

**FROM THE PLANNING COMMISSION MINUTES OF FEBRUARY 23, 2012**

Prior to the beginning of the Public Hearing portion of the meeting, Chair Pratt announced that they did not have a full Commission today, although they did have a quorum to make decisions. He stated that Commissioner Rain had significant health issues in his family and would not be present for today's hearing. Historically, the Commission, as a courtesy, has allowed applicants before the Commission to request their item be continued to be heard by a full Commission. That request must be made before the item is started. Once the hearing is started, the applicant may not request a continuance on the grounds of not having a full Commission. At this time, they are aware that they will not have a full Commission at the next hearing, so the earliest that there may be a full Commission would be at the March 22, 2012, hearing.

**10. SPECIAL USE PERMIT**

c. Appeals submitted by DYANA ANDERLY and GARY & KILEEN WARDLAW of the claim made by the applicant that the permit was "deemed approved" on December 30, 2011 due to the alleged failure of the County to meet statutory time limits pursuant to the California Permit Streamlining Act (Government Code Section 65920 et. seq.) of **Special Use Permit S11-0005/Mother Lode Drive Off-Premise Advertising Sign AND** to consider said Special Use Permit submitted by JOHN DAVID PEREIRA to construct a lighted 14 ft. by 48 ft. (672 sq. ft.) off-premises advertising sign on property identified by Assessor's Parcel Number 090-430-15, consisting of 0.46 acre, and is located on the north side of Mother Lode Drive, approximately 1,000 feet east of the intersection with South Shingle Road along the south side of U.S. Highway 50, in the Shingle Springs area, Supervisorial District 4. *[Project Planner: Aaron Mount]* (Negative Declaration prepared)\* *[Conceptual motion made on 2/9/12 and continued to 2/23/12 meeting]*

Aaron Mount summarized the Commission's conceptual action taken at the February 9, 2012 meeting and presented the Staff Memo dated February 22, 2012 which identified Findings for Denial.

John Pereira/applicant stated that his comments made during public testimony for S11-0004 were the same for S11-0005.

Chair Pratt opened the item to the Public for comments on the Findings for Denial.

Robert Wheatley, representing appellants Gary and Kileen Wardlaw, felt the Findings were appropriate and disagreed with Mr. Pereria's comments on having a building built on the proposed site, as stated during public testimony for S11-0004.

Commissioner Mathews felt that the Findings for Denial reflected what the Commission wanted and were accurate.

No further discussion was presented.

**Motion: Commissioner Mathews moved, seconded by Commissioner Heflin, and carried (4-0), to take the following actions: 1. Uphold the appeals; 2. Deny S11-0005 based on the Findings presented in the Staff Memo dated February 22, 2012; 3. Reject the Negative Declaration; and 4. Find that the project is Statutorily Exempt from CEQA.**

**AYES: Tolhurst, Heflin, Mathews, Pratt**  
**NOES: None**  
**ABSENT: Rain**

*[Clerk's Note: During the hearing of Item 10.d/S11-0006, County Counsel Paula Frantz notified the audience that the Commission had inadvertently not announced at the end of the motions for Items 10.b/S11-0004 and 10.c/S11-0005 that the action could be appealed to the Board of Supervisors within 10 working days.]*