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MARIPOSA COUNTY RESOLUTION NO. 94-468

A RESOLUTION APPROVING ZONING AMENDMENT NO. 94-1,
AN AMENDMENT TO SECTION 17.108.190 OF THE ZONING ORDINANCE
TO ALLOW FOR SPECIFIC INFORMATIONAL SIGNS
(INCLUDING NEON OPEN SIGNS) THROUGHOUT THE COUNTY
EXCEPT IN THE COULTERVILLE TOWN PLANNING AREA

WHEREAS, the Mariposa County Board of Supervisors adopted Resolution No. 94-175 thereby initiating the public review and hearing process to amend Section 17.108.190 of the Mariposa County Zoning Ordinance to allow for specific informational signs (including neon open signs) throughout the County; and

WHEREAS, the Mariposa County Planning Commission and Board of Supervisors have held duly noticed public hearings on the amendment in accordance with State law and County Code; and

WHEREAS, the Planning Commission adopted Resolution No. 94-13 recommending that the Board of Supervisors abandon Zoning Amendment No. 94-1 and initiate a new amendment to allow for informational signs in just the Mariposa Town Planning Area (TPA) based upon findings; and

WHEREAS, the Board of Supervisors considered the Planning Commission's recommendation and findings; and

WHEREAS, the Board of Supervisors also considered the Coulterville TPA Planning Advisory Committee's recommendation that the Board of Supervisors deny this amendment as it would apply to the Coulterville Town Planning Area.

NOW THEREFORE, the Mariposa County Board of Supervisors resolves as follows:

1 1. Section 17.108.190 of the Mariposa County Zoning
2 Ordinance is hereby amended as delineated in Exhibit "A" of
3 this resolution, attached hereto and incorporated herein by
4 reference.

5 2. The amendment has no potential to create significant
6 environmental impacts and is exempt from the provisions of the
7 California Environmental Quality Act pursuant to Section
8 15061(b)(3) of the CEQA Guidelines and based upon the findings
9 contained in Exhibit "B" attached hereto and incorporated
10 herein by reference.

11 3. Based upon the recommendation of the Coulterville TPA
12 Planning Advisory Committee, it is appropriate to exclude the
13 Coulterville Town Planning Area from this amendment.

14 4. The amendment is not inconsistent with any of the
15 guiding policies, goals, and standards of the General Plan,
16 including those of the Historic Preservation Element. This
17 amendment is a minor change to the countywide sign standards,
18 which will not detract from the scenic resources of Mariposa
19 County and will not impact the integrity of the County's
20 historic resources and communities. Additionally, this
21 amendment is not inconsistent with any of the policies and
22 objectives of the Specific Plans for the Mariposa, Fish Camp
23 and Wawona Town Planning Areas.

24 **PASSED AND ADOPTED** by the Mariposa County Board of
25 Supervisors on this 25th day of October, 1994 by the following
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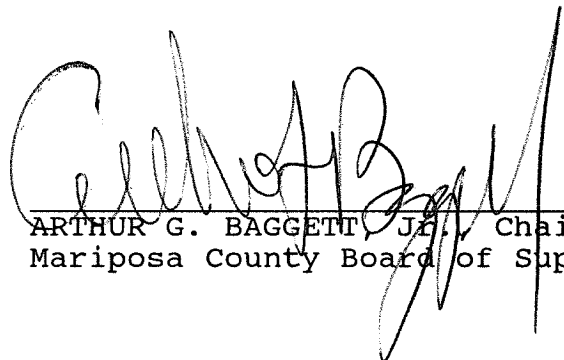
vote:

AYES: Baggett, Balmain, Erickson, Parker, Taber

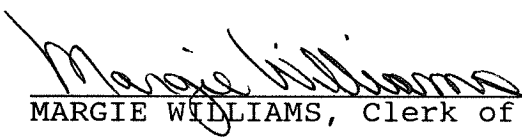
NOES: None

ABSTAINED: None

EXCUSED: None


ARTHUR G. BAGGETT, Jr., Chairman
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


JEFFREY S. GREEN, County Counsel

EXHIBIT "A"

Additions are shown in *italic type*.
Deletions are shown in ~~strikethrough~~ type.

Section 17.108.190 amended as follows:

17.108.190 Signs.

The intent of these regulations is to reduce the proliferation of signs to maintain the scenic quality of the County's transportation corridors and to generally preserve the rural appearance of the county.

The purpose of this section is to establish specific standards for the location, installation, construction or modification of signs. These standards shall apply in all instances except as modified by specific sign standards contained in this title or other standards adopted pursuant thereto.

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.

B. A sign or signs, which convey specific information as described herein, shall be a permitted use on all parcels within the County, including parcels within town planning areas with or without adopted specific plans, notwithstanding anything to the contrary contained in any regulatory language in any Specific Plan, existing or adopted in the future. Except that the provisions of this Section 17.108.190(B) shall not apply to the Coulterville Town Planning Area. Such signs shall include, but not be limited to, outline tubing signs, however such signs shall contain no flashing lights or moving parts. Such signs shall be limited to a maximum aggregate area of 3 sq. ft. per business, which shall be in addition to the sign area permitted by this title or by other specific sign standards adopted pursuant thereto. An additional 3 sq. ft. of informational signage, in accordance with the standards contained herein, may be approved for businesses which have a second public entrance, provided that no more than 3 sq. ft. of informational signage is visible from any location on any public right-of-way. Such signs shall be installed inside a building, and shall be limited to the following information:

1. OPEN, or CLOSED
2. VACANCY, or NO VACANCY
3. HOURS OF OPERATION

Such signs shall not advertise the business or contain the business logo or trademark, and shall not advertise or

1 identify products sold within or services provided by the
2 business.

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

8 1. The sign is remodeled beyond a change in facial
9 copy or relocated.

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

14 E-D. Unless otherwise prohibited by this chapter, signs
15 may be illuminated provided such illumination does not shine
16 light upon a public street or on to an adjacent parcel or in
17 any way create a public safety hazard. No sign shall be
18 illuminated after 11:00 p.m. or close of business,
19 whichever occurs last, or prior to 6:00 a.m.

20 D-E. The following exterior signs shall be prohibited:
21 Moving or rotating signs; sign with flashing, moving,
22 or animated illumination except signs which display time and
23 temperature information; advertising signs that include the
24 words "Stop, Look, Listen" or any word, phrase, symbol,
25 lights, motion, sound, fumes, mist, or other effluent that may
26 interfere with, mislead, or confuse the driving public;
27 portable signs except for temporary real estate signs which
28 advertise the particular property; signs on inflatable
advertising devices when the device is attached or secured to
the ground or building and signs extending above the peak of
the roof.

E-F. Illegal signs, as defined by this title, shall be
considered a zoning violation and a public nuisance and
subject to the abatement procedures established in Section
17.144 of this title. (Ord. 800 Sec. I, 1991)

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EXHIBIT "B"

FINDINGS FOR ENVIRONMENTAL REVIEW EXEMPTION

1. Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines states "...CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."
2. The Zoning Ordinance already establishes standards for advertising signs throughout the county. This amendment only addresses informational signs, and establishes specific design standards which limit sign contents, sign size, and sign location. These design standards were specifically developed to ensure that the signs will not detract from the integrity and character of the county's historic communities. The design criteria was developed based upon an evaluation of existing (non-conforming) signs in the historic district of Mariposa.

DEPARTMENT: Planning BY: Sarah Williams PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes X No)

The Planning Commission recommends:

- 1) Adoption of resolution abandoning Zoning Amendment No. 94-1 based upon findings as contained in Planning Commission Resolution No. 94-13.
- 2) Initiation of a new amendment to allow for informational signs as proposed by Zoning Amendment No. 94-1 in just the Mariposa Town Planning Area. Initiation of a new amendment is necessary based upon differing code sections for amendment, and based upon noticing requirements.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On May 17, 1994, the Board adopted Resolution No. 94-175 initiating the public review and hearing process for the proposed amendment.

On December 21, 1993, the Board directed staff to prepare this amendment for processing, following denial of an appeal of the Planning Director's Determination that a neon sign is a prohibited use in the Mariposa Town Planning Area's Historic Design Review Overlay District.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- ALTERNATIVES:
- 1) Approve the amendment as proposed. Informational signs (including neon open signs) would be allowed throughout the County;
 - 2) Modify the amendment relating to design standards for the informational signs.

NEGATIVE ACTION (i.e. denial of the amendment) would result in no changes to the sign standards of the Zoning Ordinance and neon open signs would remain a prohibited use in the Mariposa TPA Historic Design Review Overlay District.

COSTS: (x) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

- 1. Memo to Board
- 2. Draft Board Resolution
- 3. Planning Commission Resolution No. 94-13
- 4. Minutes from Planning Commission Public Hearing
- 5. Staff Report Considered by Planning Commission

CLERK'S USE ONLY:

Res. No.: 94-468 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved () Denied ()

Minute Order Attached () No Action Necessary

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

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: [Signature]

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ED JOHNSON, Planning & Building
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: PUBLIC HEARING
Zoning Amendment Number 94-1 Concerning
Sign Standards of the Zoning Ordinance
Resolution Number 94-468

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on October 25, 1994

ACTION AND VOTE:

11:56 a.m. B) PUBLIC HEARING to Consider the Approval or Abandonment of Zoning Amendment Number 94-1, an Amendment which Proposes Modifications to the Sign Standards of the Zoning Ordinance to Allow for Specific Informational Signs (Including Neon Open Signs) throughout the County; County of Mariposa, Applicant

BOARD ACTION: Staff report was provided by Sarah Williams/Associate Planner. Staff responded to questions from the Board concerning proposed modifications and excluding Coulterville Town Planning Area. There was no public input. Board commenced with deliberations. (M)Taber, (S)Parker, Res. 94-468 adopted approving Zoning Amendment No. 94-1 to allow for specific informational signs (including neon "open" signs), excluding the Coulterville Town Planning Area; and waiving and introducing an ordinance amending the Zoning Ordinance Sign Standards/Ayes: Unanimous. Hearing was closed.

cc: File