STATE OF CALIFORNIA
COUNTY OF MARIPosa
BOARD OF SUPERVISORS

MARIPOSA COUNTY ORDINANCE NO. 1093

AN ORDINANCE AMENDING CHAPTER 17.336 OF THE MARIPOSA
COUNTY CODE

WHEREAS, the Mariposa County Planning Commission initiated General
Plan/Zoning Amendment Application No. 2012-126; and

WHEREAS, General Plan/Zoning Amendment Application No. 2012-126 proposes
code amendments adding additional sign criteria to the Mariposa County
Zoning Ordinance and the Mariposa Town Plan, specifically the Historic and
Design Review Overlay Districts (HDRO and DRO), Supplementary Standards,
Supplementary Use Standards, Neighborhood Commercial (CN-1) zone, Scenic
Highway Overlay (SHO) zone, Development Standards, and Definitions. Code
and plan changes include amending regulations for community informational
signs including a specific allowance for the existing sign on APN 013-182-003,
adding provisions for way finding and gateway signs throughout the County,
amending and clarifying regulations for temporary signs, increasing size
limitations for businesses which fall under the definition of “large scale
development”, removing the prohibition for signs in the front yard setback area
in Mariposa, removing the amortization period provisions for non-conforming
signs, amending circumstances when the county may require a non-conforming
sign to be removed, clarifying material allowances in the HDRO, and adding
necessary definitions; and

WHEREAS, the Planning Commission held a duly noticed public hearing on
General Plan/Zoning Amendment 2012-126 on the 7th and 21st days of
September, 2012, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General
Plan/Zoning Amendment 2012-126 on the 13th day of November, 2012; and

WHEREAS, environmental review has been conducted on General Plan/Zoning
Amendment 2012-126 in accordance with the California Environmental Quality
Act, findings have been made and a Notice of Exemption has been filed for the
project.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors of the County
of Mariposa does hereby amend County Code, Zoning, as follows:
**Section I: Amend Chapter 17.336, Section 17.336.010 as follows:**

**17.336.010 Setbacks from property lines and streets.**

(Change subsections C, D, and F as follows)

C. Uses permitted in setback areas:

The following uses shall be permitted in setback areas:

1. Septic systems.
2. Wells.
3. Residential propane storage tanks except in the front yard setback.
4. Mail boxes.
5. Retaining walls not part of a building or structure.
6. Underground utilities and appurtenant above-ground structures.
7. Uncovered walkways.
8. Driveways.
9. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

D. Uses prohibited in setback areas:

The following uses shall be prohibited in setback areas:

1. Free-standing and monument signs.
2. Above ground fuel storage tanks or non-residential propane storage tanks.
3. Signs attached to a building or structure which extend more than three (3) feet from the face of the building or structure.
4. Refuse storage areas, outdoor storage areas, and outdoor work areas for commercial, institutional, or industrial uses.
5. Decks and porches.
6. Pools.

F. Projections in public right-of-way: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.
Section II: Amend Chapter 17.336, Section 17.336.060 as follows:

17.336.060.D Architectural theme and development guidelines for the design review district.

D. Sign standards:
(Change items 3, 4, 8, 9 and 10 as follows, delete item 12 in its entirety, and add new item 11)

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

9. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A maximum of two (2) sandwich board signs are allowed per business. Sandwich board signs are not counted toward the allowed sign area established by other sections of this code.

10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

11. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

Section III: Amend Chapter 17.336, Section 17.336.070 as follows:

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.
These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

(Change items A2 and A4 as follows)

2. Buildings shall be constructed of wood, brick, adobe, stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

Section IV: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
ON MOTION BY Supervisor Cann, seconded by Supervisor Stetson; this resolution is duly passed and adopted this 4th day of December 2012, both by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
EXCUSED: NONE
ABSTAINED: NONE
EXCUSED: NONE

Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

________________________
Rene LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

________________________
Steven W. Dahlem
County Counsel

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: November 21, 2012

________________________
MARGIE WILLIAMS
Clerk of the Board of Supervisors of the County of Mariposa, State of California

by Nancy Daithlem, Deputy
MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF ADOPTED ORDINANCE NO. 1093 AMENDING
CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE

Notice is hereby given that on Tuesday, December 4, 2012, the Mariposa County Board of Supervisors adopted an ordinance amending Chapter 17.336 of the Mariposa County Code as follows:

Section I: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.010, Setbacks from property lines and streets. The standards would be amended to allow for free-standing and monument sign to be located in the setback area. Signs attached to buildings could project three (3) feet from the face of a building and sign standards would also be amended to allow for signs to encroach into the public right-of-way under certain conditions.

Section II: Amend Chapter 17.336, Supplementary Development Standards, to amend to Section 17.336.060, Architectural theme and development guidelines for the design review district. The standards would be amended to allow for the use of modern materials which closely resemble the natural materials would be allowed, add provisions for exterior sign lighting if such lighting was shielded and directional, and provisions were added for large scale development to have additional sign area if certain criteria were met. The standards would also be amended limit the type and number of temporary signs allowed and maximum size stand for community information boards does not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street.

Section III: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.070, Architectural theme and development guidelines for the historic design review district. The standards would be amended to allow for the use of other historic materials for signs, use of modern materials which closely resemble the natural or historic materials would be allowed, add provisions for exterior sign lighting if such lighting was shielded and directional, and provisions were added for large scale development to have additional sign are if certain criteria are met.

Section VIII: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

Voting on the Ordinance was as follows:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
EXCUSED: NONE

A certified copy of the full text of this ordinance is posted for public review in the Office of the Clerk of the Board of Supervisors at 5100 Bullion Street, Mariposa, California.
RENE LaROCHE
Clerk of the Board

(Publish: 12/13/12) (Post: 12/4/12)
Received two ordinances, 1092 and 1093, will run both on Dec. 13, thank you Dan Tucker
mariposagazette@mariposagazette.com
ORDINANCE 2012-1093

MEETING: December 4, 2012

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Second Reading Sign Code Amendments

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending Chapter 17.336 of the Mariposa County Code pursuant to Zoning Amendment No. 2012-126. The Ordinance will allow for signs in the front yard setback area in Mariposa, allow signs to project over and into the public right of way, allow for the use of modern materials that closely resemble natural materials, external lighting that is shielded and directional, additional signage for large scale businesses, allowance for sandwich boards signs, limitations on the amount and type of temporary signs, expansion of the community information sign regulations and adding provisions for way-finding signs.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors conducted a final noticed public hearing on the project on November 13, 2012.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Failure to complete action would not complete the process necessary to change the sign regulations in the Mariposa County Code.

ATTACHMENTS:
121127 BOS Ord Mariposa TPA Sign Changes (Final Changes) (DOC)

CAO RECOMMENDATION
Requested Action Recommended

Rick Benson, County Administrator

REF ID# 1948
RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS  

MARIPOSA COUNTY ORDINANCE NO. 1093  
AN ORDINANCE AMENDING CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE  

WHEREAS, the Mariposa County Planning Commission initiated General Plan/Zoning Amendment Application No. 2012-126; and  

WHEREAS, General Plan/Zoning Amendment Application No. 2012-126 proposes code amendments adding additional sign criteria to the Mariposa County Zoning Ordinance and the Mariposa Town Plan, specifically the Historic and Design Review Overlay Districts (HDRO and DRO), Supplementary Standards, Supplementary Use Standards, Neighborhood Commercial (CN-1) zone, Scenic Highway Overlay (SHO) zone, Development Standards, and Definitions. Code and plan changes include amending regulations for community informational signs including a specific allowance for the existing sign on APN 013-182-003, adding provisions for way finding and gateway signs throughout the County, amending and clarifying regulations for temporary signs, increasing size limitations for businesses which fall under the definition of "large scale development", removing the prohibition for signs in the front yard setback area in Mariposa, removing the amortization period provisions for non-conforming signs, amending circumstances when the county may require a non-conforming sign to be removed, clarifying material allowances in the HDRO, and adding necessary definitions; and  

WHEREAS, the Planning Commission held a duly noticed public hearing on General Plan/Zoning Amendment 2012-126 on the 7th and 21st days of September, 2012, in accordance with State Law and County Code; and  

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General Plan/Zoning Amendment 2012-126 on the 13th day of November, 2012; and  

WHEREAS, environmental review has been conducted on General Plan/Zoning Amendment 2012-126 in accordance with the California Environmental Quality Act, findings have been made and a Notice of Exemption has been filed for the project.  

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors of the County of Mariposa does hereby amend County Code, Zoning, as follows:
Section I: Amend Chapter 17.336, Section 17.336.010 as follows:

**17.336.010 Setbacks from property lines and streets.**
(Change subsections C, D, and F as follows)

C. Uses permitted in setback areas:
The following uses shall be permitted in setback areas:
1. Septic systems.
2. Wells.
3. Residential propane storage tanks except in the front yard setback.
4. Mail boxes.
5. Retaining walls not part of a building or structure.
6. Underground utilities and appurtenant above-ground structures.
7. Uncovered walkways.
8. Driveways.
9. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

D. Uses prohibited in setback areas:
The following uses shall be prohibited in setback areas:
1. Free-standing and monument signs.
2. Above ground fuel storage tanks or non-residential propane storage tanks.
3. Signs attached to a building or structure which extend more than three (3) feet from the face of the building or structure.
4. Refuse storage areas, outdoor storage areas, and outdoor work areas for commercial, institutional, or industrial uses.
5. Decks and porches.
6. Pools.

...  

F. Projections in public right-of-way: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.
Section II: Amend Chapter 17.336, Section 17.336.060 as follows:

17.336.060.D Architectural theme and development guidelines for the design review district.

D. Sign standards:
(Change items 3, 4, 8, 9 and 10 as follows, delete item 12 in its entirety, and add new item 11)

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

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10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

11. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

Section III: Amend Chapter 17.336, Section 17.336.070 as follows:

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.
These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

(Change items A2 and A4 as follows)

2. Buildings shall be constructed of wood, brick, adobe, stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

Section IV: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
ON MOTION BY Supervisor Cann, seconded by Supervisor Stetson; this resolution is duly passed and adopted this 4th day of December 2012, both by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN

NOES: NONE

EXCUSED: NONE

ABSTAINED: NONE

EXCUSED: NONE

Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

Rene LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: December 6, 2012
MARGIE WILLIAMS
Clerk of the Board of Supervisors of the County of Mariposa, State of California
by: Tracy Vanheusen, Deputy
ORDINANCE 2012-1093

MEETING: December 4, 2012

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Second Reading Sign Code Amendments

RECOMMENDED ACTION AND JUSTIFICATION:

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Rick Benson, County Administrator
RESULT: ADOPTED [UNANIMOUS]
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SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen
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   3. Signs attached to a building or structure which extend more than three (3) feet from the face of the building or structure.
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   5. Decks and porches.
   6. Pools.

   F. Projections in public right-of-way:   Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.
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(Change items 3, 4, 8, 9 and 10 as follows, delete item 12 in its entirety, and add new item 11)

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening may be displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: 
   a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

9. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A maximum of two (2) sandwich board signs are allowed per business. Sandwich board signs are not counted toward the allowed sign area established by other sections of this code.

10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

11. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

Section III: Amend Chapter 17.336, Section 17.336.070 as follows:

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.
These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

(Change items A2 and A4 as follows)

2. Buildings shall be constructed of wood, brick, adobe, stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

Section IV: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
ON MOTION BY Supervisor Cann, seconded by Supervisor Stetson; this resolution is duly passed and adopted this 4th day of December 2012, both by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
EXCUSED: NONE
ABSTAINED: NONE
EXCUSED: NONE

Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

Rene LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS  

MARIPOSA COUNTY ORDINANCE NO. 1093  
AN ORDINANCE AMENDING CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE

WHEREAS, the Mariposa County Planning Commission initiated General Plan/Zoning Amendment Application No. 2012-126; and

WHEREAS, General Plan/Zoning Amendment Application No. 2012-126 proposes code amendments adding additional sign criteria to the Mariposa County Zoning Ordinance and the Mariposa Town Plan, specifically the Historic and Design Review Overlay Districts (HDRO and DRO), Supplementary Standards, Supplementary Use Standards, Neighborhood Commercial (CN-1) zone, Scenic Highway Overlay (SHO) zone, Development Standards, and Definitions. Code and plan changes include amending regulations for community informational signs including a specific allowance for the existing sign on APN 013-182-003, adding provisions for way finding and gateway signs throughout the County, amending and clarifying regulations for temporary signs, increasing size limitations for businesses which fall under the definition of “large scale development”, removing the prohibition for signs in the front yard setback area in Mariposa, removing the amortization period provisions for non-conforming signs, amending circumstances when the county may require a non-conforming sign to be removed, clarifying material allowances in the HDRO, and adding necessary definitions; and

WHEREAS, the Planning Commission held a duly noticed public hearing on General Plan/Zoning Amendment 2012-126 on the 7th and 21st days of September, 2012, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General Plan/Zoning Amendment 2012-126 on the 13th day of November, 2012; and

WHEREAS, environmental review has been conducted on General Plan/Zoning Amendment 2012-126 in accordance with the California Environmental Quality Act, findings have been made and a Notice of Exemption has been filed for the project.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors of the County of Mariposa does hereby amend County Code, Zoning, as follows:
Section I: Amend Chapter 17.336, Section 17.336.010 as follows:

17.336.010 Setbacks from property lines and streets.
(Change subsections C, D, and F as follows)

C. Uses permitted in setback areas:
The following uses shall be permitted in setback areas:
1. Septic systems.
2. Wells.
3. Residential propane storage tanks except in the front yard setback.
4. Mail boxes.
5. Retaining walls not part of a building or structure.
6. Underground utilities and appurtenant above-ground structures.
7. Uncovered walkways.
8. Driveways.
9. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

D. Uses prohibited in setback areas:
The following uses shall be prohibited in setback areas:
1. Free-standing and monument signs.
2. Above ground fuel storage tanks or non-residential propane storage tanks.
3. Signs attached to a building or structure which extend more than three (3) feet from the face of the building or structure.
4. Refuse storage areas, outdoor storage areas, and outdoor work areas for commercial, institutional, or industrial uses.
5. Decks and porches.
6. Pools.

F. Projections in public right-of-way: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.
Section II: Amend Chapter 17.336, Section 17.336.060 as follows:

17.336.060.D Architectural theme and development guidelines for the design review district.

D. Sign standards:
(Change items 3, 4, 8, 9 and 10 as follows, delete item 12 in its entirety, and add new item 11)

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

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10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

11. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

Section III: Amend Chapter 17.336, Section 17.336.070 as follows:

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.
These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

(Change items A2 and A4 as follows)

2. Buildings shall be constructed of wood, brick, adobe, stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for "large scale development" may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be "large scale development". In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

Section IV: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
ON MOTION BY Supervisor Cann, seconded by Supervisor Stetson; this resolution is duly passed and adopted this 4th day of December 2012, both by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
EXCUSED: NONE
ABSTAINED: NONE
EXCUSED: NONE

Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

Rene LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: November 21, 2012

MARGIE WILLIAMS
Clerk of the Board of Supervisors of the County of Mariposa, State of California

by Nancy Dahlem Deputy
MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF ADOPTED ORDINANCE NO. 1093 AMENDING
CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE

Notice is hereby given that on Tuesday, December 4, 2012, the Mariposa County Board of Supervisors adopted an ordinance amending Chapter 17.336 of the Mariposa County Code as follows:

Section I: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.010, Setbacks from property lines and streets. The standards would be amended to allow for free-standing and monument sign to be located in the setback area. Signs attached to buildings could project three (3) feet from the face of a building and sign standards would also be amended to allow for signs to encroach into the public right-of-way under certain conditions.

Section II: Amend Chapter 17.336, Supplementary Development Standards, to amend to Section 17.336.060, Architectural theme and development guidelines for the design review district. The standards would be amended to allow for the use of modern materials which closely resemble the natural materials would be allowed, add provisions for exterior sign lighting if such lighting was shielded and directional, and provisions were added for large scale development to have additional sign area if certain criteria were met. The standards would also be amended limit the type and number of temporary signs allowed and maximum size stand for community information boards does not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street.

Section III: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.070, Architectural theme and development guidelines for the historic design review district. The standards would be amended to allow for the use of other historic materials for signs, use of modern materials which closely resemble the natural or historic materials would be allowed, add provisions for exterior sign lighting if such lighting was shielded and directional, and provisions were added for large scale development to have additional sign area if certain criteria are met.

Section VIII: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

Voting on the Ordinance was as follows:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
EXCUSED: NONE

A certified copy of the full text of this ordinance is posted for public review in the Office of the Clerk of the Board of Supervisors at 5100 Bullion Street, Mariposa, California.
RENE LaROCHE
Clerk of the Board

(Publish: 12/13/12) (Post: 12/4/12)
Received two ordinances, 1092 and 1093, will run both on Dec. 13, thank you Dan Tucker
mariposagazette@mariposagazette.com
ORDINANCE 2012-1093

MEETING: December 4, 2012
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: Second Reading Sign Code Amendments

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending Chapter 17.336 of the Mariposa County Code pursuant to Zoning Amendment No. 2012-126. The Ordinance will allow for signs in the front yard setback area in Mariposa, allow signs to project over and into the public right of way, allow for the use of modern materials that closely resemble natural materials, external lighting that is shielded and directional, additional signage for large scale businesses, allowance for sandwich boards signs, limitations on the amount and type of temporary signs, expansion of the community information sign regulations and adding provisions for way-finding signs.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors conducted a final noticed public hearing on the project on November 13, 2012.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Failure to complete action would not complete the process necessary to change the sign regulations in the Mariposa County Code.

ATTACHMENTS:
121127 BOS Ord Mariposa TPA Sign Changes (Final Changes) (DOC)

CAO RECOMMENDATION
Requested Action Recommended

Rick Benson, County Administrator
Ordinance 2012-1093

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

MARIPOSA COUNTY ORDINANCE NO. 1093
AN ORDINANCE AMENDING CHAPTER 17.336 OF THE MARIPOSA
COUNTY CODE

WHEREAS, the Mariposa County Planning Commission initiated General
Plan/Zoning Amendment Application No. 2012-126; and

WHEREAS, General Plan/Zoning Amendment Application No. 2012-126 proposes
code amendments adding additional sign criteria to the Mariposa County
Zoning Ordinance and the Mariposa Town Plan, specifically the Historic and
Design Review Overlay Districts (HDRO and DRO), Supplementary Standards,
Supplementary Use Standards, Neighborhood Commercial (CN-1) zone, Scenic
Highway Overlay (SHO) zone, Development Standards, and Definitions. Code
and plan changes include amending regulations for community informational
signs including a specific allowance for the existing sign on APN 013-182-003,
adding provisions for way finding and gateway signs throughout the County,
amending and clarifying regulations for temporary signs, increasing size
limitations for businesses which fall under the definition of “large scale
development”, removing the prohibition for signs in the front yard setback area
in Mariposa, removing the amortization period provisions for non-conforming
signs, amending circumstances when the county may require a non-conforming
sign to be removed, clarifying material allowances in the HDRO, and adding
necessary definitions; and

WHEREAS, the Planning Commission held a duly noticed public hearing on
General Plan/Zoning Amendment 2012-126 on the 7th and 21st days of
September, 2012, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General
Plan/Zoning Amendment 2012-126 on the 13th day of November, 2012; and

WHEREAS, environmental review has been conducted on General Plan/Zoning
Amendment 2012-126 in accordance with the California Environmental Quality
Act, findings have been made and a Notice of Exemption has been filed for the
project.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors of the County
of Mariposa does hereby amend County Code, Zoning, as follows:
Section I: Amend Chapter 17.336, Section 17.336.010 as follows:

17.336.010 Setbacks from property lines and streets.
   (Change subsections C, D, and F as follows)

C. Uses permitted in setback areas:
The following uses shall be permitted in setback areas:
   1. Septic systems.
   2. Wells.
   3. Residential propane storage tanks except in the front yard setback.
   4. Mail boxes.
   5. Retaining walls not part of a building or structure.
   6. Underground utilities and appurtenant above-ground structures.
   7. Uncovered walkways.
   8. Driveways.
   9. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

D. Uses prohibited in setback areas:
The following uses shall be prohibited in setback areas:
   1. Free-standing and monument signs.
   2. Above ground fuel storage tanks or non-residential propane storage tanks.
   3. Signs attached to a building or structure which extend more than three (3) feet from the face of the building or structure.
   4. Refuse storage areas, outdoor storage areas, and outdoor work areas for commercial, institutional, or industrial uses.
   5. Decks and porches.
   6. Pools.

F. Projections in public right-of-way: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.
Section II: Amend Chapter 17.336, Section 17.336.060 as follows:

17.336.060.D Architectural theme and development guidelines for the design review district.

D. Sign standards:
(Change items 3, 4, 8, 9 and 10 as follows, delete item 12 in its entirety, and add new item 11)

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

9. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A maximum of two (2) sandwich board signs are allowed per business. Sandwich board signs are not counted toward the allowed sign area established by other sections of this code.

10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

11. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

Section III: Amend Chapter 17.336, Section 17.336.070 as follows:

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.
These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

(Change items A2 and A4 as follows)

2. Buildings shall be constructed of wood, brick, adobe, stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

Section IV: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
ON MOTION BY Supervisor Cann, seconded by Supervisor Stetson; this resolution is duly passed and adopted this 4th day of December 2012, both by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN

NOES: NONE

EXCUSED: NONE

ABSTAINED: NONE

EXCUSED: NONE

Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

Rene LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: DECEMBER 6, 2012

MARGIE WILLIAMS
Clerk of the Board of Supervisors of the County of Mariposa, State of California

by Tracy Natthau
Deputy
ORDINANCE 2012-1093

MEETING: December 4, 2012
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: Second Reading Sign Code Amendments

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending Chapter 17.336 of the Mariposa County Code pursuant to Zoning Amendment No. 2012-126. The Ordinance will allow for signs in the front yard setback area in Mariposa, allow signs to project over and into the public right of way, allow for the use of modern materials that closely resemble natural materials, external lighting that is shielded and directional, additional signage for large scale businesses, allowance for sandwich boards signs, limitations on the amount and type of temporary signs, expansion of the community information sign regulations and adding provisions for way-finding signs.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors conducted a final noticed public hearing on the project on November 13, 2012.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Failure to complete action would not complete the process necessary to change the sign regulations in the Mariposa County Code.

ATTACHMENTS:
121127 BOS Ord Mariposa TPA Sign Changes (Final Changes) (DOC)

CAO RECOMMENDATION
Requested Action Recommended

Rick Benson, County Administrator
RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

MARIPOSA COUNTY ORDINANCE NO. 1093

AN ORDINANCE AMENDING CHAPTER 17.336 OF THE MARIPOSA
COUNTY CODE

WHEREAS, the Mariposa County Planning Commission initiated General
Plan/Zoning Amendment Application No. 2012-126; and

WHEREAS, General Plan/Zoning Amendment Application No. 2012-126 proposes
code amendments adding additional sign criteria to the Mariposa County
Zoning Ordinance and the Mariposa Town Plan, specifically the Historic and
Design Review Overlay Districts (HDRO and DRO), Supplementary Standards,
Supplementary Use Standards, Neighborhood Commercial (CN-1) zone, Scenic
Highway Overlay (SHO) zone, Development Standards, and Definitions. Code
and plan changes include amending regulations for community informational
signs including a specific allowance for the existing sign on APN 013-182-003,
adding provisions for way finding and gateway signs throughout the County,
amending and clarifying regulations for temporary signs, increasing size
limitations for businesses which fall under the definition of "large scale
development", removing the prohibition for signs in the front yard setback area
in Mariposa, removing the amortization period provisions for non-conforming
signs, amending circumstances when the county may require a non-conforming
sign to be removed, clarifying material allowances in the HDRO, and adding
necessary definitions; and

WHEREAS, the Planning Commission held a duly noticed public hearing on
General Plan/Zoning Amendment 2012-126 on the 7th and 21st days of
September, 2012, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General
Plan/Zoning Amendment 2012-126 on the 13th day of November, 2012; and

WHEREAS, environmental review has been conducted on General Plan/Zoning
Amendment 2012-126 in accordance with the California Environmental Quality
Act, findings have been made and a Notice of Exemption has been filed for the
project.

NOW THEREFORE BE IT ORDEIGNED, the Board of Supervisors of the County
of Mariposa does hereby amend County Code, Zoning, as follows:
Section I: Amend Chapter 17.336, Section 17.336.010 as follows:

17.336.010 Setbacks from property lines and streets.
(Change subsections C, D, and F as follows)

C. Uses permitted in setback areas:
The following uses shall be permitted in setback areas:
1. Septic systems.
2. Wells.
3. Residential propane storage tanks except in the front yard setback.
4. Mail boxes.
5. Retaining walls not part of a building or structure.
6. Underground utilities and appurtenant above-ground structures.
7. Uncovered walkways.
8. Driveways.
9. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

D. Uses prohibited in setback areas:
The following uses shall be prohibited in setback areas:
1. Free-standing and monument signs.
2. Above ground fuel storage tanks or non-residential propane storage tanks.
3. Signs attached to a building or structure which extend more than three (3) feet from the face of the building or structure.
4. Refuse storage areas, outdoor storage areas, and outdoor work areas for commercial, institutional, or industrial uses.
5. Decks and porches.
6. Pools.

F. Projections in public right-of-way: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.
Section II: Amend Chapter 17.336, Section 17.336.060 as follows:

17.336.060.D Architectural theme and development guidelines for the design review district.

D. Sign standards:
(Change items 3, 4, 8, 9 and 10 as follows, delete item 12 in its entirety, and add new item 11)

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs, or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

9. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A maximum of two (2) sandwich board signs are allowed per business. Sandwich board signs are not counted toward the allowed sign area established by other sections of this code.

10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

11. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

Section III: Amend Chapter 17.336, Section 17.336.070 as follows:

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.
These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

(Change items A2 and A4 as follows)

2. Buildings shall be constructed of wood, brick, adobe, stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for “large scale development” may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for “large scale development” shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be “large scale development”. In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

Section IV: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
Mariposa Gazette

STATE OF CALIFORNIA )
COUNTY OF MARIPosa ) ss.

I, the undersigned, state:

I am the publisher and principal clerk of the Mariposa Gazette and Miner, an established weekly newspaper of general circulation, within the Town and County of Mariposa, California, within the provisions of Chapter 1: Division 1: Title 1 of the California Government Code, and which newspaper has been printed and published weekly in the Town of Mariposa, County of Mariposa, State of California, continuously since the year 1854; that I am a citizen of the United States of America over the age of 18 years, and a resident of the County of Mariposa; and that the notice, of which the annexed is a printed copy, was published in each regular issue of said newspaper and in any supplement thereof on the following dates, to wit:

12/13/12

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature (R.D. Tucker, Publisher)

Date 12/13 2012

MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF ADOPTED ORDINANCE NO. 1093
AMENDING CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE

Notice is hereby given that on Tuesday, December 4, 2012, the Mariposa County Board of Supervisors adopted an ordinance amending Chapter 17.336 of the Mariposa County Code as follows:

Section I: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.010, Setbacks from property lines and streets. The standards would be amended to allow for free-standing monument sign to be located in the setback area. Signs attached to buildings could project three (3) feet from the face of a building and sign standards would also be amended to allow for signs to encroach into the public right-of-way under certain conditions.

Section II: Amend Chapter 17.336, Supplementary Development Standards, to amend to Section 17.336.060, Architectural theme and development guidelines for the design review district. The standards would be amended to allow for the use of other historic materials for signs, use of modern materials which closely resemble the natural or historic materials would be allowed, add provisions for exterior sign lighting if such lighting was shielded and directional, and provisions were added for large scale development to have additional sign area if certain criteria were met. The standards would also be amended limit the type and number of temporary signs allowed and maximum size stand for community informatio- boards does not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street.

Section III: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.070, Architectural theme and development guidelines for the historic design review district. The standards would be amended to allow for the use of other historic materials for signs, use of modern materials which closely resemble the natural or historic materials would be allowed, add provisions for exterior sign lighting if such lighting was shielded and directional, and provisions were added for large scale development to have additional sign area if certain criteria are met.

Section VIII: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

Voting on the Ordinance was as follows:
AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
ABSENT: CANN
ABSTAINED: NONE

A certified copy of the full text of this ordinance is posted for public review in the Office of the Clerk of the Board of Supervisors at 5100 Bullion Street, Mariposa, California.

RENE LaROCHE
Clerk of the Board

12/13/2012:1C:1C
MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROPOSED ORDINANCES AMENDING
CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE

Notice is hereby given that on Tuesday, November 27, 2012, at 9:00 a.m., or as soon thereafter as the matter may be heard, at its regularly scheduled meeting, the Mariposa County Board of Supervisors will consider adoption of a proposed ordinance amending Chapter 17.336 of the Mariposa County Code as follows:

Section I: Amend Chapter 17.336, Supplementary Development Standards, to amend Section 17.336.010, Setbacks from property lines and streets. The standards would be amended to allow for free-standing and monument sign to be located in the setback area. Signs attached to buildings could project three (3) feet from the face of a building and sign standards would also be amended to allow for signs to encroach into the public right-of-way under certain conditions.

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Section VIII: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

A certified copy of the full text of this ordinance is posted for public review in the Office of the Clerk of the Board of Supervisors at 5100 Bullion Street, Mariposa, California.

MARGIE WILLIAMS
Clerk of the Board
ON MOTION BY Supervisor Cann, seconded by Supervisor Stetson; this resolution is duly passed and adopted this 4th day of December 2012, both by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN

NOES: NONE

EXCUSED: NONE

ABSTAINED: NONE

EXCUSED: NONE

Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

Rene LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel
STATE OF CALIFORNIA )
COUNTY OF MARIPOSA ) ss.

I, the undersigned, state:

I am the publisher and principal clerk of the MARIPOSA COUNTY GAZETTE AND MINER, an established weekly newspaper of general circulation, within the Town and County of Mariposa, California, within the provision of Chapter 1: Division 1 of the California Government Code, and which paper has been printed and published weekly in the Mariposa, County of Mariposa, State of California, continually since the year 1854; that I am a citizen of the United States over the age of 18 years, and a resident of the County, and that the notice, of which the annexed is a printed copy, was published in each regular issue of said newspaper and any supplement thereof on the following dates, to wit:

11/29/12

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature (R.D. Tucker, Publisher)

Date 11/29/2012

MARIPOSA COUNTY
BOARD OF SUPERVISORS

SUMMARY OF PROPOSED ORDINANCES AMENDING CHAPTER 17.336 OF THE MARIPOSA COUNTY CODE

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Section VIII: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

A certified copy of the full text of this ordinance is posted for public review in the Office of the Clerk of the Board of Supervisors at 5100 Bullion Street, Mariposa, California.

MARGIE WILLIAMS
Clerk of the Board

11/29/121C