

**Sign Ordinance Update – Public Review Draft 10-1-14  
Public Comments Submitted after October 1, 2014**

No.	PRD Date	Date Submitted	Name	Community	Submittal Method
1	October 1, 2014	12-5-14	Cheryl Langley	Shingle Springs	Email/Attachment
2	October 1, 2014	12-8-14	Gordon Pack, Gwinllan Estate Vineyard & Winery	Somerset	Email/Attached letter dated 12/7/14

02/23/15



Anne Novotny <anne.novotny@edcgov.us>

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## Question Regarding Signs

1 message

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**Langley, Cheryl@CDPR** <Cheryl.Langley@cdpr.ca.gov>

Fri, Dec 5, 2014 at 9:24 AM

To: "anne.novotny@edcgov.us" <anne.novotny@edcgov.us>

Cc: "lillian.macleod@edcgov.us" <lillian.macleod@edcgov.us>, "jim.wassner@edcgov.us" <jim.wassner@edcgov.us>

Hi Anne--

I've attached a file with one follow-up question regarding signs posted in the County.

Thanks--

Cheryl Langley

Shingle Springs Resident



**AnneQuestion.Dec5.2014.docx**

21K

**Cheryl Langley  
Shingle Springs Resident**

**Date:** December 5, 2014

Anne Novotny, Senior Planner  
El Dorado County Community Development Agency  
Long Range Planning  
2850 Fairlane Court, Placerville, CA 95667  
Email: anne.novotny@edcgov.us

**Subject:** Questions Related to Clarification of the Proposed Sign Ordinance; File# 13-0086; OR12-0001

Ms. Novotny:

On October 17, 2014, I sent email correspondence to you regarding the proposed sign ordinance. While most of my questions were answered in a subsequent response dated October 20, 2014, I didn't receive a reply to one question which you directed to Jim Wassner of Code Enforcement. The question was:

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I noticed a *stationary* sign was recently removed; I believe it advertised a housing development. It was posted on private property just east of the Cameron Park Fire Department (facing Highway 50 westbound traffic.) It was a large sign (probably 10' x 20') and appeared to be supported by three 4" x 4" posts set into the ground. This sign was up for probably less than a month; I suspect the owner was asked to remove it—I doubt it was removed voluntarily. I am curious under what circumstances the sign was removed (i.e., if County staff requested its removal).

**And I now add to this inquiry:** Please also describe the criteria under which this sign was removed, if removal was required by County staff.

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Because I plan on commenting on the Environmental Impact Report for this project, I would like to make certain I understand what is currently being regulated, and how it is enforced.

Thank you in advance for your attention to this matter; I look forward to a reply.

cc: Lillian MacLeod, Acting Principal Planner, EDC Planning Services  
Jim Wassner, Supervising Code Enforcement Officer



Anne Novotny <anne.novotny@edcgov.us>

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## Sign ordinance issue

1 message

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**gordon@gwinllanestate.com** <gordon@gwinllanestate.com>

Mon, Dec 8, 2014 at 8:48 AM

To: tom.purciel@edcgov.us

Cc: anne.novotny@edcgov.us

Hi Tom,

Thank you for calling, I have attached a note explaining the issue with the sign ordinance. Please email or call me if you have any questions.

Gordon Pack  
530 723 2879



**sign ordinance.docx**

31K

7060 Fairplay Road  
Somerset  
CA 95684  
December 7<sup>th</sup> 2014

Anne Novotony  
Community Development Agency  
Long Range Planning Division  
County of El Dorado  
2850 Fairlane Court  
Placerville  
CA 95667

Re County Sign ordinance chapter 17.6, Public draft review 10-1-2014

Dear Anne,

It was a pleasure to meet you at the EIP meeting on this ordinance last month. As I mentioned I think there may be an unintended impact on certain properties and businesses in the ordinance, which is not clear in the document. The issue arises with the definition and use of “on-site” and “off-site”.

This ordinance bans commercial signs and then allows some signs with restrictions. The exemptions are defined in 17.16.030, in part B of this section the terms “on-site” and “off-site” are used in multiple places.

17.16.120 defines “Off-site signs” as “ Any sign not located on the premises of the establishment indicated or advertized by such a sign.”

**On-site commercial signs**

Table 17.16.070.1an Urban area Signage Standards for Permanent On-site Signs  
Permits 2 signs of 32ft<sup>2</sup> for AE parcels.

Table 17.16.070.2a Rural area Signage Standards for Permanent On-site Signs  
Does the same and permits 2 signs of 32ft<sup>2</sup> for AE parcels.

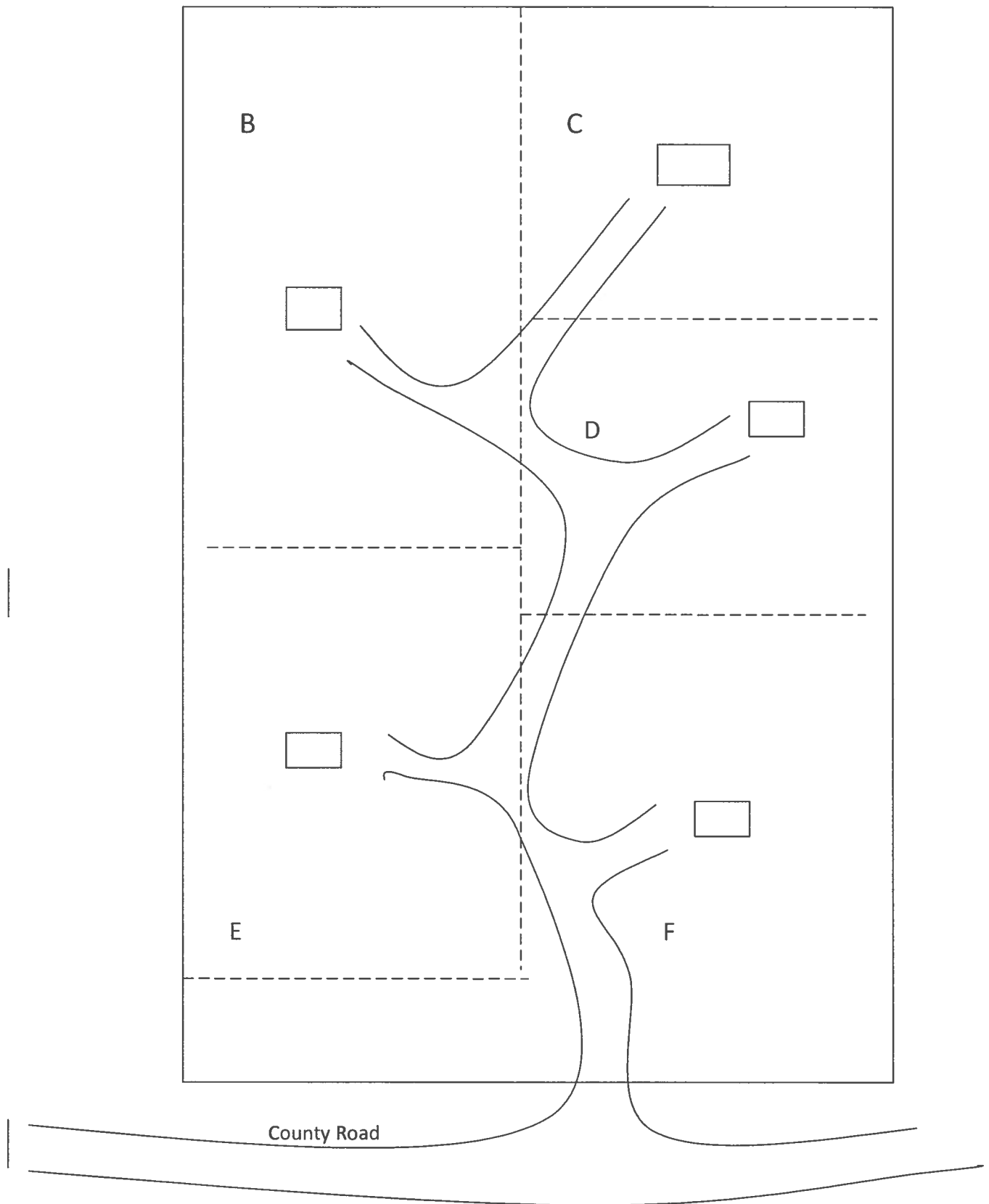
On-site directional signs  
Permitted in 17.16.030.B.8

**Off-site commercial signs**

17.16.030.B.9 allows a commercial off-site sign up to 16ft<sup>2</sup>  
With a number of restrictions and conditions.

This ordinance does not take into account the situation where one parcel has a legal right to have signs on another parcel. This can occur through a number of ways and legal documents. In such a situation this ordinance is depriving the parcel owner and business of their property rights and is discriminating against these parcels.

To make this a little clearer let us choose an example below. These parcels are large parcels and only parcel F can be seen from the road. The area is hilly and the buildings on one parcel cannot be seen from another parcel.



There are five parcels that use a private road. The road is not defined as a separate parcel, which is common in the county. Parcels B, C, D, and E have the legal right to use a designated part of parcel F for commercial uses, this area includes the road and entrance. So any business on parcels B, C, D or E has the right to erect a sign at the entrance into parcel F, a location, informative or directional sign.

The definition of on-site and off-site in this Chapter classifies parcel F as on-site and all the other parcels are off-site. So by using these definitions the sign ordinance deprives parcels B, C, D and E of :-

- 1) A standard business sign of 32ft<sup>2</sup> by the county road junction which they have a legal right to.
- 2) Directional signs on the private road showing which fork to take to get to each parcel or business. In this case B and C will need 4 direction signs, D 3 direction signs and E 2 directional signs.
- 3) An off-site sign at another location as 17.16.030.B.9 restricts the number of off-site signs to one. So if the sign at the entrance to the private road is counted as an off-site sign no other sign can be erected. Whereas Parcel F could have an on-site sign at the private road entrance and an off-site sign at a major road junction some distance away to drive traffic to the business.

The off-site commercial signs section 17.16.030.B.9 has a requirement "Such signs may be permanent or temporary and require the property owner's consent. " Where another person has a legal right to have a sign on another property without the owner's permission El Dorado County is now giving the property owner the ability to remove or prevent signs on his property. This is violating the legal rights of the party who has a legal right to have a sign on another parcel and exposes El Dorado County to legal action from that party.

#### **What is the real problem?**

1. Legal rights are being removed from some parcels and the basic cause is the definition of on-site.

#### **Proposed solution**

Change the definition of on-site from "A sign directing attention to an establishment, commodity, service, or entertainment conducted, sold, or offered upon the same property as that which the sign is maintained" to

"A sign directing attention to an establishment, commodity, service, or entertainment conducted, sold, or offered upon the same property as that which the sign is maintained or a property which has a legal right for business use on another property, which connects the business property to a county maintained road."

Sincerely Gordon Pack