

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



**Agenda of:** November 21, 2007  
**Item No.:** 6.a.  
**Staff:** Pat Kelly

**SPECIAL USE PERMIT**

**FILE NUMBER:** S07-0016/Denton Outdoor Media, Inc.

**APPLICANT:** Lorraine King

**REQUEST:** Special Use Permit to allow an off-premise advertising sign for the Blackstone Subdivision in El Dorado Hills.

**LOCATION:** The project is located on the southwest corner of Latrobe Road, at the intersection with White Rock Road, El Dorado Hills area, Supervisorial District II (Exhibit A).

**APN:** 117-180-08

**ACREAGE:** 1.37 acres

**GENERAL PLAN:** Research and Development (R&D) (Exhibit B)

**ZONING:** Research and Development\Design Control (R&D\DC) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** 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.

**Project Description:** A Special Use Permit request to allow an off-premise, north and south facing (double-faced) sign at the southwest corner of the Latrobe Road and White Rock Road intersection to advertise new homes for the Blackstone Subdivision in El Dorado Hills. The proposed advertising sign is five (5) feet by ten (10) feet in size, with a blue and green background, white lettered logo

and an outside boarder in black (Exhibit D). The advertising sign would be placed in the ground by two wooden posts. No lighting is proposed or permitted for the placement of the advertising sign. The height of the advertising sign would not exceed twelve (12) feet. The advertising sign would be removed upon sell-out of the Blackstone Subdivision, or the advertising sign would be reviewed annually by Planning Services and would not be renewed for more than three (3) years of the approval date of the Special Use Permit, whichever occurs first. The applicant also have the option to renew the sign if additional time is needed to market the Subdivision.

**Site Description:** The project site is flat with slopes on-site falling within the 0%-10% range at an approximate elevation of 520 feet. No trees exist on the subject property. The advertising sign would be placed at approximately the same elevation as Latrobe Road.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
<b>Site</b>	R&D/DC	R&D	Undeveloped
<b>North</b>	CG	AP	Office Space; Light Industrial
<b>South</b>	R&D	R&D	Undeveloped
<b>East</b>	C	C	Retail
<b>West</b>	CG	R&D/CG	Office Space; Light Industrial

**General Plan:** This Special Use Permit request has been reviewed in accordance with the El Dorado County 2004 General Plan policies. The General Plan designates the project site as Research and Development (R&D). The purpose of this land use designation is to provide areas for the location of high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. There are no specific policies that apply directly to the proposed project.

**Zoning:** The sign is to be located off-site within the Research and Development/Design Control (R&D/DC) zone district. The proposed signage is permitted by Special Use Permit in the R&D zone district pursuant to **Section 17.35.025 (A)**, uses permitted by Special Use Permit, of the Zoning Code.

**Section 17.16.120** – Off-premise signs. In order to approve the use, the Zoning Administrator must consider the location, size, and display of the sign for compliance with the policies of the General Plan Land Use Element. As discussed in this staff report, the proposed use is in compliance with applicable policies in the General Plan.

**Section 17.35.030 (F) (1)** allows one (1) freestanding sign no greater than fifty (50) square feet in area and no greater than twelve (12) feet in height. The proposed sign is to be 50 square feet, with a maximum height of 12 feet, thereby complying with Section 17.35.030 (F) (1).

The proposed project meets the applicable standards contained in Section 17.16.120, Section 17.35.025, and Section 17.16.030 of the Zoning Code. As proposed and conditioned, the proposed off-premise advertising sign is consistent with the Zoning Ordinance.

### **Agency and Public Comments**

The project was circulated for review and comment to the various affected agencies. The agencies specific topics are discussed below and conditions of approval are included in Attachment 1.

**El Dorado County Department of Transportation:** The County Department of Transportation (DOT) reviewed the project plans and required that the placement of the advertising sign be outside the existing road right-of-way of Latrobe Road or White Rock Road and that it not restrict sight distance at the intersection. The location and height of the advertising sign, as shown on Exhibit D, is consistent with DOT requirements.

**El Dorado Hills Area Planning Advisory Committee:** The El Dorado Hills Area Planning Advisory Committee supports the request and recommends that the north face and the south face of the advertising sign be substantially the same; the advertising sign should not be illuminated, and if the Special Use Permit is approved it would be reviewed annually and would not be renewed for more than three consecutive years.

### **ENVIRONMENTAL REVIEW**

This Special Use Permit request has been found to be Categorical 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 by 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 Categorical Exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines; and
2. Approve the Special Use Permit S07-0016 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 .....	Site Plan
Exhibit E .....	Sign Plan
Exhibit F .....	Front/Side View
Exhibit G .....	Assessor's Parcel Map

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

File Number S07-0016  
November 21, 2007, Zoning Administrator Hearing

### 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 exhibits marked Exhibits D through F, dated November 7, 2007, 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:

A Special Use Permit request to allow an off-premise, double-faced sign at the southwest corner of the Latrobe Road and White Rock Road intersection to advertise new homes for the Blackstone Subdivision in El Dorado Hills. The proposed advertising sign is five (5) feet by ten (10) feet in size, with a blue and green background, white lettered logo and an outside boarder in black (Exhibit D). The advertising sign will be placed in the ground by two wooden posts. Total height of the advertising sign will not exceed twelve (12) feet.

All plans must be submitted for review and approval and shall be implemented as approved by the County.

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, as provided in Section 66474.9(b) of the California Government Code.

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, which action is brought within the time period provided for in Section 66499.37.

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

4. Prior to issuance of any permits, the applicant shall pay all Development Service fees.
5. The sign design shall adhere to the approved sign plan (Exhibit E)  
  
The sign shall meet the Research and Development (R&D) zone setbacks, which requires that signs be set back from the street right-of-way at least ten feet.
6. The sign shall be removed upon sell-out of the Blackstone Subdivision, or, within two (2) years of the approval date of the Special Use Permit for this sign (whichever s first).
7. No supplemental lighting is permitted.
8. No additional advertising sign copy shall be permitted without prior approval by Planning Services. No additional signs shall be attached to the five (5) by ten (10) proposed advertising sign.

**El Dorado County Department of Transportation**

9. The placement of the proposed sign shall not be placed in the existing right-of-way and shall not restrict sight distance along Latrobe Road or White Rock Road.

# ATTACHMENT 2 FINDINGS

File Number S07-0016  
November 21, 2007, Zoning Administrator Hearing

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.
- 1.2 The documents and other materials which constitute the record of proceedings upon which the decision is based are in the custody of the Development Services Department-Planning Services at 2850 Fairlane Court, Placerville, CA 95567.

### 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 project; 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;*

This project 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 17.35.025(A) of the *El Dorado County Zoning Ordinance* as the required findings detailed above may be made by the Zoning Administrator.

### **3.0 ADMINISTRATIVE FINDINGS**

- 3.1 The proposed use conforms to the Zoning Ordinance because the project meets all development standards for an off-premise sign in the Resource and Development and Design Control (R&D/DC) zone district.