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
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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 2012-415b  
A resolution of intention to initiate amendments to Title 17,  
Zoning, amending countywide sign regulations, Sections 17.65,  
17.76, 17.108 and 17.148 of the Mariposa County Code, zoning  
ordinance.

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

WHEREAS, Title 17, Chapter 17.65 establishes Scenic Highway Overlay (SHO)  
zoning standards; and

WHEREAS, Section 17.65.010 establishes criteria to protect the scenic qualities of  
public highways or roadways designated a scenic highway by the State of California and/or the Board of Supervisors; and

WHEREAS, Section 17.65.010.E establishes special development standards for  
multi-family residential, commercial and industrial uses within the SHO; and

WHEREAS, Section 17.65.010.E.4. establishes sign standards for developments  
within the SHO; and

WHEREAS, Section 17.65.010.E.4.g establishes sign criteria for freestanding signs  
within the SHO; and

WHEREAS, Title 17, Chapter 17.76 establishes Neighborhood Commercial Zone-1 (Indoor)(CN-1) zoning standards; and

WHEREAS, Title 17, Section 17.76.020 establishes development standards for the  
Neighborhood Commercial Zone-1 (Indoor)(CN-1) zoning district; and

WHEREAS, Title 17, Section 17.76.020.D establishes criteria for temporary and  
permanent signs in the Neighborhood Commercial Zone-1 (Indoor)(CN-1)  
zoning district; and

WHEREAS, Title 17, Section 17.76.020.D.2 establishes specific sign standards for  
permanent sign within the Neighborhood Commercial Zone-1 (Indoor)(CN-1)  
zoning district; and

WHEREAS, Title 17, Chapter 17.108 establishes Supplementary Standards for  
land uses; and

WHEREAS, Title 17, Section 17.108.190 establishes sign criteria for all zoning  
districts unless specific sign standards have been included in specific district  
regulations and standards; and
WHEREAS, Title 17, Section 17.108.190.A regulates temporary and permanent sign area and precludes off-site signs; and

WHEREAS, Title 17, Section 17.108.190.C are rules and regulations pertaining to non-conforming signs; and

WHEREAS, Title 17, Section 17.148.010 establishes Definition of terms and phrases used throughout the zoning ordinance; 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, landscaping and scenic environment, landform grading, site development, and lighting.” Adding changes to the zoning ordinance that enhance business signage and signage in general must consider and further this implementation measure to further protect the visual character of the Mariposa County.

NOW BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby initiate amendments to Sections 17.65.010.E, 17.76.020.D, 17.108.190 and 17.148.010 of Mariposa County Code.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendments to Sections 17.65.010.D, 17.76.020.D, 17.108.190 and 17.148.010 would expand the allowable amount of signage, increase sign area given building size, provide for new types of signage (wayfinding & gateway signs), incorporate additional sign definitions and remove the amortization code provision for nonconforming signs.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.65.010.E.4.g of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru type):

17.65.010.E.4.g Scenic Highway Overlay (SHO).

4. Sign standards.

    g. One free standing sign shall be permitted per business parcel providing the sign meets all other standards of this section. The height of free standing signs shall be limited to twenty (20) feet.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.76.020 of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru type):
17.76.020 Development Standards for CN-1.

D. Signs:

1. The following signs shall be permitted in the CN-1 zone:
   a. Temporary signs not exceeding sixteen (16) sq. ft. The term of such signs shall be the term of the special event and shall not exceed six (6) months, or the term of time the property is offered for sale or lease.
   b. Signs complying with the standards of this title and advertising the business or services located on the parcel upon which the sign is located.

2. Sign standards:
   a. The aggregate sign area for any business shall be 1 sq. ft. of sign area per one (1) lineal foot of the business frontage with a maximum sign area of thirty-two (32) square feet.
   b. A business within a building having frontage on more than one (1) public right-of-way may use the maximum aggregate sign area on one frontage and one-half (1/2) the maximum aggregate sign area on the other frontage with a maximum sign area of forty-eight (48) square feet.
   c. Signs shall be incorporated into the building design and shall not extend above the peak of the roof of the building upon which the sign is located. A monument sign shall be allowed as an alternative to or in addition to the building.
   d. In addition to the maximum aggregate sign area, commercial centers having a common name and containing three (3) or more business entities may contain a monument sign not exceeding thirty-two (32) square feet and six (6) ft. in height. The monument sign shall only identify the complex and shall not be used to advertise the individual businesses.
   e. 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. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. A business which utilizes the additional sign area permitted for “large scale” development by this section is not entitled to the additional sign area permitted by 17.76.020.D.2.b.
BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.108.190.A of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru-type):

17.108.190 Signs.

A. A temporary or permanent on-site sign or signs with maximum aggregate area of 16 sq. ft. and containing no outline tubing, flashing lights or moving parts shall be a permitted use on all parcels. Such signs shall have a maximum height of 20 feet. Off-site signs are prohibited unless specifically permitted by the principal zone. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels. Signs on school district property throughout Mariposa County, regardless of the land use or zoning designation, shall be exempt from all specific sign standards outlined in the Mariposa County Code. Time limits for temporary signs are contained on Section 17.148.010 of the Mariposa County Code.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.108.190.C of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru-type):

17.108.190 Signs.

C. All legally installed and permitted signs which do not conform with the standards of this title shall be considered non-conforming and shall be permitted to remain on a parcel for a period of 15 years from May 1, 1991 or until such sign becomes an illegal sign or is subject to any of the following conditions:

1. The sign is remodeled beyond a change in facial copy or relocated, the business name changes or there is any change in business ownership.

2. The property owner requests permission to expand, remodel or enlarge the building or land use on the parcel containing the sign and the sign is affected by the construction.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.108.190.H of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru-type):

17.108.190 Signs.

H. Gateway signs, as defined by this title, shall comply with all of the following conditions and requirements:

1. The following locations shall be considered gateways to Mariposa County:
a. The Mariposa and Merced County line at State Highway 140;
b. The Mariposa and Madera County line at State Highway 49;
c. The Mariposa and Madera County line at State Highway 41 (one location to be chosen);
d. The Mariposa and Stanislaus County line at State Highway 132;
e. The Mariposa and Tuolumne County line at State Highway 49;
f. The Mariposa and Tuolumne County line at State Highway 120;
g. Additional locations for gateway signs that are not listed above may be considered by the Board of Supervisors pursuant to a formal application, processing fee, and subsequent review and approval by the Board.

2. One sign shall be allowed at each identified community gateway location. The sign may be single or double faced.

3. No gateway sign shall be placed within the right-of-way of any state highway or other county public right-of-way.

4. No gateway sign shall be larger than two hundred and forty (240) square feet.

5. The maximum height of each gateway sign shall not exceed 16 feet in height from existing ground surface or from existing road grade measured horizontally from highest point on the travel lanes of the road adjacent to the proposed sign location, whichever is highest.

6. The specific message or copy of each sign shall be directed at tourists entering or exiting Mariposa County and highlighting the tourist amenities that Mariposa County has to offer. All other information on gateway signs shall be prohibited.

7. Signs may incorporate external illumination into the sign design, however internally illuminated signs shall be strictly prohibited.

8. No gateway sign shall be placed in such a manner as to create any safety hazard for vehicular traffic.

9. Subsections D. and E. of this section shall apply to gateway signs.

10. The proposed design of each gateway sign shall be reviewed and approved by the Board of Supervisors through a design review application, together with applicable processing fees, submitted by the proponent to the Planning Department to ensure that the sign complies with the requirements contained herein. The application shall be approved prior to sign fabrication or installation.
BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.108.190.1 of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike thru type):

17.108.190.1 Signs.

I. Prior to adoption of an area plan, community information signs, not exceeding ninety-six (96) sq. ft. in area, may be located within a planning area. Such signs may include a map of the community, the location of or information about groups, civic organizations, and churches in the area. Such signs may also include information about meetings of community interest and other community activities and events. If the community information board is combined with an on-site advertising sign for a business or public entity, the advertising portion of the sign (for the business or public entity) shall not exceed that which is otherwise allowed by county code.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.148.010 of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike thru type):

17.148.010 Definitions of terms and phrases.

Sign, amortization period:
A period of fifteen (15) years established as the economic life of all nonconforming signs. (Ord. 800 Sec. V, 1991).

Sign, illegal:
A sign that complies with one (1) or more of the following criteria:
A. Any sign erected without compliance with applicable building code and/or zoning code standards including signs expanded, remodeled or enlarged after May 15, 1991 without a permit or design review approval (if required).
B. Any sign advertising a use that has ceased to exist for a period of not less than ninety (90) days.
C. A nonconforming sign upon which the amortization period has expired.
D. Any sign determined by the Mariposa County building official to be a danger to the public health and safety from the standpoint of structural integrity.
E. Any sign determined by the Mariposa County public works director to be a traffic hazard not created by the relocation of streets or highways or other acts of the County. (Ord. 800 Sec. V, 1991).
Sign, temporary:
A display, information sign, banner or other advertising device which is displayed for a total of twenty-one (21) days or less, in a period of three (3) consecutive months. (Ord. 800 Sec.V, 1991). Advertising flag signs and sandwich board signs are considered temporary signs.

Sign, wayfinding:
Wayfinding signs are aids to help first time visitors to an area or community locate businesses and attractions. Wayfinding signs provide information at optimal decision points. Wayfinding signs are planned, connected, esthetically pleasing and are intended to create a positive first impression. Wayfinding signs shall be in accordance with a county-sponsored program, and shall not contain any business names or logos.

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
Mariposa County Board of Supervisors

ATTEST:

Margie Williams
Clerk of the Board of Supervisors
Resolution No. 2012-415b Initiation of Amendments to Sections of Title 17, amending countywide sign regulations, Sections 17.65, 17.76, 17.108 and 17.148 of the Mariposa County Code, zoning ordinance.

August 7, 2012

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel