



## Planning Commission Staff Report

DATE: September 10, 2014

SUBJECT: PORTABLE OPEN SIGNS – AN AMENDMENT TO THE PALM SPRINGS ZONING CODE EXPANDING THE BOUNDARIES OF WHERE PORTABLE “OPEN” SIGNS IN FRONT OF COMMERCIAL BUSINESSES ARE ALLOWED TO THE EAST SIDE OF NORTH INDIAN CANYON DRIVE FROM RAMON ROAD TO ALEJO ROAD, (PALM SPRINGS ZONING CODE SECTION 93.20.09.B.5.). (CASE 5.1202 ZTA)

FROM: Department of Planning Services

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### SUMMARY:

On July 30, 2008, the City Council enacted Ordinance No. 1744, a Zone Text Amendment to allow portable “open” signs in certain commercial areas of the City until October 3, 2010, unless extended. It was extended again to October 3, 2014 on December 19, 2012 and on July 16, 2014 to October 3, 2016. Upon the current extension for another two years, the City Council directed staff to return with an amendment to codify the temporary change expanding the boundaries of where the portable open signs are allowed to the east side of Indian Canyon Drive from Ramon Road to Alejo Road.

### RECOMMENDATION:

That the Planning Commission recommend approval of the amendment to the City Council.

### PRIOR ACTIONS:

On July 30, 2008, the City Council enacted Ordinance No. 1744, a Zone Text Amendment to allow portable “open” signs in certain commercial areas of the City. The ordinance included an expiration date of October 3, 2010, unless extended.

On September 12, 2008, the City issued administrative rules and guidelines for the permitting of portable “open” signs.

On September 3, 2010, the City Council approved a two-year extension on the expiration date of the ordinance, to October 3, 2012.

On December 5, 2012, the City Council approved a second two-year extension to the ordinance, to October 3, 2014.

On July 9, 2014, the City Council approved a third two-year extension to the ordinance to October 3, 2016.

#### BACKGROUND AND ANALYSIS:

In enacting the original ordinance, the City Council determined that the purpose of allowing portable “open” signs would be to assist businesses through the economic down-turn that began in 2008. The signs were limited to retail businesses in the C-B-D zone and on North Palm Canyon Drive between Alejo Road and Vista Chino. A two-year time period was established beginning October 3, 2008 and two-year extensions were approved in 2010 and 2012. Without an extension, portable “open” signs would not be permitted after October 3, 2014. The expanded boundaries will allow portable open signs on the east side of Indian Canyon Drive between Ramon Road and Alejo Road.

The City issued permits for 49 portable open signs from adoption in 2008 through 2009. In the period 2010-11, 48 signs were approved. In 2012-13, only 21 signs were approved. In the first half of 2014, 42 signs have been approved. Most permits have been issued to businesses on Palm Canyon and the side-streets in the downtown area; a few others have been granted for the uptown area and on the west side of Indian Canyon. The types of businesses to which permits have been granted vary widely, but the majority of applicants are restaurants, beauty and hair salons, restaurants and gift stores.

Staff notes that the Code Enforcement department provided outreach to the business community in the fall of 2008, including information about what was allowed and what remained prohibited under the new ordinance. Compliance has been fairly uniform, though some signs have been placed without permits and others are non-conforming for various reasons (added balloons, lights, etc.). There have been variable complaints and enforcement action necessary in the last 2 years. Code Enforcement conducts regular patrols and outreach in the downtown area.

As all existing portable open signs were approved under a temporary ordinance it is proposed that all signs will have to be approved under the new ordinance so that a complete and accurate inventory may be established. Thirty days after effective date of the ordinance, signs will have to apply.

#### ENVIRONMENTAL DETERMINATION

Staff has evaluated the potential environmental impacts of the proposed Zoning Ordinance amendment and determined that it is Categorically 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.



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Edward O. Robertson  
Principal Planner



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Douglas R. Evans  
Interim Director of Planning Services

Attachments:

- Draft Resolution
- Section 93.20.09(B)(5) of PSZC
- Aerial Map of the boundaries
- List of signs

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND PALM SPRINGS ZONING CODE (PSZC) SECTION 93.20.09 RELATING TO PORTABLE OPEN SIGNS TO CODIFY STANDARDS PERMANENTLY AND EXTEND THE BOUNDARIES TO ALLOW PORTABLE OPEN SIGNS ON EAST SIDE OF INDIAN CANYON BETWEEN RAMON ROAD AND ALEJO (CASE 5.1202 ZTA).

WHEREAS, the Palm Springs Zoning Ordinance is establishing regulations for portable open signs to codify standards permanently and to extend the boundaries where portable open signs are allowed to the east side of Indian Canyon Drive between Ramon Road and Alejo Road; and

WHEREAS, on September 10, 2014, the Planning Commission conducted duly noticed public hearings on the proposed amendment, at which hearings the Commission carefully reviewed and considered all of the evidence presented in connection with the project, including but not limited to the staff report and all written and oral testimony presented; and

WHEREAS, the Planning Commission hereby determines that the proposed Zoning Ordinance text amendment is Categorically Exempt under Section 15305 – Minor Alterations in Land Use Limitations – of the Guidelines for the Implementation of the California Environmental Quality Act and that the proposed amendment does not result in any changes in land use or density; and therefore

THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS;

Section 1:

The Planning Commission hereby finds that adoption of the proposed Zoning Text Amendment would be consistent with the intent of the Zoning Ordinance and the City's General Plan as follows:

Goal LU2:

Maintain the City's unique "modern" urban village" atmosphere preserve the rich historical, architectural, recreational and environmental quality while pursuing community and business development goals.

Goal CD9:

Convey a positive image through the use of attractive and well-designed public and private informational signage.

Goal CD 10:

Design visually attractive.

Policy CD 10.7

Ensure that signs are made of durable materials that can withstand the City's desert climate.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case Number 5.1202-ZTA amending the code as shown in Exhibit A.

ADOPTED this 10th day of September, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Doug Evans  
Interim Director of Planning Services

### **93.20.09 Permitted signs-Downtown/upton.\***

~~\*CodeAlert: This topic has been affect by 1815. To view amendments and newly added provisions, please refer to the CodeAlert Ordinance List.~~

#### **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 the east side of North Indian Canyon Drive between Ramon Road and Alejo Road and on North Palm Canyon Drive between Alejo Road and Vista Chino, subject to the following requirements:

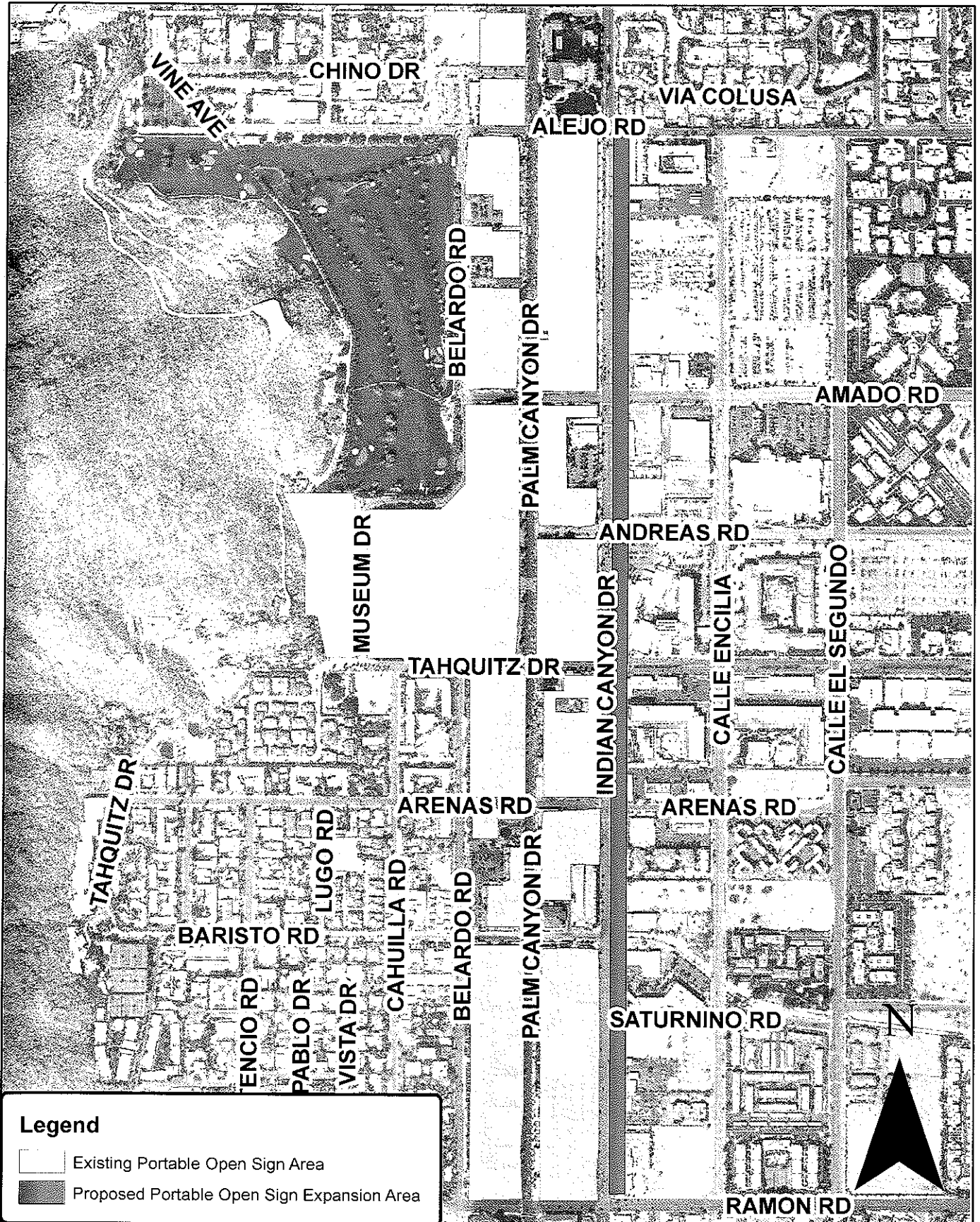
- a. One (1) portable open sign is allowed per retail tenant space. Office uses may not have portable open signs. Multiple businesses within a single tenant space shall be limited to one (1) sign overall.
- b. A portable open sign may only be placed between a public entry into the retail space and the 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 caused 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 and amended by Ordinance No. 185, PSZC Section 93.20.09(B)(5) regarding portable open signs, expires October 3, 2014, unless otherwise reauthorized by action of the city council.~~





# City of Palm Springs

Department of Planning Services



**Legend**

-  Existing Portable Open Sign Area
-  Proposed Portable Open Sign Expansion Area

2011						
11-001	490 S. Indian Canyon Dr.	Secret Service	GM	1/10/11	01/10/11	\$ 34.00
11-002	249 S. Palm Canyon Dr.	Espresso Cielo	DN	1/10/11	01/10/11	\$ 34.00
11-003	183 S. Indian Canyon Dr.	Studio M Salon	GM	1/24/11	01/24/11	See 11-010
11-004	465 N. Palm Canyon Drive	Route 66 West	GM	1/31/11	01/31/11	\$ 34.00
11-005	1416 N. Palm Canyon Dr.	Turquoise Salon	GM	2/1/11	02/01/11	\$ 34.00
11-006	115 S. Palm Canyon Dr.	Cilantro Gallery	GM	2/1/11	02/01/11	\$ 34.00
11-007	800 N. Palm Canyon Dr.	Blvd. Design	GM	2/1/11	02/01/11	\$ 34.00
11-008	245 Palm Canyon Drive South	The Exchange	KL	2/3/11	02/03/11	\$ 34.00
11-009	673 N. Palm Canyon Drive	Trend House	GM	2/7/11	02/07/11	\$ 34.00
11-010	132 S. Palm Canyon Dr.	The Right Stuff	GM	2/7/11	02/07/11	\$ 34.00
11-011	192 S. Palm Canyon Dr.	The Right Stuff	GM	2/7/11	02/07/11	\$ 34.00
11-012	1556 N. Palm Canyon Dr.	Pipe Mart	DN	2/8/11	02/08/11	\$ 34.00
11-013	252 S. Palm Canyon Drive	Sensuality A Store for Her	GM	2/24/11	02/24/11	\$ 34.00
11-014	330 N. Palm Canyon Drive	Kimy Sushi	DN	2/28/11	02/28/11	\$ 34.00
11-015	278-A N. Palm Canyon Dr.	Top N Tees	GM	3/2/11	03/02/11	\$ 34.00
11-016	467 N. Palm Canyon Drive	Gadi Jewelers	GM	3/8/11	03/08/11	\$ 34.00
11-017	333 North Palm Canyon Drive	Progressive Insurance	KL	3/3/11	03/03/11	\$ 34.00
11-018	803 N. Palm Canyon Dr.	Interior Illusions	GM	3/28/11	03/28/11	\$ 34.00
11-019	155 S. Palm Canyon Drive	Pony Express	GM	3/30/11	03/30/11	\$ 34.00
11-020	155 S. Palm Canyon Drive	Fame Tobacco	GM	3/31/11	03/31/11	\$ 34.00
11-021	515 N. Palm Canyon Drive	Pawz Palm Springs	GM	4/5/11	04/05/11	\$ 34.00
11-022	190 S. Palm Canyon Dr.	The Gold Store	GM	4/28/11	04/28/11	\$ 34.00
11-023	342 N. Palm Canyon Dr.	Cork n Bottle	GM	5/11/11	05/11/11	\$ 34.00
11-024	344 N. Palm Canyon Dr.	Bing's Smoke Shop	GM	5/11/11	05/11/11	\$ -
11-025	125 S. Palm Canyon Dr.	Expert Repairs	GM	5/12/11	05/12/11	\$ 34.00
11-026	900 N Palm Cacnyon Dr	Insolito Home	KL	5/19/11	05/19/11	\$ 34.00
11-027	440 S. Indian Canyon Dr.	Robbies & Davies Antiq	GM	6/22/11	06/22/11	\$ 34.00
11-028	200 S. Palm Canyon Dr.	LULU's California Bistrot	DN	8/1/11		\$ 34.00
11-029	333 S. Indian Canyon Dr.	Technology Angelz	GM	8/3/11	08/03/11	\$ 34.00
11-030	1422 N Palm Canyon Drive	Delhi Palace Restaurant	KL	8/18/11	08/18/11	\$ 34.00
11-031	515 N. Palm Canyon Drive	Et Cetera	GM	9/14/11	09/14/11	\$ 34.00
11-032	333 North Palm Canyon Drive	Lifework Gallery	GM	10/18/11	10/18/11	\$ 34.00
11-033	332 W Alejo Road	Temple Isaiah	KL	10/27/11		\$ 34.00
11-034	464 S. Palm Canyon Drive	Deko	GM	12/14/11	12/14/11	\$ 34.00
11-035	1426 N. Palm Canyon Dr.	Realty Executives	GM	12/15/11	12/15/11	\$ 34.00





<b>2014</b>						
14-001	425 S. Sunrise Way	Fresh Juice	GM	2/3/14		\$ 34.00
14-002	276 N. Palm Canyon	Bangkok	GM	2/12/14		\$ 34.00
14-003	109 S. Indian Canyon Dr.	HEES	GM	3/3/14		\$ 34.00
14-004	148 N.Palm Canyon Dr	Valerei in Style	RB	3/24/14	03/24/14	\$ 34.00
14-005	333 S. Indian Canyon Dr # C	Golden Blade Barber	RB	3/24/14	03/24/14	\$ 34.00
14-006	1061 N. Palm Canyon Dr.	Lon Michael Gallery	GM	3/24/14	03/24/14	\$ 34.00
14-007	800 N. Palm Canyon Dr.	PS Lampshades	GM	3/24/14	03/24/14	\$ 34.00
14-008	766 N. Palm Canyon Dr.	Bon Vincent	GM	3/24/14	03/24/14	\$ 34.00
14-009	865 N. Palm Canyon Dr	My Little Flower Shop	RB	3/25/14	03/25/14	\$ 34.00
14-010	245 S. Palm Canyon Dr	Salon 119 Inc	RB	3/25/14	03/25/14	\$ 34.00
14-011	351 N Indian Canyon Dr	One Stop Smoke	RB	3/26/14	03/26/14	\$ 34.00
14-012	134 La Plaza	Lady LuLu	GM	3/27/14	03/27/14	\$ 34.00
14-013	461 N. Palm Canyon Dr	Bram's	RB	4/7/14	04/08/14	\$ 34.00
14-014	768 N Palm Canyon Drive	Flow Design	KL	4/8/14	04/09/14	\$ 34.00
14-015	901 N. Palm Canyon Drive	Pelago	DN	4/10/14	04/10/14	\$ 34.00
14-016	232 N. Palm Canyon Drive	Elene Bulatova	GM	4/16/14	04/16/14	\$ 34.00
14-017	290 N. Palm Canyon Drive	Margret Lendrum	RB	3/31/14	04/21/14	\$ 34.00
14-018	756 N. Palm Canyon Drive	Jorge Mendez	RB	4/22/14	04/22/14	\$ 34.00
14-019	2568 S Cherokee Way	Haya Modern Art Gallery	RB	3/31/14	04/28/14	\$ 34.00
14-020	1345 N Palm Canyon Dr	Nandina Organics	RB	4/22/14	01/25/14	\$ 34.00

14-021	1345 N Palm Canyon Dr	Design Shops	DN	5/1/14	05/01/14	\$ 34.00
14-022	370 N. Palm Canyon Dr.	Desert Painter Studio	GM	5/5/14	05/05/14	\$ 34.00
14-023	668 North Palm Canyon Dr	Highest Form	RB	4/7/14	05/06/14	\$ 34.00
14-024	120 E. Tahquitz Canyon Way	Marv - N - Stewart	GM	5/7/14	05/07/14	\$ 34.00
14-025	333 S. Indian Canyon Dr # C	Celebrity Pipes	GM	5/8/14	05/08/14	\$ 34.00
14-026	187 S. Palm Canyon Dr	Terra Gallery	RB	5/12/14	05/13/14	\$ 34.00
14-027	193 S. Palm Canyon D.	PS General Store	GM	5/13/14	05/13/14	\$ 34.00
14-028-A	777 N. Palm Canyon Dr.	Shag - Store	GM	5/14/14	05/14/14	\$ 34.00
14-028-B	768 N Palm Canyon Drive	Flow Design	KL			
14-029	275 S. Palm Canyon Dr	Sink or Swim INC	RB	5/14/14	05/20/14	\$ 34.00
14-030	360 N. Palm Canyon Dr.	360 North Bar & Grill	DN	5/20/14	05/20/14	\$ 34.00
14-031	891 N. Palm Canyon Dr.	Trina Turk	RB	5/22/14	05/22/14	\$ 34.00
14-032	130 N. Palm Canyon Dr.	Donkey Balls	DN	5/22/14	05/22/14	\$ 34.00
14-033	288 N Palm Canyon	Kimbals	RB	5/28/14	02/28/14	\$ 34.00
14-034	152 N. Palm Canyon Dr.	Sunglasses of Palm Springs	DN	5/29/14	05/29/14	\$ 34.00
14-035	150 E. Tahquitz Canyon Way	LA Fashion	GM	5/29/14	05/29/14	\$ 34.00
14-036	125 E Tahquitz Canyon Way	Palm Springs Gift Shop	RB	6/4/14	06/04/14	\$ 34.00
14-037	1068 N Palm Canyon	Spot International Inc	RB	6/9/14	06/09/14	\$ 34.00
14-038	172 N. Palm Canyon Dr.	Vapor Door	GM	6/19/14	06/19/14	\$ 34.00
14-039	122 La Plaza	Garden of Dreams	DN	6/26/14	06/26/14	\$ 34.00

**From:** Margo Wheeler  
**Sent:** Monday, July 07, 2014 9:08 AM  
**To:** Glenn Mlaker