



MARIPOSA COUNTY

Planning · 209-966-5151



ORDINANCE 2012-1092

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

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending Chapters 17.65, 17.76, 17.108 and 17.148 of the Mariposa County Code pursuant to Zoning Amendment No. 2012-126. The Ordinance will allow for sandwich board signs in the Scenic Highway Overlay (SHO) district, additional sign area for businesses with two (2) frontages in the Neighborhood Commercial (CN-1) zoning district, additional signage for large scale businesses, added provisions for way-finding signs, removal of the amortization period for non-conforming signs, allowance for gateways signs, expansion of the allowance of community information signs in areas without adopted town plans and expansion of sign definitions

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.

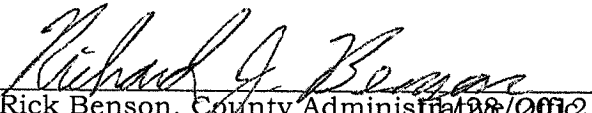
ATTACHMENTS:

121127 BOS Ord Title 17 Sign Changes (Final Changes) (DOC)

CAO RECOMMENDATION

Requested Action Recommended

Ordinance 2012-1092


Rick Benson, County Administrator/Office

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS**

MARIPOSA COUNTY ORDINANCE NO. 1092

**AN ORDINANCE AMENDING CHAPTERS 17.65, 17.76, 17.108 and 17.148 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 17.65, Section 17.65.010 as follows:

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

(Amend item 4g and add new items 4j and 4k as follows)

4. Sign standards.

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

...

j. Temporary signs, including but not limited to banners and flag signs are expressly prohibited within the Scenic Highway Overlay district. Sandwich board signs are not considered temporary signs.

k. 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.

Section II: Amend Chapter 17.76, Section 17.76.020 as follows:

17.76.020 Development Standards for CN-1.

(Amend item D2b and add item D2e as follows)

D. **Signs:**

2. Sign standards:

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.

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". 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 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.

Section III: Amend Chapter 17.108, Section 17.108.190 as follows:

17.108.190 Signs.

(Amend item A as follows)

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.

Section IV: Amend Chapter 17.108, Section 17.108.190 as follows:

17.108.190 Signs.

(Amend item C as follows)

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 until such sign becomes an illegal sign or is subject to any of the following conditions:

1. The sign is remodeled 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.

Section V: Amend Chapter 17.108, Section 17.108.190 as follows:

17.108.190. Signs.

(Add new item H as follows)

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. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site.

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.

Section VI: Amend Chapter 17.108, Section 17.108.190 as follows:

17.108.190.I Signs.

(Add new item I as follows)

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.

Section VII: Amend Chapter 17.148, Section 17.148.010 as follows:

17.148.010 Definitions of terms and phrases.

(Add or amend the definitions as follows)

Sign:

A structure or device designed or intended to convey information to the public in written or pictorial form which is visible from the exterior of a building and/or from a public road or public right of way and/or from an adjacent parcel.

~~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. 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.

D. 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. Advertising flag signs are considered temporary signs. The allowance for temporary signs is not intended to provide additional permanent advertising signs displayed on-site.

Sign, wayfinding:

Wayfinding signs are aides 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.

Section VIII: 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 Allen; 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