



CITY OF DESERT HOT SPRINGS
REGULAR MEETING OF THE PLANNING COMMISSION

AGENDA

SEPTEMBER 13, 2016

**IMMEDIATELY FOLLOWING THE
6:00 PM JOINT SPECIAL MEETING WITH THE CITY COUNCIL**

**CITY COUNCIL CHAMBERS
CARL MAY COMMUNITY CENTER
11711 West Drive, Desert Hot Springs, California**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

PUBLIC COMMENTS

At this time, pursuant to State law, any person may comment on an item, which is NOT on the agenda. PLEASE STATE YOUR NAME FOR THE RECORD.

Pursuant to State law, member of the public who have comments on a specific agenda item, may comment on that item BEFORE consideration of that item by the Planning Commission when recognized to do so by the Planning Commission Chair. Comments are limited to the first ten (10) speakers at three (3) minutes per speaker. All comments are to be directed to the Planning Commission and shall be devoid of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during public comments.

ADMINISTRATIVE CALENDAR

1. **Discussion related to the parking of recreational vehicles (RV's) on private property in the City's Residential Districts**
Community Development Director, Nathan Bouvet
Recommendation: Provide staff direction in the preparation of a Zoning Text Amendment to modify the standards and regulations regarding the parking of recreational vehicles (RV's) on private property in the City's Residential Districts.

2. **Title 17 (Zoning), Chapter 17.40.110 (Fences, Walls and Hedges) discussion regarding fences, walls, and hedges height and type limits.**

Community Development Director, Nathan Bouvet

Recommendation: Discuss and consider possible modifications to Chapter 17.40.110 (Fences, Walls, and Hedges) and provide staff direction.

3. **Title 17 (Zoning), Chapter 17.44 (Sign Regulations) and 17.45 (Outdoor Advertising Displays) discussion regarding signage.**

Community Development Director, Nathan Bouvet

Recommendation: Discuss and consider possible modifications to Chapter 17.44 (Sign Regulations) and 17.45 (Outdoor Advertising Displays) and provide staff direction.

CHAIR AND PLANNING COMMISSION MEMBER REPORTS

COMMUNITY DEVELOPMENT DIRECTOR REPORT

ADJOURN REGULAR MEETING

NOTICES

Title 2

In an effort to comply with the requirements of Title 2 of the Americans With Disabilities Act of 1990, the City of Desert Hot Springs requires that any person in need of any type of special equipment, assistance, or accommodation(s) in order to communicate at a City public meeting, must inform the City Clerk/Agency Secretary a minimum of 72 hours prior to the scheduled meeting to enable the City to make reasonable arrangements.

SB 343

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the Community Development Department at City Hall during normal business hours at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 11711 West Drive, Desert Hot Springs, CA 92240.

DECLARATION OF POSTING

I, Gianina Millan, Planning Commission Secretary, certify that the agenda was posted on September 8, 2016, not less than 72 hours prior to the meeting.

/s/ Gianina Millan

REPORT TO THE PLANNING COMMISSION



DATE: September 13, 2016

TITLE: Discussion of an Ordinance (previously known as Zoning Text Amendment - ZTA 03-15) to amend various sections of Title 4 (Code Enforcement, Section 4.16) and Title 17 (Zoning), Chapter 17.48, to modify the standards and regulations regarding the parking of recreational vehicles (RV's) on private property in the City's Residential Districts.

Prepared by: Nathan Bouvet, Community Development Director

RECOMMENDATION

Discuss and provide staff direction

DISCUSSION

The parking of Recreational Vehicles on private property has been an ongoing issue in the City of Desert Hot Springs for years. In December of 2015 the Planning Commission (PC) directed staff to revise Title 17 (Zoning), Chapter 17.48 (Off-Street Parking Standards) and bring it back as an action item so the PC could forward a recommendation to the City Council. Earlier this year several new PC members were appointed so staff determined it best to bring this back as a discussion item to solicit comments from the new Commissioners. Essentially, the draft Ordinance provided below could replace Chapters 17.48 and 4.16.10 (A) 6 and 7 (Unlawful Acts – Public Nuisances) of the Desert Hot Springs Municipal Code subject to review and approval by the PC and City Council. Such modifications to be discussed by the PC include the following:

4.16.010 Unlawful acts—Public nuisances.

A. The following shall be designated as unlawful acts and public nuisances:

6. Vehicle Parking. It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the City to permit on such premises or property any operable or inoperable vehicle, recreational vehicle, motor home, trailer, camper, camper shell and boat to be parked or stored outside of a garage or carport or an unimproved surface.
7. Occupied Vehicles. It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the City to permit on such premises or property any parked operable or inoperable vehicle, recreational vehicle, motor home, trailer, camper, camper shell and boat to be occupied by any person or persons overnight.

Section 17.48.030 General Regulations

K. Parking in residential land use districts, shall occur as follows:

ITEM 1.

1. Motor vehicles are to be parked in areas constructed for vehicles (i.e., garage, carport or paved driveway) and shall not be parked or stored in other portions of the front or street side yard, particularly not on what is commonly referred to as the front lawn (yard).

Limitation on Amount of Paved Surface. It shall be unlawful for any person to pave with asphalt, cement or any other impervious surface on portions of the front or street side yard, particularly on what is commonly referred to as the front lawn (yard), in excess of the minimum driveway requirements as specified in Section 17.48.060(E) for providing primary access to the required number of parking spaces as specified in Section 17.48.040. In no case shall the total paved area exceed 40% of the required front yard of the property.

2. Parking or storing of commercial vehicles (including trailers), as defined in Vehicle Code Section 260, as amended, in residential districts for any length of time is prohibited except for pickups and deliveries. Any vehicle which has a length of 20 feet or less and which is used primarily as the owner's personal means of transportation and which is licensed for a gross weight of not more than 12,000 pounds shall be *exempt from this section*.
3. No motor vehicles other than those recreational vehicles expressly specified and allowed under this subsection shall be kept, stored or parked in the front yard and shall conform to the requirements of this section for parking in the side, street side yard, or rear yard. For purposes of this section, recreational vehicle(s) shall mean motor home, boat, camper, trailer, and any appurtenant equipment, with or without motorized power.
 - a. No more than two (2) recreational vehicles (boats, trailers, campers, etc.) per dwelling unit may be parked or stored anywhere outside on any one (1) residential lot. Parking of any recreational vehicles shall be in conformance to parking standards set forth in this subsection.
 - b. As a condition of approval of a tentative tract map, recreational vehicle parking (as regulated by this Zoning Ordinance) shall be prohibited to be stored/parked in the driveway of private residences. (Prior code § 159.24.030)

Section 17.48.060 Design Standards

K. Recreational Vehicle Parking—Residential.

1. It is unlawful to park or store any recreational vehicle, semitrailer, trailer, motor home, boat, camper, trailer and any appurtenant equipment, with or without motorized power on any residential property within the City except as follows:
 - a. A recreational vehicle or similar vehicle may only be parked on a lot behind the front line of the house or, in the case of a corner lot, behind the front line facing each street or right-of-way, and shall be screened from public view by an approved barrier and/or landscaping allowed under Section 17.40.110 of this Municipal Code.
 - b. A three-foot separation shall be provided and maintained at all times between any recreational vehicle and all of the following:
 - i. Any adjacent building; and

- ii. Any exterior lot line.
2. Recreational vehicles may be temporarily parked on public rights-of-way in front of residences for not more than 48 continuous hours for the purposes of loading and unloading. Forty-eight hours must elapse before the start of a new 48-hour period, together with movement of the vehicle a distance of at least 500 feet.
 3. Use of a recreational vehicle for any dwelling purpose, regardless of length of occupancy, shall be prohibited. Except when stored in an approved RV storage facility a recreational vehicle shall not be connected to any electrical, water, wastewater, natural gas or other utility.
 4. Recreational Vehicle Permit. The Community Development Director may issue a Recreational Vehicle Parking Permit for a fee to be established by the City Council. The Recreational Vehicle Parking Permit will constitute an exception with regard to placement of vehicle(s), screening, and setbacks, and shall be based on all of the following findings being made:
 - a. There are extraordinary physical circumstances such as shape, topography, or surrounding properties that prevent the applicant from complying with the Code;
 - b. Adherence to the municipal code will deprive the property owner of a significant property right enjoyed by other property owners in the area; and
 - c. There is no substantial negative impact on surrounding properties.
 5. The Community Development Director shall not issue a Recreational Vehicle Parking Permit based on any special privilege that is inconsistent with the intent of the above regulations.

SUMMARY

The aforementioned draft provides more specific guidelines for City Staff to use when implementing the Code through our Code Enforcement and Planning Departments. The following list is a summary of potential modifications:

1. No overnight stays in a Recreational Vehicle;
2. No inoperable vehicles outside of a building or structure;
3. No Recreational Vehicles in the driveway or front yard;
4. Limitation of 40% Concrete in the Front Yard with an exception for residences on a major collector;
5. All Recreational Vehicles parked in a side yard must be screened from public view by an approved barrier and/or fencing and be outside of the front yard;
6. All vehicles shall have a 3-foot separation between any structure, fence, and property line or any requirement required for public safety;
7. Recreational vehicles can be parked for loading and unloading on any street for 48 hours; and

8. Residents who have a hardship can apply for Permit regarding screening, setbacks, or placement of vehicle.

REPORT TO THE PLANNING COMMISSION



DATE: September 13, 2016

TITLE: Title 17 (Zoning), Chapter 17.40.110 (Fences, Walls and Hedges) discussion regarding fences, walls, and hedges height and type limits.

Prepared by: Nathan Bouvet, Community Development Director

RECOMMENDATION

Discuss and consider possible modifications to Chapter 17.40.110 (Fences, Walls and Hedges) and provide staff direction.

DISCUSSION

Currently the City does not allow various fences (e.g., vinyl, wood, solid metal, chain link, etc.) unless approved by the Planning Commission or proposed within a Specific Plan (SP). Section 17.40.110(A)(3) allows the PC to approve other types of fences and walls subject to the following:

17.40.110 (Fences, Walls and Hedges)

The following standards shall apply to the installation of all fences, walls and hedges:

A. Height and type limits.

1. Perimeter fences, walls, and hedges located on property lines shall conform to the limitations outlined in Table 17.40.01 (Exhibit 1).
2. Required perimeter fences and walls shall be constructed at the top of slope, adjacent property lines.
3. Solid masonry fencing (i.e., block rock, brick – with and without stucco covering) is permitted in any location on the lot provided the color of the masonry or stucco matches or compliments the adjacent walls or structures. Gray precision concrete block shall not be used unless all exterior surface visible from the outside has been texture coated or other comparable coating approved by the Director.

Other fence or wall materials may be approved by the Planning Commission through the design review process if it can be demonstrated that said materials will survive the extreme desert conditions and maintain an acceptable finished appearance.

Planning Commission workshops have been conducted in the past regarding revisions to the City's fence and wall regulations (e.g., vinyl fencing being used). The previous Planning Commission asked staff to revise the aforementioned ordinance allowing vinyl fences and other types of materials; however, a draft has not been prepared at this time since new members were appointed back in January and have yet had an opportunity to discuss the issue. Most recently Gallery Vista Santa Fe Homes, LLC submitted a request proposing vinyl fencing but that request was denied by the Community Development Director and forwarded to the Planning

Commission (April 12, 2016) for further review, which was ultimately denied. More specifically, that request proposed vinyl fences in the side yards of twenty-two (22) internal lots within their subdivision off Via Del Sol Drive.

RECOMMENDATION

Staff would recommend that the Planning Commission discuss and consider possible modifications to Chapter 17.40.110 (Fences, Walls and Hedges) and provide staff direction.

EXHIBITS

1. Chapter 17.40.110 (Fences, Walls and Hedges)

17.40.110 Fences, walls and hedges.

http://www.qcode.us/codes/deserthotsprings/view.php?topic=17-17_40-17_40_110&frames=on - startContent#startContent

The following standards shall apply to the installation of all fences, walls and hedges:

A. Height and Type Limits.

1. Perimeter fences, walls, and hedges located on property lines shall conform to the limitations outlined in Table 17.40.01.
2. Required perimeter fences and walls shall be constructed at the top of slope, adjacent property lines.
3. Solid masonry fencing (i.e., block rock, brick—with and without stucco covering) is permitted in any location on the lot provided the color of the masonry or stucco matches or compliments the adjacent walls or structures. Gray precision concrete block shall not be used unless all exterior surface visible from the outside has been texture coated or other comparable coating approved by the Director.

Other fence or wall materials may be approved by the Planning Commission through the design review process if it can be demonstrated that said materials will survive the extreme desert conditions and maintain an acceptable finished appearance.

4. Nonconforming Fences. Any fence which does not meet the standards of this section but which was legally established prior to the adoption of these standards may be maintained provided such fence which is destroyed or damaged to the extent of more than fifty percent of its total replacement value shall not be repaired, rebuilt, or reconstructed except in conformance with these standards.
5. Measurement of Fence Height. Fence heights shall be measured from finish grade at the base of the fence to the highest point of the fence on the interior or exterior side, whichever is higher.
6. Prohibited materials for perimeter walls and fences include chain-link and exposed wood unless specifically approved or exempted under another section of this chapter.

TABLE 17.40.01

FENCES, WALLS, AND HEDGES HEIGHT AND TYPE LIMITS

Districts	Max. Permitted Height *	Comments
Residential		
Front or side of street yard setback	4 feet	Solid structures or plants
	4 feet	Open work structures or plants (must permit the passage of a minimum of 90% of light)
Corner lot (street side setback)	5 feet	Solid structures **
Other yard area	6 feet	Solid structures include:
Outside of required yard area	6 feet	Solid, decorative masonry wall,
Abutting a nonresidential district	6 feet	wood framed with stucco exterior and wrought iron fence with pilasters
Commercial, Industrial		
Front yard or side of street yard	4 feet	Solid structures or plants
	6 feet	Open work structures or plants
Abutting residential district	8 feet	Solid, decorative masonry wall
Other yard area	6 feet	
Outdoor storage areas visible	8 feet	Commercial
from public rights-of-way (located behind required yards)	8 feet	Industrial
All districts traffic safety site area	30 inches	
Public right-of-way	6 feet	
Retaining walls	6 feet	

* The limitations shall not apply in the following instances:

- Where a greater height is required by any other provision of the municipal code; or
- Where a greater height or type of fence, wall or hedge is required by a condition of approval.
- Refer to Section 17.40.100(E) regarding residential fencing and wall standards.

** Solid structures to include: decorative masonry wall constructed of slumpstone, split faced or other similar materials as approved by the Planning Director.

B. Traffic Safety Site Area. On a corner lot, no fence, wall, hedge, sign or other structure, shrubbery, mounds of earth, or other visual obstruction over 30 inches in height above the nearest street curb elevation shall be erected, placed, planted, or allowed to grow

within a Traffic Safety Sight Area. The foregoing provision shall not apply to public utility poles; trees trimmed (to the trunk) to a line at least 6 feet above the level of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave at all seasons a clear and unobstructed cross view; supporting members of appurtenances to permanent structures existing on the date this Zoning Ordinance becomes effective; and official warning signs or signals.

C. Prohibited Fence Materials/Chain Link Fencing.

1. The use of barbed wire, electrified fence or razor wire fence in conjunction with any fence, wall, roof, hedge, or by itself within any land use district, is prohibited unless required by any law or regulation of the City, the State of California, Federal Government, or agency thereof. Agricultural uses may use electrical fences if approved by the Director.
2. Chain link fencing in residential districts within the City shall only be permitted on lots that are an acre or more. Chain link fencing is permitted in the I-L, I-M and I-E districts, excepting industrial lands fronting on a major public street which shall use decorative block or other appropriate design approved by the Director. The fence in such districts may only be located on side and rear property lines behind the front yard setback, and further provided the fence would not be readily visible from a public right-of-way. However, such fence with neutral screening may be readily visible from a public right-of-way. Landscaped planting of sufficient density and height may be used to screen the fence from public view. Notwithstanding any provision to the contrary, chain link fencing may be used with tennis courts, private and commercial, temporarily at construction-sites, as approved by the Director, and where it is required by any law or regulation of the City, the State of California, Federal Government, or agency thereof. Any chain link fencing authorized within the City shall have a top rail, bottom wire and caps on the poles, and shall be properly maintained, free from holes, tears, or bent or otherwise disfigured surfaces or materials caused by damage to the fence. Any violation of this subsection shall constitute a public nuisance and an infraction, subject to the remedies set forth in Title 4 of the City's municipal code.
3. The above limitations shall not apply where the prohibited fence material is required as a condition of approval.

D. Wall Design Standards. Perimeter walls may be required to have articulated planes by providing at a minimum for every 100 feet of continuous wall an 18-inch deep by 8-foot long landscaped recession. Walls shall be constructed with pilasters provided at every change in direction, every 5 feet difference in elevation and at a minimum of every 25 feet of continuous wall.

E. Residential Fencing/Wall Requirement. Fencing or walls are required between individual residential units, and residential developments if adjacent to parks, open spaces, and/or major rights-of-way. All fencing and walls are to be provided by each developer at the time of construction. (Prior code § 159.20.030(8)).

REPORT TO THE PLANNING COMMISSION



DATE: September 13, 2016

TITLE: Title 17 (Zoning), Chapter 17.44 (Sign Regulations) and 17.45 (Outdoor Advertising Displays) discussion regarding signage.

Prepared by: Nathan Bouvet, Community Development Director

RECOMMENDATION

Discuss and consider possible modifications to Chapter 17.44 (Sign Regulations) and 17.45 (Outdoor Advertising Displays) and provide staff direction.

DISCUSSION

Chapter 17.44 (Sign Regulations) and 17.45 (Outdoor Advertising Displays) was last updated on September 1, 2009. With more and more commercial and industrial development coming through the City, it is important that we have the most up to date document in order to meet current trends and development demands (e.g., cultivation facilities). Below is breakdown of Chapter 17.44 and 17.45:

Chapter 17.44 (Exhibit 1)

- 17.44.010 - Purpose
- 17.44.020 - Applicability
- 17.44.030 - Definitions
- 17.44.040 - Sign Permit Required
- 17.44.050 - Exempt Signs
- 17.44.060 - Prohibited Signs
- 17.44.070 - Temporary Signs
- 17.44.080 - Off-Site Signs
- 17.44.090 - Abandoned Signs
- 17.44.100 - Sign Construction and Maintenance
- 17.44.110 - Nonconforming Signs
- 17.44.120 - Removal of Illegal Signs
- 17.44.130 - Amortization
- 17.44.140 - Inventory and Abatement
- 17.44.150 - Sign Regulations
- 17.44.160 - Sign Design Guidelines-General
- 17.44.170 - Sign Design Guidelines-Wall or Fascia Signs
- 17.44.190 - Declaration of Public Nuisance-Enforcement

Chapter 17.45 (Exhibit 2)

- 17.45.010 - Definitions
- 17.45.020 - Outdoor Advertising Signs
- 17.45.030 - Enforcement

17.45.040 - Nonconforming Outdoor Advertising Displays
17.45.050 - Illegal and Abandoned Outdoor Advertising Displays
17.45.060 - Relocated Outdoor Advertising Displays

RECOMMENDATION

Staff would recommend that the Planning Commission discuss and consider possible modifications to Chapter 17.44 (Sign Regulations) and 17.45 (Outdoor Advertising Displays) and provide staff direction.

EXHIBITS

1. Chapter 17.44 (Sign Regulations)
2. Chapter 17.45 (Outdoor Advertising Displays)

Desert Hot Springs Municipal Code							
Up	Previous	Next	Main	Collapse	Search	Print	No Frames
Title 17 ZONING							

Chapter 17.45 OUTDOOR ADVERTISING DISPLAYS

17.45.010 Definitions.

For purposes of this chapter, the following words or phrases shall have the following definitions.

“Abandoned outdoor advertising display” means either:

1. Any outdoor advertising display that is in existence for more than 3 months without a poster, bill printing, painting, or other form of advertisement or message on its display face; or
2. Any outdoor advertising display that does not appear on the inventory required by Section 17.45.020(B)(19).

“Automatic changeable message display” means an advertising display which mechanically changes the fixed display face at synchronized programmable intervals through the use of a series of multiple-faced (generally 3 faces) rotating panels or louvers. These displays are also known by proprietary product names such as “Tri-Vision and/or “Tri-Face.”

“City Manager” means the City Manager of the City or designee.

“Digital display” means an outdoor advertising display using light emitting diodes (L.E.D.) or similar technology to display static images controlled by electronic communications.

“Display face” means the surface area of an outdoor advertising display available for the purpose of displaying an advertising message. “Display face” does not include the structural supports or lighting.

“Edge of right-of-way” means a measurement from the edge of a right-of-way horizontally along a line normal or perpendicular to the centerline of the freeway or highway.

“Freestanding sign” means any sign which is supported by 1 column or upright imbedded in the ground, and which is not attached to any building or structure.

“Freeway” means a divided arterial highway for through traffic with full control of access and with grade separations at intersections under State control which requires a State Outdoor Advertising Permit to erect an outdoor advertising display.

“Illegal outdoor advertising display” means any of the following:

1. An outdoor advertising structure or outdoor advertising sign erected without first complying with all applicable City regulations in effect at the time of its construction, erection or use.
2. An outdoor advertising structure or outdoor advertising sign that was legally erected but whose use has ceased, or the structure upon which the advertising display is placed has been abandoned by its owner, and not maintained or used for a period of at least 6 months.
3. An outdoor advertising structure or outdoor advertising sign which does not comply with this chapter, or any applicable permit referenced in the Desert Hot Springs Municipal Code.
4. An outdoor advertising structure or outdoor advertising sign which is a danger to the public or is has been determined to be unsafe by the City Manager, as supported by findings made in connection with the California Building Code, including applicable provisions of the Desert Hot Springs Municipal Code.

“Maximum height” means the highest point of the structure or sign measured from the roadbed of the adjacent freeway or highway to which the sign is oriented or from the average natural ground level at the base of the supporting structure, whichever is greater.

“Multiple Species Habitat” means any officially designated Multiple Species Habitat Conservation Area.

“Off-site sign” means structures and signs that are erected or maintained to advertise goods sold, business conducted, or services rendered on a parcel other than the land upon which the sign is located. An off-site sign may be commonly referred to as an “outdoor advertising display” or “off-premise billboard.”

“Outdoor advertising display” means an outdoor advertising structure or outdoor advertising sign used for outdoor advertising purposes. An outdoor advertising display may be commonly known or referred to as an “off-site” or an “off-premises” billboard.

“Outdoor advertising sign” means any card, cloth, paper, metal, painted, plastic or wooden sign of any character placed for outdoor advertising purposes and affixed to an outdoor advertising display or structure.

“Outdoor advertising structure” means a structure of any kind or character erected, used or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind whatsoever may be placed, including statuary, for outdoor advertising purposes. Such structure shall be constructed or erected upon a permanent foundation.

“Primary highway” means any roadway under state control which requires a State Outdoor Advertising Permit to erect an outdoor advertising display.

“Scenic highway” means any officially designated state scenic highway as defined in Streets and Highway Code Sections 154 and 261 et seq. (Ord. 536 4-16-13)

17.45.020 Outdoor advertising displays.

No person shall erect, use or maintain an outdoor advertising display in the incorporated area of the City, except in accordance with the following provisions. The changing of an advertising message or customary maintenance of a legally existing outdoor advertising display shall not require a permit pursuant to this section.

A. Permit Procedure.

1. Application. In addition to all other applicable Federal, State, and local laws, rules, regulations and ordinances, no outdoor advertising display shall be placed, erected, used or maintained until an Outdoor Advertising Display Permit therefor has been issued by the City Manager, following the receipt and approval of an application (on the form provided by the Community Development Department) accompanied by the filing fee set forth in Chapter 17.148. The application shall consist of 5 copies of a plot plan and elevations drawn to scale, containing the name, address, and telephone number of the applicant, owner of the property, and a general description of the property upon which the outdoor advertising display is proposed to be placed. The plot plan shall show the precise location, type, and size, maximum height, and dimensions of the proposed outdoor advertising display and display face, all property lines, zoning, and the dimensions, location of the distance to the nearest advertising displays, buildings, public and private roads, and other rights-of-way, setback lines, and specifically planned future road right-of-way lines, and any and all other information required by the City Manager such that the proposed display may be readily ascertained, identified, and evaluated.

2. Issuance/Denial. The City Manager shall, within 30 days of the filing of a complete permit application, approve and issue the Outdoor Advertising Display Permit if all of the standards listed in subsection B, Permit standards, and other requirements of this chapter have been met; otherwise, the permit shall be denied. Unless the applicant files with the Community Development Department a written request for an appeal hearing within the 30 days of the date the denial notice was mailed, the City Manager decision to deny the application will be considered final. Failure to timely file a written request for an appeal hearing constitutes a waiver of the right to an appeal hearing. Notice of the appeal hearing shall be given by mail to the applicant. The appeal hearing will be conducted in the same manner as set forth in Chapter 17.104 of the Desert Hot Springs Municipal Code. For purposes of this chapter "Director of Development" as used in Chapter 17.104 shall be the "City Manager."

3. Building Permit Required. Assuming the City Manager issues an Outdoor Advertising Display Permit, no person shall place, erect, use, maintain, alter, repair or relocate an outdoor advertising display or connect an outdoor advertising display to a power supply without first also obtaining a building permit from the Community Development Department.

4. Revocation. Any Outdoor Advertising Display Permit or any related building permit may be revoked by the City Manager, if the City Manager finds that any permittee, agent or any other person exercising management or control of the business, including, but not limited to, a member, partner, director, officer or general manager who is exercising authority on behalf of the permittee, has:

- a. Knowingly made any false, misleading or fraudulent statement of a material fact in an application for a permit, or in any report or record required to be filed with the City Manager; or
- b. Committed any act which violates any rule or regulation adopted by any governmental agency relating to the permittee's business, including, but not limited to, failure to pay local taxes, fees or assessment imposed by the City, or any district created by the City; or
- c. Violated any condition or restriction of the permits; or
- d. Conducted the permitted business in a manner contrary to the peace, health, safety and the general welfare of the public; or
- e. Failed or refused to notify the City Manager of any material change in facts stated in the application for any permit; or
- f. Failed to maintain the Outdoor Advertising Display in good condition;
- g. Maintained the outdoor advertising display in a state of disrepair.

5. Notice of Revocation Hearing. If the City Manager concludes that grounds for revocation exist, the City Manager shall:

- a. Serve the permittee with notice of the revocation hearing ("Notice") by certified mail, and/or by regular U.S. mail, to the address last shown on the application for the permit, unless the permittee has provided the City Manager with written notice of a change in address, in which case the notice shall be sent to such address. Such hearing date shall be at least 15 days from the date of the Notice, and no longer than 30 days from the date of the Notice. Notwithstanding the foregoing, permittee and City Manager may mutually agree on any hearing date.
- b. The Notice shall state the reasons for the proposed action, the right of the permittee to attend the hearing, the right for the permittee to submit testimony in writing and/or orally, the right to provide other forms of evidence.

6. Revocation Hearing.

- a. The City Manager is the hearing officer for purposes of this chapter.
- b. The City Manager shall receive written and oral testimony at such hearing regarding the revocation.
- c. Within 30 days of the hearing, the City Manager shall find and determine whether the City shall revoke the permit.
- d. The City Manager, or the City Council on appeal, shall base its decision on the evidence and issue his or her decision in writing to the permittee no later than 30 days from the date of the hearing.

7. Appeal.

- a. Unless appealed, in accordance with provisions of Chapter 17.104, the City Manager's decision is final and conclusive.
- b. The appeal hearing will be conducted in the same manner as set forth in Chapter 17.104 of the Desert Hot Springs Municipal Code.

8. Final Decision. Upon a final decision by the City Manager, or by the City Council following appeal, as the case may be, it shall thereafter be unlawful for any person to place, erect, use or maintain an Outdoor Advertising Display after the permit has been revoked. Failure to abide by the final decision of either the City Manager or City Council shall be deemed a separate violation of this chapter.

B. Permit Standards.

1. General Plan. Outdoor advertising displays shall be consistent with the Comprehensive General Plan, any specific plans, and all Federal, State, and local laws.
2. Placement. Outdoor advertising displays oriented towards and primarily viewed from freeways are permitted. Outdoor advertising displays are expressly prohibited if oriented towards and primarily viewed from all other roads, streets, boulevards, lanes, or other public rights-of-way.
3. Zoning. Outdoor advertising displays are permitted only in the commercial and industrial zones; provided, that the display meets all of the other requirements of those zoning classifications and this chapter. Outdoor advertising displays are expressly prohibited in all other zones.
4. Height. The maximum height of an outdoor advertising display shall not exceed a height of 35 feet from the roadbed of the adjacent freeway or highway to which the display is oriented, or a maximum height of 35 feet from the grade on which it is constructed, whichever is greater.
5. Setbacks. No outdoor advertising display shall be erected within a road right-of-way line or future road right-of-way line as shown on any specific plan or General Plan. A minimum setback from the property line of 1 foot shall be required. No person shall place, erect, use or maintain any outdoor advertising display located within 660 feet from the edge of the right-of-way of any freeway or primary highway without first obtaining a valid State Outdoor Advertising Permit.
6. Spacing. No outdoor advertising display shall be located within 500 feet in any direction from any outdoor advertising display on the same side of the freeway. No outdoor advertising display shall be located within 150 feet of a residential structure, or within a residential zone.
7. Scenic Highway. No outdoor advertising display shall be permitted adjacent to a scenic highway.
8. Multiple Species Habitat. No outdoor advertising display shall be allowed within any Multiple Species Habitat Conservation Area.

9. Display Face Size. No outdoor advertising display shall exceed a maximum total surface area of 700 square feet per face.
10. Number of Display Faces. No more than 2 display faces per outdoor advertising display shall be permitted. Only single-face, back-to-back and V-type displays shall be allowed; provided, that they are on the same outdoor advertising structure and further; provided, that the V-type displays have a separation between display faces of not more than 30 feet. Display faces shall not be stacked.
11. Number of Displays. No more than 1 proposed outdoor advertising display per application shall be permitted.
12. Poles. A maximum of 1 steel pole is allowed for support of an outdoor advertising display, subject to approval of the City Manager.
13. Lighting and Illumination of Displays. An outdoor advertising display may be illuminated, unless otherwise specified; provided, that the displays are so constructed that no light bulb, tube, filament, or similar source of illumination is visible beyond the display face. Displays making use of lights to convey the effect of movement or flashing, intermittent, or variable intensity shall not be permitted. Displays shall use the most advanced methods to insure the most energy efficient methods of display illumination.
14. Digital displays and automatic changeable message displays are allowed; provided, the message displayed is static and displayed for a minimum duration of 6 seconds and the transition time between messages is no longer than 4 seconds. Animated images, images that give the appearance of movement or changes in illumination intensity during the static display period are prohibited.
15. Display Movement. No outdoor advertising display shall move, rotate or display any moving and/or rotating parts except for automatic changeable message displays. No propellers, flags, or other noise creating devices, and no architectural embellishments which utilize mechanical or natural forces for motion, shall be permitted. Use of daylight reflective materials or electronic message boards using flashing, intermittent or moving light or lights is prohibited.
16. Mobile Displays. No person shall place, use, maintain, or otherwise allow a mobile vehicle, trailer, or other advertising display not permanently affixed to the ground to be used as an outdoor advertising display.
17. Roof Mounts. No outdoor advertising display shall be affixed on or over the roof of any building and no display shall be affixed to the wall of a building so that it projects above the parapet of the building. For the purposes of this chapter, a mansard style roof shall be considered a parapet.
18. Identification. No outdoor advertising display shall be placed, erected, used or maintained anywhere within the incorporated area of the City unless there is securely fastened thereto the name of the outdoor advertising display owner in such a manner that the name is visible from the freeway or highway. Any display placed, erected, or maintained without this identification shall be deemed to be placed, erected, and maintained in violation of this chapter.
19. Display Inventory. In order to evaluate and access outdoor advertising displays within the City, within 180 days of the effective date of the ordinance codified in this chapter and on each 5th anniversary after the effective date of the ordinance codified in this chapter, and upon notice, each business with outdoor advertising displays within the incorporated area of the City shall submit to the City Manager, a current inventory of the outdoor advertising displays maintained within the incorporated area of the City. Failure to submit a current or accurate inventory within 30 days of receipt of such notice shall be deemed to be a violation of this chapter and subject to the issuance

- ii. The reconstruction may not result in any greater degree of nonconformity than previously existed; and
 - iii. The reconstruction shall meet all current requirements of the Desert Hot Springs Municipal Code, and shall be completed within 1 year of the commencement of the construction.
- b. When a subsequently adopted ordinance or regulation of the City requires specific alterations, those alterations shall be made.
- c. Minor repairs to and routine maintenance of an outdoor advertising display are permitted and encouraged. Minor repairs and routine maintenance means repairs or maintenance that cost less than 20% of the replacement cost.
- 2. If, in the process of reconstructing an outdoor advertising display pursuant to this subsection, certain nonconformities can be brought into conformity, they shall be brought into conformity.
- C. Abatement and Termination—Upon Expiration of Time Periods.
 - 1. Nonconforming outdoor advertising displays shall be abated and such nonconformity shall be terminated upon the expiration of the periods of time indicated hereinafter in this subsection. This period of time shall commence on the date that such outdoor advertising display first became nonconforming by reason of the application of this chapter.
 - 2. Nonconforming outdoor advertising displays shall be abated, removed or altered to structurally conform to the Desert Hot Springs Municipal Code and State law according to the following:
 - a. Outdoor advertising displays located in any of the “R” zones, except as herein provided, shall be completely removed or altered to structurally conform to the Desert Hot Springs Municipal Code within 7 years.
 - b. Outdoor advertising displays located in any of the “C” zones, except as herein provided, shall be completely removed or altered to structurally conform to the Desert Hot Springs Municipal Code within 8 years.
 - c. Outdoor advertising displays located in the “I” zones, except as herein provided, shall be completely removed or altered to structurally conform to the Desert Hot Springs Municipal Code within 10 years.
 - d. An extension of the abatement period may be granted by the City Manager upon good cause. In no case shall such an extension be granted for a period of more than 1 year. (Ord. 536 4-16-13)

17.45.050 Illegal and abandoned outdoor advertising displays.

All illegal outdoor advertising displays and all abandoned outdoor advertising displays shall be removed or brought into conformance with this chapter immediately upon receipt of Notice given to owner of the property and also given to the owner of the outdoor advertising display: (1) if the identification plate required by Business and Professions Code Sections 5362 and 5363 is affixed; and (2) the advertiser, if any, identified on the sign provided the address of the advertiser can reasonably be determined. (Ord. 536 4-16-13)

17.45.060 Relocated outdoor advertising displays.

Nothing in this chapter shall prevent the City from entering into an outdoor advertising display relocation agreement, which agreement shall require the prior approval of the City Council, when: (1) the original

location of the outdoor advertising display is within a contemplated public right-of-way; and (2) the outdoor advertising display complied with all applicable regulations in effect at the time it was erected. An outdoor advertising display located on a parcel that is zoned to prohibit outdoor advertising displays may, pursuant to such an agreement, be relocated to another location on that same parcel. An outdoor advertising display located in an area defined in this chapter as a scenic highway may also, pursuant to such an agreement, be relocated to an area defined as a scenic highway whether the area is on the same parcel or a different parcel. Except as provided in this section, a relocated outdoor advertising display shall be subject to all the permit procedures and standards described in this chapter. (Ord. 536 4-16-13)

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Chapter 17.44 SIGN REGULATIONS

17.44.010 Purpose.

The purpose of this chapter is to establish sign regulations that are intended to:

- A. Protect the general public health, safety, welfare, viewsheds and other and aesthetic values of the community.
- B. Assure the implementation of community design standards consistent with the General Plan.
- C. Promote the community's appearance by regulating the design, character, and location, and type, quality of materials, scale, color illumination, and maintenance of signs.
- D. Place limits on the use of signs which provide direction and aid orientation for businesses and activities.
- E. Promote signs that identify uses and premises without confusion.
- F. Reduce possible traffic and safety hazards through good signage.
- G. Encourage high quality, imaginative, and innovative sign design intended to make a positive contribution to the general appearance of the City for commercial, industrial institutional, residential and special use applications.
- H. Recognize the history and diversity of the City with emphasis on the preservation of existing historic design signs and the promotion of replica signs characteristic of historic design signs. (Prior code § 159.22.010)

17.44.020 Applicability.

This chapter shall apply to all signage proposed within the City. No signs shall be erected or maintained in any land use district established by this Zoning Ordinance, except those signs specifically enumerated in this chapter. The number and area of signs as outlined in this chapter are intended to be maximum standards. In addition to the standards set forth herein, consideration shall be given to a sign's relationship to the need that it serves, and the overall appearance of the subject property to ensure architectural compatibility as well as the surrounding community with the goal of minimizing visual pollution, the use of lighting and excessive contrasting colors. Compatible design, simplicity, and sign effectiveness are to be used in establishing guidelines for sign approval, but shall not limit maximum standards for signs. (Prior code § 159.22.020)

17.44.030 Definitions.

"Abandoned sign" means any sign remaining in place or not maintained for a period of 90 days or more which no longer advertises or identifies an ongoing business, product, or service available on the business premises where the sign is located.

"Address sign" means the numeric reference of a structure or use to a street, which may be included as part of a wall, pylon or monument sign.

"Advertising device" means any balloon, flag, pennant, propeller; oscillating, rotating, pulsating, light, or other contrivance, except a sign used to attract attention for the purpose of promoting (either directly or indirectly), the sale of products of any person.

“Advertising display” means any device, contrivance, statue or structure other than a sign used as a display, regardless of size and shape, for the purpose of attracting attention or making anything known, the origin or place of sale of which is on the property with such advertising display.

“A-frame sign” means a freestanding sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter “A.” Such signs are usually designed to be auxiliary portable commercial signage, hence they are not considered permanent signs.

“Anchor tenant” means a shopping center key tenant, usually the largest or 1 of the largest tenants located within the shopping center, which serves to attract customers to the center through its size, product line, name, and reputation. The term anchor tenant is interchangeable with the term major tenant.

“Animated or moving sign” means any sign which uses movement, lighting, or special materials to depict action or create a special effect or scene.

“Awning” means a permanent or temporary structure attached to, and wholly supported by a wall of, a building, and installed over and partially in front of doors, windows or other openings in a building, and consisting of a frame and a top of canvas or other similar material covering the entire space enclosed between the frame. Canopy is an equivalent term.

“Backlit sign” means freestanding letters constituting a sign utilizing electrical illuminated fixtures at the reverse side of the sign creating a “halo” effect around the perimeter of each of the individual letter components that are nonilluminated (opaque) face panels so that only letters and/or logos appear to be back-lighted, with no visibility of the lighting element source. “Reverse channel sign” is an equivalent term.

“Banner, flag, pennant or balloon” means any cloth, bunting, plastic, paper, or similar material used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, or vehicle, including captive balloons and inflatable signs, excluding, however, official flags of the United States, State of California, Riverside County or City of Desert Hot Springs.

“Bench sign” means a sign attached to or painted on any portion of a bus stop or other bench.

“Billboard or off-site sign” means a sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located.

“Building” means, in addition to its common meaning, any structure requiring a building permit.

“Building face and/or frontage” means the length of the single front building elevation in which the primary entrance to the business is located. If more than 1 business is located in a single building, then such length shall be limited to that portion which is occupied by each individual business.

“Business sign” means a sign displaying information pertaining to goods or services offered or produced by the business located on the property including advertising devices or advertising displays.

“Cabinet sign” means a traditional box-type sign comprised of a face and back of 2 faces, with designs ranging from simple plastic faces to metal faces with embossed letters that can be internally illuminated, externally illuminated or nonilluminated. “Box sign” or “can sign” are equivalent terms.

“Changeable copy sign” means a sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

“Channel letter sign” means signs consisting of individually lettered and/or sculpted cabinets that are individually internally illuminated or nonilluminated with electrical elements with translucent letter faces. “Pan channel letter sign” is an equivalent term.

“Civic event sign” means a temporary sign, posted to advertise a civic event sponsored by a public agency, school, religious institution, civic fraternal organization, or similar noncommercial organization.

“Combination sign” means any sign incorporating any combination of the features of freestanding protecting and roof signs.

“Commercial seasonal sign” means an “open” or “closed” window sign, posted on a seasonal basis.

“Construction sign” means a temporary sign erected on the parcel on which construction is taking place, limited to the duration of the construction, indicating the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owner, financial supporters, sponsors, and similar individuals or firms having a major role or interest with respect to the structure or project.

“Contour sign” is similar to a cabinet sign, however the fabricated box designed to include in excess of 4 corners, intended to provide an exterior outline of a letter or logo. “Sculpted sign” is an equivalent term.

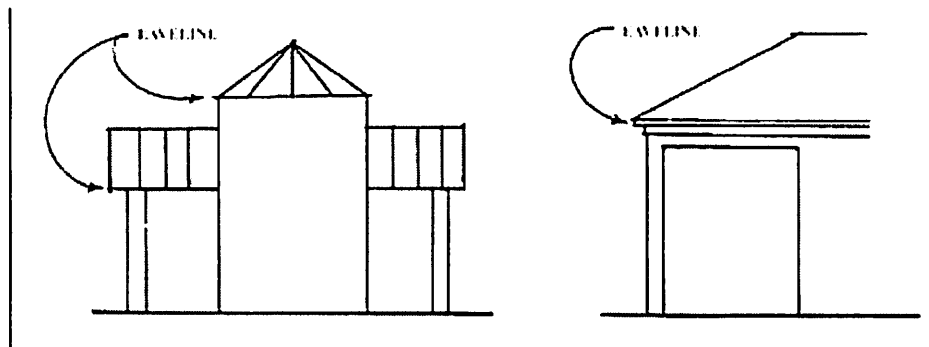
“Directional sign” means a sign limited to directional messages, principally for pedestrian or vehicular traffic, including but not limited to “one-way,” “entrance,” or “exit.”

“Director” means the City Manager of the City of Desert Hot Springs or his/her designee.

“Directory sign” means a sign for listing the tenants or occupants and their suite numbers of a building or center.

“Double-faced sign” means a single structure designed with the intent of providing copy on both sides.

“Eave line” means the bottom of the roof eave or parapet.



“Electrical/mechanical message sign” means a moving electronically or mechanically changeable copy sign, or portion of another sign type, that conveys time and/or temperature, text messages and/or animated images. “Readerboard sign” is an equivalent term.

“Exposed neon sign” means the use of glass tubes filled with neon, argon, or similar gas creating a colored light, the glass tubes bent to form letters, symbols or other shapes that constitute a sign without shield or face coverings.

“Flashing sign” means a sign that contains an intermittent or sequential flashing light source.

“Freestanding sign” means a sign which is supported by 1 or more upright pedestals, braces, poles, or other similar structural components placed upon or into the ground and detached from any building.

“Future tenant identification sign” means a temporary sign which identifies a future use of a site or building.

“Gator foam board sign” means an extruded polystyrene foam board material bonded between 2 layers of contrasting material/fiber veneer used to comprise letters and/or logos for sign purposes.

“Grand opening” means a promotional activity used by newly established businesses to inform the public of their location and service available to the community. Grand opening does not mean an annual or occasional promotion of retail sales or activity by a business.

“Height of sign” means the greatest vertical distance measured from the existing grade at the midpoint of the sign support(s) that intersect the ground to the highest element of the sign.

“Holiday sign” means any temporary sign or display placed in remembrance or celebration of any recognized religious, local, State, or federal holiday.

“Identification sign” means a sign providing the name, type of business, or the name and logo in combination thereof, of a building, use, or persons occupying the premises on which the sign is located.

“Illegal sign” means any of the following:

1. A sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use;
2. A sign that was legally erected, but whose use has ceased, or the structure upon which the display is placed has been abandoned or not maintained by its owner, or not used to identify or advertise an ongoing business for a period of not less than 90 days;
3. A sign that was legally erected which later became nonconforming as a result of the adoption of an ordinance, the amortization period for the display provided by the ordinance rendering the display nonconforming has expired, and conformance has not been accomplished;
4. A sign which is a danger to the public or is unsafe; or
5. Any sign that constitutes a traffic hazard or creates any other unsafe condition.

“Illuminated sign” means a sign with an artificial light source for the purpose of lighting the sign that is completely enclosed by the surface of the sign structure.

“Institutional sign” means a sign identifying the premises of a church, school, hospital rest home, or similar institutional facility.

“Kiosk” means an off-premises sign used for directing people to the sales office or models of a residential subdivision project.

“Light emitting diodes (LED)” means diode electronic components often used as illuminating elements for electronic signs that emit visible light when electricity is applied, much like a light bulb.

“Logo” means an established identifying symbol or mark associated with a business or business entity.

“Logo sign” means an established trademark or symbol identifying the use of a building.

“Monument sign” means an independent structure supported from grade to the bottom of the sign with a solid base.

“Nameplate” means a sign, not exceeding 1 foot by 1 foot, signifying only the name of the occupant and the occupation or specialty.

“Neon sign” means a sign fixture utilizing luminous-tube lighting elements containing neon or other inert gases at a low pressure.

“Nonconforming sign” means any sign which fails to conform to the regulations of this chapter.

“Off-site sign” means any sign which advertises or informs in any manner businesses, services, goods, persons, or events at some location other than that upon which the sign is located. Off-premises sign, billboard, and outdoor advertising structure are equivalent terms.

“On-site sign” means any sign which advertises or informs in any manner businesses, services, goods, persons, or events on the premises in which it is displayed.

“Open house sign” means a temporary on-site sign posted to indicate a salesperson is available to represent the property subject to sale, lease, or rent.

“Pole sign” means a freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground and which has a width of 2 feet or a height at least 3 times the width. “Pylon sign” is an equivalent term.

“Political sign” means a temporary sign directly associated with national, state, county or local elections.

“Portable sign” means a sign that is not permanently affixed to a structure or the ground.

“Projecting sign” means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward there from.

“Promotional sign” means a sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

“Pylon sign” means a freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground and which has a width of 2 feet or a height at least 3 times the width. “Pole sign” is an equivalent term.

“Raceway” means a metal structure enclosing the electric components of a sign, exclusive of the transformer or an electrical enclosure that may also serve as a mounting structure for the sign. Electrical raceway is an equivalent term.

“Readerboard sign” means a moving electronically or mechanically changeable copy sign, or portion of another sign type, that conveys time and/or temperature, text messages and/or animated images.

“Electronic/mechanical message sign” is an equivalent term.

“Real estate sign” means a temporary on-site sign pertaining to the sale, lease or rent of the building, land or property upon which it is located, and the identification of the person or firm handling such sale, lease or rent premises.

“Roof sign” means a sign erected, constructed, or placed upon or over a roof of a building, including a mansard roof and which is wholly or partly supported by such buildings, or any sign affixed to a wall of a building so that it projects above the eave line of the roof. The lowest point of a mansard style roof shall be considered the eave line.

“Sculpted sign” is similar to a cabinet sign, however the fabricated box designed to include in excess of 4 corners, intended to provide an exterior outline of a letter or logo. “Contour sign” is an equivalent term.

“Sign” means any structure, housing, device, figure, statuary, painting, display, message placard, emblem, icon, insignia, logo, replica, symbol, trademark or other contrivance, or any part thereof, which is designed, constructed, created, engineered, intended, or used to advertise, or to provide data, address identification, or information in the nature of advertising, anything of visual appearance primarily used for, or having the effect of attracting attention from the streets, sidewalks or other outside public areas for identification for any of the following purposes: to designate, identify, or indicate the name of the business of the owner or occupant of the premises upon which the advertising display is located; or to advertise the business conducted, services available or rendered, or the goods produced, sold, or available for sale, upon the property where the advertising display is erected. A sign shall not mean murals, paintings, or other works of art that are not intended to address or identify a business or product.

“Sign area” means the entire face of a sign, including the surface and any framing, projections, or molding, not including the support structure. Individual channel-type letters mounted on a building shall be measured by the area enclosed by 4 straight lines outlining each word or grouping of words.

“Sign face” means the surface or that portion of a sign that is visible from a single point as a flat surface or a plane and considered as such together with the frame and the background.

“Sign program” means a coordinated program of 1 or more signs for an individual building or building complexes with multiple tenants.

“Special design district sign criteria” means special design criteria established by the City governing sign allowances for designated areas of the community defined by specific boundaries or other criteria or elements as may be established by the City.

“Special event sign” means signage reserved as a means of publicizing special events and civic events for a limited period of time, such as grand openings, carnivals, parades, charitable events and holiday sales, subject to City approval of Temporary Use Permit applications. Special event signs may include balloons, inflated devices, search lights, beacons, pennants, and streamers.

“Temporary sign” means a sign intended to be displayed for a limited period of time. Such signs may include, but are not limited to, banners, pennants, flag, streamer, balloon or other inflated sign.

“Trademark” means a word or name which, with a distinctive type or letter style, is associated with a business or business entity in the conduct of business.

“Transformer” means electrical equipment that converts input voltage and current to a different output voltage and current. In general, a transformer is an apparatus that continuously increases or decreases the voltage of a power supply. They are an important element in all neon signs, due to the high voltage required. (Fluorescent lamps require a specialized type of transformer unit called a ballast.)

“Underwriters Laboratory, Inc. (UL)” means an independent, not-for-profit safety certification organization that certifies electrical signs and related components.

“Vehicle sign” means a sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or an activity or business located on such property.

“Wall sign” means a sign painted on or fastened to an exterior wall of a building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall and not extending above the eave line, and not projecting more than 12 inches from the building or structure. The lowest part of the mansard-style roof shall be considered the eave line.

“Window sign” means any permanent or temporary sign that is applied or attached to a window, other glass or glazed materials, or located in such a manner that it can be reasonably visible from the exterior of the structure. (Prior code § 159.22.030)

17.44.040 Sign permit required.

A. General. No sign, including a sign face change, or temporary sign, unless exempted by this chapter, shall be constructed, displayed or altered without a sign permit or sign program approved by the City. The City Manager or designee shall review sign applications and make the determination whether or not to approve a sign permit and/or sign programs, unless otherwise provided by this chapter.

B. Sign Program. A permit for a sign program shall be required for all new commercial, office, and industrial centers consisting of 2 or more tenant spaces. The application for a sign program shall be filed with the project application to construct the center, and shall be processed concurrently with the project application. The purpose of the program shall be to integrate signs with the building’s architectural and landscaping design to form a unified architectural statement. This may be achieved by:

1. The use of the same background color, and allowing signs to be of up to 3 different colors per multi-tenant center smaller than 25 acres in area, and up to 5 different colors per multi-tenant center 25 acres in area or greater. Deviation from color criteria is allowed subject to review and

approval of the Architectural and Landscape Review Committee and Planning Commission. It is recommended that the sign contain 7 words or less with sufficient letter thickness.

2. The use of the same type of cabinet supports, or method of mounting for signs, and the same type of construction material for components, such as sign copy, cabinets, returns, and supports.
3. The use of the same form of illumination of the signs.
4. Uniform sign placement specifications, letter height, and logo height for both anchor tenants and minor tenants.
5. Logos may be permitted and are not subject to the color restrictions specified in the program. However, no logo should exceed 25% of the allowable sign area. Deviation from logo area criteria is allowed subject to review and approval of the Architectural and Landscape Review Committee and Planning Commission. (Prior code § 159.22.040)

17.44.050 Exempt signs.

The following signs shall be exempt from the provisions of this chapter:

- A. Window signs not exceeding 3 square feet and limited to business identification, hours of operation, address, and emergency information (However, neon signs of any size require a permit as provided by this chapter).
- B. Signs within a structure and not visible from the outside.
- C. Memorial signs and plaques installed by a civic organization recognized by the Council.
- D. Official and legal notices issued by a court or governmental agency.
- E. Official flags of the United States, the State of California, County of Riverside, City of Desert Hot Springs, and nationally or internationally recognized organizations. Use of other flags allowed only after review and approval by the Planning Commission.
- F. Identification signs on construction-sites. Such signs shall be limited to 1 directory or pictorial display sign per street frontage or entrance, up to a maximum of 2 signs, identifying all contractors and other parties (including lender, realtor, subcontractors, etc.). Each sign shall not exceed 32 square feet in area and 8 feet in height. Each sign shall be removed prior to issuance of a certificate of occupancy.
- G. Political signs.
- H. Real estate signs for residential sales provided, however, that there shall be 1 sign per street frontage not exceeding 4 square feet in area and 5 feet in height and the sign is unlit and is removed within 15 days of close of escrow or the rental or lease of the residential property. Open house signs, for the purpose of selling a single house or condominium and not exceeding 4 square feet in area and 5 feet in height, are permitted for directing prospective buyers to property offered for sale.
- I. Real estate signs advertising the sale, rental, or lease of commercial and industrial premises provided that the following requirements are satisfied: (1) one sign per street frontage not to exceed 32 square feet in area, (2) eight feet high maximum, (3) such sign shall be removed upon sale, lease or rental of the premises or 24 months, whichever comes first. Thereafter, 1 sign per premises not to exceed 16 square feet in size and 5 feet in height based upon a 1 acre lot area is allowed for the sale, lease or rent of the premises. Real estate signs shall only be placed on vacant property for 1 year as long as the sign is maintained in an orderly manner. A sign application, but no fee, shall be required to be submitted in order to monitor the time frame of real estate signs. Any real estate sign left unmaintained on vacant property shall be considered an illegal sign and subject to removal or abatement at owner's expense, as provided by this chapter.

J. Future tenant identification signs provided that the following criteria is satisfied: 1 wall or freestanding sign may be placed on vacant or developing property to advertise the future use of an approved project on the property and where information may be obtained. Such sign shall be limited to 1 sign per street frontage, a maximum of 32 square feet in area and 8 feet in overall height. Any such signs shall be single-faced and shall be removed upon issuance of a certificate of occupancy.

K. Incidental signs for automobile repair stores, gasoline service stations, automobile dealers with service repairs, motels and hotels, showing notices of services provided or required by law, trade affiliations, credit cards accepted, and the like, attached to the structure or building; provided, that all of the following requirements and criteria are met:

1. The signs number no more than 4;
2. No such sign projects beyond any property line;
3. No such sign exceeds an area per face of 3 square feet; and
4. Signs may be double-faced.

L. Signs applied to fuel pumps or dispensers such as fuel identification, station logo, and other signs required by law.

M. Agricultural signs, either wall or freestanding types, provided that such signs are nonilluminated, and not exceeding 4 square feet for lots 2 acres or less and 16 square feet for lots greater than 2 acres, identifying only the agricultural products grown on the premises. The number of such signs shall be 1 per street frontage or a maximum of 2, with wall signs to be located below the roofline and freestanding signs to be no higher than 6 feet.

N. Directional signs provided that such signs are located on-site, have a maximum area which does not exceed 3 square feet, have a maximum overall height of 4 feet above grade, and are mounted on a monument or decorative pole. Such signs may be located in a required setback provided that a minimum distance of 5 feet from any property line is maintained.

O. Temporary window signs that are posted, hung or attached inside of the window facing out and provided that such signs do not cover more than 25% of the individual window surface area. Temporary signs may be painted on the outside of the window, provided however such signs do not cover more than 25% of the individual window surface area. (Prior code § 159.22.050)

17.44.060 Prohibited signs.

The following signs are inconsistent with the sign standards set forth in this chapter, and are therefore prohibited:

- A. Abandoned signs;
- B. Animated, moving, flashing, blinking, reflecting, revolving, or any other similar sign, including searchlights, except electronic message boards and time and temperature displays;
- C. Banners, flags, and pennants, unless Temporary Sign Permit is first obtained, as provided by this chapter;
- D. Bench signs;
- E. Changeable copy signs and electronic message boards, except as allowed by a Conditional Use Permit for movie theaters, arenas, stadiums, or auto malls in the commercial land use districts;
- F. Permanent sale or come-on signs;

- G. Roof signs;
- H. Signs on public property, except for traffic regulatory, informational signs, signs required by a governmental agency, and model home tour signs, and except as permitted by Section 17.44.080;
- I. Signs painted on fences or roofs;
- J. Balloons and other inflated devices or signs designed to attract attention, unless permitted subject to Temporary Sign Permit;
- K. Signs which simulate in color or design a traffic sign or signal, or which make use of words, symbols or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic;
- L. New cabinet signs;
- M. Gator foam board signs;
- N. Advertising devices, except as otherwise permitted in this chapter;
- O. Advertising displays outside of buildings, except as otherwise permitted in this chapter;
- P. Combination signs;
- Q. Signs with exposed raceways and/or transformers, unless otherwise determined as permissible by the City Manager or designee. If used, said raceways and/or transformers shall be painted to match the same building color behind which the sign is affixed. (Ord. 536 4-16-13; prior code § 159.22.060)

17.44.070 Temporary signs.

The temporary signs listed in this section shall only be permitted subject to issuance and approval of a Temporary Sign Permit. Application for Temporary Sign Permits shall be submitted on a form provided by the Planning Division. The City Manager or designee shall review and approve the temporary sign permit, so long as the applicable requirements of this chapter are satisfied.

A. Temporary Banner Signs. A temporary banner sign may be approved for a period of time, as specified in this section, for multiple-family residential, commercial and industrial uses. The signs may be used to promote the sale of new products, new tenant, new management, new hours of operation, a new service, or to promote a special sale. Any business or property owner desiring to use a temporary banner sign must file an application with a drawing or photograph demonstrating the sign appearance with the Planning Division for review and approval. The use of such signs is subject to the following limitations:

1. No more than 1 sign shall be permitted per activity or business.
2. The sign shall be a temporary sign designed either as a wall sign, window sign or ground sign. The sign can be in the form of a banner or pennant.
3. The sign shall not exceed 50 square feet and shall be posted below the roof. In the case of a ground sign, the height of the sign shall not exceed 8 feet.
4. The sign shall be limited to a maximum display period of 30 days. Four such periods shall be permitted for each calendar year, not to exceed a total of 120 days per year. A maximum of 4 periods may be approved consecutively to allow a single sign to be displayed for up to 120 days; otherwise, a minimum of 30 days shall be required between display periods.
5. The following temporary banner display criteria shall apply:
 - a. All temporary banners shall be constructed of durable material that will not deteriorate during the time period in which the banner is displayed. Temporary banners which become

frayed, torn, faded, or showing similar signs of fatigue or failure shall be deemed to be in violation of these provisions.

b. All temporary banners shall be securely affixed to the face of the façade of the building housing the business where the business is located.

c. Temporary banners shall not be affixed to fences, light poles, trees, extended over parking and/or landscaped areas or other similar techniques.

d. No temporary banners shall be affixed on, within, or over any public right-of-way.

B. Grand Opening Signs. A grand opening sign may be approved for a period of time, as provided in this section, in any multiple-family residential, commercial or industrial zoning district to advertise a new business or a change of business name following a closure. Any business or property owner desiring to use a grand opening sign must file an application together with a drawing or photograph to the Planning Division for review and approval by the City Manager or designee. An application must be made either prior to opening or within the first 60 days of operation. The use of such signs is subject to the following limitations:

1. Grand opening signs include any combination of signs, banners, pennants, balloons, streamers, beacons, or other advertising device.

2. Signs shall be a temporary sign designed either as a wall, window or ground sign.

3. Sign shall not exceed 50 square feet and shall be posted below the roof eave. In the case of a ground sign, the height of the sign shall not exceed 8 feet.

4. Roof mounted signs and advertising devices are prohibited.

5. The sign shall be limited to a display period not to exceed 30 days prior to opening and 60 days after opening, for a total display period of 90 days.

C. Special Event Signs. Special event signs may be approved for a limited period of time in any zoning district as a means of publicizing special events such as carnivals, festivals, pumpkin patches, charitable events, Christmas tree lots and similar events, in conjunction with a Temporary Sign Permit. To apply for approval of special event signs, any business or property owner must submit an application with the City's Planning Division which describes the proposed sign by means of a sketch and the display dates for review and approval by the City Manager or designee. Such special event signs shall be limited to the following provisions:

1. No more than 1 special event sign shall be permitted per activity and shall be either a wall, window or ground sign, and use of flags, banners and pennants.

2. All special event signs shall be a maximum of 50 square feet and shall be posted below the roof or shall be no higher than 8 feet in the case of a ground sign.

3. Special event signs shall be limited to 45 days per calendar year.

D. On-Site Residential Subdivision Signs. On-site residential subdivision signs may be approved for a limited period of time in any residential zoning district to advertise an active subdivision and the sale of homes within that subdivision. The developer of the subdivision shall apply for an on-site residential subdivision sign concurrently with the Development Permit for the housing product for the subdivision. Such signs shall be limited to the following provisions:

1. One temporary on-site subdivision sign not to exceed 64 square feet total for 2 sides or 32 square feet for 1 side, with a maximum height of 15 feet.

2. One on-site subdivision sign may be permitted on each main street frontage of the property being subdivided not to exceed 2 such signs for all phases of any subdivision (interior streets of the subdivision are not recognized as main street frontage).

3. Such signs shall be for the identification of a subdivision, price information and the developer's name, address, and telephone number.
 4. Such signs shall be removed within 10 days from the date of the final sale of the land and/or residences or within 2 years, whichever comes first. Extensions of the 2-year time limit can be approved by the City Manager or designee, upon filing of a request for an extension 30 days prior to the expiration.
 5. Signs shall be maintained in good repair at all times.
 6. If the City is forced to remove any signs, due to abandonment, deterioration, or non-removal as stated in subsection (D)(4) of this section, then the developer shall be responsible for any and all costs associated with the removal of the sign(s).
- E. A-frame signs shall meet the following standards:
1. A business may have no more than 1 A-frame/portable sign.
 2. The A-frame/portable sign must be at least 5 feet from the curb.
 3. The A-frame portable signs must be no farther than 15 feet from the main entrance to the business.
 4. The A-frame/portable sign must be anchored in a secure manner, to be determined by the City Manager or designee.
 5. The A-frame/portable sign may be no larger than 4 feet high by 2 feet wide, for a total maximum area of 8 square feet.
 6. The A-frame/portable sign must be approved by the City Manager or designee.
 7. The A-frame/portable sign may not contain strobe lights, flashing lights or nudity. (Prior code § 159.22.070)

17.44.080 Off-site signs.

- A. Off-Site Residential Subdivision Directional Signs. The following shall regulate and establish a standardized program for off-site residential subdivision directional kiosk signs for the City. For the purposes of this subsection, a "residential subdivision" is defined as a housing project within a recorded tract where 5 or more structures or dwelling units are concurrently undergoing construction.
1. The panel and sign structure design shall be in accordance with Figure 17.44-01.
 2. No kiosk sign structure shall be located less than 300 feet from an existing or previously approved kiosk site, except in the case of signs on different corners of an intersection.
 3. The placement of each kiosk sign structure shall be reviewed and approved by the City Manager or designee.

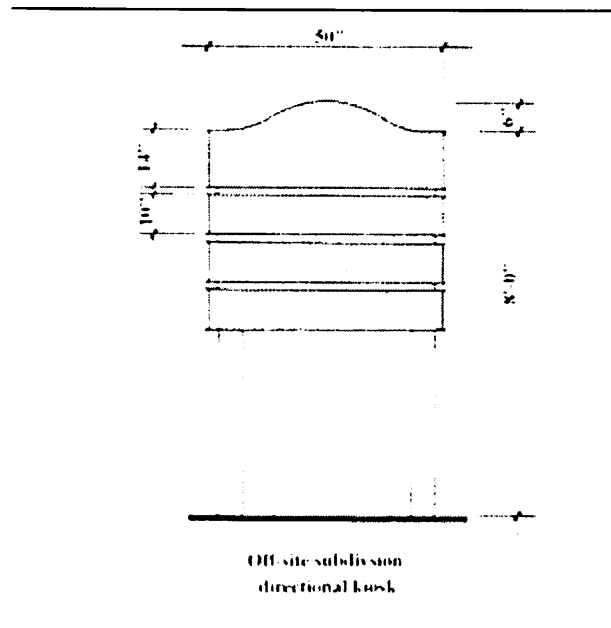


Figure 17.44-01

4. All kiosk signs shall be placed on private property with written consent of the property owner or on City right-of-way pursuant to a City encroachment permit.
5. A kiosk sign location plan shall be prepared, showing the site of each kiosk directional sign, and shall be approved by the City Manager or designee prior to the issuance of a sign permit.
6. There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances, added to the kiosk signs as originally approved, no other nonpermitted directional signs, such as posters or trailer signs, may be used.
7. All nonconforming subdivision kiosk directional signs associated with the subdivision in question must be removed prior to the placement of directional kiosk sign(s).
8. Kiosk signs, or attached project directional signage, shall be removed within 10 days from the date of the final sale of the residences. The entity administering the program will be responsible for removal of panels and structures no longer needed.

B. Off-Site Signs on Public Property. Private advertising and other business directory signs, may be placed in the public right-of-way, such as bus shelters, if there is a licensing agreement approved by the City Council authorizing such off-site signs on public property. An application for a sign permit must be approved prior to the construction of off-site signs on public property and the applicant and the owner of the sign shall comply with the provisions of Section 17.44.100 regarding sign construction and maintenance standards. (Ord. 536 4-16-13; prior code § 159.22.080)

17.44.090 Abandoned signs.

A. Any abandoned or illegal sign is hereby declared to be a danger to the health, safety, and welfare of the citizens of Desert Hot Springs. Any sign, that is partially or wholly obscured by the growth of dry vegetation or weeds or by the presence of debris or litter that presents a danger to the health, safety, and welfare of the citizens of Desert Hot Springs.

B. Any such abandoned or illegal signs as set forth above are hereby deemed to be a public nuisance. Any such sign shall be removed by the property owner within 10 days after notice from the City Manager or designee, which notice shall provide an opportunity to be heard before the City Manager or designee on the abandonment and nuisance decision.

C. Legal, conforming structural supports for abandoned signs may remain, if installed with a blank sign face and supporting structures are maintained. (Prior code § 159.22.090)

17.44.100 Sign construction and maintenance.

A. Every sign, and all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City regulations and the Uniform Building Code. All electrical signs, electrical apparatus and related components used shall be certified for safety by Underwriters Laboratory (UL) or similar standards, recognized in the industry, subject to the approval and certification by the City's Building Official during issuance of a building permit.

B. Every sign, including those specifically exempt from this Zoning Ordinance, in respect to permits and permit fees, and all parts, portions, and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust, corrosion and graffiti. Any crack, broken surfaces, malfunctioning lights, missing sign copy or other unmaintained or damaged portion of a sign shall be repaired or replaced within 30 calendar days following notification by the City.

C. For signs with exposed raceways and/or transformers, although normally prohibited by this section unless permitted by the City Manager or designee, if used, shall be painted to match the existing building color.

D. Electronic/mechanical message signs (readerboard signs) text shall remain static for a minimum of 3 seconds, with such changes not involving scrolling or any other movement, flashing or change of intensity of lighting. No more than 30% of the sign area may be used for readerboards (either mechanical or electronic) with changeable text. (Prior code § 159.22.100)

17.44.110 Nonconforming signs.

A. Any nonconforming sign, lawfully constructed and maintained prior to the effective date of the ordinance codified in this chapter with a valid sign permit, sign program permit or variance, and which complied with all applicable laws on the date of its approval and installation, is a legal nonconforming sign provided that the City Manager or designee determines that the sign is properly maintained and does not pose a danger to the public health, safety and welfare. A legal nonconforming sign shall be removed or modified to comply with the requirements of this chapter as provided in this section and upon the altering, expansion, reconstruction of or change to any nonconforming sign, copy, the size or the color of a sign or copy, or addition of new signage or signs to the site, premises, building or structure upon which the nonconforming sign is located.

B. A legal nonconforming sign may not be expanded, extended, rebuilt, altered or reconstructed in any way unless the sign is first brought into compliance with the provisions of this chapter. This provision shall not apply to any actions or work necessary to maintain the sign, as required by the maintenance provisions of this chapter.

C. It shall be the responsibility of the property owner and/or landlord to advise his/her tenant/lessee of the provisions of this section relating to the removal of nonconforming signs upon the transfer of ownership.

D. When removal, demolition or modification to a legal nonconforming sign is required under this section, such nonconforming sign shall be demolished, removed or modified to satisfy the requirements of this chapter within 30 days of the issuance of the sign permit, sign program or temporary sign permit.

E. Exceptions Process. The City Manager or Planning Commission may approve exceptions relative to size, number, and location of signs after a public hearing in instances where an applicant is faced with exceptional circumstances because of type or location of business, or is trying to achieve a special design effect. The applicant must show that:

1. The sign will be integrated into the architecture of the building; and
2. The sign will not be detrimental to neighboring businesses or the community in general.

F. Discontinuance of a Business. A nonconforming sign (including its physical structure and/or its supporting elements) that is no longer in active use because the business has ceased operating at the premises where the sign is located shall be removed within 30 days of cessation of the business.

G. Nonconforming Sign Maintenance. Any legal nonconforming signs must comply with the maintenance requirements of this chapter, including but not limited to Section 17.44.100.

H. Hardship Exemptions.

1. Where the owner/user of a proposed or existing sign believes that compliance with the provisions of this chapter, coupled with unusual geographic or building design and configuration conditions pertaining to the site, or contractual conditions limiting the use thereof, would create an undue economic hardship on the use of property(s), the owner/user may apply to the City Manager or designee for a hardship exemption. The City Manager's or his/her designee's decision in such cases shall be based on 1 or more of the following criteria.

- a. The site is unusual in size, shape or topography.
 - b. Improvements on the site or on adjoining public or private properties cause a visual obstruction.
 - c. The site is improved with a multiple-business development, and is encumbered by an existing contractual obligation that precludes the modification of 1 or more other existing signs for other businesses at the same time as the installation of a new sign or a modification to an existing sign on the same sign structure is proposed for a business on the premises.
2. Approval of a hardship exemption may be subject to time, place and manner conditions, based on issues of size, location, color, construction materials, and design of the sign, without consideration or restriction as to the message to be displayed on the sign.
 3. The applicant has the burden of proof to show to the City's satisfaction that a hardship exists based on the criteria found above.

I. Damage. A nonconforming sign that sustains less than 50% damage to its structure shall be repaired or replaced as soon as possible, but not more than 180 days after the date of the damage. If damaged more than 50%, it shall be removed or modified to meet this chapter within 180 days of the date of the damage.

J. Intensification. All nonconforming signs for a business premises shall be made to conform to this chapter:

1. When a new business intensifies the use of a property that will require a site plan and design review or a similar discretionary review as set forth in this chapter.
2. When a remodel or expansion of an existing business results in doubling the gross square footage of an existing building, or exceeds 10,000 square feet, whichever is less.

- K. Facade Remodel. Remodel of a front building facade shall require that all nonconforming signs located on the front facade or affected by the facade remodel be brought into compliance.
- L. New Freestanding Sign. Addition of a new freestanding sign shall require that all nonconforming signs on the site be brought into compliance. However, the addition of other new conforming signs on the site shall not require that other nonconforming signs be brought into compliance.
- M. Relocation. A nonconforming sign proposed to be relocated shall be made conforming at the time of relocation, except where the relocation occurs as a result of a City or redevelopment agency public improvement project.
- N. Traffic Hazard/Unsafe Condition. Any nonconforming sign that constitutes a traffic hazard or creates any other unsafe condition shall be subject to immediate removal or modification as necessary to eliminate the hazardous or unsafe condition. (Prior code § 159.22.110)

17.44.120 Removal of illegal signs.

A. The City Manager or designee shall remove or cause the removal of any fixed, permanent sign constructed, placed or maintained in violation of this chapter, after 30 days following the date of mailing of registered or certified written notice to the owner of the sign, if known, at the last known address and to the owner of the property as shown on the latest assessment roll, or to the occupant of the property at the property address. Within 30 days of removal of illegal sign owner of sign, property owner and occupant shall be responsible for rehabilitation of the building wall or other area to new condition prior to placement of illegal sign.

The notice shall describe the sign and specify the violation involved, and indicate that the sign will be removed if the violation is not corrected within 30 days. If the owner disagrees with the opinion of the City Manager or designee, the owner may, within the said 30-day period request a hearing before the Planning Commission to determine the existence of a violation.

B. Signs removed by the City Manager or designee pursuant to this chapter shall be stored for a period of 60 days, during which time they may be recovered by the owner upon payment to the City for costs of removal and storage. If not recovered prior to expiration of the 60-day period, the sign and supporting structures shall be declared abandoned and title thereto shall vest to the City. The cost of removal shall be billed to the owner of the property. If bill for sign removal is not paid after 60 days, a lien shall be placed on the property upon which said illegal sign was erected. (Prior code § 159.22.120)

17.44.130 Amortization.

Any nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter within 10 years from the effective date of this Sign Ordinance. (Prior code § 159.22.130)

17.44.140 Inventory and abatement.

Within 6 months from the date of adoption of this Sign Ordinance, and within 6 months of any substantive design revisions, the City shall commence a program to inventory and identify illegal or abandoned signs within its jurisdiction. Within 60 days after this 6-month period, the City may commence abatement of identified illegal or abandoned signs. (Prior code § 159.22.140)

17.44.150 Sign regulations.

Table 17.44.01 identifies the signs permitted in each of the land use districts. In addition to the following regulations, all signs must be in compliance with all other applicable provisions of this chapter.

TABLE 17.44.01
SIGN REGULATIONS BY SIGN USE CATEGORY

Class	Type	Max. Number	Max. Sign Area	Max. Sign Height	Location	Illumination Allowed	Remarks
A. Signs Permitted in Residential Districts							
1. Name plate	Wall/door	1 per occupied unit	2 sf	Below eave line	Wall/door	No	Shall identify only the name and/or address of the occupant.
2. Apartment identification	Wall or monument	1 per street frontage	12 sf	Below eave line for wall sign & 6' for monument	5' setback	May be illuminated only in multifamily districts	Signs shall not be internally lighted.
3. Institutional signs	Wall or monument	1 per use	24 sf	Below eave line for wall sign & 6' for monument	10' setback from front & 5' setback from the property line	Yes	a. Name of institution only. b. May incorporate changeable copy. c. Signs shall not be internally lighted.
4. Neighborhood identification	Wall or monument	2 per major entrance	30 sf	5'	At major entrances	Yes	a. Copy limited to project/neighborhood name only. b. Shall not be internally lighted. c. Allowed only if maintenance responsibility assigned to community association.
5. Mobile home	Wall or monument	1 per street frontage	24 sf	10'	May not be located in a required setback area adjoining a street	Yes	
6. Project identification sign (temporary)	Freestanding (on-site)	2 for subdivisions more than 5 acres	76 sf	15'	10' setback from any street	No	a. All signs shall be removed within 30 days after the sale/rental of the

							last unit in the project/subdivision. b. Refer to § 17.44.080(B) for regulations pertaining to off-site subdivision signs.
7. Real estate	Freestanding	1 per residence	4 sf	5'	Within the subject property	No	Copy limited to the sale, rent or lease of the subject property.
8. Crime prevention	Freestanding	Subject to approval	6 sf	10'	Within the public right-of-way	No	a. Subject to authorization from City & subject to conditions. b. Only at designated locations, for specific periods of time.
9. Business identification	Wall or monument	1 per street frontage	8 sf	5'	10' setback from the property	No	
B. Signs Permitted in C-N, C-C, and C-G Commercial Districts							
1. Single Tenant Sites Not Part of a Center							
a. Business identification	Wall or canopy	1 single face sign per bldg., street or parking lot frontage; max. 3 signs per business	1.5 sf of sign area per each lineal ft. of bldg. fronting on street. 75 sf max. sign area in C-N District; otherwise 100 sf max. In addition, 1.5 sf of sign area per lineal ft. of the bldg.'s rear elevation if a public entrance is provided from a rear street or parking lot. 50 sf max.	May not project above the eave line	May be located on parapet or canopy	Yes	Allowable aggregate wall sign(s) area shall include areas of allowed permanent window signs.
b. Business identification	Projecting	1 dbl face sign per frontage	25 sf max. per face	May not extend beyond eave line	May only be attached to the bldg., to which the copy relates	Yes	a. Authorized in lieu of a wall sign. b. Authorized only where no bldg. setback is required.

c. Business identification	Window (permanent)	1 sign per window	25% of the glass area upon which the sign is located		Window lettering permitted or exterior of glass window or door	No, except signs constructed of neon tube letters and/or symbols	Allowable aggregate of window sign(s) area shall include areas of allowable wall signs. Signage located within 3 linear ft. of a window within the store shall be considered window signage.
d. Business identification	Monument	1 dbl face sign per street frontage	24 sf in C-N District; 32 sf in C-G and C-C	8' above grade or 4' 4" above top of planter or landscaped mound (berm)	Must not create hazard at corner or driveways. May not be located within 100' of any residential district.	Yes	a. Min. street frontage of 100' required. b. Planter base or landscape area to be provided equal to 4 times the area of 1 face of the sign. c. May be located within 5' of public right-of-way.
e. Drive-through restaurants	Menu board	1 per bldg.	30 sf	7'	Shall not be located so as to be a hazard for driveway or corner radius	Yes	Shall face away from the street.
f. Business identification	Monument or pole sign with decorative pole cover	1 double-face sign per business	125 sf per face	25' with 22' max. sign face or copy areas height monument or supportive structure to consist of an area face or copy area	May be located in landscaped	Yes	Site must have at least 300' frontage adjacent to the right-of-way of a State or federal freeway.
g. Drive-through restaurants	Menu board	1 per bldg.	30 sf	7'	Shall not be located so as to be a hazard for driveway or corner radius	Yes	Shall face away from the street.
2. High Rise Buildings (4 stories or more).							
a. Building identification	Wall sign	4 per bldg.	225—500 sf See Fig 22.2		Above the windows or the highest floor & below	Yes	a. Copy is limited to 1 company bldg./name arranged in a single line. b. Company logos may be used in combination with letters.

							c. Signs shall be designed to be compatible with the architecture of the bldgs.
b. Secondary tenant identification.	Wall sign	4 per bldg.	22 sf max. per sign; max letter height + 18"	Below the 2nd floor or 20', whichever is less	Near the entrance of the tenants they identify	Yes	
c. Center or project	Monument	1st. frontage	40 sf per face	6' above grade or max. of 4' above planter or landscape mound	At main entrance	Yes	Shall contain only the name of the center or project, no tenant information.
3. Multiple Tenant Sites-Shopping Centers							
a. Business identification	Wall or canopy	1 single face per bldg. or street frontage or parking lot frontage. Max. 2 signs per business	1.5 sf of area per lineal ft. of bldg. frontage on a street, not to exceed 75 sf; in addition, 1.5 sf of sign area per lineal ft. of the bldg's. rear elevation if a public entrance is provided from a rear street or parking lot. Not to exceed 50 sf.	May not project above the eave line	May be located on project	Yes	a. All shopping centers shall develop a coordinated sign program for all tenants & uses. b. Allowable aggregate wall sign area shall include window area(s) used for permanent signing. c. A center is one in which business & structures are designed in an integrated & interrelated development. Such design is independent of the number of structures, lots or parcels making up the center.
b. Business identification	Window (permanent)	1 sign per window	25% of the glass area upon which the sign is located		Window lettering permitted on interior or exterior glass window or door	No, except sign constructed of neon tube letters	Allowable aggregate of window sign(s) area shall include area of allowable wall sign.
c. Business identification	Under marquee	1 per entrance (double face)	6 sf per face		Below eave line & beneath canopy or marquee with 7' clearance from sidewalk level to lowest point of sign		Signs shall be uniform in color & design for all tenant identification within the center.
	Monument	1 double face	25 sf per face			Yes	

d. Business identification				6' above grade or 4' above top	Shall be set back a min. of 5' from front or side of property lines		<p>a. Min. street frontage of 100' required.</p> <p>b. Planter base or landscape area to be provided equal to 4 times the area of 1 face of the sign.</p> <p>c. May be located within 5' of public right-of-way.</p>
e. Center identification centers less than 25 acres	Monument	1 dbl face per each street frontage	75 sf per face	Sign shall not exceed the height of the structure it identifies or 20', whichever is less	Shall not be located so as to be a hazard for driveway or corner radius	Yes	<p>a. Min. street frontage of 200' required.</p> <p>b. Sign may identify center and/or up to 3 major tenants.</p> <p>c. Planter base or landscape area equal to or greater than that 4 times the area of 1 face of a sign.</p> <p>d. Vertical clearance of 10' required for freestanding signs projecting over vehicular passageway.</p> <p>e. A min. of 20% of the sign area shall be dedicated to center identification.</p>
Centers 25 acres or greater	Monument	1 dbl face per each street frontage	120 sf per face	Sign shall not exceed the height of the structure it identifies	Shall not be located so as to be a hazard for a driveway	Yes	<p>a. Min. street frontage of 1,200' required. If street frontage is less than 1,200', then the monument sign development standards for the centers less than 25 acres apply.</p> <p>b. Sign may be up to 4 anchor tenants.</p> <p>c. Planter base or landscape area equal to or greater than 4 times the area of 1 face of the sign.</p> <p>d. Vertical clearance of 10' required for freestanding signs projecting over vehicular passageway.</p> <p>e. A min. of 20% of the sign area shall be</p>

							dedicated to center identification.
f. Center identification (freeway adj.)	Monument or pole sign with decorative cover	1 dbl face sign per center	125 sf/face	25' with 22' max sign face or copy height & monument or supportive structure to consist of an area equal to sign face or copy area	May be located in landscaped setback area	Yes	Center site must have at least 300' of frontage adjacent to the right-of-way of a State or federal freeway.
g. Drive-through restaurants	Menu board	1 per building	30 sf	7'	Shall not be located so as to be a hazard for driveway or corner radius		Shall face away from street.
4. Service Station							
a. Service station identification	Wall	1 per street frontage; max. 2	10% of bldg. face not to exceed	Not above eave line or 20', whichever is less		Yes	a. A combination of monument & wall may be used, but no more than a total of 3 signs.
	Monument	1 per street frontage; max. 2	30 sf per face	6'			b. The monument sign shall be designed to include the identity of the station. Price signs are allowed in accordance with State regulations.
b. Special service signs	Wall or ground	1 for each pump island, not to exceed a total of 4 per station.	2 sf per face	8'		No	Special service signs shall be limited to such items as self-serve, full-serve, air, water, and cashier & shall be nonilluminated.
5. Temporary Signs							
a. Promo signs	Window		25% of the window area		Ground floor windows only	No	a. Such signs are limited to temporary messages such as sales or special events. No business identification is permitted. b. Refer to § 17.44.070, Temporary signs.
b. Construction	Freestanding	1 single-face sign per street frontage	32 sf	10'	Located so as not to create traffic hazard or	No	a. Authorized upon the issuance of a grading or bldg. permit.

					overhang public right-of-way		b. Sign shall be removed prior to certificate of occupancy.
c. Future facility or tenant	Freestanding wall	1 per street frontage or tenant	32 sf per face	8'	Within the subject property	No	Sign shall be removed upon occupancy of the bldg(s).
d. Real estate	Freestanding wall or window	1 per street frontage	32 sf per face	8'	Within the subject property	No	To advertise the sale or lease of structure or ground and not for the purpose of advertising an agency occupying the premises.
e. A-frame, portable sign	Freestanding	1 per business	8 sf per face	5'	At least 5' from curb; no farther than 15' from main entrance to business	No	Must be anchored in a secure manner, to be determined by the City Manager or designee
C. Signs Permitted in OIP, IL, IM and IE Industrial Districts							
I. Business Identification							
Single tenant	Monument sign	2 per street or parking lot frontage	1 sf of sign area per each lineal foot of bldg. fronting on street. Not to exceed 200 sf.	Signs shall not project above the eave line. Monument signs 8' above grade or max of 4' above planter or landscape mound	Shall not be located so as to create traffic hazard for driveway or corner radius as determined by the City Engineer	Yes	a. A combination of wall & monument signs may be used; however, their combined area shall not exceed the max. sign area & no more than 3 signs per business. b. Planter area or landscape area equal to or greater than the area of 1 face of a sign.
2. Multi-tenant sites	Wall	1 per tenant	1.5 sf of sign area per lineal ft. of lease frontage, not to exceed 25 sf in area	Wall signs shall not project above the eave line of the building	Building façade or other location below the eave line	Yes	a. Multi-tenant sites shall develop a coordinated sign program for all tenants. b. Allowable aggregate wall sign area shall include window area(s) used for permanent signing.
a. Center or project	Entrance monument	1 per street entrance & 1 per major intersection.	40 sf per face	8' above grade or max 4' above top or planter or landscape mound	Shall not be located so as to create traffic hazard for drive way or corner	Yes	a. Planter base or landscape area equal to or greater than the area of 1 face of a sign. b. Shall contain only the name of the center or project, no tenant information.

b. Business identification	Wall	1 per street or parking lot frontage	1 sf of sign area per each lineal foot of bldg. frontage	May not project above eave line	Wall	Yes	a. Shall contain only the name & product of the company. b. A sign program shall be required for developments with 3 or more tenants. § 17.44.040(B).
c. Business directory	Freestanding	1 per street or parking lot frontage	32 sf per face	8'	Ground mounted	Yes	a. Intended to list only the names & addresses of on-site occupants. b. Shall be designed as part of overall sign program.
d. Advisory/directional	Wall or freestanding	Min. number necessary to provide	4 sf	4'	Min 5' setback from property lines	Yes	Copy limited to directional information such as "entrance" or "exit," but no directions to individual businesses.
c. Business information	Window or wall sign	1 per main bldg. entrance	4 sf	8'	At main bldg.	No	Intended to provide only name, address, telephone, business hrs. & emergency information for occupant.
3. Temporary Signs: Same as temporary signs allowed in C-N, C-G and C-C Commercial Districts.							

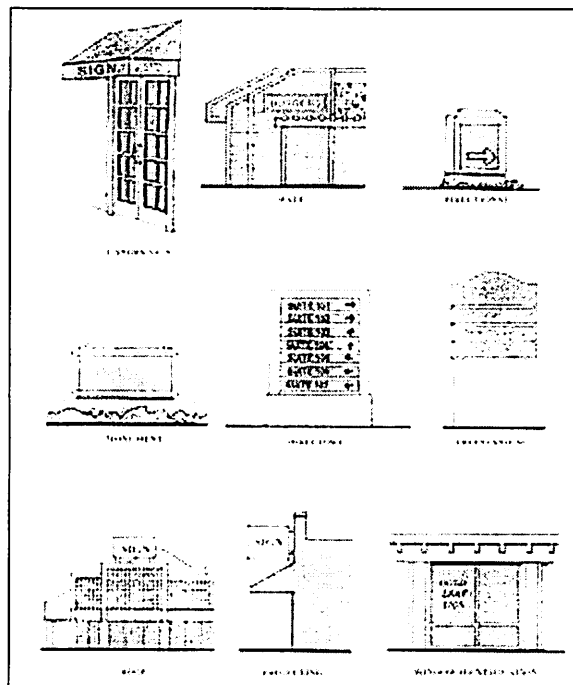
(Prior code § 159.22.150)

17.44.160 Sign design guidelines—General.

The following design guidelines shall be consulted prior to developing signs for any project. Unless there is a compelling reason, these design guidelines shall be followed.

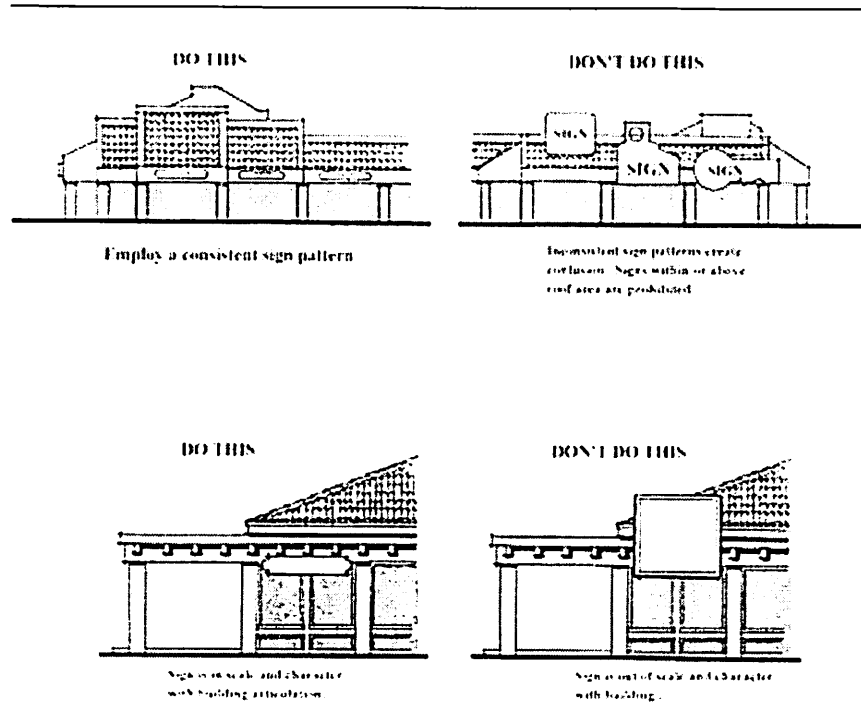
- A. Use a brief message. The fewer the words, the more effective the sign. A sign with a brief, succinct message is simpler and faster to read, looks cleaner and is more attractive.
- B. The use of the same background color, and allowing signs to be of up to 3 different colors per multi-tenant center smaller than 25 acres in area, and up to 5 different colors per multi-tenant center 25 acres in area or greater.
- C. Avoid hard-to-read, overly intricate typefaces. These typefaces are difficult to read and reduce the sign's ability to communicate.
- D. Avoid faddish and bizarre typefaces. Such typefaces may look good today, but soon go out of style. The image conveyed may quickly become that of a dated and unfashionable business.
- E. Sign colors and materials should be selected to contribute to legibility and design integrity. Even the most carefully thought out sign may be unattractive and a poor communicator because of poor color selection. Dayglo colors must be avoided.

- F. Use significant contrast between the background and letter or symbol colors. If there is little contrast between the brightness or hue of the message of a sign and its background, it will be difficult to read.
- G. Avoid too many different colors on a sign. Too many colors overwhelm the basic function of communication. The colors compete with content for the viewer's attention. Sign may be stylized but should remain legible.
- H. Avoid visual clutter, including that the location and design of proposed signs do not obscure from view or unduly detract from existing or adjacent signs.
- I. The size, shape, color and placement of the sign should be compatible with and bear a harmonious relationship to the building it identifies, the neighborhood and other signs in the area.
- J. The location and design of the proposed sign, its size, shape, illumination and color should be compatible with the visual characteristic of the surrounding area so as not to detract from or cause depreciation of the value of adjacent developed properties.
- K. The location and design of a proposed sign in close proximity to any commercial or industrial district shall not adversely affect the value or character of the adjacent residential district.
- L. Any neon sign shall be made an integral part of the building design with careful attention to color and intensity of light. The use of soft tones shall be encouraged.



- M. Place signs to indicate the location of access to a business. Signs should be placed at or near the entrance to a building or site to indicate the most direct access to the business.
- N. Place signs consistent with the proportions of scale of building elements within the facade. Within a building facade, the sign may be placed in different areas. A particular sign may fit well on a plain wall area, but would overpower the finer scale and proportion of the lower storefront. A sign which is appropriate near the building entry may look tiny and out of place above the ground level.
- O. Place wall signs to establish rhythm across the facade, scale and proportion where such elements are weak. In many buildings that have a monolithic or plain facade, signs can establish or continue appropriate design rhythm, scale, and proportion.

P. Avoid signs with strange shapes. Signs that are unnecessarily narrow or oddly shaped can restrict the legibility of the message. If an unusual shape is not symbolic, it is probably confusing.



Q. Carefully consider the proportion of letter area to overall sign background area. If letters take up too much sign, they may be harder to read. Large letters are not necessarily more legible than smaller ones. A general rule is that letters should not appear to occupy more than 75% of the sign panel area.

R. Consider interior neon signs. Neon signs lend themselves to creative and exciting artistic expression. The use of neon signs inside a storefront can be used to attract attention and create a special ambience.

S. Make signs smaller if they are oriented to pedestrians. The pedestrian-oriented sign is usually read from a distance of 15 to 20 feet; the vehicle-oriented sign is viewed from a much greater distance. The closer a sign's viewing distance, the smaller that sign need be. (Prior code § 159.22.160(1))

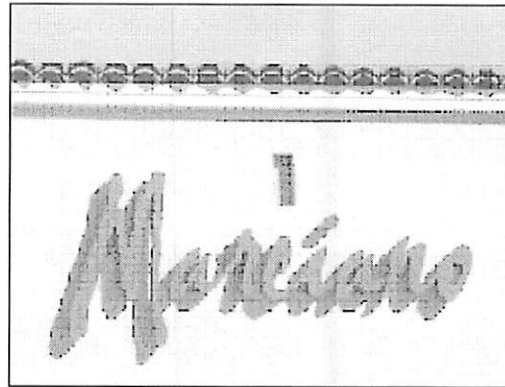
17.44.170 Sign design guidelines—Wall or fascia signs.

A. Building wall and fascia signs should be compatible with the predominant visual elements of the building. Commercial centers, offices, and other similar facilities are required to be part of a sign program in accordance with the provisions of this chapter.

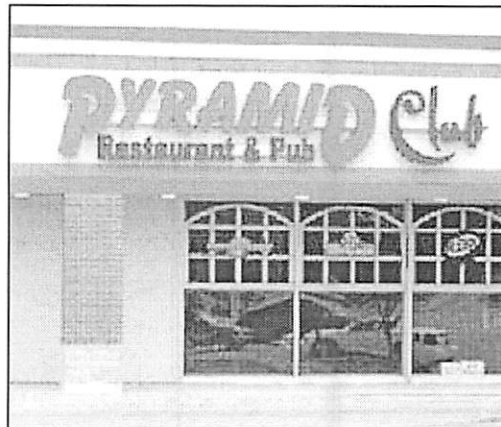
B. Where there is more than 1 sign, all signs should be complementary to each other in the following ways:

1. Type of construction materials (cabinet, sign copy, supports, etc.);
2. Letter size and style of copy;
3. Method used for supporting sign (wall or ground base);
4. Configuration of sign area;
5. Shape to total sign and related components.

- C. The use of graphics consistent with the nature of the product to be advertised is encouraged; i.e., hammer or saw symbol for a hardware store, mortar and pestle for a drug store.



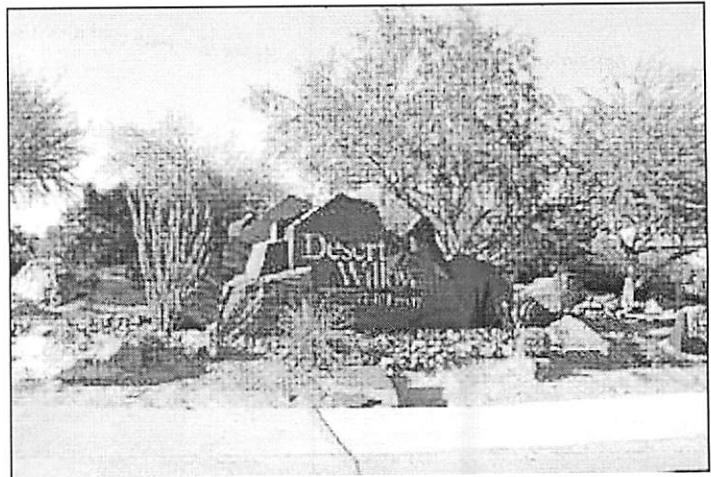
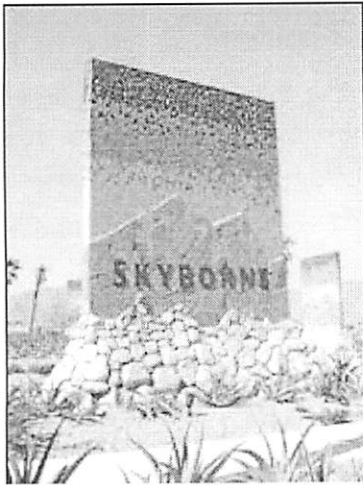
- D. Direct and indirect lighting methods are allowed provided that they are not harsh or unnecessarily bright. The use of can-type box signs, with translucent backlit panels are highly discouraged. Panels should be opaque if a can-type sign is used and only the lettering should appear to be lighted.
- E. The use of backlit individually cut letter signs is strongly encouraged and preferred near the VORTEX (Downtown Plan area).
- F. The use of permanent sale or come-on signs is prohibited. The temporary use of these signs is limited by the provisions of Section 17.44.070.
- G. The identification of each building or store address in 6-inch-high numbers over the main entryway or within 10 feet of the main entry is encouraged.



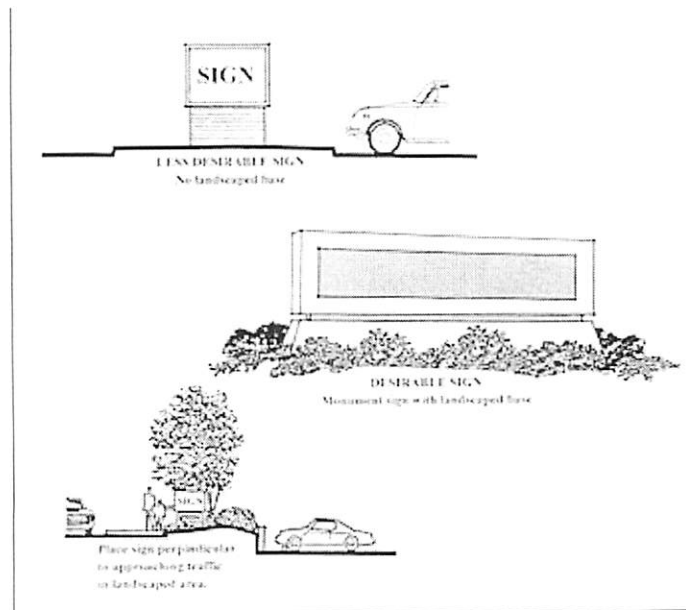
(Prior code § 159.22.160(2))

17.44.180 Sign design guidelines—Freestanding signs.

- A. Freestanding signs are intended to provide street addresses, and identification for the freestanding building or commercial center development as a whole and for up to 3 major tenants.

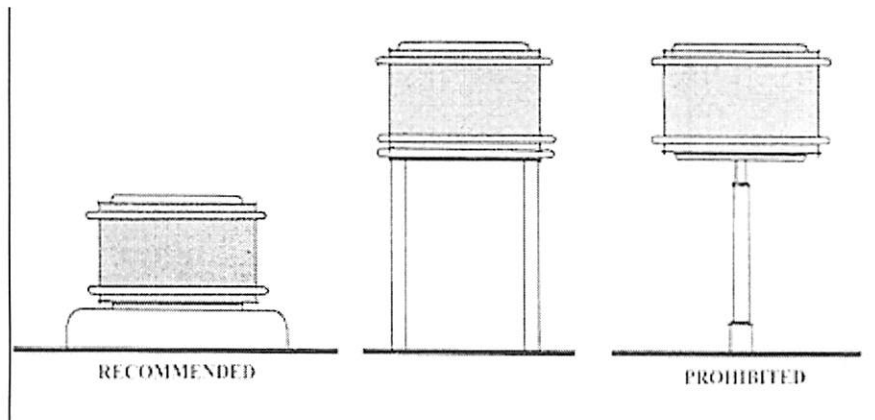
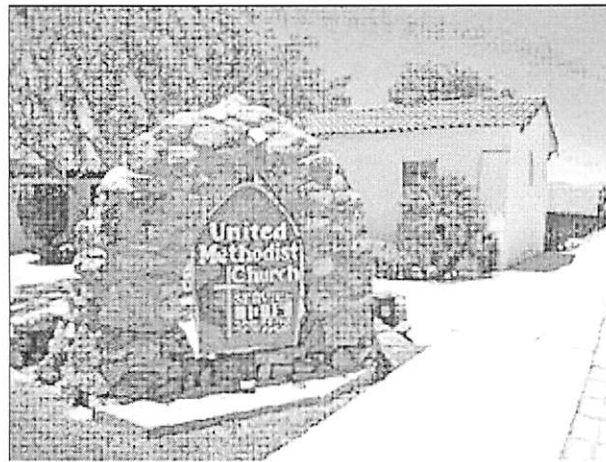


- B. All tenant signs should be limited in size to the width of the architectural features of the sign and shall be uniform in size and color.
- C. A minimum of 10% of the sign area of freestanding signs for large, multi-story buildings or center developments should be devoted to identification of the center or building by address or name. Strip developments should display the range of store addresses for that development on their freestanding sign.
- D. Freestanding signs should be placed perpendicular to approaching vehicular traffic.
- E. Freestanding signs should be placed in raised planters whenever possible. The use of natural stone or concrete as a base material is encouraged.



F. Each monument sign should be located within a planted landscaped area which is of a shape and design that will provide a compatible setting and ground definition to the signs, incorporating the following ratio of landscape area to total sign area:

1. Monument: 4 square feet of landscaped area for each square foot of sign area (1 side only).
2. Directory: 2 square feet of landscaped area for each square foot of sign area.



(Prior code § 159.22.160(3))

17.44.190 Declaration of public nuisance—Enforcement.

Pursuant to the City's police powers authorized in Article XI, Section 7 of the California Constitution, as well as under Sections 100, 101, 500 and 600 of City's Charter and the City of Desert Hot Springs Municipal Code and other provisions of California law, including, but not limited to, California Government Code Section 38771, the City Council hereby declares that the construction, maintenance or placement of any sign within the City in violation of any of the terms or requirements of this chapter is a public nuisance. The City, in addition or in lieu of prosecuting a criminal action hereunder, may commence an action or proceeding for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate or remove such illegal sign, and to restrain and enjoin any person(s) from conducting, operating or maintaining a sign contrary to the provisions of this chapter. Violations of this chapter may also be enforced in any combination as permitted by Title 4 and Chapters 8.16, 9.16 and 10.52 of the Desert Hot Springs Municipal Code or any other enforcement and legal remedies available to the City under the law. (Prior code § 159.22.170)

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