

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
BOARD OF SUPERVISORS
STAFF REPORT**



Agenda of: August 7, 2012

Staff: Roger Trout

SPECIAL USE PERMIT REVISION

FILE NUMBER: S11-0004-R/Sunset Lane Off-Premise Advertising Sign

APPLICANT: John David Pereira, Esq.

ENGINEER: John S Weaver

PROPERTY OWNER: Chris G. Fusano Revocable Trust

REQUEST: Consideration of a revision to Condition No. 2 of Special Use Permit S11-0004 that authorized the construction of an off-premise advertising sign (billboard) consisting of two sign faces each 480 square feet in size, for a total sign area of 960 square feet. Condition No. 2 established an expiration date for the Special Use Permit of June 30, 2019.

LOCATION: On the north side of Sunset Lane, approximately 600 feet east of the intersection with Mother Lode Drive, in the Shingle Springs area, Supervisorial District 4. (Exhibit A)

APN: 090-430-09 (Exhibit B)

ACREAGE: 1.22 acres

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: General Commercial (CC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Previously Adopted Negative Declaration

RECOMMENDATION: Staff recommends the Board of Supervisors take the following actions:

1. Find that pursuant to Section 15162 of the CEQA Guidelines no subsequent Negative Declaration shall be prepared for the project; and
2. Approve Special Use Permit Revision S11-0004-R removing Condition 2, as well as minor corrections to some conditions for clarification only, as listed in Attachment 1, based on the Findings listed in Attachment 2.

STAFF ANALYSIS

This is a proposed Revision to S11-0004 and has been prepared for consideration by the Board of Supervisors at the public hearing on August 7, 2012. The original Staff Report was prepared for the Planning Commission public hearing of February 9, 2012. The Board of Supervisors File ID is 12-0368 and contains the original report and subsequent related memoranda, appeals, and other documents.

The Board file may be found online at: <http://eldorado.legistar.com/Calendar.aspx>.

A. Reason for Request:

The applicant, John David Pereira (Pereira or applicant), filed a lawsuit on January 31, 2012, against the County of El Dorado and the El Dorado Planning Commission (“County”) as well as certain individuals requesting the court to declare Title 17 of the County’s Zoning Ordinances for off-premise signs (“sign ordinance”) and the special use permit (“SUP”) process unconstitutional as prior restraint on Pereira’s free speech. The applicant sought damages of at least \$1,000.00 per day from August 1, 2011 until trial (estimated to be in late 2013). In addition, the applicant requested a preliminary injunction immediately declaring the sign ordinance and SUP process unconstitutional.

On March 27, 2012, the Board of Supervisors took action to conceptually approve S11-0004. Final approval and conditions were adopted on April 17, 2012. The building permit for the sign was issued on May 14, 2012 and “finaled” (fully installed and final inspection made) on July 13, 2012.

However, since March 2012, the County has been engaged in settlement discussions with the applicant for the Board’s action denying two other Special Use Permits (S11-0005 and S11-0006). The applicant wanted to provide additional information regarding those permits that would provide evidence to reverse the Board of Supervisors reasons for denial.

At the mediation, held on June 26, 2012, before the Honorable U.S. Magistrate Judge Newman, the parties entered into a Consent Agreement whereby the County agreed to hold this hearing to consider the applications, including any new information submitted by the applicant. At that mediation, the applicant agreed to have the Board consider signs that are reduced in size to

match that which staff had originally recommended, 480 square feet per sign face. If, after the hearing, the Board agrees to approve this application, approve the applications for S11-0005 (Mother Lode) and S11-0006 (Coach Lane) and amend the approval for S11-0004 (Sunset Lane) to delete Condition 2, the applicant agrees to dismiss his federal action with prejudice, and waive all monetary damages related to the processing of his three applications. If, after considering the applications, the Board denies the applications, the federal litigation shall proceed.

B. Revisions to Conditions:

The applicant has requested that Condition 2 that requires the sign to be removed in seven years (June 30, 2019) be deleted. It is understood that the County is now pursuing a new sign ordinance that may include amortization and removal of all lawful billboard signs. In that event, the applicant understands that this sign is bound by the same amortization schedule as other lawful signs that may be required to be removed under a new sign ordinance.

Staff originally recommended the condition since the County Sign Ordinance was not a priority for the Development Services Department and it was anticipated to be many years in the future for a comprehensive update of the Sign Ordinance. On May 8, 2012, the Board of Supervisors directed that the Department prepare a work plan and budget for updating to the sign ordinance and return to the Board for further action. Since the Sign Ordinance is now a priority, Condition No. 2 of S11-0004 is no longer as important as originally contemplated.

Staff also recommends minor corrections to some conditions for clarification only. Proposed conditions are in Attachment 2.

ENVIRONMENTAL REVIEW

An Initial Study and Negative Declaration (Environmental Checklist with Discussion attached) to determine if the project could have any potentially significant effects on the environment was certified by the Board of Supervisors on April 17, 2012. The Notice of Determination was filed the same day and the 30 day statute of limitations expired on May 17, 2012.

The proposed revision to remove Condition 2, which required the permit to expire on June 30, 2019, does not create any additional environmental impacts that were not identified in the Negative Declaration. The environmental evaluation did not consider any environmental benefit or impact from Condition 2.

It is staff's opinion that the Board can find that the Negative Declaration previously certified adequately discloses the effects of the project and demonstrates that the revision to S11-0004 does not create has no possible significant effect on the environment.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Number Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Site Plan
Exhibit F	Elevation and Sign Details
Exhibit G	Applicant-submitted Visual Simulations
Exhibit H	Applicant-submitted Existing Adjacent Signs
Exhibit I	General Plan EIR Exhibit 5.3-1
Exhibit J	General Plan EIR Table 5.3-1
Exhibit K	Applicant-submitted Project Description (three pages)
Exhibit L	Adopted Negative Declaration and Initial Study
Exhibit M	Written Submission by Applicant

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit Revision S11-0004-R/Sunset Lane Off-Premise Advertising Sign Board of Supervisors/August 7, 2012

Planning Services

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit ESite Plan

Exhibit F.....Elevation and Sign Details

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Approval of the Special Use Permit to allow the construction of an off-premise sign (billboard) consisting of two sign faces placed on a pedestal 32.5 feet high for a total height of 50 feet.

The off-premise sign shall be no larger than 480 square feet per sign face for a total of area of 960 square feet. No graphics, letters, extensions, or other additional display area is permitted beyond the permitted display area of 12' x 40' on either sign face.

- ~~2. This Special Use Permit is valid through June 30, 2019. If the applicant fails to apply for an extension of this permit at least 8 months prior to expiration, the Special Use Permit shall expire and be of no further force and effect. Within 60 days of expiration, the signs and structure shall be removed.~~

- ~~32. Expiration: Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.~~

- ~~43. Project Conformance: The applicant shall be responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the sign are ultimately the responsibility of the property owner. Project improvements shall be completed in~~

conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits listed in Condition of Approval 1 above. Minor variations are allowed, however, any major changes in any element of the approved project shall require review and approval by the Development Services Director. The Director shall decide if the changes can be approved administratively or will be reviewed by ~~the Zoning Administrator or the Planning Commission~~ through an amendment to this Special Use Permit. ~~This review shall always occur prior to any approved project modifications.~~

54. Prior to commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services for verification of compliance with applicable conditions of approval. The applicant shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
65. Lighting: All exterior lighting shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. External lights used to illuminate a sign or the side of a building or wall shall be shielded to prevent the light from shining off of the surface intended to be illuminated. Lighted signs shall not be blinking and shall be controlled so that visibility of vehicular traffic is not impaired, and objectionable glare is shielded from adjoining residential zones.
- Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
76. Moving signs or parts of signs shall not be allowed including light emitting diodes (LED).
87. The sign owner (lessee) and property owner (lessor) are responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the sign are the responsibility of the property owner and the sign owner.
98. All improvements associated with the off-premise sign shall be properly maintained at all times.
109. Hold Harmless Agreement: In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

- ~~1110.~~ If human remains are discovered at any time during the ~~subdivision-improvement~~ construction phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the ~~subdivider~~ applicant shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the ~~subdivider~~ applicant, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the ~~subdivider~~ applicant and shall be subject to review and approval by Planning Services.

ATTACHMENT 2

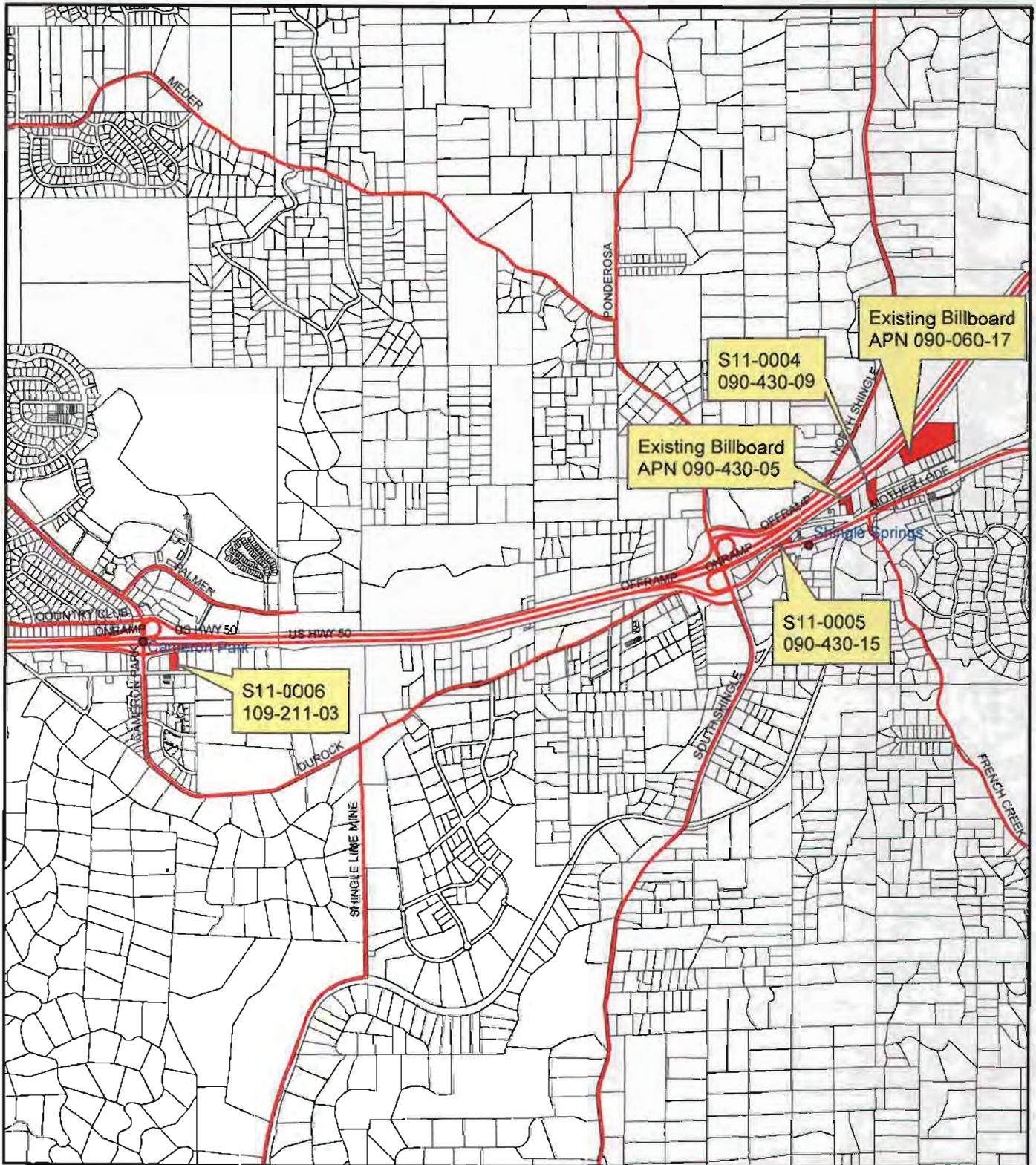
FINDINGS

Special Use Permit Revision S11-0004-R/Sunset Lane Off-Premise Advertising Sign Board of Supervisors/August 7, 2012

1.0 FINDINGS FOR REVISION

- 1.1 The proposed revision to S11-0004, removing a permit expiration date of June 30, 2012 does not conflict with any General Plan Policies, Zoning provisions, or any other provisions of local ordinances. The County is processing a comprehensive update to the County Sign Ordinance and may include provisions for removal and amortization of billboard signs. Should such an ordinance be adopted, this permit will be subject to the provisions of that ordinance just as any other lawful sign would. Therefore, the proposed revision to S11-0004, is consistent with the General Plan, Zoning, and does not create a significant impact on the environment.

Exhibit A: S11-0004, S11-0005, & S11-0006 Off-Premise Sign Locations



PLACENAMES

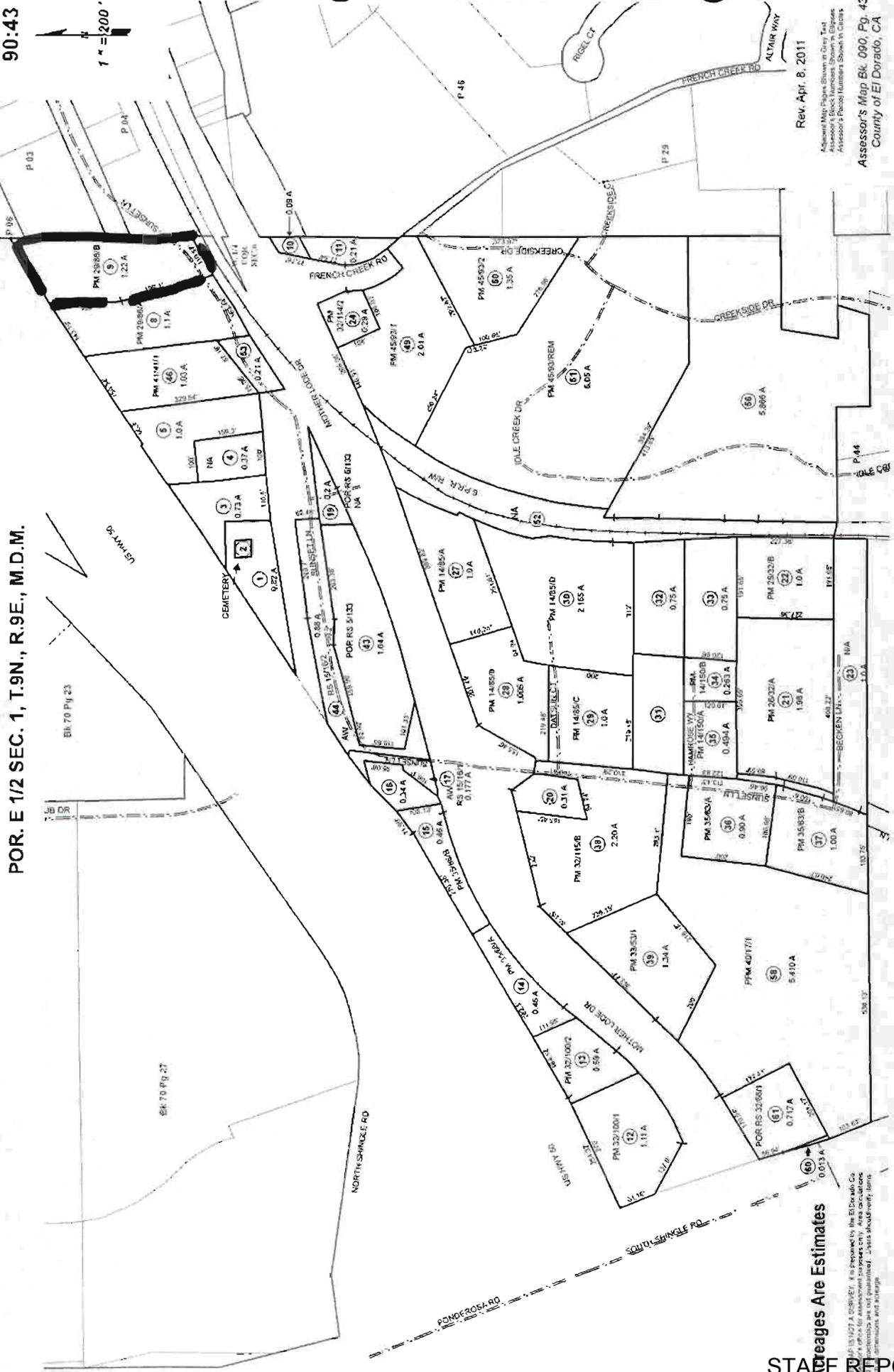
- major_roads
- Project Parcels
- prclbase

Prepared By:
 Aaron Mount
 El Dorado County
 Development Services

EXHIBIT B

90:43

1" = 200'

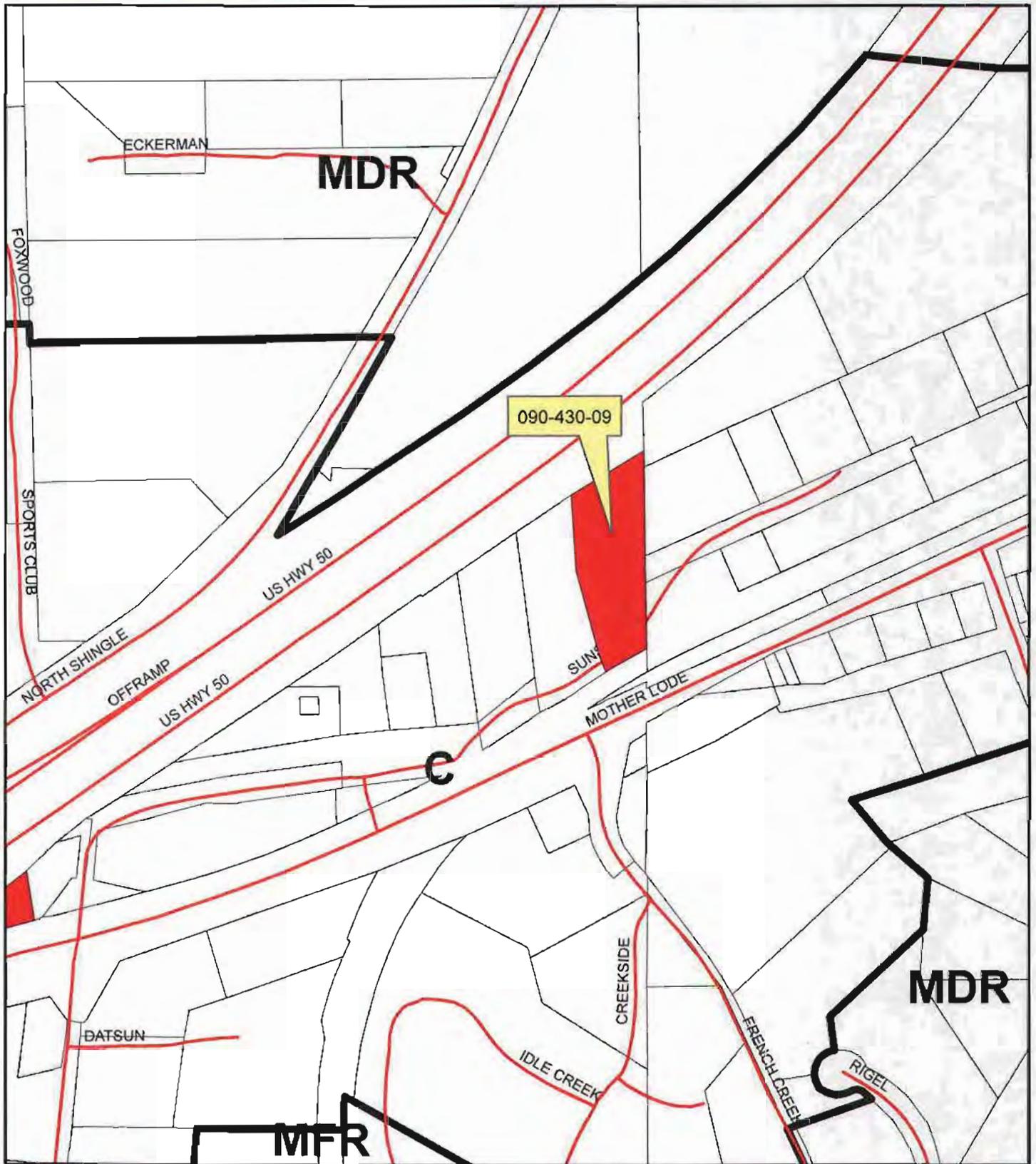


Rev. Apr. 8, 2011
 Assessor's Map Blk. 090, Pg. 43
 County of El Dorado, CA

POR. E 1/2 SEC. 1, T.9N., R.9E., M.D.M.

Averages Are Estimates

Exhibit C: General Plan Map

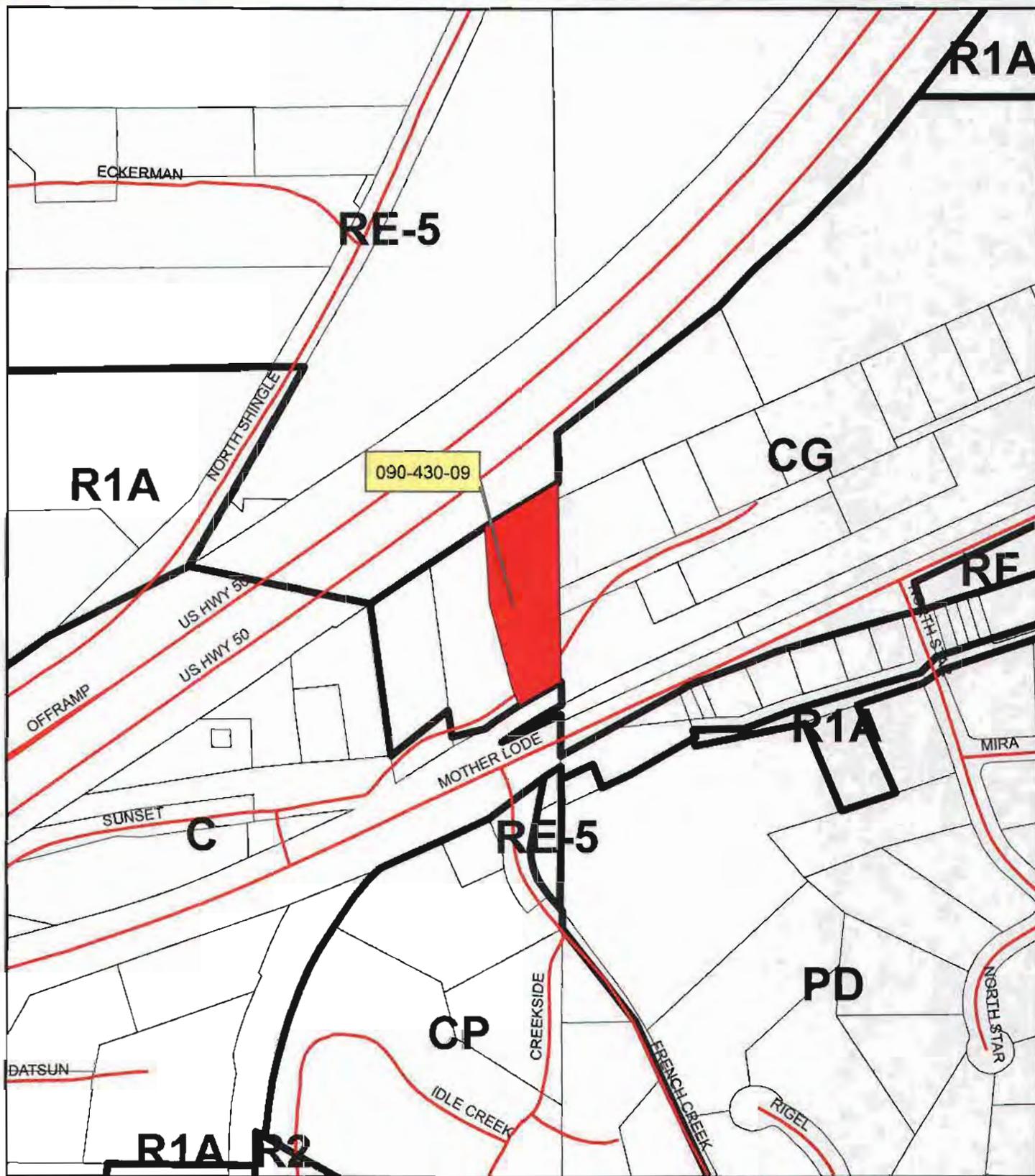


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S11-0004
Prepared By Aaron Mount

Exhibit D: Zone District Map

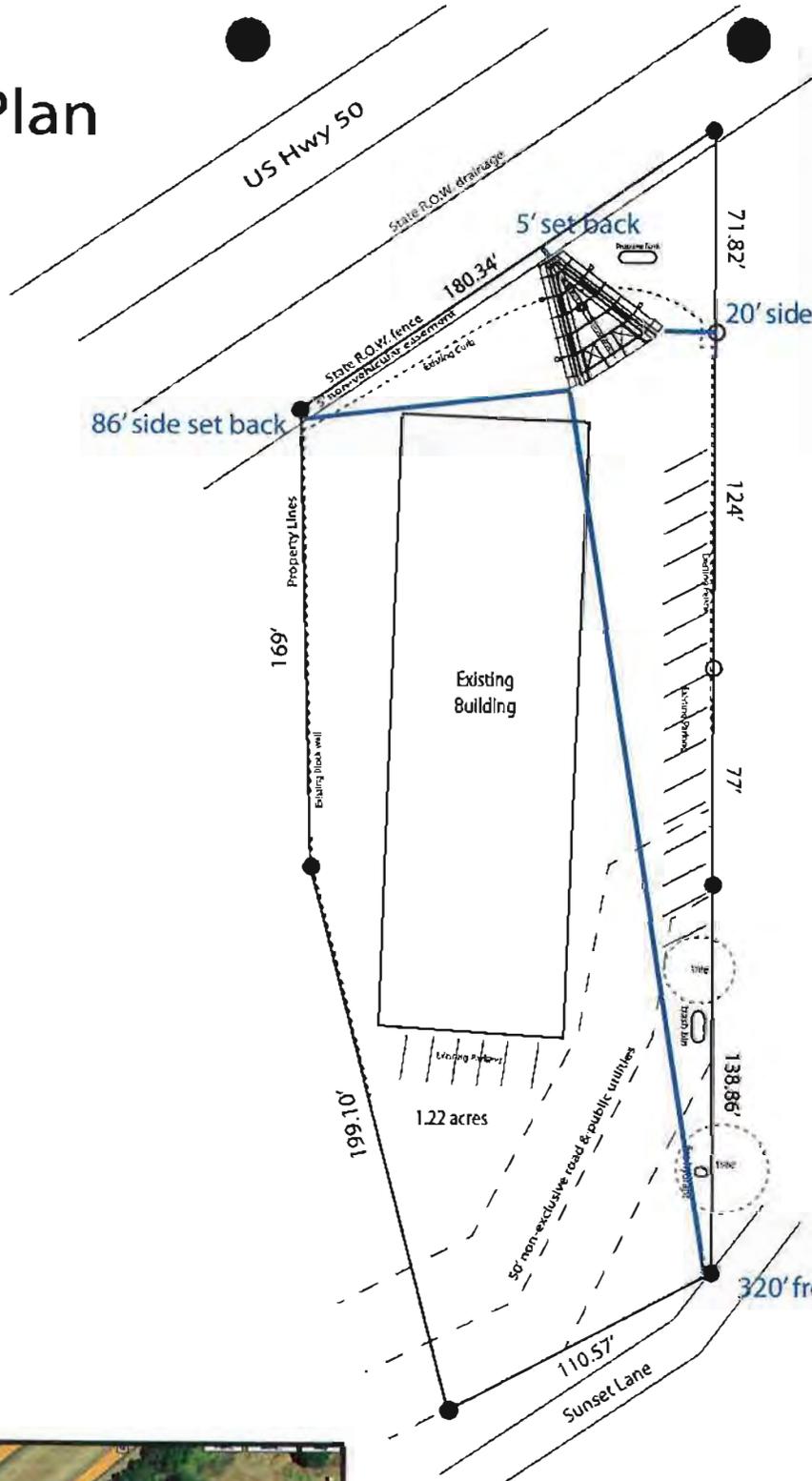


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S11-0004
Prepared By Aaron Mount

Site Plan



Scale: 1/8" = 8ft.



Site Plan Details:

Project name: Sunset Lane Sign
 Date: 4/1/11
 APN#: 090-430-09-100
 Zoning: CG
 Property Owner: Fusano Rev. Trust
 Address: 4241 Sunset Lane
 Shingle Springs, CA 95682
 Applicant: Law Office of John David Pereira
 3161 Cameron Park Dr. #210, Cameron Park, Ca 95682
 Lighting Per. El Dorado County Code 17.14.170 (Par.C, #3)

STAFF REPORT

EXHIBIT G

Sign Elevation - Photo Simulation
4241 Sunset Lane, Shingle Springs





Existing Pole Signs in the area (Including 2 Existing Off-site signs)

EXHIBIT H



Existing Off-Site Sign



Existing Off-Site Sign

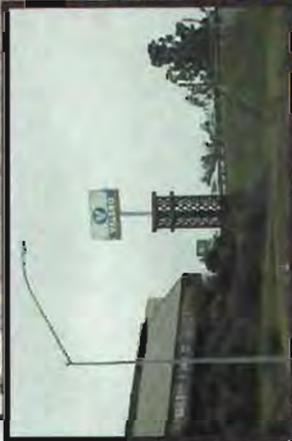
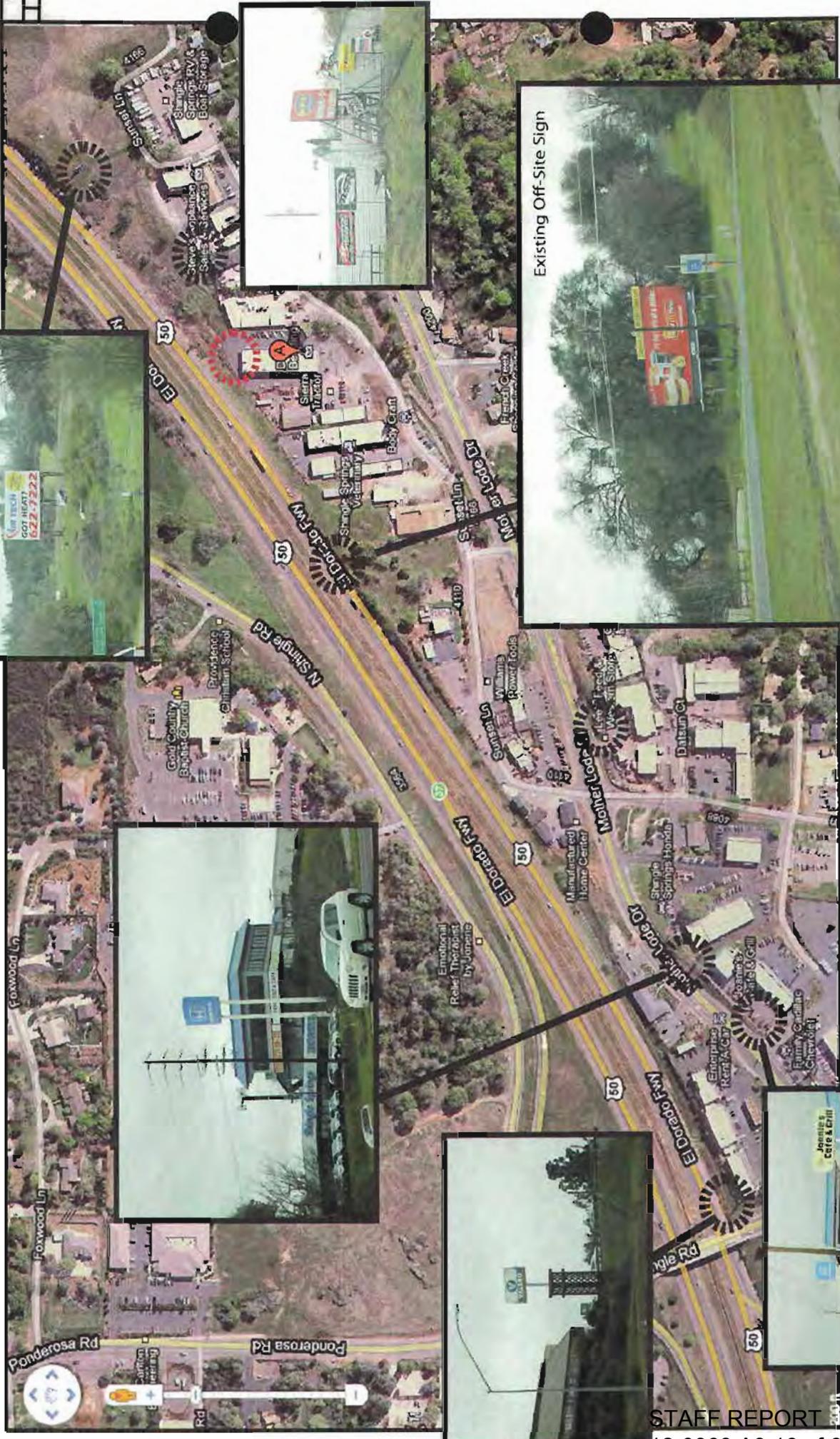


EXHIBIT H



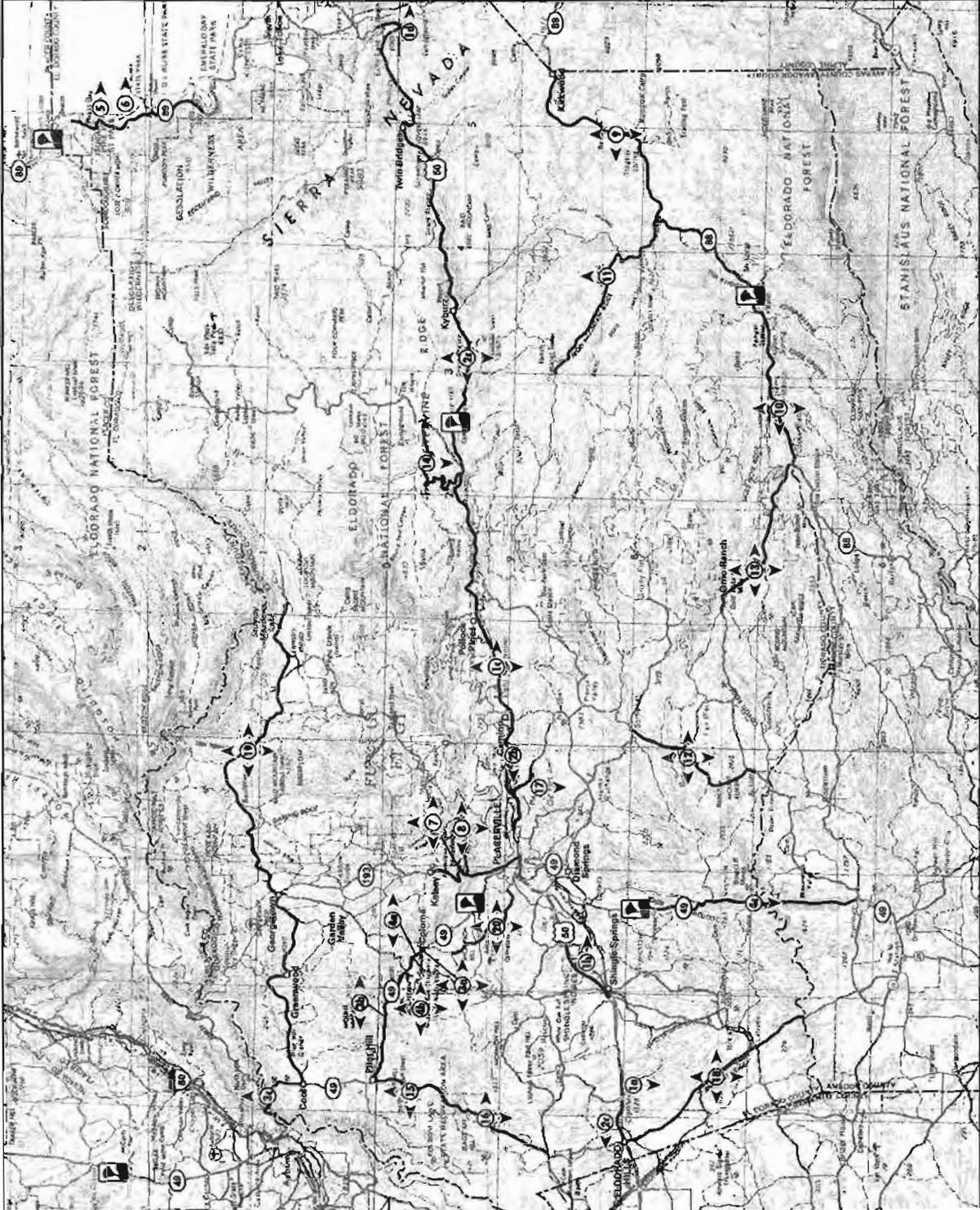
Proposed Use - 4241 Sunset Ln. **S 11-0004**

El Dorado County General Plan EIR
Scenic Viewpoints and Highways
within El Dorado County

LEGEND

-  Location Number*
-  Viewing Area
-  Viewpoint Directional Indicator
-  Caltrans-designated and Caltrans-eligible Scenic Highways

* Location Numbers correlate with Table 5.3-1.



Source: U.S.G.S. Chico (1970) and Sacramento (1970) 1:250,000 Scale



1 Inch = 5 Miles



May 2003

LD&W

Exhibit 5.3-1

**Table 5.3-1
Important Public Scenic Viewpoints**

Viewpoint	Location No. ¹	Location	Direction	Scenic View or Resource ²
Highways				
U.S. 50 westbound	1a	East of Bass Lake Road	South	Marble Valley (V)
	1b	Between South Shingle Road/ Ponderosa Road interchange and Greenstone Road	East	Crystal Range (V)
	1c	East of Placerville, various locations (state-designated scenic highway)	East, north, and south	Sierra Nevada peaks (V), American River canyon (V,R), lower Sierra Nevada ridgelines (V)
	1d	Echo Summit	East	Christmas Valley (V), Lake Tahoe (V,R)
U.S. 50 eastbound	2a	Between Echo Summit and Placerville (state-designated scenic highway)	West, north, and south	American River canyon (V,R), Sacramento Valley (V), lower Sierra Nevada ridgelines (V), Horsetail Falls (R)
	2b	Camino Heights	West	Sacramento Valley (V)
U.S. 49 northbound	2c	Bass Lake Grade	West	Sacramento Valley (V)
	3a	Coloma	All	Historic townsite of Coloma (Marshall Gold Discovery State Historic Park) (R)
	3b	Marshall Grade Road to Cool	East and west	Coloma Valley (V), American River (V,R), ridgelines (V), rolling hills (V)
U.S. 49 southbound	3c	North of Cool Quarry	North	Middle Fork American River Canyon (V,R)
	4a	Pedro Hill Road to Coloma	East and west	Coloma Valley (V), American River (V,R), Mt. Murphy (V,R), rolling hills (V)
	4b	Coloma	All	Historic townsite of Coloma (Marshall Gold Discovery State Historic Park) (R)
	4c	South of Crystal Boulevard	East and south	Cosumnes River canyon (V), ridgelines (V)

EXHIBIT K

LAW OFFICES OF JOHN DAVID PEREIRA

John David Pereira

3161 Cameron Park Drive, Suite 210
Cameron Park, CA 95682

Telephone (530) 672-9577

Facsimile (530) 672-9579

March 31, 2011

El Dorado County Development Services
2950 Fairlane, Building C
Placerville, CA 95667

Re: Application for Special Use Permit:
APN: 090-430-09-100

Dear Development Services:

Please permit this correspondence to serve as a letter of justification for the attached Application for Special Use Permit for a 14 x 48 off-premise sign for commercial and noncommercial purposes.

El Dorado County business and infrastructure has long suffered lower level tax revenue from tourist business because of an inability to communicate to travelers using US Highway 50 that El Dorado County has so much to offer. This loss of business revenue also translates into lost tax revenue from sales and income taxes. The question has always been: how can El Dorado County capitalize from the Bay Area to Tahoe traffic?

Applicant proposes the placement of one 14' x 48' sign for commercial and non commercial use as depicted on the attached site plan. This sign will serve the El Dorado County community and surrounding areas by calling attention to El Dorado County business interests such as Apple Hill, Downtown Placerville, and, going west, to the Shingle Springs / Cameron Park Communities and El Dorado Hills.

The proposed sign will be located in an area zoned as Commercial. El Dorado County Ordinance 17.16.120 governs Off Premises Signs in commercial zones. Under that section, off premises signs, not otherwise regulated....may be established by special use permit upon the procedure set forth in Section 17.22. Prior to issuance, the zoning administrator must consider the location, size and display of the sign for compliance with the policies of the general plan land use element.

The standards for demonstrating consistency with the General Plan is set forth on the attached form provided by the Development Services Department. Section 17.22 was specifically implemented to provide for review and approval of development projects consistent with the Zoning Ordinance where limited review is required to ensure compatibility with adjacent land uses...and to protect the public health, safety, and welfare.

S 11-0004
STAFF REPORT
12-0368 A3 19 of 65

A Special Use Permit for this project should be approved because this Applicant can show it meets the requirements of Section 17.16.120, Section 17.22.325, and the General Plan.

1. CEQA Finding: This project does not involve any direct or reasonably foreseeable indirect damage to the environment because the subject property has already been developed and the sole intrusion into the earth is the digging of a hole into concrete to insert a pole.

SPECIAL USE PERMIT FINDINGS

2. The issuance of a special use permit is consistent with the General Plan. General Plan Policy, Plan Objectives # 1 recognizes the importance of economic development and a sustainable local economy. Such stability requires, in part, creating economic growth through business and thus additional tax revenue for sales.

The General Plan is a comprehensive document such that no single component should stand alone in the review and evaluation of a development project. Again, the project must be evaluated by its consistency with the goals, objectives, and policies of all the elements of the land use map.

General Plan Policy 2.5.2 [Commercial Facilities] provides for designation of lands to provide greater opportunities for El Dorado County residents to shop within the County. Providing a mechanism to alert El Dorado County residents and tourists to shop in Downtown Placerville or visit Apple Hill meets the goal of Policy 2.5.2 by introducing greater exposure to El Dorado County business and important County events.

General Plan Policy 2.6.1.1 provides for identification of Scenic Corridors in El Dorado County. As of the date of this Application, no El Dorado Scenic Corridor Ordinance has been prepared or adopted. Policy 2.2.1.2 provides that until a Scenic Corridor Ordinance is adopted, the County "shall review all projects within designated State Scenic Highway corridors for compliance with State criteria." Accordingly, Applicant has consulted with the California Department of Transportation Highway overlay and the Outdoor Advertising Act for compliance with State Law requirements. The subject property is not within any designated State scenic corridor. Attached to this Application is a copy of the Preliminary Review letter from the State Department of Transportation setting forth that the subject parcel is within an area where off-premise advertising is permitted and that a permit would be issued by the State of California. Therefore the subject project is consistent with General Plan Policy 2.6.

General Plan Policy 2.7 addresses signs. This policy contains no prohibition of signs in non-scenic corridors. Instead, the stated Policy Objective is to regulate the location, number and size of highway signs and *elimination of billboards along scenic and historic routes*. At this time it appears there are no specific limitations to highway signs except within scenic and historic corridors. The proposed sign is not being placed in a scenic corridor or historic route; the proposed sign will be located in a commercial zone authorized by the state Outdoor Advertising Act, approved by the state Department of Transportation Outdoor Advertising Unit, and in an area where other signs are located such that the character of the surrounding area cannot be adversely affected. Applicant believes this project poses no impact on any residential areas. In fact, Policy 2.7.1.2 encourages relocation of scenic corridor signs outside the scenic corridor, thus indicating that placement of signs outside the scenic corridor is consistent with the General Plan.

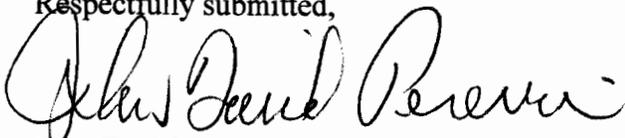
Finally, between the western county line proceeding east and the location of this proposed sign, there are very few off-premise signs, nor are there many, if any other, locations for such signs based on the rigorous standards set forth in the federal Highway Beautification Act and the state Outdoor Advertising Act, both of which are designed to allow for signs but only in areas where the federal and state governments have determined such signs are *aesthetically appropriate*. Accordingly, this proposed project is consistent with General Plan Policy 2.7, as the modest number of signs and the unobtrusive location proposed in this application are consistent with reasonable regulation suggested by the Policy and meet federal and state highway beautification standards.

General Plan Policy 2.8 provides for reasonable controls on high intensity lighting and glare, especially at night. The subject project will include illumination, but the applicant is committed to compliance with the goals and objectives of Policy 2.8 and the lighting regulations imposed by County Ordinance to eliminate high intensity light and glare. Therefore the subject project is consistent with General Plan Policy 2.8.

In summary, the proposed project falls within the guidelines of El Dorado County Ordinance 17.16.120, is consistent with the General Plan (meets all the elements on the General Plan Consistency Checklist) and is authorized under the criteria established by the California Outdoor Advertising Act after review by the California Department of Transportation. The project is not detrimental to the public health, safety and welfare or injurious to the neighborhood; and the proposed sign is specifically permitted by special use permit as described above.

Accordingly, Findings of Approval should be issued.

Respectfully submitted,



John David Pereira

NEGATIVE DECLARATION

FILE: Special Use Permit S11-0004

PROJECT NAME: Sunset Lane Off-Premise Sign

NAME OF APPLICANT: Law Office of John David Pereira

ASSESSOR'S PARCEL NO.: 090-430-09

SECTION: 1 T: 9N R: 9E

LOCATION: On the north side of Sunset Lane and south side of U.S. Highway 50, approximately 600 feet east of the intersection with Mother Lode Drive, in the Shingle Springs area.

- GENERAL PLAN AMENDMENT:** FROM: TO:
- REZONING:** FROM: TO:
- TENTATIVE PARCEL MAP SUBDIVISION (NAME):** **SUBDIVISION TO SPLIT** ACRES INTO LOTS
- SPECIAL USE PERMIT TO ALLOW:** the construction of an off-premise advertising sign (billboard) consisting of two sign faces each 480 square feet in size, for a total sign area of 960 square feet, placed on a pedestal 32.5 feet high for a total height of 50 feet.
- OTHER:**

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

- NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**
- MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**
- OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Negative Declaration was adopted by the Board of Supervisors on April 17, 2012.

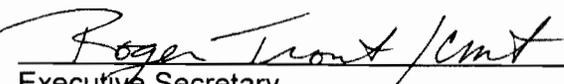

Executive Secretary

EXHIBIT L

STAFF REPORT
12-0368 A3 22 of 65

Note from the Development Services Director: The original Negative Declaration/Initial Study was reviewed by the Planning Commission on February 9, 2012. This revised Negative Declaration/Initial Study was corrected as shown in strike out and underline and was signed on February 23, 2012.



EL DORADO COUNTY PLANNING SERVICES

**2850 FAIRLANE COURT
PLACERVILLE, CA 95667**

**REVISED INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

Project Title: Special Use Permit S11-0004/Sunset Lane Off-Premise Advertising Sign			
Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court; Placerville, CA 95667			
Contact Person: Aaron Mount		Phone Number: (530) 621-5355	
Project Applicant's Name and Address: Law Office of John David Pereira, 3161 Cameron Park Drive Suite 210, Cameron Park, CA 95682			
Project Agent's Name and Address: Law Office of John David Pereira, 3161 Cameron Park Drive Suite 210, Cameron Park, CA 95682			
Project Engineer's Name and Address: John S. Weaver, 4425 North 24 th Street #200, Phoenix, AZ 85016			
Project Location: On the north side of Sunset Lane and south side of U.S. Highway 50, approximately 600 feet east of the intersection with Mother Lode Drive, in the Shingle Springs area			
Assessor's Parcel Number: 090-430-09		Acres: 1.22 acres	
Zoning: General Commercial (CG)			
Section: 1 T: 9N R: 9E			
General Plan Designation: Commercial (C)			
Description of Project: Special Use Permit to allow construction of an off-premise advertising sign (billboard) consisting of two sign faces each 672 square feet in size, 14 feet by 48 feet each for a total size of 1,344 square feet, placed on a pedestal 32.5 feet high for a total height of 50 feet. The sign is a steel structure with v faced sign on a monopole. Illumination of the sign faces would be by two 400w shielded directional lights per side installed at the bottom of the sign. Access to the sign would be directly from Sunset Lane.			
Surrounding Land Uses and Setting:			
	Zoning	General Plan	Land Use/Improvements
Site	CG	C	Commercial-Industrial/Developed Commercial/Light Industrial Site
North	RE-5	C	U.S. Highway 50
South	C	C	Commercial/Sunset Lane and trail/railroad corridor.
East	CG	C	Commercial-Light Industrial/Developed Commercial-Light Industrial Site.
West	CG	C	Commercial-Light Industrial/Developed Commercial-Light Industrial Site.
Briefly Describe the environmental setting: The developed 1.22 acre site is at an average elevation of 1,400 feet above sea level and is bound by Sunset Lane to the south and U.S. Highway 50 to the north. The site is relatively flat and contains a 12,300 square foot commercial/light industrial structure that contains multiple units, a roof mounted sign, and associated parking and landscaping. The site was approved under Special Use Permit S84-81 for automotive repair. The proposed off-premise sign would be situated at the western end of the project			

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)

1. Building Services-Grading and Building Permits
2. El Dorado County Environmental Management-Hazardous Waste Division.
3. Air Quality Management District-Fugitive Dust Mitigation Plan

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

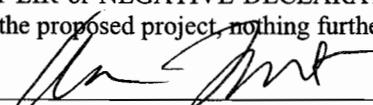
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture and Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Geology / Soils
Greenhouse Gas Emissions	Hazards & Hazardous Materials	Hydrology / Water Quality
Land Use / Planning	Mineral Resources	Noise
Population / Housing	Public Services	Recreation
Transportation/Traffic	Utilities / Service Systems	Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by Mitigation Measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or Mitigation Measures that are imposed upon the proposed project, nothing further is required.

Signature:  Date: 2/23/2012
 Printed Name: Aaron Mount, Project Planner For: El Dorado County

Signature:  Date: 2-23-12
 Printed Name: Pierre Rivas, Principal Planner For: El Dorado County

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed project. The project would allow the construction of an off-premise advertising sign.

Project Description

Construction of an off-premise advertising sign (billboard) consisting of two sign faces each 672 square feet in size, 14 feet by 48 feet each for a total size of 1,344 square feet, placed on a pedestal 32.5 feet high for a total height of 50 feet. The sign is a steel structure with v faced sign on a monopole. Illumination of the sign faces would be by two 400w shielded directional lights per side installed at the bottom of the sign. Access to the sign would be directly from Sunset Lane.

Project Location and Surrounding Land Uses

The project site is located within the unincorporated community of Shingle Springs. The project site is surrounded by existing developed commercial type businesses and U.S. Highway 50. The sign would be located at the rear end of the subject parcel adjoining the southern right-of-way of U.S. Highway 50. Signs in the area largely consist of on-site signs. Adjacent to the project are two off-premise signs of which the largest is 480 square feet.

Project Characteristics

1. Transportation/Circulation/Parking

Access to the project would be provided from an encroachment onto Sunset Lane which is a County maintained roadway. DOT determined that because there would be a low volume of traffic generated by the project (maintenance and installation of new signage), a traffic study would not be required.

2. Utilities and Infrastructure

There are existing electrical facilities which would be extended to the proposed billboard in the project area.

3. Population

The project would not impact population.

4. Construction Considerations

Minor lease area site construction and grading would be required for the project. The extension of existing utilities would require trenching. It is anticipated that an off-premise sign would take between three to six weeks to construct.

Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 20-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above.

Following the close of the written comment period, the Initial Study will be considered by the Lead Agency in a public meeting and will be certified if it is determined to be in compliance with CEQA. The Lead Agency will also determine whether to approve the project.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>			
a. Have a substantial adverse effect on a scenic vista?			X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X
c. Substantially degrade the existing visual character quality of the site and its surroundings?			X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X

Discussion: A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

- a. **Scenic Vista:** The project site is identified by the County as a scenic view or resource (El Dorado County Planning Services, El Dorado County General Plan EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1). Geographic information system (GIS) analysis of the project has shown that the proposed off-premise sign is within scenic viewpoint location Number 1b as detailed on DEIR Table 5.3-1, Exhibit I, and that line of site possibly exists between the proposed project site and the Crystal Range of the Sierra Nevada. Site inspection has verified that the proposed sign has a low potential to impede viewing the Crystal Range while traveling westbound on U.S. Highway 50 due to topography and vegetation adjacent to U.S. Highway 50. Because of the topography and speed of automobiles on U.S. Highway 50, the proposed sign would only partially and briefly block any important scenic views. If the sign would partially obstruct the identified viewpoint it may be inconsistent with the General Plan’s objective to maintain views and enhance the scenic qualities of roadways in order to preserve the County’s natural beauty as well as to sustain tourism to support the local economy, however the impact would only be a locally adverse impact and would not rise to the level of a substantial adverse impact. As proposed the impacts would be less than significant.
- b. **Scenic Resources:** The project site is not within a State Scenic Highway. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>)). There would be no impact.
- c. **Visual Character:** Off-premise signs are rentable space for advertising; therefore the proposed content which includes color and style of lettering and art can not be evaluated. Only the structure itself can be evaluated in context of this review. The sign as proposed would greatly exceed the size of any existing signs in the Community Region and has a potential to impact local businesses and the existing visual character quality of the site and its surroundings, however this would be a locally adverse impact and would not substantially degrade the existing visual character quality of the site and its surroundings. Lighting of the sign will require compliance with County Code that requires full shielding and downward facing lights in an effort to preserve our night skies and lessen possible glare impacts to drivers on U.S. 50. As proposed impacts in this category would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d. **Light and Glare:** The project applicant did not submit a photometric study to ensure light will not leave the property, but shielded lights are proposed and if approved a lighting plan would be required to be submitted with the building permit. The applicant is required to show compliance with Section 17.14.170, of the County Code requiring all the lights to be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation and be directed downward. County Code does not allow LED signs by ordinance. As proposed, impacts from outdoor lighting would be less than significant.

FINDING: As proposed and with strict adherence to County Code, for this “Aesthetics” category, impacts would be less than significant.

<p>II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forrest Protocols adopted by the California Air Resources Board. Would the project:</p>					
a.	Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b.	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion: A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
- The amount of agricultural land in the County is substantially reduced; or
- Agricultural uses are subjected to impacts from adjacent incompatible land uses.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a. **Farmland Mapping and Monitoring Program:** Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that the project parcel is defined as urban and built up land. There would be no impact.
- b. **Williamson Act Contract:** The property is not located within a Williamson Act Contract and would not conflict with existing zoning for agricultural use, or affect any properties under a Williamson Act Contract. There would be no impact.
- c. **Non-Agricultural Use:** No conversion of agriculture land would occur as a result of the project. There would be no impact.
- d, e. **Loss of Forest land or Conversion of Forest land, Conversion of Prime Farmland or Forest Land:** Neither the General Plan nor the Zoning Ordinance designate the site as an important Timberland Preserve Zone. As discussed above in Section a, there would be no loss or conversion of prime farmland as well. There would be no impact.

FINDING: For this "Agriculture" category, the thresholds of significance have not been exceeded and no impacts would result from the project.

III. AIR QUALITY. <i>Would the project:</i>			
a. Conflict with or obstruct implementation of the applicable air quality plan?			X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X
d. Expose sensitive receptors to substantial pollutant concentrations?			X
e. Create objectionable odors affecting a substantial number of people?			X

Discussion: A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM₁₀, CO, SO₂ and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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a. **Air Quality Plan:** El Dorado County has adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District* (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). The project's grading and construction activities would be required to comply with a Fugitive Dust Mitigation Plan and reduction of air pollutants from vehicles and equipment in order to reduce the likelihood of defined particulate in this category. Therefore, as proposed the potential impacts of the project would be less than significant.

b, c. **Air Quality Standards and Cumulative Impacts:** The El Dorado County Air Quality Management District (AQMD) reviewed the application materials for this project and determined that by implementing typical conditions that are included in the project permit, that the project would have a less than significant level of impact in this category. The conditions would be implemented as part of a Fugitive Dust Mitigation Plan and would be reviewed and approved by the AQMD prior to and concurrently with the grading, improvement, and/or building permit approvals. With full review for consistency with General Plan Policies and as proposed, impacts would be less than significant.

The project would create air quality impacts which may contribute to an existing or projected air quality violation during construction. Construction activities associated with the project include grading and site improvements, for utilities, driveway, sign installation, graveling, and landscape installation, and associated on-site activities. Construction related activities would generate PM10 dust emissions that would exceed either the state or federal ambient air quality standards for PM10. This is a temporary but potentially significant effect. A typical off-premise sign site would take between three to six weeks to construct and that does not include every single day within that time frame. Standard Conditions of Approval would limit the hours of construction activities to 7:00am to 7:00pm Monday through Friday and 8:00am to 5:00pm on weekends and federally recognized holidays. Adherence to the limitations of construction and to the ADMP would reduce potentially significant impacts to a less than significant level.

Operational air quality impacts would be minor, and would cause an insignificant contribution to existing or projected air quality violations. This would be considered a less-than-significant impact.

d. **Sensitive Receptors:** The CEQA Guide identifies sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others that are especially sensitive to the affects of air pollutants. Hospitals, schools and convalescent hospitals are examples of sensitive receptors. No known sensitive receptors are adjacent to the sign site. There would be no impacts.

e. **Objectionable Odors:** Table 3-1 of the *El Dorado County APCD CEQA Guide* (February, 2002) does not list the proposed sign use as a use known to create objectionable odors. There would be no anticipated impacts.

FINDING: The proposed project would not affect the implementation of regional air quality regulations or management plans. The project would result in increased emissions due to construction and operation; however existing regulations would reduce these impacts to a less-than-significant level. The proposed project would not be anticipated to cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

Discussion: A substantial adverse effect on Biological Resources would occur if the implementation of the project would:

- Substantially reduce or diminish habitat for native fish, wildlife or plants;
- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a native plant or animal community;
- Reduce the number or restrict the range of a rare or endangered plant or animal;
- Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or
- Interfere substantially with the movement of any resident or migratory fish or wildlife species.

a. Special Status Species and Sensitive Natural Communities: Review of the County GIS soil data demonstrates the project site would not be located on lands shown to contain Serpentine Rock or Gabbro soils. Search of the California Natural Diversity database indicates there are none of the rare, threatened, or endangered species on the site. The project site is located within Rare Plant Mitigation Area 2 which is defined as lands not known to contain special status plant species but within the EID service area. The direct site lease area, as well as the access driveway to that area, is asphalted with concrete curbing. Some lease area asphalt would be removed for the required foundation work for the proposed structures. No impacts would be anticipated.

b, c. Riparian Habitat, Wetlands: Through site inspection and review of the National Wetlands Inventory it has been determined that the project parcel does not contain any riparian or wetland features or associated habitat. No impacts would be anticipated.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Potentially Jurisdictional Waters of the U.S.: The site does not contain potential jurisdictional waters of the U.S. No impacts would be anticipated.

- d. **Migration Corridors:** The project proposes to preserve all areas of the parcel that have existing vegetation outside of the development footprint, however the parcel is situated between a County maintained road and U.S. Highway 50 so the likelihood of the parcel being wildlife habitat is low. Additionally the sign would be placed in a developed portion of the parcel. Therefore as proposed, impacts are anticipated to be less than significant.
- e. **Local Policies: Biological Resources:** General Plan Policy 7.4.4.4 requires protection of native oak tree canopy. The project parcel does not contain any trees. No impacts would be anticipated.
- f. **Adopted Plans:** This project, as designed, does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There would be no impacts anticipated in this category.

FINDING: This site is not located within the County’s adopted Ecological Preserve or within the USFWS Recovery Plan boundaries. No jurisdictional wetlands are present at the project site. No significant impacts to biological resources beyond the pre-project levels would be anticipated.

V. CULTURAL RESOURCES. <i>Would the project:</i>					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b.	Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d.	Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. A substantial adverse effect on Cultural Resources would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

a-c. **Historic or Archeological Resources:** The project parcel was reviewed for potential historic or archeological resources by the North Central Information Center. The Records Search Result states there is a low to moderate sensitivity for identifying prehistoric sites and historic period cultural resources in the project however, they go on to say that given the fact that the surrounding environment has been developed the project may go forward with no further review. Standard Conditions of Approval would be required which require protective measures be implemented during project construction in the event of accidental discovery of historic or archeological resources.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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The underlying Serpentine/Gabbro bedrock is not a known source of unique paleontological resources. As proposed, impacts are anticipated to be less than significant.

- d. **Human Remains:** There is a low potential of human remain discovery on the project site. During all grading activities, standard Conditions of Approval would be required that address accidental discovery of human remains. As proposed, impacts are anticipated to be less than significant.

FINDING: Standard Conditions of Approval would be required with requirements for accidental discovery during project construction. ~~The subject parcel contains an existing, fully developed church facility.~~ No significant impacts to cultural resources beyond the pre-project levels would be anticipated.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X
ii) Strong seismic ground shaking?		X	
iii) Seismic-related ground failure, including liquefaction?			X
iv) Landslides?		X	
b. Result in substantial soil erosion or the loss of topsoil?		X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?		X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X

Discussion: A substantial adverse effect on Geologic Resources would occur if the implementation of the project would:

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.

a. Seismic Hazards:

i) According to the California Department of Conservation, Division of Mines and Geology, there are no Alquist-Priolo fault zones within El Dorado County. The nearest such faults are located in Alpine and Butte Counties. There would be no impact.

ii) The potential for seismic ground shaking in the project area would be considered less than significant. Any potential impacts due to seismic impacts would be addressed through compliance with the Uniform Building Code. All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone.

iii) El Dorado County is considered an area with low potential for seismic activity. No impacts are anticipated.

iv) All grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. As proposed and with compliance of the Ordinance, the project would be anticipated to reduce potential landslide impacts to less than significant.

b. Soil Erosion: All grading activities exceeding 50 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* Adopted by the County of El Dorado Board of Supervisors, 3-13-07 (Ordinance #4719). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and site conditions for the intended use in compliance with the El Dorado County General Plan. There would be the potential for erosion, changes in topography, and unstable soil conditions with future development. These concerns would be addressed during the grading permit process. Impacts are anticipated to be less than significant.

c. Geologic Hazards: The onsite soil types have a slow to medium runoff potential with slight to moderate erosion potentials and are not identified as types that result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse. All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts are anticipated to be less than significant.

d. Expansive Soils are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Pursuant to the U.S.D.A. Soil Report for El Dorado County, the project lease area site contains AxD (Auburn very rocky silt loam, 2 to 30 percent slopes) soils which are reported to have low shrink-swell capacity. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. Impacts are anticipated to be less than significant.

e. Septic Capability: The project would not require the use of a septic system. There would be no anticipated impacts related to septic systems.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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FINDING: A review of the soils and geologic conditions on the project site determined that the soil types are suitable for the proposed development. All grading activities would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance which would address potential impacts related to soil erosion, landslides and other geologic impacts. Future development would be required to comply with the Uniform Building Code which would address potential seismic related impacts. For this 'Geology and Soils' category impacts would be less than significant.

VII. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>			
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X

- a. **Generate Greenhouse Gas Emissions:** The project could result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the County, so the project would not substantially contribute cumulatively to global climate change. These measures are included as standard grading permit requirements and would reduce impacts to a level of less than significant.
- b. **Conflict with Policy:** The project would result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. Impacts would be less than significant.

FINDING: The project would generate amounts of greenhouse gases would be negligible compared to global emissions or emissions in the County. For this 'Greenhouse Gas Emissions' category impacts would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X
f. For a project within the vicinity of a private airstrip, would the project result in			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
a safety hazard for people residing or working in the project area?			
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X

Discussion: A substantial adverse effect due to Hazards or Hazardous Materials would occur if implementation of the project would:

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
 - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
 - Expose people to safety hazards as a result of former on-site mining operations.
- a. **Hazardous Materials in Transport:** The project may involve transportation, use, and disposal of hazardous materials such as construction materials, paints, fuels, landscaping materials, and household cleaning supplies. The use of these hazardous materials would only occur during construction and sign change outs and use of hazardous materials would be sporadic, temporary, and their potential for impact would be limited and unlikely. Any uses of hazardous materials would be required to comply with all applicable federal, state, and local standards associated with the handling and storage of hazardous materials. With existing regulations, the impact would be less than significant.
- b. **Hazardous Materials released into the Environment:** Hazardous materials may be used during construction, as discussed above in a). Any uses of hazardous materials would be required to comply with all applicable federal, state, and local standards associated with the handling and storage of hazardous materials, including California Occupational Health and Safety Administration (CalOHSAs) requirements. With existing regulations, the impact would be less than significant.
- c. **Hazardous Materials Near Schools:** The project would not directly allow any operations that would use acutely hazardous materials or generate hazardous air emissions. There are no schools within one-quarter mile of the project. There would be no direct impact.
- d. **Hazardous Sites:** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese List), http://www.dtsc.ca.gov/database/Calsites/Cortese_List). No activities that could have resulted in a release of hazardous materials to soil or groundwater at the subject site are known to have occurred. There would be no direct impact with the approval of this project request.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- e. **Aircraft Hazards:** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f. **Private Airstrips:** There are no private airstrips in the vicinity of the project site. There would be no impact.
- g. **Emergency Plan:** The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the project area. There would be no impact.
- h. **Wildfire Hazards:** The project site is in an area of moderate hazard for wildland fire pursuant to Figure V.4-2 of the 1996 General Plan Draft EIR and Figure 5.8-4 of the 2004 General Plan Draft EIR. Compliance with the building review required by the El Dorado County Fire Protection District and implementation of California Building Codes would reduce the impacts of wildland fire to a less than significant level.

Findings: The proposed project would not expose the area to hazards relating to the use, storage, transport, or disposal of hazardous materials. Any proposed use of hazardous materials would be subject to review and approval of a Hazardous Materials Business Plan issued by the Environmental Management. For this 'Hazards and Hazardous Materials' category, impacts would be less than significant.

IX. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
a. Violate any water quality standards or waste discharge requirements?			X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?			X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X
f. Otherwise substantially degrade water quality?			X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X
j. Inundation by seiche, tsunami, or mudflow?			X

Discussion: A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
 - Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
 - Substantially interfere with groundwater recharge;
 - Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
 - Cause degradation of groundwater quality in the vicinity of the project site.
- a. **Water Quality Standards:** Erosion control would be required of the future building/grading permit and strict adherence to County Code would not increase the level of sediments in stormwater discharges significantly more at the site than the current discharge levels. Operation of the proposed project would not involve any uses that would generate wastewater. Stormwater runoff from potential development would be directed to any engineered drainage system and would contain water quality protection features in accordance with a potential NPDES stormwater permit, as deemed applicable. The project would not violate water quality standards. Impacts would be anticipated to be less than significant.
- b. **Groundwater Supplies:** The project is not anticipated to have any effects on ground water supplies. Impacts are anticipated to be less than significant.
- c-f. **Drainage Patterns:** A grading permit through Development Services would be required for any future development to address grading, erosion and sediment control. Project related construction activities would be required to adhere to the applicable El Dorado County Grading, Erosion Control and Sediment Ordinance which would require Best Management Practices (BMP's) to minimize degradation of water quality during construction. Impacts are anticipated to be less than significant.
- g-j. **Flood-related Hazards:** The project site is not located within any mapped 100-year flood areas and would not result in the construction of any structures that would impede or redirect flood flows. No dams are located in the project area which would result in potential hazards related to dam failures. The risk of exposure to seiche, tsunami, or mudflows would be remote. There would be no impacts anticipated.

FINDING: The proposed project would require a site improvement and grading permit through the Development Services Building Division that would address any potentially applicable erosion and sediment control. No significant hydrological impacts are expected with the development of the project either directly or indirectly. For this "Hydrology" category, impacts are anticipated to be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. LAND USE PLANNING. <i>Would the project:</i>			
a. Physically divide an established community?			X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X

Discussion: A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
- Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
- Result in conversion of undeveloped open space to more intensive land uses;
- Result in a use substantially incompatible with the existing surrounding land uses; or
- Conflict with adopted environmental plans, policies, and goals of the community.

- a. **Established Community:** The project site is undeveloped; however the adjoining parcels are developed with commercial-type uses. The proposed project would not physically divide an established community. There would be no impact.
- b. **Land Use Consistency:** Application for an off-premise sign is specifically allowed subject to approval of a Special Use Permit pursuant to Section 17.16.120, following the procedures set forth in Chapter 17.22. General Plan policies also allow for off-premise signs of the proposed size and location to be considered subject to a finding of consistency with General Plan policies about size, aesthetics, and visual resources. Special Use Permit approval requires the decision makers to make findings based on the size; location; general plan consistency; and the finding that it would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood. If these findings can be made there is no conflict with any applicable land use plan, policy, or regulation. See the staff report for the factors the decision makers will be weighing to approve, conditionally approve, or deny the off-premise sign. As proposed there is no impact because there is no inherent conflict with any applicable land use plan, policy, or regulation.
- c. **Habitat Conservation Plan:** The proposed project is not located in an area covered by a Habitat Conservation Plan (HCP) or a Natural Community Conservation Plan (NCCP). No impacts would be anticipated.

FINDING: The proposed use of the land would be consistent with the zoning and the General Plan with the issuance of a Special Use Permit. There would be potentially significant impacts from the project due to a conflict with the General Plan or zoning designations for use of the property. As proposed conditioned and with strict adherence to County Code, no significant impacts are expected. For this "Land Use" category, the thresholds of significance are not anticipated to be exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES. <i>Would the project:</i>			
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X

Discussion: A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.

a, b. Mineral Resources: The project site is not in an area where mineral resources classified as MRZ-2a or MRZ-2b by the State Geologist are present, (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001), and the project site has not been delineated in the General Plan or in a specific plan as a locally important mineral resource recovery site. (El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibits 5.9-6 and 5.9-7). No impacts are anticipated.

FINDING: No impacts to energy and mineral resources are expected with the development of the wireless telecommunications facility either directly or indirectly. For this "Mineral Resources" category, there are no significant impacts anticipated.

XII.NOISE. <i>Would the project result in:</i>			
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?			X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

Discussion: A substantial adverse effect due to Noise would occur if the implementation of the project would:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

a, d. Noise Exposures, Long-term Noise Increases: Routine maintenance visits and occasionally advertising change outs would occur as needed. Changes in traffic-generated noise levels along Sunset Lane with the addition of the maintenance vehicle(s) would not be anticipated to be measurable especially with the projects adjacency to U.S. Highway 50. Short-term and long-term impacts are anticipated to be less than significant.

b. Groundborne Shaking: The project may generate ground borne vibration or shaking events during project construction. These potential impacts would be limited to project construction. Adherence to the time limitations of construction activities to 7:00am to 7:00pm Monday through Friday and 8:00am to 5:00pm on weekends and federally recognized holidays would limit the ground shaking effects in the project area. Impacts are anticipated to be less than significant.

c. Short-term Noise Increases: Short-term noise impacts would be associated with excavation, grading, and construction activities. El Dorado County would require that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and functioning mufflers. All construction and grading operations would be required to comply with the noise performance standards contained in the General Plan. As proposed and with adherence to the limitations of construction it is anticipated to reduce potentially significant impacts to a less than significant level.

e-f. Aircraft Noise: There are no airstrips or airports within the project vicinity. There would be no impacts.

FINDING: As proposed conditioned, mitigated, and with strict adherence to County Code, no significant impacts to excessive noise are expected with the development of the wireless telecommunications facility either directly or indirectly. For this "Noise" category, the thresholds of significance would not appear to have been exceeded.

XIII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion: A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County's current jobs to housing ratio; or

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Conflict with adopted goals and policies set forth in applicable planning documents.

a-c. Population Growth, Housing Displacement, and Replacement Housing: No housing or people would be displaced. Routine maintenance visits and change out of the advertising would be limited to employees or maintenance personnel. There would be no impact.

FINDING: The project would not displace housing. There would be no potential for a significant impact due to substantial growth with the advertising facility either directly or indirectly. For this "Population and Housing" category, the thresholds of significance have not been exceeded.

XIV. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?			X	
b. Police protection?				X
c. Schools?				X
d. Parks?				X
e. Other government services?				X

Discussion: A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

a. Fire Protection: The parcel is within the El Dorado County Fire Protection district. The proposed project would construct an off-premise advertising sign. The new, unoccupied facility would represent a minimal increase in the demand for structural fire protection at the project site. The Fire Department reviewed the project proposal and had no outstanding concerns with the project as designed. Additional review would take place during the building permit process. Impacts would be anticipated to be less than significant.

b. Police Protection: Police services would continue to be provided by the El Dorado County Sheriff's Department. No new or expanded law enforcement services would be required. There would be no impacts anticipated.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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c-e. Schools, Parks and Government Services: There are no components of operating the proposed project that would include any permanent population-related increases that would substantially contribute to increased demand on schools, parks, or other governmental services that could, in turn, result in the need for new or expanded facilities. There would be no impacts anticipated.

FINDING: As discussed above, no significant impacts to public services with the off-premise sign either directly or indirectly are anticipated. For this "Public Services" category, the thresholds of significance are not anticipated to be exceeded.

XV. RECREATION.			
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X

Discussion: A substantial adverse effect on Recreational Resources would occur if the implementation of the project would:

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.

a, b. Parks and Recreational Services: The proposed project does not include any increase in permanent population that would contribute to increased demand on recreation facilities or contribute to increased use of existing facilities. There would be no impact.

FINDING: No impacts to recreation would be expected for this off-premise sign either directly or indirectly. For this "Recreation" category, the thresholds of significance have not been exceeded.

XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X
c. Result in a change in air traffic patterns, including either an increase in traffic			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
levels or a change in location that results in substantial safety risks?			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X	
e. Result in inadequate emergency access?		X	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X

Discussion: A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
 - Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
 - Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.
- a. **Traffic Increases:** Comments were received from the El Dorado County Department of Transportation (DOT) indicating that the level of service (LOS) would not be significantly impacted by the proposed project. The impacts would be less than significant.
 - b. **Levels of Service Standards:** The LOS established by the County would not be exceeded by the project, nor would the surrounding road circulation system be impacted. Impacts would be less than significant.
 - c. **Air Traffic:** The project would not substantially increase hazards due to a design feature or incompatible uses. Impacts would be less than significant.
 - d. **Design Hazards:** The project would not create any significant traffic hazards. The DOT analysis did not identify any hazards associated with the design of the project. Impacts would be less than significant.
 - e. **Emergency Access:** The project would not result in inadequate emergency access. The project was reviewed by the El Dorado County Department of Transportation and the local fire district to ensure that adequate access would be provided to meet County Fire Safe and County Design Improvement Manual standards. Neither agency has outstanding concerns with the project proposal. Impacts are anticipated to be less than significant.
 - f. **Alternative Transportation:** The project would not conflict with adopted plans, policies or programs relating to alternative transportation. There would be no impact.

FINDING: As discussed above, no significant traffic impacts are expected with the off-premise sign either directly or indirectly. For this "Transportation/Traffic" category, the thresholds of significance are not anticipated to be exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVII. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X

Discussion: A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

a. Wastewater Requirements: Construction and operation of the project would not involve discharges of untreated domestic wastewater that would violate water quality control board requirements. Stormwater runoff would be negligible. There would be no impacts anticipated.

b, d, e. Construction of New Facilities, Sufficient Water Supply and Adequate Capacity: No new or expanded wastewater facilities would be required for the project because operation would not require these services. There would be no impacts anticipated.

c. New Stormwater Facilities: All required drainage facilities for the project would be built in conformance with the standards contained in the "County of El Dorado Drainage Manual," as determined by Development Services

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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during the grading and building permit processes. The project would be conditioned to comply with the County requirements. Impacts are anticipated to be less than significant.

- f, g. Solid Waste Disposal and Solid Waste Requirements:** Operation of the ground equipment shelter would not generate solid waste or affect recycling goals. There would be no impacts anticipated.

FINDING: No significant utility and service system impacts are expected with the off-premise sign either directly or indirectly. For this "Utilities and Service Systems" category, the thresholds of significance are not anticipated to be exceeded.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. <i>Does the project:</i>			
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

Discussion:

- a.** No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment when using thresholds pre-established pursuant to Code as a benchmark. As proposed conditioned, and with strict adherence to County permit requirements, this project would not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history or pre-history. Any impacts from the project would be anticipated to be less than significant due to the design of the project and required standards that would be implemented by any required project specific improvements on or off the property.
- b.** The project would not involve development or changes in land use that would result in an excessive increase in population growth. Impacts due to increased demand for public services associated with the project would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The project would not contribute substantially to increased traffic in the area and the project would not require an increase in the wastewater treatment capacity of the County. Due to the small footprint of the proposed project, types of activities proposed, and site-specific environmental conditions, which have been disclosed in the Project Description and analyzed in Items I through XVI, there would be no significant impacts anticipated related to agriculture resources, air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, mineral resources, noise, population/housing, public services, recreation, traffic/transportation, or utilities/service systems that would combine with similar effects such that the project's contribution would be

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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cumulatively considerable. For these issue areas, either no impacts, or less than significant impacts are anticipated. As proposed the cumulative contribution to the local viewshed appears to be potentially adverse but would not constitute a significant impact.

As outlined and discussed in this document, as proposed and with strict compliance with County Codes, this project is anticipated to have a less than significant chance of having project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts. As proposed, and with strict adherence to county Code, and with the approval of a Special Use Permit, the project would be consistent with the existing General Plan Land Use Designation. Impacts are anticipated to be less than significant.

- c. Based on the discussion contained in this document, no potentially significant impacts to human beings are anticipated to occur with respect to potential project impacts. The project would include standard Conditions of Approval required for standard construction impacts. Adherence to these standard conditions is expected to reduce potential impacts to a less than significant level. As discussed in the Noise section, significant noise levels exceeding the thresholds for interior or exterior noise as established by the County General Plan are not anticipated. Short term noise increases in the project area as a result of project construction would be reduced by standard Conditions of Approval regarding hours and days of construction. As proposed, and with strict adherence to County Code, impacts are anticipated to be less than significant.

INITIAL STUDY ATTACHMENTS

- Attachment 1..... Location Map with USGS quad
- Attachment 2..... Site Plan
- Attachment 3..... Project Plans

SUPPORTING INFORMATION SOURCE LIST

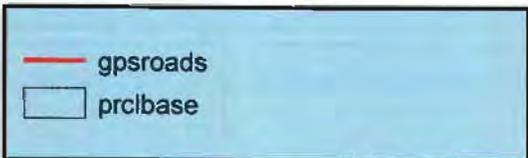
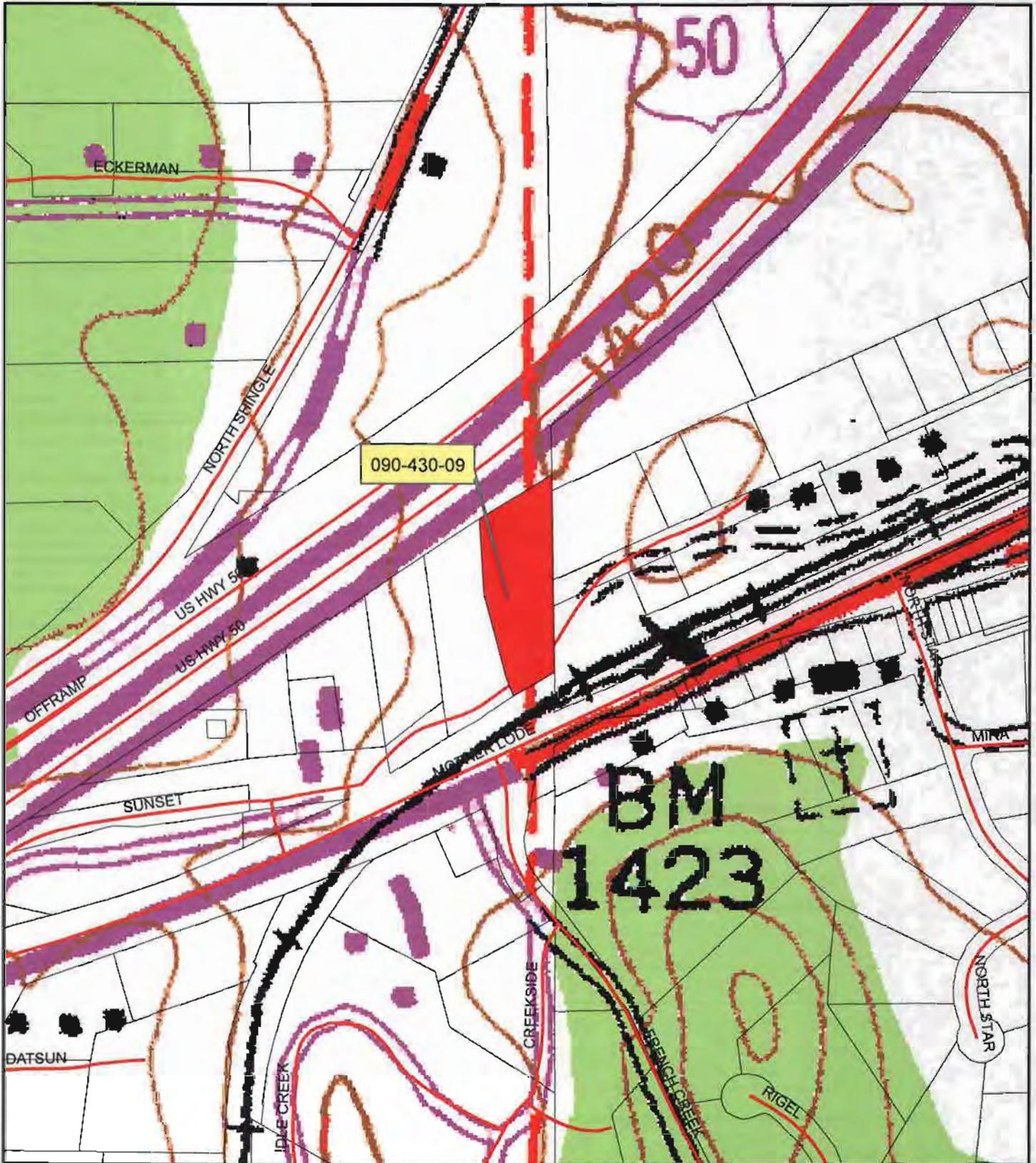
The following documents are available at El Dorado County Planning Services in Placerville.

- El Dorado County General Plan Environmental Impact Report
 - Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
 - Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
 - Appendix A
 - Volume 3 of 3 – Technical Appendices B through H
- El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)
- Findings of Fact of the El Dorado County Board of Supervisors for the General Plan
- El Dorado County Zoning Ordinance (Title 17 - County Code)
- County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)
- County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)
- El Dorado County Design and Improvement Standards Manual
- El Dorado County Subdivision Ordinances (Title 16 - County Code)
- Soil Survey of El Dorado Area, California
- California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)
- Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

Project Specific Resource Material

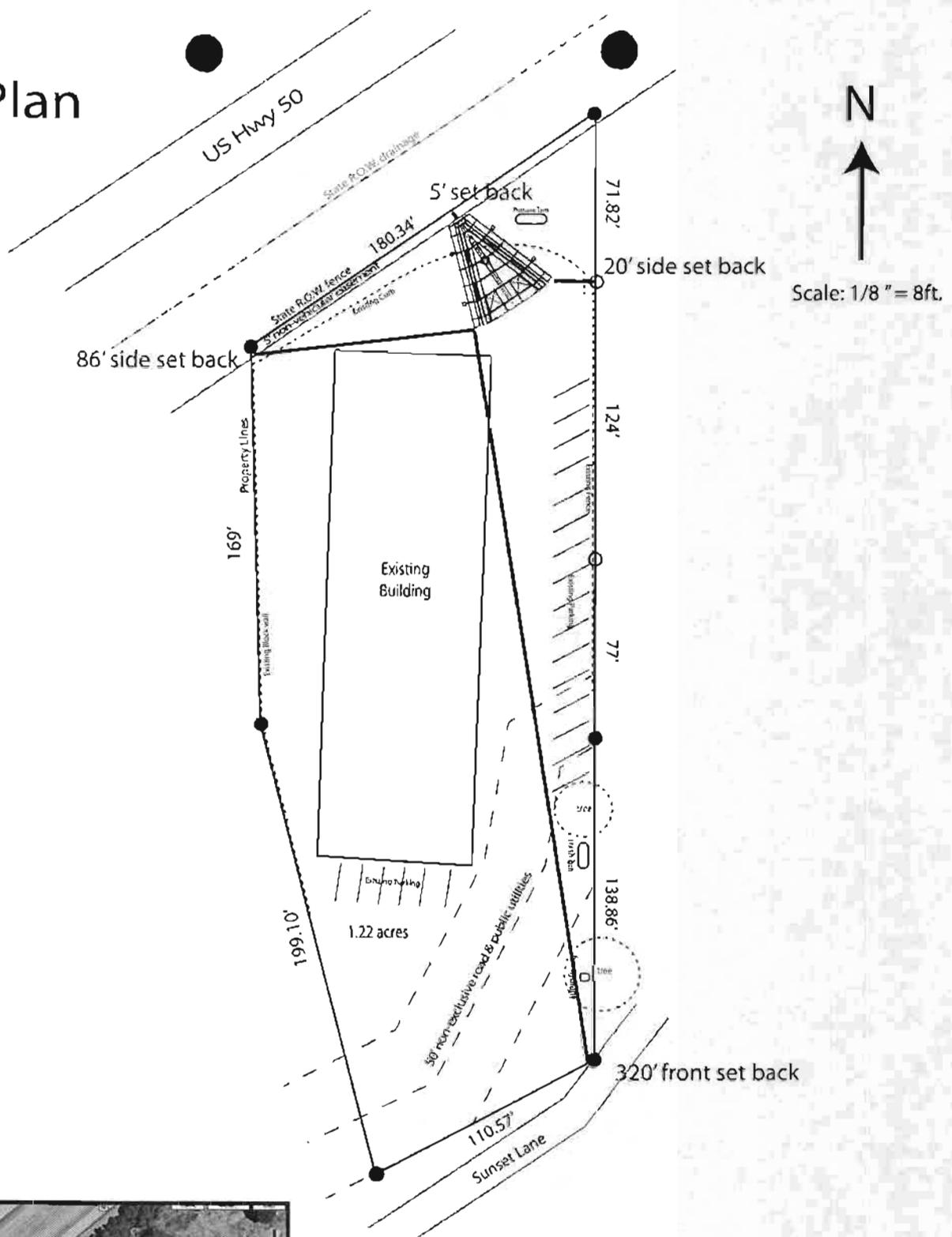
- El Dorado County Sign Ordinance Revision, Photo Atlas of Signs in Major Commercial Corridors, January, 1991.
- North Central Information Center, Records Search Results for: Sunset Lane, March 23, 2011.

Project Location Map



S11-0004
Prepared By Aaron Mount

Site Plan



Site Plan Details:

Project name: Sunset Lane Sign

Date: 4/1/11

APN#: 090-430-09-100

Zoning: CG

Property Owner: Fusano Rev. Trust

Address: 4241 Sunset Lane

Shingle Springs, CA 95682

Applicant: Law Office of John David Pereira

3161 Cameron Park Dr. #210, Cameron Park, Ca 95682

Lighting Per. El Dorado County Code 17.14.170 (Par.C, #3)



NOTES AND SPECIFICATIONS
 ALL FABRICATED STEELWORK SHALL BE FABRICATED IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

WELDING
 ALL WELDING SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

CONCRETE
 ALL CONCRETE SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

STEEL
 ALL STEEL SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

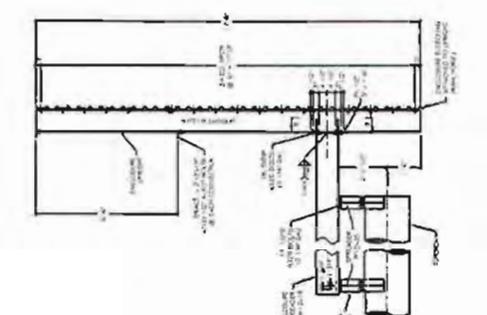
WOOD
 ALL WOOD SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

INSULATION
 ALL INSULATION SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

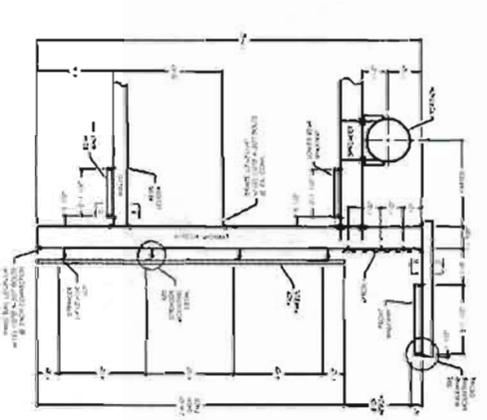
PAINT
 ALL PAINT SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

FINISHES
 ALL FINISHES SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.

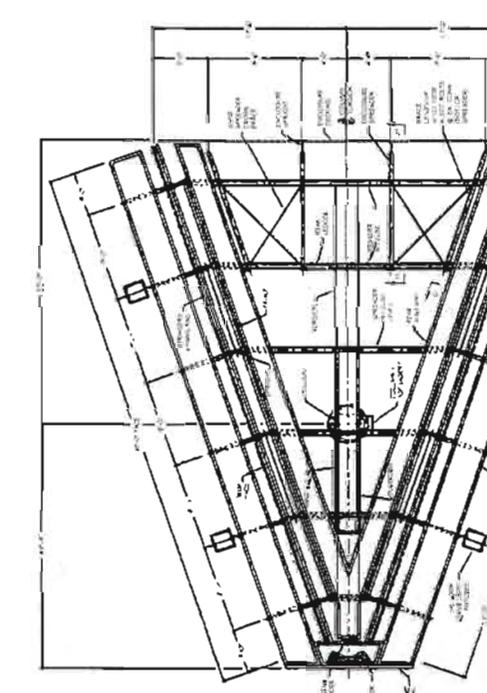
GENERAL
 ALL GENERAL NOTES SHALL BE IN ACCORDANCE WITH AISC 360-10 (PERMITS) UNLESS OTHERWISE SPECIFIED.



TYPICAL SECTION (D-D) THRU SIGN ENCLOSURE



TYPICAL SECTION (C-C) THRU SIGN



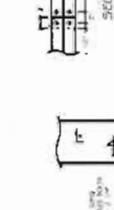
PLAN VIEW SECTION



STRINGER MOUNTING DETAIL



UPRIGHT-SPREADER-TENSION COILIN



COLUMN CONNECTION DETAIL



SAFETY CABLE MOUNTING



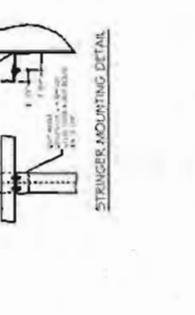
SAFETY CABLE TENSION



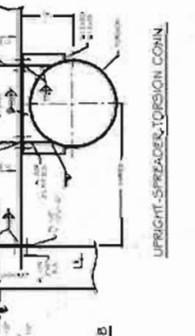
TYPICAL WALKWAY DETAIL



WALKWAY MOUNTING DETAIL



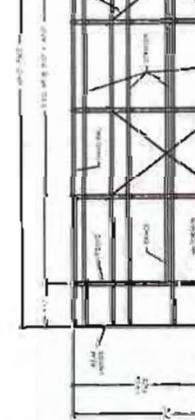
SECTION A-A



SECTION B-B



SECTION C-C



ELEVATION

REGISTERED PROFESSIONAL ENGINEER
CHRIS WEAVER
 C70473
 EXP 12/31/11

STATE OF COLORADO
 CIVIL
 EL DORADO COUNTY, CO

RMAG
Outdoor Inc
 1400 South 7th Street, Suite 200
 Provo, Utah 84601
 Phone: (801) 226-8634 Fax: (801) 226-8671

PROJECT
 SITE #5
 EL DORADO COUNTY, CO

CONTRACT NO.
 G-3443

DATE
 03/22/11

SCALE
 3/8" = 1'-0"

DATE
 03/22/11

BY
 [Signature]

S 11-0004

John David Pereira
Law Office of John David Pereira
3161 Cameron Park Drive, Suite 210
Cameron Park, CA 95682
(530) 672-9577 tel
(530) 672-9579 fax

Supplemental Information For Applications:

<u>Application</u>	<u>Status</u>
S11-004 (4241 Sunset Lane)	Approved and Constructed
S11-005 (4081 Mother Lode Drive)	Consideration Pending
S11-006 (3431 Coach Lane)	Consideration Pending

I. Executive Summary

John David Pereira (Applicant) submits the following additional information for consideration by the Honorable El Dorado County (County) Board of Supervisors (Board) in connections with the above noted Applications.

Prefatory Note: Application S11-004 was approved on March 27, 2012 and constructed on July 2-3, 2012. (See Exhibit 1 for photographs comparing the proposed and completed project.) For purposes of this supplement, S11-004 is discussed for three reasons. First, Applicant requests that the condition relating to down-lighting be removed. Second, Applicant requests that the sunset provision automatically terminating the Special Use Permit in seven years be removed because no other sign in the County has such a restriction. (Note: Applicant is aware that the County may modify its ordinance(s) in the future. Applicant understands that the signs noted herein *may* be subject to any legally binding Ordinance modifications.) Third, the proposed project description is identical to the project as constructed which therefore provides the Board with assurances that the information is correct, verifiable and accurate in all regards.

II. Table of Analysis

Applicant submits the following supplemental analysis to aid in consideration of the two pending applications and requests two slight revisions to the already approved application (S11-004).

1. Project Description.
2. Project Requirements: Legal and Practical Considerations.
3. Procedural History.

EXHIBIT M

4. Alternatives Analysis: Potential Sites Reviewed and Rejected as Infeasible.
5. Mitigation Proposed by Staff Is Agreeable.
6. Unrequested (Additional) Mitigation Implemented by Applicant.
7. Additional Mitigation: Removal of Illegal Signs Eliminates perceived “Congestion.”
8. Project Is Consistent with the General Plan.
9. De minimis impact to viewshed (<3.2 seconds of partial blockage).
10. Construction of S11-004 (4241 Sunset Lane) Demonstrates Conformance with Project Proposal.
11. No Significant Unavoidable Impacts

III. Analysis

1. Project Description: As Proposed.

- a. S-11-0004. Applicant has placed one 12' x 40' sign for commercial and non-commercial use as depicted on the site plans submitted with the original application. The proposed sign will be located in an area zoned as General Commercial. The sign height is a maximum of 50' high.
- b. S-11-0005. Applicant proposes to place one 14' x 48' sign for commercial and non-commercial use as depicted on the site plans submitted with the original application. The proposed sign will be located in an area zoned as Commercial. The sign height will be a maximum of 50' high.
- c. S-11-0006. Applicant has proposed one 14' x 48' sign for commercial and non-commercial use as depicted on the site plans submitted with the original application. The proposed sign will be located in an area zoned as Commercial. The sign height will be a maximum of 50' high.

2. Project Requirements: Legal and Practical Considerations.

There are many layers of considerations required in placement of a sign such as those proposed in Applications Nos. S11-004, -005, and -006. Those considerations include state laws, local ordinances, easements, title, visibility, access, proximity to power. Those most significant considerations include the following:

- a. Outdoor Advertising Act/California Department of Transportation (CalTrans) Regulations.

The first step in determining site selection for signs along Highway 50 in El Dorado County is to consult with the Outdoor Advertising Act, Business & Professions Code section 5200, et seq., which is implemented by CalTrans.

CalTrans regulates the placement of outdoor advertising displays visible from California Highways. CalTrans performs regular reviews of freeways and highways identified on the National Highway System to enforce outdoor advertising requirements under the Federal Highway Beautification Act and the State's Outdoor Advertising Act.

CalTrans' regulations articulate what sites, if any, along Highway 50 are permissible for off-premise advertising subject to local regulation. If a proposed location cannot meet basic CalTrans criteria, no off-premise sign may be placed or approved. Those regulations, general speaking, require/limit sign construction as follows:

- Any sign must be within one thousand feet (1,000') of a commercial /industrial activity.
- Any sign may not be closer than 500' to an existing permitted signs.
- Signs must be placed in Commercial or Industrial Zones.
- Signs cannot be placed in state-designated Scenic Corridors.

Even if a site meets basic CalTrans' regulations, that site is subject to further CalTrans' restrictions based on proximity to other existing signs or issued sign permits even if no signs are actually placed. Thus, for example, a location may meet CalTrans' basic requirements of being within 1000 feet of a business activity and in a commercial zone but fail to meet the CalTrans' spacing requirements of 500 feet separation between existing signs or existing issued sign permits. In that case no permit can be issued.

b. County General Plan and Ordinances.

Even assuming a site meets CalTrans' regulations, the site must satisfy both General Plan considerations as well as those considerations set forth in the County zoning ordinance (Chapter 17). Currently, El Dorado County permits off-premise advertising in both Commercial and General Commercial zones as well as Industrial zones. The Maps attached as Exhibit 2 show (in purple) the parcels along Highway 50 which *do not* meet the zoning requirements for El Dorado County AND CalTrans. The number of compliant parcels is small (est. <10).

c. Visibility.

The next criterion is visibility and lack of obstructions. The essence of outdoor advertising, whether commercial or non-commercial, is delivery of a message to vehicles passing on a highway at 55-75 miles per hour. That means the message has to be visible as clearly and for as long as possible. Otherwise the message is without value. The attached maps, parcel maps, and photographs depict locations along Highway 50 where visibility is too poor for consideration for outdoor advertising. [Exhibit 2 photos] For example, aside from the other "issues" in obtaining a lease on the Food 4 Less property in

Cameron Park, driving east on Highway 50 shows that any placement of a sign on that property would be impracticable because the sign would not be seen by passing motorists. [See Exhibit 2, Map and photos for Cameron Park Drive Area]

The lack of visibility makes the construction and maintenance of signs economically infeasible.

d. Easements and Power Lines.

A subset of visibility is a requirement that signs not be placed within PG&E right-of-ways because of the inherent dangers and difficulty of access. Thus, the maps attached depict the location of power lines which render those potential sites unsuitable and unfeasible for placement of outdoor advertising. These issues exist on both the north and south side of Highway 50.

e. Title to Property.

Assuming a parcel meets all the above criteria, the next most important step is obtaining a long-term lease (industry standard is between 25-50 years) from a property owner whose property is not encumbered by a senior, foreclose-able lien. The foreclosure of a senior lien would extinguish the lease and thus cause an uncompensable loss for the sign operator who invests hundreds of thousands of dollars in investment costs to erect a sign (typically costing approximately \$150,000-\$200,000).

Obtaining a lease on real property along a highway is not as simple as it may seem. For example, Shell, Exxon, and other major corporate landowners, etc. historically do not allow outdoor advertising on their station properties. Food 4 Less will not allow a lease because of lease restrictions (covenant not to compete) which prohibit the advertising of certain classes of products or goods or services (or similar) are offered on the premises.

In addition, a landlord has to agree to a long-term lease and price that makes the entire package financially suitable. Property owners who anticipate selling their properties within five to ten years are constrained to lease it out for a long term due to the possibility new buyers would not purchase property with an existing sign.

In this matter, east of the Shell Station is the Jimboys proposed sign S11-0006. Because of CalTrans' regulations, no sign can be built within 500 feet of that location and thus there are no other suitable locations except the Scariot property, which is currently for sale and upon which Applicant has been unable to obtain a lease. (See Exhibit 2, Cameron Park Area map.)

After five years of inquiry, Applicant was able to obtain two leases for S11-0004 and S11-0006 which meet the basic requirements. As for S11-0005, this location was the only other suitable location that met the base requirements above and did not have visibility issues or power line issues and where Applicant obtained a lease/option. The attached

maps (Exhibits 2) identify in green each potential parcel and provide a short explanation why the parcel was not either suitable or feasible for placement of outdoor advertising.

The lack of proper title/long term leasing, makes the construction and maintenance of signs economically infeasible. Asking Applicant to cancel legally binding Leases and face the potential legal ramifications is also economically infeasible.

f. Access.

Construction of high quality signs is paramount. For example, in construction of S11-004, Applicant, without any obligation or request by County, incurred the additional expense of painting the structure black in order to create a blending effect with the environment. This mitigation measure was employed further to reduce the visible impact the sign had to the environment and to the view shed.

In addition, proper maintenance of the signs (paint, testing of structural integrity, etc.) is key to the ongoing, safe operation of the signs. Neither construction nor maintenance can occur without adequate access. As noted in Exhibit 3, very large vehicles (trailers, cranes, etc.) are required to erect the signs and will be required to maintain the signs. Access is also required so that copy changes can be made for the advertiser or community organization. Absent reasonable access a property is not feasible for purposes of outdoor advertising.

g. Proximity to Power.

The proximity to electrical power is related to visibility. Without electrical power, signs are visible only during a portion of the day. Lack of power makes the construction and maintenance of signs economically infeasible.

The three sets of maps attached as Exhibits 2 indicate the total number of sites along Highway 50, from Bass Lake Road through Shingle Springs Drive (east of South Shingle Springs Road), which meet basic CalTrans' regulations. As noted therein, vast stretches along Highway 50 are not available for the following four reasons:

- The proposed site location is not within 1,000' of a business/industrial activity.
- The proposed site is closer than 500' to an existing or ghost permitted sign.
- The proposed site is too close to power lines and PG&E will not permit signs to be constructed in its easement.
- The proposed site is visible from a residential area. This final criteria is self-imposed by the Applicant. For example, construction of a sign near Tilden Park is possible, but due to the proximity to residential homes, Applicant rejected that location as infeasible as it would likely have result is significant, un-mitigatable impacts on the local community.

Conclusion: After each and every consideration was satisfied, the Applicant sought approval from the County of the only feasible site(s) for a legal business venture in El Dorado County, as noted below.

3. Procedural History.

- | | |
|--------------------|--|
| April 4, 2011 | Project Applications for S11-004, S11-005, and S11-006 submitted by Applicant for three off-premise signs. |
| April 29, 2011 | Applications deemed complete by County Planning Staff. |
| June 6, 2011 | TAC meeting held. No negative comments, no conditions of approval discussed, no hearing date scheduled, no CEQA determination made, no discussion regarding need for Initial Study. No Initial Study done within 30 days as required by state law. |
| July 19, 2011 | County changes its website for project from “Determination: Negative Declaration” to “Determination: Categorical Exempt.” Stayed that way until January 9, 2012—almost six months. |
| September 15, 2011 | Applicant notifies Staff he is going to publish notice under Permit Streamlining Act if Staff does not set hearing date. |
| September 26, 2011 | Approximate date draft Staff Reports circulated. Dyana Anderly issues email to Roger Trout (September 27, 2011). He is prepared to recommend approval of two of the signs and categorically exempt them from CEQA. (2:0380.J.57, 61.) Applicant had received no information from Staff regarding content of draft Staff Reports. |
| October 30, 2011 | Expiration of six-month period to “adopt” Negative Declaration under Public Resources Code/Code of Regulations, if Negative Declaration is prepared. |
| October 31, 2011 | Applicant publishes and mails Notice of Deemed Approval regarding Applications pursuant to mailing matrix provided by County Surveyor. |
| November 6, 2011 | County receives “Objection to Deemed Approved” by Honda Dealership Owner. |
| December 2-8 2011 | Staff discusses orally and in writing the “Deemed Approved” issue, but does not include Applicant in those discussions, and Roger Trout wants to impose additional conditions if County approves Applications. |

- December 21, 2011 Staff discussion with County Counsel results in Staff indicating it would proceed through mitigated Negative Declaration instead of CEQA exemption.
- December 30, 2011 No hearing held within 60 days of Applicant's "notice" dated October 31, 2011. On this date County's website still showed "CEQA Determination: Categorically Exempt." (Exhibit 4)
- January 9-12, 2012 Staff publishes a "Notice of Decision" regarding Applicant's projects, unclear what "decision" was made. Mount offers to waive the appeal fees for Anderly if she appeals.
- January 19, 2012 After nine months, Staff issues Initial Study and Negative Declaration. At page 17 of each, Staff concludes projects not inconsistent with any land use ordinance, regulation, or policy of general plan.
- January 25, 2012 Staff Reports issued.
- February 9, 2012 Planning Commission hearing.
- February 23, 2012 Continued Planning Commission hearing regarding S11-0006.
- February 28, 2012 Appeals filed.

4. Alternatives Analysis: Potential Sites Reviewed and Rejected as Infeasible.

S11-004: Although this project has already been approved, for purposes of thoroughness of discussion, the following sites were considered and, for the reasons stated, rejected as infeasible:

Infeasible Site A: Colina Del Oro property. This site was considered and rejected because of visibility (large trees block visibility) and any such sign would have to be raised higher than the 50' maximum allowed by County Code. Therefore this site was not feasible.

Infeasible Site B: Tilden Park at the Sentry Storage property. This site was considered and rejected because of difficulty with access for construction and maintenance, marginal visibility, power line obstruction and proximity to residential housing. Therefore this site was not feasible.

Infeasible Site C: Tilden Park area-- the auto body shop lot. As with Site B, this site was considered and rejected because of difficulty with access for construction and maintenance, marginal visibility, power line obstruction and proximity to residential housing. Also, during the investigation process, this property was up for sale / being sold. Therefore this site was not feasible.

S11-005: The sign is proposed to be located at 4081 Mother Lode Drive. This site was chosen for the following reasons:

- Applicant was able to secure a lease with an option to purchase the property. This was required because the property owner would not enter into a long-term lease for outdoor advertising. Although the Application has remained in limbo, Applicant has been paying lease costs for over one year.
- Power: Power could be obtained for a reasonable cost.
- Placement of an outdoor advertising sign does not impact any residential homes.
- Access: There is reasonable access for both construction and maintenance.
- General Considerations: Meets all CalTrans and County regulations for placement of outdoor advertising.

The following sites were considered and, for the reasons stated, rejected as infeasible:

Infeasible Site A: Colina Del Oro property. This site was considered and rejected because of visibility (large trees block visibility) and any such sign would have to be raised higher than the 50' maximum allowed by County Code. Therefore this site was not feasible.

Infeasible Site B: Scariot Property. Applicant had long considered this property as a possible location. However, Applicant received a legal opinion that potential environmental concerns (primarily CEQA) on the property regarding flora and fauna made construction infeasible. Further, contact with the owner's agent indicated Applicant could not obtain a lease. In addition, the location lacks power anywhere close to the building area (raising costs in excess of \$100,000 to bring power in) and no existing reasonable access to the site absent building a road capable of carrying heavy equipment (raising the cost in excess of an additional \$100,000). Taken together (road construction and power line construction) raise other environmental issues. Because of the "1000' feet of a business" requirement by CalTrans, there is only a limited area where a sign could be placed on-site and placement at this location would require a sign higher than 50' for visibility in violation of County Code. Finally, this property is up for sale so it is not feasible to obtain a lease at this location or build at this location. For the plethora of reasons stated, this site was not feasible.

Infeasible Site C: Tilden Park area. As discussed above, while Tilden Park area technically has two or three locations that meet CalTrans regulations, building at those locations present access, visibility, PG &E and residential impact problems,

not to mention the inability to obtain a lease as described above. Therefore this/these site(s) was/were not feasible.

S11-006: The sign is proposed to be located at 3431 Coach Lane. This site was chosen for the following reasons:

- Applicant was able to obtain a long-term lease on unencumbered property.
- Power was close by and will not be expensive to bring to the sign.
- A sign on this location does not impact any residential houses.
- This is a major commercial area where legal signs should be located and illegal signs removed.
- Meets all of CalTrans' and County's Regulations for placement of outdoor advertising.

The following sites were considered and, for the reasons stated, rejected as infeasible:

Infeasible Site A: Food for Less property. This site was considered and rejected for two reasons. First, the visibility is very poor and would result in a barely visible sign. Second, the property owner indicates there are Lease Restrictions which would limit the messages that could be placed on the sign. These restrictions were very significant and would render the placement of off-premise advertising economically infeasible. In the final analysis, applicant simply could not obtain a Lease at that location.

Infeasible Site B: Quality Inn location. Applicant considered and quickly rejected this location because of the lack of visibility and the fact that any sign constructed on this property would necessarily block the Quality Inn sign. There were also access issues that might exist, but were not investigated fully because of the obvious visibility issues and the likelihood that applicant could not obtain a lease. Properties west of Cameron Park Drive also begin to affect residential areas.

Infeasible Site C: Bel Air property. Applicant considered the Bel Air property but rejected it as a feasible location because the property sits well below the freeway and for any sign to be visible it would need to be placed higher than 50'. Even if placed higher, there are PG & E power lines which make construction impractical.

Exhibit 6 is parcel specific chart and map demonstrating how and why these and other locations are either infeasible or unlawful, or both, for the placement of outdoor advertising.

5. Proposed Mitigation is Agreeable.

Applicant had originally requested sign faces measuring fourteen feet by forty-eight feet (14' x 48') as this is the industry standard for signs facing a highway. For example, the sign located at Weber Creek is this size. The primary environmental impact alleged is/was the amount of visual impact (e.g., alleged blockage of the Crystal Basin). Applicant agrees to the mitigation requested by the County: the smaller double-face size of twelve by forty feet (12' x 40').

To fully mitigate the alleged impact, Applicant agrees to the smallest face size that is economically feasible within industry standards feet (12' x 40').

Any smaller size would make the construction and maintenance of signs economically infeasible. More specifically, any size smaller than 12' x 40' would be so far outside industry standards as to become useless for purposes of outdoor advertising along a Highway.

In addition, a further reduced size would also negatively impact aesthetics by having different sign sizes and thus create a visual inconsistency.

6. Unrequested (Additional) Mitigation Implemented By Applicant

Although never discussed by any member of the public or the Board, Applicant has considered other or additional mitigation that was never considered or proposed.

For example, Applicant investigated whether industry standards would allow down-lighting as suggested by Staff. This was rejected for two reasons. First, the down-lighting from the 50' height of the proposed signs could cause significant "flooding" of areas not intended to be lit. Second, industry standards dictate that signage lighting only light the project to the extent necessary. Therefore, Applicant has requested that the down-lighting requirement be removed and further requests that Applicant be directed to work with Staff on up-lighting. Granting of this request will eliminate perceived aesthetic impacts and any potential environmental impacts (e.g., light issues regarding animals, distractions to drivers at night, etc.).

In addition, Applicant voluntarily chosen to paint the sign pole and "head" on S11-004 in black (instead of the less expensive alternative of leaving the sign pole and head in its metallic steel color. This unrequested, additional mitigation was put in place so that the structure blends most efficiently, as determined by industry studies, with the natural surroundings and thus further eliminate any perceived aesthetic concerns. This was done at significant cost to Applicant.

7. Additional Mitigation: Removal of Illegal Signs Eliminates Perceived "Congestion"

There was public testimony to the effect that the approval of S11-006 (3431 Coach Lane) may create a perception of sign congestion.

Were the County to remove the unpermitted signs, any perceived sign congestion would be eliminated.

Applicant has provided counsel for the County with a list and map of a significant number of illegal/unpermitted signs in the County, including numerous within the Cameron Park area (where S11-006 is proposed). Removal of the illegal/unpermitted signs, including a single sign, would eliminate the perceived aesthetic argument regarding sign congestion.

Applicant is willing to provide any additional information on this topic that may be helpful to the County in requiring all signs to comply with applicable regulations and ensure the legality of all signs in the area.

8. Project is Consistent with the General Plan and County Ordinances.

At the hearings before the Planning Commission and/or the Board, there was some public discussion regarding consistency with the General Plan. In particular, Table 5.3.1 (with was an Exhibit to the General Plan EIR) was referenced.

Applicant continues to believe the subject projects are consistent with the General Plan because there are no specific prohibitions and thus consistency is implied. This has been the position taken by County on a multitude of other projects.

Further, the General Plan Goal 2.6, regarding Corridor View Sheds, calls for the, "Protection and improvement of scenic values along designated scenic road corridors." Although none of the proposed signs falls within a designated scenic road corridor, Applicant agrees to mitigate the impact by reducing the face size to the smallest possible, economically feasible size and through the use of other aesthetic devices such as proper lighting and using blending colors for the pole and head (the structure that sit atop the pole).

In addition, Goal 2.7, anticipates that regulation of "Signs," anticipates that the size, quantity and location of signs will help maintain and enhance the visual appearance of the County. As demonstrated herein, that is what Applicant has done. First, the size has been reduced to the size requested by the County which happens to be the smallest economically feasible size. Second, Applicant's three signs, unlike numerous unpermitted signs in the County, are subject to legal requirements such as height, size, and location. Were the County to remove the unpermitted signs, any perceived sign congestion would be eliminated. Moreover, because of the CalTrans spacing requirements, the addition of Applicant's signs limits the ability of any other applicant to put signs up (e.g., see discussion regarding CalTrans' regulations, above). Further, the Board has recently proposed a moratorium on signs. Such a moratorium would halt the construction of permitted signs and ultimately reduce the total quantity of signs due to

limitations typically included in a moratorium (e.g., no significant alterations, etc.). Finally, the location of the signs, as set forth herein, is both highly regulated and limited (e.g., see discussion regarding CalTrans' regulations, above). Applicant has placed the proposed signs in locations permitted by County Ordinance.

9. *De Minimis* Impact to View Shed (<3.2 seconds).

The impact to the view shed is less than significant and in almost unnoticeable. This conclusion is demonstrable based upon the following empirical analyses:

- The drive from Cameron Park Drive to Ray Lawyer Drive is approximately ten minutes in length when traveling at an average speed of 55 to 60 miles per hour in normal traffic conditions (level of service C or higher).
- During that ten minute drive, the Crystal Basin, in some form, is visible an average of four and one-half minutes of the travel time.
- Of that four and one-half minutes of travel time in which the Crystal Basin can be seen, S11-0005 results in a partial blockage of only a small portion (estimated to be fifteen percent (15%)) of the entire Crystal Basin which occurs for approximately 3.5 seconds. (See DVD provided to each Supervisor and the Clerk of the Board and is available to the public on YouTube at: <http://youtu.be/-Qefa3zORTs>.) In other words, eighty-five percent (85%) of the Crystal Basin is visible at all times.
- Only fifteen percent (15%) of the Crystal Basin is partially blocked from the view shed for less than four seconds.

Conclusion: The total viewing time of the view shed is 270 seconds total of which <4 seconds is blocked. In other words visibility is blocked less than 1.481% of the total view time of 270 seconds. Moreover, this is less than .000666 of the entire ten minute drive time from Cameron Park Drive to Ray Lawyer Drive.

Applicant believes Staff was correct in determining this type of *de minimis* and partial blockage is by any legal standard "less than significant":

- The administrative record does not contain any scientific or factual data indicating proposed sign S11-0005 will create any adverse aesthetic impact on the environment and certainly no "fair argument" of a significant impact.
- Pursuant to El Dorado County Ordinance 17.14, certain structures are allowed by right at 50' in height. Since a building could be erected at 50' without environmental review and potentially block the same area, Applicant's sign creates no additional aesthetic impact than what is allowed by right and therefore its impact on the environment is insignificant.

- Table 5.3.1, as written when Applicant applied for SUPs, did not list the proposed site location(s) as being part of important view shed. This may be a simple error, and perhaps Table 5.3.1 should have included eastbound Highway 50 from Bass Lake Road east through Ray Lawyer Drive; however, it does not. Applicant relied upon the General Plan (and reference documents) as written when the Applications were submitted. The Board should find that Table 5.3.1 as written when Applicant submitted his applications did not identify the proposed site locations as being within an important view shed.

Because the total blockage never occurs and because the slight blockage time is nearly immeasurable, there is no reasonable argument that the view shed of the Crystal Basin is significantly impacted and there is no reasonable argument that aesthetics are impacted.

10. Construction of S11-004 (4241 Sunset Lane) Demonstrates Conformance With Project Proposal.

S11-004 was constructed on July 2-3, 2012. By comparing the proposed project with the project as constructed, the Applicant demonstrates to the Board that his representations, analyses and information was/is correct, verifiable and accurate in all respects.

- Attached as Exhibit 1 are the photographs submitted to the Board for consideration of approval of Application S11-004.
- Attached as Exhibit 1 are also photographs of newly constructed sign.

This result was accomplished by a labor intense process whereby, generally speaking, Applicant erected a temporary pole fifty feet (50') in height with a flag at the top and photographs were taken from various positions along the highway. Thereafter, the proposed signs were "photoshopped" in to the photographs in order to create "to scale" mock ups for review by the Board. An example of this can be found in Exhibit 5.

Conclusion: The proposed sign and constructed sign are identical in all respects, save that the constructed sign is advertising two local businesses: The Redhawk Casino and the El Dorado County Wine Growers' Association (the face was donated by Applicant to support local businesses). Applicant understands and believes that the vitality of the County is strengthened by the vitality of local businesses, whether they be Applicant's, Redhawk Casino, the vintners, or any other local business.

11. No Significant Unavoidable Impacts.

As set forth above, Applicant believes none of the three signs create a significant impact on the environment and certainly none on residential neighborhoods. The reduced sign size, the use of black to blend the pole and structure with the surrounding area are further efforts made to reduce even further the very insignificant impact of the three signs. Given Applicant's exhaustive efforts to scrutinize other potential sites for outdoor

advertising and finding none that would have less of an impact than the three proposed, Applicant believes there are no significant unavoidable impacts created by the three signs and none related to S11-005 and S11-006.

IV. Conclusion

As a result of the foregoing, Applicant requests a finding of consistency with the General Plan based on further evaluation of this supplemental material(s). This request is made in light of the fact that there is no express prohibition of the signs, as proposed and modified, in General Plan. Absent a specific prohibition, consistency is implied.

Subject to the approval by the Board of Supervisors, the three applications, numbered S11-004 (4241 Sunset Lane), S11-005 (4081 Mother Lode Drive), and S11-006 (3431 Coach Lane), are respectfully submitted for approval as follows:

- a. The size of each sign shall be reduced to twelve by forty feet (12' x 40'). Each sign shall have no more than two faces and each sign shall be no taller than fifty feet (50').
- b. The conditions related to down lighting be removed.
- c. The sunset provision automatically terminating the Special Use Permit in seven years will be removed, but Applicant is aware that the County may modify its ordinance(s) in the future and all signs referenced in applications numbered S11-004 (4241 Sunset Lane), S11-005 (4081 Mother Lode Drive), and S11-006 (3431 Coach Lane) may be subject to any such modifications. County acknowledges that Applicant is not waiving but specifically reserves any and all rights to challenge or obtain relief from any modifications, changes or repealing of the County's ordinance(s).
- d. Applicant agrees to defend and indemnify the County, its Board members, Commissioners, officers, employees, administrators, departments, successors and assigns of any such persons or entities, in connection with any litigation that may arise out of the approval of any of the three Applications.