



Town Council Agenda Report

Date: May 14, 2019 Item No. 7
To: Honorable Mayor and Town Council
Subject: SECOND READING OF ORDINANCE 506 OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AN AMENDMENT TO THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN SECTION III "DEVELOPMENT STANDARDS AND GUIDELINES" BY AMENDING THE PRE-FABRICATED/METAL BUILDING STANDARDS RELATED TO THE USE OF EXPOSED METAL.
From: Douglas Robertson, Town Manager
Submitted by: Carol Miller, Assistant Director of Community Development
Community Development Department
Budgeted Item: Yes No N/A

RECOMMENDED ACTION:
Adopt Ordinance No. 506

SUMMARY:

At its April 23, 2019 meeting, the Town Council reviewed and introduced Ordinance No. 506 which amends the North Apple Valley Industrial Specific Plan by amending the Development Standards and Guidelines related to the use of exposed metal. As a part of the requirements to adopt any new ordinance, Ordinance No. 506 has been scheduled for adoption at the May 14, 2019 Town Council Meeting.

Fiscal Impact:
Not Applicable

Attachments:
Ordinance 506

ORDINANCE NO. 506

AN ORDINANCE OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN (NAVISP) SECTION III “DEVELOPMENT STANDARDS AND GUIDELINES” BY AMENDING THE PRE-FABRICATED/METAL BUILDING STANDARDS.

WHEREAS, a Specific Plan of Land Use was approved on October 10, 2006 by the Town Council on the recommendation of the Planning Commission for lands generally located east of Dale Evans Parkway, south of Quarry Road, west of Central Road and north of Waalew Road, known as the North Apple Valley Industrial Specific Plan; and

WHEREAS, the North Apple Valley Industrial Specific Plan has been previously modified by the Town Council on the recommendation of the Planning Commission; and

WHEREAS, Specific Plan No. 2005-001 Amendment No. 7 is consistent with the adopted North Apple Valley Industrial Specific Plan and General Plan of the Town of Apple Valley; and

WHEREAS, Specific changes are proposed to the North Apple Valley Industrial Specific Plan by amending Section III “Development Standards and Guidelines” as it relates to amending the development standards for metal buildings.

WHEREAS, on March 20, 2019, the Planning Commission of the Town of Apple Valley conducted a duly noticed public hearing on Specific Plan No. 2005-001 Amendment No. 7, receiving testimony from the public and adopting Planning Commission Resolution No. 2019-001 forwarding a recommendation to the Council; and

WHEREAS, Specific Plan No. 2005-001 Amendment No. 7 is consistent with the Town's General Plan of the Town of Apple Valley and shall promote the health, safety, and general welfare of the citizens of the Town of Apple Valley; and

WHEREAS, the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Specific Plan Amendment, may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, on April 23, 2019, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Specific Plan No. 2005-001 Amendment No. 7, receiving testimony from the public.

NOW, THEREFORE, the Town Council of the Town of Apple Valley, State of California, does ordain as follows:

Section 1. Findings.

(i) Find that the changes proposed by Specific Plan No. 2005-01 Amendment No. 7 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan and the North Apple Valley Industrial Specific Plan, and

(ii) Find that, the amendment currently proposed is consistent with the adopted North Apple Valley Industrial Specific Plan and does not constitute a change in build out potential. Further, pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

Section 2. Amend Section III “Development Standards and Guidelines” of the North Apple Valley Industrial Specific Plan by amending Subsection “E.7” to read as follows:

E. Land Use Regulations

7. Pre-Fabricated Structures/Metal Buildings

Buildings with exposed metal are discouraged in the Specific Plan Area, except for airplane hangars located on the airport property, in the Industrial-Airport District. Buildings proposing the use of exposed metal siding as the primary siding shall require the approval of a Site Plan Review subject to Planning Commission approval.

Existing prefabricated structures/exposed metal buildings may remain within the Specific Plan Area, if they are improved to meet the following standards:

- a. The design of the structure is compatible with the design of surrounding structures.
- b. The outside finishes of the pre-fabricated structure create the appearance of a permanent, conventional construction building.
- c. Roofs of pre-fabricated buildings shall be standing seam, tile or shingle.
- d. Pre-fabricated buildings shall be erected on permanent foundations.

Section 3. Amend Section III “Development Standards and Guidelines” of the North Apple Valley Industrial Specific Plan by amending Subsection “F.1.e.2” to read as follows:

F. Design Standards and Guidelines

1. Architecture

e. Building Material and Colors

2. New development shall be encouraged to utilize adobe, stucco, smooth plasters, earthen color block, natural stone, wood and terra cotta tile as the dominant building materials in response to the Town's desert environment. The use of metal on the exterior of any portion of a structure may be used as an architectural feature or design element that provides a varying material to the building. Metal siding that replicates other material, such as embossed stucco finish, wood, stone, tile, or replicates the appearance of traditional shiplap or board and batten may be used. A structure which proposes an exposed metal exterior as the primarily building siding shall

require the application to be approved by the Planning Commission. Textured panels may not be corrugated or metal seam.

Section 4. Notice of Adoption. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under Section 36933 of the Government Code of the State of California.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

Section 6. Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of this Ordinance are declared to be severable.

Adopted by the Town Council and signed by the Mayor and attested to by the Town Clerk this 14th day of May 2019.

Honorable Larry Cusack, Mayor

ATTEST:

Ms. La Vonda M. Pearson, Town Clerk

Approved as to form:

Approved as to content:

Mr. Thomas Rice, Town Attorney

Mr. Douglas B. Robertson, Town Manager