



COUNTY OF PLACER
Community Development/Resource Agency

**PLANNING SERVICES
DIVISION**

Michael J. Johnson, AICP
Agency Director

EJ Ivaldi
Deputy Director of Planning

HEARING DATE: February 13, 2014
TIME: 10:25 a.m.
ITEM NO.: 2

TO: Placer County Planning Commission

FROM: Development Review Committee

**SUBJECT: PROPOSED ORDINANCE TEMPORARILY SUSPENDING WITH
CONDITIONS PORTIONS OF SECTION 17.54.170 OF ARTICLE 17.54
OF CHAPTER 17 OF THE PLACER COUNTY CODE PERTAINING TO
SIGNS (ZTA 20130358)
CATEGORICAL EXEMPTION**

LOCATION: Countywide

STAFF PLANNER: Lisa Carnahan, Associate Planner

APPLICANT: Placer County Planning Services Division

PROPOSAL: The Planning Commission is being asked to consider an Ordinance that would temporarily suspend certain time restrictions and select prohibitions for particular signs and sign materials found in the sign regulations of the Zoning Ordinance (Section 17.54.170) until October 18, 2015.

CEQA COMPLIANCE: This action is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), which states that a project is exempt from CEQA if the "activity is covered by the general rule that 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." The proposed Ordinance would temporarily suspend the prohibition of placement of A-Frame signs, inflated and lighter-than-air signs, and portable signs, and would suspend the respective 45- and 30-day maximum timeframes for placement of banners and window signs. The proposed Ordinance does not have the potential to cause a significant effect on the environment as it would allow for the placement of signs on a temporary basis and does not include any alteration or impact to land or natural resources.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

An 1/8-page legal notice was published in both the *Sacramento Bee* and *Sierra Sun* newspapers, and a legal notice was also distributed to all of the Municipal Advisory Councils. Other appropriate public agencies and interest groups were sent copies of the public hearing notice. Community Development Resource Agency staff and the Departments of Public Works, Environmental Health and the Air Pollution Control District were transmitted copies of the proposal for review and comment. No public comments were received at the time this staff report was written.

BACKGROUND:

After hearing concerns echoed by business owners throughout the County regarding the limitations that sign restrictions place on their ability to reach potential customers, the Board of Supervisors approved a one-year uncodified Ordinance (No. 5641-B) on April 12, 2011 in an effort to encourage and promote existing businesses. Ordinance No. 5641-B allowed for the temporary placement of "A"-frame, Inflated/Lighter-Than-Air, and Portable signs, and suspended the maximum allowable timeframe, 45 days and 30 days, respectively, for "Temporary Sales and Events Signs" and "Window Signs".

Ordinance No. 5641-B was welcomed and applauded by the business owners in the County and was extended and remained in effect until June 1, 2013. The proposed Ordinance would accomplish the same goals as Ordinance No. 5641-B. It would temporarily allow the placement of the types of signs indicated above with no time limit until October 18, 2015. This date coincides with the expiration date for the Temporary Sign Ordinance for "A"-frame signs enacted by the City of Roseville.

Signs permitted with this proposed Ordinance may not interfere with driver sight distance at road encroachments or obstruct the accessible path of travel along pedestrian sidewalks and pathways. This proposed Ordinance would not apply to signs in the Tahoe Basin or in Squaw Valley, as signage in those areas is governed by other adopted County Ordinances and requirements.

PROJECT DESCRIPTION:

The Planning Services Division is requesting that the Planning Commission forward a recommendation for approval to the Board of Supervisor's on the proposed Ordinance to temporarily suspend section 17.54.170's prohibition of the following signs:

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

In addition to allowing these currently prohibited signs until October 18, 2015, the Ordinance proposes to also temporarily suspend the maximum allowable timeframe 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)

DISCUSSION OF ISSUES:

Benefit to Businesses:

At the request of the Board of Supervisors, the Planning Services Division is proposing a temporary suspension of the prohibition on certain signs. Because areas of Placer County's local economy continue to struggle with the economic downturn, there has been 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. A suspension of the identified restrictions in the Sign Ordinance within Placer County Code provides opportunities for business owners to expand outreach efforts through additional signage.

The proposed Ordinance is being requested in order to provide Placer County businesses with the continued ability to potentially draw in a larger customer base through additional sign advertising while continuing to limit the number, size, and location of the signs in order to ensure that there is no public safety or aesthetic impacts.

Monitoring:

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. While suspending the prohibitions on certain signs, the proposed Ordinance includes additional requirements regarding number of those 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.

Fiscal Impact:

Staff has not found that the proposed Ordinance would result in any negative fiscal impact, and businesses have stated that the proposed Ordinance would increase revenues by generating additional sales tax from increased business in Placer County.

RECOMMENDED ACTIONS:

Staff recommends the Planning Commission make the following findings and recommendations to the Board of Supervisors:

FINDINGS:

CEQA

The proposed Ordinance is exempt from further review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines based upon the following findings:

- a. The California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) states that a project is exempt from CEQA if the "activity is covered by the general rule that 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."
- b. The proposed Ordinance would temporarily suspend the prohibition of placement of A-Frame signs, inflated and lighter-than-air signs, and portable signs, and would suspend the respective 45- and 30-day maximum timeframes for placement of banners and window signs. The proposed Ordinance does not have the potential to cause a significant effect on the environment as it would allow for the placement of signs on a temporary basis and does not include any alteration or impact to land or natural resources.

PROPOSED ORDINANCE

A recommendation for approval to the Board of Supervisors on the proposed Ordinance that would temporarily suspend certain time restrictions and select prohibitions for particular signs and sign materials is based upon the following findings:

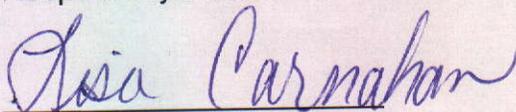
- a. The proposed Ordinance related to temporary signs is consistent with the Placer County General Plan.
- b. The proposed Ordinance is temporary in nature, and therefore does not change the overall framework of the Sign Ordinance as codified in Seciton 17.54.170.
- c. The proposed Ordinance is designed to stimulate economic recovery for Placer County businesses.

RECOMMENDATIONS:

Staff recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

1. Find this action is exempt from further review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.
2. Approve the proposed Ordinance to temporarily suspend certain time restrictions and select prohibitions for particular signs and sign materials found in the sign regulations as set forth in Section 17.54.170 of the Zoning Ordinance until October 18, 2015.

Respectfully submitted,



Lisa Carnahan, Chairperson
Development Review Committee

ATTACHMENTS:

Attachment A – Proposed Ordinance

Attachment B – Section 17.54.170 (D) of the Sign Ordinance

cc: Michael Johnson - Agency Director
EJ Ivaldi – Deputy Director of Planning
Karin Schwab - County Counsel's Office
Rick Eiri - Engineering and Surveying Division
Wesley Nicks - Environmental Health Services
Ken Grehm – Department of Public Works
Tim Wegner – Building Services Division
George Rosasco – Placer County Code Enforcement
Mike DiMaggio - CALFire
Angel Rinker - APCD
All Placer County Municipal Advisory Councils

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

In the matter of:
AN UNCODIFIED ORDINANCE TEMPORARILY
SUSPENDING, WITH CONDITIONS,
PORTIONS OF SECTION 17.54.170 OF
ARTICLE 17.54 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 _____, 2014, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Jack Duran
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 temporarily suspend, with conditions, the following identified portions of Section 17.54.170, Article 17.54 of Chapter 17 of the Placer County Code regarding placement and timeframes of certain types of signs until October 18, 2015.

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

Section 1: The time frames in subsections (o) and (p) of Subsection (C) of Section 17.54.170 of Article 17.54 of Chapter 17 of the Placer County Code are hereby suspended for the duration of this ordinance 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: The prohibitions on the following signs and sign materials set forth in subsection (D) of Section 17.54.170 of Article 17.54 of Chapter 17 of the Placer County Code are temporarily suspended with conditions for the duration of this ordinance as follows:

Section 17.54.170 Signs.

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.

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.

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.

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 Effective Period of this ordinance pursuant to Section 5 below. All such signs shall be removed immediately after the Expiration Date of this ordinance. 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 and/or sign restrictions 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 take effect thirty (30) days after its passage and shall remain in effect up to and including October 18, 2015 ("Effective Period"). Unless further extended by the Board through adoption of a subsequent ordinance, this ordinance shall expire on October 18, 2015 ("Expiration Date") and thereafter shall be of no further force and effect.

Section 6: The Clerk is directed to publish this ordinance within fifteen (15) days in accordance with Government Code Section 25124.

Section 17.54.170 (D) of the Sign Ordinance

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.

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.
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)).
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.
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.