



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 #5
9:25 a.m.
August 25, 2022

STAFF REPORT

TO: Planning Commission

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

DATE: August 25, 2022

RE: LaMonica Outdoor Advertising; Extension of Time for a Billboard to extend
Use Permit 95-09 for a period of Five Years
UPX 22-02 and CE 22-38

Supervisor District 4

ATTACHMENTS:

1. Vicinity Map
2. Site Map (aerial photo)
3. Existing Use Permit Conditions
4. Revised Conditions
5. Photos
6. Agency Comments

I. EXECUTIVE SUMMARY

The applicant is requesting approval of an extension to a 1995 Use Permit (UP 95-09) for a billboard. Previous extensions have been granted through files no. UP 05-09, UP 10-12, UP 16-01. The Planning Commission denied the 2010 extension. However, the Board of Supervisors overturned the denial on appeal in 2011 which allowed the continued use of the billboard at its present location.

II. PROJECT DESCRIPTION

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

Owner: Soda Bay Road Storage Units LLC / Mark Tanti

Location: 131 Soda Bay Road, Lakeport, CA

A.P.N: 008-019-69

Parcel Size: ±7.79 acres

General Plan: Industrial, Resource Conservation

Zoning: "M1-AA-DR-SC-W-WW" Light Industrial – Airport Approach Overlay
–Design Review – Scenic Combining – Wetland – Waterway

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

Sewage Disposal: Public

Fire Protection: Lakeport Fire Protection District

Vegetation: None (urbanized lot)

Aerial Photo of Site

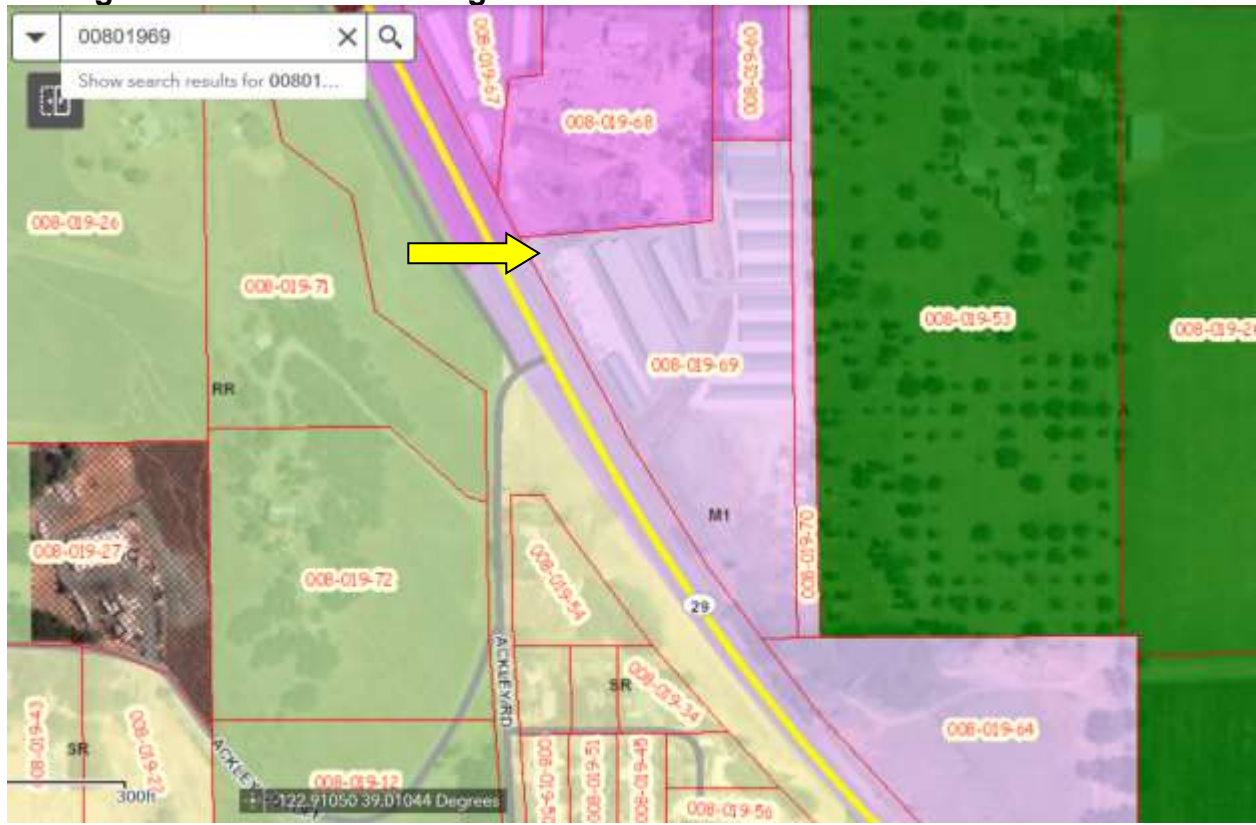


Surrounding Zoning and Land Uses

- North: M2 Heavy Industrial-zoned land, mostly developed with heavy commercial equipment yard.
- East: M2 Heavy Industrial (driveway only) and A-Agriculture containing a walnut orchard.
- South: M1 Light Industrial, marginally developed; SR Suburban Reserve across Highway 29/175; developed with dwellings.

- West: Highway 29; Rural Residential and Suburban Reserve, mostly developed with dwellings.

Zoning of Site and Surrounding Area



Sign Viewed from Highway 29



IV. PROJECT ANALYSIS

General Plan Conformance. *The County of Lake's General Plan designation for the portion of the site where the billboard is located is Industrial and Resource Conservation.*

Industrial

This land use category provides for a range of manufacturing, the processing of natural resources, research facilities and high-tech campuses, and "heavy" commercial activities. The intent is to encourage sound industrial/heavy commercial development by designating appropriate areas for such uses. This designation is located both inside and outside of Community Growth Boundaries.

Resource Conservation

The purpose of this land use category is to assure the maintenance or sustained generation of natural resources within the County. The highest priority for these lands is to provide for the management of the County's natural infrastructure.

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 in an urbanized portion of Soda Bay Road close to the Lakeport City Limits and to other urbanized lots. The original use permit (UP 95-10) was approved in 1996. Billboards are still an allowed use in the M1 Light Industrial zoning district subject to a major use permit, however the applicant must renew the approval during specified timeframes.*

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 light industrial 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. The site contains the Soda Bay Road Mini Storage facility and the billboard.*

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 M1, which allows billboards subject to major use permit approval. The major use permit for this billboard was granted in 1996 through file no. UP 95-10.*

Article 20, C3 Service Commercial Zoning Regulations

Purpose: To provide areas for heavy commercial and light industrial or manufacturing uses while maintaining an environment free from offensive or objectionable noise, dust, odor, or other nuisances. The following regulations shall apply to all “M1” districts and all uses shall be subject to development review as set forth in [Article 56](#).

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.*

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 Existing Facilities (CE 22-38) for Use Permit Extension, UPX 22-02 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 August 25, 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 have 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 22-02) for Use Permit, UP 95-10 with the following findings.

1. That there have been no changes to the requirements to establish a billboard in the M1 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 22-02** applied by **LaMonica Signs** on property located at **131 Soda Bay Road, Lakeport, further described as APN: 008-019-69** is exempt from CEQA because it falls within Categorical Exemption Class 1 (CE 22-38), based on the findings set forth in the Staff Report dated **August 25, 2022**.

Use Permit Extension

I move that the Planning Commission find that the **Use Permit Extension, UPX 22-02** applied by **LaMonica Signs** on property located at **131 Soda Bay Road, Lakeport, further described as APN: 008-019-69** does meet the requirements of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Categorical Exemption, CE 22-38 which was adopted for this project and the Use Permit Extension, file number UPX 22-02, 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 **August 25, 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