



CaliforniaSignAssociation

December 5, 2013

Ron Briggs, Chair
Board of Supervisors
Kimberly Kerr, Asst. CAO
County of El Dorado
330 Fair Lane, Building A
Placerville, CA 95668

RE: Draft Sign Code Revision

Dear Chairman Briggs and Ms. Kerr:

The California Sign Association, representing the on-premise sign industry since 1959, appreciates the effort being undertaken to update the County's sign code. We reviewed the draft code and have several concerns, which we respectfully request be addressed prior to adoption of the new sign ordinance.

SECTION

17.16.030 A.2 UNIFORM SIGN PROGRAM

While uniform or master sign plans are useful, to impose them on small commercial projects having few tenants is burdensome and unnecessarily costly, especially given the limitation restricting USP's from allowing variations to the code. In our experience, a USP is more effective based on parcel size, not the number of tenants. In addition, the procedural requirements should be clarified, i.e., identify precisely what the process is and which departments need to approve.

17.16.030 A.4 HIGHWAY SIGN PERMIT

No criteria are stated. An applicant has a right to know what is expected prior to making application. (The County has had prior litigation over the absence of criteria relative to billboards.)

17.16.040 EXEMPT SIGNS

~ Time and temperature displays should be added to the list.

~ Flag pole height is too limiting given the varying terrain in El Dorado County.

~ Directional signs should not be restricted to a one-size fits all measurement. 42" in height and 6 sf may not work well, depending on the topography, snow conditions, etc. There should be flexibility built into the code.

~ Noncommercial sign size restrictions are probably unconstitutional under the First Amendment and recent court cases -- 6 sf too small.

17.16.060 E.2.b SPACING FOR FREESTANDING SIGNS

The separation limitation should be clarified that it applies *per parcel*, so as to not eliminate a property owner's right to identify the business. Also, the separation should not apply to corner parcels with two or more street frontages. Further, both the 250' street and 1000' highway separation do not present a legitimate government purpose or reasonable time, place, manner rationale. For example, in Cameron Park, if the 1000' rule applied most of the signs would be nonconforming and subject to elimination, resulting in a significant, potential just compensation burden for the county.

17.16.060 H.2 ILLUMINATION

a. *Delete the word "downward."* "Shielding" alone is sufficient, but there are many structures, signs as well as architectural, which are illuminated from the bottom that would become nonconforming as a result. In addition, poor lighting poses a significant adverse effect on the ability to adequately communicate the message.

e. *Title 24 > delete "to the greatest extent possible."* We have worked for many years with CEC on Title 24 and support its recommendations, but "greatest extent" is not one of them and is inconsistent with the Title 24 mandate of merely being "feasible" from a practical perspective.

17.16.060 I DESIGN

2. *Awnings.* Several CSA members have voiced concern over the requirement that the message be in the "middle 70%" is not always practical, depending on the size of the awning and frontage when the business entry is located off to the side of the building. Suggestion is to state that this as a preference when feasible, but not as a requirement.

5.e. *Clearance for Projecting Signs.* Our CSA licensed contractors inform me that the 6" clearance is not always achievable or practical under the Building Code and may be limiting from a design/engineering perspective. Unless there is a substantial governmental concern or purpose, this should be stated as a preference instead.

6. *Wall sign raceways.* Again, this should be a preference when feasible. Many buildings, especially older ones with brick or stone facades, are not suitable for recessed or hidden connections and a raceway is the only feasible alternative.

17.16.070 TABLE: DIMENSION LIMITATIONS

In addition to abbreviations, we ask that the zoning designations be described in the code for ready reference and convenience for those pulling and reviewing permits.

The size limitations in commercial zones are unreasonably and unjustifiably small compared to real-world needs. For example, a Raley's center sign is 300 sf, but under the proposal could be limited to 80 sf in a multi-tenant center. In addition, at a height of only 20' in hilly terrain a multi-tenant center sign, if visible, would look squat and mis-sized for the area. Height and size limits need to be based on speed of traffic, setback from the highway, elevation, grade and visibility/legibility requirements. The American Planning Association has published Best Practices guidance based on these factors (*Street Graphics*, Chap. 2, PAS 527). We urge the county to reconsider the proposed restrictions under tested analysis. We are concerned that as written the proposed code will generate unnecessary requests for variances or exceptions. Also, given the requirement for a uniform sign plan, there is little flexibility built into the proposal.

17.16.070 D MENU BOARDS

The 6' height limitation does not provide for an adequate viewing area. Today's menu boards are considerably higher. Also, it's not clear whether the proposal means 30 sf per *face* ("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."). From a functionality perspective, menu boards should be allowed at least minimally 10' height and 60 sf per face, and need to take into account contemporary innovative design, arches, overhangs, awning and interactive displays.

17.16.070 E HIGHWAY ORIENTED SIGNS

Location -- must be clarified to be on a per parcel basis. Otherwise, one business could have signage whereas an adjacent parcel would be denied.

Number -- should not be limited to one, depending on the available foot-frontage. If just one sign is allowed it will surely be the largest possible.

Area/Height -- again, too small based on the Best Practices guidance. El Dorado has too many terrain variables to make one size fit all circumstances.

17.16.110 NONCONFORMING SIGNS

The proposed revision provides for a variable amortization schedule to be "in compliance with state law." Accordingly, the county's attention is directed to Business & Professions Code Section 5490, et seq, which provides for a 15-year amortization period for on-premise signs -- not the shorter periods proposed -- unless just compensation is paid.

+ INVENTORY REQUIREMENT / ENFORCEMENT

In addition, *prior* to implementing the ordinance the county is required to conduct an inventory of illegal and abandoned signage. See B&P Code 5491.1.

In this regard, we are aware of a significant number of unpermitted signs installed throughout the county. While the proposed code does not address enhanced enforcement, we urge the Board to explore with staff at a later date increased effort toward regulatory compliance.

Thank you for your consideration; we look forward to further dialogue with you.

Sincerely,

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cc: CSA Board
Shingle Springs/Cameron Park Chamber
El Dorado Hills Chamber
El Dorado County Chamber