

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: July 13, 2006
Item No.: 7.a.
Staff: Winnifred Wilson

SPECIAL USE PERMIT

FILE NUMBER: S06-0002

APPLICANT: Rick Williams

REQUEST: A special use permit to retain and refurbish the existing Fresh Pond Cafeteria pole sign

LOCATION: On the south side of U.S. Highway 50, approximately 50 feet south of the intersection with Forest Road, in the Pollock Pines area. (Exhibit A, Vicinity Map)

APN: 009-720-08

ACREAGE: 6 acres

GENERAL PLAN: Commercial/Natural Resource - Platted Land (C/NR-PL) (Exhibit B, Land Use Map)

ZONING: Commercial (C) (Exhibit C, Zoning Map)

ENVIRONMENTAL DOCUMENT: Categorical Exemption (Section 15311 Class 11)

SUMMARY RECOMMENDATION: Conditional approval

BACKGROUND: The existing 118 square foot 26 feet high Fresh Pond Cafeteria pole sign is located on a 6.0 acre-project parcel, identified as Assessor's Parcel Number 009-720-08 (Exhibit D, Site Plan). The project site has been used as a way station and rest stop for U.S. Highway 50 travelers since the 1950s based on an archaeological report prepared by Peak and Associates on June

10, 2005. Since the erection of the sign in the 1950s, the sign has been recognized widely as an important local landmark in El Dorado County.

The project parcel has been historically developed and used as a restaurant and a service station at various times under different ownerships. Both the past commercial developments and their concomitant signage predated the County's ministerial or discretionary permit approval process. The earliest record of development on the site was under Special Use Permit S65-35, which approved a Standard Oil (Chevron) service station to include a 140 square foot pole sign standing 30 feet high. The station and sign were approved by the Planning Commission on June 24, 1965.

The following year, a variance was granted to enlarge the 118 square foot Fresh Pond Cafeteria sign to add a Greyhound Bus Service sign. The Greyhound Bus Service sign has since been removed. On March 23, 1983, a demolition permit (#32553) was finalized for the demolition of the Chevron service station.

On August 25, 2005, the Planning Commission approved Design Review (DR 05-0007) for a minor interior modification of the existing 3,520 square foot building (convenience store/trading post cafe/delicatessen), the relocation of the store entrance under a new canopy, the addition of a four-pump gas station with a canopy, and a 22 foot pole sign. On September 26, 2005, a grading permit (Permit No. 167745) was issued, and on October 21, 2005, a building permit (Permit No. 167740) was issued for the proposed gas station. An encroachment permit (Permit No. 168952) was also issued on September 27, 2005, for the driveway.

Because the existing Fresh Pond sign at 118 square feet exceeds the square footage for the site, both singly and combined with the business sign under DR 05-0007 pursuant to Section 17.32.020 (D) of the Zoning Ordinance, which allows 2 signs measuring 50 square feet each or 1 sign measuring 80 square feet, the applicant was conditioned to obtain a special use permit for the Fresh Pond sign for Planning Commission's consideration. The Chevron pole sign, which was approved as part of the design review cannot be installed until the special use permit is approved. Condition 1 (c) of DR05-0007 was amended to state: *The proposed 22 foot high Chevron pole sign is approved as a part of this application. However, the Chevron pole sign may not be installed until the applicant has either removed the existing Fresh Pond sign or has obtained a separate minor use permit authorizing the Fresh Pond sign to remain on site.* The applicant has chosen to keep the Fresh Pond sign and applied for this special use permit.

On December 18, 2005, the Board of Supervisors voted to waive the special use permit fee of \$760 to lend their support for the Fresh Pond sign to remain in its original location.

STAFF ANALYSIS

Project Description: The special use permit is for the existing Fresh Pond pole sign, which is double-sided, and stands over 26 feet high, and 118 square feet in size (Exhibit E, Fresh Pond Sign). The upper 56 square foot fiber glass sign, together with the lower 62 square foot aluminum sign, are welded together, supported by two vertical steel posts, which are mounted by an existing rock base. Attached to the back of the two signs is a large metal arrow, extending from the signs with the arrow

pointing towards the restaurant. The lettering, which advertises the Fresh Pond Cafeteria, ranges from 18 to 24 inches in height (Exhibit F, Sign Elevation).

The pole sign was originally painted blue but has shown deterioration due to long term exposure to weathering. The applicant proposes to refurbish the structure with a new coat of paints. The new paint would match the proposed Chevron pole sign and the gas station canopy with the use of blue color for the sign faces, grey for the posts, and red for the arrow. The purpose of the proposed color scheme is to integrate harmoniously with the color scheme for the Chevron station in order to create a uniform signage program for the site.

Site Description: The commercially designated, northern portion of the parcel, located approximately 3,500 feet in elevation, has been previously graded flat. The existing “Fresh Pond Cafeteria” sign is situated east of the proposed gas pump area (approved under DR 05-0007), which is located 30 feet south of site entrance. The site consists of grasses, gravel, with some asphalt covering the easternmost portion of the commercial site. The existing convenience store is situated at the northwestern end of the property adjacent to Forest Road.

Dense, pine forest vegetation exists on the southernmost portion of the parcel consistent with the delineated NR land use designation.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	C-PL	C/NR	Convenience store
North	TC	NR	U.S. Highway 50
South	RA-20	NR	Undeveloped
East	RA-20	NR	Undeveloped
West	RA-20	NR	Single-family residence

General Plan: The General Plan designates the subject site as a split land use of Commercial–Platted Land (C-PL) on the northern half of the parcel and Natural Resource on the southern half. The existing Fresh Pond pole sign, the subject of this special use permit, together with the recently approved proposed gas pump facility and the existing convenience store lie entirely within the commercially designated northern portion of the property. This designation permits *a full range of commercial retail, office and service uses to serve the residents, businesses, and visitors of El Dorado County*. Under Policy 2.2.2.3, the –PL overlay designation is applied to those lands that have been historically zoned commercial, as that portion of the project parcel has.

Policy 2.6.1.1: *A Scenic Corridor Ordinance shall be prepared and adopted for the purpose of establishing standards for the protection of identified scenic local roads and State highways.*

Policy 2.6.1.2: *Until such time as the Scenic Corridor Ordinance is adopted, the County shall review all projects within designated State Scenic Highway corridors for compliance with State criteria.*

Policy 2.6.1.3: *Discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoints identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report, shall be subject to design review, and Policies 2.6.1.4, 2.6.1.5, and 2.6.1.6 shall be applicable to such projects until scenic corridors have been established.*

Discussion: As mentioned above, General Plan policies 2.6.1.1, -1.2, and -1.3, address discretionary review of all projects located within a scenic corridor. Under these policies, standards for that portion of U.S. Highway 50 designated as a state scenic corridor are subject to the Scenic Corridor Ordinance that has yet to be prepared and adopted. The project parcel is adjacent to a portion of U.S. Highway 50 that has been designated as a state scenic highway. Under Table 5.3-1 of the 2004 General Plan Draft EIR, the protected scenic views or resources along that portion of U.S. Highway 50 between Placerville and Echo Summit are listed as being Sierra Nevada peaks, the American River Canyon, and lower Sierra Nevada ridgelines.

The Fresh Pond sign does not contain or look upon any of these scenic views or resources, nor does it obscure any of these resources from the public view. The project sign is located on a commercially zoned and designated piece of property which has been used historically as a restaurant, gas station and bus stop.

The site has been almost completely graded on the commercially designated portion of the parcel fronting Forest Road. Remnants of the pad for the demolished gas station are still evident. The rear portion of the parcel, designated Natural Resources, has been left in its natural, forested state. The Fresh Pond sign will not degrade the existing visual character of the front portion of the subject site as it would integrate harmoniously with the signage program for the recently approved gas station under DR 05-0007. Being located in the northern commercially designated portion of the subject parcel, it will not detract from the rustic, and densely forested, natural landscape of the southern portion designated as Natural Resource.

Policy 2.7.1.1 states: *The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor view shed protection.*

Discussion: The original Fresh Pond sign has existed since 1966 according to permit records, and public recollection dates it back to the 1950s pursuant to a site-specific historical resource/archeological evaluation conducted on June 10, 2005. The report concludes that the sign, over 45 years old, is of local significance as an historic object and may be eligible for the California Register of Historical Resources pursuant to Public Resources Code PRC 5020.1 (j), 5024.1.

PRC5020.1 (j) *“Historical resources” include, but is not limited to any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.*

PRC 5024.1 *A resource may be listed as a historical resource in the California Register if it meets any of the following National register of Historic Places criteria; (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*

At this time, the applicant has indicated that he does not intend to apply for eligibility to the State Register of Historical Resources or the National Register of Historic Places. The applicant wishes to retain the sign in response to public requests.

The sign does not intrude into any protected scenic views or resources as listed under Table 5.3-1 and is not visible until one is directly in front of the project site when traveling on U.S. Highway 50 because of the dense forest fronting the Highway. Staff concludes that the existing sign would not degrade the existing visual character of the site, because it would blend in harmoniously with the approved signage program to create a unified design theme for the site.

Design Issues: The Community Design Guide prepared by the El Dorado County Planning Department offers design guidelines in an effort to promote good architecture in the County.

In the Design Review chapter of the guide, the intent of the ordinance states:

To promote good architecture, the El Dorado County Board of Supervisors has adopted a design review ordinance that regulates design within designated districts judged to be of a special natural beauty or contributing to the County’s character and tourist economy.

The same ordinance provides design review for sites and structures of special historical interest for development in the visually sensitive mountain areas of El Dorado County. This ordinance is also intended to help in situations where there are buffer zones between residential and commercial development or special uses which may be desirable, but are attended by problems like noise and traffic congestion.

The Signs chapter of the design guide highlights key elements of sign design: compatibility, consistency, restraint, types of signs, simplicity, and lighting.

Signs are a necessary aid to commercial enterprise but need as careful handling as the building and site.

An excess of signs or wrong placing confuses a potential customer and destroys the sign’s purpose.

Design Compatibility: Signs, their materials, size, color, lettering, location, and arrangement, should be an integral part of the site and building design and compatible with the surroundings.

Discussion: The existing 118 square foot Fresh Pond sign, since its construction in the 1950s, has remained an important historical landmark to this day. Despite its non-conforming status, the design of the sign is not incompatible with the past or recently approved commercial development of the site. The new color scheme, blue, white, red, and grey proposed for the pole sign would integrate harmoniously with the recently approved signage program for the proposed Chevron service under DR 05-0007. Additionally, the rock veneer base of the Fresh Pond sign would match that of the monument pricing sign for the proposed gas station.

Restraint: Signing should be simple, restrained and subordinate to the overall project design. A sign ought to attract and identify, but not dominate the site.

Discussion: The existing Fresh Pond sign is 26 feet 4 inches high approximately 4 feet higher than the proposed Chevron pole sign (approved under DR05-0007). The arrow graphic and the sign surface remain non-illuminated in contrast to the proposed gas station, pole, and monument signs under DR05-0007. Also, its non-intrusive location at the far eastern end of the site would make it an integral, but not a dominant, component of the signage program for the site. In addition, the site is screened both on the westbound and eastbound U.S. Highway 50 direction by natural native pine trees, and the Fresh Pond sign would not be visible until one is directly in front of the project site.

Types: Wall signs, graphic symbol signs and low profile free-standing signs are encouraged. Flashing, moving, and rotating signs are prohibited by County ordinance.

Discussion: The proposed sign is a free-standing, non-flashing- moving or-rotating pole sign.

Simplicity: Signs should use minimum copy and suitable lettering and avoid garish materials and shape.

Discussion: The sign lettering and shape are consistent with the signage program for the site.

Lighting: Subtle lighting and landscaping can enhance a sign's setting and draw attention to it. The light source should be screened.

Discussion: As discussed previously, this sign remains non-illuminated. The proposed decorative landscaping along the frontage of Forest Road and the lighting program pursuant to Section 17.14.170 (C) of the Zoning Ordinance were incorporated as conditions of approval for DR 05-0007.

Conclusion: As discussed above, staff finds that the project sign is consistent with its historic uses as a gas station, restaurant, and store, as well as the recently approved development (DR05-0007) allowed under its Commercial-Platted Land land use designation. Staff finds that the proposed project, as conditioned, will have minimal impact on this portion of the U.S. Highway 50 scenic corridor and, as such, conforms to the General Plan.

In reviewing the sign for consistency with the Community Design guidelines, the proposed sign meets the intent of establishing consistent design in the area.

Zoning: Section 17.32.030 (E) of the Zoning Code requires *other signs sizes* subject to a special use permit.

Discussion: Staff proposed a condition for DR 05-0007 allowing the Fresh Pond sign to remain subject to a special use permit in conformance with Section 17.32.030 (E) of the Zoning Ordinance (see also amended Condition 1 (c) of DR05-0007).

The following sections of the Zoning Ordinance apply to this project:

Section 17.14.130 Architectural Supervision: *In case an application is made for a permit for any structure where it faces a state highway, architectural drawings showing the elevations of the proposed building or structure shall accompany the application. The drawings or sketches shall be reviewed by the planning commission to provide the architectural and general appearance of the structure be in keeping with the character of the neighborhood.*

Section 17.16.050 Location: *Signs may be located in required yards or setbacks provided they do not constitute a hazard to pedestrians or vehicular traffic, do not conceal from view any public sign or traffic signal and are not located on extend onto or project over public right-of-way.*

Discussion: The Fresh Pond sign is an existing structure which faces U.S. Highway 50. It is located inside the required setback area but does not constitute a hazard to vehicular traffic, because it is set back five feet behind the frontage road (Forest Road) and does not extend onto a public right-of-way. The sign would not be an obstruction to cars backing out of the proposed parking lot, because the proposed parking lot (approved under DR 05-0007) would be approximately 1,600 feet to the southwest of the sign. Exhibits E and F provide architectural drawings showing the elevations of the existing structure. The architectural design and color scheme are compatible with the recently approved modification under DR 05-0007.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15311 Class 11 Accessory Structures, which consist of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to (a) on-premise signs. The existing Fresh Pond sign is an accessory structure to the sign structures approved under DR 05-0007.

Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Exemption

RECOMMENDATION

1. Certify that the project is Categorical Exempt from CEQA pursuant to Section 15311, Class 11; and
2. Approve Special Use Permit S06-0002 as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report and the modification of the project to include conditions itemized in Attachment 1.

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	Site Plan
Exhibit E	Sign Elevation
Exhibit F	Sign Elevation

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER S06-0007

Conditions of Approval

1. The project, as approved, shall conform to Exhibits D, E, and F. The existing Fresh Pond pole sign, is double-sided, and stands over 26 feet high and 118 square feet in size (Exhibit E, Fresh Pond Sign). The upper 56 square foot fiber glass sign, together with the lower 62 square foot aluminum sign, are welded together, supported by two vertical steel posts, which are mounted by an existing rock base. Attached to the back of the two signs is a large metal arrow, extending from the signs with the arrow pointing towards the restaurant. The lettering, which advertises the Fresh Pond Cafeteria, ranges from eighteen to twenty-four inches in height (Exhibit F, Sign Elevation).

El Dorado County Fire Protection District

2. A post numeric address, 18 inches minimum, shall be visible from both directions of U.S. Highway 50.

El Dorado County Planning Services

3. This special use permit is valid for two years from the date of issuance by the Planning Commission and will expire if not diligently pursued.

ATTACHMENT 2 FINDINGS

FILE NUMBER S06-0002

Based on the review and analysis 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:

1. The project has been found to be Categorically Exempt from CEQA pursuant to Section 15311 Class 11 Accessory structures.
2. The project is found to comply with the requirements of Section 17.22.500, Special Use Permit of the Zoning Ordinance. It is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the conclusions contained in the staff report. No agency or community group objections or concerns were expressed during the project review process.
3. The project has become an important, historical landmark for both U.S. Highway travelers and local residents in the County since the 1950s.
4. The proposed project is consistent with the policies in the El Dorado County General Plan, as discussed in the General Plan section of this staff report. The General Plan designates the northern portion of the parcel as Commercial-Platted Land (C-PL) which permits a full range of commercial retail, office and service uses to serve the residents, businesses, and visitors of El Dorado County. Although the project sign exceeds the size requirement of Section 17.32.020 (D), it is considered a non-conforming structure due to its existence prior to the permit process of the County. The subject site is zoned Commercial (C) which permits the proposed use with an approved Special Use Permit under Section 17.32.030 (E).