



PLANNING COMMISSION STAFF REPORT

Date: August 10, 2011

Case No.: 5.1271

Type: Zone Text Amendment

Location: City-wide

Applicant: City of Palm Springs

To: Planning Commission

From: Craig A. Ewing, AICP, Director of Planning Services

Subject: Zoning Ordinance Amendment Related to Signs,
Specifically Temporary Banners, Digital Signs and 'For
Lease' Signs

PROJECT DESCRIPTION

The project is an amendment to the Palm Springs Zoning Code in order to amend the standards for specific types of signs. A public hearing is required.

RECOMMENDATION

That the Planning Commission conduct a public hearing and forward to the City Council its recommendation regarding temporary banners, digital signs and 'for lease' signs. A resolution and draft ordinance will be prepared based on Commission direction.

PRIOR ACTIONS

On July 20, 2011, the City Council initiated a Zone Text Amendment to direct the Planning Commission to consider and adopt a recommendation regarding amending the standards for temporary banners, digital signs and 'for lease' signs.

BACKGROUND

The Palm Springs Zoning Code Section 93.20 regulates signs for commercial and other purposes. Any illustration or device that draws attention to a business, product, service or place is a sign, and many different signs are regulated by the Zoning Code. Recently the City Council identified three types of signs and noted that the applicable regulations may be in need of review: Temporary banners, menu boards and “For Lease” signs. Each is discussed separately in this memo.

Temporary Banners

Section 93.20.08.A.5 regulates banners, limiting them to business grand opening under the following provisions:

5. *Grand Opening Signs. A grand opening sign shall be permitted for a new or relocated business within the city. Such signs shall be permitted for thirty (30) consecutive days and shall not exceed twenty (20) square feet in size. No other attention attraction devices shall be permitted. A permit for such signs shall be required. A banner, or paper sign affixed to the inside of the window, may be allowed for this purpose.*

In short, a business may only have one banner during its lifetime; and that only during its grand opening. While some businesses will use banners contrary to the above regulation, it appears that most businesses understand that banners are not permitted. Code enforcement generally obtains cooperation from those who are notified of a violation.

Staff has considered under what circumstances additional banners might be allowed, beyond the single opportunity of the grand opening:

- Allow up to two / three / four(?) banners per year with a maximum time (30 days?) for each banner. Staff recommends that a permit be required for such banners to maintain control over number, sign area and time limits. Some businesses will plan out their major sales events and take out a year's permits at one time. Other businesses would come in as they need them (or are enforced to do so).
- Allow any business to put up a banner during four or five specific major City events per year, welcoming people and identifying the business name. Major events could be:
 - o Palm Springs International Film Festival / Palm Springs Pride / Modernism Week
 - o Major Conventions (Aircraft Pilot Owners Association, Military Procurement Officers)
 - o Special Events (Golf Tournaments, Miss California Pageant)
 - o Beginning of Summer / End of Summer (Return of Snowbirds)

Recurring events for which banners would be allowed (such as the Film Festival) could be identified in advance by Council. Two or three non-recurring conventions / events could be chosen each year by staff or the Council. A maximum banner size and time frame should be established. The banners would

promote local businesses while at the same time send a city-wide welcome message for residents / visitors. Staff recommends that no permits be required, but non-conforming banners exceeding the size or time limits would be subject to enforcement.

Digital Menu Boards

Menu Boards are allowed to all restaurants under section 93.20.05.B.2.c:

Menu Boards. One (1) menu board, with a maximum display size of six (6) square feet per face, may be allowed at businesses which are permitted to offer food and/or beverage service; such signs shall be professionally designed and constructed. Such signs may not be placed in the public right-of-way.¹

The City Council has asked the Commission to consider if digital menu boards which can change copy (to show larger menus, different meals, or other promotions) might be allowed. Presently such digital signs are prohibited by Section 93.20.4(1):

Signs which rotate, move flash, reflect, blink or appear to do any of the foregoing shall be prohibited. This includes, but is not limited to flags, banners, pennants, inflatable objects and balloons, unless otherwise authorized in Section 93.20.08 or approved as a permanent architectural feature pursuant to Section 94.04.00 (Architectural review), or Section 93.20.10(C)(7) (Signs—General Provisions)

If digital menu boards are permitted, staff recommends that the maximum 6 square feet be retained, or perhaps reduced. (For example, a 36-inch digital flat screen used as a menu board would have an area of about 4 square feet. A 42-inch screen is about 5.5 square feet.)

Staff notes that allowing such signs may cause other businesses to also seek digital signs. In the past, the City has received requests from real estate agents who wished to place flat screens in street-front office windows to show properties. The Commission should consider if the City is prepared to open the way for more changeable copy signs as technology and, perhaps, public acceptance have changed.

“For Lease” Signs

The City Council’s interest in these signs is to create an incentive to provide more creative sign copy than the standard sign. It might be desirable to encourage phrases such as, “This building would make a great book store”, or “Imagine your business here in Palm Springs” in place of the simple statement, “For Lease”. Since it is difficult to require such copy, staff has considered that an effective incentive might be granting additional sign area for signs with creative copy.

¹ In the downtown area, the same standards for menu boards are expressed slightly differently:

c. *Menu Boards. Menu boards, with a maximum display size of six (6) square feet per face, may be allowed; such signs shall be professionally designed and constructed. Such signs may not be placed in the public right-of-way. (Section 93.20.09.B.4.c)*

Currently, Section 93.20.07 controls signs for any property for sale or lease (except single family dwellings):

1. *Sale, Lease or Exchange Signs, Not Including Single-family Property.*
During the period of time when realty is offered for sale, lease or exchange, one (1) sign so indicating may be located on the property by the owner or his/her authorized agent, subject to the following provisions:
 - a. *Except as otherwise specified in this section, the size of the sign shall not exceed six (6) square feet for properties up to one (1) acre in size, or twelve (12) square feet for properties in excess of one (1) acre. No sign shall be longer than four (4) feet in any direction.*
 - i. *The size of the sign for properties located adjacent to Interstate 10 shall not exceed thirty-two (32) square feet.*
 - b. *The distance from the ground to the bottom edge of the sign shall not exceed four (4) feet and the sign face shall be parallel with the street.*
 - c. *The information displayed on the sign shall include the following:*
 - i. *That the property is for sale, lease or exchange by the owner or his/her agent; and*
 - ii. *The owner's or broker's and/or agent's name; and*
 - iii. *The owner's or broker's and/or agent's address or telephone number.*
 - d. *Multi-tenanted Buildings.*
In addition to the signage allowed under Section 93.20.07(1), one (1) sale, lease or exchange sign shall be permitted for each space or unit in a multi-tenanted building subject to the following provisions:
 - i. *Such sign shall be placed in the windows of the space or if there is no window, adjacent to the door. The sign shall not exceed three (3) square feet.*
 - ii. *The information displayed on the sign shall include the following:*
 - (A) *That the property is for sale, lease, or exchange by the owner or his/her agent; and*
 - (B) *The owner's or broker's and/or agent's name; and*
 - (C) *The owner's or broker's and/or agent's address or telephone number.*
 - iii. *Such signs shall not be visible from the public right-of-way unless located at least fifty (50) feet from such right-of-way.*

If the City is willing to grant concessions in maximum allowed sign area or other provisions as a way to encourage more expressive signs, staff believes the following provisions may be considered:

- The sign should be located only in street-facing windows of the building in the Downtown area. Staff does not believe such creative copy would be appropriate for signage in professional office buildings, industrial parks or along Interstate 10.
- The sign copy should include a creative or imaginative description of the attributes of the available property, the potential uses for the property or advantageous features of the surrounding area that support the use of the property.

- The sign copy should also contain the owner's, broker's, or agent's name, and street address, e-mail address or telephone number.
- The maximum area could be up to 24 square feet (up from 3 square feet per tenant or 6 square feet per building) but no larger than the window it occupies.
- The sign should be professionally produced.
- Limited graphics to provide a sign frame or to supplement the text would be allowed.
- The sign should be subject to staff review and approval prior to installation.

Based on Commission direction on each of these issues, staff will prepare a draft resolution and ordinance for Commission adoption.

ENVIRONMENTAL DETERMINATION

Staff has evaluated the potential environmental impacts of the proposed Zoning Ordinance text amendment and determined that it is Categorical Exempt under Section 15305 – Minor Alterations in Land Use Limitations – of the Guidelines for the Implementation of the California Environmental Quality Act. The proposed amendment does not result in any changes in land use or density.



Craig A. Ewing AICP
Director of Planning Services

cc: Sign ordinance (Section 93.20)

Palm Springs Sign Ordinance (Section 93.20)

93.20.00 Signs.

Sections 93.20.01 through 93.20.11 contain the regulations for signs in the city. (Editorially amended during codification; Ord. 1294 (part), 1988)

93.20.01 Short title.

Sections 93.20.00 through 93.20.11 may be referred to as the sign ordinance of the city of Palm Springs. (Editorially amended during codification; Ord. 1294 (part), 1988)

93.20.02 Purpose.

A. Recognizing that Palm Springs is one of the country's foremost desert resorts, the city council finds that proper sign control is necessary to maintain the high aesthetic values which both residents and visitors to the city have come to expect. Signs shall complement the architecture of the building on which they are placed and/or the immediate surroundings, including such elements as size, color, location, graphic presentation, landscaping, lighting and construction material. A sign ordinance provides equitable standards for all businesses to identify the location of goods and services. Main identification sign(s) shall be allowed in conjunction with accessory/convenience signs as necessary.

B. Therefore, the purpose of the sign ordinance (Sections 93.20.00 through 93.20.11) is to provide standards to safeguard life, health, property and the public welfare and to provide the means for adequate identification of businesses and other sign users by regulating and controlling the design, location and maintenance of all signs in the city. (Ord. 1294 (part), 1988)

93.20.03 Definitions.

The following definitions shall apply to Sections 93.20.00 through 93.20.11 unless another meaning is clearly apparent from the context. Definitions in Section 92.00.09 shall also apply.

1. "Abandoned sign" means a sign which no longer directs, advertises or identifies a legal business establishment, product or activity on the premises where such sign is displayed.
2. "Abatement" means elimination and removal of any sign in violation of the Palm Springs sign ordinance.
3. "Affixed" means to be attached in any manner, including, but not limited to, adhesive substances or suction, or to be touching in any way, especially leaning against.
4. Amortization. As pertaining to the Palm Springs sign ordinance, "amortization" means the gradual extinction of nonconforming signs.

5. "Animated sign" means any sign which is designed to give a message through a sequence of progressive changes of parts or lights or degree of lighting.
6. "Attraction board" means any sign which provides for changeable letters, numbers or symbols.
7. "Banners" means a sign composed of lightweight material either enclosed or not enclosed in a rigid frame.
8. "Building frontage" means the linear length of a building facing a public street or pedestrian mall.
9. "Canopy" means a permanent roof-like shelter extending from part or all of a building face and constructed of some durable material which may or may not project over a public right-of-way.
10. "Center identification sign" means a sign identifying a center or complex. For purposes of this section, a "center" or "complex" shall be defined as a group of three (3) or more retail, wholesale, industrial or professional uses utilizing common facilities including off-street parking, access and landscaping, not necessarily under single ownership.
11. "Directory" means a sign identifying and locating residential, business or industrial uses within a building, subdivision, planned development, center or complex.
12. "Election sign" means any sign supporting, opposing or otherwise addressing a ballot measure, proposition or other issue, or a candidate for electoral office, set to be directly voted upon by the general public or a portion of the general public.
13. "Entertainment board" means any assemblage of verbiage, designed to advertise current or coming entertainment scheduled to occur on the premises. Also "attraction board."
14. "Freestanding" or "monument sign" means any sign which is not attached to a building or fence, or wall which is attached to a building.
15. "Height of sign" means the distance measured from the top of the street curb to the highest projection of the sign structure, including architectural design features.
16. "Main sign" means the largest single permitted sign on a property.
17. "Menu board" means any assemblage of verbiage designed to advertise currently available food and/or beverage offerings.
18. "Multi-tenanted building" means a building containing more than one (1) individual business within a shopping, professional or industrial complex.
19. "Neighborhood entry sign" means a sign located on private property that identifies a defined single-family neighborhood.

20. "Nightclub" means a place of entertainment serving food and beverages having a floor show and/or providing music for dancing. For the purposes of this section, cabarets and discotheques shall be considered nightclubs.

21. "Nonconforming sign" means a sign lawfully erected but which does not conform to the current provisions of the sign ordinance.

22. "Off-site" and "off-premises signs, billboards and posters" means any sign which advertises goods, products, services or facilities not necessarily sold on the premises on which the sign is located.

23. "Political sign" means any sign, other than an election sign, which is intended to address a political, religious, civic, social or other issue, event or occurrence.

24. "Portable open sign" means any small, portable, free-standing sign placed in front of a retail store to indicate that the business is open for trade.

25. "Restricted/limited residential complex" means any residential complex that controls vehicular/pedestrian entry to the complex by virtue of wall and/or gate design.

26. "Service sign" means any assemblage of verbiage designed to advertise currently available services or products offered by a business.

27. "Sign" means any identification, description, illustration or device illuminated or nonilluminated, which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, place, activity, person, institution, business or solicitation with the exception of window display. Any emblem, painting, banner, pennant, placard, lighting or other item, designed to advertise, identify or convey information shall be considered a sign. National flags or flags of political subdivisions shall not be construed as signs. Unless otherwise stated, an interior unlit sign or graphic, other than sale sign, with letters or numbers less than two (2) inches high per foot of distance from the street front glass shall be exempt from provisions of the sign ordinance. Unless otherwise stated, the ordinance codified in this section does not apply to signs located further than three (3) feet from the street front glass.

a. This definition shall not include official notices issued by any court or public body or officer or directional warning or information sign or structures required by or authorized by law or by federal, state, county or city authority. Nor shall it apply to an interior unlit sign or graphic, other than a sale sign, with letters or numbers less than two (2) inches high per foot of distance from the street front glass nor to signs located further than three (3) feet from the street front glass.

28. Sign. Sale. "Sale sign" means any sign, graphic or collage that indicates a sale, by virtue of a special reduction, or percentage reduction, in price of merchandise, including, but not limited to, a close-out of merchandise, quitting business sale, lost-lease sale, moving sale or overstocked sale.

29. "Sign area" means the area of a sign without a border placed on the wall of a building shall be computed by enclosing the entire sign within sets of parallel lines

touching the outer limits of the sign message and computing the area thus enclosed. The area of other signs shall be calculated by adding the outer dimensions of all faces capable of presenting a sign message including the standard and the frame.

30. "Sign program" means design criteria established to guide the design of all signs on a building or complex; sign programs can, but need not mandate specific elements such as material, color, size, location, lighting and uniformity.

93.20.04 Prohibited signs.

Any sign not specifically authorized by the sign ordinance shall be prohibited unless required by law or utilized by a proper governmental agency. The following signs are expressly prohibited:

1. Rotating, Moving, Flashing, Reflecting, Prismatic or Blinking Signs.

Signs which rotate, move flash, reflect, blink or appear to do any of the foregoing shall be prohibited. This includes, but is not limited to flags, banners, pennants, inflatable objects and balloons, unless otherwise authorized in Section 93.20.08 or approved as a permanent architectural feature pursuant to Section 94.04.00 (Architectural review), or Section 93.20.10(C)(7) (Signs—General Provisions);

2. Signs on Public Property or Right-of-Way.

Signs on public property or right-of-way shall be prohibited unless otherwise authorized in this sign ordinance;

3. Signs Advertising the Use, Name of the Owner, Products or Service Not Available on the Premises.

Any sign which advertises a use not being made on the premises, the name of the owner or user, or which identifies a product, an interest, service or entertainment not available on the premises shall be prohibited for any business without street frontage unless otherwise authorized in conjunction with a public transportation facility;

4. Businesses Without Street Frontage.

Except as otherwise regulated, signs other than those authorized on the multiple tenant identification sign or an approved sign program shall be prohibited for any business without street frontage;

5. Signs Located on the Third or Higher Story.

All signs located on a third or higher story shall be prohibited, except for those in conjunction with a resort hotel;

6. Signs Affixed to Windows or Doors.

Any sign, merchandise or graphic, otherwise affixed to windows or doors, interior or exterior, other than those permitted by the sign ordinance shall be prohibited;

7. Signs Facing Private Property.

Signs which do not face a public or private right-of-way, or plaza, promenade or arcade, or public or private parking area (parking associated with the same premises) shall be prohibited;

8. Imitation of Traffic Signal.

No person shall place, maintain or display in view of any street or highway, any sign, signal or device, which resembles an official traffic sign or signal. Visual obstruction of any official traffic sign or signal is prohibited;

9. Signs in residential zones identifying home occupations;

10. Signs displaying obscene matter;

11. Signs employing exposed raceways, ballast boxes, transformers, crossovers or conduits, unless otherwise approved by the director of planning and building or the planning commission;

12. Signs attached, affixed to or from the interior of any merchandise or products displayed outside of permanent buildings.

93.20.05 Permitted signs—Commercial and industrial business.

A. Main Signs.

The number and area of signs as outlined in this section are intended to be maximum standards and do not necessarily insure architectural compatibility. In addition to the enumerated standards, consideration shall be given to a sign's relationship to the overall design of the subject property and the surrounding community.

1. Signs for Residential Uses in a Commercial Zone.

Section 93.20.06 shall apply.

2. Signs for Commercial and Industrial Uses.

Except as otherwise provided in this section, each separate business shall be limited to one (1) main sign. Where a monument or freestanding sign is located at a right angle to the right-of-way, each face may be allowed seventy-five (75) percent of the area otherwise permitted for the applicable main sign. Relative thereto, the following provisions shall apply:

a. Buildings Within One Hundred (100) Feet of Right-of-way.

The maximum area of a main sign for any business in a building located within one hundred (100) feet of the right-of-way upon which it faces shall be one (1) square foot of sign area per lineal foot of frontage which the business has facing on a right-of-way, plaza, promenade, arcade or parking lot (in the case of shopping centers). Except as otherwise provided herein, such signs shall have a surface area no greater than fifty (50) square feet. No such sign shall be closer than ten (10) feet from any other sign permitted hereunder. The main sign must be located adjacent to or on the building facing the right-of-way or parking lot from which its maximum allowable size is determined.

b. Buildings One Hundred (100) Feet or More From the Right-of-way.

The total aggregate area for a main sign for any business in a building located one hundred (100) feet or more from any right-of-way upon which it faces shall be the equivalent of one and one-half (1 1/2) square feet of sign area per lineal foot of frontage which the building has facing on a right-of-way or parking lot. Except as provided herein, such signs shall have a surface area no greater than seventy-five (75) square feet. No main sign shall be closer than ten (10) feet from any other sign permitted hereunder. The main sign must be located adjacent to the right-of-way or on the building or parking lot from which its maximum allowable size is determined.

c. Additional Sign Area for a Single Business in a Building Having Over Fifty (50) Feet of Frontage.

A single business having a lineal frontage on any right-of-way in excess of fifty (50) feet shall be entitled to, in addition to subsections (A)(2)(a) or (A)(2)(b) of this section, an additional one (1) square foot of sign area for each four (4) feet of frontage in excess of fifty (50) feet up to one hundred (100) feet, and an additional one (1) square foot of sign area for each eight (8) feet of frontage in excess of one hundred (100) feet.

d. Businesses Not on the Ground Floor.

Businesses fronting on a main thoroughfare maintained exclusively on the second floor of a multiple story building shall be entitled to fifty (50) percent of the sign area authorized for businesses conducted on the ground floor of the building.

e. Buildings Within One Thousand (1,000) Feet of the Right-of-Way of Interstate 10.

Notwithstanding the regulations of subsections (A)(2)(a) through (A)(2)(d) of this section, the maximum area of a main sign for any business in a building located within one thousand (1,000) feet of the right-of-way of Interstate 10 shall be one and one-half (1 1/2) square feet of sign area per lineal foot of frontage which the business has facing on the right-of-way of Interstate 10. Except as otherwise provided herein, such signs shall have a surface area no greater than one hundred fifty (150) square feet. No such sign shall be closer than twenty-five (25) feet from any other sign permitted hereunder. The main sign must be located adjacent to or on the building facing Interstate 10.

3. Height.

Except as otherwise regulated, the top of any sign shall not be higher than the building on which it is located and in no event higher than twenty-eight (28) feet.

B. Accessory and Convenience Signs.

1. Sign for Pedestrian Traffic.

Where the principal sign for a business is located so that it cannot be seen by pedestrian traffic, a nonilluminated sign in addition to that otherwise allowed in this section shall be permitted. Such a sign shall be no larger than six (6) square feet (four (4) square feet per face if at a right angle to the street) and it shall be designed and located so as to not distract from the appearance of the building or violate the intent of the sign ordinance. Signs may be divided on either side of fascia or architectural element. The lowest point of any such sign shall be seven (7) feet above any pedestrian walkway.

2. Customer Convenience Signs.

Each individual business shall be permitted the following signs on the entry door, on the building adjacent to the entry door, or inside the glass window nearest to the entry.

a. Open/Closed Signs.

A single, one (1) square foot sign per street entrance.

b. Service Signs.

One (1) service sign not more than two (2) square feet in size shall be allowed.

c. Menu Boards.

One (1) menu board, with a maximum display size of six (6) square feet per face, may be allowed at businesses which are permitted to offer food and/or beverage service; such signs shall be professionally designed and constructed. Such signs may not be placed in the public right-of-way.

d. Hours/Days.

Maximum two (2) inch letter/number height per line.

e. Credit Cards/Service Decals.

Credit card and other service decals may be displayed in a contiguous one (1) square foot area located behind the glass line.

3. Pedestrian Sign Directory for Businesses within a Multi-Tenant Building.

Where a multi-tenant building has been developed, a sign directory may be allowed which will identify the building or complex and each of the businesses housed in

the building or complex. The sign directory may be attached to the building or may be a monument sign. The building or complex identification sign shall not be larger than six (6) square feet per side, and the sign for the individual tenants shall be no larger than two (2) square feet per side.

4. Listing of Business Associates and/or Sublessees.

In addition to the other sign usage authorized herein, each separate business shall be allowed lettering on or behind windows facing the public view indicating the owners, operators or business associates exercising the use; provided that, such lettering shall be enclosed within a single area and shall not exceed a total of three (3) square feet. Not more than one (1) such sign shall be permitted per entrance.

5. Interior Real Estate Office Signs.

In addition to the other sign usage authorized herein, real estate offices may use internal display boards subject to the following provisions:

a. Real estate display boards shall be limited to not more than three (3) signs and/or attraction boards, no one of which shall be larger in area than one-half (1/2) the total authorized square footage authorized in this section. The total square footage of such signs may be twenty (20) percent of the total window area on which they face but not to exceed twenty (20) square feet. Signs shall be located no closer than one (1) foot from a window facing public view. Letters and/or numbers shall not exceed three-quarters (3/4) inch in height. The intent of this provision is to allow only such window pricing and other such integrated advertising matter as is deemed necessary and proper to the merchandising of the properties being advertised.

6. Use of Attraction Boards by Public and Quasi-Public Uses.

In addition to the other sign usage authorized herein, uses which offer public service programs to the public shall be allowed one (1) attraction board to advertise such entertainment or program. The text of the sign shall advertise only those services or programs offered on the site or of general public or philanthropic interest; off-site advertising is prohibited. The maximum allowable size for an attraction board shall be fifty (50) square feet if it faces the street; and thirty (30) square feet per face if the sign is at right angles to the street. Showcases may be allowed in addition to an attraction board, if approved by the director of planning and building or the planning commission as part of the overall design. The copy on the attraction board may be changed at intervals of ten (10) seconds or greater.

7. Use of Attraction Boards by Entertainment Uses.

In addition to the other sign usage authorized herein, uses which offer entertainment to the public shall be allowed one (1) attraction board to advertise such entertainment or program. The text of the sign shall advertise only those programs offered on the site; off-site advertising is prohibited. The maximum allowable size for an attraction board shall be twenty-five (25) square feet if it faces the street; and fifteen (15) square feet per face if the sign is at right angles to the street. Multiple theaters may have multiple attraction boards, in excess of the size limitation above, if the design,

location and size are compatible with the overall design of the building and/or complex, as determined by the planning commission. Showcases may be allowed in addition to an attraction board, if approved by the director of planning and building or the planning commission as part of the overall design. The copy on the attraction board may be changed at intervals of five (5) minutes or greater.

C. Special Provisions.

1. Gasoline Service Stations.

a. Gasoline service stations shall be limited to one (1) double-faced sign of an area not to exceed thirty-six (36) square feet on each side face. A freestanding sign, if approved, shall not exceed eight (8) feet in height. In addition, a single ten (10) square foot sign, fixed flat on the surface of the building, shall be allowed. The height of this sign shall not exceed twenty (20) feet.

b. In addition to the signs for public safety and convenience authorized by Section 93.20.09(B)(1), the director of planning and building may authorize and approve instructional or directional signs not to exceed two (2) square feet or directional signs not to exceed two (2) square feet per face when deemed necessary for the convenience of patrons of gasoline service stations.

2. Gasoline Price Signs.

Nothing in Section 93.20.04, or in any other provision of this sign ordinance relating to rates or prices shall be construed as prohibiting compliance with Section 13531 of the Business and Professions Code of the state of California which relates to the posting of gasoline prices. Any sign, statement or other advertising medium posted or displayed shall conform to all of the requirements of this section.

3. Signs for Large-Scale Commercial and Industrial Centers.

a. In addition to the sign area allowed for individual businesses, commercial and industrial centers in excess of three and one-half (3 1/2) acres of land shall be allowed one (1) identification sign on each street frontage. Such signs shall not extend beyond the property or into the right-of-way and shall be used solely to identify the center. The allowable sign area shall be ten (10) square feet of sign per acre to a maximum area of fifty (50) square feet per face. Signs shall not exceed a maximum height of eight (8) feet. One (1) additional sign may be permitted if the street frontage is greater than, and the signs are separated by a distance of no less than, four hundred fifty (450) feet; if multiple signs are allowed, they shall be located at street intersections or access drives.

i. Commercial and industrial centers in excess of fifteen (15) acres of land shall be allowed one (1) identification sign on each street frontage not to exceed one hundred twenty-five (125) square feet per face. Such signs shall not extend beyond the property or into the right-of-way and shall be used solely to identify the center and its anchor stores which individually exceed twenty thousand (20,000) square feet in gross floor area. Signs shall not exceed a maximum height of twelve (12) feet. One (1) additional sign may be permitted if the street frontage is greater than, and the signs are separated

by a distance of no less than, five hundred (500) feet; if multiple signs are allowed, they shall be located at street intersections or access drives.

b. Shopping centers, of at least seventy-five (75) acres in area and which abut a freeway and where at least thirty-five (35) percent of the square footage in the center is retail commercial, shall be permitted a single identification sign which is consistent with the following:

i. The sign shall not exceed fifty (50) feet in height and thirty (30) feet in width;

ii. The sign shall be perpendicular to the freeway and shall be set back at least five (5) feet, but no more than fifty (50) feet, from the freeway right-of-way, and at least three hundred fifty (350) feet from any secondary or major thoroughfare;

iii. The sign area shall not exceed seven hundred fifty (750) square feet per face with a maximum of two (2) faces; and

iv. The text shall be limited to the name of the shopping center and its anchor stores which individually exceed fifty thousand (50,000) square feet in gross floor area.

4. Freestanding Signs.

Except as otherwise provided herein, freestanding signs shall be prohibited on a single parcel of property containing more than one (1) business. Where authorized for a single business, a freestanding sign shall not be located within the public right-of-way and shall not exceed eight (8) feet in height unless otherwise permitted. Freestanding signs shall be subject to all other provisions of this section.

5. Major Stores Not Having Street Frontage.

Retail establishments which have a floor area in excess of fifty thousand (50,000) square feet and are so located within a shopping complex that they are not afforded street frontage shall be allowed signs as follows:

a. One (1) single-face sign per major or secondary street frontage, not to exceed fifty (50) square feet in area per store affected. The sign shall be allowed for no more than two (2) street frontages. The top of any sign shall not be higher than the building on which it is located and in no event higher than twenty-eight (28) feet.

b. Such signs shall be located in accordance with the provisions and intent of the sign ordinance and in keeping with the architectural design of the shopping center.

6. Sign Program for Multi-Tenanted Buildings.

Sign programs shall be required for all buildings with more than one (1) tenant. Sign programs shall remain in force until a new program is submitted and approved. Signs within approved sign programs shall be required to obtain permits, submit applicable fees and shall be in conformance with the approved sign program. Sign programs shall integrate with the architecture of the building complex, including such elements as size, color, location and construction material. A sign program may be

approved which varies from the specific limitations of the sign ordinance if the planning commission finds that due to the physical characteristics of the property and the orientation and design of the structures on the property, strict application of the regulations of the sign ordinance will not give adequate visibility to the signage; that the approved program will be compatible with the design of the property and will represent the least departure from the standards of the sign ordinance necessary for the effectiveness of the program; and that the approved program is compatible with the surrounding property and not contrary to the purpose of the sign ordinance.

7. Complex Identification Signs.

In addition to main identification signs allowed under this chapter for individual businesses, a separate sign identifying a building or complex of businesses may be allowed as part of an approved sign program (see Section 93.20.05(C)(6)). This sign shall not exceed twenty (20) square feet unless no individual tenant signs are included in the sign program, in which case the sign area may be based on the frontage formula. Such a sign may be freestanding.

8. Special Sign Districts.

Nothing in this section shall prohibit the city council from adopting special sign districts as part of a specific plan, redevelopment plan, planned development district or the like when special sign provisions are necessary or appropriate to implement general plan provisions and goals.

9. Time-Temperature Displays.

Time and/or temperature displays may be permitted as an integral part of a permitted main sign or as part of a sign program. Such displays shall not rotate, move, flash or blink, and the alpha-numeric characters that make up the display shall change only as real time and/or temperature changes. The change between time and temperature modes shall take place at intervals no less than ten (10) seconds.

10. Automobile Dealerships.

The sign area allowed for individual businesses may be applied to each individual structure wherein automobiles are displayed for sale. In addition, automobile dealerships may be permitted up to forty (40) square feet of sign area for the exclusive use of logos, and corresponding names, representing the makes of automobiles sold by the dealership; additional area shall not be granted for multiple street frontages.

11. Freeway Signs.

In addition to other signs permitted, freeway-oriented signs designed to be viewed primarily from Interstate 10 in the vicinity of the Whitewater, Indian Avenue/Indian Canyon Drive and Gene Autry Trail intersections may be permitted by the planning commission on properties designated "highway commercial," by either the zoning ordinance or the general plan, pursuant to Section 94.04.00 (Architectural review). Signs shall be so constructed, erected and maintained to insure propriety and integration with the surrounding environment, topography and land uses. The following

standards are intended to restrict such signs to freeway-oriented businesses and set development standards:

- a. One (1) freeway-oriented sign may be allowed to identify the name of the freeway-oriented use which occupies the same parcel on which the sign is located except as otherwise provided herein. "Freeway-oriented use" means any business or group of businesses which as their primary purpose cater to the nonresident, traveling public on Interstate 10. Such uses shall be limited to hotels, restaurants and automobile service stations or other similar businesses if the planning commission determines that such business primarily and customarily would cater to the Interstate traveler. A freeway-oriented sign may also list adjacent or nearby off-premises freeway-oriented businesses in the highway commercial (H-C) zone. However, a freeway-oriented business may be listed on only one (1) freeway-oriented sign structure.
- b. A freeway-oriented sign identifying a freeway-oriented use shall be within one thousand (1,000) feet of the point of intersection of the freeway with the street served by ramps from the freeway.
- c. Freeway-oriented sign structures shall be located in such a manner so as not to adversely obscure the visibility of another existing freeway-oriented sign structure from Interstate 10.
- d. Signs which exceed a height of twenty-five (25) feet may be approved only after review of a flag test to prove need that the requested height is necessary for visibility from Interstate 10. The height of freeway-oriented signs and their related structures, for a single business, shall not exceed fifty (50) feet. The height may be increased an additional five (5) feet for each additional business advertised; provided, the total height does not exceed seventy-five (75) feet.
- e. The distance between the lowest portion of the sign face and ground level shall not be less than one-half (1/2) the height of the sign structure.
- f. The area of each sign face shall not exceed one hundred fifty (150) square feet per business advertised.
- g. The text on freeway-oriented signs shall be limited to corporate logos or business names only. The minimum size letter in the text of the sign shall be one (1) foot in vertical or horizontal dimension, and the maximum size letter shall be three (3) feet.
- h. Illumination shall be limited to internal lighting. All freestanding signs shall have underground utility service.

12. Relocation of Off-Site Advertising Displays.

Pursuant to the provisions of Business and Professions Code Section 5412, and notwithstanding any provision of the city's zoning code to the contrary, an existing off-site advertising display may be relocated to any property zoned for industrial or commercial uses, subject to such development standards as the city council and the owner of the off-site advertising display proposed to be relocated may agree in a relocation agreement. A relocated off-site advertising display shall be subject to the

review process provided in the relocation agreement. Each off-site advertising display proposed for relocation shall be constructed in compliance with applicable city building codes and regulations.

93.20.06 Permitted signs—Apartments, hotels, resort hotels and residential mobilehome parks.

This section shall be applicable to apartments, hotels, resort hotels, residential mobilehome parks, and miscellaneous businesses and uses allowed in residential zones. The number and area of signs as outlined in this section are intended to be maximum standards and do not necessarily insure architectural compatibility. In addition to the enumerated standards, consideration shall be given to a sign's relationship to the overall design of the and the subject property and the surrounding community.

A. Main Signs.

1. Apartments, Hotels, Condominium Complexes and Residential Mobilehome Parks.

Apartments, hotels and residential mobilehome parks shall be allowed one (1) sign of twenty (20) square feet, plus one (1) additional square foot of sign area for each separate rental unit to which the sign pertains. A "separate rental unit" as used herein shall mean each room or combination of rooms for which a separate lodging charge is made. Such signs shall include in their design layout all accessory signs. The total sign area for this use shall not exceed a maximum of fifty (50) square feet. The criteria to be used in designing and locating these signs shall be those of proportion, simplicity, utility and compatibility with surrounding uses and development. One (1) additional sign may be permitted if the street frontage is greater than, and the signs are separated by a distance of no less than, one hundred seventy (170) feet; if multiple signs are allowed, they shall be located at street intersections or access drives.

2. Resort Hotels.

Resort hotels (full-service hotels containing one hundred (100) guest rooms or more) shall be allowed one (1) sign of one and one-half (1½) square feet per separate rental unit, to a maximum of three hundred (300) square feet. The sign area provided in this section shall include, but not be limited to, accessory signs and attraction boards. The criteria to be used in designing and locating these signs shall be those of proportion, simplicity, utility and compatibility with surrounding uses and development. One (1) additional sign, not to exceed a maximum of fifty (50) square feet, may be permitted if the street frontage is greater than, and the signs are separated by a distance of no less than, one hundred seventy (170) feet; if multiple signs are allowed, they shall be located at street intersections or access drives.

3. Other Uses Allowed in a Residential Zone.

One (1) identification sign not exceeding twenty (20) square feet in area shall be permitted for an authorized use (churches, clubs, stables, and the like). Such use shall

be separate and not in conjunction with a permitted hotel or apartment use. Such signs shall be subject to all other applicable restrictions of this section.

B. Accessory Signs.

1. Attraction Boards for Hotels/Resort Hotels.

An attraction board may be included in the design and allowable sign area for a hotel/resort hotel that has accessory commercial uses, subject to its location and design being approved as provided herein.

a. The attraction board shall be designed and located so that it is made an integral part of the principal sign, except if the principal sign is designed and located on a building in such a manner that an attached attraction board would detract from the appearance of such sign, a detached attraction board may be required. The size of a detached attraction board shall be counted as part of the total allowable sign area.

b. The copy on the attraction board may be changed at intervals of five (5) minutes or greater. The text of the sign shall advertise only those services or programs offered on the site; off-site advertising is prohibited. The posting of rates is governed by subsection (C)(3) of this section; attraction boards are considered an interchangeable element of the permitted sign.

2. Additional Signs—Resort Hotels.

In addition to other signs allowable under this section, a separate sign of up to thirty (30) square feet may be approved for a restaurant within a hotel. The sign shall be located at the restaurant entry or at the hotel entry, if the restaurant does not have a separate entry, and shall complement the architecture of the building on which it is placed and/or the immediate surroundings.

3. Vacancy Signs.

Vacancy signs not exceeding five (5) square feet may be permitted at the office entrance.

C. Special Provision.

1. Height.

Except as otherwise regulated, the top of any sign shall not be higher than the building on which it is located and in no event, except for resort hotels, higher than twenty-eight (28) feet.

2. Freestanding Signs.

Freestanding signs for apartments, hotels, resort hotels and residential mobilehome parks shall not be located on the public right-of-way and shall not exceed twelve (12) feet in height for resort hotels or eight (8) feet in height for hotel and other uses. Only one (1) freestanding sign may be allowed on a corner parcel.

3. Rate Signs.

It is unlawful for any owner or operator of any apartment, hotel or mobilehome park within the city to post or maintain posted on any outdoor or outside advertising sign, pertaining to such establishment, any rates for accommodations in such establishments unless the signs shall have posted thereon the rates charged for all rooms or other rental units or accommodations offered for rental, the number of rooms or other rental units offered for rental at each rate, and the number of persons accommodated at the rate posted. All posted rates and descriptive data allowed by this section shall be an integral part of the principal sign and shall be in a type and material of the same size and prominence as the other elements in the principal sign. Rate signs shall not be posted on temporary signs or interchangeable elements of permitted signs. No additional sign area will be granted for the specific purpose of the posting of rates. This section shall not be held to be complied with by signs stating the rate per person or bearing the legend "and up." For purposes of this section, if a sign is placed inside a building for the purpose of being viewed from outside the building, it shall be considered an outside advertising sign and shall be subject to the provision herein.

93.20.07 Permitted signs—Real estate.

1. Sale.

Lease or Exchange Signs Not Including Single-family Property. During the period of time when realty is offered for sale, lease or exchange, one (1) sign so indicating may be located on the property by the owner or his/her authorized agent, subject to the following provisions:

a. Except as otherwise specified in this section, the size of the sign shall not exceed six (6) square feet for properties up to one (1) acre in size, or twelve (12) square feet for properties in excess of one (1) acre. No sign shall be longer than four (4) feet in any direction.

i. The size of the sign for properties located adjacent to Interstate 10 shall not exceed thirty-two (32) square feet.

b. The distance from the ground to the bottom edge of the sign shall not exceed four (4) feet and the sign face shall be parallel with the street.

c. The information displayed on the sign shall include the following:

i. That the property is for sale, lease or exchange by the owner or his/her agent; and

ii. The owner's or broker's and/or agent's name; and

iii. The owner's or broker's and/or agent's address or telephone number.

d. Multi-tenanted Buildings.

In addition to the signage allowed under Section 93.20.07(1), one (1) sale, lease or exchange sign shall be permitted for each space or unit in a multi-tenanted building subject to the following provisions:

- i. Such sign shall be placed in the windows of the space or if there is no window, adjacent to the door. The sign shall not exceed three (3) square feet.
- ii. The information displayed on the sign shall include the following:
 - (A) That the property is for sale, lease, or exchange by the owner or his/her agent; and
 - (B) The owner's or broker's and/or agent's name; and
 - (C) The owner's or broker's and/or agent's address or telephone number.
- iii. Such signs shall not be visible from the public right-of-way unless located at least fifty (50) feet from such right-of-way.

2. Sale.

Lease or Exchange Signs for Single-family and Condominium Property. During the period of time when realty is offered for sale, lease or exchange, one (1) sign so indicating may be located on the property the owner or his/her authorized agent, subject to the following provisions:

- a. The size of the sign shall not exceed three (3) square feet.
- b. The bottom edge of the installed sign shall not be more than three (3) feet from the ground, and the sign face shall be parallel with the street.
- c. The information displayed on the sign shall include the following:
 - i. That the property is for sale, lease or exchange by the owner or his/her agent; and
 - ii. The owner's or broker's and/or agent's name; and
 - iii. The owner's or broker's and/or agent's address or telephone number.
- d. One (1) added sign, commonly referred to as a "rider" sign, not to exceed three (3) inches times the width of the "main" sign, may be attached to the bottom of the above sale/lease/exchange sign indicating the following; provided, such information does not duplicate that of the "main" sign:
 - i. BY APPOINTMENT ONLY
 - ii. DO NOT DISTURB
 - iii. FOR LEASE OR RENT

- iv. SOLD
- v. RADIO REALTY INFORMATION
- vi. TYPES OF AMENITIES

e. A metal or plastic box, not to exceed two hundred seventy (270) cubic inches or nine (9) inches by twelve (12) inches by two and one-half (2½) inches in size, may be attached to the "main" sign or its post. The top of the box may contain the agent's name and/or telephone number and the face of the box may contain only the word "brochure" printed in letters no larger than one and one-half (1½) inches in height.

- f. Condominium Properties Without Public Access.

During the period of time when such realty is offered for sale, lease or exchange, one (1) sign so indicating, in addition to the sign allowed in subsections (2)(a) through (2)(e) of this section, may be located on the common-interest property at the entrance to the common-interest subdivision from a public street by the homeowners' association, subject to the following provisions:

- i. The size of the sign shall not exceed twelve (12) square feet;
- ii. The height of the sign shall not be more than five (5) feet from the ground, and the sign face shall be parallel with the street;
- iii. The information displayed on the sign shall include the following:
 - (A) That there are properties for sale, lease or exchange within the subdivision; and
 - (B) The owner's or broker's/agent's name and address or telephone number;
- iv. No "rider" sign nor other attachment may be used as part of this sign;
- v. The design of the sign shall not detract from any main sign and shall be compatible with the site architecture and landscape; and
- vi. This sign shall contain only the advertisement of real property within the common-interest subdivision.

3. Open House Signs.

In addition to the real estate sale/exchange signs in subsections 1 and 2 of this section, one (1) "Open House" sign may be permitted only during the time an owner or owner's agent is on the premises, subject to the following provisions:

- a. Such signs shall be permitted only during the hours from eight a.m. until sunset;
- b. The size of the sign shall not exceed three (3) square feet per face;

- c. The sign may be double-faced;
- d. The bottom edge of the installed sign shall not be more than three (3) feet from the ground;
- e. The sign shall be located on the property being offered for sale only.

4. Vacant Lots and Land Not Including Single-family Property.

During the period of time when realty is offered for sale, lease or exchange, one (1) sign so indicating may be located on the property by the owner or his authorized agent, subject to the following provisions.

a. The size of the sign shall be governed by the size of the property as follows:

i. For lot sizes less than forty thousand (40,000) square feet, the size of the sign shall not exceed six (6) square feet.

ii. For lot sizes forty thousand (40,000) square feet or greater, the size of the sign shall not exceed twelve (12) square feet.

iii. For lots located adjacent to Interstate 10, the size of the sign shall not exceed thirty-two (32) square feet.

b. The information displayed on the sign shall include the following:

i. That the property is for sale, lease or exchange by the owner or his/her agent; and

ii. The owner's or broker's and/or agent's name; and

iii. The owners or broker's and/or agent's address or telephone number.

5. Land Subdivision/Model Building Complex Signs.

In-lieu of, but not in addition to any other sale, lease, or exchange sign permitted under the sign ordinance, signs advertising land subdivisions/model building complexes shall be permitted upon recordation of the final subdivision map subject to the following provisions:

a. One (1) double-faced sign which shall not exceed thirty-two (32) square feet per side (forty-eight (48) square feet if the land is adjacent to Interstate 10), and may be perpendicular to the street; or

b. Two (2) single-faced signs as follows:

i. The size of each sign shall not exceed thirty-two (32) square feet (forty-eight (48) square feet if the land is adjacent to Interstate 10) and the signs shall be parallel to the street;

- ii. Such signs shall be a minimum of two hundred (200) feet apart;
- iii. Placement of such signs shall be approved by the director of planning and building.
- c. Such signs shall not be illuminated.
- d. In the case of land subdivisions, such signs shall be removed when property is no longer offered for sale, lease or exchange by an original owner. In the case of model building complexes, such signs shall be removed when on-site sales of structures cease.

6. The design and placement of temporary real estate open house directional signs are subject to the following provisions:

- a. Such signs must be related to a single-family or individual condominium dwelling unit which is offered for resale purpose only.
- b. The information, displayed on the sign shall include the words "Open House" together with a directional arrow, and may include the following:
 - i. That the property is for sale, lease or exchange by the owner or his/her agent; and
 - ii. The owner's or broker's and/or agent's name; and
 - iii. The owner's or broker's and or agent's address or telephone number.
- c. Such sign shall be ground-mounted and the bottom edge of installed signs shall not be more than three (3) feet from the ground.
- d. Such signs shall not be placed in the public right-of-way or on any public property, and shall only be placed on private property with the consent of the property owner.
- e. Such signs shall only be in place during daylight hours.
- f. No flags, banners, streamers, pennants or other adornment shall be permitted in association with the placement of such sign.
- g. The size of such signs shall not exceed two (2) square feet.
- h. Such signs may be double-faced and the colors shall be ivory and brown. Posts shall be brown, black or ivory in color.
- i. Two (2) such signs shall be allowed for each unit offered for resale.
- j. Only one (1) such sign shall be installed at any one location.

7. Off-site directional signs consisting of panels listing the names of residential tracts or developments where the original sale of new homes is being conducted shall be permitted within the public right-of-way; provided, they are erected as part of a city-sanctioned directional sign program and by the entity (such as the building industry association or the board of realtors) a party to such an agreement with the city which details the design criteria and other limitations and restrictions of the program and shall be subject to the following:

- a. An encroachment permit shall be obtained;
- b. There shall be only one (1) such sign per quadrant of a street intersection;
- c. A sign shall not be allowed in any location which causes or tends to cause any conflict with the safety of vehicular or pedestrian traffic;
- d. No sign shall be permitted beyond two (2) miles of the project it advertises except when the sign is located at city gateways, and at intervening directional changes between the gateway and the two (2) mile radius;
- e. The sign message shall advertise the name of the project only, together with a directional arrow.

8. Colors.

Real estate signs permitted by this section shall consist of no more than four (4) primary or secondary colors. Such colors shall not be fluorescent or reflectorized or of other similar quality.

93.20.08 Permitted signs—Temporary.

A. Nonpolitical Signs.

1. Election Signs.

a. Such signs shall not exceed sixteen (16) square feet in area, except that there shall be no size limit for signs at campaign headquarters or those otherwise affixed to the interior of windows. The outdoor display of signs which rotate, move, flash, reflect, blink or appear to do any of the foregoing, and exceed nine (9) cubic feet in volume or measure more than four (4) feet in any one direction, shall be prohibited; this includes but is not limited to, flags, banners, pennants, inflatable objects and balloons.

b. Such signs shall not be located in the public right-of-way or on any public property, including trees or public utility poles, and shall be placed on private property only with the consent of the property owner.

c. Such signs shall not be erected thirty (30) days prior to the election date to which the signs pertain. Such signs shall be removed within five (5) days after the election date to which such signs pertain.

2. Construction Signs for Future Buildings.

a. Projects that have been approved by planning commission but have not been issued building permits, may erect one (1) sign per street frontage advertising their project subject to the following provisions. Signs permitted by this section shall consist of no more than four (4) primary or secondary colors; such colors shall not be fluorescent or reflectorized or of other similar quality. Such signs may be double-sided and perpendicular to the street.

i. City Project/Redevelopment Agency Signs.

Signs advertising city projects or redevelopment agency projects with approved participation

agreements shall have a maximum square footage of sixteen (16) square feet for lots up to one (1) acre in size and a maximum of thirty-two (32) square feet for lots in excess of one (1) acre.

ii. Private Project Signs.

Signs advertising future buildings for private projects shall be governed by the size or location of the property as follows:

(A) For lots less than forty thousand (40,000) square feet in size, the size of the sign shall not exceed six (6) square feet;

(B) For lots greater than forty thousand (40,000) square feet in size, the size of the sign shall not exceed twelve (12) square feet;

(C) For lots located adjacent to Interstate 10, the size of the sign shall not exceed thirty-two (32) square feet.

Such signs shall be in-lieu of real estate signs otherwise permitted.

b. In-lieu of, but not in addition to any other sale, lease or exchange sign permitted under the sign ordinance, sign(s) advertising future buildings may be erected only after a building permit has been issued and shall be subject to the following provisions:

i. The size of the sign shall not exceed a maximum of thirty-two (32) square feet per street frontage, except for signs on single-family lots which shall not exceed a maximum of sixteen (16) square feet.

ii. Signs(s) shall be located within subject property lines and may be perpendicular to the street.

iii. All construction or lease potential signs shall be removed at the end of one (1) year from the date of the certificate of occupancy, or when ninety (90) percent of the development is leased, whichever occurs first.

3. Identification Signs.

A temporary identification sign may be permitted for a period of up to thirty (30) days if an application for a permanent sign has been submitted. An extension of time may be granted for an additional thirty (30) days. The size of the sign shall be consistent with the limitations for permanent signs.

4. Sale Signs.

While a sale of goods or services is being conducted, one (1) sale sign is permitted per street frontage and must be displayed at least one (1) foot behind the glass line of the show window. Such sign shall not exceed five (5) square feet. Sale signs shall not require a permit.

5. Grand Opening Signs.

A grand opening sign shall be permitted for a new or relocated business within the city. Such signs shall be permitted for thirty (30) consecutive days and shall not exceed twenty (20) square feet in size. No other attention attraction devices shall be permitted. A permit for such signs shall be required. A banner, or paper sign affixed to the inside of the window, may be allowed for this purpose.

6. Real Estate Auction Signs.

In addition to other permitted signs, one (1) sign advertising an auction of real estate property may be permitted on the subject property. Such sign shall not exceed twenty (20) square feet and shall be removed at the close of business on the day of the auction. Such sign shall

not be displayed prior to thirty (30) days before date of auction.

7. Residential Rental Signs.

In addition to other permitted signs, one (1) sign advertising the availability of any number of residential units for rent may be permitted on the subject property. Such sign shall not exceed three (3) square feet; it may be double-faced. Such sign shall be removed at any time rental units are not available.

B. Permitted Signs—Political.

1. Political signs in commercial and industrial zones shall be governed by the same rules and regulations set forth in Section 93.20.05 that govern commercial and industrial signs; except that, the rules and regulations of Section 93.20.05 shall not apply to the content of such political signs. The total amount of signage at any particular property, including both political signs and other signs, but not including election signs, shall not exceed the restrictions set forth in Section 93.20.05.

2. Political signs in multifamily residential zones shall be governed by the same rules and regulations set forth in Section 93.20.06 that govern hotel, resort hotel and apartment signs; except that, the rules and regulations of Section 93.20.06 shall not apply to the content of such political signs. The total amount of signage at any particular

property, including both political signs and other signs, but not including election signs, shall not exceed the restrictions set forth in Section 93.20.06.

3. Political signs in single-family residential zones shall not exceed three (3) square feet in area. One (1) such sign may be allowed.

4. Political signs shall not be placed in the public right-of-way or on any public property, including trees and public utility poles, and shall be placed on private property only with the consent of the property owner.

93.20.09 Permitted signs—Downtown/uptown.

The following regulations and guidelines shall apply in Redevelopment Project Areas 1 & 6 only. In the event of a conflict between these provisions and the remainder of the sign ordinance, these provisions shall prevail.

The number and area of signs as outlined in this section are intended to be maximum standards and do not necessarily insure architectural compatibility. In addition to the enumerated standards, consideration shall be given to a sign's relationship to the overall design of the subject property and its surroundings.

All signs allowed in this section shall be allowed on each street frontage of a multiple-frontage lot; provided that, the same use of the property extends from street to street. Consolidation of sign areas permitted on each frontage to one (1) sign is prohibited.

Sign programs shall be required for all buildings with more than one (1) tenant. Sign programs shall complement the architecture of the building or complex. A sign program, including other types of signs than those described herein, may be approved which varies from the specific limitations of the sign ordinance if the planning commission finds that, due to the physical characteristics of the property and the orientation and design of the structures on the property, strict application of the regulations of the sign ordinance will not give adequate visibility to the signage; that the approved signage will be compatible with the design of the property and will represent the least departure from the standards of the sign ordinance necessary for the effectiveness of the signage; and that the approved signage is compatible with the surrounding properties and not contrary to the purpose of the sign ordinance.

A. Main Signs.

1. Signs for Residential Uses.

Section 93.20.06 shall apply.

2. Signs for Commercial Uses.

Each separate business shall be limited to one (1) main sign from the following signage types (see "SIGN TYPES" artwork found at the end of this Section

93.20.09). However, all businesses within a single building or complex of buildings shall use the same type.

- a. Projecting Signs.
 - i. Blade/Arcade Signs.

The following requirements will apply when blade or arcade signs are used:

(A) The maximum volume allowed shall be sixteen (16) cubic/square feet. The sign shall not exceed four (4) feet in any one (1) direction. The volume/dimensions used to determine size shall not include the bracket or suspension structure.

(B) Acceptable materials include painted, polished and patina metal; painted and stained wood; glass; and inlaid stone.

(C) The lowest point of any blade/arcade sign must be seven (7) feet above any pedestrian walkway.

(D) The bracket design shall be integrally planned and detailed and shall be highly ornamental in nature. Brackets shall be consistent throughout their use on any particular building.

(E) One (1) blade/arcade sign may be located at each customer entrance. Each sign must be identical and the combination of such signs shall be deemed as one (1) sign for purposes of this section.

- ii. Awning Signs.

Signs can be applied to awnings according to the following criteria:

(A) Letters shall be a maximum height of fourteen (14) inches and located on the front face or any valance element of the awning. The sign area shall not exceed twenty (20) percent of the total awning area with a maximum area equal to one (1) square foot per linear foot of awning width.

(B) A logo may be incorporated into the sign, with additional sign area allowed; provided, the total sign does not exceed thirty (30) percent of the total awning area with a maximum of one and one-half (1½) square feet per linear foot of awning width.

(C) Letters and logos shall be sewn or silk-screened onto the awnings in an approved contrasting color.

(D) Each awning that is separated by a distance of at least eight (8) inches may contain an identical sign except that the size of the sign shall be determined by the width of each separate awning. The combination of such signs shall be deemed as one (1) sign for purposes of this section.

- b. Flush-mounted Signs.

i. Signs on Glazing.

Lettering and logos may be applied directly onto glazed areas according to the following requirements:

(A) Signs on glazing shall be limited to the first floor of buildings.

(B) Letters are to be a maximum height of ten (10) inches.

(C) The total area of the sign shall be no greater than forty (40) percent of the total glazed area upon which it is applied or fifteen (15) square feet, whichever is smaller.

(D) Acceptable sign techniques are sandblasted or etched glass, professionally-painted lettering, professionally- and custom-fabricated and -applied vinyl, metal leaf and stained glass.

(E) Each glazed area on either side of a customer entrance may contain an identical sign. The combination of such signs shall be deemed as one (1) sign for purposes of this section.

ii. Individual Letters.

The following criteria will apply when individual letters are used:

(A) Individual letters shall not exceed fourteen (14) inches in height, with the first letter capitals allowed at a maximum height of sixteen (16) inches.

(B) Signs using individual letters shall not exceed in length two-thirds (2/3) the overall length of the storefront.

(C) Signs shall not exceed a maximum area of one (1) square foot per linear foot of building frontage with a maximum area of fifty (50) square feet.

iii. Exposed Neon.

Exposed neon signs may only be used in conjunction with food and entertainment uses; where used, the following criteria shall be met:

(A) Performance Requirements.

See Section 93.20.10(C)(6).

(B) Signs shall not exceed a maximum area of one (1) square foot per linear foot of building frontage with a maximum area of fifty (50) square feet.

iv. Fascia Panel/Plaque Signs.

The following requirements apply:

(A) The length of the fascia panel/plaque shall be a maximum of two-thirds (2/3) the width of the overall storefront.

(B) The height of individual letters shall not exceed fourteen (14) inches, with the first letter capitals a maximum of sixteen (16) inches.

(C) The fascia panel/plaque design and finish shall be integrated with the storefront design.

(D) Individual letters shall not exceed seven (7) inches in depth from the face of the surface upon which they are mounted.

(E) Acceptable materials include cast stone, metal and wood panels with individual metal and wood letters, neon and custom ceramic tile.

(F) Letters shall not be closer than six (6) inches from the edge of the fascia panel/plaque.

(G) The fascia panel shall not exceed a maximum area of one (1) square foot per lineal foot of building frontage with a maximum area of fifty (50) square feet.

3. Height.

Except as otherwise regulated, the top of any sign shall not be higher than the building on which it is located and in no event higher than twenty-eight (28) feet.

B. Accessory and Convenience Signs.

1. Each separate business may select one (1) type of accessory signage from the following signage types (see "SIGN TYPES" artwork found at the end of this Section 93.20.09). However, all businesses within a single building or complex of buildings shall use the same type.

a. Projecting Signs.

i. Blade/Arcade Signs.

The following requirements will apply when blade or arcade signs are used:

(A) The maximum volume allowed shall be nine (9) cubic/square feet. The sign shall not exceed three (3) feet in any one (1) direction. The volume/dimensions used to determine size shall not include the bracket or suspension structure.

(B) Acceptable materials include painted, polished and patina metal; painted and stained wood; glass; and inlaid stone.

(C) The lowest point of any blade/arcade sign must be seven (7) feet above any pedestrian walkway.

(D) The bracket design shall be integrally planned and detailed and shall be highly ornamental in nature. Brackets shall be consistent throughout their use on any particular building.

(E) One (1) blade/arcade sign may be located at each customer entrance where this type of sign is not also located as a main sign. Each sign must be identical and the combination of such signs shall be deemed as one (1) sign for purposes of this section.

ii. Awning/Umbrella Signs.

The face of an awning or umbrella which does not contain a main sign may contain an accessory/convenience sign according to the following criteria:

(A) Letters shall be a maximum height of four (4) inches and located on a vertical face or any valance element of the awning or umbrella. The sign area shall not exceed four (4) square feet.

(B) A logo may be incorporated into the sign, with additional sign area allowed; provided, the total sign does not exceed six (6) square feet.

(C) Letters and logos shall be sewn or silk-screened onto the awnings or umbrellas in an approved contrasting color.

(D) Each awning or umbrella that is separated by a distance of at least eight (8) inches may contain an identical sign. The combination of such signs shall be deemed as one (1) sign for purposes of this section.

(E) Signs on umbrellas may contain only the name and logo of the business to which they relate.

b. Flush-mounted Signs.

i. Signs on Glazing.

Lettering and logos may be applied directly onto glazed areas, which do not also contain a main sign, according to the following requirements:

(A) Signs on glazing shall be limited to the first floor of buildings.

(B) Letters are to be a maximum height of ten (10) inches.

(C) The total area of the sign shall be no greater than six (6) square feet.

(D) Acceptable sign techniques are sandblasted or etched glass, professionally-painted lettering, professionally- and custom-fabricated and -applied vinyl, metal leaf and stained glass.

(E) Each glazed area on either side of a customer entrance may contain an identical sign. The combination of such signs shall be deemed as one (1) sign for purposes of this section.

ii. Individual Letters.

The following criteria will apply when individual letters are used:

(A) Where used as accessory/convenience signs, such signs shall be limited to the first floor of buildings.

(B) Individual letters shall not exceed twelve (12) inches in height.

(C) Signs shall not exceed a maximum area of six (6) square feet.

iii. Fascia Panel Signs.

The following requirements apply:

(A) The height of the fascia panel shall not exceed sixteen (16) inches.

(B) The fascia panel design and finish shall be integrated with the storefront design.

(C) Individual letters shall not exceed one (1) inch in depth from the face of the surface upon which they are mounted.

(D) Acceptable materials include cast stone and wood panels with individual metal and wood letters, neon and custom ceramic tile.

(E) Letters shall not be closer than one and one-half (1½) inches from the edge of the fascia panel.

(F) Signs shall not exceed a maximum area of six (6) square feet.

2. Pedestrian Directory.

Where the principal sign for a business, which is located on a property fronting Palm Canyon Drive, is located so that it is not visible from Palm Canyon Drive, a directory may be allowed which will identify the business, or businesses, so affected. The directory must be permanently mounted and may be attached to the building or may be freestanding and shall not impede pedestrian movement. The directory may not be larger than six (6) square feet per face, and signs for the individual businesses shall be no larger than two (2) square feet per face.

3. Use of Attraction Boards by Nightclubs, Cabarets and Theaters.

In addition to the other sign usage authorized herein, businesses which offer entertainment to the public shall be allowed one (1) attraction board to advertise such entertainment. The maximum allowable size for an attraction board for a nightclub or

cabaret shall be twenty (20) square feet. The maximum allowable size for an attraction board for a theater shall be twenty-five (25) square feet. Multiple theaters may have multiple attraction boards, if the design is compatible with the overall design of the building and/or complex. Showcases may be allowed in addition to an attraction board, if approved as part of the overall design. The copy on the attraction board may be changed at intervals of five (5) minutes or greater.

a. Live theater signs.

In addition to sign provisions permitted in subsection (3) above, live theater signs on historic properties within the Central Business District and city owned historic properties pursuant to Section 93.17.04, may be permitted in accordance with provisions listed in Section 93.20.10(7).

4. Customer Convenience Signs.

Each individual business shall be permitted the following signs on the entry door, on the building adjacent to the entry door, or inside the glass window nearest to the entry.

a. Open/Closed Signs.

One (1) square-foot sign per street entrance.

b. Service Signs.

One (1) sign not more than two (2) square feet in size shall be allowed.

c. Menu Boards.

Menu boards, with a maximum display size of six (6) square feet per face, may be allowed; such signs shall be professionally designed and constructed. Such signs may not be placed in the public right-of-way.

d. Hours/Days.

Two (2) inch letter/number height per line.

e. Credit Cards/Service Decals.

Credit card and other service decals may be displayed in a contiguous one (1) square foot area located behind the glass line.

5. Portable Open Signs. *

Except where another permitted outdoor display has been authorized (postcard rack, art displays, etc.) and provides an indication that the retailer is open for business, one portable open sign may be allowed for any retail business in the C-B-D zone and on North Palm Canyon Drive between Alejo Road and Vista Chino, subject to the following requirements:

- a. One (1) portable open sign is allowed per retail tenant space. Office uses may not have portable open signs. Multiple businesses within a single tenant space shall be limited to one (1) sign overall.
- b. A portable open sign may only be placed between a public entry into the retail space and the nearest fronting street or parking drive aisle. The sign may be placed in the sidewalk public right-of-way, no less than three (3) feet from any street or parking curb; however, in no case may any sign impede pedestrian traffic. A forty-eight (48) inch clear paved pathway for ADA access must be maintained at all times.
- c. A portable open sign shall not exceed forty-two (42) inches in height and thirty-two (32) inches in width. The sign may be two (2) sided.
- d. The sign frame may be a single- or two-pole metal frame, or it may be an A-frame. The sign may be either chrome, black or white.
- e. The sign frame shall include a heavy base to prevent unintended movement cause by wind or other minimal force. Signs which require additional weighting (sandbag, concrete block, etc.) are not allowed.
- f. The sign copy shall be produced professionally. Signs created by hand or home computer software are not allowed.
- g. No lighting, balloons or other attachments are allowed.
- h. The sign may contain the name of the business, a business logo, the word "open," and any major product or service available at the retail store. No other information or graphic is allowed, including hours of operation, telephone number, arrows, and any other devise or message.
- i. The Director of Planning Services shall prepare and implement administrative rules, regulations, and guidelines consistent with, and in furtherance of, the provisions of this subsection.

* Pursuant to Section 3 of Ordinance No. 1744, PSZC Section 93.20.09(B)(5) regarding portable open signs, expires October 3, 2010, unless otherwise reauthorized by action of the city council.

C. Prohibited Signs.

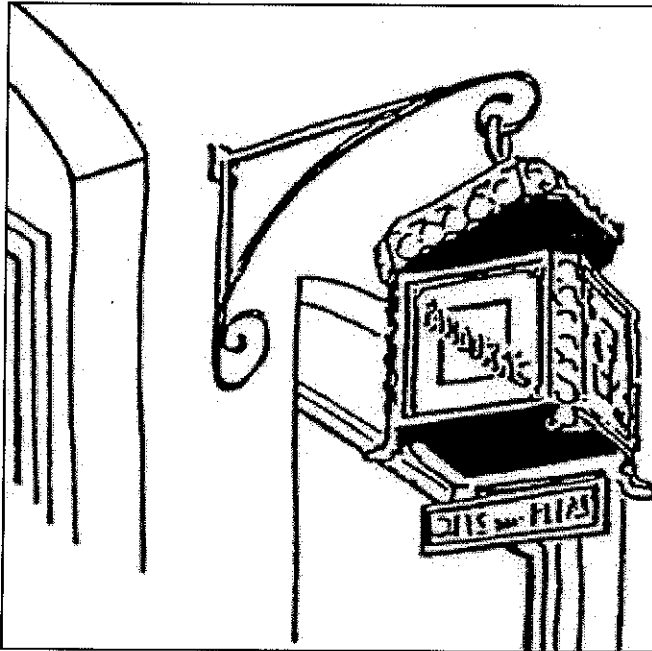
- 1. Signs on umbrellas and shade devices, except as provided by subsections (A)(2)(a)(2) and (B)(1)(a)(2) of this section;
- 2. "Can" signs with an illuminated translucent background and silhouette letters;
- 3. Vacuum formed plastic lettering;
- 4. Pre-cut and pre-packaged, vinyl letters applied to glazing or other storefront surfaces;

5. Signs prohibited by Section 93.20.04 unless otherwise permitted by this section.

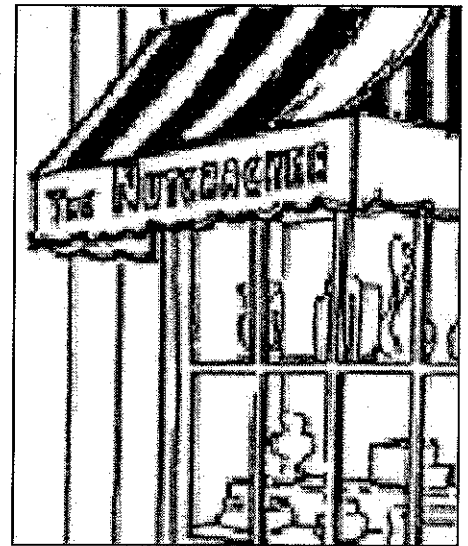
Sign Types

Downtown/Uptown

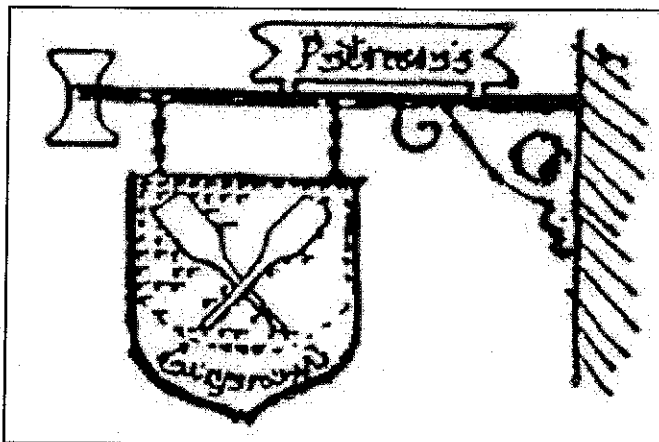
Projecting Signs



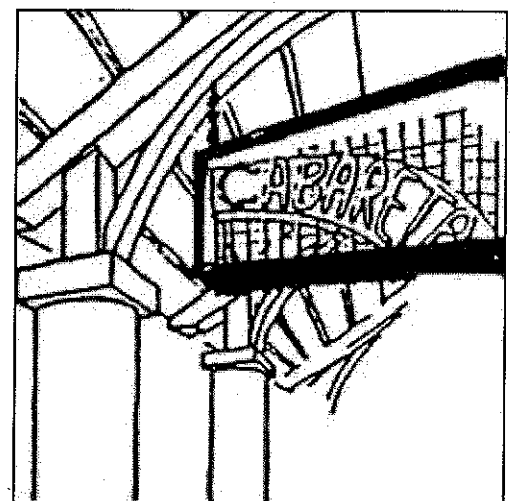
Blade Sign



Awning Sign



Blade Sign

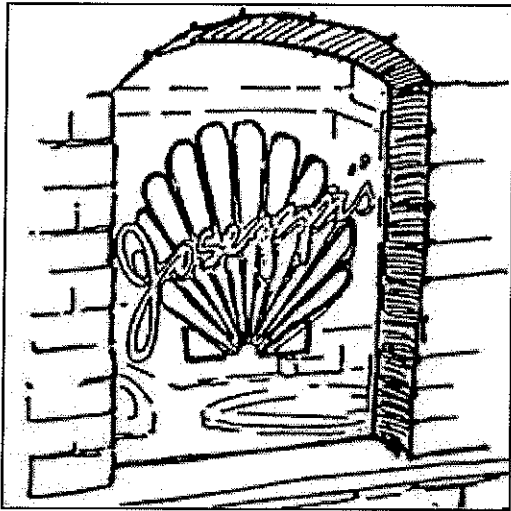


Arcade Sign

Sign Types

Downtown/Uptown

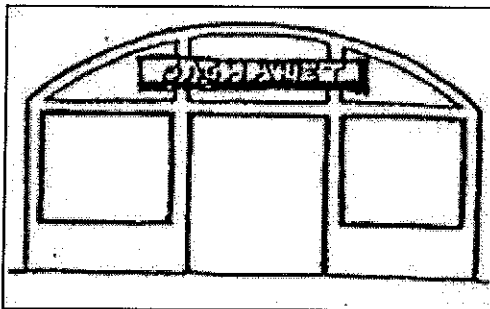
Flush-Mounted Signs



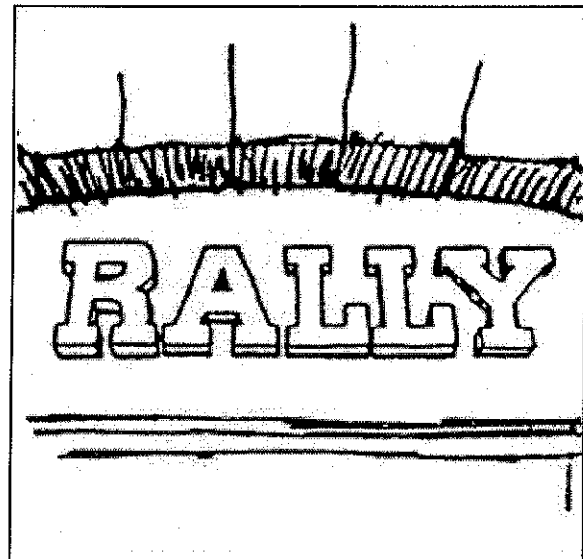
Sign on Glazing



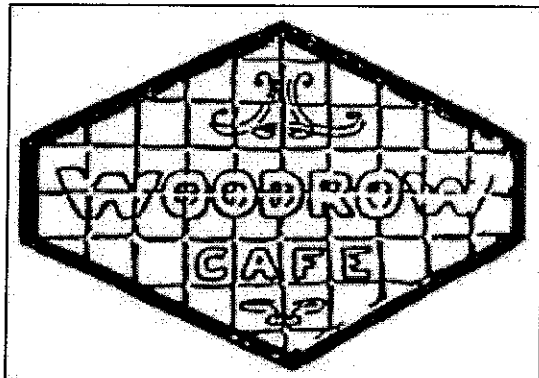
Plaque Sign



Individual Letters



Fascia Panel Sign



Plaque Sign

93.20.10 General provisions.

The following general sign usage provisions and regulations shall apply. The additional sign usage authorized hereunder shall be strictly construed in its application.

A. Procedures.

1. Approval and Permits Required. It is unlawful for any person, firm or corporation to authorize, erect, construct, maintain, move, alter, change, place, suspend or attach any sign within the city without first obtaining the necessary permits. Review and approval by the planning commission shall be required for the design and location of signs in excess of fifty (50) square feet. All other signs shall be approved by the director of planning and building, except that either the applicant or the director of planning and building may request review by the planning commission. Sign permit fees shall be established by resolution of the city council. A double permit fee shall be assessed if the installation of a sign is commenced before obtaining a permit. Permits shall be required for the installation of all signs except real estate signs of three (3) square feet or less, sale signs, customer convenience signs (except menu boards), and political and election signs.

2. Special Permits. Nothing herein contained shall prevent the director of planning and building from granting a special permit for signs pertaining to upcoming events of general public interest when it is shown that such signs will not be materially detrimental to the public welfare nor injurious to adjacent property owners.

3. Appeal. Any person aggrieved by a decision to issue, issue with conditions or not issue a sign permit by the director of planning and building shall be advised that such application may be placed on the planning commission agenda for reconsideration. The decision of the planning commission may be further appealed to the city council pursuant to Chapter 2.05 of the Palm Springs Municipal Code.

4. Variances. The provisions of Section 94.06.00 shall apply. In addition to the findings required therein, the planning commission may grant a sign variance based on the findings that due to the physical characteristics of the property and the orientation and design of the structures on the property, strict application of the regulations of the sign ordinance will not give adequate visibility to the signage; that the approved signage will be compatible with the design of the property and will represent the least departure from the standards of the sign ordinance necessary for the effectiveness of the signage; and that the approved signage is compatible with the surrounding property and not contrary to the purpose of the sign ordinance.

B. Safety.

1. Signs for Public Safety and Convenience. When deemed necessary, the director of planning and building may authorize and approve signs not to exceed five (5) square feet per face to serve the public safety or convenience, such as "Entrance" signs, "Exit" signs, and "Parking" signs.

2. Proper Maintenance of Signs. The user, owner or lessee of a sign authorized hereunder shall maintain it as approved in a safe, neat, attractive, first-class condition and in good repair.

3. Obstruction of Passage. Signs shall not be constructed so as to obstruct any door, window, or fire escape of any building.

4. "No Trespassing" Signs. A "No Trespassing" or "No Dumping" sign not exceeding three (3) square feet shall be authorized for each parcel of property in addition to other authorized signs and shall be designed and located thereon in a manner satisfactory to the director of planning and building.

5. Glare From Signs. Illuminated signs shall be designed in such a manner as to avoid undue glare or reflection of light onto private property in the surrounding area or right-of-way and shall be erected and located in a manner as approved by the director of planning and building. The intensity of lighting of a sign may be reviewed in the field by the director of planning and building who may require the reduction of intensity.

6. Location of Right-Angle Signs. Right-angle signs shall be seven (7) feet or higher above the sidewalk or the right-of-way. Right-angle signs supported by posts or standards shall not extend beyond the property line or into the public right-of-way.

7. Street Address Numbers/Letters. A street address is required and shall conform to the requirements of Section 14.04.100 of the Palm Springs Municipal Code. When address or other numbers are used as an identification name, they shall conform to all applicable provisions of this section. Street address numbers in excess of eight (8) inches in height shall be considered a sign.

8. Exceptions. Nothing herein contained shall prevent the erection, construction or maintenance of official traffic, fire and police signs, signals, devices and markings of the California Transportation Department, the city council or of other competent public authorities, or the posting of the notices required by law.

C. Other.

1. Signs for Public and Quasi-Public Uses. Directional and public convenience signs for public and quasi-public uses may be permitted on public property. The design must conform to standard directional sign specifications promulgated by the director of planning and building and approved by the planning commission. The total number of signs allowed shall be based on the minimum number necessary for adequate public identification as determined by the director of planning and building.

2. Color of Signs. All signs regulated by this section shall contain no more than four (4) colors. Black and white shall be considered as colors. Logos, in which text does not comprise an area greater than seventy-five (75) percent, may contain no more than six (6) colors such that the total number of colors of the sign of which the logo is a part shall not exceed six (6).

3. Signs on Awnings, etc. Painted, nonilluminated or indirectly lighted signs may be permitted on the borders of marquees, canopies, awnings, umbrellas or similar structures or attachments if located and erected in a manner satisfactory to the director of planning and building. Such signs shall be included in the total authorized sign area.

4. Signs on Vehicles. No person shall drive, operate, move in or along, or park on any street or on public or private property, any truck, trailer, carriage, wagon, sled or other vehicle on which is attached or maintained any sign displaying any commercial or noncommercial advertising matter for the sole or primary purpose of displaying such advertising matter, except for the following:

a. The driving, operation and movement of vehicles displaying political campaign advertisements for candidates for public office and ballot measures; provided, the same is not otherwise prohibited by this section;

b. The identification of a business enterprise upon a vehicle used primarily for the purpose of and in the usual business of the owner for transporting or servicing goods or persons for commercial or other business purposes; provided that, the identification is painted on or otherwise affixed so as not to project from the unusual profile of the vehicle;

c. The incidental display of noncommercial stickers, plates, license plate brackets, and the like; or of customary small identifications on license plate brackets or elsewhere, of vehicle manufacturers, models or types of vehicles, or dealers or entities from whom vehicles bearing the same were purchased or otherwise obtained;

d. A single isolated movement of a sign or sign equipment or materials from one (1) place to another within the city;

e. Vehicles located on construction sites that are directly involved with ongoing construction. The parking of any such vehicle on any street or on public or private property, or the movement of any such vehicle in and along any street for the sole or primary purpose of displaying advertising matter is declared to be a nuisance and a violation of this section.

f. The display of signs affixed to taxis cabs that are in compliance with Section 5.40.321 of the Palm Springs Municipal Code.

5. Multiple Frontage Lots. All sign areas allowed in this section shall be allowed on each street frontage of a multiple frontage lot; provided that, the same use of the property extends through from street to street. Consolidation of sign areas permitted on each frontage to one (1) sign is prohibited. Total sign areas as established elsewhere in this section shall supersede this item.

6. Exposed-Tube Neon, Fibre Optics and Other High-Intensity Signs. The design and placement of neon, fibre optic and other high-intensity signs shall be subject to the following provisions:

- a. The use of such signs shall be limited to main signs and customer convenience signs. Prefabricated signs are prohibited except for customer signs; customer convenience signs shall be limited to a single color.
- b. Neon, fibre optics and other high-intensity signs which exhibit glare and high contrast with their surroundings are discouraged. Additional lighting may be required to adjust the ambient light background of the proposal.
- c. The number, locations and overall impact of pre-existing neon, fibre optics and other high-intensity signs shall be considered in judging the appropriateness of proposed signs.
- d. All tubing, conduit, transformers and other paraphernalia not part of the actual sign face shall be concealed from view.
- e. All neon, fibre optic and other high-intensity signs shall be installed with solid state transformer dimmers. The intensity level of all such signs shall be reviewed in place and adjusted to appear at a level consistent with other lighted signs in the vicinity.

7. Live Theater Signs on Historic Properties within the Central Business District and City-Owned Historic Properties. Live theater sign, notwithstanding compliance with Section 93.20.00, in conjunction with historic properties within the central business district and/or city-owned historic properties, pursuant to Section 93.17.04, may be permitted when all the following apply:

- a. Signs shall not alter that historic character of a structure;
- b. Signs are visually creative;
- c. Light source of signs shall not be excessively bright or obtrusive to passing vehicular traffic, pedestrians and surrounding uses. See Section 93.20.10(C)(6);
- d. If sound is proposed, said sound shall not be audible by an adjacent business or nearby residential properties;
- e. Signs and related media displays shall be designed and located to be oriented towards pedestrians and shall be limited to a size proportional to the pedestrian scale adjacent to the sign location; and
- f. Signs shall be part of a sign program subject to a planning commission architectural approval.

8. Neighborhood Entry Signs. Neighborhood entry signs may be allowed in existing or proposed single-family neighborhoods in the G-R-5 or any R-1 zone, subject to the following provisions:

- a. The sign or signs shall only represent and may only be applied for by neighborhood associations organized under the auspices of the city's office of neighborhood involvement or subsequent department.

- b. The sign(s) shall only be allowed as part of a sign program approved by the planning commission, including the following information:
 - i. Number, location and placement;
 - ii. Dimensions, design, materials and colors;
 - iii. Authorization from owners on whose property sign(s) would be located.
- c. The signs shall only be allowed within the boundaries of the neighborhood association but may be located in the adjacent public right-of-way.
- d. The signs shall be subject to approval by the city for potential traffic visibility and other safety issues.
- e. Prior to installation of any neighborhood entry sign, the property owner(s) shall execute a covenant running with the land regarding the long-term maintenance, subject to review and approval of the city attorney.

93.20.11 Abatement.

A. Compliance With Section—Nuisance—Abatement.

The city council determines that the public peace, safety, morals, health and welfare require that all signs and advertising structures heretofore constructed or erected in violation of any ordinance of the city of Palm Springs in effect at the time such sign was constructed or erected, be and are made subject to the provisions of this section. Such signs shall be made to conform and comply with the sign ordinance as soon as reasonably possible after the effective date of the sign ordinance. All signs and advertising structures which are not made to conform and comply within a reasonable time shall be and are declared to be public nuisances and may be abated in the manner provided.

B. Removal and Amortization Schedule.

Any sign which is nonconforming to the requirements of the sign ordinance, either by variance previously granted or by conformance to the existing sign regulations at the time the initial permit for such sign was issued, shall either be removed or brought up to code requirement within the period of time prescribed herein dating from the effective date of the sign ordinance. Such nonconforming signs may be abated forthwith upon the payment of the cost of removal and the remaining value of such sign, as determined from the valuation stated on the permit and based upon a depreciation schedule for such sign as follows:

Amortization Schedule

Permit Value of Sign	Amortization Schedule
\$10.00 or less	Immediately
\$10.01 to \$100.00	1 Year

\$100.01 to \$500.00	2 Years
\$500.01 to \$750.00	3 Years
\$750.01 to \$1,000.00	4 Years
\$1,000.01 to \$2,500.00	5 Years
\$2,500.01 to \$5,000.00	7 Years
Over \$5,000.00	10 Years

C. Notification.

Any owner of a sign that is illegal, abandoned, not maintained in good condition, or is not in compliance with the requirements of this chapter shall be notified by the director of planning and building. Such notification must be by registered or certified mail and list the specific areas of noncompliance.

D. Signs in the Public Right-of-Way.

Any sign placed on any public right-of-way, and not otherwise permitted by this section or other approval by the planning commission or city council, shall be deemed to be a public nuisance that poses an immediate danger to the health, safety and welfare of the community by creating an obstruction to circulation, including, but not limited to, vehicular and pedestrian. In the event that a sign is left on any public right-of-way, the owner of the sign shall be responsible and liable for the removal and disposition of the sign left on the public right-of-way.

1. Abatement.

Upon discovering the existence of a sign left on the public right-of-way, the director of planning and building shall have the authority to order the immediate abatement and removal thereof. The director shall notify the owner thereof, or the owner's representative, in person or by mailing an abatement notice to the owner's last known address. Such notice shall state the time limit, if any, granted for removal of the sign and the statement that the director shall remove the sign after the stated time, the procedure for retrieving a removed sign, and a statement that the owner may request a hearing to appeal the abatement and removal by submitting a written request.

2. Hearings.

a. Any sign removed and stored pursuant to these provisions shall be released to the owner thereof if claimed within thirty (30) days after such removal and upon the payment of reasonable administrative fees. Such administrative fees shall be waived if, after a hearing to appeal has been requested, a determination is made at such hearing that the fees shall be waived. The administrative fees for the removal and storage of the sign shall be established or modified by resolution of the city council and shall include the actual cost of removal and storage of any sign plus the proportional share of administrative costs in connection therewith.

b. Any hearing to appeal an abatement order which is requested shall be conducted within five (5) working days of the receipt of the request by the city manager, who should be designated as the hearing officer; the city manager may appoint a designee

to act as hearing officer. The failure of either the owner or his agent to request a hearing shall waive the right to a hearing. At the hearing, the hearing officer shall determine whether good cause was shown for the abatement and removal of the sign. The decision of the hearing officer shall be deemed the final administrative determination. If good cause is shown for the abatement and removal of the sign, the owner or his agent shall have fifteen (15) days from the date of the hearing to retrieve his sign upon payment of the administrative fee. If good cause is not shown for the abatement and removal of the sign, the administrative fee shall be waived and the owner or his agent shall have fifteen (15) days to retrieve his sign.

c. Disposition.

Any sign not retrieved by its owner within thirty (30) days after delivering or mailing the abatement notice when such owner has not requested a hearing to appeal, or within thirty (30) days of storage of the sign by the city in all other cases, shall be deemed to be permanently abandoned and may be disposed of by the city.