



County of Yolo


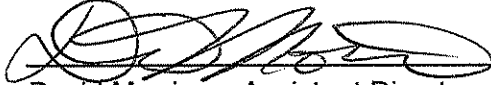
PLANNING AND PUBLIC WORKS DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

September 10, 2009

FILE #2006-083: Update of the Yolo County Sign Ordinance (County Code Section 8-2.2406)	
APPLICANT: Yolo County	
LOCATION: All properties in unincorporated Yolo County	SUPERVISOR: All districts GENERAL PLAN: All designations ZONING: All districts FLOOD ZONE: A, B, and C SOILS: n/a
ENVIRONMENTAL DETERMINATION: Negative Declaration	
REPORT PREPARED BY:  Craig Baracco, Assistant Planner	REVIEWED BY:  David Morrison, Assistant Director

RECOMMENDED ACTIONS:

That the Planning Commission recommends the following actions to the Board of Supervisors:

1. **HOLD** a public hearing and receive public comments on the update of the Yolo County Code related to signage; (**Attachment A**)
2. **ADOPT** the Negative Declaration (**Attachment B**) as the appropriate level of environmental document for this project, in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and
3. **APPROVE** the Draft Ordinance Amendment to County Code Section 8-2.2406 of Title 8 of the Yolo County Code (**Attachment A**)

REASONS FOR RECOMMENDED ACTIONS:

The update of the county sign ordinance will modernize and streamline the current sign regulations in the County Code. The updated ordinance also addresses a conflict with state law concerning real estate signs, and will help to promote the agriculture economy by allowing off-site direction and information signs on agriculture-zoned properties.

BACKGROUND:

Originally adopted in 1971, and last amended in 1987, the county sign ordinance regulates the size, placement, style, and design of signs in all zoning districts in unincorporated Yolo County. As the ordinance has remained essentially unchanged for twenty years, county staff has undertaken a comprehensive revision of the ordinance to both modernize and update the ordinance, as well as to address specific issues discussed below.

The guiding philosophy of the sign ordinance has been to restrict the placement of commercial outdoor advertising, including billboards, on agricultural lands in Yolo County. This updated version is intended to continue to preserve scenic views and the rural atmosphere of Yolo County, while accommodating limited signage designed to support rural economic development.

Updates to the Current Draft

Based on input from the Planning Commission and public, the following changes have been made to the current draft since the last Planning Commission workshop:

- Signs for business or historic districts will be allowed as a conditional use in all zoning districts. These signs will not include commercial information such as advertising for specific businesses or products, but can advertise areas or the products of an area. These signs will be allowed up to 75 square feet in size.
- A provision for "Substitution of Non-Commercial Speech" has been added to the draft. Any non-commercial message or speech may be substituted for the copy of any commercial sign allowed. These changes will make the ordinance more legally defensible from challenges based on the First Amendment right to free speech grounds.
- The section on "Political" or other "Free Speech Signs" has been revised. While the county currently has an ordinance governing the timing and placement of election signs, the county has no provisions for signs addressing public concern or controversy outside the bounds of elections. The new section addresses this deficiency.
- The current draft now allows "temporary signs" addressing any subject to be placed for up to 60 days. Such signs shall not be larger than thirty-two (32) square feet and be limited to one (1) per parcel, regardless of topic.

Real Estate Signs

The current sign ordinance is in conflict with a state law that mandates that local jurisdictions allow signs for the advertising of real estate (California Civil Code Section 713, see **Attachment C**). This state law overrides local ordinance; effectively allowing the unrestricted placement of real estate signs throughout the county.

The new draft sign ordinance addresses this issue, by allowing signs to advertise real estate, but places restrictions on the size, height, and frequency of such signs. Real estate signs will be limited to twenty (24) square feet in area and eight (8) feet in height; limited to

not more than one such sign per parcel of land; and no such sign can be located within one thousand (1,000) feet of a sign of the same type.

Off-Site Signs in the Agricultural Zones

Off-site advertising of agricultural uses is another issue addressed in the draft ordinance. Numerous permitted and conditional uses in the agriculture areas of the county, such as wineries, fruit stands, Yolo stores, and rural recreation, all benefit from off-site directional signs. The current code allows signs for produce sales up to one half mile from the site. Given the low density and rural nature of much of the county, directional signs may need to be placed more than one-half mile from a site in order to reach a major roadway or intersection.

The previous draft sign ordinance allowed the placement of off-site directional signs on agricultural zoned properties for other agriculture uses, and continued to prohibit general advertising signs and billboards in the agricultural zones. However, a review of relevant case law and legal precedent has shown that this approach is problematic. Allowing commercial signs for agricultural uses, while not allowing such signs for other uses, may be vulnerable to legal changes based on the First Amendment right to free speech. The current draft now allows for limited signage for off-site businesses. Such directional signs can be six (6) square feet in area and ten (10) feet in height. With approval of a Minor Use Permit, such off-site directional signs are allowed to be up to thirty-two (32) square feet in area. This provision is intended to allow the off-site directional signage needed to encourage the local economy, while the requirement for discretionary approval of larger signs will regulate the placement of such signs, and prevent the visual character of the county from being significantly compromised.

General Structure and Layout of New Ordinance

The new draft sign ordinance categorizes signs in a four-tiered structure. These categories are (1) prohibited signs; (2) signs allowed by right without Site Plan Review; (3) signs allowed with Site Plan Review; and (4) signs allowed after approval of a Minor Use Permit.

1. Prohibited signs are such signs that are potentially harmful or nuisances, such as flashing strobe lights; signs that emit sound or simulate traffic control signs; or signs that are not consistent with, or harmful to the rural nature or natural beauty of Yolo County, such as neon signs, signs on natural features such as a tree, rock, or hill, and general purpose off-premise advertising or billboard signs.
2. Signs allowed without Site Plan Review are signs that are of low visibility or a temporary nature that the county can allow without formal review and application. These signs include address numbers, temporary holiday decoration, construction signs, and signs that address politics or other public issues.
3. Signs allowed with a Site Plan Review are signs that the county wishes to formally review through an application process. Site Plan Approval is a non-discretionary process that involves staff review but no public notices or public hearing. Currently, the Planning Division reviews projects such as oil and gas wells and permitted commercial and industrial uses with Site Plan Review. Site Plan Review will allow county staff to review the size, height, placement, and design of large, permanent, and highly visible signs. Site Plan Review is conducted at the staff level without a public hearing.

However, the Director of the Planning and Public Works Department can place an application before a Zoning Administrator hearing or the Planning Commission, if warranted. Applicants can appeal staff level decisions to the Planning Commission or Board of Supervisors. Signs allowed with a Site Plan Review include real estate signs, as well as zone-specific signs as allowed in the table below.

4. Signs allowed with the approval of a Minor Use Permit are signs that have the most potential to impact the community and will require a full public review. Such signs are limited to the larger (greater than 6 square feet) off-site directional signs in the agricultural zones and signs that exceed the size and height limits set out in the ordinance.

TABLE 1
Types of Signs Allowed with Site Plan Review in
Each Zoning District

Zoning Districts	Maximum Size of General Signs Allowed	Maximum Size of Monument Signs Allowed	Maximum Size of Wall Signs Allowed
All "A" Agriculture zones	32 square feet in area 10 feet in height	None Allowed	None Allowed
RRA, R-S, R-1 R-2	24 square feet in area	None Allowed	None Allowed
R-3, R-4	24 square feet in area	32 square feet in area 8 feet in height	1 square foot in area per 2 feet of building frontage
C-1, C-2	None Allowed	48 square feet in area 10 feet in height	1 square foot in. area per 1 foot of building frontage
C-3, C-H	Pole Signs 200 square feet in area 40 feet in height	75 square feet in area 12 feet in height	1 square foot in. area per 1 foot of building frontage
M-1, M-2, M-L	None Allowed	48 square feet in area 10 feet in height	1 square foot in area per 2 feet of building frontage

Signs allowed in the agricultural (A-P, A-1, A-E, A-I) zones include both signs for on-site and off-site uses. In residential zones (RRA, R-S, R-1, R-2, R-3, R-4), signs for the limited institutional uses allowed in those zones include uses such as churches, schools or daycare centers. The R-3 and R-4 zones would also allow general signs for apartment or condominium complexes, as well as monument and wall signs for the professional office uses allowed in those zones.

In the commercial (C-1, C-2, C-3 and C-H) and industrial (M-1, M-2, and M-L) zones, two types of signs are allowed: a single monument sign per parcel, and wall signs with the maximum area based on building frontage. A monument sign is a sign that is completely self-supporting and has its base on the ground. A wall sign is a sign painted on, or

attached to, a building or wall. General signs include both previous categories. The size limitations scale up according to the intensity of the commercial uses allowed in the zone district. The more intensive the commercial use allowed, the larger the signs are allowed to be. Also, highway oriented pole signs will be allowed in the C-3 and C-H zones.

Non-Conforming Signs

Signs that do not conform to the regulations set forth in the draft ordinance will be deemed non-conforming and will be deemed to have a useful life and legal life of fifteen years, calculated from the effective date of the final adoption of the sign ordinance, not conforming signs must either come into compliance or be removed. This has been modified from earlier drafts to comply with the requirements of state law.

PUBLIC AND AGENCY COMMENTS

On January 11, 2007, and December 18, 2008, the draft ordinance was brought before the Planning Commission for a public workshop, after being circulated to other public agencies. As a result of comments received from the workshops, the following adjustments were made:

- The language allowing appeals of signs was clarified, and numerous minor changes were made for clarity;
- Signs for business districts were allowed as a conditional use; and
- Revisions were made to the temporary signs section of the code.

A Negative Declaration was circulated from December 12, 2006 to January 2, 2007. No significant comments were received.

ATTACHMENTS

- Attachment A** – Draft County Sign Ordinance
- Attachment B** – Negative Declaration
- Attachment C** – California Civil Code Section 713 (Real Estate Signs)
- Attachment D** – Current County Sign Ordinance

Attachment A

ORDINANCE NO. __-__

An Ordinance Amending Provisions of the Yolo County Code Relating to Signage

The Yolo County Board of Supervisors hereby ordains as follows:

1. Findings and Purpose.

The purpose of this ordinance is to preserve and enhance the aesthetic, traffic safety, and environmental values of the unincorporated area and its communities by establishing standards for the uniform regulation of signs and related structures. The standards set forth in this ordinance are intended to achieve this purpose while also allowing for the adequate identification of businesses and other forms of speech. Non-commercial signage is permitted wherever other signage is permitted by this ordinance and is subject to the same standards as commercial signs.

In adopting this ordinance, the Board of Supervisors finds that commercial signage constitutes the majority of existing signage and it desires to limit such signage to on-site locations to achieve the purpose of this ordinance. Further, the Board of Supervisors finds that it is in the interest of both aesthetics and traffic safety to keep sign information to a minimum, and to ensure that signage does not distract, obstruct, or otherwise impede safe traffic circulation. Finally, the Board of Supervisors finds that reasonable sign control also safeguards and preserves the health, property, and public welfare of County residents by prohibiting, regulating, and controlling the location, design, and maintenance of signs.

2. Amendment of Yolo County Code Section 8-2.2406. The following text shall replace Section 8-2.2406 of the Yolo County Code:

Sec. 8-2.2406. Signs.

(a) *Purpose.* The purpose of this Section is to establish standards for the uniform regulation of signs and related structures to ensure the adequate identification of businesses and other activities, while also maintaining and improving the quality of the visual environment within the unincorporated area. Accordingly, this Section is adopted to:

- (1) Ensure that signs erected within the unincorporated area are compatible with their surroundings and are consistent with the General Plan and related land use ordinances;
- (2) Aid in the identification of properties, land uses, and businesses;
- (3) Promote commerce, traffic safety, and community identity while also promoting and enhancing the quality of the visual environment;
- (4) Protect and enhance property values;

- (5) Lessen the objectionable effects of competition in the placement and size of signs;
- (6) Reduce hazards to motorists and pedestrians;
- (7) Avoid visual clutter; and
- (h) Provide clear procedures and standards to control the location, size, type, number, and all other matters pertaining to signs within the unincorporated area.

(b) *Definitions.* For the purpose of this section, the following definitions shall apply:

(1) **Abandoned.** A sign is “abandoned” where, for a period of 90 days or more, there is no sign copy appearing on the sign or where the establishment to which the sign is attached has ceased operation and it is clear that the sign has been forsaken and deserted.

(2) **Amortization Period.** The term “amortization period” refers to the period of time set forth in subsection (), below.

(3) **Effective Date.** The term “effective date” refers to _____, 2009, the date on which the Ordinance substantially revising this Section became effective.

(4) **Monument.** A “monument” sign is a sign which is completely freestanding and has its base on the ground.

(5) **Projecting.** A “projecting” sign is a type of wall sign that extends horizontally from a building.

(6) **Suspended.** A “suspended” sign is a type of wall sign that is attached to and located below any permanent eave, roof or canopy.

(c) *Nonconforming signs*

(1) Any sign lawfully erected and maintained prior to the effective date, but which does not conform to the provisions of this Section, is a legal nonconforming sign during the amortization period. A lawfully erected and maintained sign that exceeds the area or height regulations, as set forth in the provisions of this Section, by five percent or less shall not be deemed nonconforming on the basis of area or height.

(i) Every on-site sign that becomes legally non-conforming upon the effective date shall not be required to be removed, except as provided for in California Business & Professions Code sections 5492, 5493, 5495, and 5497. Such signs will be allowed within the amortization period, subject to subsections (3) and (4), below.

(ii) Every off-site sign that becomes legally non-conforming upon the effective date shall not be required to be removed, except as provided for in California Business and Professions Code sections 5412, 5412.1, 5412.2, and 5412.3. Such signs will

be allowed within the amortization period, subject to subsections (3) and (4), below.

(2) Any sign that was not lawfully erected prior to the effective date is an illegal nonconforming sign. An illegal nonconforming sign must be removed in accordance with the provisions of this Section that apply to legal nonconforming signs that have exceeded the authorized amortization period.

(3) No legal nonconforming sign shall be altered, relocated, replaced, enlarged or reconstructed, except in such a manner as to cause the sign to conform fully to this section. A legal nonconforming sign may be maintained or the advertising copy changed without violating this provision.

(4) A legal nonconforming sign destroyed or damaged to the extent of fifty percent or greater of its value as of the date of such destruction or damage ceases to be nonconforming and shall be replaced, removed or repaired in full conformance with the provisions of this Section.

(5) Unless a longer period is required by California law, all legal non-conforming signs shall have a useful life and legal life of fifteen years, calculated from the effective date. Upon expiration of the amortization period, or the occurrence of any of the events set forth in subsections (3) and (4), above, the property owner shall remove the sign within thirty (30) days without compensation. If a property owner fails to remove the non-conforming sign following the expiration of the amortization period, the county may proceed with abatement procedures or other legal methods to ensure the prompt removal of the sign, and the county's removal and enforcement costs may be charged against the owner. Nothing in this section precludes a property owner from voluntarily conforming a nonconforming sign at any time before the end of the amortization period.

(d) *Sign Approval Requirements.* No sign shall be installed, constructed, or altered without prior approval by the county in accordance with this subsection (d), with the exception of those signs allowed pursuant to subsection (e), below.

(1) Unless an application for a Minor Use Permit is required, an application for a Site Plan Review shall be filed and processed with the Planning and Public Works Department and fees shall be paid. The application shall include architectural elevations and plans of all proposed signs drawn to scale, with all dimensions noted, and include illustrations of copy, colors, materials, and samples of the proposed colors and materials. The required architectural elevations shall show both the proposed signs, and any structures on which they will be placed.

(2) The Zoning Administrator shall be the authority for all sign Site Plan applications, and may approve only those that comply with the conditions required in subsection (i) (*Criteria for Approval*), below. The Zoning Administrator may impose additional conditions of approval as are reasonably necessary to achieve the purposes of this Section. All applications under this Section shall be processed and decided in a time and

manner consistent with applicable requirements of the Permit Streamlining Act or within 180 days after the application is complete, whichever is greater.

(3) In his or her sole discretion, the Zoning Administrator may require a public hearing, or may refer the application to the Planning Commission, if specific issues warrant an opportunity for public notice and an opportunity to comment on a proposed sign and a public hearing is not otherwise required by law.

(4) Appeals of decisions of the Zoning Administrator or Planning Commission shall be conducted according to Title 8, Article 33 of the Yolo County Code.

(e) *Signs and sign changes allowed without Site Plan Review.* The following signs and activities related thereto are allowed without a Site Plan Review in all zoning districts, provided that they comply with the general standards of subsection (h) (*General Standards*), below, and any required Building Permit is obtained:

(1) Nonstructural modifications, including modifications to sign copy and routine maintenance;

(2) Legal notices, identification, informational or directional/traffic controlling devices erected or required by governmental agencies;

(3) Flags of national, state, or local governments, or nationally recognized religious, fraternal, or public service agencies, provided that the length of the flag shall not exceed one-fourth the height of the flagpole. The maximum allowed height of a flagpole in a residential zoning district shall be twelve (12) feet; the maximum height of a flagpole in a nonresidential zoning district shall be twenty (20) feet;

(4) Street address numbers not exceeding an aggregate area of two square feet;

(5) Holiday or seasonal decorations that are intended to be displayed for a short period of time not to exceed sixty (60) days. No holiday or seasonal decorations shall be placed within the right-of-way of any street, road, or highway located within the unincorporated area of Yolo County. No holiday or seasonal decorations shall have lights that interfere in any manner with the operation of motor vehicles on any street, road, or highway; and

(6) Temporary signs of any nature that are posted for a duration of no more than 60 days. Such signs shall not be larger than thirty-two (32) square feet and be limited to one (1) per parcel, in addition to other signs allowed in this section. No such sign shall be placed within the right-of-way of any street, road, or highway located within the unincorporated area of Yolo County or have lights that interfere in any manner with the operation of motor vehicles on any street, road, or highway.

(f) *Prohibited signs.* In order to achieve the purposes of this section, the following types of signs and devices are prohibited:

(1) Abandoned signs;

(2) Animated signs, including electronic message display signs, and variable intensity, blinking, or flashing signs, with the exception of time and temperature displays and information provided by public agencies;

(3) Any sign illuminated by strobe, flashing light or neon light;

(4) Moving signs or signs that emit sound in order to attract attention;

(5) Roof signs;

(6) Signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads or confuses pedestrian or vehicular traffic;

(7) Signs on a natural feature such as rock, tree, mound, hill or mountain;

(8) Signs on inoperative vehicles and vehicles (including vehicle trailers) parked for the primary purpose of displaying a sign to passing pedestrian or vehicular traffic;

(9) Signs for home occupations.

(g) *Zoning District Sign Standards.* The following signs are allowed in various zones in the unincorporated area, subject to the limitations set forth in this Section:

(1) The following signs are allowed with Site Plan Review in all zoning districts.

(i) Signs advertising the sale, lease or exchange of real property subject to the following requirements: (a) not more than twenty-four (24) square feet in area and eight (8) feet in height; and (b) not more than one such sign per parcel of land.

(ii) Directional and information signs necessary to direct or inform the public as to the location of publicly-owned facilities or institutions, business districts or historic locations or districts, not including commercial information such as advertising for specific businesses or products. Such signs shall not exceed forty (40) square feet in area or ten (10) feet in height and shall be limited to one (1) per parcel.

(iii) Identification signs for a community, which may include the community's name and logo, data (elevation or population), and the identification of community service organizations with meeting dates and places. Such signs shall be no more than seventy-five (75) square feet in area and twenty (20) feet in height.

(2) The following signs are allowed with Minor Conditional Use Permit in all zoning districts:

Directional and information signs exceeding the size limitations set forth in subsection (1)(ii), above, which are necessary to direct or inform the public as to the location of publicly-owned facilities or institutions, business districts or historic locations or districts, not including commercial information such as advertising for specific businesses or products. Such signs shall be no more than seventy-five (75) square feet in area and twenty (20) feet in height.

(3) The following signs are allowed with Site Plan Review within the Agricultural Preserve (A-P), Agricultural General (A-1), Agricultural Exclusive (A-E) and Agricultural Industrial (AGI) zones:

(i) Signs appurtenant to uses permitted in the zone. Such signs shall be no more than thirty-two (32) square feet in area and ten (10) feet in height, and are limited to one (1) per road frontage per parcel.

(ii) Signs for uses not located on the same parcel. Such signs shall be no more than six (6) square feet in area and ten (10) feet in height, and are limited to one (1) per road frontage per parcel.

(4) The following signs are allowed with Minor Conditional Use Permit within the A-P, A-1, A-E and AGI zones:

Signs for uses not located on the same parcel which exceed the size limitations set forth in subsection (3)(ii), above. Such signs shall be no more than thirty-two (32) square feet in area and ten (10) feet in height, and are limited to one (1) per road frontage per parcel.

(5) The following signs are allowed with Site Plan Review within the RRA, R-S, R-1, and R-2, R-3, and R-4 zones:

Signs appurtenant to uses permitted in the zone not including home occupations. One sign not exceeding twenty-four (24) square feet in area and eight (8) feet in height on the road frontage(s) of a mobile home park, group quarters, or other permitted institutional use.

(6) The following signs are allowed with Site Plan Review within the R-3 and R-4 zones:

(i) One identification sign not exceeding twenty-four (24) square feet in area and eight (8) feet in height on the road frontage(s) of a mobile home park, apartment or condominium complex, group quarters or permitted institutional use.

(ii) For non-residential uses or structures permitted or conditionally permitted in either zone:

(aa) one monument sign on the road frontage(s) of each parcel, not to exceed thirty-two (32) square feet in area and eight (8) feet in height;

(ab) One wall sign for each business or tenant, not to exceed one square foot in area for every two lineal (2) feet of building frontage.

(7) The following signs are allowed with Site Plan Review in the C-1, C-2 and WF zone districts:

(i) One monument sign on the road frontage(s) of each parcel, not to exceed forty-eight (48) square feet in area and fifteen (15) feet in height and;

(ii) One illuminated wall sign per business or tenant on each road frontage or building face having a public entrance, not to exceed one (1) square foot in area for every lineal foot of building frontage.

(8) The following signs are allowed with a Site Plan Review in the C-3 and C-H zone districts:

(i) One monument sign on the road frontage(s) of each parcel, not to exceed seventy-five (75) square feet in area and fifteen feet in height;

(ii) One pole sign on the road frontage(s) of each parcel, not to exceed two hundred (200) square feet in area and forty (40) feet in height and;

(iii) One illuminated wall sign per business or tenant on each frontage or building face having a public entrance not to exceed one square foot in area for every lineal foot of building frontage.

(7) The following signs are permitted with a Site Plan Review in the M-L, M-1 and M-2, AV, and PR zone districts as follows:

(i) One monument sign on the road frontage(s) of each parcel, not to exceed forty-eight (48) square feet in area and fifteen (15) feet in height;

(ii) One illuminated wall sign per business or tenant on each frontage or building face having a public entrance not to exceed one square foot in area for every two lineal feet of building frontage.

(h) *General standards for permitted signs.* The following standards apply to permitted signs located in all zone districts:

(1) **Illuminated Signs:** Illuminated signs are prohibited unless expressly allowed under this Section. A non-illuminated sign may be substituted for an illuminated sign in any location where an illuminated sign is expressly allowed. Lighting for illuminated signs shall be so arranged that it will not create a hazardous glare for pedestrians or vehicles on either a public street or on any private premises.

(2) Monument Signs: Monument signs shall be placed so as not to obstruct visibility necessary for safe vehicular and pedestrian circulation, but may be placed in required street yard and/or setback areas.

(3) Projecting and Suspended Signs: All wall signs, including but not limited to projecting and suspended signs, shall conform to the following requirements:

(i) The minimum clearance between the lowest point of a sign and the grade immediately below shall be eight (8) feet;

(ii) The minimum horizontal setback between a sign and the curb line shall be two feet. The maximum projection over a public sidewalk shall be two-thirds the width of the sidewalk or six feet, whichever is less;

(iii) The top of a projecting sign shall not exceed the height of the face of the building by which it is supported.

(i) *Criteria for approval.* In granting a sign approval pursuant to an application for a Site Plan or Minor Use Permit under this Section, the deciding authority shall find all of the following criteria to be fulfilled or shall add such conditions as are reasonably necessary to satisfy the following criteria:

(1) The proposed sign complies with the standards of Sections (g) (*Zoning District Sign Standards*) and (h) (*General Standards*), as well as any other applicable provisions of this Section;

(2) The placement and height of the sign on the site is appropriate to the size of buildings and others features on the site, whether the sign is freestanding or projecting;

(3) A proposed suspended, projecting, or wall sign is consistent with to the architectural design of the structure. Signs that cover windows, or that spill over and/or cover architectural features are not allowed;

(4) The proposed sign does not unreasonably block the sight lines of existing signs on adjacent properties from nearby public right-of ways and paths of travel;

(5) The placement and size of the sign will not impair pedestrian or vehicular safety; and

(6) The design, height, location, and size of the sign is visually complementary and compatible with the scale and architectural style of the primary structures on the site, the natural features of the site, and structures and prominent natural features on adjacent properties on the same street.

(j) *Substitution of Non-Commercial Speech.* Any non-commercial message or speech may be substituted for the copy of any commercial sign allowed under this Section.

3. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is held by court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted this Ordinance and each section, sentence, clause or phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

4. Effective Date

This Ordinance shall take effect and be in force thirty (30) days following its adoption and, prior to the expiration of fifteen (15) days after its adoption, it shall be published once in the Davis Enterprise, a newspaper of general circulation, printed and published in the County of Yolo, with the names of the Board members voting for and against the Ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this ___ day of _____, 2009, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

By _____
Mike McGowan, Chair
Yolo County Board of Supervisors

Attest:
Ana Morales, Clerk
Board of Supervisors

Approved as to Form:
Robyn Truitt Drivon, County Counsel

By: _____
Deputy (Seal)

By: _____
Philip J. Pogledich, Senior Deputy

California Civil Code Section 713 (Real Estate Signs)

713. (a) Notwithstanding any provision of any ordinance, an owner of real property or his or her agent may display or have displayed on the owner's real property, and on real property owned by others with their consent, signs which are reasonably located, in plain view of the public, are of reasonable dimensions and design, and do not adversely affect public safety, including traffic safety, as determined by the city, county, or city and county, advertising the following:

- (1) That the property is for sale, lease, or exchange by the owner or his or her agent.
- (2) Directions to the property.
- (3) The owner's or agent's name.
- (4) The owner's or agent's address and telephone number.

(b) Nothing in this section limits any authority which a person or local governmental entity may have to limit or regulate the display or placement of a sign on a private or public right-of-way.

Attachment C

skirting located nearer than six (6") inches to the earth shall be treated wood or wood of natural resistance to decay and termites as defined in the most current edition of the Uniform Building Code, or any amendment thereto. Metal skirting shall be galvanized or treated metal or metal resistant to corrosion.

(iii) The mobile home, its installation and facilities, any permanent buildings, and any mobile home accessory buildings and structures shall be governed by the standards adopted by the Department of Housing and Community Development of the State, and said provisions shall govern the maintenance, use, and occupancy of such mobile homes.

(4) *Temporary offices and living quarters in other than residential zones.* Mobile homes may be used as temporary quarters for their employees in other than residential zones, subject to the approval or conditional approval of the Planning Director.

(5) *Shelters for watchmen.* Trailers or commercial coaches may be used by watchmen employed for the protection of the principal permitted use when located in industrial zones, on, or adjacent to, the parcel occupied for the principal permitted use which has no permanent structure, subject to the approval of the Planning Commission.

(c) *Mobile home parks.* Mobile home parks, in the zones where permitted, shall meet the following requirements, in addition to any conditions which may be imposed by the use permit:

(1) *Minimum park area.* The minimum park area shall be five (5) acres. (Also see subsection (10) of this subsection.)

(2) *Minimum number of sites.* The minimum number of sites shall be fifty (50). (Also see subsection (10) of this subsection.)

(3) *Recreation space.* No recreation space shall be required.

(4) *Yard requirements.* There shall be a twenty (20') foot front yard, twenty (20') foot rear yard, six (6') foot interior side yard, and a fifteen (15') foot side yard adjacent to the street side of a corner lot. Such required yards shall be kept free of trailer parking pads and all structures, except fences developed in accordance with the provisions of Section 8-2.2403 of this article. Such yards shall be suitably landscaped or fenced to provide effective screening of the park.

(5) *Roads.* All circulation roads within a mobile home park shall be at least twenty-five (25') feet wide from curb to curb. Ten (10') feet additional width shall be provided if parking is to be permitted on one side of such roads, and twenty (20') feet additional width shall be provided if parking is to be provided on both sides of such roads.

(6) *Automobile parking.* There shall be an equivalent of two (2) parking spaces per mobile

home site. The remaining required automobile parking areas shall be conveniently located in relation to office, recreation, and service areas.

(7) *Paving.* All areas in trailer parks used for access, parking, or circulation shall be permanently paved.

(8) *Access.* Each mobile home park shall be so designed that access to public roads is provided to the satisfaction of the Department of Public Works and the fire district of jurisdiction.

(9) *Improvement of existing mobile home parks.* Upon the receipt of an application for the enlargement or extension of a mobile home park in existence on November 18, 1963, the Planning Commission may modify the requirements of this subsection provided to do so will result in an overall improvement in the design or standards of the existing park.

(10) *Development of mobile home parks in outlying small communities.* The Planning Commission may modify the provisions of subsections (1) and (2) of this subsection to develop mobile home parks with a minimum park area of one and one-half (1½) acres provided all the other standards set forth in this subsection are complied with and provided, further, that such modification may be permitted only when such park is located in or near an outlying small community. (§ 25.04, Ord. 488, as amended by § 2, Ord. 488.5, § 1, Ord. 488.111, eff. April 22, 1970, § 7, Ord. 488.122, eff. October 13, 1971, § 1, Ord. 488.145, eff. February 28, 1973, § 9, Ord. 488.168, eff. February 11, 1976, § 5, Ord. 68 1.66, eff. January 8, 1981, § 5, Ord. 681.84, eff. November 26, 1981, § 1, Ord. 488.190, eff. February 16, 1986, Ord. 1145, eff. July 23, 1992, and §8, Ord. 1244, eff. February 3, 2000)

Sec. 8-2.2405. Public utility lines and structures.

(a) *Lines.* Local public utility communication and gas and electrical power distribution and transmission lines, both overhead and underground, shall be permitted in all zones without the necessity of first obtaining a use permit or site plan approval. The routes of all proposed utility transmission lines, except communication transmission lines for local service purposes, shall be submitted to the Commission for recommendation prior to the acquisition of rights-of-way therefore.

(b) *Structures.* Communication equipment buildings and electric power distribution substations shall be permitted in all zones, subject to first obtaining a use permit, unless otherwise provided for in this chapter. As a condition of the issuance of such permit, the Commission may require screening, landscaping, and/or architectural conformity to the neighborhood. (§ 25.05, Ord. 488)

Sec. 8-2.2406. Signs.

(a) *Findings and declaration.* The Board of Supervisors finds and declares:

(1) That the regulations imposed by this section will establish an economic benefit to the County in that absence of general advertising signs along freeways and other highways will constitute a beautification which will in turn tend to attract tourists, settlers, and industries to the County as follows:

(i) State Highway 16 has been designated as a scenic highway on the State Master Plan and that in this area scenic environment is commercial and that it is to protect the economic interest of the property to preserve the priceless beauty of the countryside for all man.

(ii) West Capitol Avenue and Interstate 80 and the Tower Bridge approach serve as approaches to a unique aspect of California, the State Capitol, and that also along these approaches the attraction of tourists by the control of signs is of economic benefit.

(iii) The absence of general advertising signs, including billboards, along freeways and other highways and the regulation of appurtenant signs constitute a beautification which will tend to attract tourists, settlers, and industries to the County, including the industrial and commercial zones of this County.

(iv) The sign controls imposed by this section protect the beauty of a residential neighborhood which is for the comfort and happiness of the residents and which tends to sustain the value of property in the neighborhood.

(v) The Board of Supervisors has, by the implementation of the California Land Conservation Act of 1965 in the County, acknowledged and hereby reaffirms the applicability to the County of the legislative findings of that Act, that the preservation of the maximum amount of the limited supply of agricultural land is necessary for the conservation of the State's economic resources, and for the maintenance of the agricultural economy, and for the assurance of adequate healthful and nutritious food for future residents; that the discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest; and that in a rapidly urbanizing society agricultural lands have a definite public value as open space and the preservation and agricultural production of such lands constitutes an important physical, social, aesthetic, and economic asset to existing or pending urban developments. The Board of Supervisors further finds that the presence of general advertising, including billboards, in agricultural areas will tend to diminish their value as open space and tend to encourage premature conversion of lands from agricultural to urban use; and

(2) That general advertising signs, including billboards, constitute a hazard for drivers of

vehicles traveling on the highways within the County.

(b) *Definitions.* For the purposes of this section, the following definitions shall apply:

(1) "Advertising signs or structures". (See Sign, subsection (2) of this subsection.

(2) "Sign" shall mean anything whatsoever placed, erected, constructed, posted, painted, tacked, nailed, glued, stuck, carved, grown, or otherwise fastened, affixed, constructed, projected, produced, or made visible, including billboards, and signboards, for out-of-door advertising purposes in any manner whatsoever, except that the following shall not be considered signs within the meaning of this section:

(i) Any official notice issued by any court or public office or posted by a public officer or public utility in the performance of a public duty or by any person in giving legal notice;

(ii) Directional and information signs necessary to direct or inform the public as to the location of hospitals, publicly-owned facilities or institutions, motel or business districts, and service clubs, not including advertising for specific businesses or products, and signs advertising agricultural produce sales within one-half (1/2) mile of the premises on which the produce is grown; and

(iii) Temporary political signs which shall be permitted to be placed not sooner than sixty (60) days prior to the scheduled election to which the signs pertain and shall be removed within ten (10) days after that election. A temporary political sign is one which encourages a particular vote in a scheduled election, is no larger than thirty-two (32) square feet, and has a statement of responsibility filed with the Yolo County Department of Planning and Public Works certifying a person who will be responsible for removing the temporary political sign and who will reimburse the Yolo County Department of Planning and Public Works for any cost incurred to remove it. No temporary political sign shall be placed within the right-of-way of any street, road, or highway located within the unincorporated area of Yolo County. No temporary political sign shall have lights that interfere in any manner with the operation of motor vehicles on any street, road, or highway.

iv) Holiday or seasonal decorations that are intended to be displayed for a short period of time not to exceed sixty (60) days. No holiday or seasonal decorations shall be placed within the right-of-way of any street, road, or highway located within the unincorporated area of Yolo County. No holiday or seasonal decorations shall have lights that interfere in any manner with the operation of motor vehicles on any street, road, or highway.

(3) "Sign, appurtenant" shall mean any sign advertising the sale, hire, or lease of the same premises upon which such sign is located or any

sign advertising the use, products, merchandise, or services sold therefrom or manufactured thereon and the name and occupation of the user of the premises.

(4) "Sign, general advertising" shall mean any sign or structure for out-of-door advertising purposes which sign is not appurtenant to the premises upon which it is located.

(c) *Regulations.* Signs otherwise permitted by law shall be permitted as principal permitted uses, accessory uses, or conditional uses in the various zones only as indicated on the following table, and such signs shall conform to the regulations indicated on the table in addition to any conditions which may be imposed by a use permit or by the conditions of the zone within which such signs are permitted:

YOLO COUNTY ZONE DESIGNATIONS

	A-P	A-E	A-1	R-S	R-1	R-2	R-3	R-4	C-1	C-2	C-3	C-H	M-L	M-1	M-2	PR	AV
Sign Principal Permitted Use	a	a	a	c	c	e	e, f	e, f	g, i	m	m	g, k	n	n	n		
Sign Accessory Use	b	b	b	c	c	c, d, f	c, d	c, d	h, j	g, k	g, k	g, k	g, k	g, k	g, k	o	g
Sign Conditional Use										h, l	h, l	h	h, l	h, l	h, l		
Sign Height Maximum in Feet	20	20	20						30	40	40	40	40	40	40		
Sign Area Maximum in Square Feet	20	32	48														

- a. One sign appurtenant to any permitted use on the premises, subject to the height and area restrictions noted in the table above.
- b. Directional and informational signs necessary to direct or inform the public as to the location of publicly-owned facilities or institutions, motel or business districts, and service clubs, not including advertising for specific businesses or products and signs advertising agricultural produce sales within one-half (1/2) mile of the premises on which the produce is grown.
- c. Temporary tract signs.
- d. Free-standing appurtenant signs not exceeding twenty (20') feet in height. The aggregate area of such signs, together with the signs permitted by e or f, shall not exceed the area limitations of e or f. Animated, moving, oscillating, and intermittently flashing illuminated signs and lights shall be prohibited. Signs shall only be illuminated so as to prevent reflection onto any adjacent property.
- e. Signs appurtenant to a multiple-family dwelling containing five (5) or more dwelling units. No sign shall exceed an aggregate face area of more than four (4) square feet per dwelling unit or thirty-two (32) square feet, whichever is more restrictive. No sign shall project above the highest point of the dwelling or exceed a height of twenty (20') feet above the ground, whichever is more restrictive. The sign shall be attached to and be integral with the dwelling or be suspended beneath the canopy of such building. Animated, moving, oscillating, and intermittently flashing illuminated signs and lights shall be prohibited.
- f. Signs appurtenant to permitted or conditional offices, medical clinics, schools, social halls, and similar permitted or conditional uses when such signs do not project above the highest point of the building and are integral with or are attached flat against the building or are suspended entirely beneath the canopy portion of the building. Animated or moving signs and flashing or oscillating lights shall be prohibited. Signs shall not be illuminated so as to allow reflection onto any adjacent property. The aggregate area of such signs shall not exceed thirty-two (32) square feet.
- g. Signs appurtenant to a permitted use on the premises, which signs do not project above the highest point of the building, which are integral with or are attached flat against the building, or which are suspended entirely beneath the canopy portion of the building. Animated or moving signs and flashing or oscillating lights, except time and temperature signs, shall be prohibited. Signs shall not be illuminated so as to allow reflection onto any adjacent property located in R Zones. The aggregate area of such signs shall not exceed two (2) square feet for each one linear foot of building frontage.
- h. Appurtenant signs attached to the building may project above the highest point of the roof only in usual cases when made a part of an architectural feature upon approval of a use permit as provided in Article 28 of this chapter.

YOLO COUNTY ZONE DESIGNATIONS

- i. One freestanding sign appurtenant to the commercial center for each commercial center of three (3) or more acres with common parking area. The sign shall not have a face area exceeding 100 square feet; however, only one face of a two (2) faced sign shall be counted in computing its area. It may have attached thereto, in addition, individual signs or nameplates to identify each individual use located on the same premises provided such individual signs or nameplates are attached below the main advertising face in a uniform ladder fashion and provided their aggregate face area does not exceed one-half (1/2) that of the main advertising face.
- j. Appurtenant freestanding signs. Such signs shall not exceed a face area of 100 square feet; however, only one face of a two (2) faced sign shall be counted in computing its area.
- k. One appurtenant freestanding sign per lot. Sign shall not exceed a face area of 200 square feet; however, only one face of a two (2) faced sign shall be counted in computing its area. One signboard, indicating prices and services, may be additionally allowed on service station sites provided such sign shall be attached to the ground, the sign shall extend no more than seven (7) feet above the surface of the ground, and the sign shall not exceed a face area of twenty (20) square feet.
- l. General advertising signs. General advertising signs shall not exceed a face area of seventy-five (75) square feet or a height of twenty (20) feet. Animated or moving signs and flashing or oscillating lights, except for time and temperature signs, shall be prohibited. No general advertising sign shall be placed, maintained, or designed to be viewed primarily by persons traveling on interstate highways.
- m. No general advertising signs shall be located within 500 feet of another general advertising sign located on the same side of the street.
- n. No general advertising sign shall be located within 1,000 feet of another general advertising sign located on the same side of the street. No such signs shall be located more than 1,000 feet from a structure occupied by an industrial use.
- o. Nameplates and non-illuminated signs shall not exceed twenty (20) square feet in area, appurtenant to any permitted use.

(d) *Permitted signs in any zone.* In addition to the signs otherwise permitted, the following signs shall be permitted in any zone:

(1) One sign, not to exceed two (2) square feet in area, attached to and parallel with the front wall of the building and containing only the name and title or occupation of the occupant;

(2) Temporary real estate signs as follows:

(i) One temporary real estate sign not exceeding the area set forth in this subsection advertising the sale, rental, or lease of the premises on which the sign is located, or portions thereof; provided, however, on corner lots one such sign may be located facing each street;

(ii) Such signs shall be located not nearer than ten (10') feet to adjoining premises, and in all R Zones such signs shall be located not nearer than five (5') feet to any street right-of-way line; and

(iii) The area of the signs permitted by this subsection shall not exceed that set forth in the following table:

<i>Maximum Sign Area</i>	<i>Number of Lots*</i>
5 square feet	1-4
50 square Feet	5-19
100 square feet	20 or more

* Number of lots shall be deemed to be the number resulting from the division of the parcel area by the minimum lot area specified for the zone in which the parcel is located;

(3) One temporary appurtenant sign denoting the architect, engineer, contractor, and/or builder may be permitted upon the premises during construction provided such sign does not exceed twenty (20) square feet in area;

(4) Signs located in the interior of any building or within any enclosed lobby or court of any building, except that any such sign primarily visible from the street shall be limited to the size regulations of the zone; and

(5) Safety, traffic, or other public informational signs or notices erected by a public officer or employee in the performance of a public duty or by contractors, utility companies, or other persons responsible for the public safety, peace, and welfare.

(e) *Community signs in the A, C, and M Zones.* In addition to the signs otherwise permitted, the following community signs shall be permitted in the A, C, and M Zones upon the approval of a conditional use permit by the Commission: identification signs for a community, which signs may include the community's name and logo, data (elevation or population), and the identification of community service organizations, with meeting dates and places. Such signs shall not exceed seventy-five (75) square feet in size nor twenty (20') feet in height and may not be located further than one mile from the

community. Permits shall not be granted pursuant to this subsection for any organization or activity engaged in business for profit.

(f) *Height of signs.* All signs and sign structures shall conform to the height regulations for the zone in which they are located, except in no event shall such sign or sign structure exceed a height of forty (40') feet.

(g) *Nonconforming signs.* Nonconforming signs may be continued, or shall be made to conform with the provisions of this chapter, or shall be removed in accordance with the following provisions:

(1) The following types of signs shall be prohibited in all zones and shall be removed within ninety (90) days after May 5, 1971:

(i) Canvas signs, banners, flags, pennants, streamers, bunting, and wind signs;

(ii) Portable signs, "A" frame signs, and signs on advertising vehicles;

(iii) Statuary or representational figures used for advertising purposes; and

(iv) Signs emitting sound, odor, or visible matter, and exposed neon tubing, incandescent lighting, or other artificial lighting, or an equivalent effect used for the purpose of outlining a building.

(2) Appurtenant signs existing on May 5, 1971, may be continued even though such signs may not conform to the provisions of this section; provided, however;

(i) Such signs shall conform to the Zoning Regulations of the County in effect on September 1, 1969; and

(ii) No alteration, repair, restoration, reconstruction, or other work, except normal maintenance or changes of message not requiring structural or electrical alteration, shall be performed on any such nonconforming sign unless the sign is made to conform to the provisions of this section; and

(iii) No such sign shall be used unless it is made to conform to the provisions of this section if the use of the advertising face of the sign or the use of the premises to which it is appurtenant is discontinued, either temporarily or permanently, whether with the intent to abandon such use or not, for a continuous period of six (6) months or more.

(3) All general advertising signs existing on May 5, 1971, even though such signs do not conform to the provisions of this section, may be continued for the following periods, at the end of which periods such signs shall be made to conform to the provisions of this section or shall be removed; provided, however, such signs shall be made to conform to the Zoning Regulations of the County in effect on September 1, 1969.

(i) In the C-2, C-3, M-L, M-1, and M-2 Zones: ten (10) years; and

(ii) In all other zones: five (5) years.

Such signs otherwise shall be governed by the provisions of Section 82.2603 of Article 26 of

this chapter. (§25.06, Ord. 488, as amended by § 32, Ord. 652, eff. May 5, 1971, § 1, Ord. 488.157, eff. June 20, 1973, §§ 1, 2, and 3, Ord. 681.82, eff. October 29, 1981, § 1, Ord. 681.126, eff. April 23, 1987, § 1, Ord. 681.127, eff. June 11, 1987, and § 2 and 3, Ord. 1321, eff. Aug. 7, 2004)

Sec. 8-2.2407. Swimming pools.

Any pool, pond, lake, or open tank not located within a completely enclosed building and containing, or normally capable of containing, water to a depth at any point greater than eighteen (18") inches, when used as a private swimming pool in any Zone, shall comply with the following requirements:

(a) Such pools shall be used solely for the enjoyment of the occupants of the premises on which they are located and their guests and not for instruction or parties when fees are paid therefor, unless a use permit is first obtained.

(b) Such pools shall be located on the rear one-half (1/2) of the lot or no closer to the front property line than any existing or proposed principal dwelling or 50 feet from the front property line, whichever is less. (§2, Ord. 1377, eff. August 28, 2008)

(c) Such pools shall maintain the side and rear yards required for accessory buildings but in no case be closer than five (5') feet from any lot line nor cover more than forty (40%) percent of any required rear yard.

(d) Lot coverage by a swimming pool shall not be considered in measuring the maximum lot coverage for buildings.

(e) Filter and heating systems for swimming pools shall not be located:

(1) Within any required yard adjacent to a public street; or

(2) Within three (3') feet of a side or rear property line; or

(3) Within ten (10') feet from the living area of any dwelling unit on an adjacent parcel, unless enclosed in a soundproof enclosure.

(f) Fencing and barrier requirements set forth in Yolo County Code Section 7-1.04(p). (§ 25.07, Ord. 488, as amended by § 1, Ord. 488.175, eff. February 14, 1985, and § 2, Ord. 1178, eff. April 27, 1995)

Sec. 8-2.2408. Access from rear yards.

In all Commercial (C) and Industrial (M) Zones there shall be provided access from any rear yard to a street or alley, which access shall be satisfactory to the fire district of jurisdiction. (§ 25.08, Ord. 488)

Sec. 8-2.2409. Junk yards.

Except in the approved disposal areas designated by Chapter 7 of Title 6 of this Code, no person shall kindle or maintain, or authorize to be kindled or maintained, any bonfire or rubbish fire on junk yard premises or in

connection with junk yard operations, and no imported waste, discarded or salvaged materials, or junk, or portion thereof, shall be disposed of by burning on junk yard premises or in connection with junk yard operations. (§ 3, Ord. 488.111, eff. April 22, 1970)

Sec. 8-2.2410. Outdoor storage in residential zones.

(a) *Outdoor storage prohibited.* No outdoor storage, as defined in this section, shall be conducted on any parcel within the Residential Suburban (R-S), Residential One-Family (R-1), Residential One-Family or Duplex (R-2), Multiple-Family Residential (R-3), or Apartment-Professional (R4) Zone, except as otherwise authorized by this section.

(b) *Outdoor storage defined.* For the purposes of this section, "outdoor storage" shall mean the physical presence of any personal property not fully enclosed within a structure. "Outdoor storage" shall mean and include, but not be limited to, the following:

(1) Inoperable motor vehicles and farm, commercial, and industrial equipment of all types;

(2) Inoperable or unlicensed recreational vehicles;

(3) Junk, imported waste, and discarded or salvaged materials;

(4) Dismantled vehicles and vehicle parts, including commercial and industrial farm machinery, or parts thereof, tires, and batteries;

(5) Scrap metal, including salvaged structural steel;

(6) Salvaged lumber and building materials;

(7) Salvaged commercial or industrial trade fixtures;

(8) Operable or inoperable industrial or commercial equipment or tools, except commercial vehicles as defined in Section 8-2.2503.5 of Article 25 of this chapter;

(9) New building materials and supplies for any project for which no building permit has been issued;

(10) New or used furniture and/or appliances;

(11) Bottles, cans, and paper;

(12) Boxes, cable spools, and packing crates; and

(13) All other miscellaneous personal property not excluded by subsection (c) of this section.

(c) *Exclusions.* Outdoor storage as defined by subsection (b) of this section shall exclude the following:

(1) The parking of operable motor vehicles, including passenger vehicles, commercial vehicles, and recreational vehicles; and

(2) The storage of residential building materials and supplies which are needed to construct a project on the parcel for which a building permit has been issued.