

**TITLE 9: PLANNING AND ZONING**

Chapter

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## CHAPTER 9.01: RECYCLING AREAS

### Section

- 9.01.010 Purpose.
- 9.01.020 Definitions.
- 9.01.030 Development Projects.
- 9.01.040 Costs/Fees.
- 9.01.050 Recycling Plan.
- 9.01.060 Waivers.
- 9.01.070 Enforcement.

#### **9.01.010 Purpose.**

The purpose of the Chapter is to:

- (a) Allocate collection, storage, and loading of recyclable materials at Adevelopment projects@ as defined here;
- (b) Supplement the provisions of Riverside County Ordinance No. 348 adopted by reference by the City as its zoning ordinance.

#### **9.01.020 Definitions.**

As used in this Chapter, the following words shall have the following meanings:

- (a) "Development Project" means any of the following:
  - (1) A project for which a building permit is required for commercial, industrial, institutional buildings, marinas, or residential buildings having five or more living units, where solid waste is collected and loaded, and any residential project where solid waste is collected and loaded in a location serving five or more units.

(2) Any new public facility where solid waste is collected and loaded and any improvements of a public facility used for collecting and loading solid waste.

(b) "Recycling" means the series of activities by which materials that would otherwise remain in the solid waste stream are collected, separated, or processed and used to make other or new products.

#### **9.01.030 Development Projects.**

On or after September 1, 1994, the development projects which have not yet obtained a building permit are required to include recycling areas as set out in this Chapter.

#### **9.01.040 Costs/Fees.**

All costs associated with designing or adding recycling space to new or existing development projects shall be the responsibility of the developer. The City shall by resolution establish fees for review of the recycling plan.

#### **9.01.050 Recycling Plan.**

Before issuance of any building permit and as part of a site plan or conditional use permit, any development project shall prepare and submit to the City Planner, and have approved by him/her, a recycling plan for a recycling area which meets the following requirements:

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(a) The area shall be designed to be compatible with nearby structures and with the existing topography and vegetation, in accordance with existing standards, and its location shall be shown on the site plan.

(b) The design, fencing and construction of recycling areas shall adequately screen and secure the recyclable materials placed there.

(c) The design, construction, and location of recycling areas shall not be in conflict with any applicable federal, state or local laws relating to fire, building, access, transportation, circulation or safety.

(d) Recycling areas or bins or containers shall provide protection against adverse environmental conditions, such as rain, which might render the collected material unmarketable.

(e) Driveways and/or travel aisles, at a minimum, shall conform to local building code requirements for waste collection access and clearance. In the absence of such building code requirements, unobstructed access shall be provided for collection vehicles and personnel.

(f) A sign clearly identifying the recyclable collection and loading area shall be posted in the area, and the materials accepted there shall be posted adjacent to all points of direct access to the recycling areas. Signage shall also state that only the specific recyclable materials for which bins are provided by the handler shall be placed in those bins. Signage shall conform to local signage code requirements.

(g) Developments and transportation corridors adjacent to recycling areas shall be adequately protected from adverse impacts such as noise, odor, vectors, or glare through measures including, but not limited to, screening, maintaining adequate separation, fencing, and landscaping.

(h) Recycling areas shall be located so they are at least as convenient for those persons who deposit, collect and load the recyclable materials as the location where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be adjacent to the solid waste collection areas.

(I) On-going maintenance and clean up of the interior of each recycling and solid waste area are the responsibility of the property owner. A maintenance and clean-up area also may be provided within the enclosure.

(j) The areas shall provide adequate space for the separation and holding of recyclable materials.

(k) Other requirements specific or appropriate to that development project as determined by the City Planner.

### 9.01.060 Waivers.

(a) In order to meet these requirements, an existing development may use one parking space, landscaped areas or private open spaces for the location of the recycling containers, if as part of the recycling plan the Planning Director determines that the loss of the parking, landscaping area or open space areas will not have a significant negative effect on the need for such areas or the aesthetics of the development.

(b) A parking space that has been converted to a recycling container area must be marked for recycling and adequately barricaded to prevent use as a parking space.

### 9.01.070 Enforcement.

(a) Violation or failure to comply with any of the provisions of this Chapter shall constitute grounds for refusal of a building permit.

(b) Violation or failure to comply with requirements of this ordinance may be deemed a public nuisance.

(c) The City Attorney may seek legal, injunctive, or other equitable relief to enforce this ordinance.

(d) The remedies and penalties provided in this section are cumulative and not exclusive.

**CHAPTER 9.02: RESERVED**



## CHAPTER 9.03: PROHIBITION OF MEDICAL MARIJUANA DISPENSARIES

### Section

- 9.03.010 Definitions.
- 9.03.020 Medical marijuana prohibition.
- 9.03.030 Marijuana delivery prohibited.
- 9.03.040 Nuisance declared.
- 9.03.050 Violations.

#### **9.03.010 Definitions.**

For the purpose of this chapter, the terms below shall be defined as follows:

(a) A “medical marijuana dispensary” means any facility or location, including any clinic, cooperative, club, business or group, which dispenses, sells, provides, transports or delivers, or arranges the dispensing, sale, provision, transport or delivery, of medical marijuana to any person, firm, corporation, association, club, society, or other organization or any owner, manager, proprietor, employee, volunteer, or salesperson thereof, whether such facility, location or delivery service is independent from or affiliated with any fixed facility or location in the City.

(b) A “mobile marijuana dispensary” means any clinic, cooperative, club, business or group which transports or delivers, or arranges the transportation or delivery, of medical marijuana to a person.

(c) “Person” means any person, firm, corporation, association, club, society, or other organization, including but not limited to any owner, manager, proprietor, employee, volunteer, or salesperson.

(d) “Operation” means any effort to locate, operate, own, lease, supply, allow to be operated, or aid, abet, or assist in the operation of a medical marijuana dispensary or mobile marijuana dispensary. (Ord. 160, passed 4-1-2015)

#### **9.03.020 Medical marijuana prohibition.**

Notwithstanding any other provision of this Code, medical marijuana dispensaries and mobile marijuana dispensaries are hereby expressly prohibited from operation in any zone of the City of Canyon Lake.

(Ord. 160, passed 4-1-2015)

#### **9.03.030 Marijuana delivery prohibited.**

(a) Notwithstanding any other provision of this Code, no person shall deliver marijuana to any location within the City from a mobile marijuana dispensary, regardless of where the mobile marijuana dispensary is located, or engage in any operation for this purpose.

(b) No person shall deliver any marijuana- infused product such as tinctures, baked goods or other consumable products, to any location within the City from a mobile marijuana dispensary, regardless of where the mobile marijuana dispensary is located, or engage in any operation for this purpose. (Ord. 160, passed 4-1-2015)

#### **9.03.040 Nuisance declared.**

A violation of any portion of this chapter is hereby declared a public nuisance and shall be subject to abatement pursuant to all available remedies.

(Ord. 160, passed 4-1-2015)

#### **9.03.050 Violations.**

A violation of this chapter may be enforced by any applicable law.

(Ord. 160, passed 4-1-2015)



## **CHAPTER 9.04: PROHIBITION OF HOOKAH LOUNGES AND SIMILAR FACILITIES**

### Section

- 9.04.010 Definitions.
- 9.04.020 Prohibition.
- 9.04.030 Enforcement.

#### **9.04.010 Definitions.**

As set out here, the following words and phrases shall have the following meanings:

(a) “Hookah” shall mean a water pipe made of metal or other material, usually decorated and shaped somewhat like a bottle or small tank, with a long, flexible cord pipe, also known as shisha, nargile, hubble bubble, nap and Turkish water pipe.

(b) “Hookah lounge” means an area of a commercial or industrial establishment, whether enclosed, indoor or outdoor, designated specifically for the use of hookahs.

(Ord. 151, passed 4-2-2014)

#### **9.04.020 Prohibition.**

Hookah lounges are prohibited within the City. This prohibition does not include private use of hookahs in personal residences if otherwise in compliance with applicable law.

(Ord. 151, passed 4-2-2014)

#### **9.04.030 Enforcement.**

This Chapter may be enforced through administrative citation or any other remedy available to the City under its Municipal Code for enforcement of its ordinances.

(Ord. 151, passed 4-2-2014)



## CHAPTER 9.05: PRE-APPLICATION REVIEW PROCEDURE (PAR)

### Section

- 9.05.010 Purpose.
- 9.05.020 Application.
- 9.05.030 Development Review Committee.
- 9.05.040 PAR letter.

#### 9.05.010 Purpose.

The purpose of the PAR is to advise prospective applicants of current City standards and requirements; to assess whether a proposal is consistent with such standards before the applicant has expended sums of money; make applicants familiar with requirements and thus potentially shorten the processing time for applications; and encourage designs which are sensitive to the City's environmental and development priorities. The PAR is an optional process which is not required of an applicant. The PAR letter is NOT a development entitlement in any way.

(Ord. 122, passed 8-5-2009)

#### 9.05.020 Application.

A PAR application shall be made in writing to the City Planner on forms provided for that purpose. All applications must be accompanied by the filing fee set by Resolution No. 09-29 of the City Council.

The amount and detail of information submitted with the application varies with the complexity of the project. The following is the minimum information required. The City Planner may require additional information before the application is determined to be complete.

(a) Current contact information for the applicant.

(b) Current contact information for the developer.

(c) Location of development and Assessor's Parcel Number.

(d) Current zoning and general plan designation (if known).

(e) Type of development proposed and project description.

(f) Any current entitlements; types of entitlements requested.

(g) Proposed timing.

(h) Proposed environmental review.

(i) Physical characteristics of the property; acreage, boundary lines and appropriate maps and exhibits which show proximity to streets (private or public), circulation and access; on-site drainage: a contour map may be requested.

(j) Existing dwellings or other structures located onsite or within 100-feet of property lines.

(k) Current services: water, sewer, gas, electricity.

(l) Proximity to schools.

(m) Is the property in:

(1) MSHCP criteria cell;

(2) Specific plan;

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- (3) Policy area;
- (4) Agricultural preserve;
- (5) Airport influence area;
- (6) Fault zone;
- (7) FEMA flood plain status;
- (8) High fire area;
- (9) Similar areas.

(n) If applicable, proposed lot lines and dimensions, setbacks, pad elevations, street grades, etc.

(o) Additional requirements may apply to condominiums, mobile/manufactured home parks or recreational vehicle park.  
(Ord. 122, passed 8-5-2009)

### 9.05.030 Development Review Committee.

(a) The Development Review Committee (DRC) shall consist of representatives from Planning, Engineering (including Flood Control if necessary), Building and Safety, Police, Fire and the City Manager. The City Planner may request that other representatives attend as necessary. The City Planner shall chair the DRC. The Committee is not subject to the Brown Act and the public may not attend such meetings unless the applicant and DRC consent in advance in writing.

(b) Once the City Planner has determined that the PAR application is complete, she shall provide copies of the application to the members of the Development Review Committee (DRC) and place the application on the schedule for review by the DRC not more than 30 days after the application has been provided to the DRC members.

(c) At the DRC meeting, there shall be a representative from the applicant who is able to

answer questions as well as representatives from each DRC member. If a DRC member representative cannot attend, the City Planner shall have written comments from that member and be authorized to speak on its behalf.

(d) At the DRC, the applicant shall be prepared to discuss the proposal in detail and to identify any major issues that may arise. If at the end of the DRC some issues have not been resolved, those issues will be identified and additional information requested. The DRC may be continued from time to time.  
(Ord. 122, passed 8-5-2009)

### 9.05.040 PAR letter.

The PAR letter shall be the result of the DRC meeting and shall contain the DRC's comments on the development proposal but in no way shall be considered as approval of the proposal and shall not bind the approving body or prevent staff or such body from requiring additional information or studies or making additional recommendations. The PAR letter shall be valid for two years from its date, unless a shorter period is specified in the letter.

Substantial changes to the proposal, other changed conditions, changed local codes or policies or changed Federal or State laws or regulations shall invalidate the PAR letter and necessitate a new PAR process.

The content of the letter will vary depending upon the type of proposal, but generally will contain the following information:

(a) The applications which must be filed to process the proposal and timing requirements, including but not limited to general plan amendments, specific plans or amendments, changes of zone, tract maps, parcel maps, plot plans, PUP's or CUP's.

(b) Special studies and their timing requirements, including those required by CEQA, including but not limited to fiscal impact, service and infrastructure impact, private debt burden, biological,

archeological, paleontological, geological, flood, traffic, slip stability, noise, air quality.

(c) Special plans and their timing requirements, including but not limited to conceptual grading plans, detailed grading plans, storm water pollution prevention plans, dust control plans and area development plans.

(d) Current process, development impact and maintenance fees for the project, including but not limited to application and process fees; any mitigation fees (such as traffic signal or drainage); special district formations and fees.

(e) Environmental issues associated with the proposal, including the possible need for an EIR.

(f) Design considerations, including but not limited to internal drainage, off-site drainage, density limitations;

(g) Changes necessary before staff can recommend approval and any concerns not resolved or a statement that the project will not be recommended as approved; and

(h) Applicable Code provisions, including the findings required for approval.  
(Ord. 122, passed 8-5-2009)



## CHAPTER 9.15: HILLSIDE AND RIDGELINE DEVELOPMENT

### Sections

- |          |   |   |
|----------|---|---|
| 9.15.010 | Purpose.  | (3) Open Space Strategy OSS-6: Require sensitive ecological areas, steep slopes, and special land form features to be preserved as open space;  |
| 9.15.020 | Definitions.  |   |
| 9.15.030 | Applicability.  |   |
| 9.15.040 | Exemptions.   |   |
| 9.15.050 | Application submittal requirements.                   | (b) To preserve and enhance the visual and aesthetic quality of hillsides for the surrounding community;  |
| 9.15.060 | Hillside development standards.                       |   |
| 9.15.070 | Significant ridgelines.                               |   |
| 9.15.080 | Hillside grading guidelines.                          |   |
| 9.15.090 | Grading, grubbing, and scarring control.              | (c) To encourage the characteristics and qualities that promote a sense of place within a hillside setting;   |
| 9.15.100 | Hillside and ridgeline development permit procedures. | (d) Maintaining an environment consistent with existing vegetation, wildlife, soils, geology, slopes, and drainage patterns, and to preserve natural topography and scenic character, including canyons, creeks, knolls, rock outcrops, and ridgelines whenever feasible; |

### 9.15.010 Purpose.

The purpose of this Chapter is to provide regulations for the development of areas in the City that, because of their topography, require special consideration to ensure that they are developed in a way that substantially maintains their natural character and environmental and aesthetic values to implement the general plan, and to provide for the safety, health, and welfare of the public by:

(a) Providing guidelines and standards for development in visually sensitive hillside areas to minimize the adverse impacts of grading and to promote the following goals and objectives of the general plan:

(1) Open Space Goal OS-1: Maintain an open space system that conserves remaining natural resources, enhances aesthetic values, and promotes the health, safety and general welfare;

(2) Open Space Policy OSP-2: Cooperate with regional and subregional planning agencies in matters of mutual open space concerns;

(e) Encouraging development that is limited to the more gently sloping portions of the site;

(f) Encouraging developments that preserve desirable existing features of land (e.g., natural appearing slopes, significant ridgelines, natural vegetation, viewsheds, topographic features);

(g) Limiting the impact of cut and fill slopes on adjacent developed and undeveloped properties;

(h) Preserving the regional view corridor located along Railroad Canyon Road and the aesthetics of the region which further are preserved by similar ordinances, policies and practices in surrounding cities; and

(i) Preserving the community's existing natural significant ridgelines visible from Canyon Lake. (Ord. 112, passed 3-4-2009)

**9.15.20 Definitions.**

For the purposes of this Chapter, the following definitions shall apply:

(a) “Clearing” means the removal of vegetation (grass, brush, trees, and similar plant types) by mechanical means (also known as brushing and/or grubbing).

(b) “Cluster development” is a concept where structures are grouped on certain portions of a site, frequently of different shapes and sizes, surrounded by large expanses of open space.

(c) “Contour” is a line drawn on a plan that connects points of equal elevation.

(d) “Contour grading” means a grading concept designed to result in earth forms that resemble natural terrain characteristics. Horizontal and vertical curve variations are often used for slope banks.

(e) “Conventional grading” is a grading concept that results in simple, straight forward cut and fill lines and even planed slopes. This is the most basic type of grading often resulting in an engineered or man-made appearance attributable to a lack of curvilinear or natural-appearing shapes.

(f) “Cut” means the mechanical removal of earth material.

(g) “Fill” means a deposit of earth material placed by artificial means.

(h) “Finished grade” means the final elevation of the ground surface after development, that is in conformance with the approved plan.

(i) “Grading” means to bring an existing surface to a designed form by excavating, filling, or landforming operations in excess of 50 cubic yards.

(j) “Hillside” or “Hillside areas” refers to those portions of land displaying slopes, ridgelines, hills, knolls, canyons or similar topographic features with a

slope (as defined herein) of 25% or greater and are identified on the Hillside Overlay and Significant Ridgeline Map.

(k) “Hillside Overlay and Significant Ridgeline Map” is an exhibit which is incorporated herein by reference and attached to Ordinance No. 112, passed March 4, 2009 and which shall be maintained on file in the Planning Department, showing the areas subject to this Chapter.

(l) “Landform grading” is a grading method that replicates the irregular shapes of natural slopes. Landform graded slopes are characterized by continuous series of concave and convex forms interspersed with mounds that blend into profiles, nonlinearity in plan view, varying slope gradients, and significant transition zones, between man-made and natural slopes.

(m) “Minimal grading” is a grading concept designed to minimize excavation and filling. Allows the movement of earth for projects (e.g., as individual building foundations, driveways, local roads, and utility excavation). The concept is associated with roads conforming closely to natural contours and with structures being built on natural terrain.

(n) “Pad” is a level area created by grading to accommodate development.

(o) “Plot plan” is an application filed with the Planning Division, including all information required by forms available at the Planning Division and Section 18.30 of Ordinance 348 of the City of Canyon Lake.

(p) “Project” means a project which is subject to this Chapter, includes subdivisions, permits, uses, structures, specific plans, master development plans, conditional use permits and associated plot plans for development review except as specifically exempted by Section 9.15.040.

(q) “Significant ridgeline(s)” means natural ridgeline(s) that are generally within or surrounding the City of Canyon Lake that are visible from Canyon

Lake or Railroad Canyon Road that form part of the skyline or are seen as a distinct edge. All significant ridgelines are identified within the Hillside Overlay and Significant Ridgeline Map and are included with Ordinance No. 112, passed March 4, 2009.

(r) "Slope" is an inclined ground surface, the inclination of which is expressed as a ratio of the vertical distance (rise), or change in elevation, to the horizontal distance (run). The percent of a given slope is determined by dividing the rise by the run, multiplied by 100.

$$\frac{\text{Change in Elevation (rise)}}{\text{Horizontal Distance (run)}}$$

(s) "Slope ratio" is the relationship of a slope's horizontal length to vertical height, with the height specified as one (e.g. 2:1). (Ord. 112, passed 3-4-2009)

**9.15.030 Applicability.**

(a) Hillside or Hillside Area. The standards contained in this Chapter shall apply to the hillsides and hillside areas as defined in Section 9.15.020 and identified on the Hillside Overlay and Significant Ridgeline Map.

(b) Basis for Slope Determinations. For the purpose of this Chapter, slope shall be computed on the natural slope of the land before grading is commenced, as determined from a topographic map having a scale of not less than one inch equals 40 feet and a contour interval of not more than two feet.

(c) Hillside and Ridgeline Development Permit. All projects not specifically exempted within Section 9.15.040 or by the Building Official shall comply with the Hillside and Ridgeline Development Permit process as described in this Chapter. (Ord. 112, passed 3-4-2009)

**9.15.040 Exemptions.**

(a) The following actions and activities within the Hillside Overlay and Significant Ridgeline Map area are exempt from the provisions of this Chapter.

(1) Construction and installation (trenching, utility construction, and backfilling) of underground utility systems.

(2) Landscaping of single-family parcels; re-grading of existing yard areas for landscaping installation provided such re-graded yard area does not exceed 3,000 square feet in area for which a grading permit is not required.

(3) Modification of, or addition to any pre-existing legally established single-family dwelling, accessory structure, or construction of such a unit on a legally graded pad in existence on the effective date of this Chapter, or the construction of an accessory structure or an addition less than 500 square feet in size. This exemption shall not include the increase in the number of units, change of use, or when a grading permit is required.

(4) Construction that does not require a grading permit or a building permit.

(5) Any project for which a grading or building permit has been issued and which has begun substantial grading or construction in reliance on such approval prior to the effective date of this Chapter, provided that such permit or approval has not expired or been otherwise revoked and further provided that the development is in accordance with the approved conditions of approval and related approvals.

(6) Public works projects determined by the City to be necessary for public health, safety or welfare; wireless facilities are not considered to be public works projects.

(b) Whenever any regulations or standards contained in this Chapter differ from, or conflict with, the regulations of Land Use Ordinance 348 as adopted

by the City of Canyon Lake, the regulations contained in this Chapter shall take precedence. (Ord. 112, passed 3-4-2009)

#### **9.15.050 Application submittal requirements.**

Applications for projects within the Hillside Overlay and Significant Ridgeline Map shall comply with the submittal requirements of this Chapter and shall be incorporated in the appropriate sections of the corresponding documents. Application filing requirements are as follows:

(a) **Conceptual Grading Plan and Drainage Plan.** A conceptual grading plan shall be submitted at a minimum scale of one inch to 40 feet (this scale may be adjusted with the approval of the City Building Official). The plan shall include the following items:

(1) A legend with appropriate symbols indicating high point, low point, spot elevations, pad and finished floor elevations, top of wall, top of curb, change in direction of drainage, and planned drainage improvements, including a conceptual Water Quality Management Plan with proposed facility and drainage structure locations;

(2) A separate map with proposed fill areas and cut areas, depths of these areas clearly shown with not more than two foot topographic lines (one foot preferred). Quantities of each cut and fill area shall be clearly marked and calculated as a percentage of the total site area. The fill and cut areas shall be either colored green and red, respectively, cross-hatched, or screened to delineate the separate areas;

(3) Existing contours shall be depicted with a dashed line with every fifth contour darker, and proposed contours shall be depicted as above except with a solid line. Contours shall be shown at minimum intervals of two feet of change in elevation, with one-foot contours in the flatter areas. Contours and plan cross-sections of the finished slope shall be shown at intervals similar to that on the topographic base map at the time the application is submitted;

(4) To the extent not otherwise required, location and elevation of all existing and proposed circulation and drainage improvements, including streets, curbs, driveways, sidewalks, median islands, and drainage courses on the site and within 100 feet of the boundaries of the site;

(5) Preliminary drainage plan shall show or explain the drainage area tributary to the site and include a statement setting forth in detail the manner in which storm water runoff will enter the site, the manner in which it will be carried through the site, and the manner in which disposal beyond the site boundaries be accomplished. Detention basins may be required unless storm water is directed to an improved storm drain facility; and

(6) Additional information as required to assist the Planning and Building Division's review and noticing related to the project.

(b) **Slope Analysis Map.** A slope analysis map for the purpose of determining the amount and location of land as it exists in its natural state and for calculating average slope categories. A base topographical map of the site shall be prepared and shall have a scale of not less than one inch to 40 feet. The base topographical map shall include adjoining properties within 100 feet of the site boundaries to portray the site's context. Slope bands in contrasting colors shall be delineated in the range of 0% to 25%, 26% to 35%, 36% to 50%, and 50% or greater. A tabulation of the land area by slope percentage shall also be provided. Ridgelines shall be clearly shown on slope analysis maps. Cross-sections of ridgeline areas shall be provided.

(1) The exact method for computing the percent slope and area of each slope category shall be sufficiently described and presented so that a review can be readily made. A heavy solid line indicating the 25% grade differential shall be clearly marked on the plan. An eight and one-half by 11 inch legible reduction of the slope analysis with appropriate legend shall also be provided.

(2) The slope analysis shall be stamped and signed by a registered or licensed professional competent to provide such analysis and indicating the datum, source, and scale of topographic data used in the slope analysis, and attesting to the fact that the slope analysis has been accurately calculated.

(c) Geotechnical Report. A geotechnical and soils report shall be prepared by a registered geotechnical engineer to City standards and in sufficient detail to substantiate and support the design concepts presented in the application as submitted.

(d) No Grading Proposed. In the event that no grading is proposed a statement to that effect shall be filed with a plan that shows possible future house plotting, pad grading, and driveway design for each parcel proposed sufficient to demonstrate that any proposed parcel can comply with the standards and guidelines contained in this Chapter. The plan shall be prepared on a topographic map drawn at a scale of one inch to 40 feet.

(e) Additional Information. The following items may be required if determined necessary by the Director to aid in the analysis of the proposed project:

(1) A line of sight or view analysis;

(2) Photographic and/or computer generated graphic renderings;

(3) A topographic model and/or large scale detailed partial model;

(4) Other illustrative techniques determined necessary to aid in review of the project; and

(5) Additional environmental studies and investigations, including, but not limited to, hydrologic, seismic, and access/circulation, research may also be required to help in the determination of the buildable area of a site.  
(Ord. 112, passed 3-4-2009)

**9.15.060 Hillside development standards.**

The hillside development standards are intended to illustrate and amplify the appropriate development concepts for hillside areas. The standards are intended to encourage flexibility and creativity to design projects which exceed the standards in order to respect the natural character of each hillside. The following are minimum standards and shall apply to hillside or hillside area as defined in Section 9.15.020.

(a) Hillside Slope Categories. The following descriptions serve as general standards for hillside slope categories to ensure that development will compliment the overall character of the landform.

[Table begins on following page]

**DEVELOPMENT STANDARDS**

<i>% Natural Slope Category</i>	<i>Standards</i>
Up to 25%	This is not considered a hillside condition and is not subject to this Chapter.
25% up to 50%	This is a hillside condition and is subject to this Chapter. Development within this slope category shall minimize impacts to grading, vegetation removal, safety and environmental and aesthetic impacts. Impact of access and roadways shall be minimized by following natural contours or using grade separations. Structures shall blend with the natural landform through their shape, material, and color. Special hillside design techniques are required, which may include the use of larger lots, variable setbacks, and variable building structural techniques and clustering. Padded building sites may be considered in some instances. Where this occurs, the City may consider padded building sites adjacent to special features when it is found that grading of padded building sites will create a better relationship between the special feature(s) and the building sites.
35% up to 50%	In addition to the requirements of the above slope category, projects with an average slope in excess of 35% may not exceed 50% of the maximum allowable density as identified within the General Plan.
50% and over	This is an excessive slope condition and development is prohibited.

(b) Site Design.

(1) Grading shall not take place on natural slopes that exceed 50%.

(2) Driveway grades above 14% may only be considered when driveways are aligned with the natural contours of the land, are necessary to achieve effective site design, and safety considerations are met to the satisfaction of the Building Official, City Engineer, and the Fire Department. Proper design considerations shall be employed, including the use of vertical curves. On driveways that may be approved with a slope greater than 14%, a coarse, all-weather paving material, or grooves for traction, shall be incorporated into the construction.

(3) Roadways shall conform to the natural landform. Significant alterations to the physical and visual character of a hillside shall be avoided by eliminating large notches in ridgelines and wide

straight alignments. Modified or reduced width road sections and split sections shall be considered in the layout of hillside streets to reduce grading and cuts in topography while allowing access for fire trucks and other emergency vehicles.

(4) Slopes in excess of 2:1 shall not be allowed and slopes shall not exceed 30 feet in height between terraces or benches.

(5) Fill slopes shall not be placed perpendicular across a canyon. Straight line cut-off fill slopes shall not be made to appear like a dam. The terminus of the fill shall, instead, be concave in shape to restore the canyon appearance. This concave configuration shall be in combination with the use of substantially flatter slope ratios (4:1, 3.5:1, 3:1) at or near the center of this indentation. Symmetrical or unsymmetrical concave configurations shall be used depending upon the adjoining or underlying topographic characteristics.

(6) Grading shall be phased so that prompt renegotiation or construction will control erosion. Where possible, only those areas that will be built on, resurfaced, or landscaped within the next 120 days shall be disturbed. Top soil shall be stockpiled during rough grading and used on pads or revegetated habitat areas, upon the recommendation of the soils engineer. A 100% grading bond shall be submitted to the City to ensure erosion control is in place throughout all phases and stages of the grading project, subject to the approval of the City Building Official.

(7) Applicable requirements of the City and State shall be complied with in conjunction with a National Pollution Discharge Elimination System (NPDES) permit prior to the issuance of a grading permit, which may include, but is not limited to, an Erosion Control Plan, Best Management Plan (including Notice of Intent to be filed with the State Water Resources Control Board) and Construction Monitoring Program.  
(Ord. 112, passed 3-4-2009)

**9.15.070 Significant ridgelines.**

(a) Structures. New structures shall not visually impair significant ridgeline silhouettes as identified within the Hillside Overlay and Significant Ridgeline Map. Structures are not permitted closer to a significant ridgeline than 50 feet measured vertically on a cross-section or 100 feet horizontally on a topographic map from the highest pad elevation, whichever is more restrictive.

(b) Grading. Grading is prohibited within 50 feet measured vertically on a cross-section or 100 feet horizontally on a topographic map from the crest of a ridgeline or significant ridgeline.  
(Ord. 112, passed 3-4-2009)

**9.15.080 Hillside grading guidelines.**

The implementation of the Hillside Grading Guidelines is essential to affect continued quality community development. The City of Canyon Lake desires to encourage planning, engineering, and

development that results in minimal site grading in addressing the varying terrain and highly visible hillside areas. This can be accomplished by following the natural contours as much as possible. From large scale subdivision design to individual lot grading plans, graded slopes should be rounded and contoured to blend with the existing terrain. Significant natural vegetation should be retained and incorporated into projects whenever possible.

The guidelines shall apply unless specifically modified by the approving authority and findings are made that the modification is consistent with the findings listed in Subsection (k) hereof.

(a) Grading must minimize the disturbance to the natural landform, not destroy visual quality and community character, nor create conditions that may result in landslides, flooding, or erosion.

(b) No grading shall take place in known or suspected hazardous areas as determined by the City without a geological survey and/or other data and tests as requested by the City.

(c) Projects located in hillside areas shall incorporate clustering, varying setbacks, multiple orientations, and other site planning techniques to preserve open spaces, protect natural features, and offer views to residents.

(d) Transitioning Slopes. Minimal radius rounding at edges of cut and fill slopes is not acceptable. Proper transitioning from manufactured slopes to natural slopes shall be achieved gradually and naturally using radii or irregular curvilinear shapes that will blend into the adjoining topography tangentially and not create abrupt changes.

(e) Good grading design must be exercised for safety as well as aesthetics and should incorporate the following measures:

(1) Utilization of landform or contour measures to produce cut-and-fill slopes compatible with existing land character. Continuous unbroken slope surfaces that are visible from offsite are discouraged. Linear or straight slopes shall not

exceed 100-feet in distance before next rounded contoured edge. Edges and exposed tops and toes of slopes shall be rounded with a minimum five-foot radius where there are linear slopes up to 50 feet in length and ten-foot radius where linear slopes are greater than 50 feet. The parallel planes of adjacent linear slopes shall be offset by minimum distance of ten-foot measured perpendicular to the planes.

(2) Grading slopes contoured by varying slope increments and undulating banks vertically and horizontally.

(3) Varied cut-and-fill banks and drainage terrace spacing to alleviate monotony and to allow informal landscaping.

(4) Berms at top of slopes and other locations used to screen, vary profile, and ensure drainage away from slopes.

(5) Varied pad levels to avoid appearance of monotonous slope banks and flat level lots.

(f) Minimal Grading. This is typically used for large lot single-family homes, custom homes with variable foundations that conform to the existing slopes and other uses such as golf courses that utilize the least amount of grading in order to get the facility and structures built, but is also acceptable for commercial uses. This technique embraces the following concepts:

(1) Grading should be limited to individual flat graded pad areas for residential building sites. Grading should be limited to only the required building areas and adjacent outdoor amenities in steep hillside areas.

(2) Foundation systems that require little or no grading are encouraged, forcing the architecture to conform to the land rather than the land to conform to the dwelling.

(3) Roadways, driveways, and individual building pads should be designed to conform with contours and to attempt to daylight in the center of the

road or building pad to ensure a minimum cut and fill situation.

(g) All manufactured cut and fill slopes exceeding ten-feet in height which will be either exposed to permanent public view or are adjacent to environmentally sensitive areas, should be designed with features characteristic of natural slopes where physically feasible so that their ultimate appearance will resemble a natural slope. This will include slopes along streets and highways, slopes adjacent to parks, schools, or open spaces and other public facilities and other prominent and visible slopes.

(h) Clustering of development is encouraged within the allowable density identified in the General Plan. This is particularly important in environmentally sensitive areas in order to reduce the potential for fire hazard, erosion and excess runoff, and to preserve existing natural features and open space.

(i) In the planning, design, and development of public utilities and infrastructure, every reasonable effort shall be made to minimize grading impacts and harmonize with natural contours and character of the landform design applied.

(j) The City Council or its designee may modify or waive any of the hillside/grading guidelines when an improved design will result or where it can be demonstrated that imposing hillside grading guidelines would either render a parcel of land unbuildable, create a loss of all its reasonable economic use, or place an undue restriction on the improvement of the property, the City Council may allow development consistent with the General Plan, only when all of the following findings can be made:

(1) The site is physically suitable for the design and siting of the proposed development. The proposed development will result in minimum disturbance of sensitive areas;

(2) The grading proposed in connection with the development will not result in soil erosion, silting of lower slopes, flooding, severe scarring or any other geological instability or fire hazard which

would affect health, safety and general welfare as determined by the City Engineer and all other requirements of applicable law and regulation are met;

(3) The proposed development retains the natural character and visual quality of the site and the aesthetic qualities of the area; and

(4) The proposed development is in conformance with the qualitative development standards and guidelines as established in this Chapter and is in conformance with the goals, objectives, and policies of the General Plan.

(Ord. 112, passed 3-4-2009)

**9.15.090 Grading, grubbing and scarring control.**

No clearing or grubbing shall be allowed except in conjunction with a grading permit approved pursuant to the provisions of this Chapter.

(a) No permits shall be issued for any grading, grubbing, building or structure except after compliance with this Chapter.

(b) No dirt or rock shall be allowed to be used for fill except in those locations approved by the grading plan. Excess dirt or rock shall be carried to a disposal area designated on the grading plan or to an approved off-site location.

(Ord. 112, passed 3-4-2009)

**9.15.100 Hillside and ridgeline development permit procedures.**

(a) Permit Required. Except as exempted in this Chapter, no grading or construction within 100 horizontal feet or 50 vertical feet of the crest of a Significant Ridgeline, as shown on the Hillside and Significant Ridgeline Map shall be allowed.

(b) Review Authority. The City Planner in consultation with the Building Official and City Engineer shall review Hillside and Ridgeline Development Permit Applications, make determinations of completeness, and render decisions

on such permits, unless a Hillside and Ridgeline Development Permit Application is made in conjunction with another application which requires City Council approval. In this case, Hillside and Ridgeline Development Permit Applications shall be processed concurrently with the associated applications and be subject to the approval of the City Council and subject to the requirements of this Chapter. The City Planner may also refer a Hillside and Ridgeline Development Permit Application to City Council. Where the City Council conducts the review and determination regarding the Hillside and Ridgeline Development Permit Application, a public hearing before the City Council shall be required with Notice as provided in Subsection (c) hereof. Where the City Planner renders the decision on the Hillside and Ridgeline Development Permit Application, the City Planner shall provide opportunity for receipt of public comments prior to the final determination.

(c) Notice. Notice is required to be mailed to all property owners within 300 feet of the exterior boundaries of the property ten days prior to any final decision on a Hillside and Ridgeline Development Permit Application. The applicant shall be required to submit two copies of mailing labels for surrounding property owners in accordance with procedures maintained by the Planning Department.

(d) Required Findings. Prior to approving any Hillside and Ridgeline Development Permit Application, the approving authority shall make the following findings:

(1) The proposed grading or development is consistent with and serves to implement the City's General Plan;

(2) The proposed grading or development is consistent with the purpose and intent of this Chapter;

(3) That care and due diligence was exhibited in the design of the grading or development to avoid or minimize disruption to the significant natural ridgelines and designated hillside areas, to avoid sensitive biological resource habitat areas, and to preserve the visual and aesthetic qualities of hillside

areas and significant natural ridgelines from the surrounding community and regional transportation corridors; and

(4) That the proposed grading or development is in compliance with the standards of this Chapter and is consistent with the Hillside Grading Guidelines and meets any other requirements of applicable laws or regulations.

(e) Application and Fees. Any requests for permits or review shall require that fees and completed application on a form provided by the Planning Department be submitted to the Planning Department in addition to any other materials, reports, plans, or other information as determined by the City Planner as required to take an action on the application.

(f) Determination of Completeness and Additional Information.

(1) Complete Application Required. Any application for a Hillside and Ridgeline Development Permit must be accepted as complete for processing by the City Planner in order to commence and initiate the application review process. All required materials, information, and fees shall be provided by the applicant before the application is deemed complete for processing.

(2) Determination of Completeness. The City Planner shall determine in writing the completeness of the application and shall transmit this determination to the applicant within 30 days. Any resubmittal shall also be subject to a determination of completeness within 30 days from subsequent filings.

(g) Abandonment of Applications. An application for a Hillside and Ridgeline Development Permit shall be deemed to have been abandoned when information and/or fees have been requested to complete the application and this information and/or fees have not been received by the Planning Department within 60 days. A new application and fees shall be required to re-initiate an application after an application has been abandoned.

(h) Who May File Application. Applications for permits and approvals may only be made by the property owner of the affected property, or with the property owner's notarized authorization for a specified agent or representative.

(I) Environmental Review. No permit or approval shall be granted subject to the provisions of the Chapter prior to the completion of applicable environmental review and determination as required by the California Environmental Quality Act and City Guidelines.

(j) Use, Grading, or Development of Land Before Final Decision. Construction or grading shall not commence until the first business day after all applicable appeal periods have lapsed or final action has occurred on any appeal.

(k) Permit Expiration. Approvals for Hillside and Ridgeline Development Permits shall lapse and become null and void 24 months from the date of approval unless the use or entitlement, or substantial construction has commenced with appropriate Building Department Permits, or unless the Permit has been extended in compliance with the provisions of this Chapter.

(l) Extensions of Time. Any request for extensions of time shall require that fees and completed application on a form provided by the Planning Department be submitted to the Planning Department in addition to any other materials, reports, plans, or other information as determined by the City Planner as required to take an action on the requested extension. The City Planner may grant an extension of 12 to 24 months based upon reasons submitted for the requested extension. Any request for extension beyond 24 months shall require filing of a new Hillside and Ridgeline Development Permit with appropriate fees, applications, and materials.  
(Ord. 112, passed 3-4-2009)

## CHAPTER 9.20: CANYON LAKE VILLAGE OVERLAY ZONE

### Section

- 9.20.010 Canyon Lake Village Overlay Zone established.
- 9.20.020 Applicability and zoning map designator.
- 9.20.030 Housing types and unit mix.
- 9.20.040 Development standards.

#### **9.20.010 Canyon Lake Village Overlay Zone established.**

Article XXVI of Riverside County Land Use Ordinance No. 348, Sections 25.1 - 25.5 are amended to provide for the Canyon Lake Village Overlay Zone. The Canyon Lake Overlay Zone is established to require the development of multifamily housing at a density of 20-24 dwelling units per acre. Within the boundaries of the Overlay Zone a maximum of ten acres of land shall be available to be developed at a density of 20-24 dwelling units per acre. (Ord. 142, passed 7-11-2012)

#### **9.20.020 Applicability and zoning map designator.**

The Canyon Lake Overlay Zone is applied to an area with a General Plan designation of Mixed Use and a zoning designation of Specific Plan. The area to which the Overlay Zone applies is denoted on the map attached to Ordinance 142, and includes only the following assessor parcel numbers:

- (a) 354-030-024;
- (b) 354-030-026; and
- (c) 354-030-037.

(Ord. 142, passed 7-11-2012)

#### **9.20.030 Housing types and unit mix.**

(a) The purpose of the Canyon Lake Village Overlay Zone is:

(1) To facilitate mixed use development that meets the goals of the General Plan land use element; and

(2) To facilitate multifamily residential development that meets the goals, policies and objectives of the General Plan housing element.

(b) Multifamily housing developed at a density of 20-24 dwelling units shall consist of a variety of housing types and a diverse housing unit mix. Multifamily housing shall include a mix of the following housing unit sizes:

- (1) SRO/Efficiency units;
- (2) One-bedroom units;
- (3) Two-bedroom units;
- (4) Three-bedroom units;
- (5) Four-bedroom units; and

(6) Housing units accommodating the needs of senior and disabled citizens.

(Ord. 142, passed 7-11-2012)

#### **9.20.040 Development standards.**

Development standards for multifamily housing developed at a density of 20-24 dwelling units shall be as follows:

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- (a) Density: 20-24 dwellings per acre.
- (b) Minimum lot size per dwelling unit: 1,815 square feet.
- (c) Maximum lot area per dwelling unit: approximately 2,178 square feet.
- (d) Minimum lot area: two acres.
- (e) Maximum lot area: five acres.
- (f) Maximum site coverage: 50%.
- (g) Maximum height: 30 feet.
- (h) Usable open space: 150 square feet per dwelling unit.
- (I) Housing unit size:
  - (1) SRO/efficiency units: 150 to 400 square feet.
  - (2) Studio units: minimum of 500 square feet.
  - (3) One-bedroom units: minimum of 650 square feet.
  - (4) Two-bedroom units: minimum of 800 square feet.
  - (5) Three-bedroom units: minimum of 1,000 square feet.
  - (6) Four-bedroom units: minimum of 1,200 square feet.
- (j) Parking standards:
  - (1) SRO/efficiency, studio, and 1-bedroom units: one covered parking space.
  - (2) Two-bedroom units: one covered parking space plus one uncovered parking space.
  - (3) Three- and four-bedroom units: one covered parking space and one and one-half uncovered parking space.
  - (4) Covered parking space must be in a garage or carport.
  - (5) Multi-family developments of ten or more dwelling units shall provide one visitor parking space for every ten dwelling units.
  - (6) Applicants may request reduced parking standards based on the results of a parking study correlating the need for parking to the housing unit/bedroom mix of the multifamily project and the target population to be housed (e.g., disabled, seniors). (Ord. 142, passed 7-11-2012)

## CHAPTER 9.25: SIGN REGULATIONS

### Section

- 9.25.010 Purpose and intent.
- 9.25.020 Definitions.
- 9.25.030 Exempt signs.
- 9.25.040 Permit requirements.
- 9.25.050 Sign regulations.
- 9.25.060 Temporary signs.
- 9.25.070 Prohibited signs.
- 9.25.080 Abandoned, illegal and nonconforming signs.
- 9.25.090 Conformance and amortization.
- 9.25.100 Violations and enforcement.
- 9.25.110 Construction and maintenance.
- 9.25.120 Appeal or variance procedure.

#### **9.25.010 Purpose and intent.**

The purposes of this Chapter are to:

(a) Create the legal framework for comprehensive and balanced system of signage, facilitating communication between people and their environment.

(b) Provide necessary and reasonable regulations and standards for signs in the City as necessary to promote the general welfare and public interests of the community. Said regulations and standards may address the location, number, size, height, illumination, character, design, materials, construction, color, maintenance, and other related aspects of signs including outdoor advertising structures.

(c) Encourage the effective use of signs as a means of communication in the City; to enhance the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effects of signs on public and private property; and to enable

the fair and consistent enforcement of these sign regulations.

(d) Enhance and preserve the City's scenic arterials including Railroad Canyon Road and Goetz Road. All commercial centers within the City are located along one of these two roads.

(e) Authorize the use of signage and street graphics which are compatible with their surroundings while preserving the aesthetic environment and unique visual character of the City.

(f) Authorize signage which is legible in the circumstances in which it is seen and which is consistent with the General Plan and policies of the City.

(g) Ensure that all signage in the City shall be compatible with the design of a site and its structures.

(h) It is not the intent of this Chapter to regulate residential signage at this time, nor does it supersede or nullify any existing law(s) which regulate residential signage in residential areas. Notwithstanding signage for home occupations is permitted pursuant to Section 21.3 of this Code.

(i) No provision of this Chapter shall prohibit an ideological, political or other noncommercial message on a sign otherwise permitted by this Chapter.

(j) Sign applications shall conform to the City's adopted sign design policies and guidelines to ensure that signs are considered early in the design process for new structures and that new signs for existing buildings are consistent with and enhance the integrity of the building design. The regulations regarding the size, location, and content of signs as well as types of signs

permitted and prohibited by this Chapter, shall implement the sign design standards and guidelines of the General Plan and City policies.

(k) The provisions of this Chapter are not intended to abrogate any easements, covenants, conditions, restrictions, or agreements which are more restrictive than the provisions hereof. The provisions of this Chapter are in addition to the Canyon Lake Property Owners Association (POA) requirements which are enforced separately. (Ord. 147, passed 6-6-2013)

### 9.25.020 Definitions.

For the purpose of this Chapter, certain terms, phrases, words, and their derivatives shall be construed as specified hereinafter.

“Abandoned sign.” Any sign which advertises a business, use or service which has been discontinued for a period of more than 90 calendar days. (See Section 9.25.080.)

“Accessory sign.” A permanently mounted sign which has a purpose secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “loading only,” the announcement of credit cards or other incidental matters, and which does not announce or advertise products, goods or services directly related to the business being conducted on the premises. (See Section 9.25.030.)

“A-frame sign.” A free standing sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter “A.” (See Section 9.25.030.)

“Animated sign.” A sign which uses movement, lighting, or special materials to depict action or create a special effect; but not including wind-actuated elements such as flags and/or banners, and non-animated LED/digital advertising signs, or hand held signs. (See Section 9.25.070.)

“Awning.” A temporary shelter supported from the exterior wall of a building.

“Awning, canopy or marquee sign.” A nonelectric sign that is printed on, painted on, or attached to an awning or valance thereof, canopy, or marquee which is only permitted on the vertical surface or flap. Such a sign does not protrude nor project from the awning, canopy, or marquee.

“Banner, flag, pennant or balloon.” Any cloth, bunting, plastic, paper or other flexible material used for advertising purposes attached to, pinned on, or hanging from any structure, staff, pole, line, framing, or vehicle. (See Section 9.25.060, Temporary Signs.)

“Billboard sign.” Any off-site sign or sign structure the height of which exceeds 15 feet from the ground and is 100 square feet or greater and which is erected or used for advertising an establishment, message, merchandise, product, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located. (See Section 9.25.070.)

“Building complex or center.” A building or group of buildings on one or more lots or building sites containing more than one commercial or industrial occupant which use common vehicular and pedestrian access and parking facilities.

“Building marker.” Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material and which is permanently affixed to a building. (See Section 9.25.030, Exempt Signs.)

“Civic event sign.” A temporary sign posted to advertise a civic event sponsored by a public agency, school, church, service clubs, civic-fraternal organization, association, or similar noncommercial organization. (See Section 9.25.060, Special Event Signs.)

“Civic organization.” An organization consisting of members of the community as defined by the Federal Internal Revenue Service under Section 501(c).

“Commercial sign.” Any sign with wording, logo, or other representation that, directly or indirectly,

names, advertises or calls attention to a business, product, service, profession, commodity, event, person, institution, or other commercial activity or otherwise contains commercial speech.

“Commercial speech.” Any message proposing a commercial transaction or related to the economic interests of the speaker or its audience.

“Combination sign.” Any sign incorporating any combination of the features of more than one sign classification. (Each portion of a sign which is subject to more than one classification shall meet the requirements for the classification to which such portion is subject.)

“Comprehensive sign program.” A coordinated comprehensive program of two or more signs for an individual building, building complex(es), or development and the site upon which the development occurs. The combination of lots covered by a “comprehensive sign program” shall be treated as a single site with the comprehensive sign program governing the entire site.

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

“Directional sign.” Accessory on-site signs designed to guide or direct pedestrian or vehicular traffic and which contain no matter specifying products or services. (For off-site directional signs, see “off-site sign.”)

“Digital advertising signs.” Non animated, non-flashing static electronic sign that digitally transitions between images. (See Section 9.25.050.)

“Fascia.” An architectural feature generally comprising a trim panel attached to the eaves and immediately below the roofing material.

“Fascia sign.” A sign upon the fascia. (A “fascia sign” is regulated as a wall sign.)

“Freestanding signs.”

“Monument sign.” A sign supported from ground level to the bottom of the sign with the appearance of having a solid base and which does not exceed a height of eight feet.

“Pole sign.” A sign which is wholly supported by one or more columns, uprights or braces in the ground and that are independent from any building or other structure.

“Frontage.” The horizontal lineal measurement of any side of a building at ground level.

“Grand opening.” A promotional activity of a newly established business to inform the public of its location and service available to the community. “Grand opening” does not mean an annual or occasional promotion by a business.

“Hand held sign.” A sign that is held by an individual; “hand held signs” may be commonly known as “human sign twirlers.”

“Illuminated sign.” A sign with an artificial light source for the purpose of lighting the sign or making the message readable. This includes but is not limited to signs utilizing neon, light emitting diode (LED), fluorescent, electric, as well as unlit signs that have lighting directed on them.

“Legal nonconforming sign.” A sign legally established under old Chapters which does not conform to the regulations of the current Chapter.

“Marquee.” Any hood, canopy, awning or permanent construction which projects from a wall of a building, usually above an entrance.

“Murals.” An original work of visual art produced by hand that is tiled or is glass, metal, or painted directly upon, or affixed directly to an exterior wall of a structure or a paved surface, which does not advertise

an institution, organization, business, product, service, and/or event. “Murals” do not include mechanically-produced or computer generated prints or images including but not limited to digitally printed vinyl, or electrical or mechanical components or changing images. (See Section 9.25.050(d).)

“Non-commercial sign.” Any sign which is not a commercial sign as defined herein or does not include commercial speech.

“Non-profit organization.” An organization as defined by the Federal Internal Revenue Service under Section 501(c).

“Off-site sign.” Any sign or sign structure the height of which does not exceed 15 feet from the ground, is less than 100 square feet, and which is erected or used for advertising an establishment, message, merchandise, product, service, event, or entertainment, which is not sold, produced, manufactured, or furnished at the property or complex on which the sign is located. An “off-site sign” may provide direction to a primary location. (See Section 9.25.070.)

“On-site sign.” A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities provided on the premises.

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

“Political sign.” A temporary sign, not otherwise permitted by this Chapter, regarding a particular vote for or against a candidate or measure on the ballot in any scheduled election. (See Section 9.25.060.)

“Portable sign.” Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, A-frame signs, and menu and sandwich board signs. (See Section 9.25.070.)

“Projecting sign.” Any sign, other than a wall sign, which projects perpendicular from and is supported by a wall of a building or structure. (See Section 9.25.050.)

“Pylon sign.” A freestanding sign designed and constructed so the advertising structure is supported by structure comprised of masonry and metal reinforcement projects.

“Real estate sign.” Any sign, other than a subdivision sign, advertising the sale, rental, or lease of the premises upon which the sign is displayed.

“Roadway banner.” A banner which is displayed over public or private streets for a limited time. (See Section 9.25.070.)

“Roof sign.” A sign erected, constructed, or placed upon or over a roof or parapet of a building or structure, including a mansard roof and which is wholly or partly supported by such buildings. (See Sections 9.25.070 and 9.25.090.)

“Seasonal banner.” Temporary signs affixed to light poles on public or private property that are associated with seasonal events or holidays. (See Section 9.25.030.)

“Sign.” Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

“Sign area.” The entire face of a sign including the surface and any framing, projections, or molding, but not including the support structure. Individual letters mounted or painted on a building shall be measured by the area enclosed by four straight lines outlining the message. The area of a freestanding sign shall be determined from the sign face.

“Sign program.” See “comprehensive sign program.”

“Single use.” A single use shall be a site or building occupied by one commercial, industrial, or organizational use.

“Site” shall mean one or more contiguous parcels of land identified by the assessor's records and for which a building or building complex exists or has been proposed.

“Street frontage.” The length of a lot or parcel of land along or fronting on a street or streets.

“Subdivision sign.” A sign that is suspended from the underside of a horizontal plane surface (e.g., awning, marquee, soffit, walkway cover) and is supported by such surface. (See Section 9.25.050.)

“Temporary.” Lasting for only a limited period of time, not permanent.

“Temporary sign.” Any sign that is used or intended to be used only temporarily and is not permanently mounted, including seasonal banners.

“Time and temperature sign.” A mechanical or electrical sign which indicates time and temperature. (See Section 9.25.050(a).)

“Vehicle sign.” A sign which is attached to or painted on a vehicle, including magnetic decals that can be attached to the side of a car, truck, or vehicle. (See Section 9.25.030, Exempt Signs.)

“Wall sign.” Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. (See Section 9.25.050.)

“Wearable display.” A sign, costume, or other wearable object utilized as a sign to promote a business, service or event.

“Window sign.” Any sign painted or affixed to the inside or outside of a window surface, or otherwise so located within a building so as to be visible from the exterior of the building. (Window signs are addressed in Sections 9.25.030 and 9.25.050 of this Chapter.)  
(Ord. 147, passed 6-6-2013)

**9.25.030 Exempt signs.**

The following signs shall be exempt from the sign permit requirements and procedures of this Chapter:

(a) Window signs which are in keeping with the purpose and intent of this Chapter that are painted or similarly applied directly to the window with non-washable or washable material are permitted so long as the total sign area does not exceed 25% of the total frontage glass area.

(b) Temporary holiday window signs/decorations so long as they do not exceed 25% of the total window area, and are removed within 20 days after the holiday.

(c) Memorial signs and plaques, not to exceed two square feet, installed by a civic or non-profit organization.

(d) Official and legal notices issued by a court or governmental agency and posted in compliance with law.

(e) Official flags of the United States, the State of California, County and City, not to exceed 100 square feet per flag.

(f) Temporary construction signs on commercial construction sites. Construction signs for infrastructure projects and other public improvement projects undertaken by a public agency are also exempt. Such signs shall be limited to one directory or pictorial display sign per street frontage or entrance, up to a maximum of two signs, identifying the development under construction and/or any contractors, architects, engineers, landscape architects, owners(s), financial supporters, future occupants, sponsors, and/or similar individuals or firms having a major role or interest with

respect to the structure or project. Each sign shall be removed prior to issuance of a certificate of occupancy. Construction signs shall not exceed 50 square feet.

(g) Accessory signs (may be double-faced) for gasoline service stations, showing notices of services (i.e., price of gasoline) provided or required by law, trade affiliations, credit cards accepted, and the like, not attached to the structure or building; provided that all of the following conditions exist:

(1) The number of signs shall be no more than three.

(2) No such sign projects beyond any property line.

(3) No such sign may be placed or allowed to remain within the sight distance triangle as determined by the City Engineer.

(4) No such sign shall exceed an area per face of nine square feet or height of four feet.

(h) Copy applied to fuel pumps or dispensers such as fuel identification, station logo, and other signs required by law.

(i) Non-illuminated, directional signs to aid vehicle or pedestrian traffic provided that such signs are located on-site, have a maximum area which does not exceed three square feet, have a maximum overall height of four feet above ground level, and are mounted on a monument or decorative pole. Such signs may be located in a required setback provide that a minimum distance of five feet from any property line is maintained.

(j) Directional signs painted on paved areas.

(k) Vehicle signs. Signs professionally painted for application directly to vehicles (includes temporary signs and magnetic signs that are attached to the outside of a car). Directional signs may not be placed on vehicles. Vehicles registered as Planned Non Operation with the California Department of Motor

Vehicles may not be used for signage. No vehicle signs can remain in place for a period greater than seven consecutive days.

(l) Signs required by Federal, State, or City statute, not to exceed the maximum size permitted thereby.

(m) Repainting copy with a design change, replacement of damaged panels with identical panels, or cleaning of a sign structure. (If structural or electrical changes are being made a building permit must be obtained.)

(n) Building marker, not to exceed two square feet. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material and which is permanently affixed to a building.

(o) Benches that do not obstruct the accessibility of the sidewalks, as determined by ADA, are allowed on the buildings/suites private property and not within the public right-of-way. These items are intended to beautify the center and must be kept in good repair. Dedication plaques are allowed on benches, all other signage on benches is not allowed.

(p) One mannequin or one rack of clothing (not to exceed six feet in length), that does not obstruct the accessibility of the sidewalk, as determined by ADA, is allowed at the front of a business's entrance if it is located on the building's/suite's private property and not within the public right-of-way. These items are intended to help attract business and must be kept in good repair. Items must be stable so as to not tip over under typical conditions. Items must be brought inside when the business is closed.

(q) Hand held signs.

(r) Wearable displays. Allowed for a maximum of one day per week per business, service, or event.

(s) Non-commercial signs, excluding those as prohibited in Section 9.25.070.

(t) Seasonal banners pursuant to the following standards:

(1) Seasonal banners may be allowed year round and may be changed on a seasonal basis.

(2) Seasonal banners shall be installed on permanent light standards only.

(3) A maximum of two seasonal banners per light standard are permitted.

(4) The dimensions of each banner shall be 30 inches wide by 96 inches in height maximum.

(5) If a banner or the structure supporting the banner is damaged it shall be the applicant's responsibility to remove the banner and/or structure within 14 days of written notice.

(6) Those banners that exceed these standards shall be permitted as either special event or banner signs pursuant to Section 9.25.06.

(u) A-frame signs pursuant to the following standards:

(1) No more than one A-frame sign may be allowed per business and no more than one A-frame sign may be allowed for each entrance into a building. If there is more than one business located in a single building with one entrance, only one A-frame sign is allowed at the entrance at a time.

(2) The vertical dimension of the sign (including both frame and sign face) shall not exceed four feet and the horizontal dimension of the sign (including both frame and sign face) shall not exceed two feet.

(3) One additional sign may be permitted per major street frontage, provided it is a community event sponsored by the City or by a nonprofit or civic organization.

(4) At no time shall the distance between A-frame signs be less than 30 feet.

(5) The Planning Director shall have the authority to increase or reduce the requirements in this Subsection (u) in case of unusual physical characteristics of the site, such as presence of driveways, landscaping, utility poles, lot configuration, and the like.

(6) A-frame signs shall be made out of wood or metal with a chalk board or white board sign face. Signs shall be mounted to a frame between one and four inches thick that contours the top, bottom and sides of the sign. A-frame signs shall be constructed of quality durable materials and shall be constructed so that the sign shall be securely fastened to the frame. A-frame signs shall not be made out of plastic.

(7) A-frame signs shall be restricted to business operating hours only.

(8) A-frame signs shall not be allowed during windy days where the sign may be blown over.

(9) A-frame signs shall not be permitted within the public right-of-way, Merchant Owners Association (MOA) common areas including landscape areas, and shall not obstruct flow of traffic, public's view of another business or activity, public's view of the signage for another business or activity, the view or visibility of the operator of any motor vehicle, or the movement of any pedestrian or motor vehicle.

(10) The maximum duration for an A-frame sign is seven cumulative days within a 30-day period. (Ord. 147, passed 6-6-2013)

**9.25.040 Permit requirements.**

No sign, including any change in text on the sign, mural or temporary sign, unless expressly exempted by this Chapter, shall be constructed, placed or altered without a sign permit or comprehensive sign program approved by the City. The City Planner shall initially review all signs.

(a) Application for Permit or Program Approval. Application for a sign permit or comprehensive sign

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program shall be made in writing upon forms provided by the City Planner and shall include the following items:

(1) Name, address, telephone number and signature of the applicant.

(2) Name, address, telephone number and signature of consent by the property owner.

(3) Location by street number and legal description (tract, block, lot) of the building, structure, or lot to which or upon which the sign is to be installed or affixed.

(4) A drawing to scale showing the design of the sign, including dimensions, square footage, and showing the relationship to any building or structure to which it is, or is proposed to be, installed or affixed, or to which it relates. Drawings shall be a reproducible size, maximum 11x17.

(5) For all signs except wall signs, a site plan drawn to scale, showing existing buildings, dimensions, property lines, setbacks, streets, sidewalks, driveways, landscaping areas, and number, size and location of existing and proposed signs. Drawings shall be a reproducible size, maximum 11x17.

(6) For wall mounted and suspended signs, scaled elevation drawings of full face(s) of the building showing size and locations of proposed and existing signs. Drawings shall be a reproducible size, maximum 11x17.

(7) Location/disposition of existing signs to remain. If any existing signs that are associated with the specific businesses' tenant space are to remain legal nonconforming signs, the sign program shall address the phasing of bringing those signs into conformity pursuant to Section 9.25.090.

(8) The application fee in the amount established by resolution of the City Council.

(9) Other requirements as determined necessary by the City Planner and in compliance with

any adopted design guidelines, including but not limited to:

(A) Photograph(s) of the building or site.

(B) Lettering style, method of attachment, source of illumination, and/or construction details.

(C) Color samples and material samples.

(b) Method of Review and Approval - Sign Permit. The purpose of a sign permit is to ensure compliance with the provisions of this Chapter. Any sign permit may be referred to the City Council for review and decision as deemed appropriate by the City Planner and/or City Manager.

(1) General. After receipt of a complete application for a sign permit, the City Planner shall review the application for conformance and render a decision to approve, conditionally approve, or deny such sign request.

(2) Signs Requiring City Council Review and Other Signs Referred to City Council.

(A) City Planner Review. After receipt of a complete application for a sign permit, the City Planner shall review the application for conformance and shall schedule for review by the Planning Committee.

(B) The Planning Committee shall consider and recommend approval or denial to the City Council.

(C) City Council Determination. The City Council, at an appropriately noticed public hearing, shall render a decision to approve, conditionally approve, or deny such sign permit proposal. Ten days prior to the hearing notice shall be published and mailed to all real property owners within 300 feet of the project site (property to contain the sign).

(D) Such review shall ensure that any sign proposal is in conformance with this Chapter, any adopted sign design guidelines, and the General Plan, as well as other applicable Chapters and policies of the City. Any determination made by the City Planner may be appealed to the Planning Committee and ultimate decision by the City Council. A decision by the City Council is final.

(c) Method of Review B Comprehensive Sign Program. The purpose of a comprehensive sign program is to ensure compliance with the provisions of this Chapter. The intent of the comprehensive sign program is to provide an opportunity for a center or complex to obtain approval of an overall sign program which will enable administrative review and approval prior to installation for those individual signage elements which were approved in the sign program.

(1) City Planner Review. After receipt of a complete application for a comprehensive sign program, the City Planner shall review the application for conformance and shall schedule for review by the Planning Committee.

(2) The Planning Committee shall consider and recommend approval or denial to the City Council.

(3) City Council Determination. The City Council, at an appropriately noticed public hearing, shall render a decision to approve, conditionally, approve, or deny such sign program request. Ten days prior to the hearing notice shall be published and mailed to all real property owners within 300 feet of the project site (property to contain the sign).

(4) Findings. Prior to approval of a comprehensive sign program, the City Council shall make the following findings:

(A) The specific standards for sign area, height and location are appropriate for the site;

(B) The proposed signs are visually compatible with the buildings they identify;

(C) To the extent practicable, the proposed sign program shall be internally consistent and compatible with the site and its components;

(D) The proposed signs are compatible with surrounding land uses and do not obscure adjacent conforming signs or viewsapes;

(E) The proposed signs do not obstruct visibility for ingress and egress from adjacent conforming signs or viewsapes; and

(F) The proposed signs are compatible with the purpose and intent of this Chapter.

(5) Other Permits Required. Issuance of a sign permit or approval of a comprehensive sign program does not preclude the necessity for obtaining building, electrical, or other permits for signs where such other permits are required by the City. (Ord. 147, passed 6-6-2013)

**9.25.050 Sign regulations.**

This Section addresses and establishes minimum and maximum quantitative measures for regulating the sizes of signage. Signage shall be consistent with the following requirements as well as with any adopted sign design guidelines or Specific Plan.

(a) General.

(1) Signs may be erected, altered and maintained only for those permitted uses of the zone in which they are located except as provided otherwise in this Chapter.

(2) Signs shall be located on the same site or complex as the permitted use, except in the case of specifically approved off-site signs.

(3) Time and Temperature Devices. Such devices may be considered for approval as part of a sign application when they are located on private property, are not located on a roof, unless as part of a

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tower structure, do not exceed 16 square feet for each face, and do not rotate. Any monument sign which incorporates a time and temperature element may be permitted up to 50% additional height. A sign with a time and temperature element may not be located within 4,000 lineal feet of another such sign along the same roadway. Any clock shall keep accurate time; if this condition is not complied with, the clock shall be repaired or removed within ten days of official notice from the City.

(4) Real Estate Signs, Commercial. One commercial real estate sign, not to exceed 20 square feet in area, is allowed per lot or unit. Commercial real estate signs are those which advertise the sale, lease or rent of premises upon which the sign is located. No permit or approval is required provided said sign follows these criteria.

(5) Signs may not contain discriminatory, hateful, adult, or obscene text or graphics as defined by California Law.

(b) Single Use. A single use shall be a site or building occupied by one commercial, industrial, or organizational use. The following standards are applicable to such single uses. Standards regulating signs specific to building complex/center (multi-tenant uses) type developments and the tenant suites/units therein, are included in following Subsection (c).

(1) Sign Type. Only sign types specifically authorized herein shall be permitted as noted below. Projecting signs may be permitted only where a wall or suspended sign cannot be placed to provide reasonable identification.

### (2) Sign Area.

(A) The maximum surface area of signs affixed to a building shall be as follows:

1. The total aggregate area for all signs per single use shall not exceed 1-1/2 square feet of sign area of each one linear foot of building frontage except that frontages along the golf course shall be

permitted signage at 1/2 square feet of sign area for each one linear foot of building frontage.

2. No single sign face shall exceed 100 square feet.

3. Sign area accruing from one frontage, pursuant to Subsection (b)(2)(A)1. above may only be applied to signage along that same frontage. Transferring or sharing of allowed sign area between two frontages is not allowed.

(B) The maximum surface area of freestanding signs shall be as follows:

1. The total aggregate area for a freestanding sign per single use shall not exceed 80 square feet.

(C) Projecting signs shall not exceed 3-1/2 square feet.

(3) Number of Signs. A single use may be permitted up to one freestanding sign per frontage and one sign attached to the building. Those single uses without direct street frontage are not permitted a freestanding sign.

### (4) Sign Height.

(A) Monument Signs. The maximum permitted height above ground level for monument signs adjacent to street frontages (within one to 25 feet of a public right-of-way) shall be eight feet. The maximum permitted height above ground level for monument signs which are interior to the site shall be six feet.

(B) Wall and fascia signs shall not extend above the height of the wall or the lowest point of the roof.

(C) Projecting and under canopy signs shall provide a minimum of eight feet ground clearance. Signs shall not extend above the height of the wall or the lowest point of the roof.

(5) Setbacks. All signs must be set back so as not to obstruct the visibility for ingress and egress from a public right-of-way, or endanger pedestrians, motorists, or the public.

(6) No sign shall encroach into, or over the public right-of-way, except as permitted by Section 9.25.060, or as specifically exempted by the language of Section 9.25.030.

(7) Landscaping. Monument signs shall be located in landscaped areas equal to a minimum of two times the area of the sign face.

(8) Each freestanding monument sign along a public right-of-way shall include the address of the site located at the uppermost portion of the sign and clearly visible from the public right-of-way. The portion for the address may be permitted over and above the allowable square footage for the sign.

(9) Projecting and under canopy signs shall not extend farther than two feet from the building it is placed on. Projecting signs and under canopy signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right-of-way.

(c) Building Complex/Center (Multi-Tenant Uses). Commercial, industrial, or institutional complexes or centers are subject to the following provisions. Any new commercial, industrial, or institutional complexes or centers are required to obtain approval of a comprehensive sign program and shall be subject to the following provisions:

(1) Sign Types Permitted. Only sign types specifically authorized herein shall be permitted in multi-tenant developments.

(A) Free Standing Signs.

1. One freestanding monument sign per street frontage entrance for identification of the center or complex and its tenants, shall be permitted at a maximum height of eight feet and maximum area

of 80 square feet. No portion of the sign shall be closer than one foot from the public right-of-way unless an encroachment permit is acquired. Said sign shall be located in either a landscaped parkway or in a landscaped area adjacent to an access drive. Area of landscaping within said parkway or area shall be equal to two times the area of the sign face.

2. Each freestanding monument sign along a public right-of-way shall include the address of the site clearly visible from the public right-of-way. The portion for the address may be permitted in addition to the allowable square footage of the sign.

3. Pylon Signs. An additional freestanding pylon sign may be permitted in commercial centers over ten acres in size for additional identification of the commercial center and tenants therein. One pylon sign, not to exceed 24 feet in height and 80 square feet in area, may be permitted for each street frontage, and may be centrally located along the commercial center's street frontage.

(B) Directory Signs. Additional directory signs including freestanding complex/center directory signs that include a map, freestanding multi-tenant directory signs, and multi-tenant building wall signs may be allowed in a complex/center as deemed appropriate for additional identification. Directory signs must be approved as part of the overall complex sign program for consistency.

1. Complex/center directory sign are intended to provide a directory as well as a map for an entire complex/center. These signs shall be a maximum height of eight feet and have a maximum area of 25 square feet per display face. Complex directory signs may have multiple sides. These signs shall be located in landscaped areas. Unless existing conditions preclude, the landscaped area shall be equal to a minimum of two times the area of the sign face. Properties that are less than one acre in size shall not have more than one complex directory sign. Properties over one acre in size but less than 15 acres in size shall not have more than two complex directory signs.

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Properties that are more than 15 acres in size shall not have more than three of these signs. These signs shall be located to maximize visibility and usefulness to those entering the complex/center.

2. Multi-tenant freestanding directory signs are intended to provide a directory for a single building or group of buildings containing multiple suites/tenants within a complex/center. These signs shall be a maximum height of eight feet and have a maximum area of 25 square feet per face. These signs may have multiple sides. Directory signs shall be located in landscaped areas. Unless existing conditions preclude, the landscape area shall be equal to a minimum of two times the area of the sign face. Multi-tenant freestanding directory signs shall not exceed a ratio of one directory sign per six businesses or suites and shall not be located less than 100 feet from each other.

3. Building tenant directory wall signs are intended to provide a directory for a single building containing multiple suites/tenants. These signs shall have a maximum area of 25 square feet. Sign area accruing from one frontage may be allocated only to signage along the same frontage. No sign shall extend above the height of the wall or the lowest point of the roof.

(C) Wall, Fascia, Under Canopy, and Projecting Signs. Individual business uses within a complex/center may be permitted signage on the building in which the business use is located pursuant to the following standards:

1. Sign Area. The maximum surface area of signs affixed to a building shall be as follows:

a. The total aggregate area of all signs per single use shall not exceed 1-1/2 square feet of sign area for each one linear foot of building frontage. Except that frontages along the golf course shall be permitted signage at 1/2 square feet of sign area for each one linear foot of building frontage.

b. No single sign face shall exceed 100 square feet.

c. Sign area accruing from one frontage may be allocated only to signage along the same frontage.

2. Sign Height. No sign shall extend above the height of the wall or the lowest point of the roof.

3. Projecting Signs. A projecting sign may be permitted only where a wall or under canopy sign cannot be placed to provide reasonable identification. Projecting signs shall be placed so that the lowest point of the sign is no lower than eight feet from the walking surface to avoid conflict with pedestrian access, and shall not extend farther than two feet from the building it is placed on. Projecting signs shall not exceed 3-1/2 square feet. Projecting signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right-of-way.

4. Under Canopy Signs. Under canopy signs shall be placed so that the lowest point of the sign is no lower than eight feet from the walking surface immediately below to avoid conflict with pedestrian access. Under canopy signs shall not exceed 3-1/2 square feet, and shall not project past the edge of the roof. Under canopy signs shall be double-sided and installed horizontal to the building frontage. Under canopy signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right-of-way.

(D) Window Signs. Window signs are permitted pursuant to Sections 9.25.030 and 9.25.060.

(E) Digital Advertising Signs. Digital advertising signs may be permitted in commercial, industrial, or institutional complexes/centers over ten acres in size upon approval by the City Council as set out in this section through a sign permit pursuant to the following standards and conditions:

1. Sign Height. Digital advertising signs shall not exceed 24 feet in height above ground level.

2. Sign Area. The sign display face shall not exceed 50 square feet. The total square footage of the sign shall not exceed 80 square feet.

3. Signage letters and exhibits must be an appropriate size based on the maximum speed on the road that the sign will be located as to be legible, as determined by the City Planner.

4. Proposed signs may be subject to limitations on the type of advertising and safety conditions as determined by the City Council.

5. Utility lines providing electrical and data power to the sign shall be underground.

6. The sign structure shall be architecturally treated to be compatible with its surroundings so as to screen the frame support structures and lighting from public view.

7. Operational hours may be limited based on surrounding land uses to minimize lighting conflicts.

8. An illumination study shall be required that addresses light impacts on surrounding areas.

9. Lighting shall comply with Chapter 655 Regulating Light Pollution in order to minimize impacts to the Palomar Observatory and surrounding properties.

10. Illumination from the digital advertising sign will be monitored and controlled as to not impact surrounding properties or the safety of vehicle drivers.

11. No audio sound associated with advertising is permitted.

12. Proposed sign and footing shall be located entirely outside the public right-of-way.

13. The material of the sign shall be designed or coated to control or eliminate reflection or glare from sunlight or passing vehicle lights.

14. The minimum display time between messages shall be no less than eight seconds.

15. Prior to implementing any of the following, the operator shall submit a request and obtain permission from the City: installing, implementing or using any technology that would allow interaction with drivers, vehicles or any device located in vehicles, including, but not limited to a radio frequency identification device, geographic positions system or other device.

16. Operator may be required to submit a written report annually of the operation of the sign during the preceding year that may include but is not limited to operator's licensee, compliance with permits, Outdoor Advertising Act, CA Vehicle Code, U.S. Dept. of Transportation, conditions of approval, and any complaints received by the operator.

(d) Murals. Murals may be permitted upon approval by the City Planner through the sign permit process stated in Section 9.25.040 and pursuant to the following standards and conditions. Any mural may be referred to the City Council for review and decision as deemed appropriate by the City Planner and/or City Manager.

(1) Murals may be permitted within commercial, industrial, and institutional areas.

(2) No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.

(3) No part of a mural shall extend more than six inches from the plane of the wall upon which it is tiled, painted, or affixed.

(4) Murals shall not be intended to be used as a method for commercial speech, but primarily as public pieces of art for aesthetic and/or architectural enhancement.

(5) Murals that would result in a property becoming out of compliance with the provisions of the City's Municipal Code or Zoning Chapter, or any land use condition of approval for the property on which the mural is to be located are prohibited.

(6) Dedication plaques are allowed, located on or adjacent to murals.  
(Ord. 147, passed 6-6-2013)

#### **9.25.060 Temporary signs.**

(a) Temporary signs, including special event signs and banners, may be approved by the City Planner for a limited period of time as a means of publicizing and/or advertising business, community, and/or civic events, products, services, and/or specials. Such temporary signs shall be subject to the following provisions:

##### **(1) General Provisions for All Temporary Signs.**

(A) No temporary sign shall be erected or placed without a sign permit pursuant to the requirements of Section 9.25.040.

(B) No temporary sign shall extend into or be located within the public right-of-way or obstruct visibility for ingress and egress from roadways or endanger and/or obstruct pedestrians, motorists, or the public.

##### **(2) Special Event Signs.**

(A) Special events signs shall only be used to promote special events as defined by Chapter 11.25 of the Municipal Code within commercial, industrial, and institutional zoned areas.

(B) Special event signs may in no case remain more than two days following the end of each event, and in no case can be erected or placed more than one month prior to the special event.

(C) Special event sign which may be approved by the City Planner include pennants, streamers, banners, balloons and balloon arches.

##### **(3) Banner Signs.**

(A) Banner signs may be permitted only in commercial, industrial, and institutional areas, and shall be limited to no more than 30 consecutive days, four times a year per business, as stated in the general provisions for temporary signs above.

(B) Banner signs shall not exceed 50 square feet and shall be professionally made.

(C) Banner signs shall be attached only to a building or other appropriate location determined by the City Planner and shall not be hung from trees, monuments signs, or other structures.

(4) Inflated Signs. Inflated signs are only allowed for grand openings of businesses for a time period not to exceed two weeks within the first three months of operation. Inflated signs shall be limited to a maximum height of 25 feet.

(b) Political Signs. Notwithstanding any other provision of this Chapter, temporary political signs are permitted in all zones subject to the following limitations:

(1) No temporary political sign shall exceed 16 square feet in sign area or extend more than six feet above ground level.

(2) The name, address, and telephone number of the person or organization owning or otherwise responsible for the temporary political sign shall be placed on the front or rear of the sign surface in readable type or print. If the name of one or more persons is shown on the face of the sign, that person or

persons shall be responsible for the sign and no additional printed information is required. If no person is listed on the sign, then the person or organization responsible for sign removal and contact information for enforcement or removal shall be listed. Failure to provide this information shall not be a basis for sign removal for non-compliance with this Code but shall abrogate the City's responsibility for notice and return hereunder.

(3) Temporary political signs shall include signs that have their own stake and shall not be affixed to any improvement or building. Balloons, streamers and similar material may not be added to the sign. Temporary political signs may not be placed on or attached to any tree, shrub, or plant.

(4) All freestanding temporary political signs shall be affixed to a pole or stand so as not to separate from such pole or stand during normal weather conditions. The pole or stand shall be sufficiently sturdy and shall be planted firmly in the ground. No such freestanding sign shall exceed six feet in height, measured from the ground in which the sign is planted to the top of the higher of (a) the top of the sign; or (b) the top of the pole or stand to which the sign is affixed. As used here, Aground means the dirt or other material into which the bottom of the pole or stand is placed. If the Aground is higher than the street level, as with ground behind a retaining wall or planter, then sign height will be measured from the actual level of the ground in which the sign is placed.

(5) No individual lot shall contain temporary political signs having an aggregate surface area in excess of 18 square feet, not to exceed three signs. Individual lots facing the golf course or waterfront are permitted to have an additional aggregate surface area not to exceed 18 square feet of temporary political signs, not to exceed three signs that are only visible from the waterfront side or golf course side.

(6) All temporary political signs shall be removed by or at the expense of the owner within ten days after the scheduled election to which such sign pertains.

(7) No such sign shall be erected, placed, or maintained upon any private property without the consent of the owner of such private property.

(8) No temporary political sign shall be erected, placed or maintained in or on public property, the public right-of-way, or any publicly owned sign, building, tree, or shrub, or other object or structure.

(9) No temporary political sign shall be erected, placed or maintained so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.

(10) No temporary political sign shall be artificially illuminated.

(11) Notwithstanding any other provisions of this Code or City Chapter to the contrary, any temporary political sign erected, placed, or maintained in violation of any provisions of this section may be removed by the City upon 48 hours prior oral notice to the sign owner or person or organization responsible for the sign. If such person does not remedy the violation within that time period, or if such person cannot be located upon reasonable effort by the City, the City may remove the sign. In the event any temporary political sign is an immediate threat to the public health, safety, or welfare, the City may immediately remove the sign and then notify the sign owner or person or organization responsible for the sign. Notwithstanding the notice provisions stated above, all temporary political signs not removed within ten days after the date of the election may be removed by the City without prior notice.

(12) All temporary political signs removed by the City shall be stored by the City for a period of seven days after removal. The owner or person or organization responsible for such sign(s), if such can be located, or all temporary political signs removed by the City shall be notified to retrieve the removed sign(s) within five days; if not retrieved within that time the

City may destroy the sign(s). The City may charge and collect a fee for the removal and storage of temporary political signs, said fee to be established by resolution of the City Council in an amount not to exceed the actual cost of removal, storage, and notice. Alternatively, whether or not such fee is established, the City may bring an action to recover the reasonable costs of removal, storage, and notice.  
(Ord. 147, passed 6-6-2013)

### 9.25.070 Prohibited signs.

The following signs are inconsistent with the sign standards set forth in this Chapter, and are therefore prohibited and their abatement shall be required when such sign shall be found to exist:

- (a) Abandoned signs as set out herein.
- (b) Animated, moving, flashing, blinking, reflecting, revolving, chasing, or any other similar sign, except properly permitted on-site digital advertising signs and time and temperature signs as permitted by this Chapter. This does not prohibit end of the year holiday lights/decorations which are not intended to be signage.
- (c) Open and/ or unshielded light bulb signs.
- (d) Banners, flags, and pennants, except as specifically allowed in this Chapter.
- (e) Changeable copy signs, with the exception of signs identifying commercial, industrial, or institutional centers of ten acres or more, and electronic message boards, except as allowed with a conditional use permit for commercial, industrial, or institutional complexes, movie theaters, arenas, stadiums, or auto malls.
- (f) Billboard signs (off-site outdoor advertising signs).
- (g) Portable signs, excluding those permitted by Sections 9.25.030 and 9.25.060.

(h) Signs on or projecting into public right-of-way, except for traffic regulatory signs, signs required by a governmental agency, and except as permitted by Section 9.25.060.

(i) Roof signs, except where it is determined by the City Planner that the construction of a building is such that available wall, parapet, or other surface area does not exist to allow signage to be placed in any location other than the roof. In no event shall any roof sign project above the roof-peak.

(j) Signs painted on fences or roofs.

(k) Balloons and other inflated devices or signs designed to attract attention, except as permitted by Section 9.25.060.

(l) Signs which simulate in color or design a traffic sign or signal, or which make use of words, symbols or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic.

(m) Unsafe signs. Any sign which constitutes an immediate hazard to the safety of any persons or property may be summarily removed by the City forthwith upon ascertainment of such facts by the City.

(n) Permanent or temporary off-site signs.

(o) Roadway banners over public or private roadways.

(p) Any sign which is not expressly permitted by this Chapter, or by a process herein, shall be deemed prohibited.

(Ord. 147, passed 6-6-2013)

### 9.25.080 Abandoned, illegal and nonconforming signs.

The Business and Professional Code, Subsection 5499.1, identifies the appropriate procedure for removal of on premises illegal or abandoned signs. Therefore, the following shall regulate such signs.

(a) Abandoned Freestanding Signs. A sign shall be determined to be abandoned when the business, use, or service it advertises has been discontinued for a period of more than 90 calendar days. If a sign has been abandoned, it shall be removed from the lot or building site on which it is located pursuant to the following procedure:

(1) The City shall prepare a notice of intent to adopt a resolution declaring specific signs to be a public nuisance. Such notice shall be sent ten days prior to the hearing to all sign owners and/or responsible parties stating the time, place and date of the hearing and the nature of illegality of the sign(s).

(2) Following adoption of the resolution, the City shall post subject properties requiring abatement of signs noticing the time, date, and place of hearing on objections. The notice shall be in the following form:

**NOTICE TO REMOVE ILLEGAL ADVERTISING DISPLAY**

Notice is hereby given that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the City Council of the City of Canyon Lake adopted a resolution declaring that an illegal advertising display is located upon or in front of this property which constitutes a public nuisance and must be abated by the removal of the illegal display. Otherwise, it will be removed, and the nuisance abated by the City.

The cost of removal will be assessed upon the property from or in front of which the display is removed and will constitute a lien upon the property until paid. Reference is hereby made to the resolution for further particulars. A copy of this resolution is on file in the office of the clerk of the legislative body.

All property owners having any objection to the proposed removal of the display are hereby notified to attend a meeting of the City Council of the City of Canyon Lake to be held (give date, time, and

place), when their objections will be heard and given due consideration.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Title)  
City of Canyon Lake, CA

(3) The City Council shall hold the hearing and adopt the abatement process directing the owners and/or responsible parties to remove the sign(s) by a certain date.

(4) An owner and/or responsible parties may submit an appeal of the City Council's actions within ten calendar days after the date of the decision by the City Council, an appeal in writing may be made on the form provided by the Planning Department and which shall be accompanied by a filing fee as set forth in Chapter No. 671. Upon receipt of a completed appeal the Planning Director shall set the matter for hearing and mail notice thereof to the applicant and the appellant. City Council's action on the appeal shall be considered final.

(5) The owner and/or responsible party shall be responsible for all costs of abatement, including the costs of the application. If an owner and/or responsible party fails to remove the sign within the specified time frame, the City shall cause the sign to be removed and the cost shall be assessed to the owner and/or responsible party as provided by Business and Professions Code Section 5499 et seq.

(b) Illegal Signs. Any sign erected without a permit and/or erected in contravention to regulations in existence at the time of its erection or placement is considered to be an illegal sign. Illegal signs shall be abated pursuant to the same procedure identified for removal of abandoned signs, in this Section (Subsections (a)(1) through (a)(4) above).

(c) Legal Nonconforming Signs.

(1) A legal nonconforming sign shall not be:

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(A) Structurally altered to extend its useful life that may include but is not limited to repainting and other maintenance tasks.

(B) Expanded, moved or relocated.

(C) Re-established after a business has been discontinued for a continuous period of 90 days.

(D) Re-established after damage or destruction of more than 50% of the sign.

(E) Re-established after a change in use of the property or business to which the sign relates.

(2) Any permanent sign which was properly erected pursuant to laws and regulations in existence at the time of its erection or placement, but which does not meet the requirements of this Chapter, shall be allowed to be brought into conformance, in accordance with Section 9.25.040 of this Code.

(3) Any legal nonconforming sign shall be required to be brought into conformance or abated in advance of the requirements of Section 9.25.040 in conjunction with any conditional use permit or development permit which is hereafter granted on the same site.

(Ord. 147, passed 6-6-2013)

### 9.25.090 Conformance and amortization.

(a) Intent of Provisions. It is the intent of this Section to recognize that the eventual elimination of existing signs that are not in conformity with the provisions of this Chapter is as important as is the prohibitions of new signs that would violate these regulations.

(b) Every sign which does not comply with the provision of this Section shall be removed, brought into conformance or amortized in accordance with this Section. Time periods for amortization of nonconforming signs shall begin from the completion and publication (or posting) of the inventory specified below. Any sign which becomes nonconforming either

by reason of amendment of this Chapter, shall also be subject to the provisions of this Chapter. The period of time within which such sign must be abated shall commence upon the effective date of such amendment. Any sign not complying with the provisions of this Chapter at the end of the amortization period shall be deemed a public nuisance and abated in accordance with this Section.

(c) Signs to be Brought into Conformance Within Six Months. The following signs shall be removed or otherwise brought into conformance by the person(s) deemed responsible for such signs within six months of official notification following the completion of the inventory of illegal, nonconforming and abandoned signs required by Subsection (g) of this Section. If there are substantial changes a grace period of 30 days shall be allowed beyond the amortization period.

(1) Illegal signs.

(2) Temporary signs or temporary on-site devices attached to signs or used in conjunction with the promotion of any product, service or use, such as flags, banners, bunting, inflatable devices, pennants, streamers, and spinners, except as permitted by Section 9.25.060.

(3) Any sign type which is listed as prohibited in Section 9.25.070 which is not determined to be legally nonconforming.

(4) Signs in state of disrepair or showing poor maintenance or questionable structural integrity.

(d) Legal Nonconforming Wall Signs. Any permanent wall sign which was properly erected pursuant to regulations in existence at the time of its erection or placement, and with a valid sign and/or building permit, but which does not meet the requirements of this Chapter, shall be allowed to remain in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the day of completion and publication (or posting) of the inventory as specified by Subsection (h) below, providing that such signs and sign structures remain in full compliance with Sections 9.25.080 and 9.25.110 of

this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory as specified in Subsection (h), which program addresses the amortization of all legal non-conforming signs with the program, the amortization period shall be extended to a total of one year. Notwithstanding the aforementioned, such signs must be brought in conformance if major exterior building modification occurs as determined by the City.

(e) Legal Nonconforming Roof Signs.

(1) Any permanent roof sign, which was properly erected pursuant to the regulations in existence at the time of its erection or placement, and with a valid sign permit, and/or building permit, shall be allowed to remain in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the date of completion and publication (or posting) of the inventory as specified by Subsection (h) below, providing that such signs and sign structures remain in full compliance with Section 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory, as specified in Subsection (h) below, which program addresses the amortization of all legal non-conforming signs within the program, the amortization period shall be extend to a total of one year. Notwithstanding the aforementioned, such signs must be brought into conformance if major exterior building modification occurs as determined by the City.

(2) If it is determined by the City Planner during inventory and identification of signs (Subsection (h) below) that the construction of a building is such that reasonable signage cannot be placed in any location other that he existing roof sign(s), said sign(s) shall be deemed in compliance with this Chapter until such time as the building is remodeled sufficiently to allow signage other roof signs.

(f) Legal Nonconforming Freestanding Signs. Any permanent freestanding sign, measuring 65 square feet or less and 35 feet or less in height, which was properly erected pursuant to the regulations in existence at the time of its erection or placement, and with a valid sign permit, and/or building permit, shall be allowed to remain in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the date of completion and publication (or posting) of the inventory as specified in Subsection (h) below, providing that such signs and sign structures remain in full compliance with Section 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory as specified in Subsection (h), which program addresses the amortization of all legal non-conforming signs within the program, the amortization period shall be extended to a total of one year. Notwithstanding the aforementioned, such signs must be brought into conformance if major exterior building modification occurs as determined by the City.

(g) All Other Legal Nonconforming Signs. Any sign which was properly erected pursuant to the regulations in existence at the time of its erection or placemen, and with a valid signs and/or building permit, but which does not meet the requirements of this Chapter, shall be removed or otherwise brought into compliance with this code within six months of the date of completion and publication (or posting) of the inventory as specified by Subsection (h). Such signs must be brought into conformance if a building permit or permits are subsequently issued on the site of major exterior modifications.

(h) Inventory of Nonconforming and Abandoned Signs. The City may initiate an inventory and identification of all illegal, legal nonconforming, and abandoned signs within the City, as determined necessary by the City Manager. If any illegal, legal nonconforming and abandoned sign is not identified as part of the City's initial inventory, any such sign may be added to the inventory upon its identification as such.

(Ord. 147, passed 6-6-2013)

**9.25.100 Violations and enforcement.**

(a) Any violation of this Chapter shall be considered to be an infraction, except in the case of an offsite outdoor advertising display which shall be considered to be a misdemeanor. Any violation of this Chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceeding pursuant to State law and the City's Municipal Code including but not limited to administrative citations. A violation of this Chapter shall also be considered a violation of the Zoning Chapter of the City. The remedies shall include the following:

(1) Issuing a stop-work order for any and all work on any signs on the same lot.

(2) Seeking an injunction or other order of restrain or abatement that requires the removal of the sign(s) or the correction of violation.

(3) Seeking in court the imposition of any penalties that can be imposed by such court under the Municipal Code.

(4) Seeking in court the imposition of any penalties that can be imposed by such court the Municipal Code or laws of the State of California.

(5) In the case of a sign that poses an immediate danger to the public health or safety (see unsafe signs), immediate removal by the City may be authorized by the Director of Building and Safety. Cost of such removal shall be assessed to the owner of the property.

(6) The City shall have such other remedies as are and as may from time to time provided for or allowed by State law for the violation of its Chapters.

(b) Right of Entry. When necessary to make an inspection to enforce any of the provisions of this Chapter, or when the City has reasonable cause to believe that there exists any sign or any condition

which makes such sign unsafe, the City, upon adherence with applicable law, may enter the premises or building upon which such sign is located.

(c) Violations. Any of the following shall be violation of this Chapter and shall be subject to the enforcement remedies and penalties of this Chapter, of the Municipal Code, and of State law:

(1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone in which the sign is located.

(2) To install, create, erect, or maintain any sign requiring a permit without such a permit.

(3) To fail to remove any sign that is installed created, erected, or maintained in violation of this Chapter or with respect to a legal nonconforming sign if the sign amortization period has lapsed.

(4) To continue an identified violation. Each day an identified violation exists shall be considered a separate violation regarding enforcement of this Chapter.

(d) Separate Violations. Each sign installed, created, erected, or maintained in violation shall be considered a separate violation when applying the penalty portions of this Section.

(e) Responsibility. As used in this Section, A person (s) deemed responsible@ shall mean any or all of the following:

(1) The person or entity who owns the real property upon which the sign exists.

(2) The occupant of any premises upon which the sign exists.

(3) The owner of the sign.

(4) The person who, or entity which, erects, places, or alters the sign.

(f) It shall be the duty of the City Planner to enforce the provisions of this Chapter pertaining to all signs and sign structures. No permit of any type shall be issued by any department or office of the City in conflict with the provisions of this Chapter. Such permit where issued in conflict with this Chapter is declared null and void.

(Ord. 147, passed 6-6-2013)

**9.25.110 Construction and maintenance.**

(a) Every sign, and all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City regulations and the Uniform Building Code.

(b) Every sign, including those specifically exempt from the Chapter with respect to permits and permit fees, and all parts, portions, and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracks, broken surfaces, malfunctioning lights, and missing sign copy, or other unmaintained or damaged portion of a sign or area from which a sign has been removed shall be repaired or replaced within 30 calendar days following notification by the City. Noncompliance with such a request shall constitute a nuisance and penalties may be assessed in accordance with the provisions of the City's Municipal Code.

(Ord. 147, passed 6-6-2013)

**9.25.120 Appeal or variance procedure.**

(a) Appeals. Any interested party has the right to appeal the decision pursuant to Chapter 348, Section 18.30.e.

(b) Variance. An applicant may apply for a variance to the provision of this Chapter as permitted by Ordinance 348, Section 18.27.

(Ord. 147, passed 6-6-2013)

