



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

AGENDA DATE:	July 16, 2014
CASE NUMBER:	Workshop – Temporary Real Estate Signs
APPLICANT:	Town of Apple Valley
PROPOSAL:	Discussion of development standards and permitting requirements for temporary real estate signs within the Town of Apple Valley that may result in a proposed Development Code Amendment.
LOCATION:	Town-wide
EXISTING GENERAL PLAN DESIGNATIONS:	All Land Use Designations.
EXISTING ZONING:	All Zoning Designations.
PROJECT PLANNER:	Ms. Pam Cupp, Associate Planner
RECOMMENDATION:	Discuss the information presented, take public testimony and provide direction to staff.

BACKGROUND

On December 10, 2014, the Town adopted a comprehensive update to the Development Code Section 9.74, "Signs and Advertising Displays" that went into effect on February 14, 2014. It was the Planning Commission's recommendation, and with Town Council concurrence, to remove temporary real estate signs from the comprehensive update. Prior to modifying the development standards relating to temporary real estate signs, it was the desire of the Commission to solicit comments and suggestions from the real estate community prior to submitting a formal recommendation to the Town Council for its consideration.

DISCUSSION

This workshop has been scheduled to solicit comments and suggestions from the public regarding the Town's policies that regulate temporary real estate signs. Staff has identified several issues directly related to temporary real estate signs. The following issues are presented as a starting point for discussion:

- Temporary real estate signs that are not removed in a timely manner;
- Real estate and property management companies, and subsequent tenants utilizing temporary real estate sign structures as permanent, free-standing advertising displays;
- Continued non-compliance with the Town's standards involving to the size and height of temporary real estate signs.

Below are suggested modifications for the Commission's consideration identified by strike through and underlined text. Any staff analysis will be within a comment box.

9.74.160 TEMPORARY REAL ESTATE SIGNS

A. **General Requirements.** All temporary sale, lease or rent signs shall be subject to the following requirements, except temporary signs for residential subdivisions for which regulations are contained in Section 9.74.150 above.

1. Signs shall be removed within three (3) days following the close of escrow or completion of the rental or lease has been accomplished or once the multiple listing service no longer identifies the property as available.

Prompt removal of temporary real estate signs, will preclude the sign's use as a permanent free-standing sign by a future tenant/owner. Staff would invite additional discussion relating to standards that would assist with matters of enforcement.

2. Signs shall only be placed on the parcel of land to which the sign pertains, except as provided for temporary off-site signs as provided elsewhere in this Chapter.
3. Any free-standing sign in excess of eighteen (18) square feet shall require both a sign permit and building permit. Signs shall not exceed a maximum height of six (6) feet, except for vacant commercial and industrial parcels as described in paragraphs b, c, and d below.
4. Except as specified herein, permits are not required for these signs.
5. These signs may also be utilized to identify future tenants.
6. All parts, portions, and materials shall be maintained and kept in good repair. Signs found to be in disrepair shall be subject to abatement in accordance with the provisions of Section 9.74.230 *Enforcement* of this Chapter.
7. Sign illumination is prohibited.

While not currently addressed within the Code, the Commission should consider standards for permanent, management company signage. Multi-family projects with two (2) to sixteen (16) units are required to have three (3) square feet of signage containing emergency contact information.

B. **On-site Free-Standing Signs**

1. A maximum of one (1) temporary, on-site free-standing sign per street frontage may be allowed for a parcel in any district.
2. The maximum area and height of any sign shall be as follows:

Staff was unable to locate any commercial real estate signs in conformance with this Chapter. The Commission should consider the existing standards relating to size and height, providing direction to staff as appropriate.

- a. The maximum area of any sign shall be six (6) square feet and the maximum height shall be six (6) feet, except for vacant commercial and industrial parcels, then as described in paragraphs b, c, and d, which follow:
 - b. On parcels greater than two (2) acres but less than eight (8) acres in size located in commercial and industrial zones, which are vacant or have no buildings which are occupied, the maximum area of any sign shall be sixteen (16) square feet and the maximum height shall be six (6) feet;
 - c. On parcels, eight (8) acres or larger, but less than fifteen (15) acres in size, located in commercial and industrial zones, which are vacant or have no buildings which are occupied, the maximum area of any sign shall be thirty-two (32) square feet and the maximum height shall be six (6) feet;
 - d. On parcels fifteen (15) acres or larger, located in commercial and industrial zones, which are vacant or have no buildings which are occupied, the maximum area of any sign shall be sixty-four (64) square feet and the maximum height shall be twelve (12) feet.
3. All free-standing signs in commercial and industrial zones shall have a minimum setback of five (5) feet from any property line or from the edge of the planned or ultimate right-of-way of any street, if this is greater.
- C. **Window Signs.** In commercial and industrial zones, temporary window signs advertising the sale, lease or rental of units may be allowed. The maximum size of any window sign shall be six (6) square feet, or fifteen (15) percent of the window area per frontage of the unit in which it is displayed, whichever is greater.

Code enforcement had a recent case with a temporary real estate sign attached to the wall of a single-family home. There was no specific Code section that could be cited; therefore, staff is recommending this additional language for clarification purposes.

- D. **Wall Signs.** Wall signs advertising residential properties for sale or lease are not permitted. In commercial and industrial zones a temporary wall sign may be displayed, advertising the building or unit for sale, rent, or lease subject to the following:
1. Sign area shall not exceed one-half ($1/2$) square foot per linear foot of building frontage, with a maximum size of twenty-four (24) square feet;
 2. Signs shall be constructed of wood or similar, durable material and shall be maintained in good condition;
 3. Signs shall be removed within three (3) days of close of escrow or following the completion of the lease or rental, or once the multiple listing service no longer identifies the property as available.

E. **Open House Directional Signs**

The Commission may wish to consider adding additional criteria, such as distance from the location of the open house and the number of directional signs that should be permitted per open house.

1. Temporary off-site, open house directional signs may be allowed for single residences subject to the following:
 - a. Maximum area of directional signs shall not exceed six (6) square feet, nor shall any sign exceed four (4) feet in height. Signs shall be mounted on their own stakes and shall not be placed on street or traffic signs, utility poles or trees. Signs shall be constructed of wood or similar rigid material;
 - b. There shall be no more than one (1) sign per direction of traffic at any intersection and signs shall not be posted within twenty-five (25) feet of the corner;
 - c. Signs may not be posted more than four (4) days per week for any one residence;
 - d. Signs must be within a one-half ($1/2$) mile radius of the open house;

- e.* Signs shall not be placed within the public right-of-way;
 - f.* Signs may be placed on private property with the permission of the property owner;
 - g.* Such signs shall be used only when a sales person is on duty or scheduled to be on duty for an open house. Signs shall be permitted overnight if a sales person is scheduled to be on duty the following day. Under no circumstances shall signs be left up when no one is on duty or scheduled to be on duty during the following twenty-four (24) hours;
 - h.* Signs in violation of this Section may be subject to removal and disposition without notice or warning.
- 2. *Temporary On-site Open House Signs***
- a.* Two flags, per street frontage with a maximum area of three (3) square feet each and a maximum height of six (6) feet, may be allowed on the lot where the open house is conducted.
 - b.* One (1) "Open House" sign per street frontage may also be allowed on the lot where the open house is conducted with a maximum area of six (6) square feet and a maximum height of six (6) feet.

RECOMMENDATION

Following receipt of staff comments, any public comments and discussion by the Commission, it is recommended that the Commission, by consensus, provide guidance to staff to create appropriate language to be prepared within a draft Planning Commission Resolution. Staff will then schedule a public hearing and return to the Planning Commission with a resolution for consideration. After Planning Commission adoption of the Resolution, it would then be forwarded to the Council for consideration and final action.

Prepared By:

Reviewed By:

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