

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings; Meeting on April 9, 2024

Resolution No. 24-42

Resolution of the Board of Supervisors of the County of Humboldt MAKING THE REQUIRED FINDINGS TO ADOPT THE INLAND SIGN ORDINANCE CONSISTENT WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. RECORD NUMBER PLN-2023-18011

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, amending the Zoning Ordinance to update the sign regulations was initiated to implement the 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, starting on Thursday October 19, 2023, the Humboldt County Planning Commission at a noticed public hearing began consideration of a draft sign ordinance; and

WHEREAS, the Planning Commission considered and deliberated the components of the sign ordinance over the course of six meetings (October 19, 2023, November 2, 2023, November 16, 2023, December 14, 2023, January 18, 2024, and February 15, 2024); and

WHEREAS, on February 15, 2024, the Humboldt County Planning Commission made a recommendation to the Board of Supervisors to adopt the proposed draft Coastal Sign Ordinance; and

WHEREAS, on Tuesday, March 26, 2024, a Notice of Public Hearing on proposed zoning amendments regarding signs was published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, for the Board of Supervisors meeting of April 9, 2024; and

WHEREAS, the Humboldt County Board of Supervisors held a public hearing on the Sign Ordinance on April 9, 2024; and

WHEREAS, this ordinance is adopted to regulate installation of new signage and will be applicable to signage installed on or after the effective date of the ordinance. The intent

is not to label existing signage as illegal. Existing permitted signage not in compliance with a newly adopted ordinance is by definition, legal non-conforming signage, these are legal signs. For other existing signage that was not permitted, the County will not be pursuing these signs as illegal signs.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors makes all the following findings:

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

1. FINDING: The proposed zoning amendment is exempt from environmental review under the California Environmental Quality Act (CEQA).

- EVIDENCE:**
- a) CEQA Guidelines section 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and section 15311 (Accessory Structures) exempt activities and structures from further environmental review. Appurtenant signs will either be attached to existing structures or will be freestanding accessory structures. The Ordinance will not allow new offsite billboards and prohibits reconstruction of fallen/destroyed billboards in sensitive environmental habitats.
 - c) The ordinance establishes performance standards and procedures which enhance and protect the environment.

PUBLIC INTEREST.

2. FINDING: It is in the public interest to adopt a sign ordinance that provides clear procedural and regulatory standards in keeping with protection of the scenic values of Humboldt County while also encouraging appropriate signage to encourage commerce. The sign ordinance has been written to accomplish these goals which are in the public interest.

- EVIDENCE:**
- a) The proposed ordinance would create clear permitting procedures, guidance for reconstructing existing billboards, specified performance standards for principally permitted signs and create a more streamlined review of proposed signage in all zones.
 - b) Proposed regulations will impose limitations on lighting, which protects dark skies, and pedestrian and vehicular traffic through distraction or excessive lighting. To this end the sign ordinance restricts the type of lighting and changeable digital displays.

- c) The ordinance provides clear performance criteria and signage which complies with those criteria is approved ministerially (no discretionary permit required.) Signage which does not comply with that criteria can be approved through a discretionary process.
- d) The ordinance includes provisions for creative signs designed to capture unique designs that cannot be envisioned within an ordinance.
- e) The ordinance includes provisions to allow temporary and window signage to allow businesses to advertise special events, grand openings, and special sales.

3. FINDING:

The Sign ordinance is consistent with the General Plan. Applicable policies and measures of the Conservation and Open Space Element, Chapter 10 of the General Plan include:

SR-G1 Conservation of Scenic Resources

SR-P3 Scenic Highway Protection

SR-P4 Term of Off-Premise Billboards and Prohibition

SR-P5 Billboards in Sensitive Habitat Areas

SR-S3 New Off-Premise Billboards

SR-S5 Permits for Billboards

SR-S6 Scenic Highway Map

SR-IM2 Sign Ordinance Revision.

- EVIDENCE:**
- a) Implementation Measure SR-IM2 calls for an update of the sign ordinance to implement the adopted policies of the General Plan and to ensure signage is compatible with the community. The sign ordinance has been drafted to implement the General Plan Policies to regulate billboards and to address community compatibility by creating performance standards and a clear process for allowance of signage.
 - b) Goal SR-G1 calls for 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. The proposed ordinance provides regulations that protect these scenic

resources by prohibiting new offsite billboards, limiting where existing billboards can be reconstructed, and by setting criteria for placement of signs.

- c) Policy SR-P4 calls for limiting 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 ordinance is consistent with the Outdoor Advertising Act, setting parameters for maintenance and limited replacement of signs and advising of the process if the County chooses to purchase a sign to see it removed.
- d) New billboards are prohibited consistent with the Scenic Highway Guidelines of the General Plan. Standard SR-S6 provides that until such time as a General Plan Scenic Highway Roadway Map is prepared and adopted, Humboldt County Highways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code shall be considered Scenic Highways. Policy SR-P3, Scenic Highway Protection, calls for protection of the scenic quality of designated Scenic Highways for the enjoyment of natural and scenic resources, coastal views, landmarks, or points of historic and cultural interest. The ordinance does not allow placement of new billboards consistent with these provisions.
- e) Policy SR-P5 prohibits construction of billboards in mapped sensitive, habitat areas. The proposed ordinance would not allow restabilizing billboards for which the economic usefulness has been lost in sensitive habitats. To ensure protection of these areas, placement activities for existing billboards are regulated to ensure that work consisting of expansion or added impacts will not negatively impact a sensitive habitat. New billboards are not allowed in these environments.
- f) Standard SR-S3 restricts new off-premise billboards to a maximum term of 15 years and limits them to areas designated as Commercial Services or Industrial General. The term limit for billboards is accompanied by Standard SR-S5, which requires a Conditional Use Permit for the construction of billboards. The proposed ordinance does not allow new billboards and sets a 15-year term limit where billboards need to be reconstructed.

4. FINDING:

The adoption of the sign ordinance will 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. The proposed ordinance will not in any way

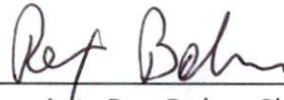
limit the number of housing units which may be constructed on an annual basis.

- EVIDENCE:** a) The Sign Ordinance does not affect residential density. The sign ordinance does not allow off site signage which if placed on residential parcels could incentivize maintaining the billboard rather than residential development.
- b) The signage allowed by the ordinance is primarily accessory to developed sites which does not have the potential to affect density.

NOW, THEREFORE, based on the findings adopted above, the Humboldt County Board of Supervisors does hereby:

1. Adopt the Inland Sign Ordinance.

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on April 9, 2024, by the following vote:



Supervisor Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Wilson, Seconded by Supervisor Madrone, and the following vote:

AYES: Supervisors: -- Wilson, Madrone, Arroyo
NAYES: Supervisors: -- Bohn, Bushnell
ABSENT: Supervisors: --
ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

A handwritten signature in blue ink, appearing to read "Nikki Turner", is written over a horizontal line. The signature is stylized and cursive.

NIKKI TURNER
Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California