

Resolution of the Humboldt County Board of Supervisors
Making Required Findings for Adoption of the
Sign Ordinance in the Coastal Zone
Title III, Division I, Chapter 3 of the Humboldt County Code

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on April 9, 2024.

Resolution No. 24-___ Resolution of the Board of Supervisors of the County of Humboldt MAKING THE REQUIRED FINDINGS TO ADOPT THE COASTAL SIGN ORDINANCE. THE COASTAL SIGN ORDINANCE IS STILL SUBJECT TO CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION BEFORE BECOMING AN EFFECTIVE. RECORD NUMBER PLN-2022-18011.

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 Ordinance Amendment was developed to achieve consistency with the requirements of the Coastal Act, to meet the needs of County residents as determined through workshops and comments, and to incorporate recommendations of the California Coastal Commission; 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) Public Resources Code Sections 21080.5 and 21080.9 and Section 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 Plan or Program.
 - b) The Coastal Zoning Ordinance of which the Coastal Sign Ordinance is a part is an implementing program of the Local Coastal Plan.
 - 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 does not endanger 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.

CONSISTENCY WITH THE GENERAL PLAN AND STATE LAW.

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 which the economic usefulness has been lost in sensitive habitats. To ensure protection of these areas, operators will be prohibited from placement activities on existing billboards 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.

CONSISTENCY WITH THE COASTAL ACT.

5. FINDING: The proposed sign ordinance is consistent 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:** Signage that would restrict public access is not allowed by the ordinance. Signage that facilitates public access to the Coast can be

permitted under the ordinance. The ordinance is consistent with the access provisions of the Coastal Act.

- b) **Recreation:** Signage that would conflict with public recreation areas is not allowed by the ordinance. Signage that facilitates coastal recreation can be permitted under the ordinance. The ordinance is consistent with the recreation provisions of the Coastal Act.
- c) **Marine Resources:** The sign regulations are written to protect marine resources by not allowing construction or reconstruction of signage in environmentally sensitive areas.
- d) **Land Resources:** The ordinance does not allow offsite signs thus not allowing signage in environmentally sensitive habitats, agricultural lands, timberlands, or sites with archaeological resources.
- 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.

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

1. Adopt the Coastal Sign Ordinance.

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

Adopted on motion by Supervisor _____, seconded by Supervisor _____ and the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

_____, Chair

Rex Bohn
Humboldt County Board of Supervisors
STATE OF CALIFORNIA)) SS. County of Humboldt