **private property** with the consent of the landowner or leaseholder (even if the sign owner and landowner/leaseholder are different individuals/entities/businesses).

**Case in Point:**

- Will a mobile billboard—such as Thompson's billboard parked on Triangle Well Drilling property—become a legal installation following approval of the proposed sign ordinance? (Once again—based upon language *currently in the draft*.)

I am concerned that the County could see a proliferation of mobile billboards if the ordinance does not *specifically* exclude them from both rights-of-way and private property. (I assume it's likely some landowners/leaseholders would be interested in allowing a mobile billboard on their property if paid "space rent" by the sign owner.)

Mobile billboards are beginning to be installed Countywide (see photos below).

"Community Event Sign." Photo taken September, 2014; corner of South Shingle/Durock Roads.



Trucks bearing advertisements. Photo taken July, 2014; Cameron Park/eastbound Highway 50 onramp.





Truck/trailer mounted advertisement. Photo taken October, 2014; Bass Lake exit.



I care about community aesthetics; if these displays are allowed to proliferate—as it appears they have—County aesthetics will be seriously impacted.

**Secondarily, I have the following question:**

I noticed a *stationary* sign was recently removed; I believe it advertised a housing development. It was posted on private property just east of the Cameron Park Fire Department (facing Highway 50 westbound traffic. It was a large sign (probably 10' x 20') and appeared to be supported by three 4" x 4" posts set into the ground. This sign was up for probably less than a month; I suspect the owner was asked to remove it—I doubt it was removed voluntarily. I am curious under what circumstances the sign was removed (i.e., if County staff request its removal).

I thank you in advance for your attention to this matter; I look forward to your reply.

cc: Lillian MacLeod, Acting Principal Planner, EDC Planning Services  
Jim Wassner, Supervising Code Enforcement Officer  
Jim Mitrisin, Clerk of the Board

4201 Mephram Court  
El Dorado Hills, CA 95762  
22 October 2014

14 OCT 24 AM 11:40  
RECEIVED  
PLANNING DEPARTMENT

Anne Novotny, Senior Planner  
El Dorado County Community Development Agency  
2850 Fairlane Drive  
Placerville, CA 95667

Subject: Comment on Draft Sign Ordinance

Dear Anne Novotny:

Shopping centers may have sign restrictions which are different or more stringent than those in the sign ordinance. It would be helpful to some applicants if the revised Ordinance were to include a cautionary note advising to check with property managers before applying for a permit.

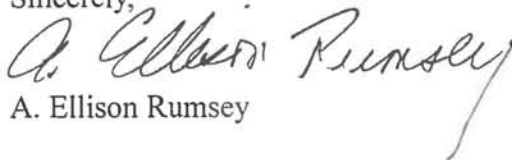
The Draft Ordinance does not include adequate provisions to deal with the County's most visible signage problem, temporary signs posted in the road right-of-way, posted off site on undeveloped private property, and posted on commercial property for periods much longer than permitted. This visual blight persists because the time-to-time confiscation of these relatively inexpensive signs by DOT personnel and a few property owners is not costly enough to discourage violators from doing more of the same. A good many violators repeat their illegal postings within a few days.

Section 17.16.100 allows property owners 30 days from notice to abate illegal and non-conforming signs. A provision should be added to reduce to 10 days the time allowed for abatement of *temporary* signs. .

Most importantly, the Ordinance should include a provision that allows the collection of penalty fines with the aim of both discouraging violations and helping cover the expense of enforcement.

Businesses that conform to signage restrictions will appreciate protection from unfair competition. Residents will appreciate relief from visual blight. Thank you for providing the opportunity to submit these comments.

Sincerely,

  
A. Ellison Rumsey





Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

## Notice of Preparation of draft EIR and Public Scoping Meeting for County Sign Ordinance Update

1 message

---

Ellen Katz <ek4575@att.net>  
To: anne.novotny@edcgov.us

Wed, Oct 22, 2014 at 12:01 PM

To: Long Range Planning Commission

The residents of Shingle Springs and Cameron Park have been very concerned about the very large billboards that have been posted near Highway 50 in Cameron Park and, especially on Mother Lode Drive in Shingle Springs. This is the main reason the residents have been requesting a sign ordinance that would prevent this size of sign to be located in rural communities.

Therefore, the question is: Why is the County proposing such a complicated, new Sign Ordinance, when the residents only wanted a few items addressed, such as billboards?

Ellen Katz  
4575 Hillwood Drive  
Shingle Springs, CA 95682



Anne Novotny <anne.novotny@edcgov.us>

---

## Sign ordinance

1 message

---

**ROBERT CALDWELL** <rcjc4@sbcglobal.net>

Wed, Oct 22, 2014 at 2:32 PM

Reply-To: ROBERT CALDWELL <rcjc4@sbcglobal.net>

To: "anne.novotny@edcgov.us" <anne.novotny@edcgov.us>

An irritation to me is to see marchants hanging large signs over the fences bordering their property. Lee's Feed in Shingle Springs is a good example but there a great many elsewhere. These signs also appear tied between two trees. (Walgreen Drug)

Additionally, small 2 x 2 signs pop up all over the place.

Bob Caldwell





Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

**RE: Scoping Meeting in Planning Commission Room (on Sign Ordinance)**

1 message

---

**Russell Langley** <rlangley40@gmail.com>  
To: Anne Novotny <anne.novotny@edcgov.us>

Wed, Oct 22, 2014 at 2:51 PM

Okay—thanks Anne!!!

**From:** Anne Novotny [mailto:anne.novotny@edcgov.us]  
**Sent:** Wednesday, October 22, 2014 1:50 PM  
**To:** Russell Langley  
**Subject:** Re: Scoping Meeting in Planning Commission Room (on Sign Ordinance)

Cheryl - The deadline for the NOP comments is 5 p.m. on Friday, October 31st.

--Anne

On Wed, Oct 22, 2014 at 1:38 PM, Russell Langley &lt;rlangley40@gmail.com&gt; wrote:

Hi Anne—

Thanks—I thought it might be recorded, so it's good to know it's not. I will be sending in some comments on the NOP at a later date—before the deadline, hopefully!

Thanks again—

Cheryl Langley

**From:** Anne Novotny [mailto:anne.novotny@edcgov.us]  
**Sent:** Wednesday, October 22, 2014 1:33 PM  
**To:** Russell Langley  
**Cc:** Charlene Tim; Shawna Purvines  
**Subject:** Re: Scoping Meeting in Planning Commission Room (on Sign Ordinance)

Hi Cheryl,

The scoping meeting for the Sign Ordinance EIR is not a scheduled Planning Commission meeting. It will also not be recorded.

The purpose of the scoping meeting is to take public comments on the scope and content of the environmental information and analyses to be addressed in the Environmental Impact Report.

If you have any other questions, please contact me.

--Anne

**Anne Novotny**

Senior Planner

**County of El Dorado**

Community Development Agency

Long Range Planning Division

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5931 / (530) 642-0508

anne.novotny@edcgov.us

On Wed, Oct 22, 2014 at 12:36 PM, Char Tim <charlene.tim@edcgov.us> wrote:

Cheryl,

Anne is the right person to ask about tomorrow's public scoping meeting on the Sign Ordinance as it is not a Planning Commission meeting. I've copied her on it so she knows that you have some questions. Thank you.

On Wed, Oct 22, 2014 at 10:53 AM, Russell Langley <rlangley40@gmail.com> wrote:

Hi Char—

There is a public scoping meeting scheduled on Thursday, October 23 at 6:00 p.m. in the Planning Commission Hearing Room (it is for the sign ordinance update). I didn't see it on the Planning Commission Agenda, so I assume it is not scheduled as a Planning Commission meeting. So I'm wondering if it is going to be recorded (and the sound recording made available on the County Web site afterward). Do you know?

If you don't know off the top of your head—just let me know and I will contact Anne Novotny and ask her.

Thanks, Char—

Cheryl Langley  
Shingle Springs

—

**Char Tim**

Clerk of the Planning Commission

Assistant to Roger Trout

Development Services Division Director

**County of El Dorado**

Community Development Agency

Development Services Division

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5351 / FAX (530) 642-0508

charlene.tim@edcgov.us

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Thank you.





Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

## Notice of Preparation of draft EIR and Public Scoping Meeting for County Sign Ordinance Update

1 message

---

Ellen Katz <ek4575@att.net>  
To: anne.novotny@edcgov.us

Wed, Oct 22, 2014 at 12:01 PM

To: Long Range Planning Commission

The residents of Shingle Springs and Cameron Park have been very concerned about the very large billboards that have been posted near Highway 50 in Cameron Park and, especially on Mother Lode Drive in Shingle Springs. This is the main reason the residents have been requesting a sign ordinance that would prevent this size of sign to be located in rural communities.

Therefore, the question is: Why is the County proposing such a complicated, new Sign Ordinance, when the residents only wanted a few items addressed, such as billboards?

Ellen Katz  
4575 Hillwood Drive  
Shingle Springs, CA 95682



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

---

**Fwd: {edcquestions} sign ordinance**

1 message

---

**Kathy Krizl** <kathy.krizl@edcgov.us>  
To: Anne Novotny <anne.novotny@edcgov.us>

Wed, Oct 29, 2014 at 1:08 PM

Forwarding the comments...

Kathy Krizl  
Web Development  
El Dorado County IT  
(530) 621-5416  
kathy.krizl@edcgov.us

——— Forwarded message ———

From: **Roxanne Allgeier** <luckysgirl2040@gmail.com>  
Date: Tue, Oct 28, 2014 at 5:42 PM  
Subject: {edcquestions} sign ordinance  
To: "edcquestions@edcgov.us" <edcquestions@edcgov.us>

I oppose all these huge signs being put in. Destroying the rural nature of our county.

Why do you all continue to go along to get along? Where is your conscience? We live here for the lifestyle. We don't want Folsom, Rancho Cordova, Sacramento congestion in our county.....as you all have allowed against our wishes in EDH.

Please stop the bureaucracy. Remember who pays your salary.

Roxanne Allgeier

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Thank you.



Anne Novotny <anne.novotny@edcgov.us>

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## Comments on the NOP for the Proposed Sign Ordinance

1 message

---

**Russell Langley** <rlangley40@gmail.com>

Fri, Oct 31, 2014 at 9:41 AM

To: anne.novotny@edcgov.us

Hi Anne—

I've attached my comments on the proposed sign ordinance. Please add my comments to the public record for this item, as appropriate.

Thank you—

Cheryl Langley



**NOP.SignOrdinance.October31.2014.docx**  
3618K

Cheryl Langley  
5010 Mother Lode Drive  
Shingle Springs, CA

**Date:** October 31, 2014

Anne Novotny, Senior Planner  
El Dorado County Community Development Agency  
Long Range Planning  
2850 Fairlane Court, Placerville, CA 95667  
Email: anne.novotny@edcgov.us

**Subject:** Notice of Preparation (NOP) for Proposed Sign Ordinance; File# 13-0086; OR12-0001

Ms. Novotny:

Thank you for the opportunity to comment on the proposed sign ordinance. The majority of the comments are related to the topic of aesthetics. Based on that concern, I request the following information be included in the draft Environmental Impact Report (dEIR) for the proposed sign ordinance.

**RESEARCH / NEED FOR ORDINANCE REVISION**

- A. Please include an explanation of the *need* for the sign ordinance update. Identify the *benefit* of the revised ordinance, relative to the existing ordinance.
- B. Discuss other sign ordinances (from other jurisdictions) examined prior to the development of this ordinance. Explain whether the El Dorado County (EDC) proposal is more or less restrictive in terms of anticipated sign installations. Identify areas that are more restrictive (in other jurisdictions) and the possible benefit of those restrictions.
- C. Please provide in an appendix to the dEIR any public surveys that have been performed to determine the preferences of EDC residents regarding installation of the following:
  - o Billboards (along Highway 50)
  - o Digital signs
  - o Mobile billboards
  - o Signs installed within 100 feet of Highway 50
  - o Off-site advertising (commercial messages)
  - o Signs on wire along County roads
  - o Signs along scenic/historic corridors
  - o Illuminated signs
- D. Please explain—if surveys have not been performed—how it was determined what sign types, etc., would/would not be allowed in EDC. That is, identify who contributed to the decision process (for the inclusion of digital signs, etc., for instance). Discuss whether the public was queried (via public outreach), other than during the brief draft review process. (The “final” draft document was released on a Friday for a Tuesday meeting; very little time for public review of a 40+ page rewrite of the draft.)



- E. If surveys have not been performed, is it possible that they *will* be performed prior to project completion? (Outreach is important— most residents are probably unaware of County projects until they impact their daily lives; not the “fault” of County government, but a sound process anticipates impact and the amount of necessary outreach.)
- F. Because individuals/businesses have always been able to pursue the establishment of a sign under a Special Use Permit (SUP), please explain why this ordinance is necessary.
- G. Explain how the proposed sign ordinance “*enhances the visual appearance of the County*” (Goal 2.7).

**DIGITAL SIGNS**

- A. Discuss the need for digital signs in EDC.
- B. Discuss what EDC public opinion is (specifically, that of residents) regarding digital sign displays.
- C. Identify specific size requirements for digital signs, especially “free-standing” signs (i.e., those not in shop windows), including situations/circumstances under which specific sign sizes are allowed/unauthorized.
- D. Explain why the following description is used to describe digital display areas: “*Digital display is limited to 50 percent of the total allowable display face area of any particular sign.*”
- E. Discuss whether “large” off- or on-site digital billboards (such as those seen along Highway 50 in Sacramento County) will be allowed in EDC under this sign ordinance (including under an SUP, “nonconforming,” Variance, or other mechanism).
- F. Explain why on- or off-site digital sign installations (advertisement for hire) are necessary for the conduct of business in EDC.
- G. Identify any revenue EDC might receive if off-site digital billboards are allowed.
- H. Explain why the “dwell time” was decreased from the first draft of the sign ordinance to the second draft. Describe who benefits from this change, and what public opinion is regarding the change.

**BILLBOARDS, GENERAL**

- A. Describe the feasibility of—and schedule for—eliminating established stationary off-site billboards (specifically those used for advertisement for hire).
- B. Explain whether existing off-site commercial signage on private property (stationary and mobile billboards, specifically) will be removed from sites they currently occupy given the following ordinance language:

**17.16.090 Prohibited Signs**

**A. General Prohibition.** All off-site commercial signage on private property is prohibited unless as otherwise allowed in this Chapter. **Existing off-site signs (e.g., billboards) are considered nonconforming signs** as regulated by Section 17.16.100 (Illegal, Abandoned, and Nonconforming Signs).

**AND**

**17.16.100 Illegal, Abandoned, and Nonconforming Signs**

**(C)(1). Removal/Abatement.** Any sign which becomes **nonconforming** as a result of the provisions of this Chapter shall be **protected from removal** by applicable provisions of state law and may be removed only as allowed by state law.

**AND**

**17.16.090 Prohibited Signs**

**(B).** The signs listed in this Section are prohibited in all zones. Except as otherwise specifically noted herein...

**(B)(2).** Billboards as defined herein. This does not prohibit **relocation agreements** as authorized by state law (California Business and Professions Code Section 5412.)

**AND**

**17.16.110 Signs on County Property**

**(F) Relocation of Off-Site Billboards.** Notwithstanding the prohibition on billboards in Section 17.16.090.B.2, pursuant to state law, the Board may approve agreements for **relocation of existing billboards to County owned land.**

**MOBILE BILLBOARDS**

Although ordinance language prohibits mobile billboards on rights-of-way, it appears conceivable that the County could see a proliferation of mobile billboards if the ordinance does not specifically exclude them from both rights-of-way and **private property.** (It is likely some landowners/leaseholders would be interested in allowing a mobile billboard on their property if paid "space rent" by the sign owner.)

Therefore, I request the following information:

- A. Discuss whether any or all of the mobile billboards currently in place on private property in EDC will be removed following ordinance adoption. As much as it *appears* the proposed sign ordinance will prohibit mobile billboards, it seems equally as likely that there are caveats in the ordinance that will enable these displays to remain in place, or to be installed after the ordinance is adopted. Discuss the "will" of the County in this regard, and if the ordinance language accurately reflects this will.
- B. Explain if mobile billboards that currently reside on private property are going to be allowed to remain in place following adoption of the proposed sign ordinance; discuss whether they will become "nonconforming signs" and thus "grandfathered" in. (Assuming they are not public health/safety hazards.)
- C. Explain if mobile billboards must be granted SUPs to "qualify" as nonconforming signs prior to ordinance adoption. Discuss if SUPs have been granted to any of the mobile billboards photographed below, and if so, specify under what criteria/circumstances such permits were issued (under the current sign ordinance).
- D. Discuss whether SUPs *could* be approved for any of the pictured mobile billboards following adoption of the new ordinance. If so, explain under what specific criteria/circumstances SUPs may be issued to mobile billboard installations on private property.
- E. Explain if mobile billboards may be classified as "temporary signs" and therefore allowed to remain in place under those criteria.

- F. Explain if mobile billboards will be able to apply for (and likely to receive) approval to remain on private property via **Variance** agreements.
- G. Discuss the possible/likely “fate” of each of the mobile billboards photographed below following sign ordinance adoption (assuming current draft language is approved).

“Community Event Sign.” Photo taken September, 2014; corner of South Shingle/Durock Roads.



Trucks bearing advertisements. Photo taken July, 2014; Cameron Park/eastbound Highway 50 onramp.





Truck/trailer mounted advertisement. Photo taken October, 2014; Bass Lake exit.



Travel-trailer mounted advertisement. Photo taken October, 2014; Durock Road.





- H. Discuss the value of changing current ordinance language to the following, with respect to stationary and mobile billboards. (This modification, as written, would likely eliminate the types of displays depicted in the photos—assuming “*unless as otherwise allowed in the Chapter*” includes **only** the ability to apply for SUPs/Variance, both of which require meeting specific criteria (yet to be specifically identified in the ordinance), public hearings, and approval.

**From:**

**17.16.090 Prohibited Signs**

**A. General Prohibition.** All off-site commercial signage on private property is prohibited unless as otherwise allowed in this Chapter. **Existing off-site signs (e.g., billboards) are considered nonconforming signs as regulated by Section 17.16.100 (Illegal, Abandoned, and Nonconforming Signs).**

**To:**

**17.16.090 Prohibited Signs**

**A. General Prohibition.** All off-site commercial signage on private property is prohibited unless as otherwise allowed in this Chapter. ~~Existing off-site signs (e.g., billboards) are considered nonconforming signs as regulated by Section 17.16.100 (Illegal, Abandoned, and Nonconforming Signs).~~

**AND**

**From:**

**17.16.090 Prohibited Signs**

~~**(B)(10)** Mobile billboard advertising displays traversing upon or **parked on a public right-of-way** for the primary purpose of general advertising for hire.~~

~~**(B)(12)** Signs affixed to a structure or property not owned by the person installing the signs, unless **authorized by the written consent of the owner** of the structure or property. For the purposes of this provision, “owner” means any person or entity holding the immediate right of possession and control.~~

**To:**

**(B)(10)** Mobile billboard advertising displays attached to a vehicle or device that carries, pulls, or transports a sign or billboard for the primary purpose of advertising.

**(B)(12)** Signs or other advertising displays affixed to a structure or property not owned by the person installing the signs. For the purposes of this provision, “owner” means any person or entity holding the immediate right of possession and control.

**HIGHWAY-ORIENTED SIGNS**

**17.16.040 Permanent Signs**

**(A) Permanent On-Site Signs.**

**(4) U.S. Highway 50-Oriented Signs.** Signs on properties within 100 feet of U.S. Highway 50 that are outside of the designated State Scenic Highway Corridor.

- A. 17.16.010 states that the ordinance will regulate “...*the location, number and size of highway signs...*” Explain how many highway-oriented signs are currently in EDC, and how many are expected to be installed following implementation of the ordinance.
- B. Identify the scale of demand for this measure—the reason for its inclusion. (Identify the number of requests made for the installation of highway-oriented signs.)

- C. Identify the efforts made to determine if residents are supportive of highway-oriented signs.
- D. Discuss the need for this provision.

### **DEVELOPMENT STANDARDS FOR STATE SCENIC HIGHWAY CORRIDORS**

- A. Explain why a section of the ordinance is "*Reserved for future Scenic Corridor Ordinance.*" Is it anticipated that there will be sign installations along scenic corridors? Please include an explanation, including a discussion of the types of signs that may be allowed.

### **OFF-SITE SIGNS**

#### **17.16.040 Permanent Signs**

**(B) Permanent Off-Site Signs.** Permanent off-site signs **allowed** in the County's zoning districts include the following sign types:

**(1) Subdivision Signs.** Signs directing traffic to **new residential subdivisions** shall be consistent with the sign design and development standards as described in this Chapter and the following conditions:

**(a)** All signs for housing subdivisions shall be removed within 30 days **after all lots in the subdivision are sold.**

- A. Explain why subdivision signs will be allowed off-site, and specifically where they will be allowed (the allowable distance from the subdivision, etc.)
- B. Explain why signs will be allowed to remain until *all lots* in the subdivision are sold.
- C. Identify how long such signs could remain (based on housing development sales information).
- D. Identify what investigation has been done to determine the probable period of time signs are likely to remain.
- E. Discuss the benefit of establishing a specific timeframe for sign display, rather than using sales information as the basis. For instance, allow signs for X number of months (unless all lots are sold prior to that timeframe). This approach would be much easier to enforce.

### **GAS PRICING SIGNS**

#### **17.16.030 Exemptions**

**A. Exempt Signs Without Limitations.** The following signs are exempt from Sign Permit requirements with no specific limitations:

**8.** Gas pricing signs, as required by state law, which identify the brand, types, octane rating, etc., of gasoline for sale within the county (Sections 13530–13540 of the Business and Professional Code).

- A. Explain why gas pricing signs are exempt from limitations.

### **ILLUMINATED SIGNS**

- A. Explain the necessity for illuminated signs (other than those illuminated to direct travelers to destinations or services).
- B. Discuss whether EDC residents have been surveyed to determine which signs they believe should/should not be illuminated.

## COMMUNITY EVENT SIGNS (17.16.060[C])

- A. Explain why “permanent” event pylon-style signs (established at a single site by the community) have not been proposed for communities wishing to display community events.
- B. Explain who/how stationary community event pylon-style signs may be maintained (i.e., the local Chamber of Commerce, designated individuals within a community, etc.)
- C. Discuss the advantages (especially in terms of community aesthetics) of maintaining a community event pylon-style sign for the display of community events, as opposed to allowing “*street banners, signs, or other displays*” to advertise such events (i.e., how a permanent pylon-style sign may eliminate sign clutter, and reduce the amount of dated material going to landfill).

## TEMPORARY SIGNS

### **17.16.050 Temporary Signs**

Temporary signs may include, but are not limited to, commercial signs for grand openings, products/services, sales, special events, and new apartments/multi-family units.

**A. Time Duration. Display periods for temporary on-site signs shall be limited to a cumulative maximum of 90 days per establishment per calendar year, unless otherwise specified below.**

- A. Explain how it will be possible to enforce the **Time Duration** section of the ordinance for temporary signs—per sign/establishment/event—for the (probable) multitude of temporary signs posted countywide. Discuss who “sets the clock” per sign/establishment/event, and who will enforce this provision (realistically)?

## CONSTRUCTION SIGNS

### **17.16.030 Exemptions**

**B. Exempt Signs With Limitations.**

**4. Signs on property undergoing construction or remodeling not exceeding 32 square feet** each in area and limited to 1 sign for each street frontage. Such signs shall not be illuminated. Such signs **shall be removed within 30 days** of the earliest of the following events: final building inspection approval, issuance of a valid certificate of occupancy, opening for business to the public, or expiration of the Building Permit.

- A. Explain why these signs are being allowed (I don’t believe they were allowed under the existing sign ordinance).
- B. Identify who is going to determine whether these signs have remained past their 30 day allotted “stay,” and what penalties will be enforced (per day?) for those that remain over the 30 day time period.
- C. Discuss whether this 30 day time limit will realistically be enforced, given the possible proliferation of these signs at every construction/remodel site in EDC.
- D. Discuss why these signs are allowed to be as large as 32 square feet. Discuss whether a smaller size could be equally as effective (in terms of advertisement potential).

### CAMPAIGN / ELECTION SIGNS (POLITICAL CONTENT)

- A. Describe the benefits of prohibiting campaign signs on **public rights-of-way**,\* and the benefit of designating a particular area within a community for their display via a community pylon-style sign that lists the candidates/issues/debate dates ( as opposed to allowing a proliferation of signs along County rights-of-way). Describe how limiting campaign/issue signs to specific areas might impact the following:
- Aesthetics (reduce visual clutter)
  - Candidate/issue bias (via quantity of displays)
  - The influence of dollars in campaigns
  - Benefit candidates/issue proponents financially
  - Reduce deliveries to landfill operations post-election
  - Focus the electorate on the *merit* of candidates and issues
- B. Describe innovative ways other counties in the State, or states with the nation, “handle” election signage.

**\*NOTE:** Because unauthorized signs (this would include those in rights-of-way) are allowed to remain for 30 days under this ordinance, these signs can be posted in rights-of-way for that period of time, regardless of any other prohibitions.

### UNAUTHORIZED SIGNS—DURATION OF STAY

- A. Explain why the county is allowing a 30 day grace period for unauthorized signs. More than one respondent to an early draft of the proposed sign ordinance requested revision of this portion of the sign ordinance during the comment period for the July 8, 2013, draft. (Also see Cameron Park Design Review Committee comments of August 12, 2013, page 14.) Explain why the request for this adjustment to the text of the draft sign ordinance was ignored.
- B. Explain why the current procedure for sign abatement will not be followed. (I believe the current procedure is for CE to remove a sign immediately upon receipt of complaint—lay it down if it is along a roadway, or remove it from a tree or telephone pole, if so posted—and place a notice on it that warns the owner that the sign will be removed and destroyed.) This seems like a reasonable procedure; explain why it is being changed.
- C. Identify who “sets into motion” the 30 day clock on the abatement period for unauthorized signs (Code Enforcement [CE] via “patrols,” or the public via complaint).
- D. Identify who verifies compliance following the 30 day abatement period, given the number of signs this may entail, especially if you include “signs on wire” along EDC rights-of-way, signs posted on telephone poles, trees, etc. (Suppose, for instance, 12 signs are posted on trees and telephone poles along Cedar Ravine, six are along Lotus Road, and five along South Shingle Road; who keeps track of when they were posted, and when they come down—realistically?)
- E. Explain if this provision discourages the posting of unauthorized signs. (Thirty days is adequate time for most advertisers to “get their message out.”) Where is the disincentive to post?

### STATE STANDARDS FOR REMOVAL OF NONCONFORMING SIGNS

- A. Include in the dEIR a discussion of the “*applicable provisions of state law*” that protect nonconforming signs from removal, (17.16.100[C][1]) and the state law “mechanism” that enables their removal.



- B. Discuss how inclusion of the state law language in the text of the ordinance would make the ordinance more “user friendly” (accessible to those to whom the ordinance may apply).

#### PENALTIES

- A. Explain why penalty language was *removed* from the ordinance and replaced with a reference to penalties in Chapter 9.02 of **Title 9—Public Peace Morals and Welfare**.
- B. Chapter 9.02 is currently under revision; discuss whether the penalty portion of the code will be revised. (See EDC Ordinance Code Recodification Project *Legislative Draft* Executive Summary, June 17, 2014.)

Because no penalty language has been specifically included in the ordinance, I request the following.

- C. Explain why penalty information is not included in the ordinance, despite comment from the public. (The Cameron Park Design Review Committee also commented on this issue—see public comment submitted in response to the July 8, 2013, draft of the sign ordinance; page 2, item 8, August 12, 2013).
- D. Explain why the only penalty language *referenced* in this ordinance is language that resides in a code that is currently under revision (Chapter 9.02 [Code Enforcement]).
- E. Explain how revision of Chapter 9.02 may impact the penalty language currently in that code.
- F. Explain who is primarily responsible for enforcing Chapter 9.02 in terms of safety issues along rights-of-way (i.e., EDC Sheriff’s Department, California Highway Patrol, CE).
- G. Identify how adding penalty language to the current ordinance would improve ordinance clarity and “accessibility” to the public, and improve its “fairness” to those who may intentionally or inadvertently violate ordinance provisions.
- H. Explain precisely how the penalties are to be levied: add the penalty formula.

There is also some problem with the penalty language in Chapter 9.02: While 9.02.050 *does* include penalties (provided the draft language does not change), it also includes what could be construed as an important “out” for enforcement authorities that are reluctant to enforce County code: “*Informal oral or written requests to encourage compliance are encouraged, as are attempts to informally negotiate or mediate issues relating to compliance.*” While the approach referred to in this section of the code is commendable—obviously a preferable way to solve the majority of violations—if it is used by County staff as a means to *not* enforce code (because staff may be uncomfortable with “push back” from businesses), this could mean removal of unauthorized signs will *not* be accomplished. After all, this language instructs/allows the enforcement authority to “*encourage compliance.*” It doesn’t indicate compliance is *required* post “encouragement.” As commendable—and sensible—as this portion of the code *sounds*, the language doesn’t indicate **compliance is the endpoint**.

- I. Discuss the advantages of including penalty/enforcement language in Chapter 17.16 in terms of:
- Making the penalty portion clear, easily accessible to the public.
  - Clarifying how the penalties are to be levied (by adding the penalty formula).
  - Clarifying who is responsible for enforcement activities.
  - Making clear that *compliance* is the endpoint of enforcement actions.

## **CODE ENFORCEMENT**

In an email dated September 22, 2014, to the Board of Supervisors (et al.), Mr. Wassner, Supervising Code Enforcement Officer, indicated that the lack of resources in CE since 2008 has meant that CE has not been enforcing sign complaints unless they create a hazard by blocking a driver's sight distance, and that "...penalties of the Administrative Citations should provide the funding" necessary to acquire "additional resources" to pursue violations. Therefore, please include the following information in the dEIR:

- A. Identify how many staff are currently assigned to CE duties, and what their specific duties are.
- B. Include an estimate of how many new staff ("resources") will be necessary to implement the new ordinance, and how likely it is that such a staffing level will be achieved.
- C. Identify how many violations per month would be necessary to support one full time permanent staff person—and based on this estimate—discuss if this is a realistic approach to supporting additional staff.
- D. Explain why this method of staff support—if deemed likely to support permanent staff—was not implemented prior to losing staff in 2008.
- E. If additional staff cannot be acquired, discuss the alternative plan for the effective enforcement of the ordinance.

Also included in Mr. Wassner's September 22, 2014, email was a statement that once the updated sign ordinance has been adopted, "we can educate the public regarding the requirements with newspaper articles." Therefore, in the dEIR:

- F. Include specifics (content/expected duration) of the public information campaign that is to be released after the sign ordinance is approved. Include in the draft EIR the public education campaign materials CE intends to "popularize" in its effort to help the public understand the new sign ordinance (newspaper article text, etc.)
- G. Identify the time lapse for CE to begin enforcement activities following the proposed public education campaign (the specific time period that will be established as "a reasonable period for self compliance," also mentioned in Mr. Wassner's email of September 22, 2014).
- H. Discuss how, specifically, CE is going to enforce the new ordinance, once adopted. That is, discuss if CE is going to perform periodic patrols, or if identification of violators will be dependent upon complaints registered by the public. Because CE enforcement activities have been lacking in the past (Ellen Van Dyke made a comment to the effect that enforcement was inadequate in comments submitted July 15, 2013, as did Amy Anders, August 12, 2013), it makes residents wonder how enforcement will be different after the new ordinance is adopted. Please explain.

## **SPECIAL USE PERMITS (SUP)**

### **17.16.080 Permit Requirements and Review Procedures**

#### **A. Sign Permit Required.**

2. Sign Permit(s) shall be required as part of the review of any discretionary application that includes proposed signage. The Sign Permit shall be in addition to the discretionary application or permit.

- A. Include specifics (criteria) that signs (or other displays) must meet to be approved under the SUP process; include guidelines.

- B. Discuss how the inclusion of a sunset clause for SUP approved displays may be beneficial; discuss why this clause has not been included.

## **VARIANCE**

### **17.16.020 General Sign Requirements**

**G. Exceptions to Limitations.** Any exception to the limitations and/or sign development standards stated or shown within this Chapter shall require a Variance in compliance with Chapter 17.22, Section 17.22.600 (Variance).

### **17.16.030 Exemptions**

**B. Exempt Signs With Limitations.** Exempt signs that do not meet the limitations listed may be allowed only by Variance as outlined in Chapter 17.22, Section 17.22.600 (Variance).

- A. Include specifics (criteria) that signs (or other displays) must meet to be approved under a Variance; include guidelines.
- B. Discuss how the inclusion of a sunset clause for displays approved under a Variance may be beneficial; discuss why this clause has not been included.

## **SCOPE OF IMPACT**

- A. Include in an appendix to the dEIR any data EDC has on the anticipated impact of this ordinance (i.e., how many more—or less—of the specific sign types listed below are anticipated to be installed in EDC following ordinance adoption). Explain the number/type of signs expected to increase, or decrease.
- o Stationary and mobile billboards
  - o Digital billboards (on- and off-site)
  - o Signs installed within 100 feet of Highway 50
  - o Off-site signs (general)
  - o Signs on wire, telephone poles, trees, etc. adjacent to County roads
  - o Signs along scenic/historic corridors
  - o Illuminated signs
- B. Include an estimate of the number of *nonconforming* signs in the County; discuss the benefit of removing nonconforming signs prior to ordinance adoption, and the aesthetic “cost” of not enforcing cleanup.

## **DEFINITIONS**

- A. Add to the definition section “Director.”

## **CONCLUSION**

This ordinance raises concerns that more signage will be allowed in EDC, that the duration of stay for many sign types will increase, and that any “protective” provisions are not enforceable in practical terms. Consequently, this ordinance will have a significant adverse impact on County aesthetics.



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

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**Comment - El Dorado County draft EIR for Sign Ordinance Update**

1 message

**Lori at Shingle Springs Community Alliance**

&lt;info@shinglespringscommunityalliance.com&gt;

To: anne.novotny@edcgov.us

Fri, Oct 31, 2014 at 4:51

PM

Anne,

Since the new TGPA/ZOU has yet to be implemented and will not even be discussed by the Board of Supervisors for months, how can the County move forward with a generalized sign ordinance that conflicts with the existing zoning ordinance? Proposing an ordinance that is based on future zoning is a CEQA violation.

At the October 23rd public Scoping meeting regarding the Sign Ordinance, it was stated that no comments had been received as of that date regarding the DEIR. It was also stated that sometimes comments are made regarding the project rather than the scope of the DEIR, and those comments would also be included if any are received. However, the Long Range Planning webpage shows that comments have been made regarding the project over the past year. I request that these comments be included in the DEIR so that they are addressed.

Here is policy from the existing General Plan regarding billboards:

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**OBJECTIVE 2.7.1: SIGNS REGULATION**

Regulation of the location, number and size of highway signs and elimination of billboards along identified scenic and historic routes.

Policy 2.7.1.1 The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection.

Policy 2.7.1.2 Existing billboards within scenic corridors shall be removed or relocated out of the corridor allowing an adequate time period for billboard owners to amortize the value of their signs pursuant to an amortization schedule to be included in the Sign Ordinance.

Why is there a need for a completely new Sign Ordinance when our current policy prevents billboards once the Scenic Vista and Corridor ordinances are implemented? Residents have asked for the Scenic Vista ordinance to be implemented to prevent the billboards, not a completely new Sign Ordinance that is inconsistent with the current General Plan and Zoning Ordinance.

The item of most concern to people I have talked to are digital signs. Many people have expressed concern about light pollution and the urban feel that digital signs bring with them. Digital signs are a blight on our rural, cultural resources which are our most important asset in our county. Please fully analyze the effects of digital signs on our county's sense of place. I would like to see digital signs banned altogether.

Thank you,

EXHIBIT H

13-0086 5J 197 of 243



Lori Parlin

----- Original Message -----

Subject: Comment Deadline 5:00 p.m. Friday, October 31st - El Dorado County draft EIR for Sign Ordinance Update  
From: Anne Novotny <anne.novotny@edcgov.us>  
Date: Wed, October 29, 2014 8:44 am  
To: Anne Novotny <anne.novotny@edcgov.us>

The draft Environmental Impact Report (EIR) for the Sign Ordinance Update plans to address aesthetic/visual resources. For other resources to be considered, written comments are **due by 5:00 p.m. this Friday, October 31, 2014**. For more information, visit the Sign Ordinance Update web page at:  
[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

**Anne Novotny**  
Senior Planner

**County of El Dorado**  
Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5931 / (530) 642-0508  
anne.novotny@edcgov.us

----- Forwarded message -----

From: **Anne Novotny** <anne.novotny@edcgov.us>  
Date: Fri, Oct 3, 2014 at 11:27 AM  
Subject: El Dorado County Sign Ordinance Update - Notice of Preparation of draft EIR & Public Scoping Meeting  
To: Anne Novotny <anne.novotny@edcgov.us>

On October 1, 2014, a Notice of Preparation (NOP) was released for the Sign Ordinance Update draft Environmental Impact Report (EIR). A public scoping meeting is scheduled for **Thursday, October 23rd at 6:00 PM** in the Planning Commission Hearing Room.

The NOP is posted on the Long Range Planning Website, along with the Public Review Draft of the proposed Sign Ordinance Update:  
[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

Please feel free to forward this email to anyone who may be interested.

If you have any questions, please contact me.

**Anne Novotny**  
Senior Planner

**County of El Dorado**

Community Development Agency  
Long Range Planning Division  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5931 / (530) 642-0508  
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# **APPENDIX B – DRAFT SIGN ORDINANCE**

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## **CHAPTER 17.16 – SIGNS**

### **Sections:**

- 17.16.010 Content and Applicability
- 17.16.020 General Sign Requirements
- 17.16.030 Exemptions
- 17.16.040 Permanent Signs
- 17.16.050 Temporary Signs
- 17.16.060 Community Sign Programs
- 17.16.070 Sign Development and Design Standards
- 17.16.080 Permit Requirements and Review Procedures
- 17.16.090 Prohibited Signs
- 17.16.100 Illegal, Abandoned, and Nonconforming Signs
- 17.16.110 Signs on County Property
- 17.16.120 Definitions

### **17.16.010 Content and Applicability**

**Content.** The purpose of this Chapter is to establish sign regulations that are consistent with the goals, objectives and policies of the El Dorado County General Plan and the County’s visual and aesthetic goals, and provide adequate identification for establishments. Specifically, this Chapter regulates the size, quantity, and location of signs to maintain and enhance the visual appearance of the County (Goal 2.7), regulates the location, number and size of highway signs and, to the extent allowable by law, eliminates billboards along identified scenic and historic routes (Objective 2.7.1). The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection (Policy 2.1.1.1).

**Applicability.** This Chapter applies only to the unincorporated areas of the County; within such areas, this Chapter applies to signs located or mounted on private property, as well as County owned properties and land owned by public entities over which the County has land use regulatory authority. This Chapter does not apply to lands subject to the regulatory authority of the Tahoe Regional Planning Agency. For the purposes of this Chapter, urban sign regulations established herein shall apply to those areas designated in the County General Plan Land Use Diagram as Community Regions. Similarly, rural sign regulations established herein shall apply to all other areas in the unincorporated County not otherwise designated as Community Regions in the County General Plan Land Use Diagram. Unless otherwise noted, sign regulations in this Chapter shall apply to both urban and rural areas equally.

The County recognizes that signs are an essential element of a community’s visual appearance and provide a means to identify communities and promote commerce, provide useful information to the public, and should not become visual distractions along public roadways. These regulations are intended to protect the public health, safety, and welfare and provide for the integrity of the County’s aesthetics.



In addition, these regulations are intended to:

- A. Promote economically stable and visually attractive communities within the County;
- B. Promote signs that are attractive, pleasing, and harmonized with the physical character of the structure and environment of surrounding properties;
- C. Recognize the distinct signage needs and applications in the County's designated urban and rural areas through distinct sign regulations;
- D. Prevent an inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message;
- E. Protect viewsheds in designated scenic corridors;
- F. Encourage individuality among communities and businesses through signage;
- G. Encourage consolidation of signs to reduce visual clutter;
- H. Improve traffic safety and the smooth and efficient flow of pedestrians, bicyclist and vehicles to their destinations; and
- I. Direct persons to various activities and enterprises, in order to provide for maximum public convenience.

#### **17.16.020 General Sign Requirements**

Except as otherwise specifically noted herein, the following requirements shall apply to all signage in the unincorporated (urban and rural) areas of the County.

- A. **Regulatory Interpretations.** The requirements of this Chapter shall not be interpreted to nullify any easements, covenants, or other private agreements that provide for more restrictive sign regulations than are required by this Chapter.
- B. **Message Neutrality.** In adopting this Chapter, the County intends to regulate signs within the scope of this Chapter in a way that does not favor commercial speech over noncommercial speech and does not regulate noncommercial speech based on message content. The message of any sign shall not be reviewed except to the minimum extent necessary to identify the type of sign.
- C. **Message Substitution.** Subject to the property owner's consent, a constitutionally protected noncommercial message of any type may be substituted in whole or in part for the message displayed on any sign for which the sign structure or mounting device is authorized in compliance with this Chapter, without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular protected noncommercial

message over any other protected noncommercial message. In addition, any on-site commercial message may be substituted, in whole or in part, for any other on-site commercial message, provided that the sign structure or mounting device is authorized in compliance with this Chapter, without consideration of message content.

This provision does not create a right to increase the total amount of signage on a parcel, lot, or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device or location; does not allow for the substitution of an off-site commercial message in the place of an on-site commercial or noncommercial message, and does not authorize the conversion of an existing sign to general advertising for hire.

- D. On-Site/Off-Site Distinction.** Within this Chapter, the distinction between on-site and off-site signs applies only to commercial messages.
- E. Urban/Rural Distinction.** Within this Chapter, urban sign regulations shall apply to those areas designated as Community Regions on the County General Plan Land Use Diagram. Rural sign regulations shall apply to areas in the unincorporated County not otherwise designated as Community Region in the County General Plan Land Use Diagram. Unless otherwise noted, sign regulations in this Chapter shall apply to both urban and rural areas equally.
- F. General Prohibition.** Permanent signs not expressly allowed by this Chapter are prohibited.
- G. Exceptions to Limitations.** Any exception to the limitations and/or sign development standards stated or shown within this Chapter shall require a Variance in compliance with Chapter 17.22, Section 17.22.600 (Variance). However, consideration of the Variance request shall not evaluate the message or graphic design of the sign.

### 17.16.030 Exemptions

The following sign types are expressly exempted from the Planning Sign Permit requirements of this Chapter but must satisfy any and all other applicable permit requirements when applicable (e.g., Building, Electrical, Plumbing, Grading, Encroachment). Except as otherwise specifically noted herein, these exemptions shall apply in all unincorporated (urban and rural) areas of the County.

- A. Exempt Signs Without Limitations.** The following signs are exempt from Sign Permit requirements with no specific limitations:
  - 1. Conforming signs that change messages, but do not alter the size, location, or illumination. This provision does not authorize the conversion of an existing legal sign to a general advertising for hire use or to a digital display.
  - 2. All devices which are excluded from the definition of a “sign” as set forth in this Chapter.

3. Official traffic signs or other municipal governmental signs, legal notices, advertisements and notices prescribed by law and placed by governmental entities, and signs indicating the location of buried utility lines or any notice posted by a governmental officer in the scope of his or her duties.
4. Direction, warning, or information signs or structures required or authorized by law, or by federal, state, county, or county authority, including, but not limited to, traffic control signs (e.g., stop, yield), highway route number signs, and construction zone or site signs.
5. Noncommercial utility company signs identifying cables, conduits, and dangerous situations.
6. Street address signs on structures and building identification signs consistent with the County-adopted building code or relevant provisions of the County Municipal Code. Notwithstanding anything in this Section, street address signs may be illuminated and may contain reflective paint or material.
7. Tablets and plaques installed by the County, or by a state, federal, or county recognized historical organization exempt from federal taxation under section 501 of USC Title 26 (IRS Code), or signs authorized and installed by county, state or federal agencies on public owned lands.
8. Gas pricing signs, as required by state law, which identify the brand, types, octane rating, etc., of gasoline for sale within the county (Sections 13530–13540 of the Business and Professional Code). This does not limit the approval and design requirement for permanent or temporary placement and approval provisions listed herein.
9. Signs on currently registered and operable vehicles and vessels, including license plates, license plate frames, registration insignia, noncommercial messages, messages relating to the establishment for which the vehicle or vessel is an instrument or tool (not including general advertising, such as mobile billboards), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.
10. Signs and advertising located upon the buses, vehicles and bus shelters of the El Dorado Transit Authority.
11. Signs on California State Park Lands in conformance with the standards enforced by the State of California as set forth in the Department of Parks and Recreation Sign Handbook, 1973, as amended.
12. Signs on National Forest lands, including sites permitted for private use, in conformance with the standards enforced by the U.S. Forest Service as set forth in the Forest Service Catalog of Posters and Signs, EM-7100-15, as amended.

- B. Exempt Signs With Limitations.** The following signs are exempt from Sign Permit requirements, provided that they meet the size, height, duration, and/or maximum number limitations listed below. Exempt signs that do not meet the limitations listed may be allowed only by Variance as outlined in Chapter 17.22, Section 17.22.600 (Variance).17.
1. Window signs that do not exceed 25 percent coverage of any window. Window signs do not count toward cumulative allowable sign area. Window signage shall be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the establishment, including any cash registers.
  2. Temporary signs in conformity with this Chapter (Section 17.16.050).
  3. Flags, not subject to the standards set forth in Table 17.16.070.4 (Allowed Temporary On-Site Sign Standards), shall meet the following requirements:
    - a. Flag poles shall be located outside of the public right-of-way.
    - b. The maximum height for flag poles is 30 feet.
    - c. The maximum size for any one flag is 30 square feet.
  4. Signs on property undergoing construction or remodeling not exceeding 32 square feet each in area and limited to 1 sign for each street frontage. Such signs shall not be illuminated. Such signs shall be removed within 30 days of the earliest of the following events: final building inspection approval, issuance of a valid certificate of occupancy, opening for business to the public, or expiration of the Building Permit.
  5. Signs warning against trespass, hunting or shooting on the premises not to exceed 2 square feet per sign and spaced not less than 200 feet apart.
  6. Signs on property that is currently offered for sale, lease, or rental:
    - a. On residential-zoned property, 1 sign not exceeding 8 square feet and not exceeding a height of 5 feet. On weekends and holidays, up to 4 signs to direct traffic to the subject property are allowed, provided each sign does not exceed 8 square feet in area and 3-1/2 feet in height. A sign shall not be placed on a sidewalk or street or Public Right of Way. A sign shall not create a safety hazard. Such signs shall not be illuminated.
    - b. On nonresidential and agricultural and resource-zoned property, 1 sign per street or road frontage, not exceeding 32 square feet in area and 12 feet in height. The sign shall not be illuminated.
  7. Signs on private property where there is a garage, yard, or estate sale taking place. Such signs may be posted for no more than 48 hours and must be



removed at the end of the sale. A maximum of 6 square feet is allowed per sign.

8. On-site directional signs, such as exit, entrance, or other on-site traffic directional signs, the maximum height of any directional sign shall not exceed 42 inches and the maximum size shall not exceed 6 square feet within designated urban areas of the County. Within the designated rural areas, the maximum height of any on-site directional sign shall not exceed 12 feet and the maximum size shall not exceed 32 square feet. In both urban and rural areas of the County, no advertising or message other than for traffic direction shall be displayed on the signs authorized by this subsection.
9. Off-site commercial 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 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. Such signs may be permanent or temporary and require property owner consent. This provision does not allow general advertising for hire.
10. Temporary signs displaying noncommercial messages subject to:
  - a. 6 square feet of signage, set back at least 5 feet from the public right-of-way and not projecting above the roofline of any structure.
  - b. During the time period beginning 90 days before a special, general, or primary election and ending 3 weeks after such election, the total allowed sign area for noncommercial messages may be 32 square feet in area. The same setback and height restrictions listed above shall apply to this additional area.
  - c. Such signs shall be non-illuminated.
11. Home Occupation signs identifying authorized home business activities on site. All signs shall be non-illuminated, compatible in design with existing residential structures, and consistent with the sign development and design standards as listed on Table 17.16.070.3.

#### **17.16.040 Permanent Signs**

- A. **Permanent On-Site Signs.** Permanent on-site signs allowed in the County's zoning districts include the following sign types:
  1. **Building-Attached Signs.** Allowed permanent on-site signs attached to a structure include wall signs, projecting signs, awning or canopy signs, and under canopy signs.

2. **Freestanding Signs.** Allowed permanent freestanding signs include monument and pylon signs. Permanent on-site signs shall be consistent with the sign design and developments standards as described in this Chapter and shown on Tables 17.16.070.1 and 17.16.070.2.
3. **Menu/Order Board Signs for Drive-In and Drive-Through Uses.** Menu/Order board signage shall be consistent with the sign design and developments standards as described in this Chapter. No alterations or additions (e.g., rider signs) along the exterior of the menu/order board sign are allowed.
4. **U.S. Highway 50-Oriented Signs.** Signs on properties within 100 feet of U.S. Highway 50 that are outside of the designated State Scenic Highway Corridor. (*Note: Designated State Scenic Highway Corridors in El Dorado County shall be subject to special sign regulations under "Design Review - Scenic Corridor Ordinance" in the reserved Section 17.27.070 of the draft Zoning Ordinance.*)

Permanent on-site signs shall not be used as general advertising for hire.

**B. Permanent Off-Site Signs.** Permanent off-site signs allowed in the County's zoning districts include the following sign types:

1. **Subdivision Signs.** Signs directing traffic to new residential subdivisions shall be consistent with the sign design and development standards as described in this Chapter and the following conditions:
  - a. All signs for housing subdivisions shall be removed within 30 days after all lots in the subdivision are sold.
  - b. The County may require the developer to submit a performance deposit or other form of security to ensure compliance with the standards of this Section.

**17.16.050 Temporary Signs**

Temporary signs may include, but are not limited to, commercial signs for grand openings, products/services, sales, special events, and new apartments/multi-family units. All temporary signs must comply with the standards listed in Table 17.16.070.4 (Allowed Temporary On-Site Sign Standards) and are subject to the conditions herein.

**A. Time Duration.** Display periods for temporary on-site signs shall be limited to a cumulative maximum of 90 days per establishment per calendar year, unless otherwise specified below.

1. **Apartment Signs.** Signs at new or substantially renovated apartments shall be removed 6 months from opening.

2. **Banner Signs.** All banner signs utilized for grand opening events shall be limited to a maximum of 30 consecutive days per establishment per calendar year.
  3. **A-Frame Signs.** When allowed, A-frame signs shall be removed during all times when the establishment is closed.
- B. Illumination.** Temporary signs shall not be illuminated.
- C. Message.** Temporary signs displaying a commercial message shall be limited to on-site signage only. Off-site signage displaying a commercial message shall not be allowed, except as noted in Section 17.16.030.B.9.

### 17.16.060 Community Sign Programs

The Board is the decision-making authority for all new Community Sign Programs. Program descriptions are outlined below.

- A. Community Directional.** Community directional sign programs generally include signs to direct residents and visitors to points of interest, recreational areas, and tourist industries in the county. Where applicable, the use of pylon signs shall be required in higher density use areas to reduce sign clutter. Specific development and design details will be considered and decided by the Board of Supervisors.
- B. Community Identity.** Community identity sign programs shall establish a means for individual communities within the county to designate their name at main point(s) of entry to their community. Such signage can be unique to each community as a means to define their character, quality, or historic contribution to the county. The community identity sign program is limited to monument signs. Specific development and design details will be considered and decided by the Board of Supervisors. The maximum area of any 1 display face shall not exceed 250 square feet.
- C. Community Events.** Community event sign programs are limited to identified sites for the display of event signs including; street banners, signs, or other displays for any civic or public events/activities. Site location and specific development and design details will be considered and decided by the Board of Supervisors. Signs may be allowed to be displayed up to 30 days prior to the event and shall be removed within 3 days after the event has ended.
- D. Industry Association Signs.** Industry association sign programs shall establish directional and identifying agricultural industry association signs such as those offered by the El Dorado County Farm Bureau, Farm Trails, Apple Hill Growers Association, El Dorado Winery Association and similar groups. Specific development and design standards will be considered and decided by the Board of Supervisors.



### 17.16.070 Sign Development and Design Standards

This Section establishes standards for sign development and design, including but not limited to: methods for measuring sign size, area and height, sign placement, construction, design, illumination, maintenance, and removal. Unless otherwise specified in this section, sign development and design standards shall apply to all signs within the unincorporated (urban and rural) areas of the County.

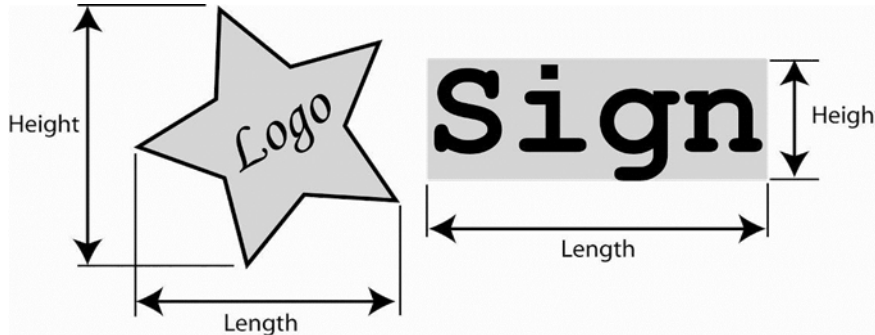
**A. General Sign Design Requirements for Permanent Signs.** Permanent Signs shall comply with the following general design requirements as well as design standards applicable to specific types of signs listed herein in Subsection K (Standards for Permanent On-Site Signs).

1. **Design Compatibility with Structure.** Signs shall be compatible in architectural scale and bulk with the architectural style of the main structure or structures on the site where the sign is located. The applicant shall incorporate construction materials, color, letter style, and other design details in designing an architecturally compatible sign. Multiple signs on any structure, or on structures within the same development, shall have the same primary type of building-attached sign.
2. **Sign Illumination.** The artificial illumination of signs, from either an internal or external source, shall be designed to prevent the casting of stray light on surrounding rights-of-way and properties. All illuminated signs shall comply with the following:
  - a. External light sources shall be directed toward the sign and fully shielded to limit direct illumination of any object other than the sign.
  - b. The light from an illuminated sign shall not be of an intensity or brightness that creates glare or other negative impacts on residential properties in direct line of sight to the sign.
  - c. Unless otherwise allowed by another provision of this Chapter, signs shall not have blinking, flashing, or intermittent lights or other illumination devices that have a changing light intensity, brightness, or color.
  - d. Colored lights shall not be used at a location or in a manner so as to be confused or interpreted as traffic control devices.
  - e. Light sources shall utilize energy-efficient fixtures compliant with Title 24 of the California Code of Regulations.

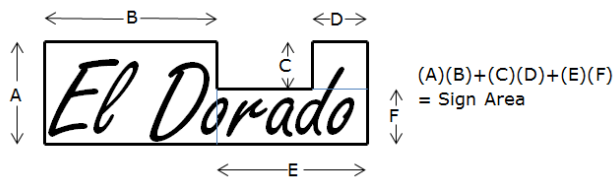
**B. Sign Area Measurement Procedures.** The sign area is calculated by determining the number of square feet of the smallest rectangles (s) within which a sign face can be enclosed (see Figure 17.16.070.A). In determining the area of an individual sign that has more than 1 face (e.g., a monument or projecting sign), the single sign face with the

greatest area shall be used. The total sign area is the sum of all individual signs. For irregularly shaped signs or signs with cursive individual letters, the area of the sign may be calculated by using no more than an eight-sided polygon (see Figure 17.16.070.B).

1. **Figure 17.16.070.A Sign Area**

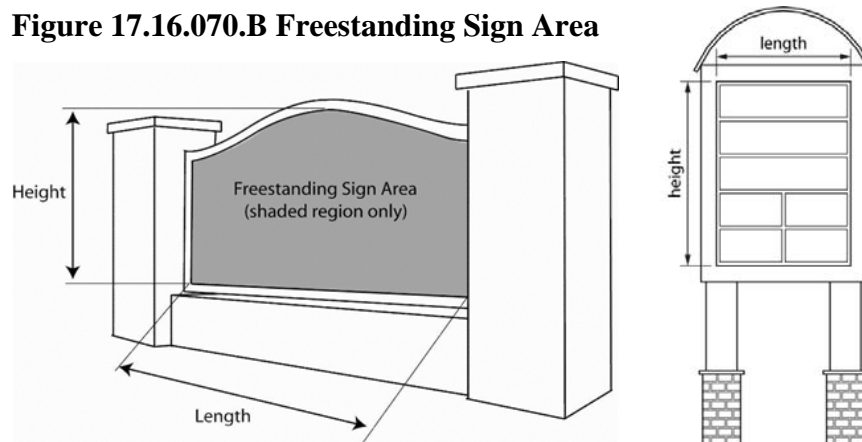


**Figure 17.16.070.B Sign Area (Polygon)**



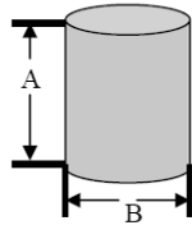
2. **Awning, Canopy, Push Pin, and Channel Letter Sign Area.** Sign area for copy which is applied to an awning, canopy, or as separate lettering onto the building face shall be computed at 100 percent of the area within a single parallelogram enveloping the sign copy.
3. **Freestanding Sign Area.** Freestanding sign area is to be computed as total height by the total length of the sign face for 1 side regardless if it is single- or double-face, excluding structural or architectural framework with no sign copy. See Figure 17.16.070.B.

**Figure 17.16.070.B Freestanding Sign Area**



4. **Three-Dimensional Objects.** Where a sign consists of 1 or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculptures, or statue-like trademarks or symbols), the sign area shall be measured as their maximum visible surface area from any vantage point. See Figure 17.16.070.C.

**Figure 17.16.070.C Area of Three-Dimensional Objects**



$$\text{TOTAL AREA} = (A) (B)$$

- C. **Sign Height Measurement.** Sign height shall be measured from the ground, adjacent to the sign, to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself.
- D. **Construction Requirements.** Every sign and all parts, portions, and materials thereof shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and county laws and regulations, including the locally adopted building code. All signs shall comply with the following criteria:
1. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the structure or shall be concealed within the sign.
  2. All permanent signs shall be constructed of quality materials such as metal, concrete, natural stone, wood, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements.
  3. All freestanding signs that incorporate lighting shall have underground utility service.
  4. All temporary signs and banners shall be maintained in good condition for as long as the sign is displayed.
- E. **Sign Placement**
1. **Location of Building-Attached Signs.** Building-attached signs may be located along any frontage of a building that faces directly onto a public right-of-way or an internal circulation path of the site. Orientation of signs such that they face directly onto residential property is allowed only when there is no practical alternative and the visibility of the sign from the residence is minimized and not illuminated.

2. **Clearance from Public Utility Facilities.** The person erecting a sign and the owner of the premises shall maintain any legally required clearance from communications and electric facilities. A sign may not be constructed, erected, installed, maintained, or repaired in any manner that conflicts with a rule, regulation, or order of the California Public Utilities Commission pertaining to the construction, operation, and maintenance of public utilities facilities.
  3. **Interference with Motorist Field of Vision**
    - a. No sign shall be located in a manner which may obstruct or interfere with the view of a traffic signal or other traffic regulatory signs. No sign shall, as determined by the Director, be so located as to create a hazard to the life or property of any person using the public right-of-way.
    - b. Any landscaping shall be trimmed as needed to provide clear visibility of the sign or signs.
    - c. Signs shall not be located within the “cross visibility area,” as defined in the Design Improvement Standards Manual.
  4. **Setback and Spacing of Freestanding Signs.** Setback and spacing standards for freestanding signs are as follows:
    - a. The minimum setback distance for any portion of any freestanding sign shall be measured from the back of the public right-of-way or side of a driveway. With the exception of front setbacks, sign setbacks shall be determined by base Zone District. Signs may be allowed within front setbacks, provided that the signs are not located within a public right-of-way, required cross visibility area, utility or private road easement.
    - b. The minimum spacing distance between permanent freestanding signs, excluding on-site directory and menu/order board signs, shall be 250 feet, (except that U.S. Highway 50-Oriented signs shall be separated by a minimum of 1,000 feet.) The designated approving authority as noted in Table 17.16.080.1 may allow a reduction in minimum spacing requirements to ensure that a qualified establishment can have at least 1 freestanding sign as allowed in Tables 17.16.070.1 and 17.16.070.2. The designated approving authority will review a proposed sign location on a case-by-case basis to ensure the sign is located outside the required cross visibility area and does not otherwise inhibit motorist safety.
- F. Maintenance Requirements.** Every sign and all parts, portions, and materials thereof shall be maintained and kept in proper repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other non-maintained or damaged portions of a sign shall be repaired or replaced within 30 days following notification by the County. Noncompliance with such a notice will constitute a nuisance and zoning violation and will be enforced as such.



- G. Sign Removal or Replacement.** When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected surfaces shall be restored to match the adjacent portion of the structure. This requirement does not apply to routine maintenance.
- H. Design Standards for Specific Sign Types.** In addition to the general sign design requirements in Subsection A, the following requirements shall apply to specific sign types listed below.
1. **A-Frame Signs.** A-frame signs, where allowed under Section 17.16.050 (Temporary Signs), shall be placed at least 5 feet behind the face of curb and outside the County right-of-way. Where there is no sidewalk or curb, A-frame signs shall be located outside of the County right-of-way. A-frame signs shall not be placed where they may obstruct vision or create other public safety hazards. A-frame signs shall comply with clearance rules under the Americans with Disabilities Act. A-frame signs shall be removed during all times when the establishment is closed.
  2. **Awning and Canopy Signs.** Awning and canopy signs may be allowed only as an integral part of the awning or canopy to which they are attached or applied and shall be considered wall signs for sign area calculation purposes. The following requirements shall apply:
    - a. Lettering shall not exceed 25 percent of the total surface area.
    - b. Only permanent signs that are an integral part of the awning or architectural projection shall be allowed. Temporary signs shall not be placed on awnings.
    - c. Awning signs shall be allowed only on first- and second-story occupancies.
    - d. Awnings shall not be lit from under the awning (backlit) so that the awning appears internally illuminated. Lighting directed downward that does not illuminate the awning is allowed.
  3. **Electronic (Digital) Signs.** The following standards apply to electronic (digital) signs:
    - a. Digital display is limited to 50 percent of the total allowable display face area of any particular sign.
    - b. Signs shall not change message more than once every 8 seconds (dwell time).
    - c. 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 at a distance of 250 feet from the sign face. 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.

4. **Freestanding Signs.** Freestanding sign materials and design, including monument and pylon signs, shall be complementary to the materials and design of the structures for the related development. For example, if the façade of the structure is made of brick or brick veneer, a complementary freestanding sign would also include brick.
5. **Projecting Signs.** Projecting signs, including, but not limited to, blade signs, bracket signs, and marquee signs, shall be considered wall signs for the purposes of sign area calculation purposes. Projecting signs shall only be allowed as follows:
  - a. **Location.** Projecting signs shall be placed only on ground-floor façades, except for establishments located above the ground level with direct exterior pedestrian access. Within the designated rural areas, projecting signs may also be placed on fences, posts, and railings.
  - b. **Angle of projection.** Projecting signs shall either be located at right angles to the structure front along the façade, or, when located on the corner of a building, at a 45-degree angle to the corner of the structure.
  - c. **Height.** Where located above a pedestrian walkway, the lowest point of a blade or bracket sign shall be a minimum of 8 feet above grade.
  - d. **Projection.** The sign may project a maximum of 5–1/2 feet from the structure.
  - e. **Suspension.** The sign shall be suspended with a clear space of at least 6 inches between the sign and the structure. Exceptions may be granted consistent with applicable building code requirements.
  - f. **Sign structure.** Sign supports and brackets shall be compatible with the design and scale of the sign.
6. **Wall Signs**
  - a. Wall signs shall not project more than 12 inches from the structure's façade.
  - b. Wall sign raceways shall be concealed from public view (e.g., within the structure's wall or otherwise integrated with the design of the sign and structure) so as to not detract from the architectural character of the structure.
- I. **Standards for Off-Site Subdivision Signs.** The purpose of subdivision signs is to direct the traffic related to new residential subdivisions in a manner that minimizes

visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high-quality image of the county.

1. Subdivision signs shall not exceed 40 square feet in sign area, 12 feet in height, and the display area shall be at least 24 inches off the ground.
2. All subdivision signs require approval of a subdivision sign permit as required under Section 17.16.080.D (Subdivision Sign Permit) and their locations approved within or outside of the County's right-of-way.
3. Subdivision signs listing multiple subdivisions shall include removable sign panels with no more than 1 panel per residential subdivision.
4. No subdivision sign may be located within 1,000 feet of another subdivision sign except in the case of signs on different corners of an intersection, unless an unusual situation causes the need for a deviation as determined by the County.
5. All subdivision signs placed on private property require written consent of the property owner and are subject to approval by the Director. All subdivision signs placed within County right-of-way require an Encroachment Permit issued by the County Transportation Division.
6. Subdivision signs may only be located in a manner that does not obstruct the view of traffic or safety signs, encroach within the cross visibility area, or otherwise pose a traffic or safety hazard.
7. There shall be no additions, tag signs, streamers, balloons, flags, riders, devices, display boards, or appurtenances added to the subdivision signs as approved.
8. Structures and panels on subdivision signs may not be displayed after a subdivision developer has completed the sale of all units in the development. Each developer shall be responsible for sign removal. The County may require the developer to submit a performance deposit or other form of security to ensure compliance with the standards of this Section.

**J. Standards for U.S. Highway 50-Oriented Signs.** Proposed on-site signs within 100 feet of U.S. Highway 50, outside of the officially designated scenic corridor, are subject to a Design Review Permit. U.S. Highway 50-Oriented signs shall be consistent with the standards provided below, and as required in other provisions of this Chapter. U.S. Highway 50-Oriented Signs shall not be used as general advertising for hire.

1. **Location**

- a. **Spacing between signs.** U.S. Highway 50-Oriented sign shall be separated by at least 1,000 feet.
- b. **Setbacks.** All signs must be set back a minimum of 10 feet from the highway right-of-way or other distance as determined by Caltrans. All

- U.S. Highway 50-Oriented signs must be distanced from any residential district by a minimum of 200 feet.
- c. **Visibility.** U.S. Highway 50-Oriented signs shall not be located to inhibit pedestrian or vehicular visibility and more specifically shall not be located within the clear visibility area as defined in this Chapter or other County adopted policies or standards. Illuminated signs shall be directed away from any residentially designated land.
2. **Quantity.** 1 U.S. Highway 50-Oriented sign shall be allowed per either:
    - a. Integrated developments, as defined in this Chapter; or
    - b. Sites with a single tenant of 10 acres or more.
  3. **Area.**
    - a. **Maximum allowed area.** For single-tenant signs, the maximum sign area shall be 60 square feet. For multi-tenant signs, the maximum sign area shall be 200 square feet.
    - b. **Ancillary components.** Ancillary components of the sign, such as shopping center identification, shall not exceed 25 percent of the total sign area and shall be excluded from the calculation of the sign area.
    - c. **Freestanding sign area.** The area of a U.S. Highway 50-Oriented sign shall be in addition to the allowable freestanding street frontage sign area if the underlying property is adjacent to the highway and a local street.
  4. **Height.** The maximum height of U.S. Highway 50-Oriented signs shall be as follows:
    - a. For single-tenant signs, 1.5 times the height of an adjacent structure up to a maximum of 30 feet. Within designated scenic corridors, the maximum height of a single-tenant sign shall be 24 feet.
    - b. For multi-tenant signs, a maximum of 60 feet. Within designated scenic corridors, the maximum height of a multi-tenant sign shall be 48 feet.
  5. **Architecture.** U.S. Highway 50-Oriented signs shall be designed as pylon signs, and shall be composed of materials and design-compatible with the building materials and design of the applicable establishment.
  6. **Illumination.** If illuminated, U.S. Highway 50-Oriented signs must be internally lit. Signs shall not have blinking, flashing, or intermittent lights or other illuminating devices that have a changing light, brightness, or color. Electronic (digital) changeable copy LED lights are allowed to be incorporated



into the structure consistent with restrictions listed in Section 17.16.070.H.3 (Electronic (Digital) Signs).

7. **Special Development and Design Standards for Designated State Scenic Highway Corridors.** *(Reserved for future Scenic Corridor Ordinance)*

**K. Standards for Permanent On-Site Signs.** Permanent on-site sign standards in this section are listed separately for the designated urban and rural areas of the County based on zone and sign type. See Table 17.16.070.1 (Urban Area Sign Standards for Permanent On-Site Signs) and Table 17.16.070.2 (Rural Area Sign Standards for Permanent On-Site Signs). Standards for other sign types are listed in Tables 17.16.070.3 and 17.16.070.4. Where allowed the following sign types shall conform to standards listed below.

1. **Building-Attached Sign Allowance.** Building-attached signs have a maximum allowable sign area that can be used for 1 or more signs as specified in Tables 17.16.070.1 and 17.16.070.2 (Signage Standards for Permanent On-Site Signs, Urban Areas and Rural Areas, respectively). Building-attached signs are allowed on walls that face public streets, parking areas, and pedestrian walkways. Wall signs are not allowed on walls facing adjoining residential property within designated urban areas of the County. Within the designated rural areas of the County, wall signs (where allowed), may face adjoining residential properties.
2. **Freestanding Sign Allowance.** Freestanding signs are allowed a maximum number, maximum sign area, and maximum height standard per individual establishment or integrated development as specified in Tables 17.16.070.1 and 17.16.070.2 (Signage Standards for Permanent On-Site Signs, Urban Areas and Rural Areas, respectively). For definitions, see Section 17.16.120.
3. **Changeable Copy Allowance.** Changeable copy signs are only allowed in commercial and agricultural zoning districts and for nonresidential uses in residential zones (e.g., religious institutions and public service uses, home occupations, community centers, and schools).
4. **Menu/Order Board Signs for Drive-In and Drive-Through Uses.** Where allowed, each drive-in or drive-through use is allowed a maximum of 60 square feet of menu/order board signage, with no one sign to exceed 30 square feet. The sign(s) shall not count toward the cumulative allowable display area purposes of Tables 17.16.070.1 and 17.16.070.2 (Signage Standards for Permanent On-Site Signs), either in terms of number or cumulative area. The maximum height for a menu/order board sign shall be 6 feet.

**Table 17.16.070.1a – Urban Area Signage Standards for Permanent On-Site Signs**

<b>Residential and Agricultural Zone Districts</b>					
	<b>Allowed Signs and Development Standards in Urban Areas</b>				
	<b>Building-Attached</b>	<b>Freestanding</b>			
<b>Zone District</b>		<b>Number Allowed</b>	<b>Max. Area</b>	<b>Max. Height</b>	<b>Specific Reg.</b>
R1 R1-A RE-5 RE-10 R-20,000 R3A	Not allowed	1 non-illuminated sign per subdivision or neighborhood	12 sf	8 feet	See Section 17.16.070
R2 RM	Not allowed	1 non-illuminated sign per subdivision or neighborhood	12 sf	8 feet	
RT	Not allowed	1 sign per development	12 sf	8 feet	
MP	Not allowed	1 sign per park	12 sf	8 feet	
RA-20 RA-40 RA-60 RA-80 RA-160 U	Not allowed	1 non-illuminated sign per parcel	12 sf	12 feet	
A SA-10	Not allowed	1 non-illuminated sign per parcel	16 sf	12 feet	
AE PA	Not allowed	2 non-illuminated signs per parcel	32 sf	12 feet	

**Table 17.16.070.1b – Urban Area Signage Standards for Permanent On-Site Signs**

Commercial Zone Districts		
Zone District	Allowed Signs and Development Standards in Urban Areas	
	Building-Attached	Freestanding
C CP CG	1 or more signs per establishment based on floor area as follows: <ul style="list-style-type: none"> <li>• &lt; 10,000 sf floor area = 50 sf max sign area</li> <li>• 10,001 – 25,000 sf floor area = 75 sf max sign area</li> <li>• &gt; 25,001 sf floor area = 100 sf max sign area</li> </ul>	<b>Individual Establishment:</b> No more than 1 sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 50 sf max area, 12 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 30 sf max area, 10 ft max height</li> </ul>
		<b>Integrated Development:</b> 1 multi-tenant sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 80 sf max area, 20 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 40 sf max area, 10 ft max height</li> </ul>
CPO	1 or more signs not exceeding a combined total of 50 sf per establishment; Roofline is max height	<b>Individual Establishment:</b> No more than 1 sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>Primary frontage</u>: 50 sf max area, 12 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 30 sf max area, 8 ft max height</li> </ul>
		<b>Integrated Development:</b> 1 multi-tenant sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 80 sf max area, 20 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 40 sf max area, 10 ft height limit</li> </ul>

Table 17.16.070.1c – Urban Area Signage Standards for Permanent On-Site Signs

Industrial Zone Districts		
Zone District	Allowed Signs and Development Standards in Urban Areas	
	Building-Attached	Freestanding
I	1 or more signs not exceeding a combined total of 50 sf per establishment; Roofline is max height	<b>Individual Establishment:</b> No more than 1 sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ 50 sf max area, 12 ft max height</li> </ul>
		<b>Integrated Development:</b> 1 multi-tenant sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ 80 sf max area, 20 ft max height</li> </ul>
R&D	2 signs per establishment, 80 sf max area; Roofline is max height	No more than 1 sign per public street frontage for individual establishment or integrated development: <ul style="list-style-type: none"> <li>➤ 50 sf max area, 12 ft max height</li> </ul>

Table 17.16.070.1d – Urban Area Signage Standards for Permanent On-Site Signs

Miscellaneous Zone Districts		
Zone District	Allowed Signs and Development Standards in Urban Areas	
	Building-Attached	Freestanding
TPZ	Not allowed	2 non-illuminated signs per parcel: <ul style="list-style-type: none"> <li>➤ 32 sf max area each, 12 ft max height</li> </ul>
MR	Not allowed	2 non-illuminated signs per parcel: <ul style="list-style-type: none"> <li>➤ 12 sf max area each, 12 ft max height</li> </ul>
RF	1 or more signs not exceeding a combined total of 50 sf per structure; Roofline is max height	1 non-illuminated sign per parcel: <ul style="list-style-type: none"> <li>➤ 16 sf max area, 12 ft max height</li> </ul>
O CN	Not allowed	Not allowed

**Table 17.16.070.2a – Rural Area Signage Standards for Permanent On-Site Signs**

<b>Residential and Agricultural Zone Districts</b>					
<b>Zone District</b>	<b>Allowed Signs and Development Standards in Rural Areas</b>				
	<b>Building-Attached</b>	<b>Freestanding</b>			
		<b>Number Allowed</b>	<b>Max. Area</b>	<b>Max. Height</b>	<b>Specific Reg.</b>
R1 R1-A RE-5 RE-10 R-20,000 R3A	Not allowed (Except in RE-10 in rural areas)	1 non-illuminated sign per subdivision or neighborhood	12 sf	8 feet	See Section 17.16.070
R2 RM	Not allowed	1 non-illuminated sign per subdivision or neighborhood	12 sf	8 feet	
RT	Not allowed	1 sign per development	12 sf	8 feet	
MP	Not allowed	1 sign per park	12 sf	8 feet	
RA-20 RA-40 RA-60 RA-80 RA-160 U	1 or more signs not exceeding a combined total of 50 sf per establishment; Max height is 6 feet above the roofline	1 non-illuminated sign per parcel	12 sf	12 feet	
AP	Not allowed	1 non-illuminated sign per parcel	12 sf	12 feet	
A SA-10	1 or more signs not exceeding a combined total of 50 sf, per establishment; Max height is 6 feet above the roofline	1 non-illuminated sign per parcel	16 sf	12 feet	
AE PA	1 or more signs not exceeding a combined total of 50 sf, per establishment; Max height is 6 feet above the roofline	2 non-illuminated signs per parcel	32 sf	12 feet	



**Table 17.16.070.2b – Rural Area Signage Standards for Permanent On-Site Signs**

<b>Commercial Zone Districts</b>		
<b>Zone District</b>	<b>Allowed Signs and Development Standards in Rural Areas</b>	
	<b>Building-Attached</b>	<b>Freestanding</b>
C CP CG	1 or more signs per establishment based on floor area as follows: <ul style="list-style-type: none"> <li>• &lt; 10,000 sf floor area = 50 sf max sign area</li> <li>• 10,001–25,000 sf floor area = 75 sf max sign area</li> <li>• &gt; 25,001 sf floor area = 100 sf max sign area</li> </ul>	<b>Individual Establishment:</b> No more than 1 sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 50 sf max area, 12 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 30 sf max area, 8 ft max height</li> </ul>
		<b>Integrated Development:</b> 1 multi-tenant sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 80 sf max area, 20 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 40 sf max area, 10 ft height limit</li> </ul>
CPO	1 or more signs not exceeding a combined total of 50 sf per establishment; Roofline is max height	<b>Individual Establishment:</b> No more than 1 sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 50 sf max area, 12 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 30 sf max area, 8 ft max height</li> </ul>
		<b>Integrated Development:</b> 1 multi-tenant sign per public street frontage as follows: <ul style="list-style-type: none"> <li>➤ <u>First street frontage</u>: 80 sf max area, 20 ft max height</li> <li>➤ <u>Other street frontage(s)</u>: 40 sf max area, 10 ft max height</li> </ul>

**Table 17.16.070.2c – Rural Area Signage Standards for Permanent On-Site Signs**

<b>Industrial Zone Districts</b>		
<b>Zone District</b>	<b>Allowed Signs and Development Standards in Rural Areas</b>	
	<b>Building-Attached</b>	<b>Freestanding</b>
I	1 or more signs not exceeding a combined total of 50 sf per establishment; Roofline is max height	<b>Individual Establishment:</b> No more than 1 sign per public street frontage: ➤ 50 sf max area, 12 ft max height
		<b>Integrated Development:</b> 1 multi-tenant sign per public street frontage: ➤ 80 sf max area, 20 ft max height
R&D	2 signs per establishment; 80 sf max area; Roofline is max height	No more than 1 sign per public street frontage for individual establishment or integrated development: ➤ 50 sf max area, 12 ft max height

**Table 17.16.070.2d – Rural Area Signage Standards for Permanent On-Site Signs**

<b>Miscellaneous Zone Districts</b>		
<b>Zone District</b>	<b>Allowed Signs and Development Standards in Rural Areas</b>	
	<b>Building-Attached</b>	<b>Freestanding</b>
TPZ	Not allowed	2 non-illuminated signs per parcel: ➤ 32 sf max area each, 12 ft max height
MR	Not allowed	2 non-illuminated signs per parcel: ➤ 12 sf max area each, 12 ft max height
RF	1 or more signs not exceeding a combined total of 50 sf per establishment; Max height is 6 feet above the roofline	1 non-illuminated sign per parcel: ➤ 16 sf max area, 12 ft max height
O CN	Not allowed	Not allowed

**Table 17.16.070.3 – Sign Standards for Home Occupation Signs**

	Allowed Signs and Development Standards							
	Building-Attached Signs				Freestanding Signs			
Zone District	Number Allowed	Max. Area	Max. Height	Location	Number Allowed	Max. Area	Max. Height	Location
R1 R1A R-20,000 RM	1 sign per home occupation	1 sf	N/A	Adjacent to Front Entrance	Not allowed			
R2A R3A RE-5	1 sign per home occupation	1 sf	N/A	Adjacent to front entrance	2 signs	12 sf each	6 feet	1 adjacent to residence, 1 within front setback
RE-10 Agriculture and Resource Zones	1 sign per home occupation	1 sf	N/A	Adjacent to front entrance	2 signs	12 sf each	6 feet	1 adjacent to residence, 1 within front setback

**Table 17.16.070.4 – Allowed Temporary On-Site Sign Standards**

Sign Type	Number Allowed	Max. Area	Max. Height	Minimum Setback from Right-of-Way <sup>1</sup>
<b>On-Site Subdivision and Apartment Signs<sup>1</sup></b>				
Banner	3	30 sf each	Roofline	5 feet
Entrance	1 per subdivision entrance	80 sf each	15 feet	5 feet
Model Home	1 per model home	8 sf	2 feet	5 feet
Flags	5 poles per street frontage, max 15 poles per subdivision	20 sf per pole	25 feet	5 feet
<b>All Other Uses<sup>1</sup></b>				
Banner	1 sign (any type) per establishment per street frontage	50 sf	Roofline	5 feet behind face of curb, outside of right-of-way
A-Frame		8 sf	4 feet	
<b>Notes</b>				
<sup>1</sup> Must be located outside of the required cross visibility area.				

### 17.16.080 Permit Requirements and Review Procedures

This Section describes permit requirements and review procedures applicable to all signage in the unincorporated (urban and rural) areas of the County. Signs proposed within communities that have County adopted local sign standards or guidelines shall conform to those standards/guidelines. Signs proposed within communities that have a Board appointed community design advisory committee are required to be submitted to the committee for a review of consistency with local sign standards/ guidelines.

- A. Sign Permit Required.** Planning Sign Permits shall be required for specified types of permanent signs prior to erection, relocation, alteration, or replacement, as listed in Table 17.16.080.1., unless otherwise exempted by this Chapter. Planning Sign Permits shall be processed in accordance with Chapter 17.22 (Land Use Permit Procedures).
1. No planning approvals shall be required for general maintenance of existing conforming signs or replacement of a conforming sign face (including message) when the area of the sign is not being changed, subject to Section 17.16.020 (General Sign Requirements.)
  2. Sign Permit(s) shall be required as part of the review of any discretionary application that includes proposed signage. The Sign Permit shall be in addition to the discretionary application or permit.
  3. Sign Permits are not required for the display of temporary signs. However, temporary signs shall be consistent with the development standards and time duration limits established in this Chapter.
- B. Uniform Sign Program Required.** A Uniform Sign Program shall be required for all new multi-tenant shopping centers, office parks, and other multi-tenant, mixed-use, or otherwise integrated developments of 3 or more separate tenants/uses that share structures, public spaces, landscape, and/or parking facilities. A Uniform Sign Program provides a process for the County's review of, and decisions related to, requests for signs for multi-tenant projects. The Uniform Sign Program allows for the integration of a project's signs with the design of the structures to achieve a unified architectural statement and to approve common sign regulations for multi-tenant projects. The Zoning Administrator is the decision-making authority for Uniform Sign Programs. However, if part of an application is reviewed and decided by the Planning Commission or Board of Supervisors, the Uniform Sign Program shall be decided by same higher-level Review Authority in conjunction with other entitlements. Deviations from the sign standards of this Chapter (Section 17.16.070) of up to 20 percent over maximum allowance are allowed through the Uniform Sign Program. Standard procedures for application submittal, review, decision, and appeal are outlined in Chapter 17.22 (Land Use Permit Procedures.)
- C. U.S. Highway 50-Oriented Signs.** A Design Review Permit shall be required for all U.S. Highway 50-Oriented signs located within 100 feet of the designated state highway. The approval of a Design Review Permit is a ministerial project pursuant to CEQA when in compliance with adopted standards set forth in Section 17.16.070.J

(Standards for U.S. Highway 50-Oriented Signs). If part of an application is reviewed and decided by the Planning Commission or Board of Supervisors, the Design Review Permit shall be decided by same higher-level Review Authority in conjunction with other entitlements. Standard procedures for application submittal, review, decision, and appeal are outlined Chapter 17.22 (Land Use Permit Procedures.)

- D. Subdivision Sign Permit.** A Sign Permit shall be required for all subdivision signs to ensure their locations are approved within or outside the County's right-of-way and that they are consistent with the standards under Section 17.16.070.I (Standards for Off-Site Subdivision Signs.)
- E. Variances.** Applications for a Variance from the terms of this Chapter shall be reviewed according to the Variance procedures set forth in Chapter 17.22, Section 17.22.600 (Variance).
- F. Review Procedures**
1. **Method of Application.** An application for a Sign Permit, Uniform Sign Program, Community Sign Program, U.S. Highway 50-Oriented Sign Permit, or Variance shall be made on the form(s) prescribed by the Planning Division. The application shall be accompanied by any fees as specified by Board resolution.
  2. **Application Review Procedures, Decisions, and Appeals.** The application review procedures, decisions, and appeals of decisions for Sign Permit, Uniform Sign Programs, Community Sign Program, U.S. Highway 50-Oriented Sign Permits, or Variances shall be as provided in Chapter 17.22 (Land Use Permit Procedures).



**Table 17.16.080.1 Planning Sign Permits and Review Authority**

<b>Planning Permit Required:</b> <b>A Administrative Permit</b> <b>DR Design Review Permit</b> <b>CUP Conditional Use Permit</b> <b>V Variance</b>	<b>P: Allowed Use - No Planning Permit Required <sup>1</sup></b>	<b>D: Development Services Director</b> <b>ZA: Zoning Administrator</b> <b>PC: Planning Commission</b> <b>BOS: Board of Supervisors</b>							
		<b>SIGN TYPE <sup>1</sup></b>				<b>REVIEW AUTHORITY</b>			
		<b>D</b>	<b>ZA</b>	<b>PC</b>	<b>BOS</b>				
Replacement <sup>2</sup>	P								
Freestanding or Building-Attached Signs		A							
<u>Temporary On-Site Signs Including, But Not Limited To:</u> New Apartments, Grand Opening Banners, Products/Services, Special Events	P								
Off-Site Signs <sup>4</sup> : New Subdivisions		A							
US Hwy 50-Oriented Signs		DR							
Exempt Signs <sup>3</sup>	P								
Home Occupation Signs	P								
Signs Exceeding Development Standards			V						
Signs on Public Property		A							
<b>Uniform Sign Programs:</b>									
<ul style="list-style-type: none"> <li>New or Modified Uniform Sign Program</li> </ul>			CUP						
<ul style="list-style-type: none"> <li>Construction of new or replacement signs as part of an approved program</li> </ul>	P								
<b>Community Sign Programs:</b> (Directional, Identity, Event, Industry Association)									
<ul style="list-style-type: none"> <li>New or Modified Community Sign Program</li> </ul>					Required <sup>5</sup>				
<ul style="list-style-type: none"> <li>Construction of new or replacement signs as part of an approved program</li> </ul>	P								
Sign(s) Proposed as Part of a Discretionary Project	Permitted with Discretionary Project								
NOTES: <sup>1</sup> All allowed signs may be subject to a building permit, as required by current Building Code. All signs requiring a building permit shall be consistent with the requirements of this Chapter. <sup>2</sup> No planning approvals shall be required for general maintenance of existing conforming signs or replacement of a legal, nonconforming sign face. <sup>3</sup> Signs exempt from a Planning Sign Permit as specifically listed or described in Section 17.16.030. All signage shall be consistent with the requirements of this Chapter. <sup>4</sup> All other off site commercial signage is prohibited, unless expressly allowed in Chapter 17.16. <sup>5</sup> The Board is the decision-making authority for all new Community Sign Programs (Section 17.16.060).									

**17.16.090 Prohibited Signs**

- A. General Prohibition.** All off-site commercial signage on private property is prohibited unless as otherwise allowed in this Chapter. Existing off-site signs (e.g., billboards) are considered nonconforming signs as regulated by Section 17.16.100 (Illegal, Abandoned, and Nonconforming Signs). Off-site signs on County property are regulated by Section 17.16.110 (Signs on County Property).
- B.** The signs listed in this Section are prohibited in all zones. Except as otherwise specifically noted herein, these prohibitions apply in all unincorporated (urban and rural) areas of the County.
1. Any sign not specifically allowed by this Chapter.
  2. Billboards as defined herein. This does not prohibit relocation agreements as authorized by state law (California Business and Professions Code Section 5412.)
  3. Roof signs or signs placed above the roofline. Except roof signs are permitted on non-residential structures within the designated rural areas of the County, consistent with the standards listed in Table 17.16.070.2 (Rural Area Signage Standards for Permanent On-Site Signs)
  4. Animated, flashing, scrolling, digital or video screen signs where the message is displayed for less than 8 seconds (dwell time) before changing to a different message.
  5. Pennants, banners, balloons, or other paraphernalia composed of paper, cloth, or other flexible material, except as otherwise allowed.
  6. Pole signs except where permitted within designated rural areas of the County, consistent with standards listed in Table 17.16.070.2 (Rural Area Signage Standards for Permanent On-Site Signs).
  7. Signs placed on the public right-of-way or affixed to an element or structure on the public right-of-way, or located on a publicly owned tree, fence, or utility pole or otherwise posted on public property, except where required by a governmental agency.
  8. Inflatable balloon signs, including, but not limited to, individual balloons, balloon strings, and other inflatable objects made of a flexible material and inflated so as to be lighter than air.
  9. Signs painted upon a fence, or free standing wall.
  10. Mobile billboard advertising displays traversing upon or parked on a public right-of-way for the primary purpose of general advertising for hire.

11. Signs attached to light standards (poles), traffic control devices, or utility poles.
12. Signs affixed to a structure or property not owned by the person or entity installing the signs, unless authorized by the written consent of the owner of the structure or property. For purposes of this provision, “owner” means any person or entity holding the immediate right of possession and control.
13. Signs that are dilapidated, abandoned, or in disrepair or dangerous condition.
14. Window signs that exceed 25 percent of any window.

#### **17.16.100 Illegal, Abandoned, and Nonconforming Signs**

**A. Illegal Signs.** Illegal signs shall be abated by the property owner or person responsible for installing or maintaining the sign.

1. The duty to abate arises upon notice by the Planning Director. Such notice shall give such parties a 30-day opportunity to cure by conformance to current law and/or current permit, to abate by removal or other remedial action.
2. Such notices may be appealed in the same manner as any other sign-related decision. However, when a sign poses a serious and immediate threat to public health or safety by virtue of its physical condition, without consideration of the message thereon, then the threat may be summarily abated by court order, or an emergency abatement should be summarily abated by the County with the reasonable cost of abatement chargeable to the sign owner and/or property owner.

**B. Abandoned Signs.** The following standards shall apply to conforming and nonconforming abandoned signs:

1. If a sign is maintained, the sign copy shall be replaced with blank sign copy within 90 days of the close of the operation (e.g., no utility service, not open for more than 2 weeks).
2. A nonconforming sign that is maintained with blank copy shall only be allowed to remain for 9 consecutive months (for a total of 12 months from closure of the establishment). At the conclusion of this time period, if a new establishment that utilizes the nonconforming sign structure has not been established, the entire sign structure shall be removed. However, within the designated rural areas of the County, the maximum timeline to maintain blank copy on a nonconforming sign shall be 24 months from establishment closure.
3. A conforming sign not in use, but which could be re-used in conjunction with the ownership or operation of a new establishment on a property, shall not fall under the definition of abandoned.

4. Abandoned signs that are not maintained or removed consistent with the requirements of this Section may be abated by the County with the cost of abatement reimbursed by the property owner and may become a lien against the property.

### C. Nonconforming Signs

1. **Removal/Abatement.** Any sign which becomes nonconforming as a result of the provisions of this Chapter shall be protected from removal by applicable provisions of state law and may be removed only as allowed by state law. The County shall order signs to be abated by the property owner and/or person or entity responsible for sign installation and/or maintenance.
2. **Maintenance and Repair.** Any sign currently in use that was legally installed but does not conform to the requirements of this Chapter may continue with routine maintenance and repair.
3. **Relocation and Alteration.** No nonconforming sign shall be moved, enlarged, or raised in height unless such relocation, alteration, or enlargement is required by law, or brings the sign into conformance with the provisions of this Chapter. Modification of a nonconforming sign may be allowed through the plan check application process so long as it is determined that there is an increase in the level of conformity of the subject nonconforming sign. Existing off-site signs (e.g., billboards) are considered nonconforming signs and shall not be converted to digital signs.
4. **Restoration of Damaged Signs.** As determined by the Director, whenever 50 percent or less of a nonconforming sign is destroyed by fire or other calamity (not including intentional acts), the sign may be restored to its nonconforming condition and the use modified as necessary to comply with current safety code requirements. Any nonconforming sign destroyed by more than 50 percent shall not be restored unless it is brought into compliance with the provisions of this Chapter.
5. **Building Façade Modifications.** If a Building Permit is issued for major modifications to the exterior of a building façade, as determined by the County, any nonconforming building signs on the façade undergoing modification shall be brought into full conformance with the provisions of this Chapter prior to approval for final occupancy.

#### 17.16.110 Signs on County Property

This Section states rules and policies for display of signs on properties owned by El Dorado County, either in fee or by holding the present right of possession and control. This Section provides the process and standards for establishing signage on County property. In adopting this Section, the Board acts in its proprietary capacity as to County property, as defined in this Section, within the county. This Section is adopted in compliance with the County's general

powers, property rights, Government Code Sections 65850(b), 38774, and 38775, Business and Professions Code Section 5200, et seq., and Penal Code Section 556 et. seq.

- A. Public Forum.** The County declares that County property shall not function as a designated public forum, unless some specific portion of County property is designated herein, or by Resolution of the Board, as a public forum of one particular type. In such case, the declaration as to public forum type shall apply strictly and only to the specified area and for the specified time period. For the purposes of this chapter, a public forum is a government-owned property that is open to public expression and assembly that is protected under the First Amendment.
- B. General Prohibition.** Unless specifically authorized by this Chapter, no private party signs may be displayed on County property. Any sign posted on County property in violation of this Section may be summarily removed by the County as a trespass and a public nuisance.
- C. Certain Governmental Signs.** The following signs may be erected and displayed on County property:
1. Traffic control and traffic directional signs erected by the County or another governmental unit;
  2. Official notices required or authorized by law;
  3. Signs placed by the County in furtherance of its governmental functions, including the dissemination of its own speech and information to the public; and
  4. Signs allowable under Subsections E and F of this section.
  5. Off-site digital general advertising for hire signs; such signs are only allowed by written agreement with the the County.
- D. Temporary Signs Displaying Noncommercial Message.** In areas qualifying as traditional public forums, private persons may display noncommercial message signs thereon, provided that such signs conform to all of the following:
1. The signs must be personally held by a person or personally attended by one or more persons. "Personally attended" means that a person is physically present within 5 feet of the sign at all times.
  2. The maximum aggregate size of all signs held or personally attended by a single person is 6 square feet. For purposes of this rule, apparel and other aspects of personal appearance do not count toward the maximum aggregate sign area.
  3. The maximum size of any one sign which is held or personally attended by 2 or more persons acting in concert is 50 square feet.



4. The sign must have no more than 2 display faces and may not be inflatable, inflated or air-activated.

5. In order to serve the County's interests in traffic flow and safety, persons displaying signs under this Section may not stand in any vehicular traffic or bicycle lane, and persons displaying signs on public sidewalks must give at least 5 feet width clearance for pedestrians to pass by. Persons holding signs may not obstruct the "cross visibility area," as defined in the Design Improvement Standards Manual.
  6. The message substitution policy as described in Section 17.16.020, applies only to traditional public forum areas.
- E. Off-Site Signage in Designated Rural Areas.** Within designated rural areas of the County, off-site commercial signs are allowed with limitations listed or approved by the Board as outlined below.
1. Board approved Industry Association Sign Programs, as listed in Section 17.16.060 (Community Sign Programs).
    - a. Signs located on County property along the street shall be located so as not to obscure vision or create other public safety hazards as determined by the Community Development Agency, Director of the Transportation Division, and;
    - b. Signs located on County property may require an encroachment permit as determined by the Community Development Agency, Director of the Transportation Division.
- F. Relocation of Off-Site Billboards.** Notwithstanding the prohibition on billboards in Section 17.16.090.B.2, pursuant to state law, the Board may approve agreements for relocation of existing off-site general advertising for hire (e.g., billboards) to County owned land.

### **17.16.120 Definitions**

As used in this Chapter, the terms below are defined as follows:

#### **Figure 17.16.120.A A-Frame Sign**

**Abandoned Sign.** Any display or sign remaining in place or not maintained which no longer identifies an ongoing business, product, or service available on the premises where the display or sign is located or where the structure or establishment to which the display or sign is related has ceased operation, or have not been updated upon occupancy of a new establishment.

**A-Frame Sign.** A portable sign capable of standing without support or attachment and sometimes referred to as a “sandwich board”. Such signs typically resemble the letter “A”, but may also resemble the letters “T” (upright or inverted) or “U” or “H” and are hinged or designed to fold up for easy moving by hand. See Figure 17.16.120.A.



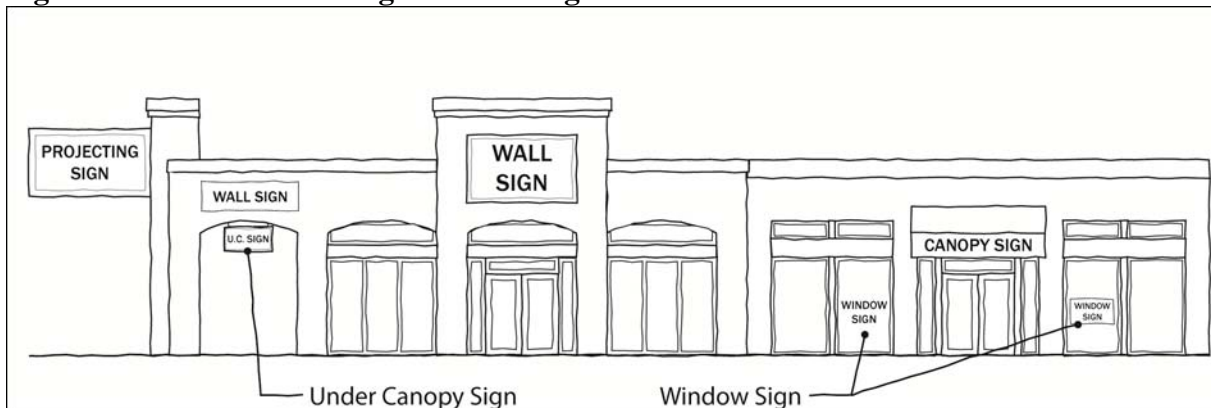
**Animated Sign.** Any sign that uses movement or change of lighting to depict action or movement of visual elements.

**Billboard.** A sign which meets any one or more of the following criteria: 1) a sign structure which is used for the display of off-site commercial messages; 2) a sign structure which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located; 3) an outdoor sign used as general advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration; or 4) an off-site outdoor advertising sign on which space is leased or rented.

**Blade/Bracket Sign.** A small, pedestrian-oriented sign that projects perpendicular from a structure (including fences, posts, and railings).

**Building-Attached Sign.** A sign placed on a wall or canopy, projecting from a wall, or hung underneath a canopy or overhang structure, or placed in a window. This sign category includes wall signs, canopy signs, projecting signs, under canopy signs, and window signs as defined herein. See Figure 17.16.120.B.

**Figure 17.16.120.B Building-Attached Signs**



**Can Sign.** A type of sign which contains all the text and/or logo symbols within a single enclosed cabinet that is mounted to a wall or other surface. Such sign structures typically use slide in panels to display the message to the public. See Figure 17.16.120.C.

**Figure 17.16.120.C**

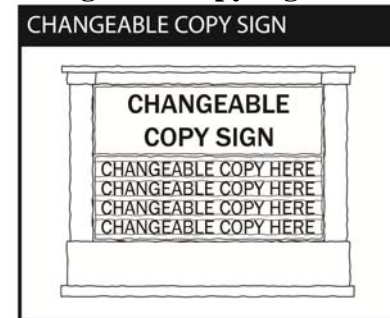
**Can Sign**



**Canopy Sign.** Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover (excluding a marquee) over an actual or faux door, entrance, window, or outdoor service area. See Figure 17.16.120.B (Building-Attached Sign).

**Figure 17.16.120.D**

**Changeable Copy Sign**



**Changeable Copy Sign.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign. See Figure 17.16.120.D.

**Channel Letter Sign.** A type of sign comprising individual letters that are independently mounted to a wall or other surface with a covered face. The “air space” between the letters is the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements. See Figure 17.16.120.E.

**Figure 17.16.120.E**

**Channel Letter Sign**



**Commercial Message.** Any sign, wording, logo, or other representation that names or advertises an establishment, product, service, or other commercial activity, primarily concerns the economic interest of the message sponsor or audience, or which proposes a commercial transaction.

**Community Sign.** A sign located on private property or County-maintained roads or rights-of-way (per Section 17.16.110) that is part of a County-authorized and coordinated program to provide the public with information and guidance concerning public accommodations, facilities, commercial services, events, and points of scenic, cultural, historic, educational, recreational, religious interest, and other local community destinations as designated and recognized by a Community Sign Program.

**Construction Site Sign.** A temporary sign mounted or displayed on the site of a construction project during the time when actual physical construction is ongoing.

**Copy.** The words, letters, numbers, figures, designs, or other symbolic representations incorporated into the visually communicative elements of a sign.

**Digital Display.** Display methods utilizing Light Emitting Diode (LED), Liquid Crystal Display (LCD), Plasma, projected images, or any functionally equivalent technology, and which is capable of automated remote or computer control to change the image, either in a “slide show” manner (series of still images), or full motion animation, or flashing, blinking or intermittent light, or any combination of them. Also known as dynamic signs, and Commercial Electronic Variable Message Signs (CEVMS).

**Digital Sign.** See Electronic (Digital) Message Sign

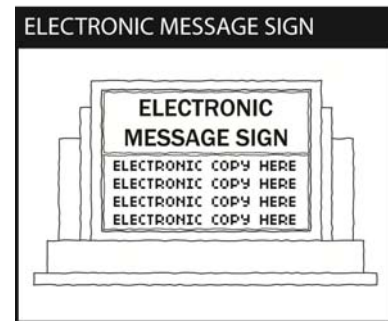
**Directional Sign.** Any sign (building-attached or freestanding) intended to be permanently affixed and utilized only for the purpose of indicating the direction of any object, place, or area.

**Directory Sign.** A pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.

**Display Face.** See Sign Face.

**Dwell Time.** The number of seconds an electronic (digital) message is displayed before changing to a different message.

**Figure 17.16.120.F Electronic (Digital) Message Sign**



**Electronic (Digital) Message Sign.** An electronic sign, typically comprising a liquid crystal diode (LCD), light-emitting diode (LED), plasma, or other digital illuminated display that contains one or more messages. An electronic message sign is different from an illuminated sign in that the illumination of the display creates the message, rather than an internal or external light source illuminating the message. See Figure 17.16.120.F.

**Establishment.** Any legal use of land, other than long-term residential, which involves the use of structures subject to the Building Code. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels, and motels, offices and libraries, but does not include single-family homes, mobile homes, residential apartments, or residential condominiums. Multi-units housing developments are considered establishments during the time of construction; individual units are not within the meaning of establishment once a certificate of occupancy has been issued or full-time residency begins.

**Exempt Sign.** A sign that is not subject to a plan check approval or a sign that is not subject to a sign permit.

**Flag.** Any fabric, banner, or bunting containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

**Freestanding Sign.** A permanent sign that is self-supporting in a fixed location and not attached to a building. A freestanding sign can be connected or attached to a sign structure,



fence, or wall that is not an integral part of a building. Freestanding signs include, but are not limited to, monument/pylon signs and pole signs as described in this section.

**Gas Pricing Signs.** Signs identifying the brand, type, octane rating, etc., of gasoline for sale, as required by state law.

**Highway-Oriented (U.S. Highway 50 only) Sign.** An on-site freestanding sign structure (single or multi-tenant identification) located on property within 100 feet of U.S. Highway 50 that are outside of the officially designated scenic corridor for which a U.S. Highway 50 Oriented Sign Permit is issued.

**Home Occupation Sign.** A sign located at a residence advertising a business or profession legally conducted in the residence.

**Illegal Sign.** A sign which is not lawfully permitted in accordance with current adopted regulations.

**Illuminated Sign.** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign; includes signs made from neon or other gas tube(s) that are bent to form letters, symbols, or other shapes. An illuminated sign excludes electronic (digital) message signs, which are separately defined.

**Inflatable Balloon Sign.** A sign consisting of balloons and inflatables made of latex, metallic and/or cloth material, regardless of the size that is used, for the purpose of attracting attention.

**Integrated Development.** A property or combination of properties containing 3 or more separate tenants and which share common parking, driveway, and access areas.

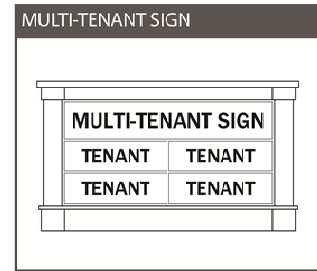
**Figure 17.16.120.G  
Monument Sign**



**Legal Nonconforming Sign.** A sign that was lawfully erected but that does not comply with the provisions of this Chapter.

**Marquee.** Any permanent roofed structure projecting over public property or right-of-way attached to and supported by a building.

**Menu/Order Board Sign.** A sign installed in a drive-through facility and oriented so as to be visible primarily by drive-through customers.



**Monument Sign.** A freestanding sign detached from a building and having a support structure with a base that appears to be solid and is constructed of permanent material, such as concrete block or brick. This sign type also includes multi-tenant signs. See Figure 17.16.120 .G.

**Mural.** A painted or otherwise attached or adhered image or representation on the exterior of a structure that is visible from a public right-of-way or neighboring property, does not contain commercial advertisement (is noncommercial in nature), and is designed in a manner so as to serve as public art, to enhance public space, and to provide inspiration.

**Noncommercial Message.** A message that addresses topics of public debate and concern. By way of example and not limitation, such messages often express opinions and views on subjects such as religion, politics, commentary on the arts or sports, or protests.

**Off-Site Sign.** Any sign not located on the premises of the establishment indicated or advertised by such sign. This definition shall include, but not be limited to billboards, poster panels, painted bulletins, and other similar advertising displays.

**On-Site Sign.** A sign directing attention to an establishment, commodity, service, or entertainment conducted, sold, or offered upon the same property as that upon which the sign is maintained.

**Painted Sign.** A sign that comprises only paint applied on a structure.

**Pennant.** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention.

**Permanent Sign.** A sign that is entirely constructed out of durable materials, is fixed in place, and is intended to exist for more than 120 days.

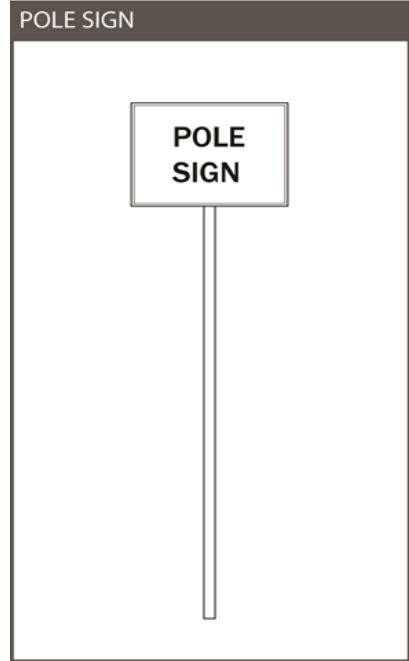
**Figure 17.16.120.H**  
**Pole Sign**

**Pole Sign.** A freestanding sign detached from a building and supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than one-quarter the width of the sign face. See Figure 17.16.120.H. (Freestanding signs constructed with poles as the substructure where the poles are encased to incorporate design features are not considered pole signs.)

**Portable Sign.** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. Portable signs include, but are not limited to, signs designed to be transported by means of wheels, A-frame signs, menu and sandwich board signs, and umbrellas used for advertising. Clothing or other aspects of personal appearance are not within this definition.

**Projecting Sign.** A sign attached to and extending outward from the face of a structure. Includes, but is not limited to, a blade/bracket sign, or marquee sign. See Figure 17.16.120.B (Building-Attached Signs).

**Pushpin Letter Sign.** A type of sign comprising individual letters that are independently mounted to a wall or other surface. Such sign may be illuminated by an external light source, such as pendant lighting. The “air space” between the letters is the building façade. See Figure 17.16.120.I.



**Figure 17.16.120.I  
Pushpin Sign**



**Pylon Sign.** A freestanding sign detached from a building and having a support structure with a base that appears to be solid and is constructed of permanent material, such as concrete block or brick. See Figure 17.16.120.J.

**Raceway (Sign).** A sign channel for protecting and holding electrical wires and cables, especially a metal rectangular tube used for such purposes.

**Real Estate Sign.** A temporary sign advertising the sale or lease or other economic transaction involving real property. All signs described in Civil Code 713 are within this definition.

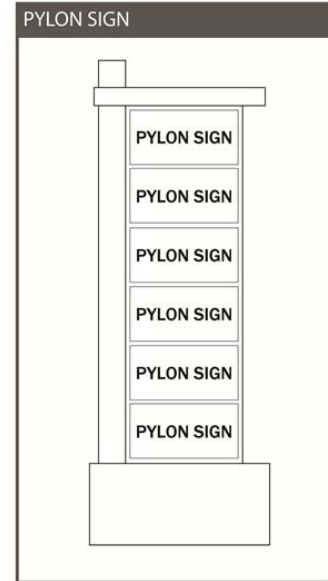
**Roof Sign.** A sign erected, constructed, painted, or placed upon or over a roof or parapet wall of a building and which is wholly or partly supported by the building or roof structure.

**Sign Face.** That area or portion of a sign on which copy is intended to be placed.

**Sign.** Any device, structure, fixture, or placard displaying graphics, symbols, and/or written copy for the primary purpose of communicating with the public. The following do not fall within the definition of a “sign” for purposes of this Chapter:

- a. Architectural or decorative features of buildings (not including lettering, trademarks, or moving parts).
- b. Fireworks, candles, and artificial lighting. The legal use of fireworks, candles, and artificial lighting not otherwise regulated by this Chapter.
- c. Graphic images that are visible only from above, such as those visible only from airplanes or helicopters, but only if not visible from the street surface or public right-of-way.
- d. Gravestones and grave markers.
- e. Holiday and cultural observance decorations that are on display for not more than 45 calendar days per year (per parcel or use) and which do not include commercial advertising messages.
- f. Interior signs or other visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof, or located at least 3 feet from the window on the interior of the structure.
- g. Manufacturers’ marks on tangible products that identify the maker, seller, provider, or product and which customarily remain attached to the product even after sale.

**Figure 17.16.120.J**  
**Pylon Sign**



- h. Mass transit graphic images mounted on trains or duly licensed mass transit vehicles that legally pass through the county.
- i. Murals, painted or otherwise attached or adhered image or representation on the exterior of a structure that is visible from a public right-of-way or neighboring property, does not contain commercial advertisement (is noncommercial in nature), and is designed in a manner so as to serve as public art, to enhance public space, and to provide inspiration
- j. News racks and newsstands.
- k. Personal appearance items or devices of personal apparel, decoration, or appearance, including, but not limited to, tattoos, makeup, wigs, costumes, and masks.
- l. Shopping carts, golf carts, and horse-drawn carriages.
- m. Symbols embedded in architecture such as symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a building; the definition also includes foundation stones and cornerstones.
- n. Vehicle and vessel insignia as shown on street-legal vehicles and properly licensed watercraft including, but not limited to, license plates, license plate frames, registration insignia, noncommercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising for hire), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.
- o. Vending machines that do not display off-site commercial messages or general advertising messages.

**Subdivision Sign.** A temporary or otherwise limited-term sign for the purpose of providing direction for vehicular and/or pedestrian traffic to the new home sale of multiple lots or dwelling units with a single builder within a master planned community, including both single-family and multi-family for-sale products. All other home sales signs are included within the definition of real estate sign.

**Temporary Promotional Sign.** Any sign displaying a commercial/promotional message, pennant, streamer, banner, beacon, bunting material, or other similar nonpermanent sign made of paper, cloth, canvas, lightweight fabric, or other non-rigid material, with or without frames, whether displayed as freestanding, wall-mounted, pole-mounted, window-mounted, or painted, or any other method of attachment, or beacon, which is intended to be displayed for a limited period of time.

**Temporary Sign.** A sign used for the public display of visual messages or images, which is easily installed with or without common hand tools, and which is not intended or suitable for long-term or permanent display (e.g., less than 120 days), due to lightweight or flimsy construction materials. Examples include, but are not limited to, A-frame signs, banners, pennants, streamers, or similar nonpermanent signs made of paper, cloth, canvas, lightweight



fabric, or other non-rigid material, with or without frames. Any device that meets the definition of a “structure” in the building code is not within this definition.

**Under Canopy Sign.** A pedestrian-oriented sign hung from underneath an awning, canopy or overhang structure/breezeway. See Figure 17.16.120.B (Building-Attached Signs).

**Wall Sign.** A sign attached to or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall. See Figure 17.16.120.B (Building-Attached Signs).

**Window Sign.** Any permanent or temporary sign, picture, letter, character, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed upon and/or inside and/or within 3 feet of a window for the purpose of being visible from the exterior of the window. See Figure 17.16.120.B (Building-Attached Signs).