

# LAKE COUNTY PLANNING COMMISSION

## MINUTES

### REGULAR MEETING

October 27, 2016

#### Commission Members

P Joseph Sullivan, District I  
P Bob Malley, District II  
P Eddie Crandall, District III  
P Don Deuchar, District IV  
P Gil Schoux, District V

#### Staff Members

P Robert Massarelli, CDD Director  
P Michalyn DelValle, Senior Planner  
P Shanda Harry, Deputy County Counsel  
P Danae Bowen, Office Assistant III

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**9:50 a.m. Public Hearing on reconsideration of a previously adopted mitigated negative declaration for Major Use Permit (UP 16-06) based on Initial Study (IS 96-08). The project applicant is LAMONICA SIGNS requesting a five-year time extension of an existing billboard sign. The billboard is located at 255 Soda Bay Road, Lakeport and further described as APN 008-019-64. (Continued from August 11 and September 8, 2016) (Tricia Shortridge)**

Tricia Shortridge, Assistant Planner, provided background information and a power point presentation on the project application. She noted that this billboard is not in compliance with the Zoning Ordinance, because of its location.

Andre Ross, Ewing and Associates, explained that his office handled the permitting process for this billboard five years ago. He said it was discussed with the Board of Supervisors, whether a Community Growth Boundary is different from a Sphere of Influence and is it 1100-1200 feet from the Sphere of Influence, and the Board decided, given that annexation was an ongoing topic of discussion, to give this sign an extension and not disqualify it on the basis of the distinction between the Community Growth Bounuty and the Sphere of Influence. He said this sign has not been utilized, because of the uncertainty of approval; however they have a potential client to rent the sign, but are waiting for the permit to be renewed. He respectfully requested a five-year extension and did not see on the basis of the County Ordinance, the basis for implementing a monitoring fee in this particular instance and felt it was a way of adding additional costs and he did not see a basis for requiring a billboard owner to provide an ingress/egress plan, maintenance plan or any other plan, under the current regulatory regime under Article 45. He said there is no legal authority for those additional requirements. He said they are asking for a five-year renewal and the LaMonicas are willing to give that sign the same maintenance upgrade or treatment that they are willing to give their other signs, if that is a condition of this renewal.

Comm. Schoux asked if the LaMonicas have owned this sign and got permits from the County from day one.

Trudy LaMonica, the applicant, said that was correct.

Comm. Schoux asked why it was okay to do it then and not now.

Ms. Shortridge said the difference from when it was approved in 1996 and now, is that the sign has not been maintained, weeds are growing and over the years the easement to the billboard has become overgrown and there is no access into this site for maintenance. She said this sign was placed prior to Article 4527, which is sign amortization provisions and signs that are outside of the Sphere of Influence are now eligible for amortization. She said it does make it legal non-conforming.

**10:02 a.m. Opened Public Hearing**

No one present wished to speak.

**10:03 a.m. Closed Public Hearing**

Comm. Deuchar moved, 2<sup>nd</sup> by Comm. Schoux that the Mitigated Negative Declaration, which was previously prepared for UP 96-05, meets the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review need be prepared with the findings listed in the staff report dated October 27, 2016.

**RECONSIDERATION OF PREVIOUSLY APPROVE DMITIGATED NEGATIVE DECLARATION 5 Ayes 0 Noes**

Comm. Deuchar moved, 2<sup>nd</sup> by Comm. Schoux that the Major Use Permit (UP 16-06) applied for by Trudy LaMonica, on property located at 255 Soda Bay Road, Lakeport, does, does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Negative Declaration and grant the Major Use Permit extension subject to the conditions and with the findings listed in the staff report dated October 27, 2016.

**USE PERMIT EXTENSION APPROVAL 5 Ayes 0 Noes**

Mr. Ross said that the applicant has objected to the ingress/egress, maintenance plan and the mitigation monitoring fee. He said the motion that is being made includes those as conditions.

Comm. Sullivan said yes, the Commission is imposing those conditions.

Comm. Sullivan noted that there is a seven (7) calendar day appeal period provided by the Lake county Zoning Ordinance.