

FROM THE PLANNING COMMISSION MINUTES OF FEBRUARY 9, 2012

Prior to the beginning of the Public Hearing portion of the meeting, Chair Pratt announced that they did not have a full Commission today, although they did have a quorum to make decisions. He stated that Commissioner Rain had significant health issues in his family and would not be present for today's hearing or the next hearing. Historically, the Commission, as a courtesy, has allowed applicants before the Commission to request their item be continued to be heard by a full Commission. That request must be made before the item is started. Once the hearing is started, the applicant may not request a continuance on the grounds of not having a full Commission. At this time, the earliest that there may be a full Commission would be at the March 8, 2012, hearing.

10. SPECIAL USE PERMIT

Prior to hearing the Special Use Permit items, Chair Pratt announced that the Commission would be hearing each item individually and requested the public focus their comments on the specific item being heard.

[Clerk's Note: S11-0004, S11-0005, and S11-0006 were heard at the same hearing and applicant concurred with a request to incorporate comments made on the previous applications when the Commission considered action on each individual application.]

c. Appeal submitted by DYANA ANDERLY of the claim made by the applicant that the permit was "deemed approved" on December 30, 2011 due to the alleged failure of the County to meet statutory time limits pursuant to the California Permit Streamlining Act (Government Code Section 65920 et. seq.) of **Special Use Permit S11-0006/Coach Lane Off-Premise Advertising Sign AND** to consider said Special Use Permit submitted by JOHN DAVID PEREIRA to construct a lighted 14 ft. by 48 ft. (672 sq. ft.) off-premises advertising sign on property identified by Assessor's Parcel Number 109-211-03, consisting of 0.87 acre, and is located on the north side of Coach Lane, approximately 400 feet east of the intersection with Cameron Park Drive along the south side of U.S. Highway 50, in the Cameron Park area, Supervisorial District 2. *[Project Planner: Aaron Mount]* (Negative Declaration prepared)*

Aaron Mount presented the item to the Commission and stated that staff was recommending the size of the sign be limited to 200 square feet (as shown in Condition #1) and that the permit be valid for 7 years (as shown in Condition #2).

John Pereira/applicant made the following comments:

- Cameron Park area is one of the major off-ramp areas in El Dorado County;
- Identified a sign on Cambridge and a Mansour sign as being off-premise signs with no Special Use Permits, no CEQA and no complaints;
- Identified the Food for Less sign (20 x 50) as having no complaints received;
- Identified a semi-truck with a sign that is illegal and has never been cited;
- Objects to inconsistent standards that allow illegal signs but stops someone from putting up lawful signs;
- Denying this project based on CEQA aesthetics is not appropriate; and

- Sign is in the proper zone in a Commercial area that has no viewshed and doesn't block any views.

Mark Harris, Cameron Park Design Review Committee, provided a history of their process for design guidelines and this particular application.

Art Marinaccio made the following comments:

- Although there may not be final design guidelines approved by the Committee or the Board of Supervisors that does not mean that there aren't guidelines in place (i.e., Design review requirement);
- Viewshed of all State Highways is important;
- Important that the Commission reject the Negative Declaration; and
- Agreed with the applicant on the concerns with the permitting and regulatory structure of the County.

Pat Dyer opposed the project and stated that local businesses are either seasonal or mom & pop establishments and that there are no aesthetics value with the billboard.

Bob Wheatly, Cameron Park resident, stated that no good would come out of the billboard and that Hwy 50 was a decent corridor.

Sue Taylor commended Shingle Springs and Cameron Park for establishing a group to create design guidelines and suggested a moratorium on billboards. She questioned Staff Report Exhibit G and the sign sizes.

Dyana Anderly stated she was choosing to speak as a resident instead of as the appellant. She stated the proposed location wouldn't be beneficial to east-bound traffic and that the project was not compatible with the surrounding area. Ms. Anderly said that the applicant does not want a smaller sign and requested the Commission deny the application.

Brad Pearson spoke on the existing JimBoy's Tacos sign and how close it would be to the proposed sign location. He stated that the public would have to drive underneath the proposed sign. He felt more sign enforcement was needed and requested the project be denied.

Kathleen Newell opposed the project as it brought visual blight and more clutter to the area.

Jane Layton, resident and member of the Cameron Park Design Review Committee, stated that Cameron Park is engaged in developing guidelines on how the community wants to evolve. She made the additional following comments:

- Will decrease the quality of life;
- In favor of private property rights but need to look out for the public good;
- Public doesn't want to look like Rancho Cordova;
- Suggested a moratorium until design guidelines can be adopted; and
- Addressed illegal signs.

Bo Palley questioned if the Cameron Park “Special Place to Live” sign had a Special Use Permit. He said by allowing them to have a sign and then deny him was applying the rules differently and that was why there was a Federal lawsuit.

Mr. Pereira stated he has the same right to put up a sign and the Cameron Park Design Review Committee’s recommendation was made in violation of the Brown Act and is, therefore, null and void. He described emails containing comments made three weeks prior to the hearing with the Cameron Park Design Review Committee.

Commissioner Heflin asked for clarification on the size of the Shell sign for a visual perspective.

Commissioner Tolhurst had the same comments as the previous applications.

Commissioner Mathews said this was an area where a sign like this should be placed and staff is recommending a smaller size. He stated that the applicant made good points on the illegal signs. Commissioner Mathews felt the sign size did not blend with the other signs.

Chair Pratt voiced concern with the size and height of the proposed sign, but had fewer issues than the other two applications. He was concerned that it was going in eight feet from the other sign.

Commissioner Tolhurst felt there was not enough information in the environmental document.

County Counsel Paula Frantz stated that the Commission had the authority to seek a continuance in order to obtain more information from the applicant.

Commissioner Mathews would like to see other options on size and height prior to making a determination and that he was not completely opposed to this project.

Commissioner Heflin stated that this project had some possibilities but that the size was too big.

[Clerk’s Note: Commissioner Tolhurst left the meeting at 2:50 p.m.]

Commissioner Mathews suggested continuing the item. He understood the common viewpoint of not cluttering the skyline.

County Counsel Frantz stated that the applicant had previously stated he was not willing to accept staff’s recommendation of 200 square feet and the Commission needed to ask the applicant if he is willing to reconsider.

Mr. Pereira agreed to discuss options without waiving any rights. He explained that he did make the same offer to the Cameron Park Design Review Committee and was willing to work with Planning and return in two weeks.

Chair Pratt indicated that he would like to see more photo sims at the proposed size with multiple angles and inquired if the sign could be smaller.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (3-0), to continue S11-0006 to the February 23, 2012 meeting.

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