



# COMMUNITY DEVELOPMENT AGENCY

## LONG RANGE PLANNING

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March 9, 2015

To: El Dorado County Planning Commission  
From: David Defanti, Assistant Director  
Subject: **Sign Ordinance Update**

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Community Development Agency, Long Range Planning Division staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

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

### **FUNDING:**

This project is included in the Long Range Planning budget and is funded with General Fund monies.

### **DEPARTMENT RECOMMENDATION:**

Community Development Agency, Long Range Planning Division recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Adopt a Resolution to Amend the El Dorado County General Plan Land Use Element Objective 2.7.1 and Policy 2.7.1.2; and
2. Adopt a Resolution Certifying the Environmental Impact Report for an Amendment of the El Dorado County Zoning Ordinance Chapter 130.16; Make Findings of Fact and Issue a Statement of Overriding Considerations; and

3. Approve the final draft comprehensive update (which includes the mitigation measure recommended in the Draft EIR) to Chapter 130.16 of the County Zoning Ordinance; and
4. Adopt the Mitigation Monitoring and Reporting Program.

**DISCUSSION:**

The project consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 130.16 of Title 130 of the El Dorado County Code of Ordinances, and other sections of Title 130 addressing sign regulations and standards) as well as amendments to General Plan Objective 2.7.1 and Policy 2.7.1.2 (pertaining to off-site signs) consistent with the goals of the project. The proposed amendment shall replace the existing Chapter 130.16 pertaining to the regulation of signs in the unincorporated area of the County and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all previously adopted standards and ordinances regarding to signs. The proposed ordinance applies to general sign requirements, permanent signs, temporary signs, community sign programs, sign development and design standards, permit requirements and review procedures for signs, prohibited, illegal, abandoned and nonconforming signs, and signs on County property.

*Proposed General Plan Land Use Element Amendment*

The Sign Ordinance Update project includes revisions to General Plan Land Use Element Objective 2.7.1 and corresponding Policy 2.7.1.2 to align General Plan language with state law provisions. On July 22, 2014, the Board of Supervisors approved the proposed revisions with the adoption of Resolution of Intention to Amend the Sign Ordinance (Resolution No. 106-2014). The proposed General Plan amendment was included in the Notice of Preparation of a Draft Environmental Impact Report released on October 1, 2014. Therefore, staff is recommending the Board approve and adopt the attached draft Resolution amending General Plan Objective 2.7.1 and corresponding Policy 2.7.1.2.

*Sign Ordinance Update Goal and Objectives*

The purpose of the General Plan Amendment and Sign Ordinance update and 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 objectives of the proposed Sign Ordinance update, as adopted in the Resolution of Intention to Amend the Sign Ordinance (No. 106-2014), are listed on page 2 of the draft Sign Ordinance Update.

## *Environmental Review*

The Draft Environmental Impact Report (EIR) for the Sign Ordinance Update was prepared as a Program EIR in conformance with the California Environmental Quality Act (CEQA) Guidelines (Sections 15120 through 15132 and 15168). The primary purpose of this Draft EIR is to analyze the potential significant physical impacts of the project. The determination of whether an impact is significant is based on the existing conditions of the physical environmental setting at the time the notice of preparation is published (e.g., baseline conditions) as described in Section 15125 of the CEQA Guidelines).

The Draft EIR for the Sign Ordinance Update project evaluates the environmental effects on aesthetics and visual resources. The Draft EIR identifies and analyzes four project impacts and two cumulative impacts, and has determined one of the project impacts pertaining to light and glare may be potentially significant.

The proposed project establishes 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. Both the existing and proposed sign ordinance contain provisions that regulate sign illumination. However, the proposed project will change the existing Sign Ordinance to provide for electronic (digital) signs.

The Draft EIR proposes a mitigation measure that would ensure 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 signs, which is not typical for conventional lighted signs. Consequently, digital signs may result in less light intrusion than conventional signs. With this mitigation, the impact would be considered less than significant. However, the message on a digital sign can be changed without physical changes to the signs, 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. Therefore, the environmental analysis has taken a conservative approach by stating this impact would be significant and unavoidable.

### **ALTERNATIVES:**

Staff is recommending that the Board adopt the proposed project which includes the mitigation measure. The Draft EIR identifies two alternatives to the proposed project: 1) No Project Alternative, and 2) No Digital Signs Alternative.

The No Project Alternative would not make any changes to the existing Sign Ordinance. However, the existing Sign Ordinance (Chapter 130.16 of the Zoning Ordinance) which has not been updated in 35 years, is so broadly written and provides limited guidance, that it would not help the County achieve the project objectives. In addition, the existing Sign Ordinance would allow for the approval of new billboards within the unincorporated area of the County.

The No Digital Alternative also does not achieve the project objectives as the allowance for digital signs will encourage consolidation of signs to reduce visual clutter, and also may provide economic benefits to businesses by allowing flexibility in being able to change sign messages at any time, thereby reducing the costs with the elimination of static signs that require graphic sign production.

**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 existing applicable sign regulation included in the County's Zoning Ordinance is broadly written and 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.

The proposed Sign Ordinance Update (Project) consists of the adoption and implementation of a comprehensive update to the County's existing Sign Ordinance as well as an 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 proposed Project addresses key issues including (but not limited to): 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.

*Board Direction & Project Initiation*

In 2008, the Board of Supervisors directed staff to proceed with a comprehensive update to the County Zoning Ordinance, but to defer updating the chapter which regulates signs. The existing sign ordinance has not been updated since 1980.

In 2012, the County approved three billboard applications after a lawsuit was filed. In response to strong public opposition to the billboards, primarily from Cameron Park and Shingle Springs residents, the Board approved an Interim Ordinance (No. 4978) that established a temporary moratorium on the acceptance of applications for billboard signs. The Board also redirected staff to initiate a comprehensive update to the Sign Ordinance separate from but concurrent with the comprehensive Zoning Ordinance Update.

In August 2012, the Board of Supervisors directed staff to contract with a consultant to prepare a comprehensive sign ordinance amendment and to prepare an Environmental Impact Report (EIR). In December 2012, the County executed a contract with Pacific Municipal Consultants, Inc. (PMC).

In January 2013, a joint workshop was held with the Board of Supervisors and the Planning Commission. Over the next six months, County staff and the consultant prepared a working draft Sign Ordinance update. In June 2013, staff presented the draft to the Board which the Board authorized to be released for a 60-day public review period.

#### *First Public Review Draft Released July 8, 2013*

The first public draft was released on July 8, 2013 and the public comment period closed on September 10, 2013. In August 2013, staff presented the draft sign ordinance at six public meetings: 1) Two general public meetings on August 12, 2013 at 3 p.m. and 7 p.m. in the Planning Commission Hearing Room, 2) Agricultural Commission Meeting on August 14, 2013 at 6:30 p.m. in the Board of Supervisors Chambers, 3) Public meeting on August 19, 2013 at 5 p.m. in the Planning Commission Hearing Room, 4) Planning Commission meeting on August 22, 2013 at 9 a.m. in the Planning Commission Hearing Room, and 5) Community and Economic Development Advisory Committee (CEDAC) on August 22, 2013 at 1 p.m. in the OES Conference Room.

#### *Project Update to the Board on December 17, 2013*

On December 17, 2013, staff presented the Board with a general summary of the public comments received and asked the Board for direction on several policy issues identified in the public comments. In addition, the County's outside counsel specializing in sign law provided the Board with an informational presentation on sign law. Also in December 2013, a new webpage was launched on the County website for the Community Development Agency Long Range Planning Division which included a dedicated project webpage for the Sign Ordinance Update project:

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

Following the December 2013 Board meeting, staff continued to make revisions to the working draft Sign Ordinance update to address Board direction and other issues/questions that arose during the staff and counsel review process.

#### *Second Draft of Proposed Sign Ordinance Released July 22, 2014*

On July 22, 2014, staff provided the Board with a follow-up to the discussion at the December 17, 2013 Board meeting, and a subsequent updated draft of the proposed sign code for Board and public review. The Board authorized staff to proceed with the environmental review as required by the California Environmental Quality Act by adopting Resolution of Intention (ROI) to Amend the Sign Ordinance (Resolution No.106-2014).

*Notice of Preparation of Draft EIR 30-day Public Review Period, October 1 – 31, 2014*

On October 1, 2014, a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) was released for a 30-day public review and comment period. The purpose of the NOP was 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.

*Third Draft of Proposed Sign Ordinance Released with NOP October 1, 2014*

A third draft of the proposed sign ordinance was released with the NOP and posted on the project webpage with a note that comments on the draft Sign Ordinance may be submitted any time before the Board takes action.

On October 23, 2014, a public scoping meeting was held at 6 p.m. in the Planning Commission Hearing Room. The consultant gave an overview of the CEQA environmental process and County staff answered questions from the nine individuals who attended the meeting. Three of the meeting attendees were from two local sign companies, two were local vineyard/winery owners and the others were residents of Cameron Park, Diamond Springs, and Shingle Springs.

On October 31, 2014, the deadline to submit comments on the NOP closed at 5:00 p.m. Written comments were submitted by nine individuals and five agencies/groups: El Dorado County Health and Human Services Agency Tobacco Use Prevention Program Coordinator, El Dorado County Farm Bureau, Cameron Park Community Services District, Cameron Park Design Review Committee, and Shingle Springs Community Alliance. 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.

*El Dorado County Code of Ordinances Recodified effective December, 17, 2014*

In November 2014, the Board of Supervisors approved a comprehensive recodification of the County Ordinance Code. The Zoning Ordinance, previously Title 17, was recodified to Title 130. Since all the public drafts of the Sign Ordinance update and the related environmental documents have referenced the Sign Ordinance as Chapter 17.16 of the Zoning Ordinance, the draft Sign Ordinance will continue to refer to as Chapter 17.16 and the Zoning Ordinance as Title 17. After the updated Sign Ordinance is approved by the Board of Supervisors, it will be incorporated into the El Dorado County Code of Ordinances as Chapter 130.16, not 17.16. Link to the current Zoning Ordinance:

[https://www.municode.com/library/ca/el\\_dorado\\_county/codes/code\\_of\\_ordinances?nid=PTBLADECO\\_TIT130ZO](https://www.municode.com/library/ca/el_dorado_county/codes/code_of_ordinances?nid=PTBLADECO_TIT130ZO)

*Draft EIR Notice of Availability 45-day review period, December 31, 2014 – February 17, 2015.*

On December 31, 2014, a Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the Sign Ordinance Update was released for a 45-day public review and comment period. On January 29, 2015, a public meeting was held at 6:30 p.m. in the Planning Commission Hearing Room to receive comments on the DEIR. About a dozen individuals attended the meeting – four people were from local sign companies and the others were residents from the communities of Cameron Park, Camino, Diamond Springs, El Dorado, and Shingle Springs. The deadline to submit comments on the DEIR closed at 5 p.m. on February 17, 2015. Written comments were received from nine residents, one sign company representative, the Cameron Park Design Review Committee, and the Cameron Park Community Services District.

*Public Outreach Summary*

Public outreach methods used to notify the general public and interested parties of the release of the three public drafts of the proposed sign ordinance, public meetings, release of the NOP and the DEIR included the following:

- County website postings on the County's home page under News & Hot Topics and email notifications sent to News & Hot Topics subscriber list (over 1,400 subscribers)
- Notices posted on the dedicated project web page and email notifications sent to Long Range Planning's subscriber list (over 700 subscribers)
- Press releases distributed to the CAO's media list and posted on the County website
- Email notices sent to individuals and agencies who submitted prior comments
- Direct mailings to over 20 sign companies
- Notices posted in the County Main Library and all branches
- Legal notice of the release of the Draft EIR placed in the Mountain Democrat (12/31/15), Georgetown Gazette (1/1/15) and Tahoe Tribune (1/2/15)
- Legal notice of the Planning Commission hearing on March 26, 2015 were placed in the Mountain Democrat and Georgetown Gazette and met the 10-day public noticing requirement pursuant to Section 65090 of the Planning, Zoning & Development Law.

A summary of the comments received from individuals and agencies on the initial Public Review Draft released on July 8, 2013 was presented to the Board on December 17, 2013. Comments received on the subsequent drafts released on July 22, 2014 and October 1, 2014 are posted on the Sign Ordinance Update project webpage:

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

Comments received during the Notice or Preparation 30-day review period (October 1 – 31, 2014) are also posted on the project webpage (under the DEIR December 2014) tab, and are included in the Draft EIR (Appendix A). Comments received during the Draft EIR 45-day review period (December 31, 2014 – February 17, 2015) are included in the Final EIR.

*Tabulation of Public and Agency Comments Received*

The following table provides a tabulation of the comments received on the three public review drafts and during the NOP and DEIR review periods.

Document	No. of Commenters	Communities	Agencies, Organizations, Groups, Sign Companies
Public Review Draft 7-8-13	37 Public 9 Agencies 5 Sign Co.	2 Apple Hill 1 Cameron Park 1 Camino 3 Cool/Divide 1 Diamond Springs 3 El Dorado Hills 1 Pilot Hill 2 Placerville 2 Pollock Pines 1 Rescue 8 Shingle Springs	<ul style="list-style-type: none"> <li>• Cameron Park Community Services District</li> <li>• Cameron Park Design Review Committee</li> <li>• Community Economic Development Association of Pollock Pines</li> <li>• Divide Chamber of Commerce</li> <li>• El Dorado County Agricultural Commission</li> <li>• El Dorado County Farm Bureau</li> <li>• El Dorado County Office of Education</li> <li>• El Dorado County Transit Authority</li> <li>• Shingle Springs Community Alliance</li> </ul> California Sign Association CBS Outdoor Orion Outdoor Media Rogers Media Spot-On Signs
PRD 7-22-14	11 Public 2 Agency	1 Camino 1 Rescue 1 Pollock Pines 7 Shingle Springs	<ul style="list-style-type: none"> <li>• Cameron Park Design Review Committee</li> <li>• El Dorado County Farm Bureau</li> </ul>
PRD 10-1-14	2 Public	1 Shingle Springs 1 Somerset	N/A
NOP Review 10-31-14	9 Public 5 Agency	1 Cool 1 Diamond Springs 2 El Dorado Hills 2 Shingle Springs	<ul style="list-style-type: none"> <li>• Cameron Park Community Services District</li> <li>• Cameron Park Design Review Committee</li> <li>• El Dorado County Farm Bureau</li> <li>• El Dorado County Health &amp; Human Services Agency</li> <li>• Shingle Springs Community Alliance</li> </ul>
DEIR Review 2-17-15	10 Public 2 Agency	1 Camino 2 Cameron Park 1 Diamond Springs 1 El Dorado 3 Shingle Springs	<ul style="list-style-type: none"> <li>• Cameron Park Community Services District</li> <li>• Cameron Park Design Review Committee</li> </ul>



## SUPPORT INFORMATION

### Attachments to Staff Report:

- EXHIBIT A.....Draft Resolution – Certifying the EIR, Making Findings of Fact and Making a Statement of Overriding Considerations
- EXHIBIT A-1.....CEQA Findings of Fact and Statement of Overriding Considerations (EXHIBIT A to the EIR Draft Resolution)
- EXHIBIT B.....Draft Resolution - General Plan Amendment Objective 2.7.1 and Policy 2.7.1
- EXHIBIT C .....Mitigation Monitoring and Reporting Program
- EXHIBIT D .....Errata Sheet – Revisions made to Draft Sign Ordinance after 12-11-2014
- EXHIBIT E.....Sign Ordinance Update Public Review Draft Revised 12-11-14 (Draft EIR Appendix B) Revised 3-5-15 (show Track Changes)
- EXHIBIT F.....Sign Ordinance Update Final Draft Revised 3-26-15
- EXHIBIT G .....Final Environmental Impact Report
- EXHIBIT H .....Draft Environmental Impact Report (the Draft EIR is posted on the Sign Ordinance Update webpage: [http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update/DEIR-El-Dorado-Sign-Ordinance-Update-Final-PMC-12-23-14.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Sign_Ordinance_Update/DEIR-El-Dorado-Sign-Ordinance-Update-Final-PMC-12-23-14.aspx))