



COUNTY OF PLACER
Community Development/Resource Agency

**PLANNING
SERVICES DIVISION**

Michael J. Johnson, AICP
Agency Director

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
CD/RA Director 

DATE: April 10, 2012

SUBJECT: An Ordinance Extending the Term of Ordinance No 5641-B Pertaining to Temporary Changes to Placement and Timeframes for Certain Signs Otherwise Prohibited under County Code Chapter 17, Article 17.54

ACTION REQUESTED

The Planning Services Division is requesting that the Board of Supervisors adopt an ordinance to extend the term of Ordinance No. 5641-B that temporarily allows for the placement of certain signs that would otherwise be prohibited by the Zoning Ordinance and temporarily removes the maximum timeframes in the Zoning Ordinance for banners and window signs, for a period of one additional year.

BACKGROUND

During several of the Business Walks held in 2010, business owners consistently shared their concerns regarding the limitations that sign restrictions place on their ability to reach potential customers. After hearing these concerns echoed by business owners throughout the County, the Board encouraged staff to move forward with possible Zoning Text Amendments to allow for a temporary relaxation of sign requirements to assist the business community within Placer County by providing businesses with additional tools to help increase visibility and potentially increase revenues.

On April 11, 2011, the Board of Supervisors approved an uncodified Ordinance (No. 5641-B), in an effort to encourage and promote existing businesses, for one year that would allow for the temporary placement of the following signs that are otherwise prohibited by section 17.54.170 of the Zoning Ordinance:

- "A"-frame Signs
- Inflated/Lighter-Than-Air Signs
- Portable Signs

In addition to allowing these currently prohibited signs for a period of one year, the Ordinance also suspended the maximum allowable timeframe, 45 days and 60 days, respectively, for the following Exempt Signs:

- Temporary Sales and Events Signs – Section 17.54.170(C)(2)(o)
- Window Signs – Section 17.54.170(C)(2)(p)

Ordinance No. 5641-B has been in effect since June 1, 2011 and has been welcomed and applauded by the business owners in the County and has resulted in no health and safety issues and no complaints from the public. Section 5 of Ordinance No. 5641-B provided for a one-year term but also authorized the extension of the same through adoption of an ordinance before the expiration of the initial one-year term. The proposed ordinance would extend the term of Ordinance No. 5641-B for one additional year. No other changes to Ordinance No. 5641-3 are proposed. A copy of Ordinance No. 5641-B is attached for your reference. The present ordinance is in effect through May 31, 2012.

PROPOSAL

The Planning Services Division is requesting that the Board of Supervisor's extend the term of Ordinance No. 5641-B for an additional one year to allow for the continued temporary placement of the following signs otherwise prohibited by section 17.54.170 of the Placer County Zoning Ordinance:

- "A"-frame Signs
- Inflated/Lighter-Than-Air Signs
- Portable Signs

In addition to allowing these currently prohibited signs for a period of one year, the Ordinance proposes to also suspend the maximum allowable timeframe for the following Exempt Signs for one year:

- Temporary Sales and Events Signs – Section 17.54.170(C)(2)(o)
- Window Signs – Section 17.54.170(C)(2)(p)

DISCUSSION OF ISSUES

The Planning Services Division is requesting the extension of the Temporary Prohibited Sign Ordinance because the national, state, and local economies continue to undergo a downward transformation, which has resulted in a reduction in revenue for local businesses. With the current decline in the economy, business owners are increasingly stepping up marketing and outreach efforts in order to expand visibility for their business. Existing restrictions in the Sign Ordinance within Placer County Code limits the opportunities of business owners to expand outreach efforts.

Although restrictions regarding signage are in place in an effort to avoid public health and safety impacts and aesthetic impacts, the signs discussed above may also be credited with increasing revenue for businesses by attracting the attention of passersby who are drawn in by an eye-catching sign. The proposed Ordinance is being requested in order to provide businesses with the continued ability to potentially draw in a larger customer base in an effort to ease the burden of the current economic downturn, while also establishing limits to the number, size, and location of the signs in order to ensure that there is no public safety or aesthetic impacts.

Signs permitted with under Ordinance No 5641-B may not interfere with driver sight distance at road encroachments or obstruct the accessible path of travel along pedestrian sidewalks and pathways. The Ordinance does not apply to signs in the Tahoe Basin or in Squaw Valley, as signage in those areas are governed by other adopted County Ordinances and requirements.

As referenced above, sign restrictions are in place in an effort to reduce impacts related to health and safety issues, such as conflicts with vehicle traffic and sight distance, and aesthetic issues, such as overuse of portable and bright signs, and clutter. Ordinance No 5641-B includes requirements regarding allowable timeframes, number of signs, location, and size for each sign permitted by the Ordinance. For example, the Ordinance specifies that each business is permitted one of each of the signs addressed with this Ordinance, and that no sign shall be located within roadway easements or in the accessible path of travel. Additionally, the Ordinance sets forth specific size requirements for each of the different types of signs, including limits on the allowable height. With these specific requirements, staff will be able to identify violations of the proposed Ordinance should any complaints

be received. Violations of the proposed Ordinance will be handled as Code Violations through the County's Code Enforcement Division.

County staff provided the Roseville Chamber of Commerce a brief overview of the Ordinance at their March 2012 luncheon. The Chamber expressed their appreciation for the Board's original adoption of the Ordinance as well as their support to extend the Ordinance for an additional year.

FISCAL IMPACT:

Staff has not found that the proposed extension of Ordinance No. 5641-B has resulted in any negative fiscal impact and businesses have stated that the Ordinance has increased revenues by generating additional sales tax from increased business in Placer County.

CEQA COMPLIANCE:

This action is exempt from California Environmental Quality Act in accordance with CEQA Guidelines Section 15311, Accessory Structures, as the signs in question will be appurtenant to existing businesses and are only allowed for a limited period of time.

RECOMMENDATION:

The Planning Services Division recommends that the Board of Supervisors adopt an ordinance to extend the term of Ordinance No. 5641-B for an additional one (1) year term to allow the temporary use of signs otherwise prohibited under the Zoning Ordinance and the temporary modifications to the Zoning Ordinance timeframes for window signs and banners.

Attached to this report for the Board's information/consideration are:

Attachment 1: Proposed Ordinance
Attachment 2: Ordinance No. 5641-B

cc:
Holly Heinzen – County Executive Office
Karin Schwab- County Counsel
Loren Clark – Deputy CD/RA Director
Paul Thompson – Deputy Planning Director
Wes Zicker - Engineering and Surveying Division
Ken Stuart - Environmental Health Services
Tim Wegner– Chief Building Official
Bob Eicholtz - Emergency Services

**Before the Board of Supervisors
County of Placer, State of California**

**In the matter of:
EXTENSION OF UNCODIFIED
ORDINANCE NO. 5641-B TO PERMIT
TEMPORARY CHANGES TO
SECTION 17.54.170 OF CHAPTER 17 OF
THE PLACER COUNTY CODE PERTAINING
TO SIGNS**

Ord. No. _____

First Reading: _____

The following ORDINANCE was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Board of Supervisors,

Chair

Attest:

Ann Holman
Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, HEREBY FINDS:

1. The national, state, and local economies have undergone a downward transformation in recent years, which has resulted in a reduction in revenue for businesses throughout Placer County. In an effort to reverse declining revenues

business owners increasingly need to enhance marketing and outreach efforts, including efforts to expand visibility for their business.

2. The Board of Supervisors, taking notice of the economic difficulties facing Placer County's business owners, adopted on April 12, 2011 Ordinance No. 5641-B to allow for an temporary easing of the requirements in Section 17.54.170 of Chapter 17 of the Placer County Code regarding placement and timeframes of certain types of signs for a one (1) year period of time. Ordinance No. 5641-B is due to expire on May 31, 2012.
3. The Board of Supervisors, taking notice of the continued economic difficulties facing Placer County's business owners, hereby determines that it is in the best interest of the citizens of Placer County to extend the term of Ordinance No. 5641-B for another year to allow for the continued easing of the requirements in Section 17.54.170 of Chapter 17 of the Placer County Code regarding placement and timeframes of certain types of signs for a one (1) year period of time.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Ordinance No. 5641-B entitled "An Ordinance Amending Section 17.54.170 of Chapter 17 of the Placer County Code Pertaining to Signs" is hereby extended for a period of one (1) year, effective on June 1, 2012 and terminating on May 31, 2013 ("Term") unless extended by adoption of an ordinance prior thereto further extending the Term.

Section 2: This ordinance and Ordinance No. 5641-B remain uncodified and shall apply only to those signs, locations and time periods as described in Ordinance No. 5641-B.

Section 3: This ordinance shall take effect and be in full force and effect on June 1, 2012 or upon thirty (30) days after its passage, whichever is later (the "Effective Date"). The Clerk is directed to publish this ordinance within fifteen (15) days in accordance with Government Code Section 25124.

Before the Board of Supervisors
County of Placer, State of California

In the matter of:
AN ORDINANCE AMENDING
SECTION 17.54.170 OF CHAPTER 17 OF
THE PLACER COUNTY CODE PERTAINING
TO SIGNS

Ord. No. 5641-B

First Reading: _____

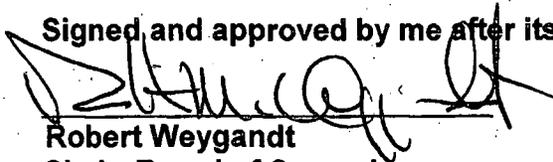
The following ORDINANCE was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held April 12, 2011, by the
following vote on roll call:

Ayes: DURAN, HOLMES, MONTGOMERY, WEYGANDT

Noes: NONE

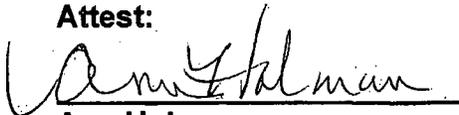
Absent: UHLER

Signed and approved by me after its passage.



Robert Weygandt
Chair, Board of Supervisors

Attest:



Ann Holman
Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF
CALIFORNIA, HEREBY FINDS:

1. The national, state, and local economies have undergone a downward transformation in recent years, which has resulted in a reduction in revenue for businesses throughout Placer County. In an effort to reverse declining revenues business owners increasingly need to enhance marketing and outreach efforts, including efforts to expand visibility for their business.
2. The Board of Supervisors, taking notice of the continued economic difficulties facing Placer County's business owners, hereby determines that it is in the best interest of the citizens of Placer County to allow for an easing of the requirements in Section 17.54.170 of Chapter 17 of the Placer County Code regarding

ATTACHMENT 2

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placement and timeframes of certain types of signs for a one (1) year period of time.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Subsubsections (o) and (p) of Subsection (C) of Section 17.54.170 of Chapter 17 of the Placer County Code are hereby amended to read as follows:

o. Temporary Sales and Events. Banners, signs or decorative materials for an event conducted pursuant to Sections 17.56.160(C), 17.56.160(D) and 17.56.160(G) (Outdoor retail sales), or grand openings of a new facility on the same site. Such banners, signs and materials are limited to a maximum aggregate area of one hundred (100) square feet per site ~~and a maximum time of forty five (45) days per year~~. Uses permitted under Section 17.56.300 (Temporary Uses) are limited to a maximum aggregate area of one hundred (100) square feet per site of banners, signs or decorative materials or as otherwise provided by the use permit.

p. Window Signs. Temporary window signs, either painted with water-soluble paint, or constructed of paper, cloth or similar expendable material, provided the total area of such signs is not more than twenty-five (25) percent of the window area, ~~and provided that such signs are in place no longer than thirty (30) days in any sixty (60) day period.~~

Section 2: Subsection (D) of Section 17.54.170 of Chapter 17 of the Placer County Code is hereby amended to read as follows:

D. Prohibited Signs and Sign Materials. The following signs and sign materials are prohibited, as well as any other sign or sign materials that are not consistent with the provisions of this ordinance; **provided, however, signs described by subsections (1), (4) and (7) below shall be permitted without a sign permit subject to compliance with the standards set forth herein and with all other applicable provisions of this Section 17.54.170, including but not limited to size, area, setback, illumination, and construction and maintenance.**

1. "A"-frame Signs. On-premises or off-premises signs with two or more pieces of any rigid material whatsoever joined at the top so as to form an "A" when viewed in profile, which are not permanently affixed to the ground or a building, and which are otherwise consistent with the definition of a sign. **An "A"-Frame Sign shall not: (1) be placed in any public right-of way, (2) interfere with vehicle sight distance or (3) obstruct the accessible path of travel along a pedestrian sidewalk or pathway. The number of "A"-frame Signs on each site shall be limited to one per business. An "A"-Frame Sign shall not exceed a total of twenty (20) square feet in area on each sign face.**

2. Animated Signs. Signs with any moving, rotating, flashing, or otherwise animated light or component, except for time and temperature displays and electronic changeable copy signs with cycle rates longer than three seconds, and traditional barber poles

3. Hazardous Signs. Any sign that creates a traffic safety hazard by interfering with a driver's sight distance.

4. Inflated/Lighter-Than-Air Signs. (Except as provided in Section 17.54.180(C)(2)). **Blimps, balloons and similar lighter-than-air or inflated advertising devices shall be subject to the following requirements:**

a. **Only one such device is allowed for each business.**

b. **The device shall not have lighting or electronic displays.**

c. **The longest dimension of the inflated device shall not exceed fifteen (15) feet.**

d. **The device shall not interfere with any public utility structure or facility.**

5. Obsolete Signs. Any sign or sign structure identifying a use or activity that has not occupied the site for more than six months.

6. Off-premises Signs. Except as provided by Section 17.54.190, any off-premises sign that directs attention to a business, service, product, or entertainment not sold or offered on the premises on which the sign is located, including but not limited to billboards and other off-premises outdoor advertising signs.

7. Portable Signs. Signs not permanently affixed to the ground, an approved support structure or a building. **A Portable Sign shall not (1) be placed in any public right-of-way, (2) interfere with vehicle sight distance, or (3) obstruct the accessible path of travel along a pedestrian sidewalk or pathway. The number of Portable Signs allowed on each site shall be limited to one per business. A Portable Sign shall not exceed twenty (20) square feet in area.**

8. Signs on Public Property. Signs within a public road right-of-way, or placed on any other public property, except when placed on such property by the public agency having jurisdiction.

9. Signs on Natural Features and Other Structures. Signs affixed to or painted on trees, rocks, or other natural features, or on utility poles, street sign poles, traffic signal equipment and poles, or garbage receptacles.

10. Signs Without Permits. Any sign without an approved sign permit, unless specifically exempt per subsection (C)(2) of this section.

11. Simulated Traffic Signs. Any sign that simulates or imitates in color or design any traffic sign or signal, or uses words, symbols or characters that may interfere with, mislead or confuse pedestrian or vehicular traffic.

12. Vehicle Signs. Signs on vehicles, including trailers, when a vehicle is parked or stored on property for the purpose of identifying a business or advertising a product on the same site or a different site, unless the sign is permanently fixed to the vehicle, and the vehicle is used by the business to conduct its daily operations on a regular basis.

Section 3: Any sign permitted by the changes to Subsubsections (o) and (p) of Subsection (C) or Subsection (D) of Section 17.54.170 described in Sections 1 and 2 herein shall be permitted only for the period of time that this ordinance is in effect pursuant to Section 5 below, and shall be removed immediately thereafter. No such sign shall be deemed a legal non-conforming sign upon expiration of this ordinance.

Section 4: This ordinance shall be uncodified and shall apply only to those signs as described in Sections 1 and 2 herein. The Director of the Community Development Resources Agency is authorized and directed to adopt such administrative procedures as may be necessary to implement this ordinance.

Section 5: This ordinance shall be in effect for a period of one (1) year from the Effective Date described in Section 6 below, unless extended by adoption of an ordinance prior thereto further extending the Effective Date.

Section 6: This ordinance shall take effect and be in full force and effect on June 1, 2011 or upon thirty (30) days after its passage, whichever is later (the "Effective Date"). The Clerk is directed to publish this ordinance within fifteen (15) days in accordance with Government Code Section 25124.

