

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

AGENDA DATE: February 20, 1996  
AGENDA ITEM NO.: 6

96-69

DEPARTMENT: Planning

By: Jean Clark, Assistant Planner

Phone: 966-5151

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

Staff recommends that the Board deny the appeal and uphold the Planning Director's determination that a plastic sign does not comply with the "natural" materials criteria for signs in the Mariposa Town Planning Area's Historic Design Review Overlay District.

Recommended action is based on specific language in County Code, establishing standards for signs, and based on the history of enforcement and interpretation of these code provisions.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1) Grant the appeal and approve the design review application, finding that the plastic sign face complies with the "natural" materials criteria for signs in the Historic District; 2) Deny the appeal, direct staff to process a variance application for the sign, and waive application fees for the variance; 3) Deny the appeal and initiate a Specific Plan/Zoning Amendment to modify the nonconforming sign provisions to allow nonconforming signs to be relocated; 4) Deny the appeal and initiate a Specific Plan/Zoning Amendment to modify the sign standards of the Historic Design Review Overlay District.

NEGATIVE ACTION would overturn the Planning Director's determination and uphold the appeal.

COSTS: ( X ) Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated Costs \$ \_\_\_\_\_

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

COSTS: ( ) 4/5th Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \_\_\_\_\_

Balance in Reserve Contingencies, If Approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

Memorandum to Board with Attachments:

1. Appellants' Notice of Appeal

2. Planning Director's Written Determination

3. Applicable Zoning Ordinance Standards

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CLERK'S USE ONLY

Res. No.: 96-69 Ord. No.: \_\_\_\_\_

Vote - Ayes: \_\_\_\_\_ 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

By: \_\_\_\_\_

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted for Comment

Returned for Further Action

Comment: \_\_\_\_\_

A.O. Initials: M

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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TO: ED JOHNSON, Planning and Building Director  
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*  
SUBJECT: RESOLUTION NO. 96-69

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THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,  
ADOPTED THIS Order on February 20, 1996

ACTION AND VOTE:

**10:00 a.m.** PUBLIC HEARING to Consider an Appeal of Planning Director's Determination that a Plastic Sign Does Not Comply with the "Natural" Materials Criteria for Signs in the Mariposa Town Planning Area's Historic Design Review Overlay District for Sierra Gold Real Estate; Gene and Kay Mickel, Applicants/Appellants

**BOARD ACTION:** Ed Johnson, Planning Director, presented staff report, and recommendation for amendment to the Specific Plan to allow nonconforming signs to be moved once with conditions. Ed Johnson and Sarah Williams/Planning Manager, responded to questions from the Board relative to the location of the Historic District boundaries and sign requirements for inside the boundary versus outside; proposed placement of the Sierra Gold Sign at their new location; time limits for replacing nonconforming signs that were grandfathered with the adoption of the Specific Plan; and allowing the message area to be replaced with material that does not comply with the natural materials criteria in existing nonconforming sign frames. Public portion of the hearing was opened. Gene Mickel, applicant/appellant, presented photos of the business sign and map showing the proposed relocation for the sign; advised that the sign has a 20 year guarantee and feels it will weather better than a sign of natural materials; advised that the Shell station signs showing gasoline prices were still displayed when they moved their business to the Shell station facility; commented on their decline in business with changing their location as visibility is not good for their office and they need a sign and are willing to work with Planning in any reasonable way; they have rehabilitated the structure so that it looks nicer; they investigated ways to antique the sign and that doesn't work; and advised that currently they are using a little sandwich sign and it gets run over. Gene Mickel responded to questions from the Board relative to the cost of creating a sign that complies with the Specific Plan and proposed sign

installation; and stated there have been other signs installed after the Specific Plan was adopted in 1991 that do not conform, however, they wanted to go through the proper process. There was no other input from the public. Public portion of the hearing was closed and Board commenced with deliberations. Discussion was held relative to the conditions for grandfathering nonconforming signs and the ability to relocate those signs when a business moves. Staff responded to questions from the Board relative to the dates used for the historic design review and setback requirement from the highway for signs. (M)Parker, (S)Stewart, Res. 96-69 adopted denying the appeal and initiating a Specific Plan/Zoning Amendment to modify the nonconforming sign provisions to allow nonconforming signs to be relocated; direction given to staff to take into consideration historic signs and revisit the issue of signs that may have been lost due to current regulations; take a look at how many times a current business would be able to move a nonconforming sign and review the issue of whether the life of that sign should be lessened from the current grandfathered period allowed; review what approach the County is going to take when the fifteen year time period is up for allowing nonconforming signs; include recommendation for a date for existing nonconforming signs to be grandfathered with the proposed new regulations; further review the area that has been designated as the Historic Design area; and allow the business owner for Sierra Gold Real Estate to temporarily install their sign until the public process for the Specific Plan/Zoning Amendment modifications is finalized, with the understanding that any change in the conditions will affect the installation of this sign/Ayes: Unanimous. Hearing was closed.

cc: File