



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 #2
October 14, 2021
9:15 AM

STAFF REPORT

TO: Planning Commission

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

DATE: October 14, 2021

RE: LaMonica Outdoor Advertising; Extension of Time for a Billboard to extend
Use Permit 11-09 for a period of Five Years
File no. UPX 21-02 and CE 21-52

Supervisor District 4

ATTACHMENTS:

1. Vicinity Map
2. Site Plan, Elevations
3. Existing Use Permit 11-09 Conditions
4. Revised Conditions
5. Photos

I. EXECUTIVE SUMMARY

On August 30, 2021, LaMonica Signs submitted a Use Permit Extension (UPX 21-02) and Categorical Exemption (CE 21-52) requesting a five (5) year extension for Major Use Permit, UP 11-09, which allowed the construction of a billboard. There will be no changes or expansions to the existing billboard. The billboard is 400 square feet per sign face, thirty-two (32) feet in height and equipped with downcast lighting.

II. PROJECT DESCRIPTION

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

Owner: Unruh, Peter and Michelle

Location: 255 Soda Bay Road, Lakeport, CA

A.P.N: 008-019-64

Parcel Size: 7.58 acres

General Plan: Industrial, Resource Conservation

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

Flood Zone: X

III. PROJECT SETTING

Existing Uses and Improvements: The project site is undeveloped and is primarily used to store heavy equipment.

Topography: Flat

Water Supply: Public (none needed for the billboard)

Sewage Disposal: Public (none needed for the billboard)

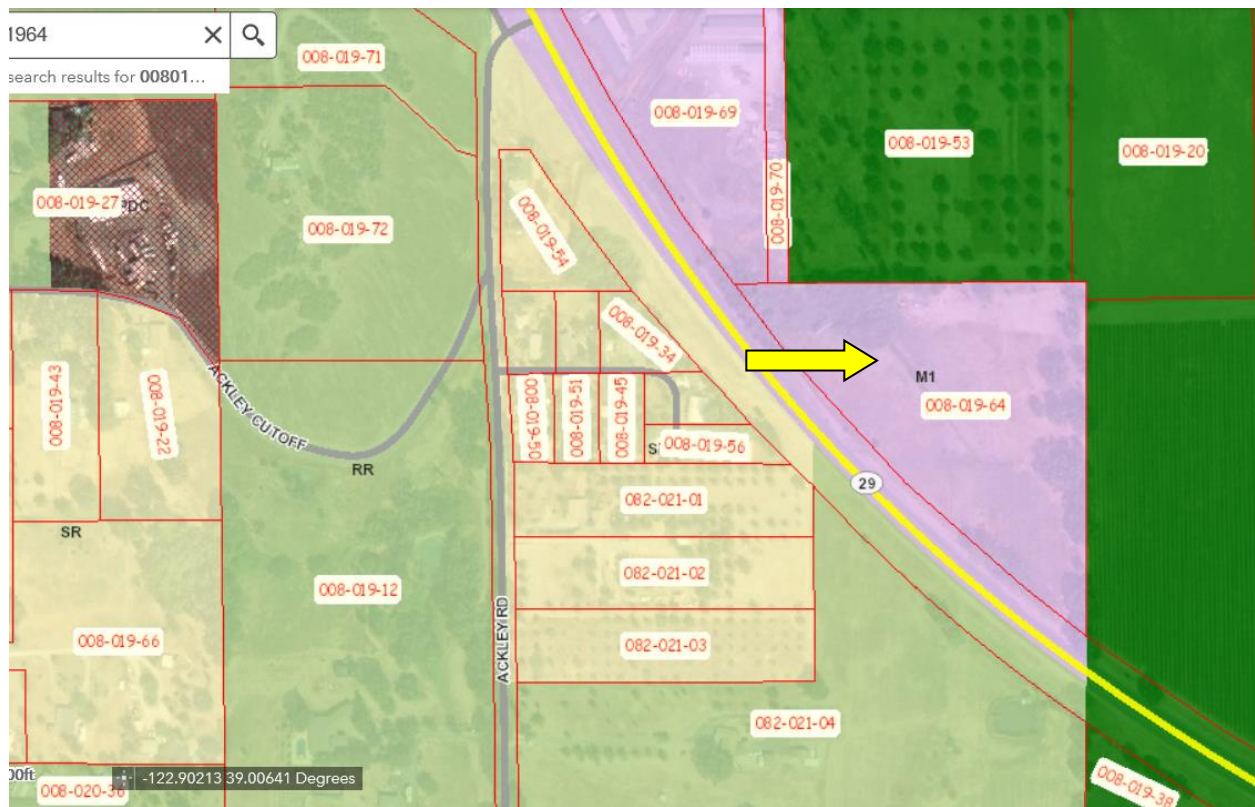
Fire Protection: Lakeport Fire Protection District

Vegetation: Oaks around perimeter, some shrubs and native grass

Surrounding Zoning and Land Uses

- North: Light Industrial (developed) land; Agriculture-zoned land containing a walnut orchard.
- East: Agriculture-zoned land containing a vineyard.
- South and West: RR (Rural Residential) and SR (Suburban Reserve) zoned properties containing dwellings, and a small orchard.

Zoning of Site and Surrounding Area





Aerial Photo of Site and Surrounding Area

IV. PROJECT ANALYSIS

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

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 including geothermal service yards, large construction/contractor yards, warehouses, asphalt batch plants, mills, lumber yards, boat building, welding and fabrication shops. 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. All industrial/heavy commercial uses of five acres or more shall be permitted under a planned development process.

Response: *The original use permit (UP 11-09) was approved on April 25, 2011. Billboards are still an allowed use in the Light Industrial zoning district subject to a major use permit, however the applicant must renew the approval during specified time-frames. This is the second 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 by Senior Planner Kevin Ingram, who recommended ‘approval’ of UP 11-09. The Planning Commission initially did not come to a decision during the original hearing. The file was brought back to the Planning Commission several months later, where it was eventually approved. An appeal to the Board of Supervisors followed, and the Supervisors ultimately found that it met all of the applicable design review criteria and approved it.*

The Lake County Zoning Ordinance allows billboards in the M1 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 light industrial development. Although the site is within the Scenic Combining Overlay District, commercial and industrial uses are exempt from standards and criteria found in this overlay district.*

Zoning Ordinance Conformance

Article 21 - REGULATIONS FOR THE COMMERCIAL/MANUFACTURING OR “M1” DISTRICT.

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 “MI” districts and all uses shall be subject to development review as set forth in [Article 56](#).

Response: *Billboards are a permitted use in the M1 Light Industrial zone subject to a major use permit. The applicant had secured a major use permit in 2012, however 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 2016, and has applied for a second extension under consideration herein.

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 use.*

VI. RECOMMENDATION

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

A. Adopt Categorical Exemption, Class 1 (CE 21-52) for Use Permit Extension, UPX 21-02 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 October 14, 2021.
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 21-02) for Use Permit, UP 11-09 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 21-02** applied by **LaMonica Signs** on property located at **255 Soda Bay Road, Lakeport, further described as APN: 008-019-64** is exempt from CEQA because it falls within Categorical Exemption Class 1 (file no. CE 21-52), based on the findings set forth in the Staff Report dated **October 14, 2021**.

Use Permit Extension

I move that the Planning Commission find that the **Use Permit Extension, UPX 21-52** applied by **LaMonica Signs** on property located at **255 Soda Bay Road, Lakeport, further described as APN: 008-019-64** does meet the requirements of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Categorical Exemption, CE 21-52 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 **October 14, 2021**.

***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*