



TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council Date: January 27, 2015

From: Lori Lamson, Assistant Town Manager Item No: 14

Subject: ADOPT RESOLUTION NO. 2015-02, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA - RESULTS OF PAINTED ON WALL SIGN SURVEY

T.M. Approval: _____ Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

Adopt Resolution No. 2015-02, declaring the legal, non-conforming status of all existing painted on wall signs as identified within a recently conducted survey.

SUMMARY AND BACKGROUND:

On February 14, 2014, a comprehensive update of the Town's Sign Code became effective. Concerns relating to enforcement of the Sign Code led the Council to request a discussion item to recap the modifications to the Sign Code and discussion relating to what signs would be considered "Grandfathered".

To recap that discussion, for a sign to be considered "Grandfathered", there must be a permit issued for the sign prior to the effective date of new code regulations. For signage without permits, an additional method to document existing signage that may be considered "Grandfathered" is with the completion of a sign survey. During the July 8, 2014 meeting, it was the Council consensus to direct staff to conduct a sign survey for all existing painted on wall signs. The results of that survey are attached for Council review.

The sign survey has identified eleven (11) locations currently displaying painted on wall signage (photos attached). Staff was unable to find documentation of any sign permits issued to these businesses; therefore, the signs cannot be considered "Grandfathered" at the staff level. However, with the adoption of a Resolution, the Council may "Grandfather" the surveyed signs as legal, nonconforming signs. Staff has prepared a Resolution to formally recognize the attached signs as legal, non-conforming, painted on wall signs. Any painted on wall signs after the adoption date of the attached Resolution would also require Planning Commission approval of a Design Merit Permit.

Staff recommends that any painted modification to design, size or color would require the Planning Commission's approval of a Design Merit Permit. Periodic maintenance would be excluded from this requirement.

RECOMMENDATION:

Following discussion by the Council, it is recommended that the Council move to adopt Resolution No. 2015-02.

ATTACHMENTS:

1. Painted on Wall Sign Survey
2. Resolution No. 2015-02

**SIGN SURVEY OF ALL EXISTING PAINTED ON WALL SIGNAGE
SURVEY COMPLETED AUGUST 27, 2014**

13550 Tonikan Road



13580 Nomwaket Road



13590 Niabi Road



13608 Hitt Road



15995 Tuscola Road



16651 Navajo Road



16651 Navajo Road



20220 Bear Valley Road



21929 Highway 18



22075 Highway 18



22332 Eyota Road



22166 Highway 18



RESOLUTION NO. 2015-02

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING THE PAINTED ON WALL SIGN SURVEY AND DECLARING THE PAINTED ON WALL SIGNS, IDENTIFIED HEREWITH, LEGAL, NONCONFORMING SIGNS

WHEREAS, Title 9 "Development Code" of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on April 27, 2010; and

WHEREAS, a comprehensive update to Development Code Chapter 9.74 "Signs and Advertising Displays" was adopted by the Town Council on December 10, 2014; and

WHEREAS, Town of Apple Valley strives to provide equitable standards for the protection of property values, visual aesthetics, and the public health, safety and general welfare, while still providing ample opportunities for businesses to operate successfully and effectively ; and

WHEREAS, painted on wall signs are displayed that may have been permitted prior to the Town's incorporation; and

WHEREAS, on July 8, 2014, the Town Council directed staff to complete a survey of all painted on wall signage; and

WHEREAS, on August 27, 2014, the sign survey was completed.

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the sign survey completed and for the reasons discussed by the Town Council, the Town Council of the Town of Apple Valley, California orders, determines and resolves as follows:

Section 1. As of the adoption date of this resolution, all painted on wall signs identified in Section 2 below, shall be officially recognized as "Legal, Non-conforming Wall Signs". Periodic maintenance of these signs is permitted. Any modification to design, size or color would require Planning Commission approval of a Design Merit Sign Permit.

Section 2. The following addresses display signs documented within the painted on wall survey.

1. 13550 Tonikan Road
2. 13580 Nomwaket Road
3. 13590 Niabi Road (2 Signs)
4. 13608 Hitt Road (2 Signs)

5. 15995 Tuscola Road
6. 16651 Navajo Road (2 Signs)
7. 20220 Bear Valley Road
8. 21929 Highway 18
9. 22075 Highway 18
10. 22332 Eyota Road
11. 22166 Highway 18

Section 3. Any painted modifications to the design, size or color, excluding periodic maintenance, of the signs described herewith, will require Planning Commission approval of a Design Merit Sign Permit.

Section 4. Any painted wall signs after the adoption of this Resolution would require approval of a "Design Merit Sign Permit" by the Planning Commission.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council of the Town of Apple Valley.

APPROVED and **ADOPTED** by the Town Council of the Town of Apple Valley, this 27th day of January, 2015.

Larry Cusack, Mayor

ATTEST:

La Vonda M. Pearson, Town Clerk