

**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 (c), 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) **Sign.** A “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 .

(7) **Suspended.** A “suspended” sign is a type of wall sign that is attached to and located below any permanent eve, 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 day. 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 that 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 a 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 A-P, A-1, A-E and 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 appurtenant to uses permitted in the zone 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 a Minor Conditional Use Permit within the A-P, A-1, A-E and AGI zones:

Signs appurtenant to uses permitted in the zone 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) Signs are allowed with Site Plan Review in the Downtown Mixed Use (DMX) zone district according to the provisions of Section 8-2.1219.

(9) The following signs are allowed with 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.

(10) The following signs are allowed with Minor Conditional Use Permit within the C-H zone district:

One pole sign on the road frontage(s) of each parcel, greater than forty (40) feet in height but not to exceed 75 feet.

(11) The following signs are allowed with 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