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AGENDA ITEM NO.: #6 (Action Item – Public Hearing)

**PLANNING COMMISSION
MEETING DATE:** June 29, 2022

SUBJECT: Variance #2022-03/ Coso Signs

EXECUTIVE SUMMARY

The applicant is requesting a sign size and height variance to exceed the 50-square-foot maximum sign size for a new electronic price reader sign to 84-square feet and to exceed the maximum height from 25-feet to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction.

PROJECT INFORMATION.

Supervisory District: 5

Project Applicant: Donco & Sons, Inc.

Property Owner: Jagdeep Dhillon, Coso Junction Stores, Inc.

Site Address: 20 Gills Station Road

Community: Coso Junction

A.P.N.: 0037-510-02

General Plan: Retail Commercial (RC)

Zoning: Highway Services and Tourist Commercial (C-2)

Size of Parcel: Approximately 18.6-acres

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Gas Station and store with truck parking areas	Retail Commercial (RC)	Highway Services and Tourist Commercial (C-2)
North	Vacant- BLM	State and Federal Lands (SFL)	Open Space (OS-40)
East	Vacant- BLM	State and Federal Lands (SFL)	Open Space (OS-40)
South	Vacant- BLM	State and Federal Lands (SFL)	Open Space (OS-40)
West	Highway 395	NA	NA

Staff Recommended Action: 1.) **Approve the Variance.**

Alternatives:

- 1.) Approve the Variance.
- 2.) Approve the Variance with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Cynthia Draper

STAFF ANALYSIS

Variance Request & Site Characteristics

The applicant is requesting a size and height variance to exceed the 50-square-foot maximum size for an electric price reader sign to 84-square-feet and to exceed the 25-foot sign height maximum to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction (map attached). The applicant is concurrently requesting a CUP for the electronic price reader sign. A gas station and mini-mart have been operating on the site for many years. The applicant has demolished the gas station and store to rebuild a larger facility that will include a store, gas station, two fast food restaurants, and diesel truck stop. A CUP was approved by the Commission in January 2022 for the truck stop. The high rise pole sign will be illuminated and include an electronic price reader and a Chevron and TA Express sign. The electronic price reader is 84-square-feet which exceeds the 50-square-feet maximum size requirement per Inyo County Code 18.75.100(C)(2). The sign height is 50-feet, exceeding the 25ft. maximum height requirement per Inyo County Code 18.75.110(B). The applicant has

requested the size and height variance to enable drivers to see the sign at a further distance from Highway 395. A tree line on the adjacent property can inhibit drivers traveling northbound on highway 395 to see the gas station pole sign without the height and size increase (see landscape photos.) The larger, taller sign will alert travelers of the upcoming gas station/truck stop sooner and enable them to exit the highway more safely.

Inyo County Code at 18.75.100 (C)(2) limits the size of signs in the County's commercial zones as follows:

"Advertising or business signs collectively totaling not more than three hundred square feet in area are permitted to be placed or erected on each lot exceeding ten thousand square feet in area at a density ratio of three hundred square feet of total collective sign area per ten thousand square feet of lot area, e.g., signs having a collective total area of four hundred fifty square feet may be erected or placed on a lot fifteen thousand square feet in area; no individual sign, however, shall exceed fifty square feet in area and the total collective area of signs upon any such a lot shall not exceed six hundred square feet."

Additionally, Inyo County Code at 18.75.110(B) limits the height of signs in the County's commercial zones as follows:

"In the OS, CB, C-1, C-2, C-3, C-4, C-5, M-2, M-1 and P zones, no sign shall exceed twenty-five feet in height, except billboards under an approved conditional use permit."

Previous Variance History

Staff was unable to find previous variances on the property

Provision for Variances

The Inyo County Zoning Ordinance states that any variance to the terms of the Zoning Ordinance may be granted if such a variance would *"not be contrary to its general intent or the public interest, where due to special conditions or exceptional characteristics of the property or its location or surroundings, a literal enforcement would result in practical difficulties or unnecessary hardships"* (Section 18.81.040).

Further, the Zoning Ordinance states that the following three Findings must be affirmed in order for any variance to be granted:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.
2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.
3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.

In addition to the above Findings specified in the Inyo County Zoning Ordinance, California State Government Code requires the following Findings for any variance:

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
6. The proposed variance is consistent with the General Plan.
7. The requirements of the California Environmental Quality Act have been met.

Affirmative variance Findings must describe the special circumstances that act to physically differentiate the project site from its neighbors and make it unique, and thus uniquely justified for a variance; alternatively, negative findings must describe how the project's physical characteristics are not unique or exceptional, and therefore do not justify a variance.

ALL seven of the Findings must be affirmed in order for a variance to be approved.

ENVIRONMENTAL REVIEW

This project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under the Class 5 exemption, "Minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20%, which do not result in changes in land use or density.", as it is a request for a variance on land with a slope of less than 20%, which does not result in changes in land use or density.

NOTICING AND REVIEW

The application for VAR 2022-03/Coso Signs has been reviewed by the appropriate county departments. No issues were reported by Caltrans or County staff.

The hearing for VAR 2022-03/Coso Signs was noticed on June 18, 2022 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

RECOMMENDATIONS

Findings

Staff has reviewed this application and can find that all of the seven required Findings can be affirmed:

1. There are exceptional circumstances applicable to the property involved which does not generally apply to other property in the same district and which deprive such property of privileges enjoyed by other property in the same district with identical zoning.

Affirmative: The property is located within the C-2 Zone. Per 18.75.100, this zoning district permits pole signs but also limits their size to 50-square-feet in area and 25-feet in height. The primary reason for the variance request is to have the proposed gas station sign tall and large enough to be seen at a further distance along Highway 395. Traveling northbound on Highway 395, a tree line on the adjacent property to the south obstructs the view of a smaller sign. The proposed size and height variance will allow the sign to be seen over the tree line, giving drivers the ability to exit the highway safely.

2. The result of the variance will not be detrimental to the public welfare, or injurious to property in the vicinity.

Affirmative: The sign Ordinance ICC 18.75 allows for signs with specific size and height limitations in the C-2 zone. A variance allowing the signs to be larger than set forth in the standard per ICC 18.75, would not be detrimental to the public welfare, or injurious to property in the vicinity as there had been a 50-foot pole sign at this facility for many years prior to current new development. The only change will be the size of the sign and it will be in compliance with regard to the height.

3. The strict application of the zoning ordinance will result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of Title 18 of the Inyo County Zoning Ordinance.

Affirmative: The strict application of the County's sign Ordinance 18.75 could result in practical difficulties for the applicant. The owner is currently constructing a larger facility that will include a store, gas station, two fast food restaurants, and a truck stop. A CUP was approved by the Commission in January 2022 for the truck stop. Semi-truck drivers and visitors to the county will be a large customer base. A larger sign, if approved by the Commission, will alert travelers of the upcoming truck stop sooner and enable them to exit the highway safely. Not having the size variance could have negative consequences on the owner's ability to service this customer base and create a safe driving environment.

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

Affirmative: Approving this variance does not constitute a grant of special privilege as any other businesses could also apply for a size and height variance in the C-2 Zone.

5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.

Affirmative: The proposed variance applies to sign size and height as set forth in the County Code. Commercial pole signs are permitted by right, with the conditions set forth in 18.75, in the C-2 Zone, so this does not allow for a use that is otherwise not authorized.

6. The proposed variance is consistent with the Inyo County General Plan. *Affirmative: The requested sign variance presents no inconsistencies with the General Plan land use designation of the project site, which is RC that allows for gas stations, mini-marts and restaurants.*

7. The requirements of the California Environmental Quality Act (CEQA) have been met. *Variations are Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under the Class 5 exemption, "Minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20%, which do not result in changes in land use or density."*

Conditions of Approval

1.) Hold Harmless: the applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning Variance #2022-03/Coso Sign or the applicant's failure to comply with conditions of approval.

2) The applicant/developer shall conform to all applicable provisions of Inyo County Code including 18.75 – Signs; 18.74 - Outdoor Lighting; and, the Building Code. Failure to meet this condition may result in the revocation of VAR 2022-02/Coso Signs.

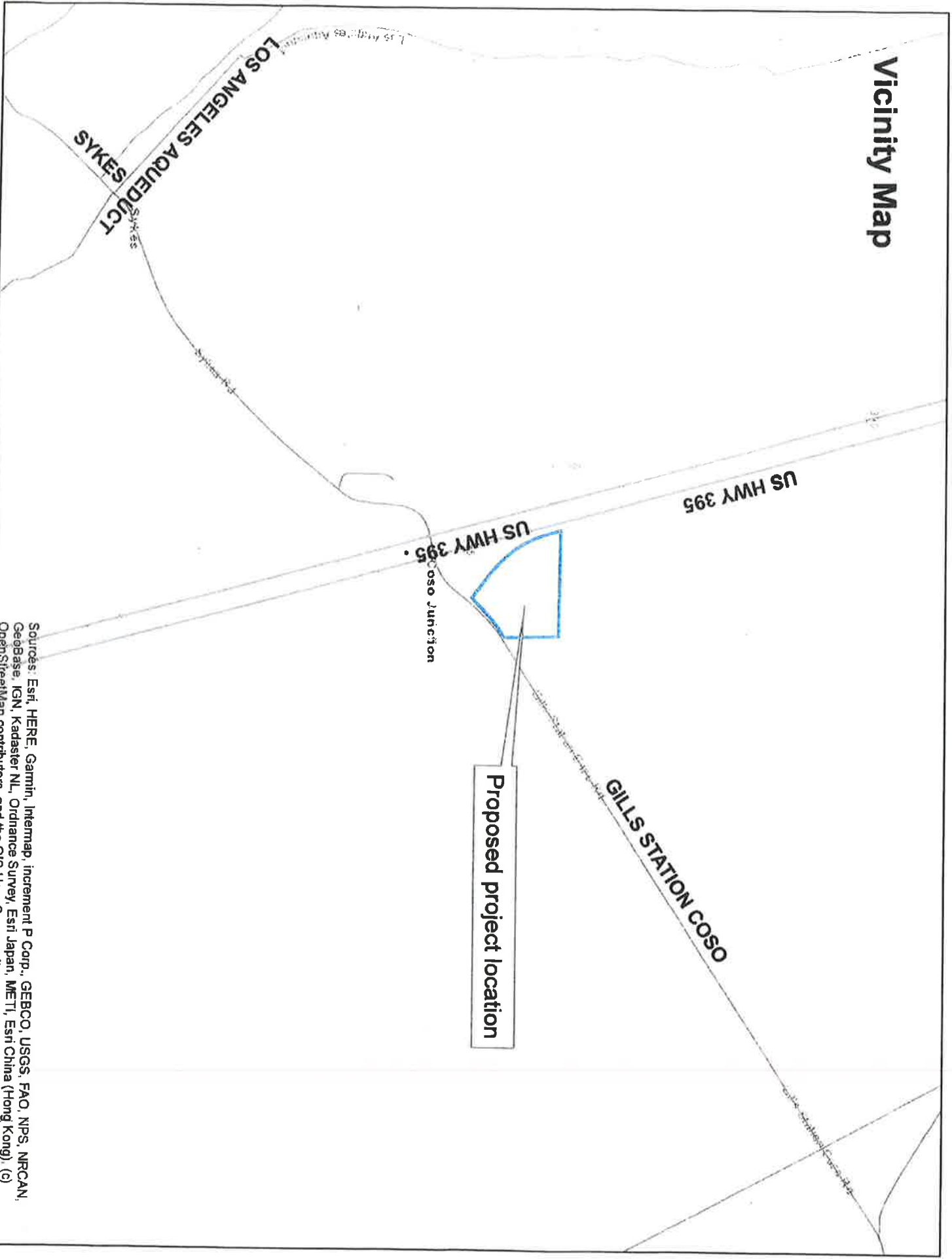
ALTERNATIVES

1. Approve Variance 2022-03/Coso Sign with additional conditions of approval.
2. Do not approve Variance 2022-03/Coso Sign
3. Direct staff to continue the hearing to a future date and prepare additional information.

ATTACHMENTS

- Vicinity map
- Sign Plan
- Super imposed landscape photos

Vicinity Map

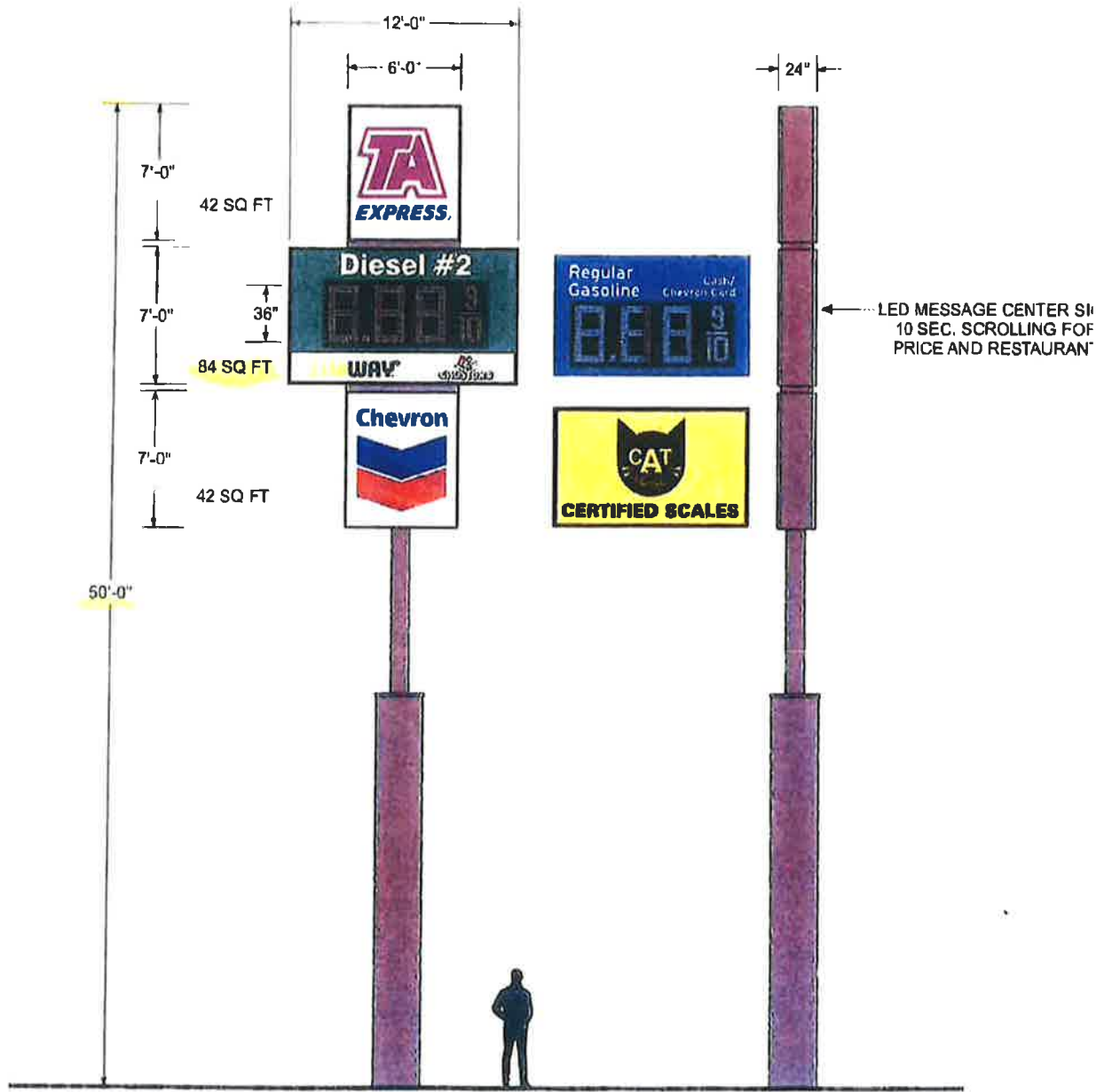


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Sign Plan

FRONT VIEW

SIDE VIEW



A NEW HI-RISE POLE SIGN
 INTERNALLY-ILLUMINATED
 SCALE: 1/8" = 1'

168 SQ.FT.
 QTY: ONE (1)

Super imposed landscape photo



TRAVELLING NORTHBOUND 395
APPROXIMATELY 1600FT FROM EXT LANE



Donco & Sons, Inc.
Signs • Lighting • Electrical

2871 S. 8th Street, Anaheim, California
714-776-7900 FAX 714-776-7116
CITY OF ANAHEIM, CALIFORNIA

CUSTOMER:



CHEVRON STATION
US-395 & GILL STATION RD.
OLANCHA, CA 93549
JAG PHILLON

SIGN PLAN

PROJECT ADDRESS:
CHEVRON STATION
US-395 & GILL STATION RD.
OLANCHA, CA 93549

DATE: 6-6-22

REVISION	DATE
1	
2	
3	
4	

SCALE: NTS

SHEET NUMBER

2 OF 2

DRAWN: A.S.

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Super imposed landscape photo



TRAVELING NORTHBOUND 395
APPROXIMATELY 490FT FROM INTERSECTION OF 395 & GILL STATION COSO ROAD



Donco & Sons, Inc.
Signs • Lighting • Electrical
7021 E. Bell Street, Aurora, CA 95821
Tel: 925-725-0299 • Fax: 925-725-0199
FAX: Tel: 408-635-2100 • 2100-5667



CHEVRON STATION
US-395 & GILL STATION RD.
OLANCHAK, CA 95369
JAS DHILLON

CUSTOMER:

SIGN PLAN

PROJECT ADDRESS:

CHEVRON STATION
US-395 & GILL STATION RD.
OLANCHAK, CA 95369

DATE: 6-6-22

REVISION	DATE
1	
2	
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4	

SCALE: NTS

SHEET NUMBER

1 OF 2

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