

*“We are a welcoming, active and business-friendly rural foothill community
built on California’s rich gold rush history “*



City Manager’s Report
May 28, 2024, City Council Meeting
Prepared By: Kristen Hunter, Associate Planner
Item#: 11.1

Subject: Consideration to adopt Resolution declaring the abandoned pole sign located at 7530 Green Valley Road (APN: 325-120-038) as an abandoned on-premise sign and a public nuisance; and declare to commence abatement.

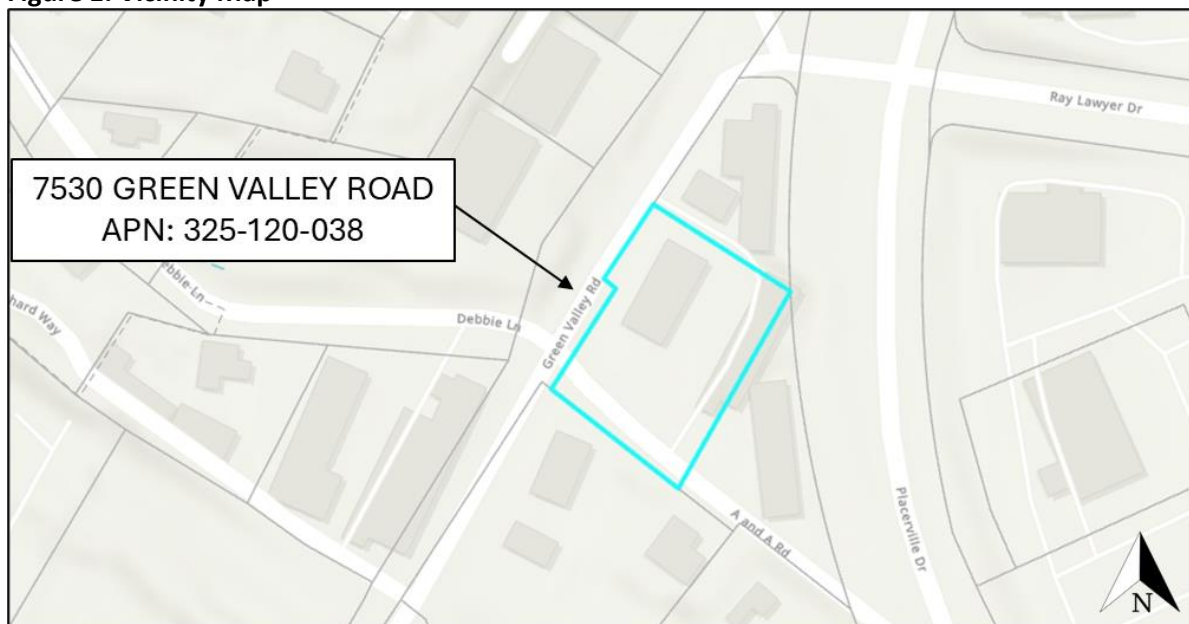
Recommendation: Adopt the proposed Resolution to declare the abandoned on-premise sign on the subject property to be a public nuisance, and to declare to abate as such.

Purpose: Consideration of a request by the Development Services Department to abate an illegal, abandoned sign structure located at 7530 Green Valley Road (APN: 325-120-038).

Strategic Plan Strategy: Maintain/Improve Quality of Life: Strategy 6 – Develop a comprehensive Code Enforcement Program.

Discussion: The subject parcel is located on the southwest corner of Green Valley Road and A&A Road. Figure 1 below provides a vicinity map showing the location of the parcel. The subject parcel has been occupied by a variety of tenants, including Snowline Hospice, Christ Like Services, Western Sign Company, and AMC Restoration.

Figure 1. Vicinity Map



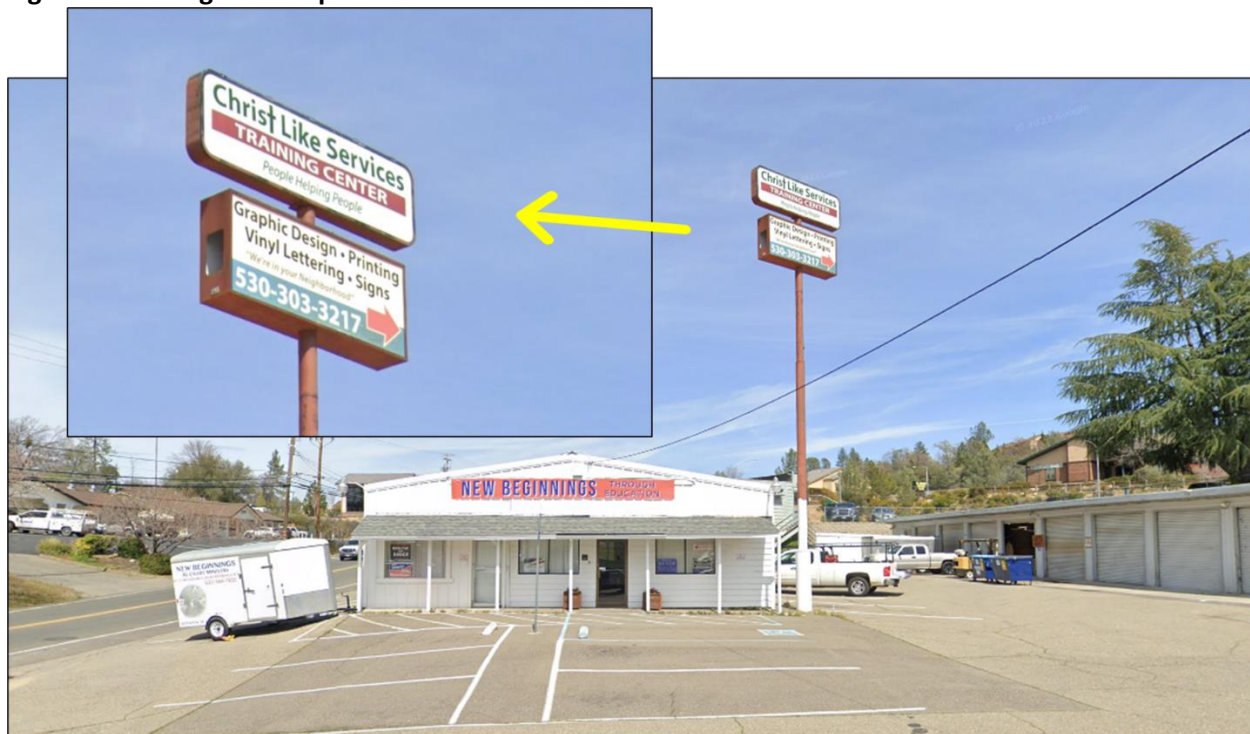
The pole sign, 75 square feet, was permitted in 1981 under Building Permit No. 6471. The subject pole sign and support structure is located adjacent to the approximately 3,200 square foot commercial building at the corner of A&A and Green Valley Roads, now occupied by New Beginnings. The City has no business license on file for the subject business; however, Staff believe the building is used as an office and for storage.

In 2011, the Development Services Department (DSD) brought before the City Council an inventory of abandoned signage throughout Placerville. The subject pole sign was included on this inventory. At the time, the previous tenant of the building (AMC Restoration Company) had not occupied the parcel in over 180 days with their sign copy remaining on the pole structure. The sign was identified as abandoned and nonconforming to the sign regulations (height, 10 feet) for the Commercial (C) Zone.

City Council allowed the pole sign to remain at the time as the property owner argued that the economy had made renting the commercial space challenging, the pole sign was an incentive for renters, and that the property was being actively marketed and that the pole sign was not abandoned.

According to Google Images, Graphix Inc advertising copy was included on the pole sign along with Christ Like Services between April 2018 and March 2019. Christ Like Services vacated 7530 Green Valley Road in 2020. Since 2020, the pole sign has advertised for both Christ Like Services and Graphix Inc (Figure 2).

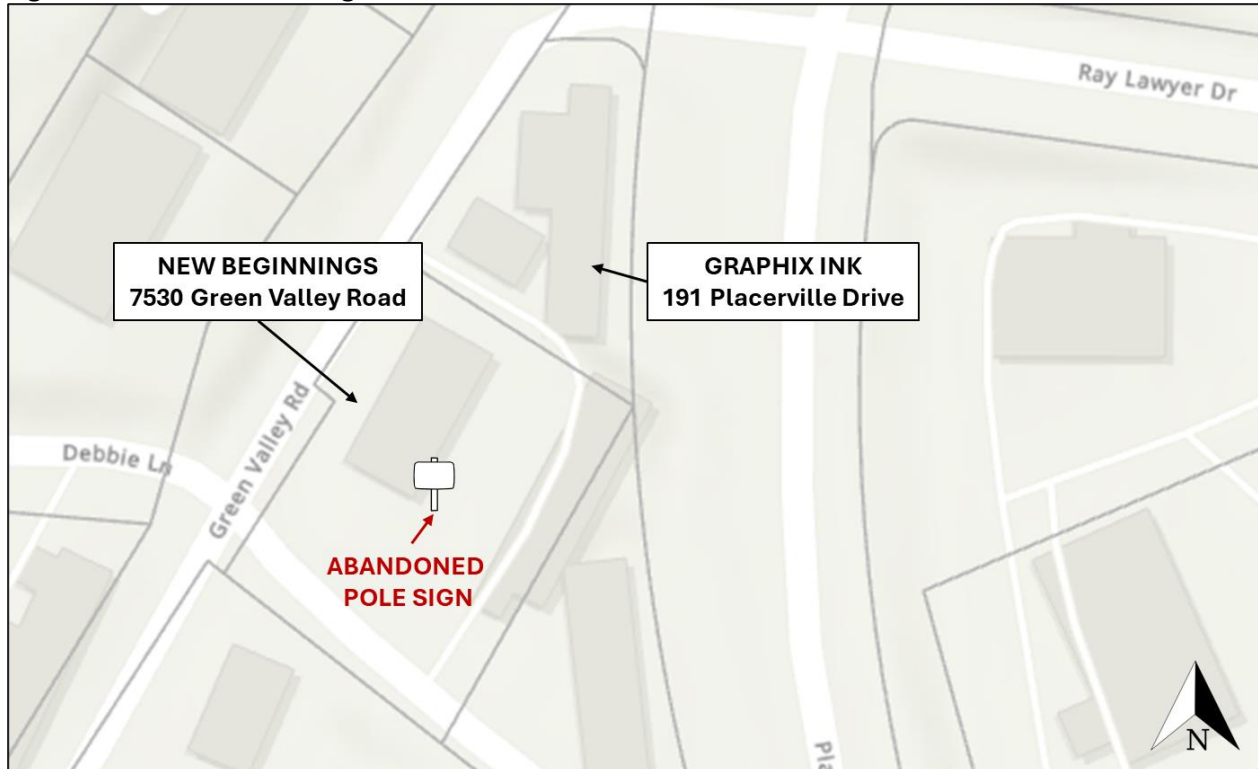
Figure 2. Pole Sign as of April 2023



It has come to Staff's attention that Graphix Inc solely conducts business on the parcel addressed 191 Placerville Drive, APN 325-120-087 (Figure 3). As such, the sign copy located on the pole

sign for Graphix Ink is considered off-site advertising, identified as a prohibited sign within the City's Sign Ordinance (10-4-17(D)9). Given this information, Staff has determined that the sign has been abandoned since 2020. Additionally, the property is currently occupied by New Beginnings. Staff assumes that New Beginnings has occupied the site since 2023, but it is not known what the building is used for.

Figure 3. Location of Pole Sign



Based on this information, the subject property has a nonconforming sign that:

1. Includes advertising for a previous tenant that has been gone for four (4) years;
2. Includes off-site advertising for a business on a different lot constituting an illegal off-site advertising sign; and
3. The current tenant, present for a minimum of 12 months, has not utilized the pole sign for their own copy.

It is therefore the opinion of Staff that the property owner has expressed intent to abandon the sign structure.

Pursuant to Zoning Ordinance Section 10-4-17(B), an abandoned business is “*one that has not operated on a regular and active basis for a period of one hundred and eighty (180) days or more, during which the business advertised has not carried on those activities which are necessary and incidental to the operation of a business or like type or character.*”

Illegal On-Premise Signs are defined as follows:

1. *Any on-premise sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use.*
2. *Any on-premise sign that was legally erected, but whose use has ceased, in that the business identified or advertised has been abandoned.*
3. *An on-premises sign which is a danger to the public creates or causes a nuisance or is unsafe.*

The City of Placerville Zoning Ordinance Section 10-4-17, Sign Regulations, subsection (O), outlines the process for the abatement of illegal or abandoned signage, pursuant to the California Business and Professions Code (CBP), Chapter 2.6, Division 3, Section 5499.2.

In accordance with CBP Section 5499.2 and Zoning Ordinance Section 10-4-17, the City Council, as the legislative body of the City of Placerville, may declare by resolution that illegal and abandoned signs and sign structures are a public nuisance and are to be abated. As required by Section 10-4-17(O) 2b, the property owners of the subject property on which the illegal or abandoned sign or sign structure is located were provided written notice of the proposed Resolution by the Development Services Department by way of registered mail on May 7, 2024.

Following adoption of the proposed Resolution, consistent with Title I Chapter 4B of the City Code, the Development Services Director shall institute abatement procedures.

Cost: Minimal cost involving Staff time to complete the abatement process.

Budget Impact: None.



M. Cleve Morris, City Manager



Pierre Rivas, Development Services Director

Attachment:

- A. Resolution