



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

**PLANNING SERVICES**  
**DIVISION**

Michael J. Johnson, AICP  
Agency Director

Paul Thompson, Deputy Director  
Planning Services Division

**MEMORANDUM**

**TO:** Honorable Board of Supervisors

**FROM:** Michael J. Johnson, AICP  
CDRA Director

**DATE:** April 12, 2011

**SUBJECT:** Proposed Ordinance Temporarily Allowing Prohibited Signs (PZTA 20100383)

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**ACTION REQUESTED:**

The Planning Services Division is requesting that the Board of Supervisors adopt an Ordinance that would allow for the placement of certain signs that are currently prohibited by the Zoning Ordinance and remove the maximum timeframes for banners and window signs, for a period of one year.

**BACKGROUND/PROPOSAL:**

The national, state, and local economies have undergone a downward transformation in recent years, 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.

During several of the Business Walks held in 2010, business owners consistently shared their concerns regarding the limitations sign restrictions place on their ability to reach potential customers. After hearing these concerns echoed by business owners throughout the County, several Board members 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.

The following signs are currently prohibited per section 17.54.170 of the Zoning Ordinance:

- "A"-frame Signs
- Animated Signs
- Hazardous Signs
- Inflated/Lighter-Than-Air Signs
- Obsolete Signs
- Off-premises Signs
- Portable Signs
- Signs on Public Property
- Signs on Natural Features and Other Structures
- Signs Without Permits
- Simulated Traffic Signs
- Vehicle Signs

In an effort to encourage and promote existing businesses, the proposed Ordinance would allow for the temporary placement of the following prohibited signs for a period of one year:

- “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 proposed Ordinance would also 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)

While “Temporary Sales and Events Signs” and “Window Signs” are not prohibited and do not require the approval of a Sign Permit, the Zoning Ordinance currently limits the amount of time such signs are permitted to be displayed to 45 days and 60 days, respectively. The proposed Ordinance would allow the placement of these types of signs with no time limit for a period of one year. Additionally, the proposed Ordinance would not require the approval of a Sign Permit for the placement of any of the signs allowed by this Ordinance.

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 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.

While staff had originally proposed that “A-Frame Signs”, “Animated Signs”, “Inflated/Lighter-Than-Air Signs”, and “Portable Signs” be permitted with this Ordinance, staff has removed “Animated Signs” from the list of signs to be permitted since the Planning Commission reviewed this proposed ordinance, as staff decided that flashing lights and other moving parts common of “Animated Signs” could have the potential to cause public safety and aesthetic impacts and appropriate animated-type signs could probably be permitted as either “Portable Signs” or “Inflatable/Lighter-Than-Air Signs”.

Signs permitted with this proposed Ordinance also may not interfere with driver sight distance at road encroachments or obstruct the accessible path of travel along pedestrian sidewalks and pathways. This Ordinance would 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.

#### **PLANNING COMMISSION HEARING:**

The proposed Ordinance was presented to the Planning Commission on February 23, 2011. At that hearing, the Commission considered reports from the Development Review Committee staff and received written testimony from one member of the community.

Although staff initially proposed that the number, size, and location of the signs permitted be determined based on existing sections of the Zoning Ordinance that regulate signs, the Planning Commission expressed concerns that the proposed method for determining the number and size of signs allowed by the proposed Ordinance was not adequate and could result in the placement of signs that are excessive in number and size. Based on the concerns and comments of the Planning Commission, staff has revised the proposed Ordinance to include specific requirements for the size, location, and number of signs allowed for each sign. For example, the Ordinance specifies that each business is permitted one of each of the signs addressed permitted 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.

The Commission adopted a motion (3-2, with Commissioners Gray and Roccucci voting no and Commissioners Brentnall and Sevinson absent) to recommend approval of the Ordinance with the recommendation that more specific language be added to clarify the size and number of signs permitted. In adopting this motion, a majority of the Commissioners concluded that allowing certain prohibited signs for a period of one year would provide business owners with additional resources for increasing business and revenues without resulting in any negative impacts to the community. The dissenting Commissioners voted against the motion because they had concerns with what they felt was a lack of clarity regarding the implementation of restrictions regarding the size, number, and location of the signs included in the proposed Ordinance. Staff believes these clarity issues are addressed in the modified Ordinance that is being presented to the Board.

**DISCUSSION OF ISSUES:**

**Monitoring**

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. The proposed Ordinance 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 permitted 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:**

It is not anticipated that the proposed Ordinance will result in any negative fiscal impact, although it is possible that the proposed Ordinance will increase 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 approve the attached ordinance allowing the temporary use of prohibited signs and the temporary modifications to the timeframe for window signs and banners.

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

- Attachment 1: Proposed Ordinance
- Attachment 2: Planning Commission Staff Report dated February 23, 2010

cc:

Holly Heinzen – County Executive Office  
Scott Finley- County Counsel  
Loren Clark – Deputy CDRA Director  
Paul Thompson – Deputy Planning Director

Wes Zicker - Engineering and Surveying Division  
Jill Pahl - Environmental Health Services  
Tim Wegner– Chief Building Official  
Bob Eicholtz - Emergency Services

# ATTACHMENT 1

## 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. \_\_\_\_\_

First Reading: \_\_\_\_\_

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

Ayes:

Noes:

Absent:

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

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.



**COUNTY OF PLACER**  
**Community Development Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING**

**HEARING DATE:** February 24, 2011

**ITEM NO.:** 1

**TIME:** 10:05 am

**TO:** Placer County Planning Commission

**FROM:** Leah Rosasco

**DATE:** February 24, 2011

**SUBJECT: Proposed Ordinance Temporarily Allowing Prohibited Signs (PZTA 20100383)**

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**STAFF PLANNER:** Leah Rosasco, Senior Planner

**LOCATION:** Countywide

**APPLICANT:** Placer County Planning Services Division

**PROPOSAL:** The Planning Commission is being asked to consider an Ordinance that would allow for the placement of certain signs that are currently prohibited by the Zoning Ordinance and remove the maximum timeframes for banners and window signs, for a period of one year.

**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 allow for the temporary placement of A-Frame signs, animated signs, inflated and lighter-than-air signs, and portable signs, and would suspend the respective 45- and 60-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:** A legal notice was published in the Sacramento Bee newspaper. Other appropriate public interest groups and citizens were sent copies of the public hearing notice.

**BACKGROUND:** The national, state, and local economies have undergone a downward transformation in recent years, which has resulted in a reduction in revenue for local businesses. With the current decline in the economy, business owners are increasingly forced to step up

**ATTACHMENT 2**

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marketing and outreach efforts in order to expand visibility for their business. Allowing certain types of signs that are currently prohibited by the Zoning Ordinance will provide businesses with additional tools to help increase visibility and potentially increase revenues.

The following signs are currently prohibited per section 17.54.170 of the Zoning Ordinance:

- “A”-frame Signs
- Animated Signs
- Hazardous Signs
- Inflated/Lighter-Than-Air Signs
- Obsolete Signs
- Off-premises Signs
- Portable Signs
- Signs on Public Property
- Signs on Natural Features and Other Structures
- Signs Without Permits
- Simulated Traffic Signs
- Vehicle Signs

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The proposed Ordinance would allow for the temporary placement of the following prohibited signs for a period of one year:

- “A”-frame Signs
- Animated Signs
- Inflated/Lighter-Than-Air
- Portable Signs

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

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

These signs do not require the approval of a Sign Permit, however the Zoning Ordinance limits the amount of time they are permitted to be displayed to 45 days and 60 days respectively. The proposed Ordinance would allow the placement of these types of signs with no time limit for a period of one year.

Although restrictions regarding signage are in place in an effort to avoid health and safety 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 ability to potentially draw in a larger customer base in an effort to ease the burden of the current economic downturn. Existing requirements set forth in Sections 17.54.170 and 17.54.180 of the Zoning Ordinance will apply to these signs to ensure there will be no impacts to health and safety and minimal impacts to aesthetics as a result of this Ordinance. This includes a requirement that all signs be located outside of road rights-of-way and shall not impact sight distance, as well as restrictions on the number and size of allowed signs. Additionally, per the Zoning Ordinance, signs allowed for by 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 Ordinance would 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.

**DISCUSSION OF ISSUES:**

Effective Date:

The proposed Ordinance would go into effect for a period of one year, beginning on the date of approval by the Board of Supervisors. This time period could not be extended without the approval of the Board of Supervisors.

Monitoring:

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. The use and placement of these signs will be subject to height, location, and overall size requirements set forth in the following sections of the Placer County Zoning Ordinance:

17.54.170

17.54.170 (C)(1)(a) and (c)

17.54.170 (E-G)

17.54.180 (A)(1)(a-e)

17.54.180 (A)(2) – as it may pertain to sales and event banners

17.54.180 (A)(3)

Fiscal Impact:

It is not anticipated that the proposed Ordinance will result in any negative fiscal impact, although it is possible that the proposed Ordinance will increase revenues by generating additional sales tax from increased business in Placer County.

**RECOMMENDATION:**

Staff recommends that the Planning Commission forward a recommendation for approval to the Board of Supervisors on a proposed Ordinance that would suspend certain requirements set forth in Section 17.54.170 of the Zoning Ordinance for a period of one year to allow for the placement of certain prohibited signs and would suspend the maximum allowable timeframe for window signs and banners.

Respectfully submitted,



Leah Rosasco  
Senior Planner

**ATTACHMENTS:**

- Attachment A – Proposed Ordinance
- Attachment B – Correspondence

cc: Michael Johnson – CDRA Director  
Loren Clark – Assistant CDRA Director  
Paul Thompson – Deputy Planning Director  
Scott Finley – County Counsel  
Richard Eiri – Engineering and Surveying Division  
Andrew Gaber – Department of Public Works  
Jill Pahl – Environmental Health Services  
Tim Wegner – Chief Building Official  
Bob Eicholtz – Emergency Services  
Board of Supervisors  
Redevelopment Agency  
Subject/chrono files

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

In the matter of:  
AN ORDINANCE AMENDING  
SECTION 17.544.170 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 \_\_\_\_\_, 2011, by the following vote on roll call:

Ayes:

Noes:

Absent:

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 A

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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), (2) (4) and (7) below shall be permitted without a sign permit subject to compliance with all other applicable provisions of this Section 17.54.170, including but not limited to size, area, setback, illumination, and construction and maintenance, and as allowed by Section 17.54.180.**

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.

**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 \_\_\_\_\_, 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.

**From:** David Wiltsee [mailto:dwiltsee@sbcglobal.net]  
**Sent:** Wednesday, February 09, 2011 9:33 PM  
**To:** Pat Malberg  
**Subject:** Re: Temporary Sign Ordinance Information

**In an effort to reverse declining revenues business owners are increasingly forced to enhance marketing and outreach efforts, including efforts to expand visibility for their business.**

I don't really care one way or the other on this. But the foregoing is a legal headscratcher. Are we to assume that the sign ordinance impedes business, but that's OK in good times? Or that in hard times it is necessary to suspend aesthetic and safety regulations (the rationale for sign regulations in the first place) to improve business? If this "temporary" waiver is approved and businesses take advantage of it, I would suggest that those same businesses would be on solid ground to challenge reimposition of the regulations after the year is up. Why? By the County's own admission in the above statement, "marketing and outreach efforts" can be construed as outweighing considerations of health, safety, and welfare which form the foundation of the Zoning Ordinance (exercise of the County's police powers via the Zoning Ordinance).

Last, but not least, using the same reasoning, are there other provisions in the Zoning Code which might be similarly suspended temporarily if deemed to be creating economic hardship? I bet we could find a few, what do you think?

ATTACHMENT B

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