

# RESOURCE MANAGEMENT AGENCY

Community and Economic Development  
Department of Planning and Building

Norman L. Allinder, AICP  
Director *BB*

- 2037 W. Cleveland Avenue
- Mail Stop G
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc\_planning@madera-county.com

**PLANNING COMMISSION DATE:** June 3, 2014

**AGENDA ITEM:** # 2

ZP	#2014-005	Zoning Permit and Variance to allow an
VA	#2014-006	off-premise sign
APN:	#054-260-003	Applicant/Owner: Gene Guadagnini
CEQA		Exempt

### REQUEST:

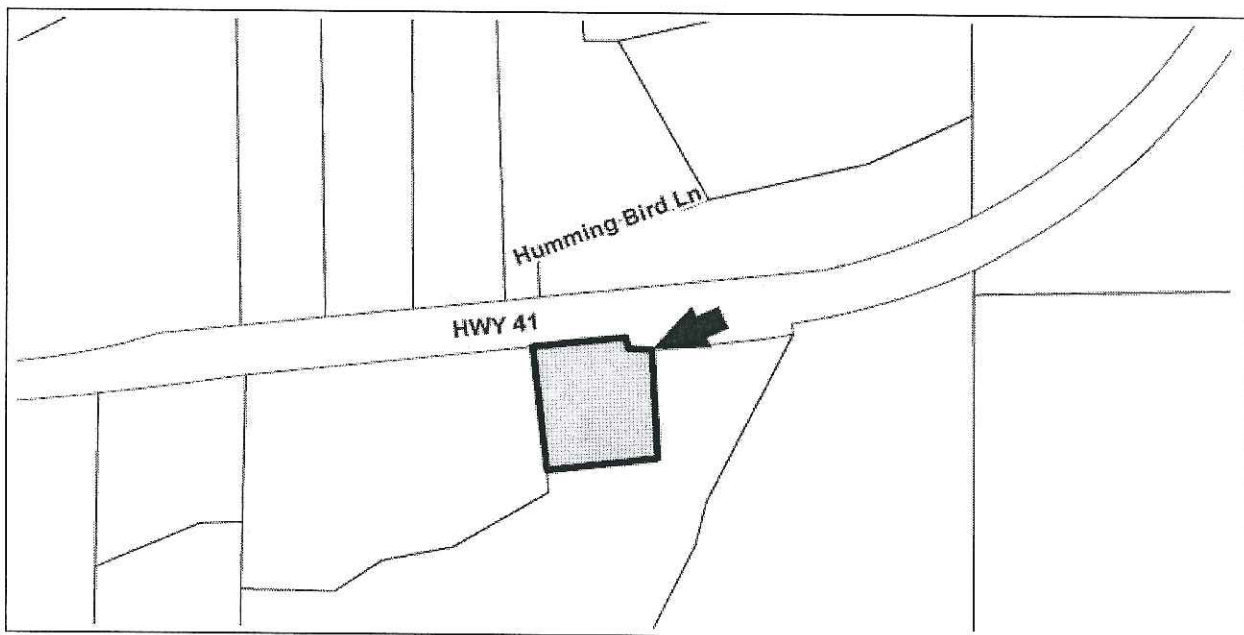
The application is for a variance and zoning permit to recognize an existing off-premise free standing sign, and allow a closer distance of 516'-0" between off-premise freestanding signs, where 1,000'-0" is required by Ordinance.

### LOCATION:

The project is located on the south side of Highway 41, approximately 0.30 mile from its intersection with Morava Road (no situs), Coarsegold

### ENVIRONMENTAL ASSESSMENT:

This project is exempt from CEQA in accordance with section 15301(G) Existing Facilities.



**RECOMMENDATION:** Approval of ZP #2014-005 and VA #2014-006 with Conditions.

BG

**GENERAL PLAN DESIGNATION:**

SITE: CC (Community Commercial) Designation

SURROUNDING: CC (Community Commercial) Designation

**AREA PLAN DESIGNATION:**

SITE: CC (Community Commercial) Designation

SURROUNDING: CC (Community Commercial) Designation

**ZONING:**

SITE: CRM (Commercial, Rural, Median) District  
RMS (Rural, Mountain, Single Family) District

SURROUNDING: CRM (Commercial, Rural, Median) District

**LAND USE:**

SITE: Vacant/Signage

SURROUNDING: Commercial

**SIZE OF PROPERTY:** 1 acre

**ACCESS:** The property is accessed by Highway 41.

**BACKGROUND AND PRIOR ACTIONS:**

None

**ORDINANCES/POLICIES:**

Madera County Code 18.34 outlines allowed uses within the CRM (Commercial, Rural, Median) zone district

Madera County Code 18.90 outlines definition of an off-premise sign and its context within the Sign Ordinance

Madera County Code 18.106 outlines the requirements for processing and reviewing variances

Madera County General Plan Policy Document (page 10) outlines the allowable uses within the CC (Community Commercial) designation

**PROJECT DESCRIPTION:**

The project proposal is for a variance and zoning permit to recognize an existing billboard. The subject parcel is one acre in size. The proposal is to utilize the existing sign adjacent to Highway 41.

**ANALYSIS:**

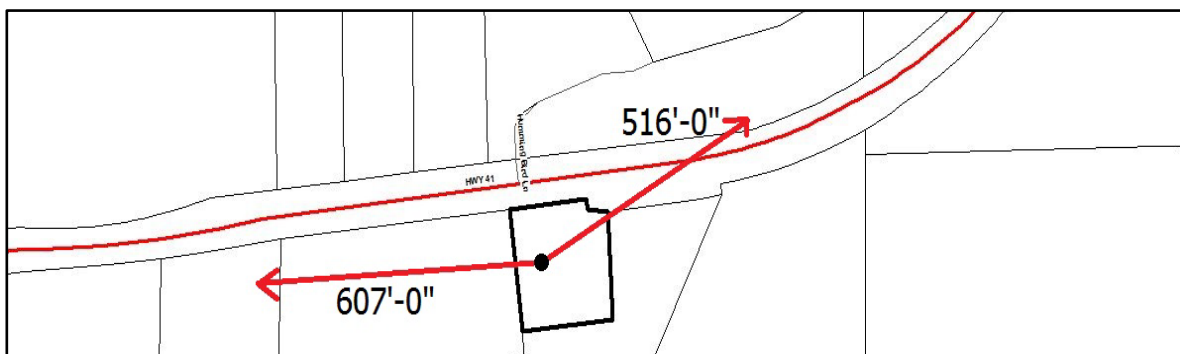
This proposal is a request for a variance and zoning permit to recognize an existing off-premise free standing sign. The subject property is designated CC (Community Commercial) by the General Plan. The property is split zoned with the northerly portion adjacent to Highway 41 (roughly 80% of the parcel) zoned CRM (Commercial, Rural, Median) district and approximately the remaining 20% of the parcel on the south end of the property zoned RMS (Rural, Mountain, Single Family) District. The properties surrounding the subject parcel are zoned CRM (Commercial, Rural, Median) District. The CC designation provides for retail, wholesale, restaurants, professional and administrative offices as well as hotels and motels. The minimum parcel size shall be designated according to its Zoning Designation, CRM, which has a minimum parcel size of one acre.

The Planning Department has received a code complaint regarding the subject property having illegal signs. Off-Premise signs must adhere to the Sign Regulations in Chapter 18.90.020 of the Zoning Ordinance which states that:

*“No signs shall be erected within the unincorporated regions of Madera County except as expressly permitted by this chapter. No off-premises sign shall be erected without the prior issuance of a zoning permit.”*

The existing off-premise free standing sign is located within 607'-0" of an off-premise sign to the south along Highway 41, and within 516'-0" within an off-premise sign to the north along Highway 41 as shown below. Therefore, in conjunction with the Zoning Permit, a Variance is needed to allow the existing off-premise free standing sign.

*“Off-premise signs, means a sign which advertises a business, product, service or entertainment conducted or sold elsewhere than upon the parcel upon which the sign is located. No off-premise signs shall be located within one thousand feet of any other off-premise sign, nor within five hundred feet of an road or railroad interchange, intersection at grade or any safety road side rest area.”*  
18.90.030B





Left: The sign shown is the off-premise free standing sign which is seeking approval through PRJ #2014-004.

The sign is a two faced sign with the front currently advertising Camarena Health, and the back face not being utilized at the moment.

As part of the conditions of approval of this variance and zoning permit, the remaining illegal signs must be removed within 15 days upon action by the Planning Commission.

The project was routed to all agencies thought to be impacted by the recognition of the existing off-premise free standing sign. Comments were received from the Roads Department, Coarsegold Area Plan Committee, Madera Oversight Coalition, and Caltrans. Caltrans was concerned that the off-premise freestanding sign might currently be intruding in the designated Highway 41 roadway easement. Therefore, a condition of approval was added requiring a revised site plan. This revised site plan must be submitted prior to issuance of the permit.

#### **FINDINGS OF FACT:**

The Madera County Zoning Ordinance 18.106.040 requires that the following findings of fact must be made by the Planning Commission to grant approval of this permit:

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to other property in the vicinity having identical zoning classification.* The subject parcel is located at the beginning of a large curve on Highway 41 which limits the site distance to any potential sign. The property also has a large number of oak trees which inhibit the placement of a sign safely for viewing by motor-vehicle traffic.
2. *The granting of this variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, which right is*

*possessed by other property owners under like conditions in the vicinity having the identical zoning classification.* Highway 41 has a number of off-premise free standing signs to which with the approval of this sign would allow the opportunity of advertising on this particular parcel, that surrounding parcels have the right to do.

3. *The granting of this variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood.* The off-premise sign will not create an additional hazard if approved in its current location. This is because it has abundant sight distance of the advertisement due to the size of the sign, so as it does not create a traffic hazard for oncoming traffic viewing it.
4. *The granting of this variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.* The surrounding area along Highway 41 has a number of off-premise free standing signs to which with the approval of this sign would not constitute a special privilege.
5. *Because of special circumstances, applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.* Due to the property's foothill location along Highway 41 and its placement at the beginning of a large curve, with the numerous large oak trees on the parcel; the current zoning ordinance in relation to proximity between off-premise existing signs would deprive a property owner of advertising which is allowed on adjacent parcels.

**WILLIAMSON ACT:**

The parcel is not subject to a Williamson Act (Agricultural Preserve) contract.

**GENERAL PLAN CONSISTENCY STATEMENT:**

The Variance and Zoning Permit to recognize an existing off-premise free standing sign, if approved, would be consistent with the existing zone district of CRM (Commercial, Rural, Median) District. The zone district is consistent with the General Plan of CC (Community Commercial) which allows for retail, wholesale, restaurants, professional office and administrative offices. The CRM zone district allows off-premise signs with approval of a zoning permit. Therefore, the proposal is consistent with the general plan upon approval of the variance to allow the shorter distance between off-premise signs.

**RECOMMENDATION:**

The analysis provided in this report supports approval of Zoning Permit #2014-005 and Variance #2014-006 as presented subject to the following conditions.

**CONDITIONS:** *(See attached Conditions of Approval)*

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit A1, Coarsegold Area Plan
3. Exhibit B, Zoning Map
4. Exhibit C, Assessors Map
5. Exhibit D1, Site Plan
6. Exhibit D2, Elevation
7. Exhibit E, Aerial Map
8. Exhibit F, Topography Map
9. Exhibit G, Operational Statement
10. Exhibit H, Road Department Comments
11. Exhibit I, Coarsegold Area Plan Committee Comments
12. Exhibit J, Caltrans Comments
13. Exhibit K, Madera Oversight Coalition Comments

## CONDITIONS OF APPROVAL

**PROJECT NAME:** PRJ #2014-004, Gene Guadagnini, Off-Premise Free Standing Sign

**PROJECT LOCATION:** southeast corner of Avenue 7 and Road 16 (15110 Avenue 7), Madera

**PROJECT DESCRIPTION:** The application for a Zoning Permit to allow an off-premise sign and a Variance to allow a closer distance between off premise signs

**LEAD AGENCY:** Madera County

**CONTACT PERSON/PHONE NUMBER:** Brenton Gibbons, (559)675-7821

**APPLICANT:** Gene Guadagnini

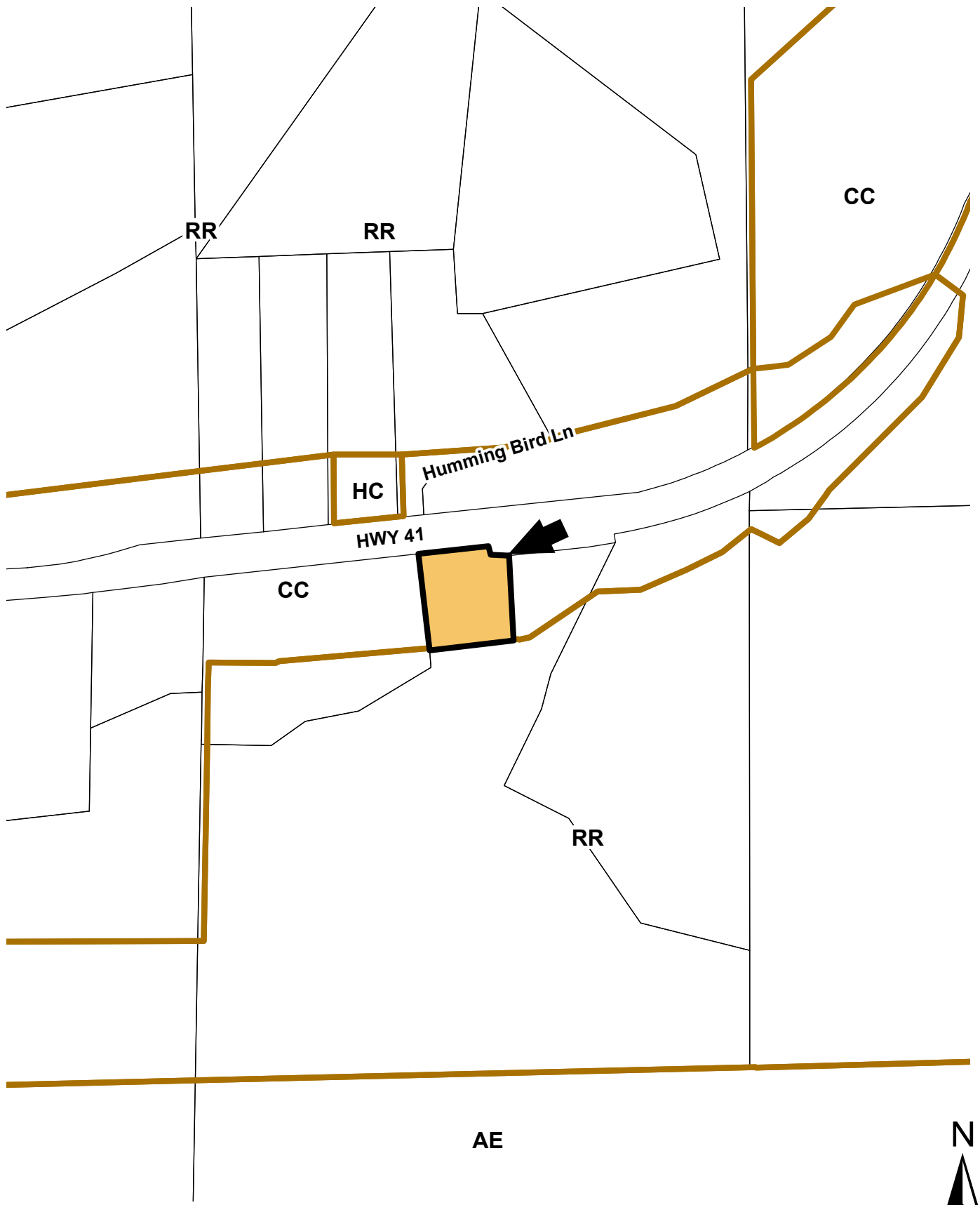
**CONTACT PERSON/TELEPHONE NUMBER:** (559)-683-4863

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Engineering</b>					
1	NONE	Madera County Engineering Department			
<b>Environmental Health</b>					
1	NONE	Madera County Environmental Health Department			
<b>Fire</b>					
1	NONE	Madera County Fire Department			
<b>Planning</b>					
1	Applicant shall remove remaining illegal off-premise free standing signs within 15 days upon action by the Planning Commission.	Madera County Planning Department			
2	If signage is to be illuminated, all lighting related to this project is to be hooded and directed downwards so as not to be an impact to the surrounding parcels	Madera County Planning Department			
3	The Applicant must submit revised site plan of the project site, with the right-of-way, exact placement of the sign and how far the sign is located from the right-of-way. This revised site plan should also be drawn to scale.	Madera County Planning Department			
4	Variance and Zoning Permit approval allows (1) two faced off-premise free standing sign.	Madera County Planning Department			
<b>Road</b>					









COARSEGOLD AREA PLAN

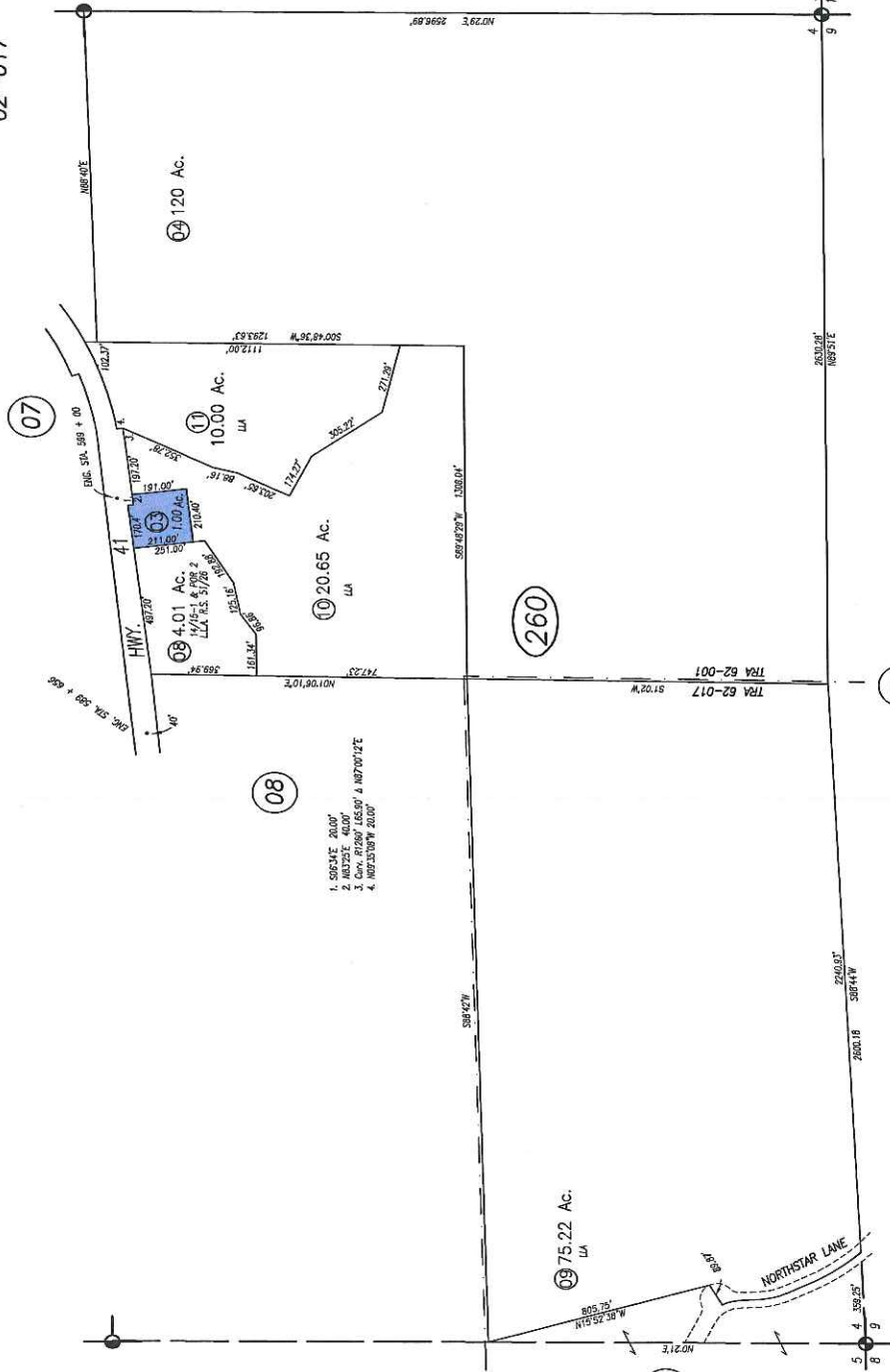
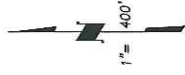


# EXHIBIT C

POR. OF S1/2 SEC.4 T.8S. R.21E. M.D.B.&M.

Tax Area Code  
62-001  
62-017

54-26



ORIGINAL  
IN BLUE

1. SUGAR 20.00'
2. 103.25' 40.00'
3. Conv. 172.00' 165.50' 4 107.00' 12'
4. 103.25' 20.00'

NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

©2003 Madera County Assessor, All Rights Reserved

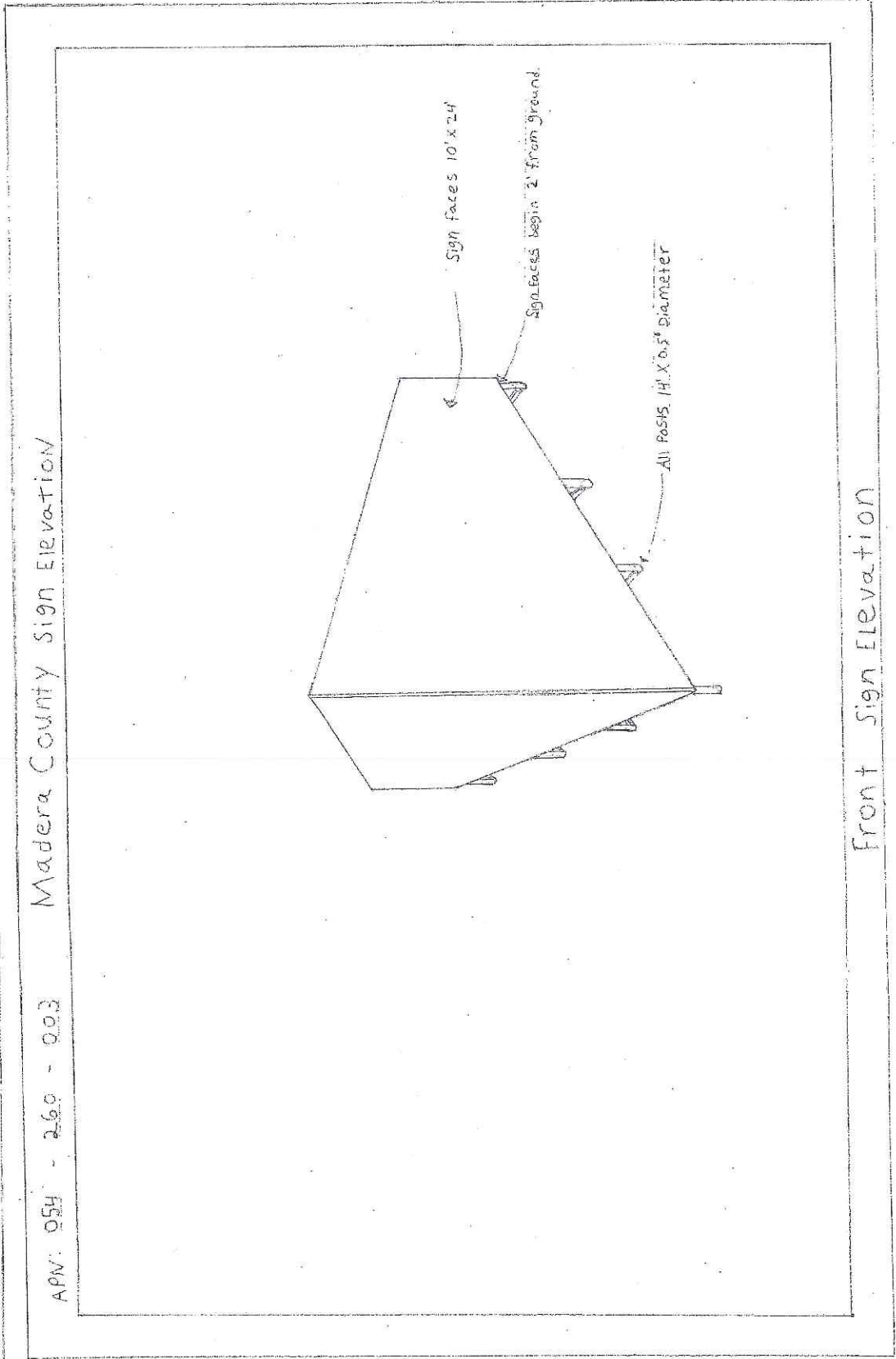
Assessor's Map No. 54-26  
Coarsegold  
County of Madera, Calif.  
1966

62255-11.c2c

# ASSESSORS MAP



APN: 059 - 260 - 003 Madera County Sign Elevation



Front Sign Elevation



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



**AERIAL MAP**



TOPOGRAPHICAL MAP



OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your proposal. Your operational/environmental statement must be typed or written in a legible manner on a separate sheet(s) of paper. DO NOT SUBMIT THIS CHECKLIST AS YOUR STATEMENT.

1. Please provide the following information:

Assessors Parcel Number 054-260-003  
Applicants Name Gene Guadagnini  
Address 35647 HWY 41 COARSEBROOK CA 93614  
Phone Number 559 683 4863

NOTE: Your response to this operation statement must include:

1. Each question as it appears on the form.
2. Your complete answer to each question. Incomplete or illegible responses will not be accepted.

2. Describe the nature of your proposal/operation (please be specific).

A bill board

3. What is the existing use of the property?

NO use at all

4. What products will be produced by the operation? Will they be produced on-site or at some other location? Are these products to be sold on-site? Explain.

NO PRODUCT N/A

5. What are the proposed operational time limits?

Months (if seasonal):

Days per week:

Hours (from \_\_\_ to \_\_\_):

Total hours per day:

NO OPERATION N/A

6. Will there be any special activities or events?

Frequency:

Hours:

Are these activities indoors or outdoors?

NO N/A

7. How many customers or visitors are expected?

Average number per day:

Maximum number per day:

What hours will customers/visitors be there?

None N/A

8. How many employees will there be?

Current:

Future:

Hours they work:

Do any live on-site? If so, in what capacity (i.e., caretaker)?

None N/A

9. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

None N/A

10. Will there be any service and deliver vehicles?

Number:

Type:

Frequency:

None N/A

11. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.

12. How will access be provided to the property/project? (Street name)

N/A

none

none

13. Estimate the number and type (i.e., cars, trucks) of vehicular trips per day that will be generated by the proposed development. 0
14. Describe any proposed advertising including size, appearance, and placement.
15. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate. 1 Double Sided 8' X 24' bill board made of wood
16. Is there any landscaping or fencing proposed? Describe type and location. NO
17. What are the surrounding land uses to the north, south, east, and west boundaries of the property? NO
18. Will this operation or equipment used generate noise above existing parcels in the area? CRM Commercial Retail
19. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific). NO N/A
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how ill it be disposed of? None
21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of? None
22. Will there be any grading? Tree removal? (please state the purpose, i.e., for roads, building pads, drainage, etc.) None
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan. None
24. Locate and show all bodies of water on application plot plan or attached map. None
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan. None
26. Will hazardous materials or waste be produced as part of this project? If so, how ill they be shipped or disposed of? None
27. Will your proposal require use of any public services or facilities? (i.e., schools, parks, fire and police protection or special districts?) None
28. How do you see this development impacting the surrounding area? None
29. How do you see this development impacting schools, parks, fire and police protection or special districts? None
30. If your proposal is for commercial or industrial development, please complete the following:
- Proposed Use(s) None  
 Square Feet of Building Area(s)  
 Total Number of Employees  
 Building Height(s)
31. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map. None



# RESOURCE MANAGEMENT AGENCY Road Department


Johannes J. Hoevertsz, Road Commissioner

EXHIBIT H

2037 W. Cleveland Avenue  
Mail Stop 'D'  
Madera, CA 93637-8720  
(559) 675-7811  
FAX (559) 675-7631  
jhoevertsz2@madera-county.com

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## MEMORANDUM

**TO:** Brent Gibbons – Planning Department  
**FROM:** Jason Chandler – Road Department   
**DATE:** April 28, 2014  
**SUBJECT:** PRJ NO. 2014-004 / GUADAGNINI

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Road Department staff has reviewed the proposed project to recognize an existing advertising bill board at parcel number 054-260-003 located on Highway 41 north of the Morava Road intersection in the town of Coarsegold.

The Road Department has no concerns regarding this proposed Project.

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): PRJ #2014-004

Return to: Brent Gibbons, Planning Department

Guadagnini, Gene

Responding Agency: Coarsegold Area Plan Date: 25 April 14

Respondent's Signature: [Signature]

1. Does your Agency or Department have a recommendation regarding the approval or denial of this project

       Approve   X   Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

- 1) Size OVERWHELMING
- 2) POTENTIAL PROBLEMS - ENTERING RT #41 - N+S bound. **SAFETY**
- 3) Too many large Handmade billboards CURRENTLY in immediate Area
- 4) Eye Sore      5) ? CURRENT CALTRANS/Coarsegold Plan regarding ~~signage~~ signage if any.

2. If the project is approved, what conditions of approval are recommended?

Flashing Amber Light WARNING Southbound Traffic of possible vehicles ENTERING EAST side of Road with CURVE into Southbound Traffic.

POTENTIAL SUMMA TRAFFIC PROBLEMS

3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?

Off Premise Regulations - 1000 feet along other / 500ft Road or intersection

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): PRJ #2014-004

Return to: Brent Gibbons, Planning Department

Guadagnini, Gene

Responding Agency: \_\_\_\_\_

Contact Person.: \_\_\_\_\_ Signature: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Date: \_\_\_\_\_

ENVIRONMENTAL REVIEW:

- 1. Is there sufficient information for you to evaluate the probable environmental impacts of this project?

       Yes

No, the following information is needed: \_\_\_\_\_

*Environmental impacts N/A*

- 2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

~~SAFETY~~

- 3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an

\_\_\_\_\_ Yes \_\_\_\_\_ No

**DEPARTMENT OF TRANSPORTATION****DISTRICT 6**

1352 WEST OLIVE AVENUE  
P.O. BOX 12616  
FRESNO, CA 93778-2616  
PHONE (559) 444-2493  
FAX (559) 445-5875  
TTY 711  
www.dot.ca.gov

**EXHIBIT J**

*Serious drought.  
Help save water!*

May 21, 2014

06-MAD-41-28.962+/-  
Guadagnini Sign Project  
PRJ #2014-004

Mr. Brent Gibbons  
Madera County Planning Department  
2037 W. Cleveland Avenue  
Madera, CA 93637

Dear Mr. Gibbons:

Caltrans has completed its review of the project that proposes the allowance of an off-premise sign and to allow closer distances between off-premise signs. The site is located along State Route (SR) 41 in Coarsegold. Caltrans has the following comments:

The submitted site plan does not provide enough information regarding the placement of the sign or the existing right-of-way (ROW). A new revised site plan drawn to scale should be submitted for review. Included on the revised site plan should be the existing ROW, exact placement of the sign on the property and how far from the ROW the sign is.

If you have any further questions, please contact me, Office of Transportation Planning at (559) 488-7307.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer Bryan-Sanchez".

JENNIFER BRYAN-SANCHEZ  
Transportation Planner

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): PRJ #2014-004

Return to: Brent Gibbons, Planning Department

Guadagnini, Gene

Responding Agency:

MOC use to be  
Coursegold Plan

Date:

4/24/2014

Respondent's Signature:

Darylene Stephens

1. Does your Agency or Department have a recommendation regarding the approval or denial of this project?

 Approve Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

A few years ago before the great wall was built a sign ordinance came into effect for #41, Coursegold and Boulder. This billboard is too big and not

2. If the project is approved, what conditions of approval are recommended?

This project should not be approved 10x24 feet. It is ridiculous. Please do not clutter Coursegold with any ~~wood~~ wood structures "billboards" - Please help the merchants - They can't have tall signs - so why put up a large billboard?

3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?

No tall ~~billboards~~ billboards or signs - Please. There is a standard. It occurred years ago. Please No large billboards

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): PRJ #2014-004

Return to: Brent Gibbons, Planning Department

Guadagnini, Gene

Responding Agency:

Contact Person:

Darylsue Stephanson

Signature:

Darylsue Stephanson

Telephone No.:

599 683-3907

Date:

4/26/2014

ENVIRONMENTAL REVIEW:

1. Is there sufficient information for you to evaluate the probable environmental impacts of this project?

Yes

No, the following information is needed: This Bill board will add to this mass clutter. It will not have a sign to help Coasegold environment. There is too many things all #41 in Coasegold to cause clutter.

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

It will be a ~~and~~ visual obstruction for traffic and what is this Bill board for!!!!

3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an

Yes

No

what!