



COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room
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Rich Stewart, Chair, District 1
Dave Pratt, First Vice-Chair, District 4
Brian Shinault, Second Vice-Chair, District 5
Gary Miller, District 2
Tom Heflin, District 3

Char Tim Clerk of the Planning Commission

DRAFT MINUTES

**Regular Meeting
March 26, 2015 – 8:30 A.M.**

CALL TO ORDER AND RECESS INTO CLOSED SESSION

Meeting was called to order at 8:32 a.m. Present: Commissioners Stewart, Miller, Heflin, Pratt, and Shinault; David Livingston-County Counsel; and Char Tim-Clerk of the Planning Commission.

ADOPTION OF AGENDA

Motion: Commissioner Pratt moved, seconded by Commissioner Shinault, and carried (5-0), to approve the agenda as presented.

AYES: Heflin, Miller, Shinault, Pratt, Stewart
NOES: None

PLEDGE OF ALLEGIANCE

CONSENT CALENDAR (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

Chair Stewart announced that he had spoken to staff on Item #3 regarding the Staff Report containing a typographical error in the background section where it was mistakenly identified as Permit #34 instead of Permit #25. He was comfortable in just identifying the error and not pulling the item. .

Motion: Commissioner Miller moved, seconded by Commissioner Heflin, and carried (5-0), to approve the Consent Calendar, identifying the typographical error in Item #3's Staff Report.

AYES: Pratt, Shinault*, Heflin, Miller, Stewart
NOES: None

(*Abstained from Item #1)

1. **15-0243** Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of March 12, 2015.

This was Approved on Consent Calendar, with Commissioner Shinault abstaining.

2. **15-0244** Chief Administrative Office, Parks Division, submitting request to consider the transfer of River Use Permit #15 and its consolidation into River Use Permit #63; and staff recommending the Planning Commission take the following actions: 1) Approve the transfer of River Use Permit #15 from Mark C. Taylor, owner of Mark C. Taylors Reliable River Repair dba Flowing-Rivers.org, to Action Whitewater Adventures California, Inc., owned by Michael Juarez; and 2) Approve the request to consolidate River Use Permit #15 into River Use Permit #63.

This was Approved on Consent Calendar.

3. **15-0245** Chief Administrative Office, Parks Division, submitting request to consider the transfer of River Use Permit #25 and retain it as a secondary (component) permit in addition to River Use Permit #48; and staff recommending the Planning Commission take the following actions: 1) Approve the transfer of River Use Permit #25 from Scott Blankenfeld, owner of California River Adventures, Inc., to Beyond Limits Adventures, Inc., owned by Mike Doyle; and 2) Approve the request to retain River Use Permit #25 as a component permit in addition to River Use Permit #48.

This was Approved on Consent Calendar, identifying typographical error in Staff Report.

4. **15-0305** Chief Administrative Office, Parks Division, submitting the 2014 Annual Report on the River Management Plan and recommending the Planning Commission take the following actions: 1) Approve the 2014 Annual Report on implementation of the River Management Plan; and 2) Recommend continued implementation of the River Management Plan as currently prescribed.

This was Approved on Consent Calendar.

5. **15-0306** Community Development Agency, Transportation Division submitting a request for a Finding of General Plan Consistency for the County to Accept an Irrevocable Offer of Dedication by the Williams Family Trust, 9/19/91 for portions of Assessor's Parcel Number 119-090-17 in the El Dorado Hills area; and staff recommending the Planning Commission find that the Irrevocable Offer of Dedication In Fee of Road Right of Way, Public Utilities Easement and Slope Easement (IOD) are consistent with applicable policies of the adopted 2004 El Dorado County General Plan in accordance with Government Code Section 65402. (Supervisory District 1)

This was Approved on Consent Calendar.

END OF CONSENT CALENDAR

DEPARTMENTAL REPORTS AND COMMUNICATIONS
(Development Services, Transportation, County Counsel)

Roger Trout re-introduced Tiffany Schmid, Principal Planner, announcing that she had been re-assigned to Current Planning. He also notified the Commission that the applicants for the Rancho Olivo Vineyards Special Use Permit revision had appealed the Commission's denial and it will be heard by the Board of Supervisors in April. Also, Mr. Trout announced that the request for a Special Use Permit for the Skyline Drive cell tower that was denied by the Commission had not been appealed.

Dave Spiegelberg, Transportation, introduced Jose Cornejo, a new staff member with the Division.

COMMISSIONERS' REPORTS

Commissioner Shinault mentioned that last week an article on the proposed Meyers Area Plan indicated that there may be a delay in the process due to a possible conflict of interest involving Supervisor Novasel.

Commissioner Pratt attended the following meetings: Bridge replacement on Newton Road, Georgetown Dollar Store, and a community meeting on the proposed gun range in Shingle Springs.

Chair Stewart spoke on the road work beginning on Francisco Drive and El Dorado Hills Blvd.

PUBLIC FORUM/PUBLIC COMMENT – None

AGENDA ITEMS

6. 13-0086 Hearing to consider the Sign Ordinance Update which consists of the adoption and implementation of an update to the County's existing Sign Ordinance (Chapter 130.16 of Title 130 of the El Dorado County Code of Ordinances, and other sections of Title 130 addressing sign regulations and standards) as well as amendments to General Plan Objective 2.7.1 and Policy 2.7.1.2 (pertaining to off-site signs) consistent with the goals of the project; and staff recommending the Planning Commission recommend the Board of Supervisors take the following actions:

- 1) Adopt a Resolution certifying the Environmental Impact Report for an Amendment of the El Dorado County Zoning Ordinance Chapter 130.16; Make Findings of Fact and Issue a Statement of Overriding Considerations;
- 2) Adopt a Resolution to amend the El Dorado County General Plan Land Use Element Objective 2.7.1 and Policy 2.7.1.2;
- 3) Approve the final draft comprehensive update to Chapter 130.16 of the County Zoning Ordinance, which includes the recommended Mitigation Measure; and
- 4) Adopt the Mitigation Monitoring and Reporting Program.

Shawna Purvines introduced Anne Novotny, Project Planner, and Randal Morrison, outside counsel. Each conducted a PowerPoint presentation. Mr. Morrison made the following recommended changes to the proposed Sign Ordinance Update:

- Delete 17.16.040, Item B “Permanent Off-Site Signs”, as it is duplicate wording to Section 17.16.070, Item I “Standards for Off-Site Subdivision Signs”; and
- Add definition for General Advertising for Hire; proposed wording was read into the record and provided to staff.

Discussion between the Commission and staff included the following:

- On-site vs. Off-site and Commercial vs. Non-commercial;
- Measurement distance;
- Proposed mitigation measures;
- Evidence if digital signs would consolidate sign clutter;
- Different types of electronic display (i.e., unlit digital signs) and whether or not they should be grouped together; and
- Size of LED signs and light contamination.

Scott Chad, El Dorado County Farm Trails Association, wanted to clarify past statements that their organization’s current sign program would not be impacted by this proposed Sign Ordinance Update. After public comment was closed, Ms. Purvines concurred that Mr. Chad was correct regarding his organization’s sign program and the Sign Ordinance.

Kevin Loewen, El Dorado Hills Community Services District, supported the digital and illumination signs as it would allow them to provide information to the community in a timely fashion. Humans are visual creatures and this would give them an opportunity to use visual presentation (i.e., pictures) to get messages out to the public.

Mary Cahill, Cameron Park Community Services District, made the following comments:

- Had submitted written comments;
- Currently uses banners but would like to explore the electronic option;
- Technology changes so quickly and would like the ability to look at all options available instead of limiting to just one such as LED signs;
- When they don’t advertise new events, they get negative feedback from the public and electronic signs would provide them the opportunity to advertise more events;
- Community Center location has more sensitivity due to the adjacent residential neighborhood but other CSD locations (i.e., parks) are in more heavy traffic areas; and
- Manual signs are staff-intensive and electronic signs would allow information to get out to the public quickly.

Laurel Brent-Bumb, El Dorado County Chamber of Commerce, made the following comments:

- We are still under economic recovery and in a technological age;
- Electronic signs would consolidate other signs because it just takes edits on a computer to change information compared to manually having to add/remove signs;

- Supports staff's recommendations as it is good common sense; and
- Questioned how the Sign Ordinance would be enforced, which is the real issue.

Gordon Pack, vineyard and winery owner representing several other wineries, made the following comments:

- Concerned that the Sign Ordinance Update prohibits off-site signs on private roads and easements and denies signs for ranch marketing activities, etc.;
- Requested that the definition of off-site signs include easement access; and
- This problem needs to be resolved prior to approval as it opens up the County to legal issues.

Steve Ferry, El Dorado Hills resident, made the following comments:

- Need to address the next generation of technology options;
- Most signs don't provide information but identify a business; and
- Felt that eventually an app for smart phones would be developed that would broadcast messages out to the public.

Eva Robertson, Cameron Park resident, made the following comments:

- Would like to have the scenic corridor extended to east of Placerville;
- Spoke on visual clutter in Cameron Park and distributed photos;
- Would like to see lower sign height standards;
- Variance provisions are expensive and can take up to 3 months and if this process was less expensive and more simpler, felt more people would comply with the regulations; and
- Spoke on Cheryl Langley's submitted written comments and her basic conclusion was to keep the existing ordinance and do more research.

Phyllis Goldie made the following comments:

- Purpose of the Sign Ordinance is essentially for community identification;
- The purpose has merit and is clear;
- Spoke on freeway signs and designated scenic corridors;
- Signs are designed to attract attention and they detract from the surrounding views; and
- Need tasteful and attractive signs.

Dyana Anderly, Cameron Park Design Review Committee representative and professional planner, made the following comments:

- The Environmental Impact Report is the County's document and their responsibility;
- The only impact shown by the consultant in the environmental document was digital signs, but sign height could have a significant visual impact;
- Spoke on other jurisdictions' sign heights;
- Cameron Park Design Review Committee recommends changes to the environmental document to address the impacts to the rural character of Cameron Park;
- Costs and time for a variance request are obstacles to new business owners;
- Questioned where the 60 feet and 30 feet came from;

- Inquired on the 30 day requirement to remove portable signs;
- According to Code Enforcement statements, health and safety issues come before sign complaints;
- Spoke on the sign size formula;
- This ordinance is visual, but the Commission has not been shown what a 60 foot sign really looks like;
- Distributed photos to the Commission;
- Public agencies should be exempt from ordinance; and
- Cameron Park would be more affected than other communities and what the Cameron Park Design Review Committee requested had not been included in the update.

Valerie Zentner made the following comments:

- Supported the General Plan policy change;
- Appreciated the distinction of rural and urban signs throughout the document;
- Topography and setbacks are unique to this County;
- Spoke on landlock issue and allowing directional signs, which she believed was already in the Ordinance;
- Spoke on illumination concerns and felt that it wouldn't be an issue in the rural area as most businesses would probably turn off the signs after-hours, except for Bed and Breakfast Inns which would have customers arriving in the evening hours; and
- Supported not having abandoned signs removed immediately.

Lori Parlin made the following comments:

- Public outreach was not well done as there had been a lot of revisions and updates since those meetings;
- Public was told that there would be opportunities for them to discuss the project, not just the environmental document, but now at today's hearing, staff is requesting the Commission to forward a recommendation of approval to the Board of Supervisors;
- Doesn't want El Dorado County to look like Rancho Cordova;
- Hwy 50 is not urban;
- El Dorado County should handle political signs the same way that the City of Placerville handles them;
- Spoke on electronic signs;
- Protecting the scenic corridor should be done first;
- Home Occupation ordinance is still being worked on; and
- Urban and rural definitions are gray areas.

Karen Warner made the following comments:

- Word of mouth is what builds a business; and
- Suggested the County change its website picture since the winery sign isn't digital.

Chair Stewart closed public comment.

Mr. Morrison made the following comments:

- The 60 foot sign height is a policy call;
- Spoke on political signs and message substitution; and
- Spoke on amortization and its complexity.

Ms. Purvines made the following comments:

- Spoke on enforceability of the Sign Ordinance, which would include education;
- Concurred that the Farm Trails Association Sign Program was safe from the Sign Ordinance;
- Ordinance includes an opportunity for community sign programs;
- Spoke on the 60 foot sign height; and
- Current ordinance is “one size fits zone district”.

Commissioner Shinault made the following comments:

- Staff did a good job and he saw this as progress, especially when compared to the South Lake Tahoe sign ordinance;
- Spoke on the South Lake Tahoe sign ordinance restrictions and how difficult it was to comply;
- Digital signs that contain moving text is not appropriate as it is difficult to read while driving, so perhaps limit the number of lines;
- Compliance is difficult because people will circumvent the system;
- Need to address the issue of those business that don't front a public road and determine how many signs allowed if there are a group of businesses in the same area;
- Not every community has same issues and would need to look at each one individually;
- Need to look at traffic speed to determine sign size; and
- Frontage of lot, not building size, is what will be seen from the road and that should be used in the formula for the sign size.

Significant discussion ensued on off-site signs and industry directional signs allowed in public right of way, private agreements, how many signs would be allowed if a group of businesses were involved, and if a business was unable to secure a private agreement. Mr. Morrison stated he would work with staff to draft language to address these concerns. Chair Stewart encouraged staff to work with interested parties. Commissioner Pratt added that a master sign element would need to be addressed with this, also.

[Clerk's Note: At 12:16 p.m., Commissioner Shinault left his seat on the Commission.]

Discussion ensued on Variances vs. Special Use Permits and the need for the Commission to provide clarity on how variances were to be used. Commissioner Pratt indicated that the areas to address would be non-flat map issues, costs, and defining boundaries for variations.

Commissioner Pratt made the following comments:

- Universal footage won't work due to topography, so height should be set lower with the ability to ask for higher;

- Variances should be simple and inexpensive and used when physical conditions of property provide constraints;
- Currently, variances are typically located in the South Lake Tahoe area;
- Prefer to see a reference to other sets of codes regarding signs (i.e., Ranch Marketing Ordinance, Bed and Breakfast Ordinance, and Winery Ordinance);
- Inquired how Community Service Districts would fall under the Community Sign Program and spoke on some local high school electronic signs that were placed in good locations and tastefully done, thereby having a low impact/low threshold; and
- If Community Service Districts were treated more like the schools with some of the thresholds, perhaps it would solve some of the problems.

Chair Stewart made the following comments:

- Inquired if possible to get relief from code under a Special Use Permit (i.e., Bed and Breakfast Inns' illumination signs) since it would not be possible to make the findings under a Variance; and
- Had issues with temporary signs in general.

Discussion ensued on temporary signs.

Ms. Purvines went through Ms. Langley's written public comments and spoke on several items.

Ms. Purvines requested the Commission provide comments and clarifications on the proposed Sign Ordinance Update so they could include them into the document when they return to the Commission. Staff began documenting the Commission's comments which were displayed to the audience and the comments included the following areas:

- Community Service Districts;
- Industry signs;
- Height;
- Topography issues;
- Variance;
- Urban references;
- Master sign program;
- Bringing back approved ordinance for review within 1-2 years;
- Temporary signs;
- Electronic signs;
- Measurement distance standards;
- Exemptions for public entities;
- Enforcement policies;
- Education program;
- Political sign blight;
- General advertising for hire;
- Community regions;
- Commercial message definition;
- Definition of sign;

- Illumination/lighting,
- Scenic highways;
- Curb painting;
- Memorial plaques;
- Regulating gas price signs;
- Spacing of trespassing signs;
- Real estate sign heights;
- On-site directional sign heights;
- Sign twirlers;
- Tourist industry definition;
- Community identification signs;
- Arch messages;
- Businesses located on street corners and two signs needing to be closer than 250 feet;
- Canopy signs;
- Fence/post/pole signs;
- How to calculate;
- Concern on restricting competition on Hwy 50 due to spacing requirements;
- Multi-tenant signs;
- Bed and Breakfast Inn signs;
- Roof signs;
- Blank copy signs;
- Removal abatement;
- Restoration of damaged signs; and
- Feather/quail banners.

Commissioner Heflin made the following comments:

- Inquired what was the largest electronic sign size allowed in a community region; and
- Feather/quail banners are not addressed in the ordinance, but they are a visual blight.

Commissioner Miller made the following comments:

- This may destroy a scenic corridor before it is even designated; and
- Code enforcement is a big issue.

Ms. Purvines notified the Commission that instead of re-writing the Sign Ordinance Update, they would be providing an errata sheet showing the Commission's recommended changes.

Chair Stewart requested that staff try to avoid placing any other agenda items on the meeting date that this item will be continued to.

Dave Defanti, Long Range Planning, stated that he would be willing to meet with anyone at any time to discuss this project and that offer was open to the public.

There was no further discussion.

Motion: Commissioner Heflin moved, seconded by Commissioner Miller, and carried (4-0), to continue the item to the May 28, 2015 meeting.

AYES: Pratt, Miller, Heflin, Stewart

NOES: None

ABSENT: Shinault

ADJOURNMENT

Meeting adjourned at 1:59 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

Rich Stewart, Chair