

**EL DORADO COUNTY DEVELOPMENT SERVICES  
ZONING ADMINISTRATOR  
STAFF REPORT**



<b>Agenda of:</b>	July 2, 2008
<b>Item No.:</b>	4.a.
<b>Staff:</b>	Jonathan Fong

**SPECIAL USE PERMIT REVISION**

**FILE NUMBER:** S02-0015R

**APPLICANT:** Car-Izma/ Dennis Kolberg

**AGENT:** Western Sign Company, Inc. / Dennis Small

**REQUEST:** Revision to an approved Special Use Permit to replace an existing monument sign with a new freestanding pole sign.

**LOCATION:** The property is located east side of Cameron Park Drive at the intersection with Robin Lane in the Cameron Park area, Supervisorial District II (Exhibit A).

**APN:** 109-214-01

**ACREAGE:** 0.95-acres

**GENERAL PLAN:** Commercial (C) (Exhibit B)

**ZONING:** Planned Commercial- Design Control (CP-DC) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Exempt pursuant to Section 15164 and categorically exempt pursuant to Section 15303 of the CEQA Guidelines

**SUMMARY RECOMMENDATION:** Conditional Approval

**STAFF ANALYSIS:** Staff has reviewed the project for compliance with County regulations and requirements. An analysis of the permit request and issues for Zoning Administrator consideration are provided in the following sections.

**BACKGROUND:** Special Use Permit S02-0015 was approved by the Zoning Administrator on December 18, 2002. The original approval allowed a car wash facility totaling approximately 9,000 square feet. The approval allowed for two monument signs to be located along Durock Road (Exhibit E). The approved signage included water features and stone masonry. On April 30, 2003 Planning Services staff administratively approved a minor modification to the Special Use Permit to revise the approved monument and wall signage. The approved signage was replaced with an alternative monument sign design (Exhibit F). The applicant is currently requesting a revision to replace the existing monument sign with a free standing sign. The proposed revision would be a major revision to the approved Special Use Permit and would be subject to review and approval by the Zoning Administrator.

**ISSUE SUMMARY:** The proposed revision was distributed to the Cameron Park Community Services District for review and comment during the initial 30-day review period. The District provided a comment letter dated December 27, 2007. The District determined that the proposed height and size of the sign would not be compatible with the area and recommended a re-design of the sign (Exhibit H). Planning Services staff met with the applicant and the sign contractor to discuss the proposal. The applicant provided renderings of the signage in relation to the existing improvements in the area (Exhibit G). The information was circulated to the District for review and comment to justify the proposal.

The District reviewed the justification information provided by the applicant and responded with a comment letter continuing to object to the proposed signage (Exhibit I). The District commented that the signs used in the justification information depicted signage which was approved prior to District review of development in the Cameron Park Area south of U.S. Highway 50.

As discussed below, Planning Services staff has reviewed the District comments and the justification information provided by the applicant and has determined that the proposed signage meets the Zoning Ordinance criteria and would be compatible with the existing commercial uses in the project area. Therefore, Planning Services staff has recommend approved of the revision to the approved Special Use Permit.

**Project Description:** A revision to an approved Special Use Permit to replace an existing 24 square foot monument sign with a new double faced freestanding pole sign.

The proposed pole sign would be a total height of 15 feet and would provide a sign face of approximately 60 square feet (Exhibit D). Design features of the sign would be a brushed aluminum finish and architectural flourishes at the top of the signage.

**Site Description:** The project site has been developed in accordance with the approved Special Use Permit. Improvements to the site include a car wash building and a retail building. The structures are surrounded by parking areas, drive aisles and landscaping.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
<b>Site</b>	CP-DC	C	Existing car wash facility
<b>North</b>	CP-DC	C	Office Space
<b>South</b>	CP-DC	C	Mixed Commercial
<b>East</b>	CP-DC	C	Business/ Office Park
<b>West</b>	CP-DC	C	Business/ Office Park, Mixed Commercial

**General Plan:** This Special Use Permit Revision request has been reviewed in accordance with the El Dorado County 2004 General Plan policies. The General Plan designates the project site as Commercial (C). The proposed revision to allow a new freestanding sign would not result in any inconsistencies with applicable General Plan policies.

**Zoning:** The project is zoned Planned Commercial-Design Control (CP-DC) which allows two signs not exceeding 50 square feet or one sign not exceeding 80 square feet. The maximum height of structures within the CP zone would be 50 feet.

The proposed revision would allow for one freestanding monument sign to be located at the northeast corner of the intersection of Cameron Park Drive and Robin Lane. The sign would comply with the sign requirements and Development Standards of the CP Zone District. Included below is a table demonstrating compliance with the Zoning Ordinance.

	Proposed Signage Dimensions	Zoning Ordinance Requirements
Height:	15 feet 4 inches	50 feet
Sign Face Area:	66 square feet	80 square feet for one sign
Setback:	18 feet/ 11 feet	10 feet

The proposed project meets the applicable standards contained in Section 17.16.120, Section 17.32.140, and Section 17.226.540 of the Zoning Code. As proposed and conditioned, the proposed free standing sign would be consistent with the Zoning Ordinance.

**Special Use Permit:** The existing development was subject to review and approval of a Special Use Permit as required by 17.32.150(A) of the Zoning Ordinance. The original Special Use Permit was approved by the Planning Commission subject conditions of approval based upon findings of approval as required by Chapter 17.22 of the Zoning Ordinance. The proposed revision would not conflict with the approved conditions of approval or would nullify the findings adopted by the

Planning Commission. The proposed revision would allow for new signage and would not result in additional environmental impacts analyzed in the adopted Negative Declaration prepared by Planning Services staff. Special Use Permit findings of approval have been included in Attachment 2 of the Staff Report.

## **ENVIRONMENTAL REVIEW**

The original Special Use Permit included a Negative Declaration which was adopted by the Planning Commission on December 18, 2002. Section 15164 of the CEQA Guidelines establishes that no further environmental review is required. The proposed revision would not require additional CEQA review. The Special Use Permit revision request has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15303 of the CEQA Guidelines which states that “construction and location of limited numbers of new, small facilities or structures” are exempt from further environmental review. Pursuant to Resolution No. 240-93, a \$50.00 proceeding fee is required be the County Recorder to file the Notice of Exemption.

## **RECOMMENDATION**

Staff recommends that the Zoning Administrator take the following action:

1. Certify that the project is exempt from CEQA pursuant to Section 15164 and 15303 of the CEQA Guidelines; and
2. Approve the Special Use Permit Revision S02-0015R subject to the conditions in Attachment 1, based on the findings in Attachment 2.

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D .....	Proposed signage
Exhibit E .....	Approved signage
Exhibit F .....	Staff-approved signage
Exhibit G .....	Revision justification submittal from applicant
Exhibit H .....	Cameron Park CSD Response Letter
Exhibit I .....	Cameron Park CSD Re-distribution Response Letter

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

**File Number S02-0015R**  
**Zoning Administrator**  
**Hearing Date: July 2, 2008**

### **El Dorado County Planning Services**

1. This Special Use Permit is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibit marked Exhibit D, dated July 2, 2008 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

This Special Use Permit revision would allow for the removal of the existing monument sign and the installation of a new internally illuminated, double faced free standing monument sign.

The sign shall conform to the Proposed Signage Exhibit D included with the staff report. The sign shall be constructed as follows:

Maximum Height: 15 feet 4 inches.

Pole Width: 4 feet 8 inches.

Sign area: 66 square feet.

Sign height: 6 feet.

Sign width: 10 feet 11 inches.

The sign shall have a brushed aluminum finish. The text of the sign shall read "Car-Izma Auto Spa Wash & Lube." The text and colors shall conform to the Signage Exhibit D included with Exhibit D.

- 2.. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El

Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

3. Prior to issuance of any permits, the applicant shall pay all Development Service fees.
4. The sign design shall adhere to the approved sign plan (Exhibit D)
5. The sign shall be setback 11 feet from Cameron Park Drive and 18 feet from Robin Lane. Planning Services shall verify the setbacks on project plans prior to issuance of a building permit.
6. No lighting shall be permitted as part of this Special Use Permit.
7. No additional advertising sign copy shall be permitted without prior approval by Planning Services.
8. Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.
9. The applicant shall ensure the sign is properly maintained at all times. Any maintenance problems shall be addressed immediately.

**El Dorado County Department of Transportation**

10. The placement of the proposed sign shall not be placed in the existing right-of-way and shall not restrict sight distance along Cameron Park Drive or Robin Lane.

## **ATTACHMENT 2 FINDINGS**

**File Number S02-0015R  
Zoning Administrator  
Hearing Date: July 2, 2008**

Based on the review of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

### **FINDINGS FOR APPROVAL**

#### **1.0 CEQA FINDING**

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15303 of the CEQA Guidelines pursuant to which states that “construction and location of limited numbers of new, small facilities or structures” are exempt from further environmental review.

#### **2.0 SPECIAL USE PERMIT FINDINGS**

##### **2.1 The issuance of the permit is consistent with the General Plan;**

There are no specific policies that apply directly to the proposed Special Use Permit revision; however, the absence of any policy that would restrict or prohibit the use implies consistency, provided the required findings of Chapter 17.22, Special Use Permits, of the Zoning Code can be made.

##### **2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;**

The proposed free standing sign will comply with the Development Standards of the CP Zone and will comply with the signage requirements of the Zoning Ordinance. The proposed Special Use Permit revision has been found to comply with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, based on the conclusions contained in the staff report.

##### **2.3 The proposed use is specifically permitted by special use permit pursuant to this Title.**

The proposed use is specifically by Special Use Permit pursuant to Section 17.32.140(B) of the Zoning Ordinance as the required findings detailed above may be made by the Zoning Administrator. The proposed revision will not nullify the conditions of approval or the findings of approval of the approved Special Use Permit S02-0015.

### **3.0 ADMINISTRATIVE FINDINGS**

- 3.1 The proposed use conforms to the Zoning Ordinance because the project meets all development standards for a free standing sign within the CP Zone District. The approval of this revision will not nullify any of the conditions of approval or objectives of the approved Special Use Permit.