

November 1, 2017

HAND DELIVERED

County of Lake
Clerk of the Board of Supervisors /
Community Development Department, Planning Division
255 N. Forbes Street
Lakeport, CA 95453

RECEIVED

NOV 02 2017

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

**RE: Appeal of Planning Commission Denial of UP 17-06 and DR 17-07
(Stott Outdoor Advertising) APN 004-055-37**

Dear Board of Supervisors,

With this letter, I respectfully appeal the Planning Commission's denial of Use Permit 17-06 and Design Review 17-07. This project was considered by the Commission on October 26th, 2017, as Item #1 on the agenda. The requested entitlements would authorize construction of an off-site sign adjacent to Highway 20 on property zoned C3-DR, to the east of the Sentry Market in Nice, inside the Nice Community Growth Boundary.

I've enclosed a separate document listing the grounds for the appeal, but wished to highlight two aspects of the Commission's hearing. First, after the staff presentation was complete, but before hearing any public testimony, a majority of the Commissioners stated in turn that they each intended to deny the project. It was disappointing to observe what could be considered prejudicial conduct on the part of the Commission before having an opportunity to speak. Second, several Planning Commissioners stated that they were unclear of the Board's direction regarding the approval of new off-site signs, and that they were denying the project in part so that an appeal would allow the Board to provide direction on the topic. While I can appreciate the desire for accurate and timely policy guidance, it was disheartening to think that the denial might not have been based on the merits of the project and its conformance with applicable policy and regulations.

Please find enclosed the following documents related to the appeal:

- Exhibit I - Appeal Form and Fee
- Exhibit II - Grounds for the Appeal
- Exhibit III - Applicant's Planning Commission Presentation
- Exhibit IV - Visual Simulations

I'd like to draw particular attention to Exhibit IV, the visual simulations. These were presented to Planning staff and the Commission the day of the hearing, and I believe that they answer many questions regarding views and compatibility. In hindsight, I regret not having them prepared earlier in the process. I'd like to think that staff's recommendation might have been different had these been provided several months ago.

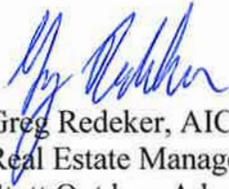
Exhibit D

One last item – I have not yet received any written communication from the County formalizing the Commission’s decision, and the video of the meeting has not yet been posted online. Because of this, I respectfully request the opportunity to submit additional information and grounds for appeal as needed, if allowed by the Board’s practices governing appeals.

Thank you for your time and consideration. If you have any questions or would like to discuss the appeal further, I can be reached at (530) 717-2705 or gredeker@stottoutdoor.com.

I look forward to another opportunity to present a project which supports Lake County businesses and helps the County meet the economic development goals of the General Plan.

Best regards,



Greg Redeker, AICP
Real Estate Manager
Stott Outdoor Advertising, Applicant

GR: ac

Enclosure(s)



County of Lake
Community Development Department
PLANNING DIVISION
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Phone (707) 263-2221 FAX (707) 263-2225

Date 11-2-17
[Signature]
RECEIVED

INITIAL FEES:	
AB <u>17-06</u>	\$1,065.00
Sub Total:	\$1,065.00
Technology recovery 2% Cost	\$21.30
General Plan Maintenance Fee	\$50.00
Total:	\$1,136.30

NOV 02 2017

LAKE COUNTY COMMUNITY DEVELOPMENT DEPT.

Planning Division Application
(Please type or print)

Appeal of Planning Commission Denial of

Project name: UP 17-06 and DR 17-07
Assessors Parcel # : 004 - 055 - 37

Zoning: _____
General Plan: _____
Receipt # _____
Initial: _____

APPLICANT:
 NAME: Stott Outdoor Advertising
 MAILING ADDRESS: On file with original application
 CITY: _____
 STATE: _____ ZIP: _____
 PRIMARY PHONE: () _____
 SECONDARY PHONE: () _____
 EMAIL: _____

PROPERTY OWNER (IF NOT APPLICANT):
 NAME: Larry and Frances Montgomery
 MAILING ADDRESS: On file with original application
 CITY: _____
 STATE: _____ ZIP: _____
 PRIMARY PHONE: () _____
 SECONDARY PHONE: () _____
 EMAIL: _____

PROJECT LOCATION
 ADDRESS: _____
 PRESENT USE OF LAND: _____

DESCRIPTION OF PROJECT:

All project information is on file with the original application
All appeal information is in the attached letter and exhibits

SURROUNDING LAND USES:
 North: _____
 South: _____
 East: _____
 West: _____

PARCEL SIZE(S):
 Existing: _____
 Proposed: _____

Existing/Proposed Water Supply: _____
 Existing/Proposed Sewage Disposal: _____
 Fire Protection District: _____
 School District: _____

At-Cost Project Reimbursement

I, Greg Redeker, Real Estate Manager, the undersigned, hereby authorize the County of Lake to process the above referenced permit request in accordance with the County of Lake Code. I am paying an initial fee of \$ 1,136.30 as an estimated cost for County staff review, coordination and processing costs related to my permit (Resolution No. 2017-19, February 7, 2017). **In making this initial fee, I acknowledge and understand that the initial fee may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Reimbursement Agreement:

1. Time spent by County of Lake staff in processing my application and any direct costs will be billed against the available initial fee. **"Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, processing of any appeals, responding to public records act requests or responding to any legal challenges related to the application. "Staff" includes any employee of the Community Development Department.**
2. If processing costs exceed the available initial fee, I will receive invoices payable within 30 days of billing.
3. As the owner of the project location, I have the authority to authorize and I hereby do authorize the County of Lake or authorized representative(s) to make inspections at any reasonable time as deemed necessary for the purpose of review and processing this application.
4. If I fail to pay any invoices within 30 days, the County will stop processing my permit application. All invoices must be paid in full prior to issuance of the applied for permit.
5. If the County determines that any study submitted by the applicant requires a County-contracted consultant peer review, I will pay the actual cost of the consultant review. This cost may vary depending on the complexity of the analysis. Selection of any consultant for a peer review shall be at the sole discretion of the Community Development Director or his designee.

6. I agree to pay the actual cost of any public notices for the project as required by State Law and the Lake County Zoning Ordinance.
7. I may, in writing, request a further breakdown or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.
8. I agree to pay all costs related to permit condition compliance as specified in any conditions of approval for my permit/entitlement including compliance monitoring.
9. I agree not to alter the physical condition of the property during the processing of this application by removing trees, demolishing structures, altering streams, and/or grading or filling. I understand that such alteration of the property may result in the imposition of criminal, civil or administrative fines or penalties, or delay or denial of the project.
10. Applicant shall defend, indemnify and hold harmless the County and its agents, including consultants, officers and employees from any claim, action or proceeding against the County or its agents, including consultants, officers or employees to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, including any claim for private attorney general fees claimed by or awarded to any party against the County, and shall also include the County's costs incurred in preparing the administrative record which are not paid by the petitioner. The County shall promptly notify the applicant of any claim, action or proceeding. Notwithstanding the foregoing, the County shall control the defense of any such claim, action or proceeding unless the settlement is approved by the applicant and that the applicant may act in its own stead as the real party in interest in any such claim, action or proceeding.
11. I have checked the current Hazardous Waste and Substances Sites List pursuant to Government Code Section 65962.5(f). www.envirostor.dtsc.ca.gov/public/ The proposed project site is or is not included on the most recent list.
12. I understand that pursuant to State Fish and Games Code Section 711.4, a filing fee is required for all projects processed with a Negative Declaration or Environmental Impact Report unless it has been determined by the California Department of Fish (CDFW) that the project will have no effect on fish and wildlife. The fees are collected by the County Community Development Department, Planning and Environmental review Division (PER) for payment to the State. I understand that I will be notified of the fee amount upon release of the environmental document for the project.

13. I hereby agree that any drainage studies and/or drainage models that are provided to the County as part of the technical studies for this entitlement process will be provided with a license or other satisfactory release allowing the County to duplicate, distribute, and/or publish the studies and models to the general public without restriction. I understand that failure to provide such license or release to the satisfaction of the County may result in comment that the study and or model is inadequate to support the entitlement request.

The signature(s) below signifies legal authority and consent to file an application in accordance with the information above. The signature also signifies that the submitted information and accompanying documents are true and accurate, and that the items initialed above have been read and agreed to.

Note: This agreement does not include other agency review fees or the County Clerk Environmental Document filing fees.

**APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE(S) OF LEGAL PROPERTY OWNERSHIP
OR OFFICIAL AGENT/AUTHORITY TO FILE (circle one)**

Ownership Contract to Purchase* Letter of Authorization* Power of Attorney*
**Must Attach Evidence*

Name of Property Owner or Corporate Principal Responsible or Appointed Designee for Payment of all At-Cost Project Reimbursement Fees:

Stott Outdoor Advertising, attn: Greg Redeker, Real Estate Manager

(Please Print)

Name of Company or Corporation *(if applicable)*:

Stott Outdoor Advertising

(Please Print)

PO Box 7209, Chico, CA 95927

Mailing Address of the Property Owner or Corporation/Company responsible for paying processing fees:
(If a Corporation, please attach a list of the names and titles of Corporate officers authorized to act on behalf of the Corporation)

Name:* Greg Redeker, Real Estate Manager

Date: _____

Email address: gredeker@stottoutdoor.com

Phone Number: 530-717-2705

On file

Signature of Owners/Agent Name*

Date



11/1/2017

Signature of Applicant / Appellant

Date

Grounds for Appeal of Lake County Planning Commission Denial of
UP 17-06 and DR 17-07 (Stott Outdoor Advertising) on
October 26th, 2017

1. Statements made by planning commissioners which could be considered prejudicial prior to hearing any public testimony.

After the staff presentation was complete, but before the public hearing had been opened, a majority of the commissioners (starting with the chair) made statements that they were opposed to outdoor advertising signs, stating that the intention of such signs is to distract drivers. Such comments would appear to be prejudicial in nature, giving the impression that a majority of the commissioners already had their minds made up prior to hearing from the applicant and the public.

2. Denying the project to receive direction from the Board of Supervisors rather than acting on the merits of the project.

During the Commission's discussion, at least two commissioners indicated that they were unclear of the current policy of the Board of Supervisors regarding the approval of new off-site signs. They then indicated that an appeal of a denial would result in clear direction from the Board to the Commission on this topic. It seems unclear how a denial would be more appropriate than a continuance if the desire was to obtain policy direction from the Board prior to taking action on the project. Furthermore, it would appear that adequate direction exists in the form of the adopted policies and regulations contained in the General Plan, Upper Lake – Nice Area Plan, and Zoning Ordinance.

3. Using inapplicable policies and design guidelines in the Upper Lake – Nice Area Plan as reasons for denial.

As discussed in my remarks and presentation to the Commission, the staff report appears to erroneously cite several sections of the Upper Lake – Nice Area Plan as reasons to deny the project.

For example, the staff report speaks at length about a statement in Chapter 3 of the Area Plan to the effect that "offsite commercial signs and billboards should be prohibited in designated scenic corridors". However, if one keeps reading the chapter to the implementing policies, the only implementing policy related to offsite signs and viewsheds is policy 3.5.2.a., which directs the County to rezone areas on scenic roadways "SC". The SC combining zone does indeed prohibit off-site signs, and is applied to a number of other properties in the vicinity. However, Section 34.2(b) of the SC regulations in the County's Zoning Ordinance clearly states that the SC zone shall not be applied to commercial or industrial districts. It therefore appears that the policy does not directly apply to this particular property.

Similarly, the staff report speaks about the Nice Design Guidelines found in Appendix B of the Area Plan. However, when one reads Appendix B in its entirety, it becomes clear that the Nice Design Guidelines are only intended to be applied to development in

downtown Nice. The first five pages of Appendix B reference downtown 15 times; the appendix describes itself as a “Downtown Design Vision” intended to illustrate “how new buildings would fit in with the existing fabric of the downtown”; and downtown Nice is defined as being from the Jack-Pot Gas Station on the west to the Nice Market in the east. This project site is more than a mile to the west of the defined downtown area, and it would appear that these design guidelines should not apply.

4. Assertions in the staff report that the project is incompatible with surrounding land uses without providing any significant discussion of compatibility.

The staff report in multiple locations seems to jump straight to an unsupported assertion that the project is incompatible with surrounding development, or not appropriate for the size of the property. We believe that our project is inherently compatible with existing and future development in this area, which is slated for heavy commercial development. The sign will generate no significant traffic, noise, dust, or odor. It does not require water or sewer service, and will generate no new storm runoff. The height of the sign structure is shorter than what is allowed for other by-right development in the C3 zoning district, including on-site signs and principal structures which can both be up to 35 feet in height. In contrast to the assertion in the report that the size of the property is too small in relation to the size of the sign structure, the established maximum floor area ratio for Service Commercial in the General Plan is 1.2, and this project is well below that.

To more comprehensively address questions of compatibility with the surroundings, accurate visual simulations were prepared which showed what the finished project would look like. Until the day of the public hearing, no one at the County had seen the visual simulations. In hindsight, these should have been provided earlier, as they show how the project will fit in with existing development in the area while avoiding significant obscuration of distant views. Meeting these goals is consistent with the requirements of the General Plan and Zoning Ordinance.

5. Insufficient consideration given to General Plan and Upper Lake – Nice Area Plan policies which encourage growth and development at this specific site.

The County has stated multiple times in various documents that it wants economic development in general, and development at this location in particular:

- The project site is designated Service Commercial, described in the General Plan as “...areas suitable for heavier commercial uses within developed areas.” (General Plan, Page 3-13)
- The property is zoned C3, intended “to provide areas suitable for heavy retail and service commercial uses which do not specialize in pedestrian traffic and are more appropriately located away from the central business district”. (Zoning Ordinance, Section 21-20.1)
- The site is located within a Community Growth Boundary, “An officially adopted and mapped line separating land to be developed at urban densities...from land to be protected for natural resources or developed at rural densities.” (General Plan, Page 3-2)

- The General Plan also directs that “The County shall encourage infill development within community growth boundaries...” and “...shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce...” (General Plan Policies LU-2.2 and LU-6.1)
- The Upper Lake – Nice Area Plan states that “Commercial development intended to support the region should be located at the intersection of the Nice – Lucerne Cutoff and Pyle Road with Highway 20”, that “Heavy commercial uses should continue to be developed along Stokes Avenue”, and that “Heavy Commercial should be directed away from the town centers...” (ULN Area Plan, Page 1-2)

Prepared by:



Greg Redeker, AICP
Real Estate Manager
Stott Outdoor Advertising, Applicant

November 1, 2017

Revised November 28, 2017

RECEIVED

NOV 02 2017

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

UP 17-06 and DR 17-07
2325 E. Highway 20

APN 004-055-37
Stott Outdoor Advertising

Why are we here today?

- Business demand
 - No vacancies along Highway 20
 - Lake County businesses find these signs valuable
- Providing service to local businesses, helping them to prosper and succeed
- Successful businesses provide employment opportunities, tax revenue, and an improved economy

Outdoor Advertising is a Heavily Regulated Industry

- Regulated at the Federal, State, and Local level
- Strict location, spacing, size, and illumination requirements
- The proposal before you complies with all these regulations

California Legislature Findings on Outdoor Advertising

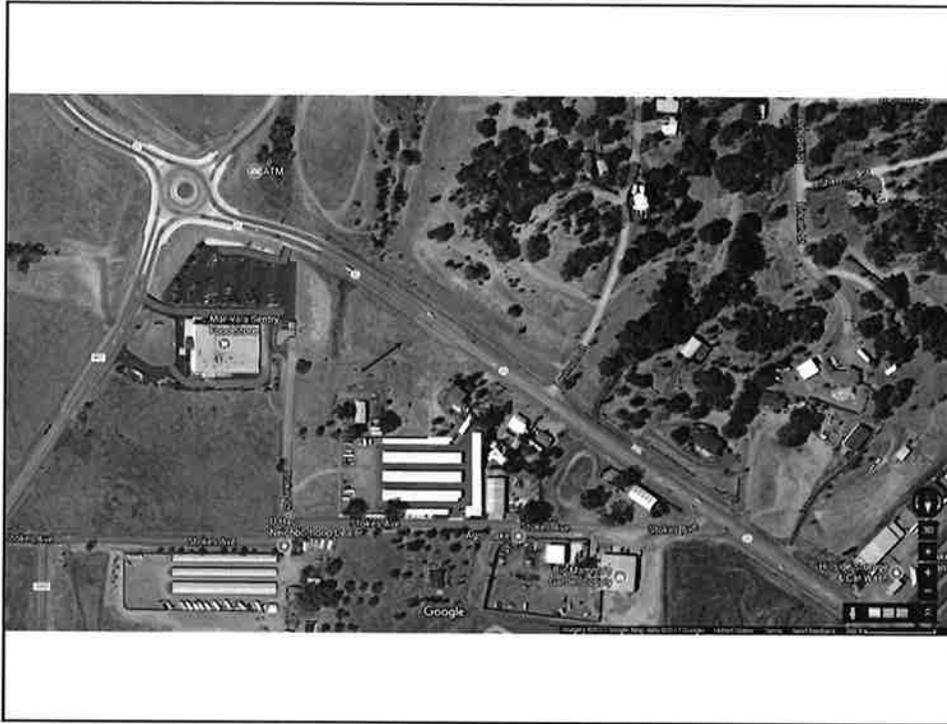
- It is a legitimate commercial use of property adjacent to roads and highways
- It is an integral part of the business and marketing function, and an established segment of the national economy, and should be allowed to exist in business areas, subject to reasonable controls in the public interest

(Business and Professions Code Section 5226)

General Plan and Zoning of Subject Property

- Designated Service Commercial in General Plan
- Zoned C3-DR – Service Commercial with Design Review combining zone
- Within the Nice Community Growth Boundary – considered “appropriate for higher intensity urban services and land uses” (GP Goal LU-2)





Allowed Uses in C3-DR (no use permit needed)

- Tire and muffler shops
- Welding and machine shops
- Cabinet and carpentry shops
- Building supply stores and lumber yards
- Farm supply stores
- Warehouses and mini-storage

Upper Lake – Nice Area Plan

Nice Community Area - Efforts should be made through the use of land use designations and the Redevelopment Agency to develop a “town core” or “town center” in the vicinity of the Nice Harbor and Hinman Park. Resort-recreational related uses should be encouraged and developed in the area between the timeshare condominiums and the harbor, south of Highway 20. Economic development activities should include diversification of the service/retail commercial base within the community, trending toward tourist support uses. Commercial development intended to support the region should be located at the intersection of the Nice – Lucerne Cutoff and Pyle Road with Highway 20. Heavy commercial uses should continue to be developed along Stokes Avenue. Design standards should be developed for these commercial areas to ensure that new developments are aesthetically pleasing and do not detract from scenic resources.

Commercial - Neighborhood and Resort Commercial should be encouraged where appropriate on larger lots along the lakeshore of Clear Lake and Blue Lakes. Heavy Commercial should be directed away from the town centers, and should be subject to the Design Review Guidelines in Appendix C.

Upper Lake – Nice Area Plan Chapter 3 – Natural Resources

“Off-site commercial signs and billboards should be prohibited in designated scenic corridors”

Policies

3.5.2.a Scenic viewsheds within the planning area shall be protected to the greatest extent possible.

Implementation Programs/Strategies	Responsible Agency/Agencies	Impact on County Budget	None
Rezone areas on scenic Roadways SC (Scenic Corridor combining district)	Planning Division	Funding Source	None
		Priority	Immediate
		Timeframe	Continuous

Zoning Ordinance, Article 34 Regulations for the Scenic or “SC” Combining District

34.2 Applicability: The following features should be considered when applying the “SC” district:

- (b) The “SC” combining district shall not be applied to commercial or industrial districts established by this Chapter.

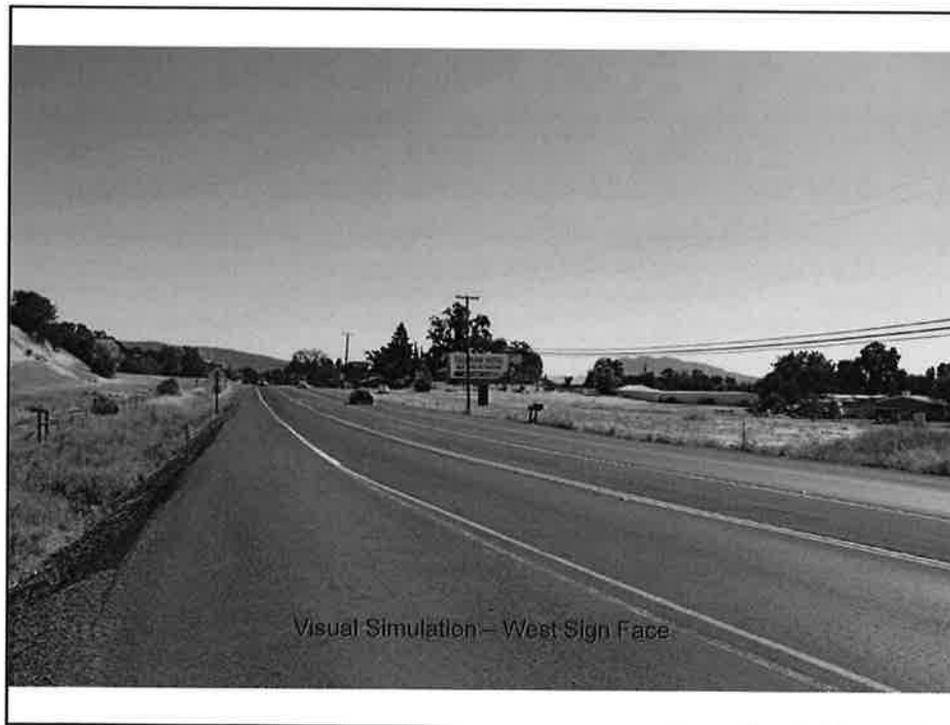
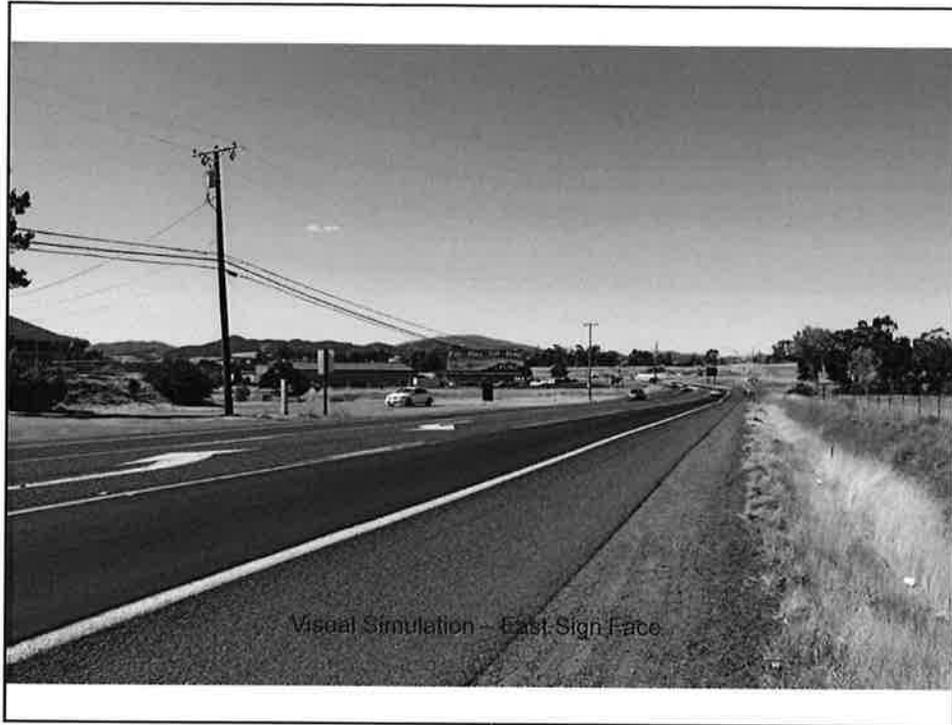
Appendix B – Nice Design Guidelines

- A “Downtown Design Vision” – 15 separate references to downtown
- Illustrates “how new buildings would fit in with the existing fabric of the downtown”
- Downtown defined as being from Jack-Pot Gas station to Nice Market
- Subject property is not in downtown Nice
- Nice Design Guidelines do not apply

Appendix C – Design Guidelines for Commercial and Industrial

- Applies to all Commercial and Industrial Development in the ULN Plan area
- Implemented through the DR zone, where off-site signs are allowed
- "...these guidelines should be considered recommendations rather than inflexible standards" (*Page C-1*)
- Four guidelines for signs, one for lighting
- Proposed sign complies with guidelines

What will the sign look like?



Economic Development Considerations in the General Plan

- Goal LU-6 – “To maintain a healthy and diverse local economy...”
- Policy LU-6.9 – “The County shall strive to communicate Lake County’s amenities and attributes ... to meet or exceed the potential for tourism and enhance visitors’ experience in the county”

Economic Development Considerations in the Upper Lake – Nice Area Plan

Objective

5.1.1 Encourage comprehensive economic development efforts for the long-term benefit of the Upper Lake - Nice area. Such efforts should involve a high level of community participation and cooperation of local business leaders.

Policies

5.1.1a Encourage additional service commercial uses, light industry and manufacturing in the vicinity of Stokes Avenue.

Implementation Programs/Strategies	Responsible Agency/Agencies	Impact on Budget	None
Provide adequate zoning along Stokes Avenue for service commercial, light industrial and manufacturing	Planning Division	Funding Source	None
		Priority	High
		Timeframe	Continuous

In conclusion:

- Complies with Federal, State, and Local Regulations
- Less intensive than other allowed uses
- Inside the Nice Community Growth Boundary where growth is encouraged
- An opportunity for the owner to generate income from his commercially-zoned property

Please direct Planning staff to complete environmental review for the project, and bring it back with a recommendation for approval

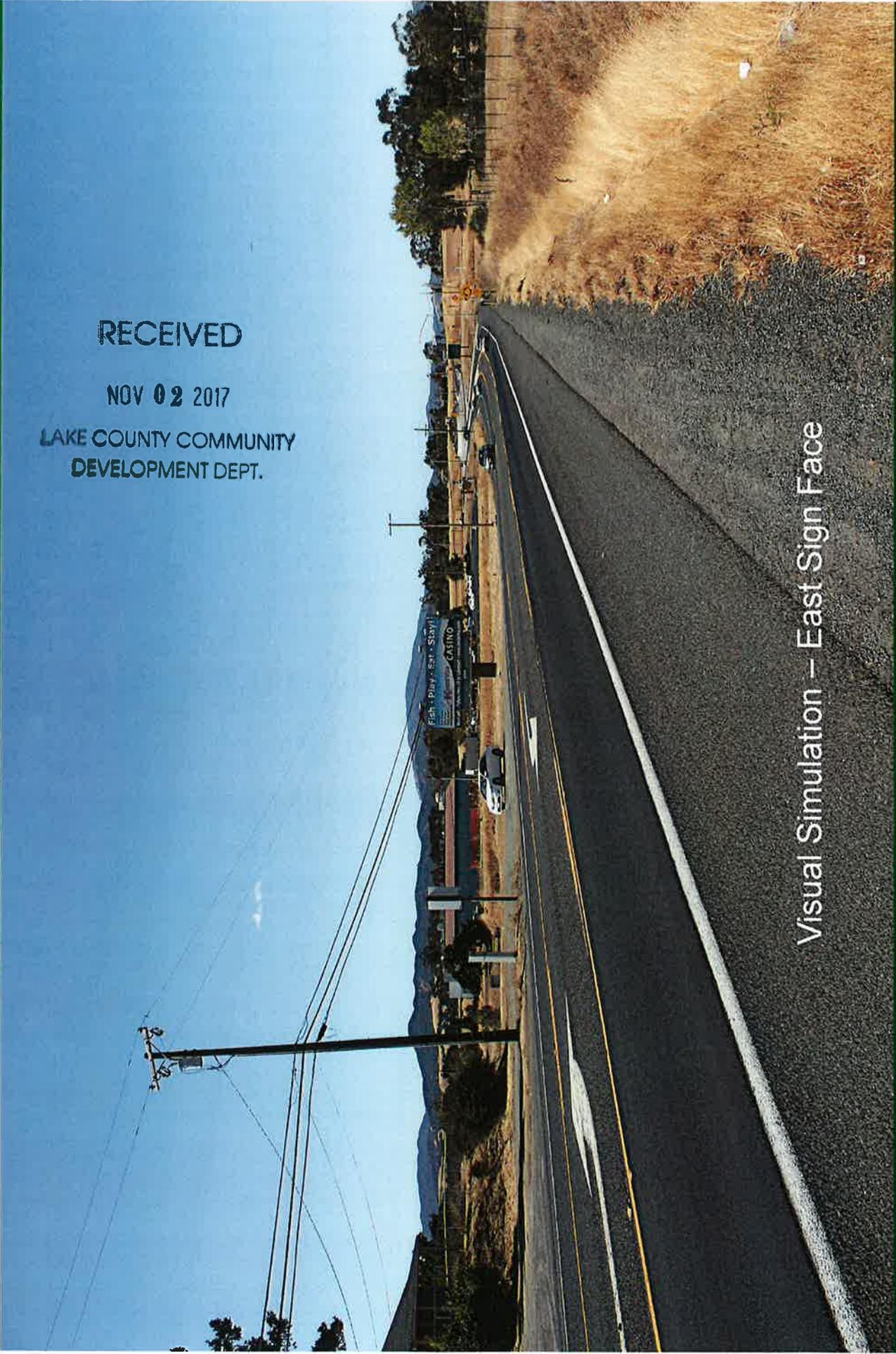
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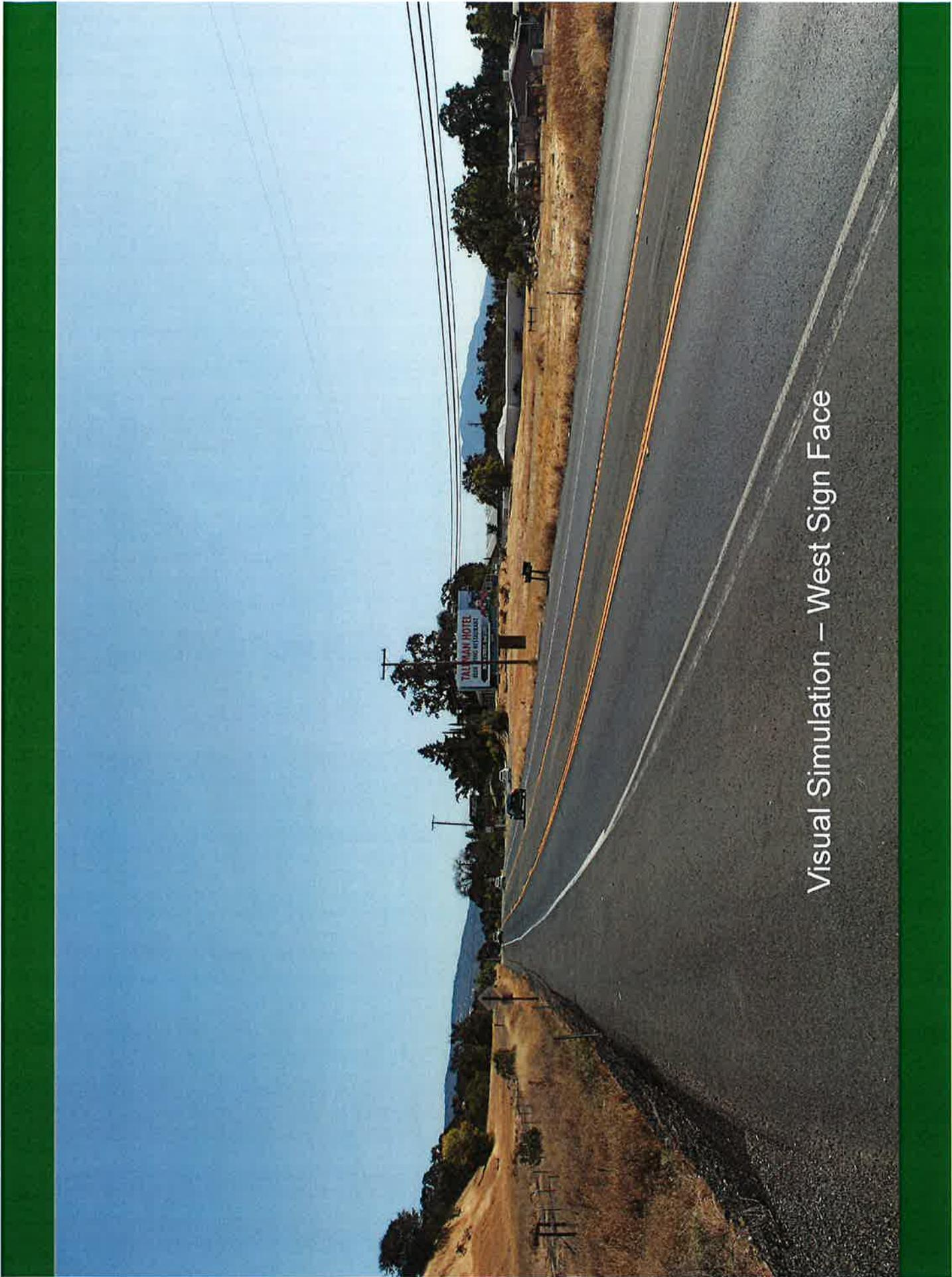
NOV 02 2017

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Visual Simulation – East Sign Face

Exhibit IV





Visual Simulation – West Sign Face

NOV 02 2017

Grounds for Appeal of Lake County Planning Commission Denial of
UP 17-06 and DR 17-07 (Stott Outdoor Advertising) on
October 26th, 2017

1. Statements made by planning commissioners which could be considered prejudicial prior to hearing any public testimony.

After the staff presentation was complete, but before the public hearing had been opened, a majority of the commissioners (starting with the chair) made verbal statements that they intended to vote to deny the project. Such comments would appear to be prejudicial in nature, giving the impression that a majority of the commissioners already had their minds made up prior to hearing from the applicant or the public.

2. Denying the project to receive direction from the Board of Supervisors rather than acting on the merits of the project.

During the Commission's discussion and voting after closing the public hearing, at least two commissioners indicated that they were unclear of the current policy of the Board of Supervisors regarding the approval of new off-site signs. They then indicated that an appeal of a denial would result in clear direction from the Board to the Commission on this topic. It seems unclear how a denial would be more appropriate than a continuance if the desire was to obtain policy direction from the Board prior to taking action on the project. It would also appear that adequate direction exists in the form of the adopted policies and regulations contained in the General Plan, Upper Lake – Nice Area Plan, and Zoning Ordinance.

3. Using inapplicable policies and design guidelines in the Upper Lake – Nice Area Plan as reasons for denial.

As discussed in my presentation to the Commission, the staff report erroneously cites several sections of the Upper Lake – Nice Area Plan as reasons to deny the project.

For example, the staff report speaks at length about a statement in Chapter 3 of the Area Plan to the effect that "offsite commercial signs and billboards should be prohibited in designated scenic corridors". However, if one keeps reading the chapter to the implementing policies, the only implementing policy related to offsite signs and viewsheds is policy 3.5.2.a., which directs the County to rezone areas on scenic roadways "SC". The SC combining zone does indeed prohibit most off-site signs, and this zone has been applied to a number of other properties within the boundaries of the Upper Lake – Nice Area Plan. However, the subject property is not within the SC zone, and Section 34.2(b) of the SC regulations in the County's Zoning Ordinance clearly states that the SC zone shall not be applied to commercial or industrial districts. The policy therefore does not apply to this particular property.

Similarly, the staff report speaks about the Nice Design Guidelines found in Appendix B of the Area Plan. However, when one reads Appendix B in its entirety, it becomes clear that the Nice Design Guidelines are only intended to be applied to development in

downtown Nice. The first five pages of Appendix B reference downtown 15 times; the appendix describes itself as a “Downtown Design Vision” intended to illustrate “how new buildings would fit in with the existing fabric of the downtown”; and downtown is defined as being from the Jack-Pot Gas Station on the west to the Nice Market in the east. This project site is more than a mile to the west of the defined downtown area, and therefore these design guidelines do not apply.

4. Assertions in the staff report that the project is incompatible with surrounding land uses without providing any significant discussion of compatibility.

The staff report in multiple locations jumps straight to an unsupported assertion that the proposed off-site sign is incompatible with surrounding development, or not appropriate for the size of the property. We believe that the proposed sign is inherently compatible with existing and future land uses in this area, which is slated for heavy commercial development. The sign will generate no significant traffic, noise, dust, or odor. It does not require water or sewer service, and will generate no new storm runoff. The 22-foot height of the sign structure is shorter than what is allowed for other by-right development in the C3 zoning district, including on-site signs and principal structures which can both be up to 35 feet in height. (As a point of reference, the Sentry Market is 35 feet in height, and has parking lot light poles which are 33 feet in height.) In contrast to discussion in the report that the site is too small for the sign structure, a maximum floor area ratio of 1.2 is established for Service Commercial in the General Plan, and this project is a small fraction of that.

To more comprehensively address questions of compatibility with the surroundings, accurate visual simulations were prepared which show what the finished project will look like. Until the day of the public hearing, no one at the County had seen the visual simulations. In hindsight, these should have been provided earlier, as they show how the project will fit in with existing development in the area while avoiding significant obscuration of distant views. Meeting these goals is consistent with the requirements of the General Plan and Zoning Ordinance.

5. Insufficient consideration given to General Plan and Upper Lake – Nice Area Plan policies which encourage growth and development at this specific site.

The County has stated multiple times in various documents that it wants economic development in general, denser urban development inside community growth boundaries, and commercial development at this location in particular:

- The project site is designated Service Commercial, described in the General Plan as “...areas suitable for heavier commercial uses within developed areas.” (General Plan, Page 3-13)
- The property is zoned C3, intended “to provide areas suitable for heavy retail and service commercial uses which do not specialize in pedestrian traffic and are more appropriately located away from the central business district”. (Zoning Ordinance, Section 21-20.1)

- The site is located within the Nice Community Growth Boundary, “An officially adopted and mapped line separating land to be developed at urban densities...from land to be protected for natural resources or developed at rural densities.” (General Plan, Page 3-2)
- The General Plan also directs that “The County shall encourage infill development within community growth boundaries...”, and that “The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce...” (General Plan Policies LU-2.2 and LU-6.1)
- The Upper Lake – Nice Area Plan provides direction that “Commercial development intended to support the region should be located at the intersection of the Nice – Lucerne Cutoff and Pyle Road with Highway 20”, that “Heavy commercial uses should continue to be developed along Stokes Avenue”, and that “Heavy Commercial should be directed away from the town centers...” (ULN Area Plan, Page 1-2)

In light of all the above, Stott Outdoor Advertising respectfully requests that the Board direct Planning staff to complete the environmental review for the project, then bring it back at a subsequent public hearing with a recommendation for approval.

Prepared by:



Greg Redeker, AICP
Real Estate Manager
Stott Outdoor Advertising, Applicant

November 1, 2017

RECEIPT

RECEIPT NUMBER: PL17000224

OWNER: MONTGOMERY H LARRY & FRANCES M
PO BOX 7209, CHICO, CA
, 95927

TYPE: Planning Activity
PROJECT #: AB17-06
OTHER PROJECT #S:

SITE ADDRESS: 2325 E STATE HWY 20 NICE
PARCELS: 004-055-37

DESCRIPTION: Appeal of PC decision

TRANSACTION DATE: 11/02/2017 TOTAL PAYMENT: 1,136.30

TRANSACTION LIST:

Type	Method	Description	Amount
Payment	Check	67863	1,136.30
TOTAL:			1,136.30

ACCOUNT ITEM LIST:

Description	Account Code	Current Pmts
AB	001-2702-461.66-	1,065.00
WITNESS, ADMIN, MISC	001-2702-492.79-	71.30
TOTAL:		1,136.30

BALANCE DUE: \$0.00

RECEIVED FROM: STOTT ADVERTISING
RECEIPT ISSUED BY: COUNTER
ENTERED DATE: 11/02/2017

INITIALS: EJP
TIME: 11:35 AM