

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No 2012-016

A resolution recommending adoption of amendments to Section 3 of the Mariposa Town Planning Area Town Plan and Chapter 17.336 Supplemental Development Standards of the County Zoning Ordinance applicable to the Mariposa Town Planning Area, amending the County's sign regulations.

WHEREAS, the Mariposa County General Plan is adopted by resolution; and

WHEREAS, adopted area plans are in Volume II of the General Plan; and

WHEREAS, the Mariposa Town Plan is an adopted area plan; and

WHEREAS, Section 3 of the Mariposa Town Plan establishes Land Use Development Standards and Regulations; and

WHEREAS, Section 3.2 of the Mariposa Town Plan establishes specific Development Standards for uses within the Mariposa Town Planning Area; and

WHEREAS, Section 3.21 of the Mariposa Town Plan establishes Setbacks from Property Lines and Streets for the Mariposa Town Planning Area; and

WHEREAS, Section 3.21.A.2 of the Mariposa Town Plan establishes Setbacks from Property Lines and Streets for Commercial, Institutional, and Industrial Uses in the Mariposa Town Planning Area; and

WHEREAS, Section 3.26 of the Mariposa Town Plan establishes Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Design Review District; and

WHEREAS, Section 3.26.D of the Mariposa Town Plan establishes Sign Standards for the Mariposa Town Planning Area Design Review District; and

WHEREAS, the Mariposa County Code is adopted by ordinance; and

WHEREAS, Title 17, Sub-Title 17.300 contains chapters applicable to the Mariposa Town Planning Area and Zoning regulations and Districts; and

WHEREAS, Title 17, Chapter 17.336 contains supplementary development standards for projects within the Mariposa Town Planning Area; and

WHEREAS, Section 17.336.060 establishes architectural theme and development guidelines for the design review overlay zone; and

WHEREAS, Section 17.336.060.D contains sign standards for the design review overlay zone; and

WHEREAS, Section 17.336.070 establishes architectural theme and development guidelines for the historic design review overlay zone; and

WHEREAS, Section 17.336.070.A.4 contains sign standards for the historic design review overlay zone; and

WHEREAS, the adopted Mariposa County General Plan Implementation Measure 5-4c(2) states that "standards shall be included that protect visual character related to: viewsheds; structural design, landscaping and scenic environment; landform grading; site development; and lighting." Targeted amendments to the County's sign regulations have been drafted to consider the scenic environment of the County and tastefully bring attention to businesses located in towns and throughout the County. Under the proposed sign amendments, it is proposed that new signage will effectively blend in with the scenic natural beauty of Mariposa County.

NOW BE IT THEREFORE RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend adoption of amendments to Section 3.26 of the Mariposa Town Plan and Sections 17.336.060 and 17.336.070 of Mariposa County Code.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendments to Section 3.26 of the Mariposa Town Plan and Sections 17.336.060 and 17.336.070 of Mariposa County Code would amend setback provisions, expand the allowable amount of signage, increase sign area given building size, provide for new types of signage (wayfinding & sandwich board signs) and add a provision for an existing community information board sign.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Plan Section 3.21 will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

SECTION 3.2 DEVELOPMENT STANDARDS

3.21 Setbacks from Property Lines and Streets

2. Commercial, Institutional, and Industrial Uses

- a. **Street and Front Yard:** The front setback shall be a minimum of thirty (30) feet from the centerline of a local street or ten (10) feet from the nearest point on the edge of a right-of-way boundary of a state highway. The front yard setback is established parallel or concentric to the front property line. Off-street parking spaces and parking aisles shall not be allowed within the front yard setback.

3. **Uses Permitted in Setback Areas** - The following uses shall be permitted in setback areas:
 - a. Septic systems.
 - b. Wells.
 - c. Residential propane storage tanks except in the front yard setback.
 - d. Mail boxes.
 - e. Retaining walls not part of a building or structure.
 - f. Underground utilities and appurtenant above-ground structures.
 - g. Uncovered walkways.
 - h. Driveways.
 - i. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

4. **Uses Prohibited in Setback Areas** - The following uses shall be prohibited in setback areas:
 - ~~a. Free standing and monument signs.~~

5. **Projections in Setback Areas** - Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building shall not project more than three (3) feet into a required setback area.

6. **Projections in the Public Right-of-way** - Projections in public right-of-way: An encroachment permit shall be obtained from the Mariposa County Public Works Department or the California Department of Transportation for any architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building projecting within any public right-of-way. A design review permit shall also be obtained for such projections. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Plan Section 3.26 will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

3.26 Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Design Review District

D. Sign Standards

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs or signs not made of natural materials shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs or signs not made of natural materials shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs made of natural materials, the lighting shall be shielded and directional, shall not shine light off-site, and shall be an International Dark Sky Association Approved fixture. Larger signs for large scale tourist oriented development may be considered if they comply with the overall intent of these standards. Sign size shall be defined as the area of the smallest rectangle that wholly contains the sign. Larger signs for "large scale development" may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be "large scale development". In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development

businesses shall be allowed an additional 32 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.

8. Temporary signs and banners for short term sales, information, and events, and other banners such as, but not limited to "welcome" banners shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs and sandwich board signs are considered temporary signs. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows and/or sandwich board signs. No more than five (5) temporary signs may be displayed at any one time. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A display, information sign, banner or other advertising device for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) days after the event.

9. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business

advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy, but which may not be increased in size.

- ~~12. Notwithstanding any other provision of this or other County Codes, a legal nonconforming sign may be relocated one time provided that:~~
- ~~a. There are no changes to the sign face or copy other than those minimum changes that may be necessary regarding the new address.~~
 - ~~b. There is no increase to the sign size.~~
 - ~~c. The structure housing the original sign may not be relocated.~~
 - ~~d. The structure housing or supporting the relocated sign shall comply with all other relevant provisions of County Code.~~
 - ~~e. The amortization period established in Section 17.108.190 of County Code shall be reduced to fifty percent (50%) of the number of years remaining in the amortization period.~~
 - ~~f. Any sign replacing the original sign at the original site shall not increase the degree of nonconformity of the original sign and shall be subject to all provisions of County Code, including the amortization date. Replacement of a nonconforming sign at the original site shall be prohibited unless the structure housing the original sign was designed and used for multiple signs; single sign structures housing the original sign shall be removed upon relocation of the nonconforming sign.~~
 - ~~g. Any sign replacing the original sign at the original site shall not be eligible for the one time relocation allowance under this section.~~
 - ~~h. The original sign location and the relocated site must both be within the Mariposa Town Planning Area.~~
 - ~~i. Illegal signs, as defined in Section 17.148.010 of County Code, shall not be eligible for the one time relocation allowance.~~
 - ~~j. The square footage of the relocated sign shall count toward the total sign allowance at the new site.~~

12. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Plan Section 3.27 will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

3.27 Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Historic Design Review District.

All standards of the Mariposa Town Planning Area Design Review District shall apply within the Central Historic district except as modified by the following specific standards

D. Development Standards

2. Buildings within the district shall be constructed of wood, brick, adobe, ~~or~~ stone, or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document.

4. Signs shall be constructed of natural materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view. If external lighting is used for signs made of natural materials, the lighting shall be shielded and directional, shall not shine light off-site, and shall be an International Dark Sky Association Approved fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.3.26.D.11. Larger signs for "large scale development" may be considered if they comply with all of the standards within this paragraph. The allowance of

larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by the Assessor/Recorder files) shall be "large scale development." In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with Paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels;

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.336.010 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

17.336.010 Setbacks from property lines and streets.

Unless otherwise prescribed, the following setback standards shall apply to all buildings, structures except as permitted by subsection C, and uses set forth in subsection D. These setback standards shall also apply to additions to existing buildings, structures, or uses set forth in subsection D.

B. Commercial, institutional, and industrial uses:

1. Street and front yard: The front yard setback shall be a minimum of thirty (30) feet from the centerline of a local street or ten (10) feet from the nearest point on the edge of a right-of-way boundary of a state highway. The front yard setback is established parallel or concentric to the front property line. Off-street parking spaces and parking aisles shall not be allowed within the front yard setback.

C. Uses permitted in setback areas:

The following uses shall be permitted in setback areas:

1. Septic systems.
2. Wells.
3. Residential propane storage tanks except in the front yard setback.
4. Mail boxes.
5. Retaining walls not part of a building or structure.
6. Underground utilities and appurtenant above-ground structures.

7. Uncovered walkways.

8. Driveways.

9. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

D. Uses prohibited in setback areas:

The following uses shall be prohibited in setback areas:

~~1. Free standing and monument signs.~~

3. Signs attached to a building or structure which extend more than ~~one (1) feet~~ three (3) feet from the face of the building or structure.

E. Projections in setback areas: Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building shall not project more than three (3) feet into a required setback area.

F. Projections in public right-of-way: An encroachment permit shall be obtained from the Mariposa County Public Works Department or the California Department of Transportation for any architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building projecting within any public right-of-way. A design review permit shall also be obtained for such projections. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.336.060.D of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

17.336.060.D Architectural theme and development guidelines for the design review district.

D. Sign standards:

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s) complying with paragraph No. three (3) shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs or signs not made of natural materials shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs or signs not made of natural materials shall be subject to the thirty-two (32) sq.

ft. maximum sign area. If external lighting is used for signs made of natural materials, the lighting shall be shielded and directional, shall not shine light off-site, and shall be an International Dark Sky Association Approved fixture. Larger signs for large scale tourist oriented development may be considered if they comply with the overall intent of these standards. Larger signs for "large scale tourist oriented development" may be considered if they comply with all of the standards within this paragraph. the overall intent of these standards The allowance of larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be "large scale development". In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 64 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when businesses utilize any internally lit signs or signs not made of natural materials. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.

8. Temporary signs and banners for short-term sales, information, and events, and other banners such as, but not limited to "welcome" banners shall not be regulated by these policies other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs and sandwich board signs are considered temporary signs. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A display, information sign, banner or other advertising device erected for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows and/or sandwich board signs. No more than five (5) temporary signs may be displayed at any one time. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A display, information sign,

banner or other advertising device for an initial business opening maybe displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) days after the event.

9. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy but which may not be increased in size.

~~12. Notwithstanding any other provision of this or other County Codes, a legal nonconforming sign may be relocated one time provided that:~~

~~a. There are no changes to the sign face or copy other than these minimum changes that may be necessary regarding the new address.~~

~~b. There is no increase to the sign size.~~

~~c. The structure housing the original sign may not be relocated.~~

~~d. The structure housing or supporting the relocated sign shall comply with all other relevant provisions of County Code.~~

~~e. The amortization period established in Section 17.108.190 of County Code shall be reduced to fifty percent (50%) of the number of years remaining in the amortization period.~~

~~f. Any sign replacing the original sign at the original site shall not increase the degree of nonconformity of the original sign and shall be subject to all provisions of County Code, including the amortization date. Replacement of a nonconforming sign at the original site shall be prohibited unless the structure housing the original sign was designed and used for multiple signs; single sign structures housing the original sign shall be removed upon relocation of the nonconforming sign.~~

~~g. Any sign replacing the original sign at the original site shall not be eligible for the one time relocation allowance under this section.~~

~~h. The original sign location and the relocated site must both be within the Mariposa Town Planning Area.~~

~~i. Illegal signs, as defined in Section 17.148.010 of County Code, shall not be eligible for the one time relocation allowance.~~

~~j. The square footage of the relocated sign shall count toward the total sign allowance at the new site.~~

12. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.336.070 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

17.336.070 Architectural theme and development guidelines for the historic design review overlay district.

These standards shall apply to residential, commercial and industrial development within the historic design review overlay zone.

A. Development standards: All standards of the architectural theme and development guidelines for the design review overlay district zone shall apply within the historic design review overlay zone except as modified by the following specific standards:

2. Buildings shall be constructed of wood, brick, adobe, ~~or stone,~~ or other historic materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document;

4. Signs shall be constructed of ~~natural~~ materials consistent with No. 2 above. Modern materials which closely resemble the natural or historic materials are allowable. The maximum sign area for any business shall be thirty-two (32) sq. ft. If external lighting is used for signs made of natural materials, the lighting shall be shielded and directional, shall not shine light off-site, and shall be an International Dark Sky Association Approved fixture. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view or shall be an historically compatible fixture. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 17.336.060.D.11. Larger signs for "large scale development" may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be "large scale development". In the case of a multi-story building, the square footage of each story shall be included in the calculation of total gross

floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of the Mariposa County Code are a permitted use on all parcels;

BE IT THEREFORE FURTHER RESOLVED THAT all other text in this Section of County Code shall remain unchanged.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission recommends that the Board direct staff to file a Notice of Exemption for General Plan / Zoning Amendment 2012-126 pursuant to the California Environmental Quality Act, and Title 14 of the California Code of Regulations.

BE IT THEREFORE FINALLY RESOLVED THAT project approval is based on the following findings supported by substantial evidence in the public record:

1. **FINDING:** This amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

EVIDENCE: The proposed amendments will implement Land Use Element Implementation Measure 5-4c(2) which states that “standards shall be included that protect visual character related to viewsheds, structural design, landscaping and scenic environment, landform grading, site development, and lighting.” The proposed sign code changes to Title 17, Zoning, and the Mariposa Town Plan will ensure that “rural character,” as discussed in the Land Use section of the General Plan is maintained by implementation of better, modern and less intrusive sign criteria that has been suggested for incorporation into the zoning ordinance and Mariposa Town Plan regulations.

2. **FINDING:** This amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for County development and a short term basis for day-to-day decision making.

EVIDENCE: The proposed amendments will create internal consistency between Title 17, Zoning, the Mariposa Town Plan, and all other General Plan Elements. The proposed sign code amendments will implement Land Use Element Implementation Measure 5-1a(3) where “land development regulations define thresholds within which uses are complementary to the concept of rural character as defined by the General Plan and in regulations associated with Area Plans.” These sign code changes will further ensure that

rural character is maintained in the Mariposa Town Planning Area and other County areas not within designated planning areas.

3. **FINDING:** This amendment conforms to the requirements of State law and County policy.

EVIDENCE: The proposed sign code amendments are consistent with State standards for highway signage and County policies adopted to ensure effective building design is maintained and that existing rural character of the County is enhanced pursuant to standards contained in the General Plan.

4. **FINDING:** This amendment is consistent with other guiding policies, goals, policies and standards of the Mariposa County General Plan.

EVIDENCE: The proposed sign code amendments will conform with all guiding policies, goals and standards of the Mariposa County General Plan, specifically those policies, goals and standards in the Mariposa Town Plan and those policies, goals and standards contained in the Land Use Element of the General Plan.

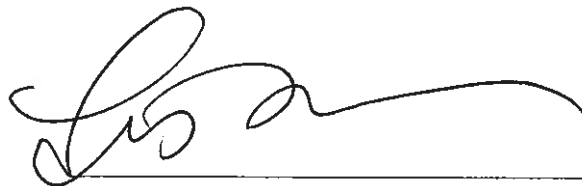
ON MOTION BY Commissioner Francisco, seconded by Commissioner Tucker; this resolution is duly passed and adopted this 21st day of September 2012, both by the following vote:

AYES: Francisco, Rudzik, Tucker and Marsden

NOES: None

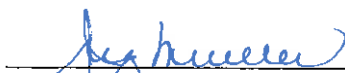
EXCUSED: Ross

ABSTAIN: None



Les Marsden, Chairman
Mariposa County Planning Commission

ATTEST:



Judy Mueller
Planning Commission Secretary