



# COUNTY OF HUMBOLDT

For the meeting of: 11/2/2023

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File #: 23-1484

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**To:** Planning Commission  
**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**SUBJECT:**

Sign Ordinance  
Assessor Parcel Numbers (APN) 000-000-000  
Record No.: PLN-2023-18801  
Countywide

Amendment of provisions within the Zoning Ordinance regulating Signs and Nameplates. This ordinance will provide a uniform set of standards for the development, siting, size and installation of signs and billboards in the Zoning Ordinance (Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code). These standards will protect aesthetic values along scenic highways, coastal views, and scenic areas; encourage siting in preferred locations to help preserve the County's environmentally sensitive habitat areas; ensure compatibility with CalTrans Outdoor Advertising Act permit requirements; and create standards to manage the size and locations of signs. The new ordinance proposes changes to the following sections:

1. Amends sections 314-87.2.1 through 314-87.2.2 and adds sections 314-87.2.3, 87.2.4, 87.2.5, 87.2.6, 87.2.7, 87.2.8, and 87.2.9 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Amends sections 313-87.3.1, 87.3.2, and 87.3.3 and adds sections 313-87.3.4 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

**RECOMMENDATION(S):**

That the Planning Commission:

1. Adopt the resolution (Resolution 23-\_\_) recommending that the Humboldt County Board of Supervisors take the following actions:
  - a. Find the proposed ordinance is exempt from CEQA pursuant to §15303 of the State CEQA Guidelines and
  - b. Find that the modifications to the Zoning Ordinance are consistent with the General Plan or Local Coastal Plan

- c. Adopt the Amendment to the Inland and Coastal Zoning Ordinance sections regulating the location and size of signage.

**DISCUSSION:**

**Project Location:** All of the unincorporated areas of Humboldt County, including the Coastal Zone.

**Present General Plan Land Use Designation:** All land use designations.

**Present Zoning:** All zoning districts.

**Environmental Review:** The proposed ordinance amendments are exempt from environmental review under §15303 of the California Environmental Quality Act (CEQA) Guidelines, the construction of limited numbers of new small facilities or accessory structures.

**State Appeal:** This project is located in part within the Coastal Zone and is therefore appealable to the California Coastal Commission. Changes proposed to the Local Coastal Program (zoning ordinance provisions in 313-87.3 and other sections of Chapter 3) must receive final certification from the California Coastal Commission before they may become effective.

**Executive Summary:** The amendment of the Signs and Nameplates provisions of the Zoning Ordinance is intended to implement adopted policies of the General Plan and to consider other revisions to ensure community compatibility. This ordinance will provide a uniform and comprehensive set of standards for the development, siting and installation of signs and billboards in the Zoning Ordinance (Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code).

This ordinance is intended to implement measure **SR-IM2 Sign Ordinance Revision** of the Humboldt County General Plan which seeks amendment of the sign ordinance to implement adopted policies for off-premise billboards and to consider other revisions to ensure community compatibility. This measure was accomplished by implementing policies for off-premise billboards in accordance with the goals and policies of the Humboldt County General Plan and public input from workshops. Revisions have been made to the sign ordinance to ensure community compatibility by including a more robust purpose and applicability statement, clearer nameplate, property sale, and appurtenant sign regulations, and the addition of language for temporary signs, prohibited signs, and design standards which regulate illumination of signs.

This Sign Ordinance has undergone multiple revisions and drafts to adhere to the General Plan, address public concern, and conform to State requirements. This ordinance initially solely focused on regulating billboards, but after further discussion implementing SR-IM2 seemed appropriate. The first target was organizing the regulatory language to be consistent with other regulations and the coastal version of the sign ordinance. After reorganizing the ordinance, the regulatory language has become much more clarified with specific sections that inform the public and decision makers what the standards are. Implementation of a purpose and applicability section should provide a decision making

basis for making findings consistent with the goals and policies of the General Plan. Sections have been added to clarify questions regarding specific types of signage and their allowances. Temporary signs have been included as a section of this ordinance to allow for temporary uses that may not pose a threat to the public health, safety and welfare if followed. Prohibited signage was included to protect public spaces from signs that may be hazardous or cause a nuisance to residents and the public. Digital and animated signs would be considered prohibited under this ordinance due to the distraction they may cause to drivers and other motorists. This regulation has also been included to protect the night sky and promote responsible outdoor lighting that is functional without negatively impacting the environment.

The Humboldt County General Plan provides goals, policies and standards that address how to accomplish the implementation measures. In Section 10.7.3 of the Goals and Policies for Scenic Resources **SR-G1 Conservation of Scenic Resources** prioritizes the protection of high-value scenic forest, agriculture, river, and coastal areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources. **SR-P4 Term of Off-Premise Billboards and Prohibition** limits the term of new and existing off-premise billboards by ordinance to provide for removal consistent with the Outdoor Advertising Act and prohibit the construction of new off-premise billboards along mapped Scenic Highways and coastal views. **SR-P5 Billboards in Sensitive Habitat Areas** prohibits construction of billboards in mapped sensitive habitat areas. Section 10.7.4 of the Humboldt County General Plan provides standards including **SR-S3 New Off-Premise Billboards** which restricts new off-premise billboards to a maximum of 15 years and limits them to areas designated as Commercial Services or Industrial General. This standard also states that off-premise billboards shall not include animation or electronic messaging unless for public service purposes and be restricted to a size of 300 square feet. **SR-S5 Permits for Billboards** requires Conditional Use Permits and conformance to building, zoning and other local codes for construction of new billboards, as well as the expansion of existing billboards.

Although SR-S5 pertains to new billboards and expansion of existing billboards, staff believes that to protect the public health, safety and welfare of Humboldt County residents and visitors, existing billboards must undergo planner review of a building permit application. Building permits determine if the proposed work is consistent with the original engineered plans and planner review will determine if the proposed work poses a potential significant impact to environmentally sensitive habitat areas. If sensitive habitats are present within the project area a Special Permit would be required within the inland jurisdiction and a Coastal Development Permit for coastal jurisdictions. Customary Maintenance, as defined in the Outdoor Advertising Act, does not require permitting or review of such work, although the work includes structural components that may pose a risk to the public if not reviewed. As an alternative, staff believes that requesting permit renewal forms submitted to CalTrans for planner review would ensure consistency with the requirements of this ordinance. Although, maintenance activities would be conducted without local agency review. Permit renewal forms are submitted to CalTrans every five years but are not currently reviewed by local agencies for consistency with local regulations. These goals, policies and standards have provided a framework for developing a set of regulations that address community interests and protect the scenic and environmental quality of the unincorporated areas of Humboldt County.

The draft ordinance has undergone public input at multiple public meetings where comments were made and responded to. The comments received were particularly interested in the billboard section, which regulated new and existing billboards. After receiving comments on new billboards, staff found that there was little interest in allowing new billboards. Existing billboards became more contentious as we discussed their removal and added requirements for new permits. After deliberating with County Counsel, we have found that at the most basic level of review a building permit would be necessary to confirm that the engineered structure is being maintained properly and that environmentally sensitive habitats are not significantly impacted by work within streams, wetlands etc. The County also sees this ordinance as an opportunity to protect our scenic views that would qualify our highways as Scenic Highways by standards regulated by Caltrans. Staff believes that the ordinance has been developed in a way that satisfies the public interest as well as protects the scenic natural resources in the unincorporated portions of Humboldt County.

**OTHER AGENCY INVOLVEMENT:**

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

1. The Planning Commission could elect to have staff review the recommendations made by the Planning Commission and consider revisions to the draft sign ordinance at a later hearing.

**ATTACHMENTS:**

1. Draft Resolution (Inland)
2. Draft Resolution (Coastal)
3. Draft Sign Ordinance (Inland)
4. Draft Sign Ordinance (Coastal)
5. Public Comments

Please contact Jacob Dunn, Planner, at [JDunn@co.humboldt.ca.us](mailto:JDunn@co.humboldt.ca.us) or 707-268-3749 if you have questions about this item.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 23-\_\_\_\_\_**

**Record Number PLN-2023-18011**

**Recommending that the Board of Supervisors make the required findings to adopt the Coastal version of the Sign Ordinance. The Coastal Sign Ordinance is still subject to certification from the California Coastal Commission before becoming an effective amendment.**

**WHEREAS**, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

**WHEREAS**, the Coastal Sign Ordinance was noticed for a public hearing on October 19, 2023 with the Humboldt County Planning Commission and was continued to a public hearing with the Humboldt County Planning Commission on November 2, 2023; and

**WHEREAS**, pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251(f) and 15265 of the CEQA Guidelines, CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program. The certification of a Local Coastal Program Amendment by the California Coastal Commission is exempt from the requirement for preparation of EIRs, Negative Declarations, and Initial Studies because their process for environmental review has been certified by the Secretary of Resources as being the functional equivalent of the process required by CEQA; and

**WHEREAS**, the proposed LCP Amendment was developed to achieve consistency with the requirements of Government Code Section 65852.2, to meet the needs of County residents as determined through workshops and comments, and to incorporate recommendations of the California Coastal Commission through the upcoming LCP Amendment application process; and

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

**REQUIRED FINDINGS OF APPROVAL**

**I. Required Findings of Approval:**

**CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

- 1. FINDING:** The proposed zoning amendment is exempt from environmental review.
- EVIDENCE:**
  - a) The ordinance is exempt from environmental review under §15307 and §15308 of the State CEQA Guidelines.
  - b) Public Resources Code Section 21080.5 and 21080.9 and Sections 15250, 15251(f) and 15265 of the CEQA Guidelines identify that CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program, and therefore the County

adoption of the LCP Amendment is statutorily exempt from environmental review. Approval of the LCP Amendment by the California Coastal Commission is the functional equivalent of the environmental review process required by CEQA and is still pending for PLN-2023-18011.

## **PUBLIC INTEREST**

**2. FINDING:** Humboldt County Code Section 312-50.3.1, the Humboldt County General Plan, and state General Plan Law stipulate that amendments to the zoning code must be in the public interest. The proposed amendment is in the public interest.

- EVIDENCE:**
- a) The proposed ordinance would create specified performance standards for principally permitted signs and create new permitting requirements for the review of proposed signage in all zones.
  - b) The type of signage and project area will determine the potential for adverse impacts and permitting pathways. Proposed projects with low potential for adverse impacts would be principally permitted, while high scale projects with potential to cause adverse impacts on the health, safety and welfare of the public, on the aesthetic values, and on the County's environmentally sensitive habitat areas would require discretionary review.
  - b) The proposed ordinance advances the implementation measures, goals, policies and standards identified in the Humboldt County General Plan and is therefore in the public interest.

## **CONSISTENCY WITH THE GENERAL PLAN**

**3. FINDING:** Humboldt County Code Section 312-50.3.2 states that amendments to the Zoning Code must be consistent with the General Plan. Applicable policies and measures of the Conservation and Open Space Element, Chapter 10 of the General Plan include:

- SR-P4 Term of Off-Premise Billboards and Prohibition;
- SR-P5 Billboards in Sensitive Habitat Areas;
- SR-IM2 Sign Ordinance Revision.

- EVIDENCE:**
- a) The Sign Ordinance implements the Conservation and Open Space Element. The proposed ordinance incorporates the Humboldt County General Plan's goals, policies and standards as directed in implementation measure SR-IM2. Implementation Measure SR-IM2 provides a broad scope for revisions to the sign ordinance, which have been achieved by reformatting the ordinance to provide better structure, incorporating a robust purpose and applicability statement, revising previous requirements to better suit the needs of the public, and instituting new regulations to protect the public health, safety, and welfare.

- b) Policy SR-P4 directs the County to limit the term of new and existing off-premise billboards by ordinance to provide for removal consistent with the Outdoor Advertising Act and prohibit the construction of new off-premise billboards along mapped Scenic Highways and coastal views. The proposed ordinance has provided an opportunity for the County to set a term limit for existing billboards if they deem it necessary and have the available funding for removal as required by the Outdoor Advertising Act. The development of new billboards would be prohibited, which has been supported by public review and would benefit the County when meeting the Scenic Highway Guidelines.
- c) Policy SR-P5 aims to prohibit construction of billboards in mapped sensitive, habitat areas. The ordinance has provided clear guidance for future development of billboards in environmentally sensitive habitat areas. To ensure protection of these areas existing billboards maintenance activities will be reviewed by the Planning Division upon application of a Building Permit to ensure that the proposed work will not negatively impact a sensitive habitat. If the proposed work may disturb a sensitive habitat the applicant will be required to secure any necessary permits to ensure that impacts are less than significant.

#### **CONSISTENCY WITH THE COASTAL ACT**

4. **FINDING:** If the proposed changes to the Zoning Ordinance include a Local Coastal Plan Amendment, Section 312-50.3.3 requires that the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Chapter 3 of the Coastal Act sets forth policies regarding the following issues:
- a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)
  - b) Recreation (including protection of water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, and priority of development purposes)
  - c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)
  - d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)
  - e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)
  - f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both

onshore and off), and power plants)

- EVIDENCE:**
- a) **Access:** The proposed ordinance prohibits signs on public property unless placed by the public agency having jurisdiction or expressly authorized by such public agency. Signs are prohibited within a public street, road or right-of-way, or placed on any other public property. Signs of increased scale would be required to undergo a discretionary permit review to ensure that all the requirements of the Humboldt County Code and California Coastal Act have been met.
  - b) **Recreation:** Proposed signage within recreation areas will be required to submit an application for a discretionary permit and undergo review by the County, as well as the California Coastal Commission for approval. Proposed signage will be required to conform with the standards of the associated local coastal plan, the County Code, and the Coastal Act for approval. The proposed zoning ordinances would also require that signs are placed on existing sites and meet the requirements of the current zoning district and the land use designation.
  - c) **Marine Resources:** Proposed signage will be reviewed and may require a Coastal Development Permit in accordance with an associated Local Coastal Plan for consistency with the California Coastal Act. This review would ensure that the proposed work has been assessed and is not expected to cause any significant impacts to marine resources.
  - d) **Land Resources:** The ordinance provides guidelines for protection of environmentally sensitive habitats by reviewing permits for proposed signage on individual properties and ensuring that they do not negatively impact the environment. Additional review may be required with a Special Permit or Coastal Development Permit. Principally permitted signs must undergo a building permit review, which requires planner review and approval prior to issuance. The purpose of these revisions is to protect scenic resources, public health, safety, and welfare.
  - e) **Development:** This ordinance intends to make signs dependent on existing uses and come into conformance with other land use requirements.
  - f) **Industrial Development:** Signs will be required to be consistent with the designated land uses and in conformance with development standards for any given property.



## **CONSISTENCY WITH STATE PLANNING LAW**

**4. FINDING:** Humboldt County Code Section 312-50.3.4 requires any proposed amendment must not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless specific findings are made. The proposed amendment does not limit the number of housing units which may be constructed on an annual basis.

**EVIDENCE:** a) The Sign Ordinance does not propose any regulations that affect the residential density for any parcel. The ordinance would implement the goals, policies and standards of the Humboldt County Code to protect the public health, safety and welfare.

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law.
2. Adopt the ordinance amending the Zoning Regulations of the Inland Zoning Ordinance (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) as shown in Attachment 1 of this staff report;
3. Adopt the ordinance amending the Zoning Regulations of the Coastal Zoning Ordinance (Section 313 of Title III, Division 1, Chapter 3 of Humboldt County Code) as shown in Attachment 2 of this staff report;
4. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **November 2, 2023**.

The motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ and the following ROLL CALL vote:

AYES:            COMMISSIONERS:  
NOES:            COMMISSIONERS:  
ABSTAIN:        COMMISSIONERS:  
ABSENT:         COMMISSIONERS:  
DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

\_\_\_\_\_  
John H. Ford  
Director, Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 23-\_\_\_\_\_**

**Sign Ordinance**

**Recommending that the Board of Supervisors make the required findings to adopt the Inland version of the Sign Ordinance.**

**WHEREAS**, Humboldt County initiated the zoning ordinance changes herein to implement its General Plan Scenic Resources Element, which directs the County to amend the sign ordinance to implement adopted policies for off-premise billboards and to consider other revisions to ensure community compatibility as set forth in SR-IM2; and

**WHEREAS**, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

**WHEREAS**, the Humboldt County Planning Commission held a public hearing on the Sign Ordinance on November 2, 2023; and

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

1. The proposed ordinance to implement the General Plan is in the public interest; and
2. The proposed ordinance to implement the General Plan is consistent with the General Plan; and
3. The proposed ordinance does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

**REQUIRED FINDINGS OF APPROVAL**

**I. Required Findings of Approval:**

**CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

**1. FINDING:** The proposed zoning amendment is exempt from environmental review.

**EVIDENCE:** a) The ordinance is exempt from environmental review under §15307, actions by regulatory agencies for protection of natural

resources, and §15308, actions by regulatory agencies for protection of the environment.

**PUBLIC INTEREST.**

**2. FINDING:** Humboldt County Code Section 312-50.3.1, the Humboldt County General Plan, and state General Plan Law stipulate that amendments to the zoning code must be in the public interest. The proposed amendment is in the public interest.

**EVIDENCE:** a) The proposed ordinance would set standards for principally permitted signs and create new permitting requirements for signs in all zones. The type of signage and project area will determine the potential for adverse impacts and permitting pathways. Proposed projects with low potential for adverse impacts would be principally permitted, while high scale projects with potential to cause adverse impacts on the health, safety and welfare of the public, on the aesthetic values, and on the County’s environmentally sensitive habitat areas would require discretionary review. The proposed ordinance advances the implementation measures, goals, policies and standards identified in the Humboldt County General Plan and is therefore in the public interest.

**CONSISTENCY WITH THE GENERAL PLAN.**

**3. FINDING:** Humboldt County Code Section 312-50.3.2 states that amendments to the Zoning Code must be consistent with the General Plan. The proposed Inland Sign Ordinance is consistent with the General Plan.

**EVIDENCE:** a) The Sign Ordinance implements the Conservation and Open Space Element. The proposed ordinance incorporates the Humboldt County General Plan’s goals, policies and standards as directed in implementation measure SR-IM2. Implementation Measure SR-IM2 provides a broad scope for revisions to the sign ordinance, which have been achieved by reformatting the ordinance to provide better structure, incorporating a robust purpose and applicability statement, revising previous requirements to better suit the needs of the public, and instituting new regulations to protect the public health, safety, and welfare.

b) Policy SR-P4 directs the County to limit the term of new and existing off-premise billboards by ordinance to provide for removal consistent with the Outdoor Advertising Act and prohibit the construction of new off-premise billboards along mapped Scenic Highways and coastal views. The proposed ordinance has provided an opportunity for the County to set a term limit for existing billboards if they deem it necessary and have the

available funding for removal as required by the Outdoor Advertising Act. The development of new billboards would be prohibited, which has been supported by public review and would benefit the County when meeting the Scenic Highway Guidelines.

- c) Policy SR-P5 aims to prohibit construction of billboards in mapped sensitive, habitat areas. The ordinance has provided clear guidance for future development of billboards in environmentally sensitive habitat areas. To ensure protection of these areas existing billboards maintenance activities will be reviewed by the Planning Division upon application of a Building Permit to ensure that the proposed work will not negatively impact a sensitive habitat. If the proposed work may disturb a sensitive habitat the applicant will be required to secure any necessary permits to ensure that impacts are less than significant. The proposed ordinance meets these objectives by creating a term limit for billboards, prohibiting billboards on Scenic Highways, and reviewing impacts to environmentally sensitive habitat areas.

**CONSISTENCY WITH STATE PLANNING LAW.**

**4. FINDING:** Humboldt County Code Section 312-50.3.4 requires any proposed amendment must not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless specific findings are made. The proposed amendment does not limit the number of housing units which may be constructed on an annual basis.

**EVIDENCE:** a) The Sign Ordinance does not propose the development of residential structures and therefore will not impact the residential density of Humboldt County.

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law;
2. Adopt the ordinance amending the Zoning Regulations of the Inland Zoning Ordinance (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) as shown in Attachment 1 of this staff report;
3. Adopt the ordinance amending the Zoning Regulations of the Coastal Zoning Ordinance (Section 313 of Title III, Division 1, Chapter 3 of Humboldt County Code) as shown in Attachment 2 of this staff report;
4. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **November 2, 2023**.

The motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ and the following ROLL CALL vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

\_\_\_\_\_  
John H. Ford, Director  
Planning and Building Department

## 87.2 SIGNS AND NAMEPLATES

~~87.2.1 Nameplates, which shall be limited to a statement of the name, address and occupational designation of the occupant, shall be permitted in conformity with the following regulations:-(Former Section INL#316-18; Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.1.1 One (1) nameplate, not illuminated and not exceeding two (2) square feet, appurtenant to any permitted use shall be permitted in any zone;-(Former Section INL#316-18(a); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.1.2 One (1) nameplate, not illuminated and not exceeding four (4) square feet shall be permitted in any zone except RS, R 1 and R 2 Zones;-(Former Section INL#316-18(a); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.1.3 One (1) nameplate, not illuminated and not exceeding twenty (20) square feet shall be permitted only in U, FR, AE, AG, and FP Zones.-(Former Section INL#316-18(a); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2 Signs shall be permitted in conformity with the following regulations:~~

~~87.2.2.1 One sign, not illuminated, to advertise the sale of property on which it is displayed and not exceeding six (6) square feet, shall be permitted in any zone;-(Former Section INL#316-18(b); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2.2 One sign, not illuminated, to advertise the sale of property on which it is displayed and not exceeding fifteen (15) square feet, shall be permitted in any C zone;-(Former Section INL#316-18(b); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2.3 One sign, not illuminated, to advertise the sale of property on which it is displayed and not exceeding twenty (20) square feet, shall be permitted in any FP zone.-(Former Section INL#316-18(b); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2.4 Signs, not illuminated, and not exceeding one hundred (100) square feet in the aggregate, to advertise the sale of lots in the subdivision in which they are displayed shall be permitted with a Use Permit in any zone.-(Former Section INL#316-18(c); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2.5 Signs, not illuminated, appurtenant to any permitted use, which are not over seventy five (75) square feet in the aggregate, and are not divided into more than three (3) single or double faced signs shall be permitted with a Use Permit in any zone except RS, R 1, and R 2, Zones.-(Former Section INL#316-18(d); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2.6 Signs appurtenant to any permitted use and not to exceed three (3) square feet per front foot of the site on which they are displayed, but in no case more than 300 square feet,~~

~~and divided into not more than six (6) single or double faced signs, shall be permitted in any C or ML or U Zone. (Former Section INL#316-18(e); Ord. 519, Sec. 618, 5/11/65)~~

~~87.2.2.7 Signs, appurtenant to a permitted use and not limited as to size or number, shall be permitted in CH, MH, and U Zones and with a Use Permit in C-1 and C-2 Zones. (Former Section INL#316-18(f); Ord. 519, Sec. 618, 5/11/65; Amended by Ord. 2212, Sec. 1, 4/25/00)~~

~~87.2.2.8 Non appurtenant signs (i.e., billboards) may be permitted in any CH, MH, C or U Zone, where the General Plan designates the area for commercial or industrial development with a use permit. (Former Section INL#316-18(g); Added by Ord. 2213, Sec. 1, 4/25/00) (Ord. 2650, § 2, 9/1/2020)~~

**87.2.1 Purpose.** The purpose of these regulations is to: (1) ensure that signs within Humboldt County will promote public health, safety, and welfare, (2) promote the use of signs that are, of appropriate scale, and compatible with nearby development and landscape, (3) promote the free flow of traffic and protect pedestrians, cyclists and motorists from injury and property damage caused by distracting signs, and (4) support economically viable business serving county residents, workers and visitors.

**87.2.2 Applicability.** These regulations shall be applicable to all signs in all zoning districts.

**87.2.3 Nameplates.** Nameplates are limited to a statement of the name, address and occupational designation of the occupant, and are not illuminated. Nameplates shall be principally permitted on existing structures appurtenant to any permitted use when conforming with all the following requirements:

**87.2.3.1** In any zone, one (1) nameplate not exceeding two (2) square feet;

**87.2.3.2** In any zone except RS, R-1 and R-2 Zones, one (1) nameplate not exceeding four (4) square feet;

**87.2.3.3** In U, FR, AE, AG, and FP Zones, one (1) nameplate not exceeding twenty (20) square feet.

**87.2.4 Temporary Signs.** Temporary signs displayed for a limited period of time which do not exceed 25 square feet in size shall be principally permitted in any zone when conforming with all the following requirements:

**87.2.4.1** Strings or individual banners, streamers, pennants and similar devices for business openings, temporary sales and events which are placed up to fifteen (15) days prior and removed within fifteen (15) days after the opening or fifteen (15) days after their installation, whichever comes first.

**87.2.4.2** Political signs pertaining to a scheduled election which are placed up to fifteen (15) days prior and removed within fifteen (15) days after election day.



87.2.4.3 Temporary signs advertising a special event being held by a public agency or non-profit organization which are placed up to fifteen (15) days prior and removed within fifteen (15) days.

**87.2.5 Property Sale Signs.** Signs, not illuminated, to advertise the sale of property on which it is displayed shall be permitted when conforming with all the following regulations and removed within fifteen (15) days of the sale or lease of the property:

87.2.5.1 In any zone, one sign not exceeding six (6) square feet shall be principally permitted;

87.2.5.2 In any Commercial or Industrial Zoning District, one sign not exceeding thirty-two (32) square feet shall be principally permitted;

87.2.5.3 Signs advertising the sale of lots in a subdivision shall be permitted with a Special Permit in any zone when not exceeding one hundred (100) square feet in the aggregate.

**87.2.6 Appurtenant Signs.** Signs, appurtenant to any permitted use to identify or advertise a place of business or a product when conforming to the following requirements and the standards in Section 87.2.6.5:

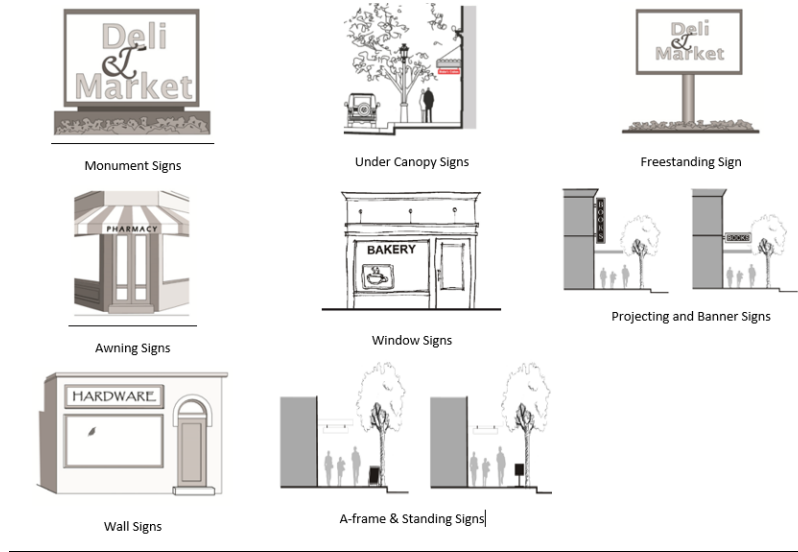
87.2.6.1 In RS, R-1 or R-2 Zones, signs shall be prohibited unless otherwise allowed with a Use Permit.

87.2.6.2 In Commercial or Industrial Zoning Districts, and Unclassified Zoning Districts when accompanied by a Commercial Services or Industrial General Land Use Designation, signs shall be principally permitted.

87.2.6.3 In all other zones, up to three (3) single sided signs, or one (1) double sided and one (1) single sided sign not over seventy-five (75) square feet in the aggregate shall be permitted with a Special Permit.

87.2.6.4 Signs not consistent with the above regulations and Section 87.2.6.5 shall be permitted with a Special Permit, limited to three (3) square feet per linear foot of the front lot line not over 300 square feet in the aggregate and consistent with the purposes of this section.

## Appurtenant Sign Types



### 87.2.6.5 Appurtenant Sign Table

<b>Sign Type</b>	<b>Sign Requirements</b>	
Monument and Freestanding	<i>Quantity:</i> <i>Area:</i> <i>Width:</i> <i>Height:</i> <i>Depth / Projection:</i> <i>Clearance:</i> <i>Apex:</i>	one (1) per business thirty-two (32) square feet eight (8) feet maximum six (6) feet maximum two (2) feet maximum not applicable not applicable
Projecting and Banner	<i>Quantity:</i> <i>Area:</i> <i>Width:</i> <i>Height:</i> <i>Depth / Projection:</i> <i>Clearance:</i> <i>Apex:</i> <i>Distance to Curb:</i>	one (1) per facade six (6) square feet four (4) feet maximum four (4) feet maximum four (4) feet maximum eight (8) feet minimum not applicable two (2) feet minimum
Awning	<i>Quantity:</i> <i>Area:</i> <i>Width:</i> <i>Height:</i> <i>Depth / Projection:</i> <i>Clearance:</i>	one (1) per window not applicable width of facade not applicable four (4) feet minimum eight (8) feet minimum

Sign Type	Sign Requirements	
	<i>Apex:</i> <i>Valance Height:</i> <i>Distance to Curb:</i>	not applicable twelve (12) inches maximum two (2) feet minimum
Wall	<i>Quantity:</i> <i>Area:</i> <i>Width:</i> <i>Height:</i> <i>Depth / Projection:</i> <i>Clearance:</i> <i>Apex:</i>	one (1) (two (2) for corner lots) one (1) square foot per linear foot of Facade ninety (90) percent of the width of Facade roof line or parapet of the structure seven (7) inches maximum seven (7) feet to sign edge minimum not applicable
Window	<i>Quantity:</i> <i>Area:</i> <i>Width:</i> <i>Height:</i> <i>Depth / Projection:</i> <i>Clearance:</i> <i>Apex:</i>	two (2) per facade twenty-five (25) percent of glass not applicable not applicable not applicable four (4) feet six (6) feet to top of post maximum
A-frame & Standing	<i>Quantity:</i> <i>Area:</i> <i>Width:</i> <i>Height:</i> <i>Depth / Projection:</i> <i>Clearance:</i> <i>Apex:</i>	one (1) per business eight (8) square feet twenty-six (26) inches maximum forty-two (42) inches maximum not applicable not applicable forty-two (42) inches maximum

**87.2.7 Existing Billboards.** It is the objective of this code to provide regulations to implement the Outdoor Advertising Act.

87.2.7.1 Existing Billboard, an advertising display affixed to any post within 660 feet of a state highway or freeway, with an active and compliant Outdoor Advertising Display Permit;

87.2.7.2 Failure to provide an active and compliant Outdoor Advertising Display Permit is evidence that the structure does not qualify as an existing billboard which may require removal of the structure;

87.2.7.3 Placement, restabilization and reconfiguration, including alterations to approved size, structural design, number of posts and height shall not be permitted;

87.2.7.4 Maintenance of existing billboards shall be subject to a Zoning Clearance Certificate prior to the issuance of a building permit per Section 312-2.2 of the Humboldt County Code;

87.2.7.5 Maintenance activities proposed within sensitive habitats, including Streamside Management Areas and Wetlands, shall be subject to a Special Permit per Section 314-61 of the Humboldt County Code;

87.2.7.6 Maintenance activities that occur without prior approval are declared a public nuisance as defined by Section 351-3 and considered a Category 4 Violation as defined by Section 352-3(h) and Section 352-6;

87.2.7.7 The County may declare its intent to require removal of an existing billboard by providing the existing billboard owner notice of such intent a minimum of seven (7) years prior to actual removal of the sign. Upon the expiration of the designated time period, the County may require removal in accordance with the requirements of the Outdoor Advertising Act. The removal of the billboard structure and restoration of the site to its original condition shall be completed within 30 days of compensation. If the permit holder and property owner fail to remove the billboard structure and restore the site within the designated time period, the billboard shall be declared a public nuisance as defined by Section 351-3 and considered a Category 4 Violation as defined by Section 352-3(h) and Section 352-6.

## **87.2.8 Design Standards.**

### **87.2.8.1 Illumination.**

87.2.8.1.1 Signs in non-residential zoning districts may be internally or externally illuminated except where specifically prohibited.

87.2.8.1.2 Signs in Residential Zoning Districts shall only be externally illuminated and must be located at least fifty (50) feet from any residence.

87.2.8.1.3 Light sources must be steady, stationary, and static in color and shall utilize full-cutoff lighting, downward casting, shielding, visors etc.

87.2.8.1.4 Lighting shall not produce glare that creates a public nuisance or hazard for motorists or pedestrians.

87.2.8.1.5 The light source for externally illuminated signs must be shielded and positioned so that light is only directed at the face of the sign and does not spill beyond where it is needed.

87.2.8.1.6 Lighting shall use the lowest light level necessary and when feasible lighting should be on demand or shall only operate between sunrise and sunset or 30 minutes after closing, whichever comes first.

87.2.8.1.7 Exposed bulbs are not permitted.

87.2.8.1.8 Design features consisting of neon or other small diameter tubing illuminated by fluorescing gas is not allowed as part of any type of sign.

**87.2.9 Prohibited Signs.** The following signs and sign materials are prohibited:

- I. **Digital, Animated or Changeable Copy Signs.** Signs that include any part that appears to rotate, flash, blink, move, change color, emit sound, or change intensity, except for approved fuel price signs, standard barber poles, time and temperature signs that are located in commercial and industrial zones. This includes but is not limited to electronic message boards, large television or projector screens, etc. Except when placed on such property by the public agency having jurisdiction or expressly authorized by such public agency.
- II. **New Billboards.** A structure with a flat surface upon which an advertisement is placed or affixed to any post within 660 feet of a state highway or freeway.
- III. **Off-Premise Signs.** Signs that are not appurtenant to a use associated with the property in which the sign is located.
- IV. **Decorative Signs.** Banner signs, feather banners, yard signs, and inflatable signs, except when used as a temporary sign consistent with Section 87.2.3 (Temporary Signs).
- V. **Hazardous Signs.** Signs adversely affecting traffic control or safety. Any sign that creates a traffic safety hazard by interfering with a driver's sight distance, including signs visible from any public road, street or right of way containing colors or reflective paint that blinds the vision of drivers, or signs which simulate or imitate the appearance of any traffic sign or signal, or which makes use of the words "STOP," "GO," "SLOW," "TURN HERE," "DANGER," or contain other words, phrases symbols or characters otherwise likely to interfere with, mislead or confuse drivers.
- VI. **Obsolete Signs.** Any appurtenant sign face identifying a use or activity that has not occupied the site for more than six months. Any off-premise sign face advertising an activity that has not taken place for more than six months.
- VII. **Signs on Public Property.** Signs within a public street, road or right-of-way, or placed on any other public property, except when placed on such property by the public agency having jurisdiction or expressly authorized by such public agency.
- VIII. **Signs on Natural Features and Other Structures.** Signs affixed to or painted on trees, rocks, or other natural features, or on utility poles, street sign poles, traffic signal equipment and poles, or garbage receptacles.

- IX. **Roof Signs.** Any sign erected, constructed and placed on or over the roof of a building or of any architectural feature to which it is affixed.
  
- X. **Dilapidated Signs.** Signs that have been declared a nuisance as defined by Section 351-3 and must be removed due to inadequate maintenance, dilapidation, or abandonment.

## 87.3 SIGNS AND NAMEPLATES

~~87.3.1 Purpose and Applicability. The purpose of these regulations is to ensure: (1) that signs within Humboldt County will not impair the public health, safety, and welfare by being excessively intrusive, and, (2) that any permitted signs will maintain visual quality and will be compatible with nearby development. These regulations shall apply to the placement of any sign within the unincorporated area of Humboldt County. (Former Section CZ#A314-33(A))~~

**87.3.1 Purpose.** The purpose of these regulations is to: (1) ensure that signs within Humboldt County will promote public health, safety, and welfare, (2) promote the use of signs that are, of appropriate scale, and compatible with nearby development and landscape, (3) promote the free flow of traffic and protect pedestrians, cyclists and motorists from injury and property damage caused by distracting signs, and (4) support economically viable business serving county residents, workers and visitors.

**87.3.2 Applicability.** These regulations shall be applicable to all signs in all zoning districts.

**87.3.3 Permitted Signs.** Signs shall be permitted with a Coastal Development Permit in conformity with the following regulations, unless otherwise specified: (Former Section CZ#A314-33(B))

**87.3.3.1 Nameplates.** Nameplates are limited to a statement of the name, address and occupational designation of the occupant, and are not illuminated. Nameplates shall be principally permitted on existing structures appurtenant to any permitted use when conforming with all the following requirements:

**87.3.3.1.1** In any zone, one (1) nameplate not exceeding two square feet (2sf). ~~Shall be limited to a statement of the name, address and location of the occupant.~~ (Former Section CZ#A314-33(B)(1))

**87.3.3.1.2** In any residential zone, ~~one (1) nameplate, not illuminated and not exceeding two square feet (2sf). , appurtenant to any permitted use, shall be permitted in any residential zone.~~ (Former Section CZ#A314-33(B)(1))

**87.3.3.1.3** In AE, TPZ and TC zones, ~~one (1) nameplate, not illuminated and not exceeding twenty square feet (20sf). , appurtenant to any permitted use, shall be permitted only in AE, TPZ and TC zones.~~ (Former Section CZ#A314-33(B)(1))

**87.3.3.2 Temporary Signs.** Temporary signs displayed for a limited period of time which do not exceed 25 square feet in size shall be principally permitted in any zone when conforming with all the following requirements:

**87.3.3.2.1** Strings or individual banners, streamers, pennants and similar devices for business openings, temporary sales and events which are placed up to fifteen (15) days

prior and removed within fifteen (15) days after the opening or fifteen (15) days after their installation, whichever comes first.

87.3.3.2.2 Political signs pertaining to a scheduled election which are placed up to fifteen (15) days prior and removed within fifteen (15) days after election day.

87.3.3.2.3 Temporary signs advertising a special event being held by a public agency or non-profit organization which are placed up to fifteen (15) days prior and removed within fifteen (15) days.

**87.3.3.3 2 Property Sale Signs.** Signs, not illuminated, to advertise the sale of property on which it is displayed shall be permitted when conforming with all the following regulations and removed within fifteen (15) days of the sale or lease of the property:

~~87.3.2.2.1 Two (2) signs, not illuminated, to advertise the sale of property on which it is displayed, and not exceeding six square feet (6sf) each, shall be permitted in any zone. Two such signs, not exceeding fifteen square feet (15sf), shall be permitted in any Commercial Zone. Two such signs, not exceeding twenty square feet (20sf), shall be permitted in any Industrial Zone. The Director may approve a Special Permit for additional signs if the applicant demonstrates a need, based upon site-specific physical conditions. (Former Section CZ#A314-33(B)(2)(a))~~

87.3.3.3.1 In any zone, one (1) sign not exceeding six (6) square feet shall be principally permitted;

87.3.3.3.2 In any Commercial Zoning District, two (2) signs, not exceeding fifteen square feet (15sf) each shall be principally permitted.

87.3.3.3.4 In any Industrial Zoning District, two (2) signs, not exceeding twenty square feet (20sf) each shall be principally permitted.

~~87.3.2.2.2 Signs, not illuminated and not exceeding one hundred square feet (100sf) in the aggregate, to advertise the sale of lots in the subdivision in which they are displayed shall be permitted with a Use Permit in any zone. (Former Section CZ#A314-33(B)(2)(b))~~

87.3.3.3.5 Signs advertising the sale of lots in a subdivision shall be permitted with a Special Permit in any zone when not exceeding one hundred (100) square feet in the aggregate.

**87.3.2.3 Appurtenant Signs.** ~~Signs appurtenant to any permitted use which are not illuminated, are not over seventy five square feet (75sf) in the aggregate, and not divided into more than three (3) single faced or double faced signs shall be permitted with a Special Use Permit in any zone except Residential Zones, in which such signs are not permitted. (Former Section CZ#A314-33(B)(3))~~



87.3.3.4 Appurtenant Signs. Signs, not illuminated, appurtenant to any permitted use to identify or advertise a place of business or a product when conforming to the following requirements:

87.3.3.4.1 In Residential Zoning Districts, signs shall be prohibited unless otherwise allowed with a Use Permit.

87.3.3.4.2 In Commercial or Industrial Zoning Districts, when accompanied by a Commercial General or Industrial General Land Use Designation, signs shall be principally permitted.

87.3.3.4.3 In all other zones, up to three (3) single sided signs, or one (1) double sided and one (1) single sided sign not over seventy-five (75) square feet in the aggregate shall be permitted with a Special Permit.

87.3.3.4.4 Signs not consistent with the above regulations and Section 87.3.2.4.5 shall be permitted with a Special Permit, limited to three (3) square feet per linear foot of the front lot line not over 300 square feet in the aggregate and consistent with the purposes of this section.

#### **87.3.2.4 Signs in Commercial or Industrial Zones.**

~~87.3.2.4.1 Signs, appurtenant to any permitted use, which do not exceed three square feet (3sf) per linear foot of the front lot line, shall be permitted in any commercial or industrial zone, subject to the limitations of this paragraph. Any lawfully existing lot shall be permitted to have a sign of at least fifty square feet (50sf) in size. The permitted sign(s) shall not exceed 300 square feet in the aggregate, and shall not be divided into more than six (6) single faced or double faced signs. (Former Section CZ#A314-33(B)(4)(a))~~

~~87.3.2.4.2 Signs, whether appurtenant to a permitted use or not, and not limited as to size or number, may be permitted with a Special Permit in any commercial or industrial zone. (Former Section CZ#A314-33(B)(4)(b))~~

## Appurtenant Sign Types



Monument Signs



Under Canopy Signs



Freestanding Sign



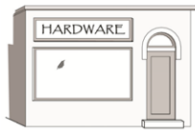
Awning Signs



Window Signs



Projecting and Banner Signs



Wall Signs



A-frame & Standing Signs

**87.3.3.4.5 Appurtenant Sign Table**

Sign Type	Sign Requirements
Monument and Freestanding	<p><i>Quantity:</i> one (1) per business  <i>Area:</i> thirty-two (32) square feet  <i>Width:</i> eight (8) feet maximum  <i>Height:</i> six (6) feet maximum  <i>Depth / Projection:</i> two (2) feet maximum  <i>Clearance:</i> not applicable  <i>Apex:</i> not applicable</p>
Projecting and Banner	<p><i>Quantity:</i> one (1) per facade  <i>Area:</i> six (6) square feet  <i>Width:</i> four (4) feet maximum  <i>Height:</i> four (4) feet maximum  <i>Depth / Projection:</i> four (4) feet maximum  <i>Clearance:</i> eight (8) feet minimum  <i>Apex:</i> not applicable  <i>Distance to Curb:</i> two (2) feet minimum</p>
Awning	<p><i>Quantity:</i> one (1) per window  <i>Area:</i> not applicable  <i>Width:</i> width of facade  <i>Height:</i> not applicable  <i>Depth / Projection:</i> four (4) feet minimum  <i>Clearance:</i> eight (8) feet minimum  <i>Apex:</i> not applicable  <i>Valance Height:</i> twelve (12) inches maximum  <i>Distance to Curb:</i> two (2) feet minimum</p>
Wall	<p><i>Quantity:</i> one (1) (two (2) for corner lots)  <i>Area:</i> one (1) square foot per linear foot of Facade  <i>Width:</i> ninety (90) percent of the width of Facade  <i>Height:</i> roof line or parapet of the structure  <i>Depth / Projection:</i> seven (7) inches maximum  <i>Clearance:</i> seven (7) feet to sign edge minimum  <i>Apex:</i> not applicable</p>
Window	<p><i>Quantity:</i> two (2) per window  <i>Area:</i> twenty-five (25) percent of glass  <i>Width:</i> not applicable  <i>Height:</i> not applicable  <i>Depth / Projection:</i> not applicable  <i>Clearance:</i> four (4) feet  <i>Apex:</i> six (6) feet to top of post maximum</p>
A-frame & Standing	<p><i>Quantity:</i> one (1) per business  <i>Area:</i> eight (8) square feet</p>

Sign Type	Sign Requirements
	<i>Width:</i> twenty-six (26) inches maximum <i>Height:</i> forty-two (42) inches maximum <i>Depth / Projection:</i> not applicable <i>Clearance:</i> not applicable <i>Apex:</i> forty-two (42) inches maximum

**87.3.3.5 Existing Billboards.** It is the objective of this code to provide regulations to implement the Outdoor Advertising Act.

87.3.3.5.1 Existing Billboard, an advertising display affixed to any post within 660 feet of a state highway or freeway, with an active and compliant Outdoor Advertising Display Permit;

87.3.3.5.2 Failure to provide an active and compliant Outdoor Advertising Display Permit is evidence that the structure does not qualify as an existing billboard which may require removal of the structure;

87.3.3.5.3 Placement, restabilization and reconfiguration, including alterations to approved size, structural design, number of posts and height shall not be permitted;

87.3.3.5.4 Maintenance of existing billboards shall be subject to a Zoning Clearance Certificate prior to the issuance of a building permit per Section 312-2.2 of the Humboldt County Code;

87.3.3.5.5 Maintenance activities proposed within Environmentally Sensitive Habitat Areas per Article 5 Land Resources of the California Coastal Act shall be subject to any applicable permit requirements per Title 3, Division 1, Chapter 3 of the Humboldt County Code;

87.3.3.5.6 Maintenance activities that occur without prior approval are declared a public nuisance as defined by Section 351-3 and considered a Category 4 Violation as defined by Section 352-3(h) and Section 352-6;

87.3.3.5.7 The County may declare its intent to require removal of an existing billboard by providing the existing billboard owner notice of such intent a minimum of seven (7) years prior to actual removal of the sign. Upon the expiration of the designated time period, the County may require removal in accordance with the requirements of the Outdoor Advertising Act. The removal of the billboard structure and restoration of the site to its original condition shall be completed within 30 days of compensation. If the permit holder and property owner fail to remove the billboard structure and restore the site within the designated time period, the billboard shall be declared a public nuisance

as defined by Section 351-3 and considered a Category 4 Violation as defined by Section 352-3(h) and Section 352-6.

~~87.3.2.5~~ **87.3.3.6 Directional Signs.**

~~87.3.2.5.1~~ **87.3.3.6.1 Signs Permitted.** Directional signs and/or guide signs shall be located in any zone to indicate directions to public recreational areas, visitor serving facilities, and any other facilities for which the Director has determined that such a sign is necessary for the public convenience and/or safety. (Former Section CZ#A314-33(B)(5)(a))

~~87.3.2.5.2~~ **87.3.3.6.2 Location.** Signs shall be located only along arterial roadways and higher order streets. (Former Section CZ#A314-33(B)(5)(b))

~~87.3.2.5.3~~ **87.3.3.6.3 Design Criteria.**

~~87.3.2.5.3.1~~ **87.3.3.6.3.1** Directional signs shall contain only the name of the use(s), a directional arrow or a directional statement, and the approximate distance to the use(s). (Former Section CZ#A314-33(B)(5)(c)(1))

~~87.3.2.5.3.2~~ **87.3.3.6.3.2** Where feasible, directional signs shall be designed to accommodate more than one use. (Former Section CZ#A314-33(B)(5)(c)(2))

~~87.3.2.5.3.3~~ **87.3.3.6.3.3** The display surface of any such sign shall not exceed twenty-four by twenty-four inches (24"x24") for each use, with a maximum aggregate area of display surface not to exceed 100 square feet. (Former Section CZ#A314-33(B)(5)(c)(3))

~~87.3.2.5.4~~ **87.3.3.6.4 Permit Required.** A Special Permit is required for placement of a directional sign in any zone. (Former Section CZ#A314-33(B)(5)(d))

**87.3.3.7 Design Standards.**

**87.3.3.7.1 Illumination.**

87.3.3.7.1.1 Signs in non-residential zoning districts shall be internally or externally illuminated except where specifically prohibited.

87.3.3.7.1.2 Signs in Residential Zoning Districts shall only be externally illuminated and must be located at least fifty (50) feet from any residence.

87.3.3.7.1.3 Light sources must be steady, stationary, and static in color and shall utilize full-cutoff lighting, downward casting, shielding, visors etc.

87.3.3.7.1.4 Lighting shall not produce glare that creates a public nuisance or hazard for motorists or pedestrian.

87.3.3.7.1.5 The light source for externally illuminated signs must be shielded and positioned so that light is only directed at the face of the sign and does not spill beyond where it is needed.

87.3.3.7.1.6 Lighting shall use the lowest light level necessary and when feasible lighting should be on demand or shall only operate between sunrise and sunset or 30 minutes after closing, whichever comes first.

87.3.3.7.1.7 Exposed bulbs are not permitted.

87.3.3.7.1.8 Design features consisting of neon or other small diameter tubing illuminated by fluorescing gas is not allowed as part of any type of sign.

**87.3.4 Prohibited Signs.** The following signs and sign materials are prohibited:

- I. **Digital, Animated or Changeable Copy Signs.** Signs that include any part that appears to rotate, flash, blink, move, change color, emit sound, or change intensity, except for approved fuel price signs, standard barber poles, time and temperature signs that are located in commercial and industrial zones. This includes but is not limited to electronic message boards, large television or projector screens, etc. Except when placed on such property by the public agency having jurisdiction or expressly authorized by such public agency.
- II. **New Billboards.** A structure with a flat surface upon which an advertisement is placed or affixed to any post within 660 feet of a state highway or freeway.
- III. **Off-Premise Signs.** Signs that are not appurtenant to a use associated with the property in which the sign is located.
- IV. **Decorative Signs.** Banner signs, feather banners, yard signs, and inflatable signs, except when used as a temporary sign consistent with Section 87.2.3 (Temporary Signs).
- V. **Hazardous Signs.** Signs adversely affecting traffic control or safety. Any sign that creates a traffic safety hazard by interfering with a driver's sight distance, including signs visible from any public road, street or right of way containing colors or reflective paint that blinds the vision of drivers, or signs which simulate or imitate the appearance of any traffic sign or signal, or which makes use of the words "STOP," "GO," "SLOW," "TURN HERE," "DANGER," or contain other words,

phrases symbols or characters otherwise likely to interfere with, mislead or confuse drivers.

- VI. **Obsolete Signs.** Any appurtenant sign face identifying a use or activity that has not occupied the site for more than six months. Any off-premise sign face advertising an activity that has not taken place for more than six months.
- VII. **Signs on Public Property.** Signs within a public street, road or right-of-way, or placed on any other public property, except when placed on such property by the public agency having jurisdiction or expressly authorized by such public agency.
- VIII. **Signs on Natural Features and Other Structures.** Signs affixed to or painted on trees, rocks, or other natural features, or on utility poles, street sign poles, traffic signal equipment and poles, or garbage receptacles.
- IX. **Roof Signs.** Any sign erected, constructed and placed on or over the roof of a building or of any architectural feature to which it is affixed.
- X. **Dilapidated Signs.** Signs that have been declared a nuisance as defined by Section 351-3 and must be removed due to inadequate maintenance, dilapidation, or abandonment.

**87.3.3 General Prohibitions on Signs.** The following signs shall be prohibited in all zones except as provided in this Section. ~~(Former Section CZ#A314-33(C))~~

~~87.3.3.1 No sign shall endanger the public health and safety by causing distractions to operators of motor vehicles on public rights of way, such as shall be caused by signs employing motion, sound, mechanical devices, blinkers, flashing lights, animation or unusual lighting. (Former Section CZ#A314-33(C)(1))~~

~~87.3.3.2 No sign shall be erected adjacent to any right of way in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any locations where, by reason of position, shape or color, such sign shall interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words "stop," "danger," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse motor vehicle operators. (Former Section CZ#A314-33(C)(2))~~

~~87.3.3.3 No red, green or amber lights or illuminated signs shall be placed in such a position that they could be confused with any authorized traffic sign, signal or device. (Former Section CZ#A314-33(C)(3))~~

~~87.3.3.4 No sign shall be erected in such a manner as to obstruct free and clear vision of pedestrian traffic on rights of way or to otherwise endanger pedestrians. (Former Section CZ#A314 33(C)(4))~~





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October 31, 2023

**VIA EMAIL**

Humboldt County Planning Commission  
c/o Kathy Hayes, Humboldt County Clerk of the Board  
825 5th Street, Room 111  
Eureka, CA 95501  
Email: [planningclerk@co.humboldt.ca.us](mailto:planningclerk@co.humboldt.ca.us)

Re: Proposed Sign Ordinance (File No. 23-1484, Agenda Item No. 2 for Hearing on November 2, 2023)

Dear Ms. Hayes:

This firm represents OUTFRONT Media. We reviewed File No. 23-1484, including the draft regulations that would comprehensively update the standards for signs in the zoning ordinance (the "Proposed Signage Regulations"). We understand the Planning Commission will consider the Proposed Signage Regulations as Agenda Item No. 2 at a public hearing scheduled for November 2, 2023.

The Proposed Signage Regulations conflict with state law in several important respects, each of which is outlined briefly below. As a result, we urge you to carefully consider and revise the draft before it moves forward. Please understand that we are tracking this legislation closely, and we are prepared to take legal action if you proceed with regulations that would interfere with our client's state-protected property rights.

**The Proposed Signage Regulations Must Appropriately Account for Legal Nonconforming Billboards.**

As a general matter, the Proposed Signage Regulations do not contemplate the many billboards in Humboldt County that were lawfully erected before the Outdoor Advertising Act was enacted. These long-standing signs are legal nonconforming and protected by the Outdoor Advertising Act's compensation requirements to the same extent as signs later erected subject to an Outdoor Advertising Display Permit.

For example, the Proposed Signage Regulations purports to empower the County to require removal of an existing billboard without "an active and compliant Outdoor Advertising Act Permit." This language – and any effort by the County to enforce the same – is contrary to Section 5412 of the California Business and Professions Code,

which established a general rule that a local agency cannot compel removal of advertising displays without payment of just compensation to the owner of the display and the owner of the land where it is located. Cal. Bus. & Prof. Code Sec. 5412. This is true of all “lawfully erected” displays, “anywhere within the state,” without reference to an active permit.

**The County Must Pay Just Compensation for Any Forced Removal or Maintenance Limitation on Existing Displays.**

The Outdoor Advertising Act is unambiguous: Subject to limited exceptions, “no advertising display which was lawfully erected anywhere in the state shall be compelled to be removed, nor shall its customary maintenance or use be limited...without payment of compensation, as defined in the Eminent Domain Law.” Cal. Bus. & Prof. Code Sec. 5412.

The Proposed Signage Regulations violate this rule in several ways:

- There is no mechanism for the just compensation to sign owners and property owners mandated by state law and anticipated by the County’s own General Plan.
- Maintenance would be strictly limited by introducing requirements that owners first seek Zoning Clearance Certificates and Special Permits. This introduces additional expense, lead time, and most importantly, uncertainty – each of which would individually constitute a proscribed limit on owners’ state-granted right to maintain existing signs.
- Restabilization of existing signs would “not be permitted,” under the draft regulations, creating yet another unlawful limit on the maintenance of existing displays.

If the County wishes to proceed with some version of these controls, it must build in clear definitions for each activity and provide explicit mechanisms for the land owner and sign owner to both receive just compensation every single time the County compels removal of a lawfully erected sign or limits their ability to maintain an existing sign.

As you may be aware, Division 6 of Title 4 of the California Code of Regulations was adopted to “implement, interpret, make specific, and otherwise carry out the provisions of the California Outdoor Advertising Act, Business and Professions Code Sections 5200, et seq.” This division includes a specific definition of “customary maintenance,” with related activities allowed for the duration of a display’s “normal life.” Cal. Code Regs. Sec. 2270. Therefore, nothing in the final version of the Proposed Signage Regulations can purport to limit a sign owner’s ability to perform activities in furtherance of customary display maintenance.

As an aside, please note that I wrote to the County this past spring and specifically asked to be kept apprised of Proposed Signage Regulations as the legislation proceeded. I never received a response to my letter and was not notified by the

County of the November 2 hearing. Further, I am aware of several public comments shared with John Ford, Director of Planning and Building, and Jacob Dunn, Associate Planner that were not included in the Commissioners' materials for the November 2 hearing. I sincerely hope that the substance of all public comments received to date will be shared with decisionmakers before the County proceeds in a manner that is contrary to state law.

Please don't hesitate to contact me with any questions.

Very truly yours,

MILLER STARR REGALIA

*Dana Kennedy*

Dana Kennedy

DCK:kli

cc: Commissioner Iver Skavdal (skavdalz11@gmail.com)  
Commissioner Thomas Mulder (hrh707@outlook.com)  
Commissioner Noah Levy (noah@landwaterconsulting.com)  
Commissioner Lonyx Landry (lonyx.landry@humboldt.edu)  
Commissioner Peggy O'Neill (Peggyoneill1953@gmail.com)  
Commissioner Brian Mitchell (mrbrian707@gmail.com)  
Commissioner Sarah West (srhawest@gmail.com)  
Jeff McCuen, OUTFRONT Media  
Anthony Leones, Miller Starr Regalia

**From:** [Caroline Griffith](#)  
**To:** [Planning Clerk](#); [skavdalz11@gmail.com](mailto:skavdalz11@gmail.com); [hrh707@outlook.com](mailto:hrh707@outlook.com); [noah@landwaterconsulting.com](mailto:noah@landwaterconsulting.com); [lonyx.landry@humboldt.edu](mailto:lonyx.landry@humboldt.edu); [Peggyoneil1953@gmail.com](mailto:Peggyoneil1953@gmail.com); [mrbrian707@gmail.com](mailto:mrbrian707@gmail.com); [srhawest@gmail.com](mailto:srhawest@gmail.com)  
**Subject:** Comment on agenda item F.1., draft sign ordinance  
**Date:** Thursday, October 19, 2023 12:56:24 PM

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**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Planning Commissioners,

Thank you for the opportunity to comment on this draft ordinance.

I'm writing on behalf of the Northcoast Environmental Center which was founded in 1971 with the mission to promote understanding of the relations between people and the biosphere and to conserve, protect, and celebrate terrestrial, aquatic, and marine ecosystems of northern California and southern Oregon.

We are thankful to County staff for taking the time to gather public input and draft the ordinance before you. We are especially pleased with the prohibitions on digital signs for a number of reasons: they are a distraction which can pose a danger to vulnerable road users like pedestrians and cyclists; artificial light at night impacts the natural cycles (mating, migration patterns, hunting and predation) of wildlife; and their use of energy, especially during the day when wattage often has to be increased to remain visible in daylight. We also appreciate the inclusion of efforts to protect wetlands and sensitive natural areas during maintenance operations.

We have a few suggestions below for how the ordinance could be strengthened.

Regarding illumination, we would like to see section 87.2.8.1 strengthened to meet the standards of the Dark Sky Society policies for protecting the night sky, specifically by adding a definition of how brightly signs can be lit. The City of Eureka adopted these policies when updating its sign ordinance last year before the California Coastal Commission and the full text can be found at

<https://documents.coastal.ca.gov/reports/2022/7/W11a/w11a-7-2022-appendix.pdf>.

Page 27 states:

**Brightness:**

- During daylight hours between sunrise and sunset, luminance is limited to 10,000 nits.
- At all other times, luminance is limited to 500 nits.
- Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change.

We also think that the section on removing existing billboards could be clarified.

Section 87.2.7.7 states "The County may declare its intent to require removal of an

existing billboard by providing the existing billboard owner notice of such intent a minimum of seven (7) years prior to actual removal of the sign.” We support the idea of the County being able to buy out billboards, but this appears to leave it up to the County’s discretion which billboards would be slated for removal by not giving clear guidelines of what would trigger removal. We would like to see a phase-out of all signs that do not conform to regulations, similar to the language that was in a previous draft that was circulated which stated “Off-premise signs not consistent with the above regulations shall be removed within 15 years from the effective date of this ordinance.”

Thank you,

--  
**Caroline Griffith (she/they)**

**Executive Director and EcoNews Editor**

*The Northcoast Environmental Center sits in Goudi'ni, part of the unceded ancestral land of the Wiyot peoples. We strive to follow the example of the Indigenous peoples of the north coast who continue to steward this land as they have done since time immemorial. We pledge to listen to, learn from, respect, and include the voices of Indigenous peoples in our work advocating for the wellbeing of this land and the people who call it home. Join us in acknowledging and respecting the sovereignty of the Wiyot Tribe by participating in the [Wiyot Honor Tax](#), or supporting the tribe upon whose land you reside.*

**Northcoast Environmental Center**

**PO Box 4259**

**Arcata, CA 95518**

**541-415-4756**

[www.yournec.org](http://www.yournec.org)

[director@yournec.org](mailto:director@yournec.org)

**From:** [Visual Concepts](#)  
**To:** [Geoff W](#)  
**Cc:** [Jeff Mccuen](#); [Rob M Shilling](#); [Dunn, Jacob](#); [Ford, John](#); [Bohn, Rex](#); [Bushnell, Michelle](#); [Jeff Slack](#)  
**Subject:** Re: Updated Draft Sign Ordinance  
**Date:** Monday, October 23, 2023 11:50:07 AM

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**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Thanks for including me, Geoff. I do not own or service billboards in our community, but am often involved in various signage projects. I also employ 9 people locally. Many of our clients, other small, independent businesses, have been forced to leave Humboldt in the last few years. Piles of red tape like this make success for an independent business in our county next to impossible. High taxes and insurance rates mean I struggle to pay my employees what I consider to be a living wage.

As with Geoff's employees, homeownership in our community is next to impossible. I do all that I can for my crew, but I often am kept up at night knowing that their hard work, dedication and skill set seems to be not as important or valued in our community as it should be. Geoff's language is strong of course, but his position that the drug addicts and vagrants in our town are given priority and many more tools to try to improve their lot in life than hard working people supporting their families and going to work everyday rings true to me. We place so much energy, money and time to block businesses simply being able to survive locally.

I've been in business for 16 years locally. I've been sent endless invoices from the state and county. Been subject to ridiculous inspections, penalties, and red tape. No one, not one person or government entity has ever stopped by to make their support known. No one has ever offered tools, resources, or even a pat on the back or appreciation for folks like us who are working tirelessly to keep our local economy going. If we can't begin to make Humboldt a place that attracts business, or simply allows it to exist, we'll see the continued degradation of our community, streets and buildings. Even more shuttered storefronts where no one can afford to do business, a greater number of down-and-out people wandering the streets.

Contrary to what you may think, Geoff and I both consider ourselves to be environmentalists. That's a big part of the reason we choose to live here. However, we must find a balance where businesses are allowed to conduct operations without constantly being hassled or trying to work with one hand tied behind our backs. We both love Humboldt, and this is our home. It's just disheartening when more hassles like this are constantly the norm, and no one at all seems to be looking out for us small businesses. We preach about supporting local in our area, we say we value our locally owned businesses, but I fear a time soon when the only jobs left in Humboldt will be those provided by the government, or major corporations.

My rant here doesn't specifically speak to the ordinance Geoff is referring to, but it's just more of the same issues for me. From manufacturing, agriculture, retail, we're all suffering, and we could really use some help. the boot has to be lifted from the neck of local folks and the businesses they operate or the future of our beloved area may be in jeopardy. Thanks for hearing me out. Geoff, if I can help or be an ally in any way, please reach out. We're in this together, fighting for the opportunity to simply exist for ourselves, our families, our employees, and our community.

On Mon, Oct 23, 2023 at 10:45 AM Geoff W <[geoffwills33@yahoo.com](mailto:geoffwills33@yahoo.com)> wrote:

John/ Jacob-

I am a little caught off guard by the new updated sign ordinance. I also requested to see the new ordinance when you were done and you both said you'd make sure I was given it, instead I was forwarded it by another local business owner whose concerned with the counties attack on my business. I'm pretty bummed on that and it kinda feels on purpose with these changes.

How did the off-premise signs(billboards) section change so much? There was no language around limiting maintenance of billboards in the prior draft sign ordinance and there was absolutely no discussing such language in the focus groups meeting about the sign ordinance. When and how did these sections get added? It's very obvious what the county is doing in adding sections 87.3.3.5.3-.6. to the sign ordinance. The county is adding red tape via permit requirements to maintenance activities in an effort to prevent maintenance from occurring.

Section 87.3.3.5.6 is just an extra stab in the back given the areas billboards are in, the tweaker population that lives beneath them, and often the reason for our maintenance activities. It is an everyday occurrence that our billboards and property which they reside on are the victim of trespassing and other crimes from homeless tweakers, our boards are graffitied and vandalized by these vagrants and the county wants to, by ordinance, declare your tax paying and contributing members of our community the "public nuisance" when we repair our damaged property.

Section 87.3.3.5.2 if factually incorrect. Billboards are currently legal in the county code and have been forever, example billboards on central ave in Mckinerville and Myrtle Ave, outside Eureka city limits, are legally permitted structures. They are not within 660' of a Caltrans ROW therefore they do not require an ODA permit. Them not having an ODA permit does not deem them to not be billboards and is not grounds for their removal.

This all begs the questions of what is the county doing? Why is it trying to run business out of our area, why is it trying to put one of its local business and it's 7 employees out of business? I pay my employees \$25-32/hr, give them health and other benefits. That's 3x federal minimum wage and guess what, none of them can afford a house! A mortgage on the average house in Humboldt is \$4,200/month. I understand we do need new sign ordinances but maybe instead of fighting signs, billboards, and jobs you could draft some quick ordinances that help the working members of your community afford to live in your community instead of making it harder.

Jeff M/Rob- Here is the link to the new sign ordinance, please have your attorney draft a response asap.

<https://humboldt.legistar.com/View.ashx?M=F&ID=12370683&GUID=19D8F0FD-6A42-4063-A5ED-374C3CCAB88C>

Geoff Wills  
Cell 714-655-0763

Office 707-442-7781  
3408 Jacobs Ave Eureka, Ca 95501  
[geoffwills33@yahoo.com](mailto:geoffwills33@yahoo.com)

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Visual Concepts  
[VisualConcepts707.com](http://VisualConcepts707.com)  
707.633.5087  
820 N St.  
Arcata, Ca 95521



November 1, 2023

VIA EMAIL ([planningclerk@co.humboldt.ca.us](mailto:planningclerk@co.humboldt.ca.us))

ORIGINAL BY FIRST CLASS MAIL

Humboldt County Planning Commission  
c/o Kathy Hayes, Clerk of the board  
825 5th Street, Room 111  
Eureka, CA 95501

Re: *Proposed Sign Ordinance Related to Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code*

Dear Honorable Chair and Members of the Planning Commission,

This office represents Lamar Central Outdoor, LLC (“Lamar”) with respect to the billboards located in the County of Humboldt (“County”). Lamar is a national outdoor advertising company that was founded in 1902. Lamar provides outdoor advertising opportunities on billboards (including both static and digital billboards) with over 200 plants throughout the country. Lamar currently owns and operates three billboards within the County’s jurisdiction.

Lamar is presenting this letter to provide feedback and objections on the Proposed Sign Ordinance amending Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code (“Proposed Ordinance”), which will be considered at a public hearing on November 2, 2023. We recognize that there is similar language in both Section 87.2 and 87.3, but will only address one section, as to not duplicate efforts. That said, to the extent that there is similar or duplicative language in both sections, the feedback or objections applies to both sections.

**Section 87.2.7 of the Proposed Ordinance appears to run afoul of Business and Professions Codes 5412 et seq., which allows nonconforming billboards to remain in place.**

State law recognizes the legal nonconforming use status of billboards and requires local agencies to honor such amortization periods of legal nonconforming billboards. State law further distinguishes the method of amortizing nonconforming billboards. Although proposed Section 87.2.7.7 attempts to recognize such amortization periods, it gravely falls short of the requirements and distinctions required by State law. The Proposed Ordinance 1) does not distinguish billboards located in different zones, as so contemplated in B&P Sections 5412 through 5412.4. Instead, the Proposed Ordinance blanketly applies a general and arbitrary amortization period to existing and legal billboards. Further, of note, proposed Section 87.2.7.1 is vague, ambiguous and illogical. Section 87.2.7.1 appears to be an attempt to define an “existing billboard” but is non-sensical as written.

**The Proposed Ordinance favors forced removal of billboards, which such forced removal violates State law and is considered an unlawful taking.**

In addition to requiring a proper amortization period, State law requires agencies who force removal of billboards to pay just compensation for the taking of private property. (Business and Professions Code Section 5412 et seq.) Again, the Proposed Ordinance does not provide any proper mechanism or statutory scheme to allow legal nonconforming billboards, and further does not mention that forced removal requires the payment of just compensation. In particular, existing billboards located within the County must be considered legal nonconforming uses; if not, such removal is considered a taking. Lamar is vehemently against the proposed language Section 87.2.7.7, as it places a woefully undervalue of Lamar's billboards. Adoption and enforcement of the Proposed Ordinance would merely reallocate highly valued property to lower valued use, seizing Lamar's property and business.

Under circumstances forcing the removal of a billboard, the County must in fact pay just compensation, not only to the billboard owner, but also to the underlying landowner who receives lease revenue for the billboard. Based on the readily recognized income method of valuation, Lamar's billboards in the County are valued in the hundreds of thousands of dollars. An arbitrary amortization scheme for sign removal has nothing to do with the fair market value nor does it constitute just compensation.

**The Proposed Ordinance prohibits the general maintenance of billboards, violating California Code of Regulations Section 2270 and encouraging public nuisances.**

Section 2270 of Title 4 of the California Code of Regulations allows for the customary maintenance of existing billboards for the duration of their normal life. Customary maintenance includes several items, including changing the advertising message, adding an extension to an outside dimension of a display as incident to the copy for a temporary period of three years, and adding a light box. The Proposed Ordinance runs afoul of this regulation and instead attempts to outlaw the maintenance of a billboard, except in situations requiring a Zoning Clearance Certificate. Nowhere in the Proposed Ordinance does it provide what is needed to obtain a Zoning Clearance Certificate, nor does it provide that the maintenance of billboards may occur without a Zoning Clearance Certificate so long as the maintenance falls within the regulations of State law.

Instead, the Proposed Ordinance seems to discourage routine maintenance and encourage dilapidation and the creation of nuisances.

**Conclusion**

Lamar encourages the denial of the Proposed Ordinance on the basis that it violates State law and public policy. Such a Proposed Ordinance would further harm the County's competitive and thriving business community by thwarting advertising options. Advertising on billboards has been proven to be a cost-effective means to encourage business. Any effort by the County to stop such advertising would make it more difficult for local businesses to

thrive. Billboards fulfill part of the overall economic success of a business and should remain in the County with reasonable regulations. It would further run afoul of the policy of the State of California, which is to “encourage local entities and display owners to enter into relocation agreements which allow local entities to continue development in a planned manner without the expenditure of public funds while allowing the continued maintenance of private investment and a medium of public communication.” Cal. B&P Codes section 5412.

Lamar has been a long-standing business in the community for decades and continues to invest in the County. Lamar prides itself on being a good neighbor and a long-time stakeholder in the community. That said, just like with any business, the County cannot legally “take” Lamar’s property and business without just compensation. Efforts by the County to remove legal nonconforming signs without proper payment will result in the County exposing itself to a claim for inverse condemnation which, in addition to entitling the owners of the property to just compensation, will also expose the County to payment of the owners’ attorney’s fees under Cal. Civ. Proc. Code section 1036.

Accordingly, Lamar would ask the County to deny the Proposed Ordinance, and instead work with Lamar to upgrade its billboards and beautify the County.

Very truly yours,



Theodore K. Stream, of  
STREAM KIM HICKS  
WRAGE & ALFARO, PC

TKS:jm

cc: Client

Commissioner Iver Skavdal ([skavdalz11@gmail.com](mailto:skavdalz11@gmail.com))  
Commissioner Thomas Mulder ([hrh707@outlook.com](mailto:hrh707@outlook.com))  
Commissioner Noah Levy ([noah@landwaterconsulting.com](mailto:noah@landwaterconsulting.com))  
Commissioner Lonyx Landry ([lonyx.landry@humboldt.edu](mailto:lonyx.landry@humboldt.edu))  
Commissioner Peggy O’Neill ([peggyoneill1953@gmail.com](mailto:peggyoneill1953@gmail.com))  
Commissioner Brian Mitchell ([mrbbrian707@gmail.com](mailto:mrbbrian707@gmail.com))  
Commissioner Sarah West ([srhawest@gmail.com](mailto:srhawest@gmail.com))



Oct. 18, 2023

Humboldt County Planning Commissioners  
Sent via email to [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us)

Re: Draft Sign Ordinance

Dear Commissioners,

I am writing on behalf of Humboldt Waterkeeper, which was launched in 2004 with a mission to safeguard coastal resources for the health, enjoyment, and economic strength of the Humboldt Bay community through education, scientific research, and enforcement of laws to fight pollution.

We have advocated for many years for better regulation of off-site billboards, digital signs, and lighting, particularly in unincorporated areas of the County in close proximity to Humboldt Bay, Elk River, and other coastal areas. We are thrilled to see that the policies, standards, and implementation measures adopted in the 2017 General Plan to protect our scenic views, night skies, sensitive habitats, and scenic areas from signage for advertising and other commercial uses of public spaces will finally be enacted by County ordinance. In particular, we support the prohibition on new digital and off-premise signs, protections for wetlands and other sensitive habitats during maintenance related to existing signs, and lighting requirements to protect the night sky for stargazers, people trying to sleep, and migrating birds, bats and other wildlife.

The lighting standards in the draft ordinance are weak and we recommend strengthening them, particularly in the Coastal Ordinance. After Planning Commission deliberation at numerous General Plan Update hearings, it became clear that the Dark Sky Society policies for protecting the night sky were wildly popular, gaining strong support from Commissioners Dennis Mayo, Ralph Faust, and everyone in between them, spanning the political spectrum.



600 F Street, Suite 3 #810  
Arcata, CA 95521  
(707) 499-3678  
[www.humboldtwaterkeeper.org](http://www.humboldtwaterkeeper.org)



We strongly recommend that the County consider the policies adopted by the City of Eureka and approved by the Coastal Commission. Below is an excerpt of the City's sign ordinance, LCP-1-EUR-20-0072-2 that was approved by the Coastal Commission last year (the complete language is available at <https://documents.coastal.ca.gov/reports/2022/7/w11a/w11a-7-2022-exhibits.pdf>):

**Brightness (p. 27):**

- During daylight hours between sunrise and sunset, luminance is limited to 10,000 nits. At all other times, luminance is limited to 500 nits.
- Digital signs may produce no more than 0.3 foot-candle of light when measured from the distance using the following formula: Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change.

This language is more specific, enforceable, and protective than what is in the draft County Ordinance before you at 87.3.3.7.1.6: "Lighting shall use the **lowest light level necessary** and **when feasible** lighting should be on demand or shall only operate between sunrise and sunset or 30 minutes after closing, whichever comes first."

**Illumination (p. 31):**

The light source for externally illuminated signs must be positioned so that light does not shine directly on adjoining properties, and for signs located in the Coastal Zone, any environmentally sensitive habitat area or wetlands.

This language is again more specific, enforceable, and protective than what is in the draft County Ordinance before you at 87.3.3.7.1.5 "The light source for externally illuminated signs must be shielded and positioned so that light is only directed at the face of the sign and does not spill beyond where it is needed."

We also support the seven-year buyout period for phasing out billboards on a case-by-case basis to be determined by the County, but would much prefer to see the phase-out of all billboards that are not consistent with the new regulations, as was proposed in the draft ordinance we reviewed back in June, which said in part,

87.2.7.7 Off-premise signs not consistent with the above regulations shall be removed within 15 years from the effective date of this ordinance. Upon the expiration of the designated time period, the permit holder shall be required to remove the off-premise sign structure and restore the site to its original condition within 30 days...

Thank you for your consideration. We appreciate the opportunity to comment on this matter.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Kalt". The signature is written in a cursive, flowing style.

Jennifer Kalt, Executive Director  
[jkalt@humboldtwaterkeeper.org](mailto:jkalt@humboldtwaterkeeper.org)

**From:** [Jess O](#)  
**To:** [Planning Clerk](#)  
**Subject:** sick of billboards!  
**Date:** Wednesday, October 18, 2023 8:53:05 AM

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Dear planning clerk,

As an Arcata resident since 1987, I'm glad to see the lack of billboards blocking the beautiful Humboldt Bay.

Now it's time to get rid of the rest of them!

Please vote to remove the current billboards, block digital billboards, buyout the existing ones and please don't allow their lights to screw up our view of the night sky.

If you want billboards go to LA or the Bay area where EVERYWHERE is polluted with ugly billboards. Humboldt is better off without them.

Thanks so much for listening!

Sincerley,

JEss O'Brien  
Arcata, CA

**McClenagan, Laura**

---

**Subject:** FW: Billboard feedback

-----Original Message-----

From: Julie Fulkerson <juliefulkerson@mac.com>

Sent: Wednesday, October 18, 2023 7:58 AM

To: COB <COB@co.humboldt.ca.us>

Subject: Billboard feedback

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hardworking Planning Commissioners!

Please do everything you can to restrict, limit, reduce, eliminate bill boards from our extraordinary Redwood, Wild River, Humboldt Bay, Pacific Ocean and Rich Agricultural lands.

The blight damages impressions of first time visitors and have little value to local drivers...if anything, they are a safety hazard.

Thank you so much,

Julie Fulkerson

2614 L Street

Eureka

but formerly of Trinidad and Arcata.

I know the backroads to avoid billboard blight, but not everyone does.



**McClenagan, Laura**

---

**Subject:** draft billboard ordinance

**From:** Mary Gearheart <[msgheart@gmail.com](mailto:msgheart@gmail.com)>

**Sent:** Wednesday, October 18, 2023 4:19 PM

**To:** COB <[COB@co.humboldt.ca.us](mailto:COB@co.humboldt.ca.us)>

**Subject:** draft billboard ordinance

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

I served on the county planning commission for 19 years because I thought it was important to get an updated General Plan that reflects the values of the majority of today's Humboldt County residents. Of all the discussions we had over the years, the one on the urgency and importance of a strong billboard ordinance that would protect the natural scenic beauty and sensitive habitat areas of our County stands out in my memory. Even though we as a commission very seldom had a unanimous vote on most items, when the discussion came up to protect Coastal Scenic View areas, wetlands and riparian areas from billboards, the vote was unanimous. I think the ordinance should also certainly prohibit all digital billboards, have sufficient lighting requirements and include phase-out of all existing billboards that do not meet the new ordinance regulations. Thank you for your time and consideration of these points. A strong billboard and sign ordinance is long overdue. Mary Gearheart

--

**McClenagan, Laura**

---

**Subject:** Proposed Sign Ordinance hearing Oct 19

**From:** Michele McKeegan <[mikeymcke@gmail.com](mailto:mikeymcke@gmail.com)>

**Sent:** Wednesday, October 18, 2023 4:08 PM

**To:** COB <[COB@co.humboldt.ca.us](mailto:COB@co.humboldt.ca.us)>

**Subject:** Proposed Sign Ordinance hearing Oct 19

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

To the Planning Commission:

As head of Keep Eureka Beautiful, I want to urge you to take this opportunity to create a billboard ordinance with real teeth

Surveys show that an overwhelming majority of Americans feel that billboards are not just intrusive but off putting. Historically some in the business community have seen them as good marketing tools but with more and more Americans relying on Google searches to find whatever they are looking for, even this rationale shrivels,

Humboldt County has some of the loveliest scenery in the state and the presence of billboards mar this natural beauty just as they contribute to the ugly jumble of signs in our cities. They have no good role to play.

Thank you for considering this and thank you for your service to our County,

Michele McKeegan

**From:** [Richard Salzman](#)  
**To:** [Planning Clerk](#)  
**Cc:** [Hayes, Kathy](#)  
**Subject:** Billboards  
**Date:** Tuesday, October 17, 2023 2:42:59 PM

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**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Planning Department,

Thank you for considering our view-sheds, our night sky, and the safety of us all by putting these common sense restrictions on the billboards that pollute our highways and distract already distracted drivers.

Thank you!!

----

Richard Salzman  
1751 Charles Ave  
Arcata CA 95521  
+1.707.822.5500 /voice  
+1.707.845.3700 /text  
+1.707.825.6600/fax

[richard.w.salzman@gmail.com](mailto:richard.w.salzman@gmail.com)

[RichardSalzman.com](http://RichardSalzman.com)

**From:** [Sam](#)  
**To:** [Planning Clerk](#)  
**Subject:** Billboards Ordinance Comment  
**Date:** Tuesday, October 17, 2023 7:45:46 PM

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**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Board of Supervisors and Planning Commission,  
I support the removal of all billboards on the 101 Corridor between Eureka and Arcata and the policy to phase out existing billboards in wetlands in Humboldt by buying out the leases and to prohibit all billboards in the wetlands and along the entire Humboldt Bay viewshed and north of Arcata along 101 at the Arcata bottoms. The value of an on spoiled natural view shed is far higher than advertising revenues, and will continue to make this area a gem destinations for visitors. When we have so much incredible natural beauty to share that Is the main thing that brings people here, We need a long-term plan to protect the natural beauty here and billboards do just not fit into this plan. Some of our most beautiful views that tourists will want to take pictures of to send around the world can have unsightly billboards ruining the whole thing And making a terrible statement about our concern for the environment. Thank you , Sam Neuwirth resident of Bayside since 1981.

## Draft Sign Ordinance Webinar 6.29.23

- Jen Kalt:
  - The language in 87.2.7.5 regarding the public agency jurisdiction or expressly authorized by such public agency
  - Signage needs to be directly related to public agency
  - Off premise billboards should be restricted to 300 square feet based on general plan standards
  - Has issue with mapped sensitive habitat areas (need to be updated)
  - Could 87.2.8.1.5 consider being stronger or have time requirement, or follow dark sky initiative
  - Also is 50 feet enough?
  - IM5 for lighting on signs
  - Possibly strengthen coastal scenic designation in LCP's
- Caroline Griffith
  - Scenic highway designation and how will that impact the approval of new off-premise signs

## Draft Sign Ordinance Webinar 7.6.23

- Geoff Wills:
  - 6 foot req on property sale sign seems small, and 15 sq ft for commercial property sale signs should be increased (4x8)
  - Many commercial properties have signage that goes over aggregate
  - Quantity on appurtenance table should be 2 instead of 1 and sizes should be updated
  - Eureka natural foods has a 90 sq ft monument sign
  - There shouldn't be any regulation on letter height because that would be regulating content
  - Standard sign sheet is 4x8 and should be the maximum
  - Wall signs should be limited by square footage and not quantity
  - Monument signs should be more lenient since they are nicer than pole signs
  - Short sighted to ban digital signs, because this helps local businesses explain who they are and what they offer, there should at least be a permit pathway
  - Special permit fees are excessive, what is the price? \$1400 w/ out hearing and \$3200 w/ hearing
    - Should discuss permit costs with City of Eureka
- Larry Doss
  - 32 sq ft is customary size for for sale signs, like farm stands and commercial businesses

- For sale signs may be too small
- Sq ft should not be included for directional signs that a business may utilize
- Sign Distance to residential neighborhoods is too restrictive and should be okay to have a digital sign
- Maybe allow digital signs on busy streets or highways, this is safer for employees that may need to use ladders to change and is simpler for business owners to change
- Does not like the ban on roof signs
- Alissa Woods
  - Agrees with everything Geoff and Larry said