



COUNTY OF PLACER
Community Development/Resource Agency

**PLANNING
SERVICES DIVISION**

Michael J. Johnson, AICP
Agency Director

EJ Ivaldi, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
Agency Director

By: Lisa Carnahan, Associate Planner *LC*

DATE: March 11, 2014

SUBJECT: TEMPORARY SIGN ORDINANCE

ACTION REQUESTED

Adopt an Ordinance to temporarily suspend, with conditions, portions of Section 17.54.170 of Article 17.54 of Chapter 17 of the Placer County Code to continue the use of certain temporary signs that would otherwise be prohibited, until January 15, 2016. 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.

There is no net County cost associated with this action.

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 that are otherwise prohibited by section 17.54.170 of the Zoning Ordinance. In addition to allowing these currently prohibited signs for a period of one year, the previous Ordinance also suspended the maximum allowable timeframe, 45 days and 60 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 in effect until June 1, 2013. Since the termination of the previous ordinance, staff has continued to hear from business owners of the benefits the temporary signs provided to their businesses during the economic downturn. While there are indications that the economy is turning around, business owners have noted that business levels still have not returned to the levels seen before the downturn. Business owners have stated the temporary signs allow their businesses additional visibility which is essential to maintaining a viable business. The City of Roseville has had a temporary sign Ordinance in place for the past several years to allow for "A-Frame" signs, and extended its temporary Ordinance until October 18, 2015. In response to these ongoing concerns, County staff is again bringing forward a limited-term ordinance that would allow for temporary signs to promote local businesses. The proposed Ordinance would allow the placement of the types of signs indicated above until January 15, 2016.

This proposed 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. Similarly,

PROPOSAL

The Planning Services Division is requesting that the Board of Supervisor's adopt an Ordinance to allow for the 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 until January 15, 2016, the Ordinance proposes to 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)

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 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

At the Planning Commission hearing on February 13, 2014, the Planning Commission voted 6-1-0-0 (with Commissioner Gray voting no) to recommend approval of the temporary Ordinance to the Board of Supervisors and to recommend that the Board exempt the action from further environmental analysis pursuant to Section 15061(b)(3) of the CEQA Guidelines. The original recommendation by staff to the Planning Commission included an expiration date of October 18, 2015, a date which coincided with the expiration of the City of Roseville's temporary sign ordinance. The Planning Commission concluded that it would be more beneficial to businesses to include the holiday season within the temporary Ordinance, so the Commission recommended that the expiration date be changed to January 15, 2016. Staff is forwarding the Commission's recommendation for the temporary Ordinance to expire on January 15, 2016. Included in the Commission's discussion was the question of whether or not these temporary changes should be made permanent. If the direction in the future is to make these changes to the sign Ordinance permanent, the Commission suggested that the proposal should be brought before all of the Municipal Advisory Councils at that time in order to encourage further public discussion.

DISCUSSION OF ISSUES

Staff brought forward the request to allow for temporary signs because areas of Placer County's local economy continue to struggle with the economic downturn, which has resulted in a reduction in revenue for local businesses. With the current economy, business owners are increasingly stepping up marketing and outreach efforts in order to expand visibility for their businesses. The signs discussed above may 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 Placer County businesses with the continued ability to potentially draw in a larger customer base in an effort to ease the burden of the recent economic downturn.

In an effort to reduce impacts related to health and safety, as well as aesthetic issues, 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 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 previous temporary sign relaxation (Ordinance No. 5641-B) resulted in any negative fiscal impact, and businesses have stated that the Ordinance increased revenues by generating additional sales tax from increased business in Placer County. The proposed Ordinance is expected to function in a similar manner, and would therefore not result in a negative fiscal impact to the County.

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.

RECOMMENDATION

Staff recommends that the Board of Supervisors take the following actions:

1. Find this action is exempt from further review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines based on 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.
2. Adopt 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 January 15, 2016 based on 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 Section 17.54.170.
- C. The proposed Ordinance is designed to stimulate economic recovery for Placer County businesses.

ATTACHMENTS

Attachment 1: Proposed Ordinance

cc:

Holly Heinzen – County Executive Office
Karin Schwab- County Counsel
Loren Clark – Deputy CD/RA Director
EJ Ivaldi – Deputy Planning Director
Rick Eiri - Engineering and Surveying Division
Wesley Nicks - Environmental Health Services
Tim Wegner– Chief Building Official
Rui Cunha - Emergency Services
George Rosasco – Code Enforcement

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.

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.

ATTACHMENT 1

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 January 15, 2016.

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 January 15, 2016 ("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.

ORDINANCE TEMPORARILY ALLOWING
CERTAIN PROHIBITED SIGNS (PZTA 20130358),
ALL SUPERVISORIAL DISTRICTS

Placer County Board of Supervisors

March 11, 2014, 9:40 a.m.

Correspondence Received

3/5/14

From: David Wiltsee [mailto:dwiltsee@sbcglobal.net]
Sent: Tuesday, March 04, 2014 5:34 PM
To: Jocelyn Maddux
Subject: Re: TO ALL MACS Public Hearing Notices - PZTA20130358 ORDINANCE TEMPORARILY ALLOWING CERTAIN PROHIBITED SIGNS

Here's my comment for the record:

Why?

If it makes sense to allow certain prohibited signs, why temporarily only? Why two years, and then it expires? Either change the law or leave it alone. What's the point of a temporary reprieve? Is there a good reason why the subject signs are prohibited in the first place? If so, has the rationale for prohibition changed, or is it just the squeaky wheel getting oiled? Make a [permanent] decision one way or the another and live with it.

Dave Wiltsee

RECEIVED
MAR 05 2014
CLERK OF THE
BOARD OF SUPERVISORS