



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

ITEM #1
May 26, 2022
9:05 a.m.

STAFF REPORT

TO: Planning Commission

FROM: Mary Darby, Community Development Director
Eric Porter, Associate Planner

DATE: May 26, 2022

RE: LaMonica Outdoor Advertising; Extension of Time for a Billboard to extend
Use Permit 93-31 for a period of Five Years
File no. UPX 22-01 and CE 22-28

Supervisor District 4

ATTACHMENTS:

1. Vicinity Map
2. Site Map (aerial photo)
3. Existing Use Permit 11-03 Conditions
4. Revised Conditions
5. Photos

I. EXECUTIVE SUMMARY

The applicant is requesting approval of an extension to a 1993 Use Permit for a billboard. Previous extensions have been granted through files no. UP 06-03; UP 11-03; UP 16-06.

II. PROJECT DESCRIPTION

Applicant: LaMonica Outdoor Advertising, 2226 Kelley Ck. Lane, Rescue, CA

Owner: EKAL, LLC

Location: 2595 S. Main Street, Lakeport, CA

A.P.N.: 005-053-20

Parcel Size: 0.96 acres

General Plan: Industrial, Resource Conservation

Zoning: "C3-DR" – Service Commercial – Design Review

Flood Zone: X

III. PROJECT SETTING

Existing Uses and Improvements: The project site is developed with a mini-storage facility.

Topography: Flat

Water Supply: Public (none needed for the billboard)

Sewage Disposal: Public (none needed for the billboard)

Fire Protection: Lakeport Fire Protection District

Vegetation: None (urbanized lot)

Aerial Photo of Site



Source: Lake County GIS Mapping

Surrounding Zoning and Land Uses

- North: C3 Service Commercially-zoned land, mostly developed with mini storages and heavy commercial uses.
- East: C2 Community Commercial land; developed with retail use.
- South: C3 Service Commercially-zoned land, mostly developed with mini storages and heavy commercial uses.
- West: Highway 29; City of Lakeport urbanized land.

Sign Viewed from Highway 29



Page 3 of 8

IV. PROJECT ANALYSIS

General Plan Conformance. *The Lake County General Plan designation for the portion of the site where the billboard is located is Service Commercial.*

Service Commercial

The purpose of this land use category is to provide areas suitable for heavier commercial uses within developed areas. Typical uses that would be permitted with appropriate buffer distances include automotive-related or heavy equipment sales and services, building maintenance services, construction sales and services, and warehousing. This designation is located both inside and outside of Community Growth Boundaries.

The General Plan has several policies that apply to this request as follows.

Policy LU-5.6 Land Suitability

The County shall require that land be physically suited to industrial/heavy commercial activities, with average slopes not exceeding 20 percent. Preferably, new industrial/heavy commercial sites will be served by public sewer and water facilities, and located within or near designated community areas...

Response: *The site is located in an urbanized portion of S. Main Street adjacent to the Lakeport City Limits, and to other urbanized lots. The original use permit (UP 93-31) was approved in 1993. Billboards are still an allowed use in the C3 Service Commercial zoning district subject to a major use permit, however the applicant must renew the approval during specified time-frames. This is the fourth extension request applied for this billboard.*

Policy LU-7.19 Billboards

The County shall address, as part of a Zoning Ordinance update, commercial design guidelines on billboards, along with amortization provisions, as necessary to protect and preserve the beauty, character, economic and aesthetic value of the County.

Response: *The original billboard was reviewed and approved by the Lake County Planning Commission in 1993 through file no. UP 93-31. The file was brought back to the Planning Commission in 2006, 2011 and 2016 for extensions, all of which were granted.*

The Lake County Zoning Ordinance allows billboards in the C3 zoning district subject to compliance with specific standards and criteria.

Lakeport Area Plan Conformance

The Lakeport Area Plan contains policies that encourage the protection and enhancement of Lake County's scenic highways and resources. The major purpose of this objective is to promote the county's recreation-based economy and provide a high level of scenic quality to residents and visitors alike. There are many panoramic views

and scenic highway-view sheds within the Lakeport Planning Area, including mountainous and hillside vistas with riparian and natural resources.

Response: *The subject site is within an area that is intended for high-intensity commercial development. The site is not located within a Scenic Combining Overlay District, and has been previously found to be suitable for the billboard through the original approval and three subsequent extensions.*

Zoning Ordinance Conformance

Article 45, 'Signs and Billboards'

45.22 Off-site outdoor advertising (billboard) signs may be permitted in the “C3”, “M1”, “M2” and “PDC” districts subject to first obtaining a [major use permit](#) in each case; and subject to the following regulations:

Response: *The property is zoned C3, which allows billboards subject to major use permit approval. The major use permit for this billboard was granted in 1993.*

(a) No more than four hundred (400) square feet in area per face.

Response: *The sign face is under 400 square feet in size.*

(b) One (1) sign per lot maximum.

Response: *The property contains one billboard.*

(c) Maximum sign height from ground level to bottom of sign: twelve (12) feet, unless down-sloping terrain from the road necessitates increasing the height.

Response: *The bottom of the sign face is twelve feet from the grade.*

(d) Signs shall be non-illuminated or illuminated by indirect lighting.

Response: *The sign is ‘downlit’, having concealed lighting at the top of the sign face that is non-visible and is pointed downwards to the sign face.*

(e) Billboard signs shall be located within Community Growth Boundaries, within one – thousand (1,000) feet of said Boundaries or within an incorporated city’s sphere of influence.

Response: *The property is located within a Community Growth Boundary.*

(f) Use permits that are approved for billboard signs shall expire after five (5) years unless applications for renewals are filed and granted. Any subsequent use permit renewals may be approved for a maximum term of five (5) years.

Response: *The applicant has applied for an extension through this action.*

Article 20, C3 Service Commercial Zoning Regulations

20.1 Purpose: 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. The following regulations shall apply in all “C3” districts and all uses shall be subject to development review as set forth in [Article 56](#).

Response: *The use is established and was reviewed for compliance under the original use permit, file no. UP 93-31. This request is limited to an extension, as is permitted under Article 45, part 45.22(a) through (f).*

20.2 Performance standards: All uses permitted within this district shall be subject to the performance standards set forth in [Article 41](#).

Response: *The billboard is existing and was reviewed for compliance in 1993 with all applicable portions of the Lake County Zoning Ordinance and General Plan. Per Article 45, billboards are only valid for a period of five years through major use permits. The applicant has received approval of a five-year extension in 2006, 2011 and 2016, and has applied for a fourth extension under consideration herein.*

Article 60 – Expiration, Revocation, or Modification of Permits and Reapplication

60.1 Expiration:

(c) If prior to expiration of a permit, the applicant files a written application for extension, the period within which substantial physical construction or use commenced, may be extended one (1) year by order of the Planning Director, Zoning Administrator, Development Review Committee, Planning Commission, or Board of Supervisors, whichever granted the permit, at any time within ninety (90) days of the date of expiration. An application for such an extension shall be made on the prescribed form and shall be accompanied by any applicable fee as established by the Board of Supervisors.

Response: *The expiration of billboards is addressed through Article 45, Part 45.22(f), which allows up to five years per extension. The application was filed within the prescribed time-frame and prior to use permit expiration.*

Conditions of Approval

The applicant shall continue to adhere to all previously approved conditions of approval for the existing billboard. Revised conditions are provided that indicate the approval duration that results from this extension.

V. ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of their actions. Upon review, of the use permit extension application, the Community Development Department has determine that the Use Permit Extension is Categorically Exempt from CEQA pursuant to Section 15301 *[Existing*

Facilities (Class 1) which “consist of the operation, repair, maintenance, permitting, leasing, licensing or minor alterations to existing public and private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion] as the applicant is merely requesting a Use Permit Extension or an approved Use Permit which allowed the construction of the billboard. Additionally, the applicant is not requesting any modification to the approved sign which might otherwise cause a more stringent review of this request.

VI. RECOMMENDATION

Staff recommends that the Planning Commission approve the project with the following findings:

A. Adopt Categorical Exemption, Class 1 (CE 22-28) for Use Permit Extension, UPX 22-01 with the following findings:

1. This time extension is for an existing use permit to allow continued use of an existing billboard for a period of five years beginning on May 26, 2022.
2. This project is consistent with CEQA Categorical Exemption, Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination
3. This project remains consistent with the Lake County General Plan, Lakeport Area Plan and the Lake County Zoning Ordinance.
4. There has been no changes to any applicable regulations which would create new significant environmental impacts.
5. This project is consistent with land uses in the vicinity.
6. This project will not result in any significant adverse environmental impacts.

B. Approve Use Permit Extension of Time (UPX 22-01) for Use Permit, UP 93-31 with the following findings.

1. That there have been no changes to the requirements to establish a billboard in the C3 zoning district between the time of billboard approval and the date of this extension.
2. That there have been no changes to the billboard structure between the original approval date and the date of this extension.
3. That the billboard has been adequately maintained since its construction.
4. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the

violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.

VII. SAMPLE MOTIONS

Categorical Exemption

I move that the Planning Commission find that the **Use Permit Extension, UPX 22-01** applied by **LaMonica Signs** on property located at **2595 S. Main Street, Lakeport, further described as APN: 005-053-20** is exempt from CEQA because it falls within Categorical Exemption Class 1 (file no. CE 22-28), based on the findings set forth in the Staff Report dated **May 26, 2022**.

Use Permit Extension

I move that the Planning Commission find that the **Use Permit Extension, UPX 22-01** applied by **LaMonica Signs** on property located at **2595 S. Main Street, Lakeport, further described as APN: 005-053-20** does meet the requirements of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Categorical Exemption, CE 22-28 which was adopted for this project and the Use Permit Extension, file number UPX 21-02, be granted and shall extend this use for a period of five years subject to the conditions and with the findings listed in the Staff Report dated **May 26, 2022**.

***NOTE:** The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission's final determination*