

City of Hesperia

STAFF REPORT



DATE: May 16, 2023

TO: Mayor and Council Members

FROM: Nils Bentsen, City Manager **SECOND READING AND ADOPTION**

BY: Rachel Molina, Assistant City Manager
Ryan Leonard, Senior Planner

SUBJECT: Development Code Amendment DCA23-00004; Applicant: City of Hesperia; Area affected: City-wide

RECOMMENDED ACTION

It is recommended that the City Council introduce and place on first reading Ordinance No. 2023-08 approving Development Code Amendment DCA23-00004 modifying development standards associated with on-site digital advertising signs.

BACKGROUND

The proposed Development Code Amendment is intended to incorporate needed revisions to the Municipal Code. Over the past few years, the City has seen an increase in the number of businesses wishing to construct new on-site digital display signs. Currently, the City Municipal Code does not contain any regulations or operational standards for on-site digital advertising displays. For example, the City's sign ordinance (Chapter 16.36 of the Municipal Code) contains various regulations regarding the size, placement, and type of signage that a site may qualify for (i.e. monument sign, pole sign, wall sign, etc.) however it does not contain any development standards as to the placement or operational characteristics of on-site digital display sign. This Development Code Amendment will provide additional standards for sites to be eligible for on-site digital advertising displays and contains regulations that address the operation of digital display signs.

Furthermore, as new digital advertising signs have been constructed, staff has received several complains from nearby property owners who are concerned with the lighting intensity of the signs, and the impacts that the signs could have on pass-by traffic.

ISSUES/ANALYSIS

Currently the Development Code allows all sites in the City that would otherwise qualify for a wall sign, monument sign, freestanding sign, or freeway sign to incorporate a digital advertising display as part of the signage. As previously mentioned, there are no regulations that would restrict a site from qualifying for a digital display sign.

While the use of digital advertising displays may be appropriate in certain instances, the over proliferation of digital advertising could lead to the aesthetic degradation along major commercial corridors. In many communities, digital advertising displays are regulated to mitigate negative impacts on surrounding rights-of-way and adjacent properties. For comparison, staff reviewed the regulations of other nearby cities to determine if they had similar or more restrictive regulations.

The City of Victorville does not allow digital signs for any commercial use that is less than 50 acres in size. In addition, the Town of Apple Valley generally limits on-site digital advertising displays to only specified commercial zones and requires a minimum lot frontage of 100 feet in order to be eligible for an on-site digital advertising display. The Town of Apple Valley also contains numerous design standards and operational standards that are specific to on-site digital display signs.

The proposed Development Code Amendment would add new regulations that any digital advertising display that is included as a monument, freestanding or freeway sign may only be allowed on lots that exceed 5 gross acres in size and that are part of a multi-tenant shopping center with a defined anchor tenant. However, lots that are less than 5 acres in size would still qualify for a digital wall sign. It should be noted that the following types of uses would be exempt from the 5-acre minimum lot size requirement: gas stations (digital display limited to fuel pricing information only), churches, public and non-profit school facilities, movie theaters, public buildings, and private clubs and lodges (i.e. Moose Lodge, VFW, etc). The City's existing regulations currently allow monument, freestanding or freeway signs to be located a minimum of 1-foot away from the property line. The proposed 5 acre minimum lot size requirement for any digital display that is part of a monument, freestanding or freeway sign will reduce potential adverse impacts to nearby traffic and surrounding rights-of-way. Furthermore, the proposed regulations will maintain the City's existing standard that all sites throughout the City may still qualify for a digital wall sign.

The proposed Development Code Amendment also contains regulations that require a digital advertising display to be located a minimum of 150 feet away from any residentially zoned property. In addition, the proposed Development Code Amendment contains the following design standards:

- a. Signs visible from the public right-of-way shall not change at a frequency in excess of one alternation per five (5) seconds.
- b. Transition between slides shall not exceed one (1) second.
- c. No digital display may depict or simulate any motion or video (i.e., video clips, flashing, etc.).
- d. All digital advertising displays shall be equipped with a light meter to automatically adjust the display brightness to ambient light conditions.
- e. Digital advertising displays may not advertise off-site businesses.
- f. Digital advertising displays shall be subject to current Caltrans' specifications as to brightness, frequency of changeable copy and depiction of movement.
- g. Digital advertising displays may not be added to legal non-conforming signs.
- h. All digital advertising displays must comply with the illumination provisions of this Section.

Taken together these requirements will ensure that all new digital advertising displays are developed in an orderly and quality manner.

Planning Commission Review: On May 11, 2023, the Planning Commission is scheduled to consider the proposed Development Code Amendment. This meeting has not occurred as of the preparation date of this staff report, but staff will report to the City Council the outcome of the Planning Commission meeting at the May 16, 2023, City Council hearing.

Conclusion: The Development Code Amendment complies with the General Plan. Furthermore, implementation of the proposed development standards will contribute towards a visually pleasing environment along the City's major commercial corridors and will add clear

development regulations that will ensure that future sites are developed in an orderly and quality manner

ATTACHMENT(S)

1. Ordinance No. 2023-08
2. Exhibit "A"
3. Planning Commission Staff Report with attachments.