RESOLUTION - ACTION REQUESTED 2012-415

MEETING: August 7, 2012

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Sign Code Changes - Resolutions of Intention

RECOMMENDATION AND JUSTIFICATION:
Adopt Resolutions of Intention to initiate the formal sign code amendment process. Sign code changes are proposed to Title 17 of the Mariposa County Code and to sign provisions in the Mariposa Town Plan, specifically the Historic and Design Review Overlay Districts. Code changes include regulations for community informational signs, way finding and temporary signs, size limitations, and enforcement.

The Board of Supervisors directed staff to prepare Resolutions of Intention to initiate the formal amendment process at their meeting of June 12, 2012.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has conducted three (3) sign workshops in 2011 and two in 2012. The Board also appointed an Ad Hoc Sign Committee (Supervisors Bibby & Cann) to consider changes to the County’s various sign code provisions. Per direction by the Board of Supervisors, the Ad Hoc Sign Committee met to discuss final changes to the County’s sign regulations. The Committee’s work is included in the Resolutions of Intention.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Alternatives: Modify suggested amendment text. Negative action would result in current sign ordinance and enforcement in the town of Mariposa and Countywide remaining the same.

ATTACHMENTS:
120807 Board Report - Resolutions of Intention (DOC)
120807 BOS Resolution of Intention (Title 17)(Final Draft) (DOC)
120807 BOS Resolution of Intention (Mariposa TPA)(Final Draft) (DOC)

CAO RECOMMENDATION
Requested Action Recommended
RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen
TO: SARAH WILLIAMS, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board


RES. 12-415 A & B

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on August 7, 2012

ACTION AND VOTE:

10. Planning RES-2012-415

Damon Golubics/Senior Planner presented the staff report. Supervisor Turpin asked about the status of the signs off of Highway 49 North, signs for the Jeffrey Hotel and the Greeley Hill Market, use of sandwich board signs in Coulterville, off-site signs for churches and businesses in Greeley Hill, and the Forest Service fire prevention signs. Supervisor Bibby advised of a typographical error on page 312 in the packet - "of" should be "if"; and she asked for clarification of the language on page 314 relative to the additional 32-square feet when natural materials are not used - it was clarified that the language should be changed to reflect "shall not be allowed." Sarah Williams advised of a correction on page 303, item "g" wayfinding signs should be "gateway." Supervisor Cann responded to Supervisor Turpin's questions relative to signs that have been in place prior to 1991 and relative to using wayfinding signs versus off-site signs. Sarah Williams responded to Supervisor Turpin's remaining questions.
(M)Cann, (S)Allen, to approve the two resolutions with the noted corrections, was withdrawn by the maker, agreeable with the second, to allow for further discussion. Discussion was held relative to enforcement. (M)Cann, (S)Allen, Res. 12-415a was adopted initiating the formal sign code amendment process to Title 17; and Res. 12-415b was adopted initiating the formal sign code amendment process to the Mariposa Town Plan; with the three corrections as noted/Ayes: Unanimous.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen

Cc: File
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

Resolution
No 2012-415a  A resolution of intention to initiate amendments to Section 3 of
the Mariposa Town Planning Area Town Plan and Chapter
17.336 Supplemental Development Standards of the County
Zoning Ordinance applicable to the Mariposa Town Planning
Area, amending the County's sign regulations.

WHEREAS, the Mariposa County General Plan is adopted by resolution; and

WHEREAS, adopted area plans are in Volume II of the General Plan; and

WHEREAS, the Mariposa Town Plan is an adopted area plan; and

WHEREAS, Section 3 of the Mariposa Town Plan establishes Land Use
Development Standards and Regulations; and

WHEREAS, Section 3.2 of the Mariposa Town Plan establishes specific
Development Standards for uses within the Mariposa Town Planning Area; and

WHEREAS, Section 3.21 of the Mariposa Town Plan establishes Setbacks from
Property Lines and Streets for the Mariposa Town Planning Area; and

WHEREAS, Section 3.21.A.2 of the Mariposa Town Plan establishes Setbacks from
Property Lines and Streets for Commercial, Institutional, and Industrial Uses
in the Mariposa Town Planning Area; and

WHEREAS, Section 3.26 of the Mariposa Town Plan establishes Architectural
Theme and Development Guidelines for the Mariposa Town Planning Area
Design Review District; and

WHEREAS, Section 3.26.D of the Mariposa Town Plan establishes Sign Standards
for the Mariposa Town Planning Area Design Review District; and

WHEREAS, the Mariposa County Code is adopted by ordinance; and

WHEREAS, Title 17, Sub-Title 17.300 contains chapters applicable to the Mariposa
Town Planning Area and Zoning regulations and Districts; and

WHEREAS, Title 17, Chapter 17.336 contains supplementary development
standards for projects within the Mariposa Town Planning Area; and

WHEREAS, Section 17.336.060 establishes architectural theme and development
guidelines for the design review overlay zone; and

WHEREAS, Section 17.336.060.D contains sign standards for the design review
overlay zone; and
WHEREAS, Section 17.336.070 establishes architectural theme and development guidelines for the historic design review overlay zone; and

WHEREAS, Section 17.336.070.A.4 contains sign standards for the historic design review overlay zone; and

WHEREAS, the adopted Mariposa County General Plan Implementation Measure 5-4c(2) states that “standards shall be included that protect visual character related to: viewsheds; structural design, landscaping and scenic environment; landform grading; site development; and lighting.” Targeted amendments to the County’s sign regulations have been drafted to consider the scenic environment of the County and tastefully bring attention to businesses located in towns and throughout the County. Under the proposed sign amendments, it is proposed that new signage will effectively blend in with the scenic natural beauty of Mariposa County.

NOW BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby initiate an amendments to Section 3.26 of the Mariposa Town Plan and Sections 17.336.060 and 17.336.070 of Mariposa County Code.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendments to Section 3.26 of the Mariposa Town Plan and Sections 17.336.060 and 17.336.070 of Mariposa County Code would amend setback provisions, expand the allowable amount of signage, increase sign area given building size, provide for new types of signage (wayfinding & sandwich board signs) and add a provision for an existing community information board sign.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Plan Section 3.21 will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru type):

**SECTION 3.2 DEVELOPMENT STANDARDS**

**3.21 Setbacks from Property Lines and Streets**

2. Commercial, Institutional, and Industrial Uses

   a. **Street and Front Yard:** The front setback shall be a minimum of thirty (30) feet from the centerline of a local street or ten (10) feet from the nearest point on the edge of a right-of-way boundary of a state highway. The front yard setback is established parallel or concentric to the front property line. Off-
street parking spaces and parking aisles shall not be allowed within the front yard setback.

3. Uses Permitted in Setback Areas - The following uses shall be permitted in setback areas:

a. Septic systems.
b. Wells.
c. Residential propane storage tanks except in the front yard setback.
d. Mail boxes.
e. Retaining walls not part of a building or structure.
f. Underground utilities and appurtenant above-ground structures.
g. Uncovered walkways.
h. Driveways.
   i. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

4. Uses Prohibited in Setback Areas - The following uses shall be prohibited in setback areas:

a. Free-standing and monument signs.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Plan Section 3.26 will read as follows (new text shown in italicized underlined type and deleted text shown in strike-through type):

3.26 Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Design Review District

D. Sign Standards

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 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 shall be subject to the thirty-two (32) sq. ft. maximum sign area. Larger signs for large scale tourist oriented development may be considered if they comply with the overall intent of these standards. Sign size shall be defined as the area of the smallest rectangle that wholly contains the sign. 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”. Large scale development businesses shall be allowed an additional 32 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. 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 and sandwich board signs are considered temporary signs. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A display, information sign, banner or other advertising device 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) days after the event.

9. 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 AFN 013-182-003), which may be maintained, including replacement of facial copy, but which may not be increased in size.

12. Notwithstanding any other provision of this or other County Codes, a legal nonconforming sign may be relocated one time provided that:
   a. There are no changes to the sign face or copy other than those minimum changes that may be necessary regarding the new address.
   b. There is no increase to the sign size.
   c. The structure housing the original sign may not be relocated.
   d. The structure housing or supporting the relocated sign shall comply with all other relevant provisions of County Code.
   e. The amortization period established in Section 17.108.190 of County Code shall be reduced to fifty percent (50%) of the number of years remaining in the amortization period.
   f. Any sign replacing the original sign at the original site shall not increase the degree of nonconformity of the original sign and shall be subject to all provisions of County Code, including the amortization date. Replacement of a nonconforming sign at the original site shall be prohibited unless the structure housing the original sign was designed and used for multiple signs; single sign structures housing the original sign shall be removed upon relocation of the nonconforming sign.
   g. Any sign replacing the original sign at the original site shall not be eligible for the one time relocation allowance under this section.
   h. The original sign location and the relocated site must both be within the Mariposa Town Planning Area.
   i. Illegal signs, as defined in Section 17.148.010 of County Code, shall not be eligible for the one-time relocation allowance.
Resolution No. 2012-415a Initiation of Amendments to Section 3 of the Mariposa Town Planning Area Specific Plan and Chapter 17.336 Supplemental Development Standards of the County Zoning Ordinance, adding additional sign regulations.
August 7, 2012

j. The square footage of the relocated sign shall count toward the total sign allowance at the new site.

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

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Plan Section 3.27 will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru type):

3.27 Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Historic Design Review District

All standards of the Mariposa Town Planning Area Design Review District shall apply within the Central Historic district except as modified by the following specific standards

D. Development Standards

2. Buildings within the district shall be constructed of wood, brick, adobe, or 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 natural 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. 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. 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 17.336.050.3.26.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 the Assessor/Recorder files) shall be "large scale development." 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 Mariposa County Code are a permitted use on all parcels;

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.336.010 of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-three type):

17.336.010 Setbacks from property lines and streets.

Unless otherwise prescribed, the following setback standards shall apply to all buildings, structures except as permitted by subsection C, and uses set forth in subsection D. These setback standards shall also apply to additions to existing buildings, structures, or uses set forth in subsection D.

B. Commercial, institutional, and industrial uses:

1. Street and front yard: The front yard setback shall be a minimum of thirty (30) feet from the centerline of a local street or ten (10) feet from the nearest point on the edge of a right-of-way boundary of a state highway. The front yard setback is established parallel or concentric to the front property line. Off-street parking spaces and parking aisles shall not be allowed within the front yard setback.

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.

3. Signs attached to a building or structure which extend more than one (1) foot three (3) feet from the face of the building or structure.

E. Projections in setback areas: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building shall not project more than three (3) feet into a required setback area.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.336.060.D of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike thru type):

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

D. Sign standards:

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 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 shall be subject to the thirty-two (32) sq. ft. maximum sign area. Larger signs for large scale tourist oriented development may be considered if they comply with the overall intent of these standards. Larger signs for "large scale tourist oriented development" may be considered if they comply with all of the standards within this paragraph. The overall intent of these standards 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”. 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 not 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 and sandwich board signs are considered temporary signs. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A display, information sign, banner or other advertising device 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) days after the event.

9. 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.

12. Notwithstanding any other provision of this or other County Codes, a legal nonconforming sign may be relocated one time provided that:
   a. There are no changes to the sign face or copy other than those minimum changes that may be necessary regarding the new address.
   b. There is no increase to the sign size.
   c. The structure housing the original sign may not be relocated.
   d. The structure housing or supporting the relocated sign shall comply with all other relevant provisions of County Code.
   e. The amortization period established in Section 17.108.190 of County Code shall be reduced to fifty percent (50%) of the number of years remaining in the amortization period.
f. Any sign replacing the original sign at the original site shall not increase the degree of nonconformity of the original sign and shall be subject to all provisions of County Code, including the amortization date. Replacement of a nonconforming sign at the original site shall be prohibited unless the structure housing the original sign was designed and used for multiple signs; single sign structures housing the original sign shall be removed upon relocation of the nonconforming sign.

g. Any sign replacing the original sign at the original site shall not be eligible for the one-time relocation allowance under this section.

h. The original sign location and the relocated site must both be within the Mariposa Town Planning Area.

i. Illegal signs, as defined in Section 17.140.010 of County Code, shall not be eligible for the one-time relocation allowance.

j. The square footage of the relocated sign shall count toward the total sign allowance at the new site.

12. Wayfinding signs as defined in Section 17.140.010 of Mariposa County Code are a permitted use on all parcels.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.336.070 of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru type):

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.

A. Development standards: All standards of the architectural theme and development guidelines for the design review overlay district zone shall apply within the historic design review overlay zone except as modified by the following specific standards:

2. Buildings shall be constructed of wood, brick, adobe, or 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 natural 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. 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". 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;

BE IT THEREFORE FINALLY RESOLVED THAT all other text in this Section of County Code shall remain unchanged.

ON MOTION BY Supervisor Cann, seconded by Supervisor Allen; this resolution is duly passed and adopted this 7th day of August 2012, both by the following vote:

AYES: Allen, Cann, Stetson, Turpin, and Bibby

NOES: None

EXCUSED: None

ABSTAIN: None

Janet Bibby, Chair
Marioposa County Board of Supervisors

ATTEST:
Resolution No. 2012-415a Initiation of Amendments to Section 3 of the Mariposa Town Planning Area
Specific Plan and Chapter 17.336 Supplemental Development Standards of the County Zoning Ordinance,
adding additional sign regulations.
August 7, 2012

[Signature]
Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

[Signature]
Steven W. Dahlem
County Counsel