

**EL DORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



<b>Agenda of:</b>	March 26, 2009
<b>Item No.:</b>	7.b
<b>Staff:</b>	Jonathan Fong

**SPECIAL USE PERMIT**

**FILE NUMBER:** S08-0025/Subaru Pole Sign

**APPLICANT:** Bob McCarver

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

**REQUEST:** Special Use Permit to replace the existing Subaru pole sign with a new pole sign. The sign would be a total height of 25 feet and would have a sign area of approximately 97 square feet.

**LOCATION:** The property is located on the north side of Wild Chaparral Drive, approximately 860 feet west of the intersection with Ponderosa Road in the Shingle Springs Area, Supervisorial District IV (Exhibit A).

**APN:** 070-280-53

**ACREAGE:** 6.17-acres

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

**ZONING:** Commercial (C) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Categorically exempt pursuant to Section 15311(b) of the CEQA Guidelines

**RECOMMENDATION:** Staff recommends that the Planning Commission take the following action:

1. Certify that the project is exempt from CEQA pursuant to Section 15311(b) of the CEQA Guidelines; and

2. Approve the Special Use Permit S08-0025 subject to the conditions in Attachment 1, based on the findings in Attachment 2.

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

**BACKGROUND:** The existing Shingle Springs Nissan and Subaru Dealership has been subject to numerous applications and revisions. A breakdown of the entitlements for the site has been included below.

Application Number	Action/ Date	Description
S85-47	Approved by Zoning Administrator April 23, 1986	Original approval of the existing auto dealership
S86-58	Approved by Planning Commission February 19, 1987	Approval of 130sf, 44-ft tall “Nissan” pole sign. Actually constructed 13-ft tall.
S87-45	Denied by Board of Supervisors February 23, 1988	Denial of 128sf, 20-ft tall “Subaru” pole sign.
S88-14	Approved by Planning Commission May 26, 1988	Approval of 128sf, 22-ft “Subaru” sign. Sign to be added to approved “Nissan” pole sign.
DR91-02	Approved by Planning Commission June 13, 1991	Approval of additional service bays. No additional signage approved.
S96-18/DR96-11	Approved by Planning Commission March 13, 1997	Approval of “Kia” monument sign. The existing “Subaru” sign was conditioned to be reduced from 128sf to 63sf.
S04-15	Approved by Planning Commission November 18, 2004	Approval of replacement “Nissan” sign, 50sf, 20-ft tall.

The request to enlarge the Subaru sign from 63 square feet to 97 square feet would be a reversion to a signage size previously approved under Special Use Permit S88-14 which was approved for a 128 square foot, 22 foot tall sign. The existing 63 square foot sign was required to be reduced in size under Special Use Permit S96-18 as a condition to install a Kia Motors monument sign. The Kia Motors portion of the dealership has closed and the sign has been removed. The proposed replacement sign would be similar in size and height to the original Subaru sign approved as part of S88-14.

**Project Description:** The project request would remove the existing Subaru pole sign and install a new pole sign. The sign would be relocated in the western portion of the property near the location of the existing sign.

The proposed sign would be a total height of 25 feet 9 inches and would have a sign face of 97 square feet. The new sign would result in an increase in height of 13 feet beyond the existing sign and would enlarge the signage area by 34 feet. The sign text would be reduced; however, the Subaru corporate logo would be increased. The new sign would be double-sided and would be internally illuminated. No exposed LEDs or movable copy would be installed as part of the sign.

Due to the numerous previous approvals for the existing signage on the project site, approval of the submitted Special Use Permit would consolidate all preceding approvals under a single Special Use Permit application.

**Site Description:** The site has been in use as an automobile dealership in accordance with Special Use Permit S85-47 since 1986. The site has been improved with sales buildings, service centers, and parking area. The site is accessed from two encroachments onto Wild Chaparral Drive and is visible from U.S. Highway 50.

The table below indicates the existing signage on the project site with corresponding signage dimensions. The table is also included with an aerial overview of the project site included as Exhibit E of the Staff Report.

Sign	Copy	Size (sf)	Height (ft)	Permit
A	Nissan	50sf	20ft	S04-15
B*	Subaru	63sf	12ft	S86-58
C	Nissan	28sf	Wall sign	S88-14
D	Shingle Springs	As determined	Wall sign	By right
E & F	Directional Signs	12sf	4ft	By right
G	Directional Signs	4sf	4ft	By right
H	Parts	4sf	Wall sign	By right
I	Service	10sf	Wall sign	By right

\*The existing Subaru sign would be removed as a condition of approval of this Special Use Permit Application.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
<b>Site</b>	C	C	Existing automobile dealership
<b>North</b>	R1A/C	MDR/C	Undeveloped residential/ office space
<b>South</b>	C	C	U.S. Highway 50
<b>East</b>	C	C	Existing automobile dealership
<b>West</b>	C	C	Existing mini-storage facility

**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 new freestanding sign would not result in any inconsistencies with applicable General Plan policies.

While no specific General Plan policies relate directly to the proposed signage, **General Plan Policy 2.8.1.1** requires that new sources of light should be constructed to reduce excess nighttime glare. The proposed sign would be internally illuminated and would not include any design features that would create excessive glare. The proposed light source and face of the sign would likely be a nuisance.

As proposed and conditioned the project would be consistent with the General Plan.

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

The existing directional signage as shown on the Sign Exhibit D would be exempt from the signage provisions of the Zoning Ordinance. Section 17.16.020 of the Zoning Ordinance exempts directional signage which does not exceed four square feet in size. The existing wall signage would be exempt from the signage requirements in accordance with Section 17.16.030 of the Zoning Ordinance.

The two existing pole signs (Nissan and Subaru) total 133 square feet which exceeds the C Zone District requirements for maximum signage area. The new proposed Subaru sign would be approximately 90 square feet alone, and would increase the overall square footage of signage on the site to 140 square feet. The new proposed signage would exceed the maximum sign area allowed by the C Zone District which would require approval of a Special Use Permit. Because the proposed signage would be visible from U.S. Highway 50, the Special Use Permit is required to be reviewed and approved by the Planning Commission.

The project would construct on-site signage which exceeds the size requirements of the C Zone District and would require approval of a Special Use Permit.

**Special Use Permit:** The proposed pole sign would increase the overall square footage of the on-site sign to 147 square feet. In accordance with Section 17.32.030 signs which exceed the maximum size requirements require approval of a Special Use Permit.

The proposed sign would not utilize any materials or lights that would create visual hazards or impairments in the project area. The proposed sign meets the required Special Use Permit findings of approval which have been included in Attachment 2 of the Staff Report.

## **ENVIRONMENTAL REVIEW**

Pursuant to Section 15311(b) of the CEQA Guidelines on-site signs are Categorically Exempt from CEQA and that no further environmental review is required. The proposed sign would not require additional CEQA review. Pursuant to Resolution No. 240-93, a \$50.00 proceeding fee is required by the County Recorder to file the Notice of Exemption.

## **SUPPORT INFORMATION**

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

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	APN Page
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zoning Map
Exhibit E .....	Existing Signage
Exhibit F .....	Proposed Signage
Exhibit G .....	Proposed Sign Location

# ATTACHMENT 1 CONDITIONS OF APPROVAL

## SPECIAL USE PERMIT File Number S08-0025 Planning Commission Hearing Date: March 26, 2009

### El Dorado County Planning Services

1. This Special Use Permit is based upon and limited to compliance with the project description, Planning Commission hearing Exhibits E-G, dated March 26, 2009 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 shall allow a new free standing pole sign. The sign shall have the following dimensions:

Overall height: 25'9"	Pole width: 2'3"
Pole height: 17'2"	Sign width: 13'1"
Sign height: 7'5"	Sign size: 97 square feet

The sign shall read "Subaru" with the corporate logo above. The sign shall be internally illuminated and shall not include exposed LED lighting or moveable copy.

The existing on-site signage shall be incorporated into this Special Use Permit approval. Existing signage shall correspond to the table below:

Sign	Copy	Size (sf)	Height (ft)	Permit
A	Nissan	50sf	20ft	S04-15
B	Subaru	97	25ft 9in	S08-0025
C	Nissan	28sf	Wall sign	S88-14
D	Shingle Springs	As determined	Wall sign	By right
E & F	Directional Signs	12sf	4ft	By right
G	Directional Signs	4sf	4ft	By right
H	Parts	4sf	Wall sign	By right
I	Service	10sf	Wall sign	By right

Any additional signage or modification to existing signage shall require a revision to this Special Use Permit.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall substantially conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the County. Minor modifications may be approved by the Development Services Director or designee; however major modifications shall constitute a revision to the Special Use Permit subject to review and approval by the Planning Commission.

2. The sign design shall adhere to the approved sign plan (Exhibit F) and located as shown on the Site Plan (Exhibit G). No other site modifications are approved as part of this Special Use Permit approval.
3. The existing Subaru monument sign shall be removed prior to installation of the new pole sign. The applicant shall make applications and pay appropriate fees for the removal of the existing sign prior to issuance of a building permit for the new pole sign.
4. Prior to issuance of any permits, the applicant shall pay all Development Service fees.
5. 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.
6. The applicant shall ensure the sign is properly maintained at all times. Any maintenance problems shall be addressed immediately.
7. The placement of the proposed sign shall not be placed in the existing right-of-way and shall not restrict sight distance along Wild Chaparral Drive.
8. 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.



## **ATTACHMENT 2 FINDINGS**

### **SPECIAL USE PERMIT File Number S08-0025 Planning Commission Hearing Date: March 26, 2009**

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 15311(b) of the CEQA Guidelines pursuant to which states that on-site signage is 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; 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.

The proposed sign would be internally illuminated and would not result in excessive glare or other visual impairments in the project area which is a requirement of the General Plan to limit new sources of light glare.

###### **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 C Zone and will comply with the free standing signage requirements of the Zoning Ordinance. The proposed Special Use Permit 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 Planning Commission.