



# City Council Staff Report

DATE: October 1, 2014

CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 1861 AMENDING SECTION 93.20.09.B.5. OF THE PALM SPRINGS ZONING CODE EXPANDING THE BOUNDARIES OF AREAS WHERE PORTABLE OPEN SIGNS ARE ALLOWED (CASE 5.1202 ZTA)

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

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## SUMMARY:

The City Council will consider adoption of Ordinance No. 1861.

## RECOMMENDATION:

Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1861, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 93.20.09 OF THE PALM SPRINGS ZONING CODE RELATING TO PORTABLE OPEN SIGNS AND EXPANDING THE BOUNDARIES WHERE SUCH SIGNS ARE ALLOWED."

## STAFF ANALYSIS:

On September 17, 2014, Ordinance No. 1861 was introduced for first reading, as noted below:

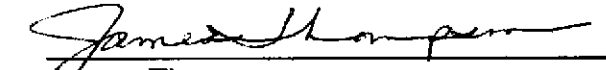
**ACTION:** 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. 1861, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 93.20.09 OF THE PALM SPRINGS ZONING CODE RELATING TO PORTABLE OPEN SIGNS AND EXPANDING THE BOUNDARIES WHERE SUCH SIGNS ARE ALLOWED;" amending the Ordinance to extend the boundaries on North Palm Canyon to Racquet Club. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Foat and carried 3-2 on a roll call vote.**

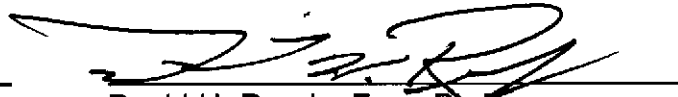
**AYES:** Councilmember Foat, Mayor Pro Tem Hutcheson, and Mayor Pougnet.

**NOES:** Councilmember Lewin and Councilmember Mills.

Item No. **2.J.**

This report provides for the City Council to waive further reading and adopt the ordinance. The ordinance shall be effective 30-days from adoption.

  
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James Thompson  
City Clerk

  
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David H. Ready, Esq., Ph.D.  
City Manager

/kdh

Attachments: Ordinance No. 1861

ORDINANCE NO. 1861

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 93.20.09 OF THE PALM SPRINGS ZONING CODE RELATING TO PORTABLE OPEN SIGNS, EXPANDING THE BOUNDARIES WHERE SUCH SIGNS ARE ALLOWED.

City Attorney's Summary

*This Ordinance extends the boundaries where portable open signs are allowed to the east side of North Indian Canyon Drive from Ramon Road to Alejo Road.*

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DOES HEREBY ORDAIN:

SECTION 1. Subsection B.5 of Section 93.20.09 of the Palm Springs Municipal Code is hereby amended to read:

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: (i) any retail business in the C-B-D zone; (ii) on North Palm Canyon Drive between Alejo Road and Racquet Club Road; and (iii) on North Indian Canyon Drive between Ramon Road and Alejo Road, subject to the following requirements:

- a. One 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 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 3 feet from any street or parking curb; however, in no case may any sign impede pedestrian traffic. A 48-inch clear paved pathway for ADA access must be maintained at all times.
- c. A portable open sign shall not exceed 42 inches in height and 32 inches in width. The sign may be two-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 device 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.

SECTION 2. This ordinance shall expire on October 3, 2016, unless reauthorized by action of the City Council.

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS 1<sup>ST</sup> DAY OF OCTOBER 2014.

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STEPHEN P. POUQUET, MAYOR

ATTEST:

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JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, do hereby certify that Ordinance No. 1861 is a full, true and correct copy, and was introduced at a regular meeting on September 17, 2014, and adopted at a regular meeting of the Palm Springs City Council on October 1, 2014, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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JAMES THOMPSON, CITY CLERK  
City of Palm Springs, California