

CITY OF COLTON PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS, 650 NORTH LA CADENA DRIVE, COLTON, CA 92324

REGULAR MEETING – Tuesday, December 13, 2016 – 5:30 P.M.

Official Agenda

Documents:

[PC AGENDA 12-13-16.PDF](#)

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MEETING MINUTES

. November 22, 2016 P.C. Meeting Minutes

Documents:

[2016_11-22_ PC MINUTES.PDF](#)

E. PUBLIC COMMENTS

F. COMMISSION BUSINESS

. Item F-1_Appeal Provisions

Documents:

[ITEM F-1_STAFF REPORT_AMENDING APPEAL PROVISIONS-C1.PDF](#)

G. PUBLIC HEARINGS

. Item G-1_DAP-001-363

Documents:

[ITEM G-1_STAFF REPORT_DAP-001-363 WITH ATTACHMENTS.PDF](#)
[RENDERING AND FRONT ELEVATIONS.PDF](#)

. . Item G-2_DAP-001-301_Text Amendment

Documents:

H. DIRECTOR'S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

I. COMMISSION COMMENTS

J ADJOURNMENT

**Next Scheduled Meeting: Tuesday, December 27, 2016 Canceled
Tuesday, January 10, 2017 at 5:30 p.m.**

Documents Related to Open Session Agendas (SB 343). Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection Monday through Thursday 8:00 am to 4:00 p.m. at the City of Colton Development Services Department located at the Civic Center Annex (across the street from City Hall) at 659 N. La Cadena Drive, Colton, CA 92324.

Appeal of Planning Commission Action. If you challenge in court any action of the Planning Commission related to a public hearing item, you may be limited to raising only those issues you or someone else has raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. A decision of the Planning Commission may be appealed to the City Council. An appeal must be filed within ten (10) days following the appellant's receipt of notice of the action.

ADA Compliance. In compliance with the American with Disabilities Act, if you need special assistance to participate in a Planning Commission Meeting, please contact the Planning Division at 909-370-5079. Notification forty-eight (48) hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



CITY OF COLTON PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS, 650 NORTH LA CADENA DRIVE, COLTON, CA 92324
REGULAR MEETING – Tuesday, December 13, 2016 – 5:30 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MEETING MINUTES

1. November 22, 2016 Planning Commission Meeting Minutes.

E. PUBLIC COMMENTS

F. COMMISSION BUSINESS:

1. FILE INDEX NUMBER: DAP-001-XXX Zoning Text Amendment (Administration)

APPLICANT: City- Initiated

PROPERTY LOCATION: City-wide

REQUEST: Zoning Text Amendment (ordinance) to modify various provisions of Chapter 18.58 of Title 18 of the Colton Municipal Code related to appeals and expiration of entitlement approvals.

ENVIRONMENTAL DETERMINATION: This project is exempt from CEQA because it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend to the City Council approval of the draft ordinance by adopting Resolution No. R-43-16 titled:

RESOLUTION NO. R-43-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON AMEND CHAPTER 18.58 (ADMINISTRATION) OF TITLE 18 OF THE COLTON MUNICIPAL CODE.

G. PUBLIC HEARINGS:

1. FILE INDEX NUMBER: DAP-001-363 Paseo (Darryl Moore, Aegis Builders)

APPLICANT: Darryl Moore, Aegis Builders, Inc.

PROPERTY LOCATION: 353-397 Colton Avenue

ASSESSOR PARCEL NUMBER: 0164-052-01, 02, 03, 04,& 05-0000

PROJECT DESCRIPTION: **Architectural and Site Plan Review and Tentative Tract Map No. 20059** for a 12-compact lot subdivision including private common open space and landscape areas on property measuring approximately 0.84 gross acres located in the R-2 (Medium Density Residential) Zone.

ENVIRONMENTAL DETERMINATION: **Exempt under CEQA, Section 15332 (Infill Development Projects), Class 32.** This section pertains to meeting conditions for exemption including finding no habitat for endangered, rare, or threatened species and the park will not result in any significant effects related to traffic, noise, air quality or water quality.

RECOMMENDATION: Staff recommends that the Planning Commission approve Architectural and Site Plan Review and Tentative Tract Map No. 20059 reviews through the adoption of attached Resolution entitled:

RESOLUTION R-42-16:

A RESOLUTION OF THE OF THE CITY OF COLTON PLANNING COMMISSION APPROVING ARCHITECTURAL AND SITE PLAN REVIEW AND TENTATIVE TRACT MAP NO. 20059 FOR A 12-COMPACT LOT SUBDIVISION INCLUDING COMMON OPEN SPACE AND LANDSCAPE AREAS ON PROPERTY MEASURING APPROXIMATELY 0.84 GROSS ACRES WITHIN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONE. (FILE INDEX NO. DAP-001-363).

2. **FILE INDEX NUMBER: DAP-001-301** **Zoning Text Amendment (Signs)**
(Continued from 11-22-16)

APPLICANT: City- initiated

PROPERTY LOCATION: City-wide

REQUEST: **Zoning Text Amendment** (ordinance) to modify various provisions of Title 18 of the Colton Municipal Code related to Chapter 18.50 (Signs).

ENVIRONMENTAL DETERMINATION: This project is exempt from CEQA because it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend to the City Council approval of the draft ordinance by adopting Resolution No. R-39-16 titled:

RESOLUTION NO. R-39-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON AMEND CHAPTER 18.50 (SIGNS) OF TITLE 18 OF THE COLTON MUNICIPAL CODE (FILE INDEX NO. DAP-001-301)

H. DIRECTOR'S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

I. COMMISSION COMMENTS

J. ADJOURNMENT

**Next Scheduled Meeting: Tuesday, December 27, 2016 at 5:30 p.m. Canceled;
Tuesday, January 10, 2017 at 5:30 p.m.**

Documents Related to Open Session Agendas (SB 343). Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection Monday through Thursday 8:00 am to 4:00 p.m. at the City of Colton Development Services Department located at the Civic Center Annex (across the street from City Hall) at 659 N. La Cadena Drive, Colton, CA 92324.

Appeal of Planning Commission Action. If you challenge in court any action of the Planning Commission related to a public hearing item, you may be limited to raising only those issues you or someone else has raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. A decision of the Planning Commission may be appealed to the City Council. An appeal must be filed within ten (10) days following the appellant's receipt of notice of the action.

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CITY OF COLTON
PLANNING COMMISSION AGENDA MINUTES
REGULAR MEETING – Tuesday, November 22, 2016– 5:30 P.M.

A. CALL TO ORDER at 5:30p.m.

B. ROLL CALL

Commissioners Present:

Chair Prieto

Thomas Archuleta

Angel Delgado

Rosa Granado-Dominguez

Gary Grossich

Kirk Larson

Commissioners Absent:

Gilbert Arrieta- excused

City Staff:

Marco Martinez, City Attorney

Mark Tomich, Development Services Director

Mario Suarez, Senior Planner

Steve Gonzales, Associate Planner

C. PLEDGE OF ALLEGIANCE

Commissioner Grossich led the pledge of allegiance.

D. APPROVAL OF MEETING MINUTES

1. November 08, 2016 Planning Commission Meeting Minutes

Motion and second by Commissioner Grossich/ Commissioner Archuleta 5 to 0 approve.

Roll Call vote as follows: Ayes- Commissioner Archuleta, Commissioner Delgado, Commissioner Granado-Dominguez, Commissioner Grossich, and Commissioner Prieto. Commissioner Larson abstained, and Commissioner Arrieta absent from vote.

E. PUBLIC COMMENTS

None.

F. PUBLIC HEARINGS:

1. FILE INDEX NUMBER: DAP-001-361

**Kalifornia Distilleries, Inc.
(Continued from 11-08-16)**

APPLICANT: William Tiller, Kalifornia Distilleries, Inc.

PROJECT DESCRIPTION: Minor Conditional Use Permit to allow Off/On-Alcohol Sales Craft Distiller's License (Type 74) distilled spirits for a proposed 8,900 square foot commercial manufacturing and a **Determination of Public Convenience and Necessity (PCN)** located at 1084 S. Mt. Vernon Avenue on property measuring 8.47 acres in the C-2 (General Commercial) Zone.

PROPERTY LOCATION: 1084 S. Mt. Vernon Avenue

ASSESSORS PARCEL NO. 0276-144-06

PRESENTED BY: Mario Suarez, Senior Planner

PUBLIC COMMENTS:

None.

ENVIRONMENTAL DETERMINATION: Categorical Exemption. Pursuant to CEQA Guidelines Section 15301 – Existing Facilities. This section pertains to existing facilities, categorically exempting from CEQA proposed projects that involve negligible or no expansion beyond what currently exists at the time of environmental determination.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. R-38-16 approving a Minor Conditional Use Permit (CUP) and approving a finding for Determination of Public Convenience and Necessity (File Index No. DAP-001-361) relating to alcohol distillery and retail consumption, subject to conditions.

RESOLUTION NO. R-38-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING MINOR CONDITIONAL USE PERMIT TO ALLOW OFF/ON-ALCOHOL SALES CRAFT DISTILLER'S LICENSE (TYPE 74) DISTILLED SPIRITS FOR A PROPOSED 8,900 SQUARE FOOT COMMERCIAL MANUFACTURING AND A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY (PCN) LOCATED AT 1084 SOUTH MT. VERNON AVENUE ON PROPERTY MEASURING 8.47 ACRES IN THE C-2 (GENERAL COMMERCIAL) ZONE. (FILE INDEX NO: DAP-001-361).

Motion and second by Commissioner Larson/ Commissioner Delgado 6 to 0 approve.

Roll Call vote as follows: Ayes- Commissioner Archuleta, Commissioner Delgado, Commissioner Granado-Dominguez, Commissioner Grossich, Commissioner Prieto and Commissioner Larson. Commissioner Arrieta absent from vote.

2. **FILE INDEX NUMBER: DAP-001-301** **Zoning Text Amendment (Signs)**

APPLICANT: City- initiated

PROPERTY LOCATION: City-wide

PRESENTED BY: Mark Tomich, Development Services Director.

PUBLIC COMMENTS:

None.

REQUEST: Zoning Text Amendment (ordinance) to modify various provisions of Title 18 of the Colton Municipal Code related to Chapter 18.50 (Signs).

ENVIRONMENTAL DETERMINATION: This project is exempt from CEQA because it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend to the City Council approval of the draft ordinance by adopting Resolution No. R-39-16 titled:

RESOLUTION NO. R-39-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON AMEND CHAPTER 18.50 (SIGNS) OF TITLE 18 OF THE COLTON MUNICIPAL CODE (FILE INDEX NO. DAP-001-301)

Motion and second by Commissioner Larson / Commissioner Granado-Dominguez 6 to 0 to continue public hearing to 12/13/16.

Chair Prieto acknowledged attendance by City Manager; Bill Smith.

3. FILE INDEX NUMBER: DAP-001-305 & DAP-001-3 Wildrose Village

APPLICANT: John Reichel, Wildrose Village

PROJECT DESCRIPTION: DAP-001-305. A Specific Plan Amendment (Specific Plan Amendment No. 1) for various amendments to the Colton's Hub City Centre Specific Plan (CHCCSP) and a **General Plan Amendment** to the Mobility Element in order to develop a new compact residential development located in the northwest portion of the CHCCSP project area. **DAP-001-355. Architectural and Site Plan Review and Tentative Tract Map No. 20062** for a 110-compact lot subdivision including common lots on property measuring approximately 11.27 acres located at The SWC & SEC of San Bernardino Ave. and Wildrose Ave. within the CHCCSP, Planning Area 2.

PROPERTY LOCATION: SWC & SEC of San Bernardino & Wildrose Ave.

ASSESSORS PARCEL NO. 0254-051-46, 47, 67, and 68

PRESENTED BY: Steve Gonzales, Associate Planner and Nancy Ferguson, The Altum Group (Environmental Consultant).

PUBLIC COMMENTS:

- John Reichel and Casey Reichel, Applicant

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration is proposed for adoption. Mitigated Negative Declaration pursuant to Sections 15070 and 15074 of the Guidelines of the Environmental Quality Act (CEQA).

Chair Prieto acknowledged attendance by Council Member Gonzalez.

RECOMMENDATION: Staff recommends that the Planning Commission recommend approval to the City Council to adopt a Mitigated Negative Declaration and recommend approval for a Specific Plan Amendment and General Plan Amendment and approve Tentative Tract Map 20062 and Architectural & Site Plan Review through the adoption of attached Resolutions titled:

RESOLUTION R-40-16: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON AMEND SECTION 18.34.040 (COLTON'S HUB CITY CENTRE SPECIFIC PLAN) (AMENDMENT NO.1) AMENDING VARIOUS PROVISIONS OF CHAPTERS 3, 4, 5, 6, AND 7 OF THE SPECIFIC PERTAINING TO LAND USE AND DEVELOPMENT STANDARDS AND AN AMENDMENT TO THE GENERAL PLAN MOBILITY ELEMENT REGARDING SAN BERNARDINO AVENUE TO ALLOW THE DEVELOPMENT OF THE WILDROSE VILLAGE RESIDENTIAL SUBDIVISION AND ADOPT A MITIGATED NEGATIVE DECLARATION (FILE INDEX NO. DAP-001-305).

Motion and second by Commissioner Larson/ Commissioner Granado-Dominguez 6 to 0 approve. Roll Call vote as follows: Ayes- Commissioner Archuleta, Commissioner Delgado, Commissioner Granado-Dominguez, Commissioner Grossich, Commissioner Prieto and Commissioner Larson. Commissioner Arrieta absent from vote.

RESOLUTION R-41-16: A RESOLUTION OF THE OF THE CITY OF COLTON PLANNING COMMISSION APPROVING ARCHITECTURAL AND SITE PLAN REVIEW AND TENTATIVE TRACT MAP NO. 20062 FOR A 110-COMPACT LOT SUBDIVISION INCLUDING 14 COMMON LOTS ON PROPERTY MEASURING APPROXIMATELY 11.27 ACRES LOCATED AT THE SWC & SEC OF SAN BERNARDINO AVE. AND WILDROSE AVE. WITHIN THE CHCCSP, PLANNING AREA 2 (CONTINGENT ON CITY COUNCIL ADOPTION OF FILE INDEX DAP-001-305) (FILE INDEX NO. DAP-001-355).

Motion and second by Commissioner Larson/ Commissioner Grossich 6 to 0 approve. Roll Call vote as follows: Ayes- Commissioner Archuleta, Commissioner Delgado, Commissioner Granado-Dominguez, Commissioner Grossich, Commissioner Prieto and Commissioner Larson. Commissioner Arrieta absent from vote.

G. DIRECTOR'S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

- Amendments to Administrative Chapter of Zoning Code will be coming before the Planning Commission on 12/13/16.

H. COMMISSION COMMENTS

Archuleta

- Signal lights at M. St. & La Loma have been approved by City Council.
- Choppers Tacos update.

Delgado

- Political signs are coming down.

Granado-Dominguez

- Question regarding improvements at Walmart.

Grossich

- Question regarding zoning for Tropica Rancho Rd. & La Cadena Dr. development site.
- Status of Jefferson Lane trucking application.
- Choppers Tacos business startup comment.
- Pleased with new projects and applications.

Larson

- Questions regarding status of Rebbur pallet yard.

Prieto

- Thanks to staff.
- Pleased with Reichel applications.
- Progress & challenges of Commission.

I. ADJOURNMENT

Motion and second by Commissioner Delgado and Commissioner Larson to adjourn the meeting at 7:22 p.m.

Approved by: _____
Mark Tomich, AICP



Planning Commission Staff Report

City of Colton
Development Services Department

MEETING DATE: December 13, 2016

FILE INDEX NUMBER:

REQUEST: REVIEW OF ORDINANCE AMENDING PORTIONS OF CHAPTER 18.58 OF THE COLTON MUNICIPAL CODE RELATING TO ADMINISTRATION OF THE CITY'S ZONING CODE (APPEAL PROVISIONS)

APPLICANT: City-initiated

BACKGROUND

The Colton Zoning Code (Colton Municipal Code, Title 18) regulates the use and development of land within the City. Chapter 18.58 of Title 18 sets forth the administrative process for the City's consideration of land use and development applications. These include noticing requirements, hearing procedures, findings, conditions of approval, and appeals.

DISCUSSION

The attached ordinance amends various portions of Chapter 18.58 in order to update the City's zoning administrative process. The principal amendments are as follows:

- SECTION 2 - CMC 18.58.070 currently provides that any land use entitlement that is not exercised within one year is automatically null and void. This amendment would update the language to provide that such entitlements are subject to revocation or surrender. Under current court precedent, land use entitlements cannot be automatically nullified, even if not exercised by the applicant. Rather, the City must formally revoke the entitlement after providing the applicant notice and an opportunity for a public hearing. Of course, the applicant may also surrender the entitlement prior to revocation.
- SECTION 3 – Consistent with SECTION 2, this amendment updates language to provide that failure to exercise an entitlement within one year or surrendering it are grounds for the City to revoke a land use entitlement.
- SECTION 4 – This section clarifies and streamlines the application appeal process.
 - Currently, the staff has 10 days to notify an applicant by mail of the decision of the Planning Commission. However, they must notify the Council the decision within 2 calendar days. In order to harmonize these provisions, the amendment requires mailed notice to both the applicant and Council within 2 working days.

- Currently, an applicant may file an appeal to the City Council within 10 calendar days following the applicant's receipt of the Planning Commission's notice of decision. However, any two Councilmembers may call up a decision for review within 7 calendar days after the mailing of the Commission's decision. In order to provide uniform appeal/call up deadlines, both are proposed to be set at 10 calendar days. Further, the deadline would be 10 days from the date the notice of decision was mailed out, not received by the applicant. Sometimes, it can be difficult to ascertain when an applicant actually received the decision, making it challenging to establish an appeal deadline. On the other hand, the City can readily document when it mailed a notice to the applicant or to Councilmembers, making calculation of the 10 day period more certain.
- Currently, only an applicant may file an appeal of a Planning Commission decision. An option presented in the amendment would allow any interested person who submitted written or oral comment at the specific Planning Commission hearing to also file an appeal of that decision. We should note, however that the Council expressed concerns about such a change and indicated a desire to maintain the current procedures in place.
- This amendment also clarifies what happens if the Council is unable to render a decision on appeal. If this occurs, the decision of the Planning Commission becomes final.

Under State law, an Ordinance which affects the use of land within the City must be reviewed by the Planning Commission at a public hearing before City Council consideration. However, this Ordinance does not affect the use, height, size or intensity of land, buildings or structures. This Ordinance merely amends administrative provisions of the Zoning Code. No changes in use, height, size, etc. are contemplated. Therefore, the a public hearing and recommendation from the Planning Commission is not required. Nevertheless, when the Ordinance was presented to the City Council they requested it be reviewed by the Planning Commission for additional input.

FISCAL IMPACTS

None.

ENVIRONMENTAL IMPACTS

Staff recommends that this action be determined Categorical Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) because the Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act.

ALTERNATIVES

1. Provide alternative direction to staff.

Prepared By:
Marco A. Martinez

Reviewed By:
Mark R. Tomich, AICP, Director

ATTACHMENTS

Attachment 1 – Resolution
Attachment 2 - Draft Ordinance

Attachment 1

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RESOLUTION NO. R-43-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING TO THE COLTON CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO CHAPTER 18.58 OF TITLE 18 OF THE COLTON MUNICIPAL CODE RELATING TO ADMINISTRATION OF THE CITY'S ZONING CODE

WHEREAS, the City of Colton desires to amend certain provisions of the Colton Zoning Code in order to clarify the procedures relating to zoning and land use hearings, appeals and decisions by the City; and

WHEREAS, the proposed amendments do not amend regulations identified in California Government Code, Section 65853; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF COLTON:

SECTION 1. The Planning Commission hereby recommends that the City Council of the City of Colton adopt the attached Ordinance to amend various provisions of Title 18 of the Colton Municipal Code, as further detailed in the attached Ordinance and in the Staff Report presented with this Resolution ("Zone Text Amendment"). A copy of the Ordinance as well as the findings contained therein is attached hereto as Exhibit "A", and is incorporated herein by reference.

SECTION 2. The Planning Commission hereby makes all applicable findings with respect to the Zone Text Amendment as set forth in the attached Exhibit "A" as if fully set forth herein.

SECTION 3. The Planning Commission hereby recommend adoption of a Notice of Exemption and makes all applicable findings with respect to the Zone Text Amendment and compliance with the California Environmental Quality Act (CEQA) as set forth in the attached Exhibit "A" as if fully set forth herein.

SECTION 4. The Secretary shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 13th day of December, 2016.

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Richard Prieto
Planning Commission Chairperson

ATTEST:

Planning Commission Secretary

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Exhibit A

Attachment 2

1 **SECTION 3.** The City Council of the City of Colton hereby amends Section 18.58.080
2 of Chapter 18.58 of the Colton Municipal Code to read as follows:

3 **“Section 18.58.080 – Revocation of Land Use Entitlements.**

4 A. Any land Use entitlement described in this chapter may, by action of the Commission, be
5 revoked *or surrendered* upon any one or more of the Following grounds:

6 1. That the Approval was obtained by fraud;

7 2. That the Use for which such Approval is granted is *has* not ~~being~~ *been* exercised
8 *within one Year of the date of Approval thereof;*

9 3. That the Use for which such Approval was granted has ceased to exist or has been
10 suspended for one Year or more;

11 4. The land Use entitlement granted is being, or recently has been, exercised contrary
12 to the terms or conditions of such Approval, or in Violation of any statute, Ordinance, Law or
13 regulation;

14 5. That the Use for which Approval was granted was so exercised as to be
15 detrimental to the public health and safety, or so as to constitute a Nuisance,;

16 6. *That the Use for which such Approval is granted has not been exercised and the
17 Owner wishes to surrender or remove the land Use entitlement.*

18 B. A Public Hearing Shall be held before the Commission or before a Neutral Hearing
19 Officer, appointed as specified in Section 18.58.101, to determine whether there are grounds to
20 revoke *or surrender* the land Use entitlement. Written Notice of the Public Hearing Shall be
21 served on the Owner of the Property for which such land Use entitlement was granted, at least ten
22 Days before such Public Hearing. The Notice May be served either personally or by registered
23 mail, postage prepaid, return receipt requested.

24 C. At the Public Hearing, the Commission or the Hearing Officer, as applicable, Shall
25 investigate the facts bearing on each case and render its Decision in writing within forty Days
26 after the date of the first hearing, unless continued for further investigation, study or hearing. The
27 Decision of the Commission or the Hearing Officer on the revocation of any land Use entitlement
28 Shall be final Following a ten-Day Appeal period.”

SECTION 4. The City Council of the City of Colton hereby amends Section 18.58.100
of Chapter 18.58 of the Colton Municipal Code to read as follows:

“Section 18.58.100 – Appeal Procedure; City Council Reviews.

A. The Decision of the Commission on all land Use Applications Shall be final Following a
ten-Day Appeal period. The Commission Shall, within ~~ten~~ *two working* Days from the date of

1 ~~denial~~ ***the Commission's*** action of any land Use Application, notify the Applicant by forwarding
2 a Copy of the Resolution to the address shown upon the Application.

3 B. The action of the Planning Commission in denying an Application Shall be final and
4 conclusive unless, within ten ***calendar*** Days Following the ***date the City mails the receipt*** of
5 Notice of the ***Commission's*** action ~~by the Applicant~~ ***to the Applicant***, an Appeal in writing is
6 filed with the City Clerk by ***[either]*** the Applicant, ***[any interested person who submitted written***
or oral testimony for consideration by the Commission prior to or at the public hearing], or
called up for review by the City Council pursuant to subsection H below.

7 C. Upon receipt of a Written Appeal, the City Clerk Shall advise the Secretary of the
8 Planning Commission who Shall transmit the Planning Commission's Complete Record of the
9 case.

10 D. Within forty Days Following receipt of the filing of a Written Appeal, the City Council
11 Shall conduct a duly advertised Public Hearing on the Matter, or Shall appoint a Neutral Hearing
12 Officer, as further specified in Section 18.58.101, to conduct a duly advertised Public Hearing on
13 the Matter, Public Notice of which Shall be given.

14 E. The City Council Shall announce its findings and Decision by formal Resolution not more
15 than forty Days Following ***the closed of*** the hearing, and the Resolution Shall recite, among other
16 things, the facts and reasons which, in the opinion of the City Council, make the Approval or
17 denial of the Application necessary to carry out the general purpose of this title.

18 F. The action by the City Council Shall be by a majority vote of the entire membership of the
19 Council and Shall be final and conclusive.

20 G. In the event of an Appeal as provided above, the action of the Commission in the Matter
21 Shall forthwith be ~~void and of no force or effect~~ ***suspended pending the Appeal.*** ~~Thereafter, the~~
22 ~~powers and duties of the Commission shall be exercised by the City Council.~~ ***Upon the City***
23 ***Council's rendering of a decision on Appeal, the action of the Commission in the Matter shall***
be void and of no force of effect. In the event that the City Council is unable to render a
decision on Appeal, the decision of the Commission shall be final and conclusive.

24 H. Any two members of the City Council May ***call up for review a final Decision of the***
25 ~~Appeal the Decision of the Commission~~ on a land Use Application, within ~~seven~~ ***ten*** calendar
26 Days after mailing of the Notice of ~~such Decision~~ ***the Commission's decision.*** ~~Such Notice of the~~
27 ***Commission's decision*** Must be mailed within two ~~calendar~~ ***working*** Days after such
28 ~~determination decision by the Planning Commission~~ to the members of the City Council.”

29 **SECTION 5. Severability.** If any section, subsection, subdivision, sentence, clause,
30 phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the
31 decision of any court of competent jurisdiction, such decision shall not affect the validity of the
32 remaining portions of this Ordinance. The City Council hereby declares that it would have
33 adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or
34 portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions,
35 sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.



Planning Commission Staff Report

City of Colton
Development Services Department

MEETING DATE: December 13, 2016

FILE INDEX NUMBER: DAP-001-363

APPLICANT: Darryl Moore, Agis Builders, Inc.

PROPERTY OWNER: Aegis-Colton Housing I, L.P.

REQUEST: **DAP-001-363. Architectural and Site Plan Review and Tentative Tract Map No. 20059** for a 12-compact lot subdivision including private common open space and landscape areas on property measuring approximately 0.84 gross acres located in the R-2 (Medium Density Residential) Zone.

ACTIONS:

APPLICATION FILED: 10/13/16

CONSIDERATION OF Application Review Committee (ARC): 11/07/2016;

CONSIDERATION BY THE PLANNING COMMISSION: 12/13/2016 **Decision** _____.

ENVIRONMENTAL DETERMINATION: Exempt under CEQA, Section 15332 (Infill Development Projects), Class 32. This section pertains to meeting conditions for exemption including finding no habitat for endangered, rare, or threatened species and the park will not result in any significant effects related to traffic, noise, air quality or water quality.

PROPERTY INFORMATION:

1. Location: 353-397 Colton Avenue. APN: 0164-052-01, 02, 03, 04, & 05
2. Lot Size(s): 0.84 acres.
3. Existing/Previous Land Use: Vacant/Undeveloped lot
4. General Plan Land Use Designation: Medium Density Residential
5. Zoning: R-2 (Medium Density Residential)
6. Surrounding Properties:

	Existing Land Use	Zoning	General Plan Land Use Designation
North	Single Family Homes	R-1 (Low Density Residential)	Low Density Residential
South	Class 1 Bike/Pedestrian Pathway	OS-R (Open Space-Recreation)	Open Space - Recreational
East	Mobile Home Park	R-2 (Medium Density Residential)	Medium Density Residential
West	Single Family Homes	R-2 (Medium Density Residential)	Medium Density Residential

Past Planning Actions: None found for vacant/undeveloped site

BACKGROUND

The subject property is undeveloped and is located on the northwest corner of Colton and Larch Avenues. The aerial photograph below provides a birds eye view of the general location of the project proposal. The project site presently includes curb, gutter and sidewalk areas along Colton and Larch Avenues. Currently, Colton Avenue has a green parkway area that the applicant plans to landscape.

The location of the subdivision:



View looking northwest at corner of Larch and Colton



View of Class I Trail

PROJECT PROPOSAL

The proposed project site is 0.84 acres (approximately, 36,590.4 square feet) in area which is proposed to be developed with 12 compact lots, two private drives and development of private open spaces area. Density of the proposed project is 16 dwelling units per acre (DU/AC) on .50 acres of the subject site and 12 DU/AC for the remaining .34 acres of the site. Half of an acre of the site is part of the 2013-21 Housing Element Land Inventory in Appendix D, which is designed to accommodate the City of Colton’s Housing Needs. The lots range from 1,927square feet to 2,533 net square feet in size with an average lot size of 2,082 square feet.

Gross square footage of the lot sizes and their private yard areas (net square feet) are listed in the following table:

Lot 1: 3079.69 square feet / 1,498 net square feet (sq. ft.) of private yard (PY)	Lot 7: 2,703.27 square feet / 1,188 net square feet (sq. ft.) of private yard (PY)
Lot 2: 2,343.31 square feet / 892 net sq. ft. of PY	Lot 8: 2,709.76 net sq. ft./ 1,194 square feet of PY
Lot 3: 2,343.18 square feet / 848 net sq. ft. of PY	Lot 9: 2,342.55 net sq. ft. / 848 square feet of PY
Lot 4: 2,489.49 square feet / 1,012 net sq. ft. of PY	Lot 10: 2,342.55 net sq. ft. / 848 square feet of PY
Lot 5: 2,483.24 square feet / 1,007 net sq. ft. of PY	Lot 11: 2,342.55 net sq. ft. / 848 square feet of PY
Lot 6: 2,483.09 square feet / 1,007 net sq. ft. of PY	Lot 12: 2,709.67 net sq. ft. / 1,193 square feet of PY

The project also includes private common open space consisting of 1,400 square feet in area.

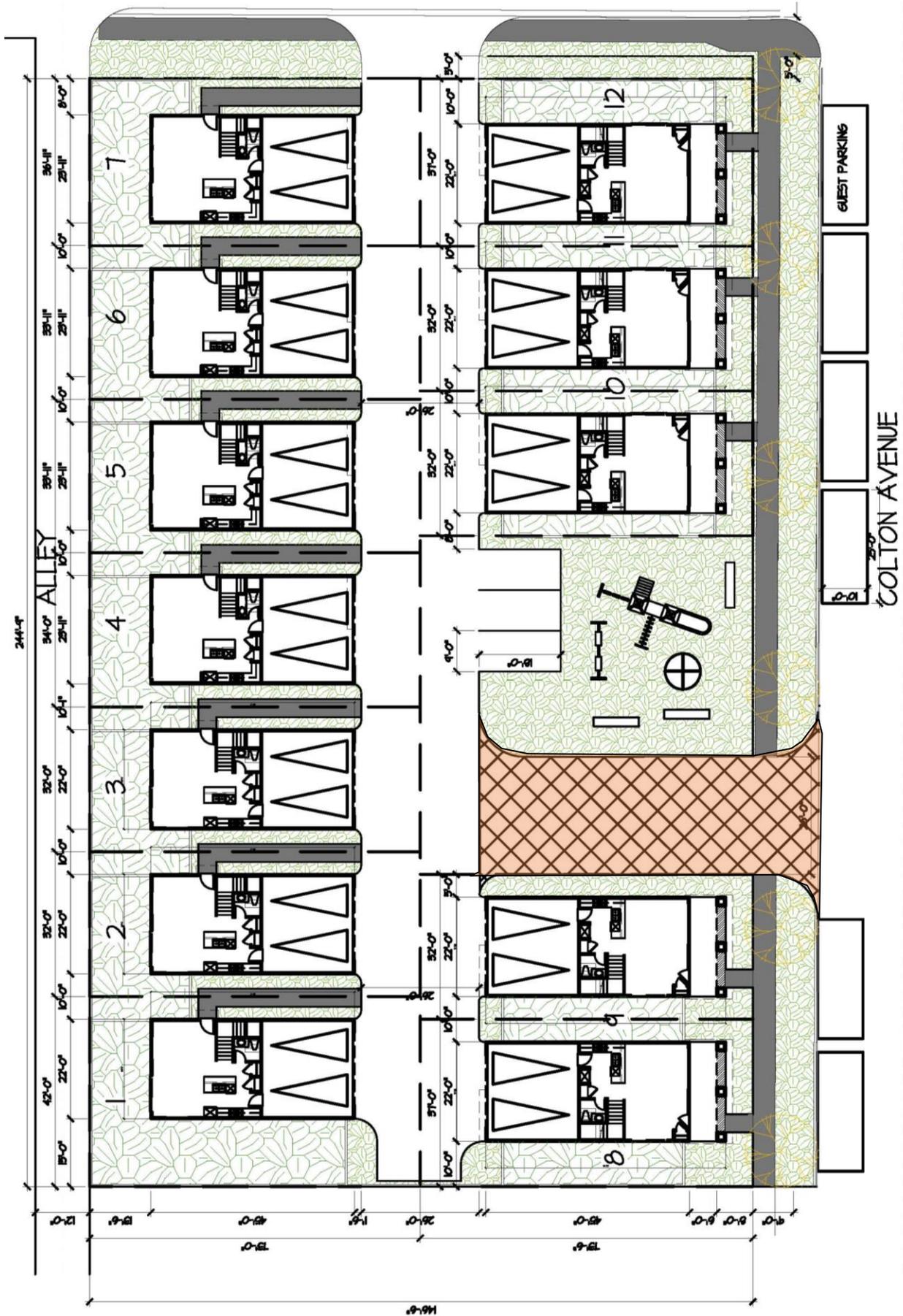
Building Elevations – Side by Side:



View looking northeast from trail area located approximately 40 feet from subject site

Site Plan of Proposed 12 Lot Subdivision

LARCH AVENUE



Development Standards Table:

Standard	Code Requirements	Proposed	Compliance
Project Size	0.5 acres	.84 Acres	Yes
Density	8.1-16 du/ac (16 du/ac minimum using .5 acres of site)	16 DU/AC on .5 acres 12DU/AC on .34 acres	Yes
Lot Size	1,950 square feet	1950-2,533 square feet	Yes
Lot Width	30 feet	32-feet to 42.03 feet	Yes
Lot Depth	60 feet	61-feet	Yes
Private Drive	25 feet	26 feet	Yes
Block Width	300 feet maximum	250 feet	Yes
Parking	24 spaces (2 enclosed ea. Home)	24 Spaces in Garages	Yes
Guest Parking	3 parking spaces	3 parking spaces	Yes
Front Setback along Colton Ave.	10 feet	14	Yes*
Side Setback	0-5 feet	5-15 feet	Yes
Street Side Setback	8 feet	8-10 feet	Yes
Rear Setback	3 feet	3 feet	Yes
Lot Coverage	75%	53%	Yes
Building Height	45 feet or 3 stories	25 feet, 2 stories	Yes
Recreation Area	Each lot has 848 sq. ft. to 1,498 sq. ft. of private open space	Acceptable with private tot lot proposal	Yes **
* Front yard areas for those homes located along Colton Avenue only – homes with driveway access not required.			
** Case by case project review, the location of project site is within 40 feet of a local Class 1 trail system.			

Proposed Home Plans

Plan / Count / Arch. Style	Size	No. of Bedrooms	No. of Bathrooms	Laundry Room	Office / Den
Plan 1 / 5 / Spanish or Tuscan	1,504 square feet	3	3	√	√
Plan 1X / 3 / Spanish or Tuscan	1,504 square feet	3	3	√	√
Plan 2 / 4 / Spanish or Tuscan	1,602 square feet	3	3	√	√

ANALYSIS

Common Open Space Areas and Landscaping: The Tot Lot Park maintenance and common landscaping areas will be addressed through homeowner’s association fees. Staff has included a condition of approval for the applicant to provide a HOA stipulation for landscape and other common open space/green belt/adjacent private park landscape, infrastructure and amenities maintenance fees, subject to review and approval by the Development Services Department.

The street includes a four foot wide sidewalk and an eight foot wide landscape area. The landscape area will include trees and drought resistant plants and ground cover. The landscaping within the right of way is required to be maintained by the homeowners association. The applicant is required to submit a landscape plan prepared by a landscape architect to include overall common open space, front yard areas, and yard areas facing the street, subject to review and approval by the Development Services Director.

Perimeter Fence: the perimeter fences will include a decorative block wall and a black wrought-iron or steel tube fence around the tot lot area. The interior fence material will be vinyl. The code requires a durable and lasting fence such as cement block or vinyl material. A condition of approval is recommended for the applicant to specify final vinyl interior fence color(s), and height/location, subject to review and approval by the Development Services Director.

Lighting/Colton Avenue/Larch Avenue/Alley: The Electric Department is recommending the applicant install two new Marbelites on Colton Avenue side. There are two existing streetlights on Larch Avenue so no further streetlights are being required on this street. While the alley is not going to be used directly by the proposed lots, the applicant has agreed to repave the entire alley from N. Mt. Vernon Avenue to Larch Avenue. This would be an overall benefit to the neighborhood and homes currently accessing their homes from the alley. While there are no requirements from the Electric Department to add lighting in the alley, staff is recommending a condition of approval for the applicant to install LED wall pack lighting 15 feet on center along the rear side of the project to improve lighting along the alley, but not cause glare or light intrusion issues with neighbors, subject to review and approval by the Development Services Director.

Amenities: The proposed project includes a tot lot and each home includes private yard areas. In addition, the homes are adjacent to a Class I trail system which would allow biking and walking opportunities for future residents of the neighborhood. Each home along Colton Avenue will provide a porch area, separating the private area from the public area, and providing an attractive architectural feature close to the street. The porches are large enough to include a sitting bench or chairs.

Project Architecture: The overall project architecture is a Mediterranean style using Spanish and Tuscan architectural elements. The roofing materials, shutters, window pains and stonework are all architectural elements that bring out the character of the home. The proposed architectural style will add to the overall neighborhood as a place which is demonstrated by the colored building elevations and a sample of materials/colors below:



Plan 1

Spanish



STUCCO :
SHERWIN WILLIAMS
SW 7678 COTTAGE CREAM



TILE :
TALAVERA MEXICAN TILE
Item: 10182



TRIM:
SHERWIN WILLIAMS
SW 6104 KAFFEE



SHUTTER/ FRONT DOOR:
SHERWIN WILLIAMS
SW 6433 IVERNESS



ROOF TILE:
EAGLE ROOFING
CAPISTRANO CORONA DEL MAR

Plan 1A

Tuscany



SHUTTER :
SHERWIN WILLIAMS
SW 6090 JAVA



GARAGE DOOR/ FRONT DOOR:
SHERWIN WILLIAMS
SW 6090 JAVA



STUCCO :
SHERWIN WILLIAMS
SW 6573 BANANA CREAM



TRIM/ FASCIA:
SHERWIN WILLIAMS
SW 6089 GROUNDED



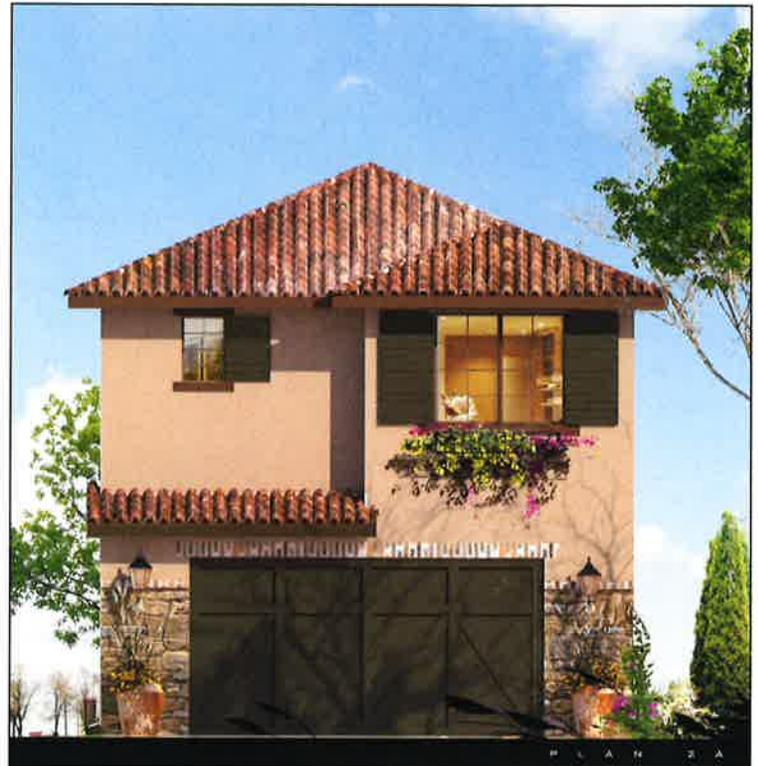
ROOF TILE:
EAGLE ROOFING
CAPISTRANO ALBEQUERQL



STONE :
ELDORADO
ANDANTE FIELDLEDGE



Plan 2 Spanish



Plan 2A Tuscany

ENVIRONMENTAL DETERMINATION

Staff analyzed the proposal for California Environmental Quality Act (CEQA) compliance. The proposal is exempt under Article 19, Section 15332 (Infill Development Projects), Class 32. This section pertains to meeting conditions for exemption including finding no habitat for endangered, rare, or threatened species and the park will not result in any significant effects related to traffic, noise, air quality or water quality.

RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. R-42-16 with findings titled:

A RESOLUTION OF THE OF THE CITY OF COLTON PLANNING COMMISSION APPROVING ARCHITECTURAL AND SITE PLAN REVIEW AND TENTATIVE TRACT MAP NO. 20059 FOR A 12-COMPACT LOT SUBDIVISION INCLUDING COMMON OPEN SPACE AND LANDSCAPE AREAS ON PROPERTY MEASURING APPROXIMATELY 0.84 ACRES WITHIN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONE. (FILE INDEX NO. DAP-001-363)


Prepared By:
Mario Suarez, AICP, Senior Planner


Reviewed By:
Mark Tomich, AICP, Director

Attachments:

- Attachment-1 Draft Planning Commission Resolution No. R-42-16
- Attachment-2 Plans, Colored Elevations/Rendering and Tentative Tract Map No. 20059

Attachment 1

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RESOLUTION NO. R-42-16

A RESOLUTION OF THE OF THE CITY OF COLTON PLANNING COMMISSION APPROVING ARCHITECTURAL AND SITE PLAN REVIEW AND TENTATIVE TRACT MAP NO. 20059 FOR A 12-COMPACT LOT SUBDIVISION INCLUDING COMMON OPEN SPACE AND LANDSCAPE AREAS ON PROPERTY MEASURING APPROXIMATELY 0.84 GROSS ACRES WITHIN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONE. (FILE INDEX NO. DAP-001-363)

WHEREAS, an Architectural and Site Plan Review and Tentative Tract Map No. 20059 for a 12-compact lot subdivision including common open space and landscape areas on property measuring approximately 0.84 acres located at 353-397 Colton Avenue in the R-2 (Medium Density Residential) Zone (APN: 0164-052-01, 02, 03, 04,& 05); and

WHEREAS, on December 13, 2016, the City of Colton Planning Commission conducted a public hearing on the Application and all persons wishing to testify in connection with the proposed Application were heard, and the Application was comprehensively reviewed; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), Section 15332 (Infill Development, Class 32) the project is categorically exempt from CEQA because the project meets the criteria for infill development project in size and location and would not result in significant environmental impacts; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

BE IT NOW THEREFORE RESOLVED AS FOLLOWS:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, and the findings made for **Architectural and Site Plan Review** in this Resolution, the Planning Commission hereby finds that:

- a. *The provisions for vehicular parking and for vehicular and pedestrian circulation on the site, and onto adjacent public right-of-way will not create safety hazards;* In that the proposed 0.84 acre subject site has been adequately designed with two car garage for each dwelling with three “guest parking” spaces. In addition, the project includes six on-street parking areas fronting the project homes. The sites driveways provide a residential subdivision that is adequately parked with safe circulation of pedestrians and vehicles.
- b. *The bulk, location and height proposed will not be detrimental or injurious to other development in the neighborhood or will result in the loss of or damage to unique natural or topographic features of the site that are important to the environmental quality of life for the citizens of Colton, and the development is feasible in a manner that will avoid such detrimental or injurious results or such loss or damage;* in that the site is flat in topography with no unique natural or topographic features. The proposed residential project will not be detrimental or injurious to the surrounding neighborhood as grading, hydrology

1 and adequate infrastructure is available so as not to cause loss or damage to future residents
2 and existing residents of the area.

- 3 *c. The provisions for exterior lighting are adequate for human safety and will not*
4 *diminish the value and/or usability of adjacent property;* in that, the proposed lighting
5 will be located with security in mind and as enhancement to the residential project’s
6 visibility and safety.
- 7 *d. The exterior design of the buildings and structures will not be injurious or detrimental to*
8 *the environmental or historic features of the immediate neighborhood in which the*
9 *proposed development is located and will not cause irreparable damage to property in the*
10 *neighborhood, to the City and to its citizens;* The project has been conditioned to comply
11 with all local, state and federal code requirements. The project site is not located within a
12 City of Colton Historic District, but is proposed with Mediterranean Architectural style
13 homes compatible with neighborhood homes.
- 14 *e. The proposed development will not impose an undue burden upon off-site public services,*
15 *including sewer, water and streets, which conclusion shall be based upon a written report*
16 *of the City Engineer; and there is no provision in the capital works program of the City*
17 *to correct the specific burden within a reasonable period after the Development will be*
18 *completed;* the development of the 12 compact lot subdivision is within an urban area. All
19 improvements, including electrical, sewer, and water are available and will be provided to
20 adequately serve the project.

21 **SECTION 2.** Pursuant to California Government Code Section 66410 *et seq.*, based on the
22 entire record before the Planning Commission and all written and oral evidence presented to the
23 Planning Commission pertaining to **Tentative Tract Map No. 20059**, the Planning Commission
24 finds as follows:

- 25 a. The proposed subdivision is designed, to the extent feasible, to provide for passive or natural
26 heating or cooling opportunities because the subdivision layout provides an east to west
27 orientation and adequate location of window placement to provide passive and natural
28 heating and cooling opportunities. The project materials and construction will be required
to comply with all current California Codes including energy efficient standards and green
code requirements.
- 29 b. The proposed subdivision and the provisions for its design and improvement are consistent
with the general plan for the City of Colton (“General Plan”), because the proposed compact
lot subdivision provides diverse housing types, amenities and architectural enhancements
consistent with the Medium Density Land Use designation objectives and Density
parameters set by the City’s Land Use and Housing Elements maintaining 16 dwelling units
an acre on .50 acres of the project site.
- 30 1. The Tentative Tract Map No. 20059 provides for land uses compatible with the **Medium**
31 **Density Residential** use classification for the Subject Site in the General Plan, and the

- 1 provisions for design and improvements promote the goals and objectives of the General
2 Plan in providing small lots, adequate common/private open space, and in compliance
3 with the Density requirements of the zone.
- 4 c. The Subject Site is physically suitable for the type and density of development proposed in
5 the Tentative Tract Map No. 20059 because the site is located where existing utilities/sewer
6 lines, and road improvements are available to address ingress and egress requirements for
7 vehicles, pedestrians and bicycles. The applicant has agreed to repave an existing decaying
8 alley from N. Mt. Vernon Avenue to Larch Avenue which will be an enhancement for other
9 adjacent single family homes that use the alley to access their homes.
- 10 d. The subdivision design and improvements proposed in the Tentative Tract Map No. 20059
11 are not likely to cause substantial environmental damage nor substantially injure fish or
12 wildlife or their habitat because the site is not located in an area with fish or wildlife. It is
13 an infill property located in a suburban setting surrounded by residential, open space urban
14 trail and commercial uses within a five minute walk.
- 15 e. The subdivision design and type of improvements proposed in the Tentative Tract Map No.
16 20059 are not likely to cause serious public health problems because all development and
17 public improvements will be performed per the requirements of all applicable standards and
18 codes, including the zoning and building codes, and specific conditions number 38 and
19 number 94 have been incorporated in Exhibit A to ensure compliance with Fire and Building
20 Codes.
- 21 f. The subdivision design and type of improvements proposed in the Tentative Tract Map No.
22 20059 will not conflict with easements acquired by the public at large for access through or
23 use of the Subject Site because the subject site has been fully developed around its perimeter
24 that includes development of an alley, streets, curb, gutter and landscape area. The proposed
25 subdivision map and title report have been reviewed and there are no conflicts with
26 easements or future dedications for developing the proposed project site.
- 27 g. The discharge of waste into an existing sewer system from development proposed in the
28 Tentative Tract Map No. 20059 will not cause a violation of existing requirements
prescribed by the local water quality control board because the City's Engineering and
Water Utilities Divisions of Public Works have reviewed and conditionally approved the
proposal to address waste & wastewater requirements, drainage, grading, storm water,
NPDS construction activity, Improvement Plans and Final Map submission requirements in
making sure the discharge of waste is designed correctly so it does not impact existing water
sources.

SECTION 3. The Planning Commission of the City of Colton, in accordance with the California Environmental Quality Act, has found that the project will not have a significant impact on the environment and is Categorical Exempt from CEQA under Article 19, Section 15332, Class 32 (Infill Development) of the CEQA Guidelines. This section pertains to the proposed project which does not rise to a level of significant environmental impact and will not be detrimental to the health and welfare of the surrounding neighborhood.

SECTION 4. Based upon the findings set forth in Sections 1, 2 & 3 of this Resolution, the Planning Commission hereby approves **Architectural and Site Plan Review and Tentative Tract**

1 **Map No. 20059 DAP-001-363**, subject to the attached conditions of approval (Exhibit “A”).

2 **SECTION 5.** This action by the Planning Commission shall be final unless an appeal of
3 the action is filed with the City Clerk’s office in writing, pursuant to Section 18.58.100 of the Colton
4 Municipal Code.

5 **SECTION 6.** This land use entitlement may be revoked if not exercised within one (1)
6 year of this approval and the applicant has not been granted an extension of time by the Planning
7 Commission, pursuant to Section 18.58.070 of the Colton Municipal Code.

8 **SECTION 7.** Tentative Tract Map No. 18738 shall become null and void if not exercised
9 within two (2) years of this approval and the applicant has not been granted an extension of time
10 by the Planning Commission, pursuant to the Subdivision Map Act Term of Tentative Map
11 Approvals.

12 **SECTION 8.** The Secretary shall certify the adoption of this Resolution.

13 PASSED, APPROVED, AND ADOPTED this 13th day of December 2016.

14 _____
15 Planning Commission Chairperson
16 Richard Prieto

17 ATTEST:

18 _____
19 Planning Commission Secretary
20 Mark R. Tomich, AICP

21 I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning
22 Commission of the City of Colton at a meeting held on December 13, 2016, by the following vote
23 of the Planning Commission:

24 AYES:
25 ABSENT:
26 ABSTAIN:

27 _____
28 Planning Commission Secretary
Mark R. Tomich, AICP

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EXHIBIT "A"
CONDITIONS OF APPROVAL

THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS AS SET FORTH IN THE FOLLOWING CONDITIONS OF APPROVAL FOR PLANNING CASE # DAP-001-363.

HOLD HARMLESS

1. The applicant shall defend, indemnify, and hold harmless the City of Colton and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Colton, its officers, employees, or agents to attacks, set aside, void, or annul any approval or condition of approval of the City of Colton concerning this project, including but not limited to any approval or condition of approval of the city council, planning commission, or development services director. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

PLANNING DIVISION (909) 370-5079

2. This approval is not considered final until the applicant signs the attached acknowledgement of conditions of approval, and submits the executed form to the Development Services Department.
3. This approval is for Architectural & Site Plan Review and Tentative Tract Map No. 20059, as conditioned and modified herein, for the construction of a 12-compact lot subdivision including common open space and landscape areas on property measuring approximately 0.84 acres located within the R-2 (Medium Density Residential) (File Index DAP-001-363), as shown on plans stamped December 1, 2016 by the Development Services Department.
4. The applicant shall place a signed copy of these conditions of approval on the plan check sheet of the proposed project, subject to review and approval by the Development Services Director.
5. A fence permit will be required for any perimeter & interior fencing of the residential subdivision consistent with Compact Subdivision Requirements in Title 18, Section 18.48.190 (Single Family Compact Lots Subdivisions) and install a six-foot high vinyl fence/gates on the interior sides fences, subject to review and approval by Development Services and the Building Department.
6. Any requests for modifications, including any deviation from the approved plans and/or conditions of approval, shall be submitted to the Development Services Director for review, prior to scheduling for Planning Commission meeting, if required.
7. The applicant shall install signage in front of the guest parking spaces notifying residents and users the on-site open parking spaces are for "guests only" and overnight parking is prohibited unless a permit is obtained from the home owners association, subject to review and approval by the Development Services Director.
8. The applicant shall prepare and adopt CC&Rs (Covenants, Conditions and Restrictions) for the proposed subdivision, subject to review and approval by the Development Services Director.

- 1 9. The bylaws of the recorded CC&Rs (covenants, conditions and restrictions) shall include
2 language requiring maintenance and upkeep of signage and homeowners responsibility on the
3 use of the “guest parking” spaces and maximum stay allowed by guests of the Paseo, subject to
4 review and approval by the Development Services Director.
- 5 10. The applicant to provide a detailed landscape and irrigation plans for the proposed “open
6 space;” and front yard landscaping; landscaping facing the street, and landscaping in right-of-
7 way area. All landscape areas shall be lushly landscaped with drought-resistant planting and
8 include garden type amenities to be enjoyed by the residents and other guests walking through
9 the area, subject to review and approval by the Development Services Department.
- 10 11. The applicant and/or property owner shall comply with all requirements of all reviewing
11 agencies and shall comply with all applicable local, state, and federal rules, laws, and
12 regulations.
- 13 12. The applicant and/or property owner and/or home owners association (HOA) shall, at all times,
14 operate and maintain the property so as not to constitute a nuisance in the community.
- 15 13. The applicant shall provide a lighting plan along the perimeter of the common open space and
16 install wall mounted pack LED lighting 15 feet on center along the alley perimeter wall
17 consisting of security lighting, subject to review and approval by the Development Services
18 Director.
- 19 14. The applicant shall repave the entire alley from N. Mt. Vernon Avenue to Larch Avenue, subject
20 to review and approval by the Public Works City Engineer.
- 21 15. The CC&Rs shall include specific language for continued maintenance and upkeep of adjacent
22 private park and all landscaped areas facing the street, “greenbelt” area, 11th Street, or areas of
23 any front yard, subject to review and approval by the Development Services Director.
- 24 16. During grading and construction phases, the construction manager shall serve as the contact
25 person in the event that dust or noise levels become disruptive to surrounding businesses. A
26 sign shall be posted at the project site with the contact phone number.
- 27 17. The applicant shall provide permanent signage at various locations of the private park indicating
28 private park, HOA reserves the right to revoke access, signage subject to review and approval
by the Development Services Department.
18. Gas meters, backflow prevention devices and other ground-mounted mechanical or electrical
equipment installed by the developer shall be inconspicuously located and screened, as
approved by the Development Services Department. (Location of this equipment shall be
clearly noted on landscape construction documents.)
19. Electrical and other service facilities shall be located within an interior electrical room or
approved comparable location. All electrical service facilities shall be fully screened from
public view, as approved by the Planning Division.
20. The applicant shall underground all new utilities and utility drops.

1
2 **BUILDING**

3 21. Shall comply with the latest adopted edition (2013) of the following codes:

4 California Building Standards Code (Title 24, California Code of Regulations)

5 Building Code and its appendices and standards. The 2016 edition of the California Codes becomes effective for all Building Permit applications submitted on or after January 1, 2017.

- 6 a. Building Code
- 7 b. Building Security Code
- 8 c. Electrical Code
- 9 d. Energy Efficiency Standards
- 10 e. Fire Code and its appendices and standards
- 11 f. Green Code
- 12 g. Mechanical Code and its appendices and standards
- 13 h. Plumbing Code and its appendices and standards

14 22. Applicant shall submit improvement plans for review and approval prior to construction and occupancy

15 23. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code and Regulations.

16 24. All property lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.

17 25. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

18 26. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include all project revisions and changes to original design. The CD will also include the projects energy calculations (Title 24) structural calculations, all additional supporting documents and all other pertinent information. It will be the responsibility of the developer and/or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review and approval prior to final inspection and building occupancy. The CD will become the property of the Colton Building and Safety Division at that time.

19 **ELECTRIC DEPARTMENT:**

20 27. It has been determined that the project is within the City of Colton. The City of Colton will provide service to this project. The developer shall meet all City of Colton Electric Utility service requirements and pay all applicable fees.

1 28. The project developer/applicant shall comply with all customer service policies of the City of
2 Colton Electric Utility Department. The developer shall provide the Electric Utility with all
3 information necessary to determine the project's electric service requirements; and if necessary
4 and at their own expense, install all conduit and vault systems associated with underground
5 primary/service line extensions and street-lighting as per the Electric Utility's approved design.
6 The developer shall pay all charges associated with the Electric Utility's cost to construct
7 underground and overhead line extensions and street-lighting.

8 29. Conditions and requirements specific to the project:

9 a. The project developer/applicant shall be responsible for installing an underground primary
10 and secondary vault/conduit system for the entire project.

11 b. The project developer/applicant shall be responsible for all costs associated with the
12 installation of street lighting throughout the project area.

13 c. The project developer/applicant shall give Colton Electric Department, if needed,
14 easements associated with the project area.

15 **FIRE DEPARTMENT**

16 30. The development shall conform with all the requirements of the city of Colton's Municipal
17 Code requiring on-site fire protection prior to construction.

18 31. A municipal water supply system (Public Fire Hydrants) shall be provided, capable of providing
19 the required fire flow for the proposed type of construction. Minimum fire flow for this project
20 shall be 1,500 g.p.m (gallons per minute).

21 32. Engineered automatic fire sprinkler systems are required for this project. Detailed drawings
22 and calculations shall be submitted to the fire department for review, approval and permit
23 issuance, and prior to installation.

24 33. Access roadways shall be provided in accordance with the City's Municipal Code.

25 34. Premise identification shall be provided in accordance with the City's' Security Ordinance #0-
26 13-89, Section XIV (residential).

27 35. If temporary fencing is used to enclose the construction site, at least two (2) means of
28 unobstructed access must be installed, and maintained in locations as to give maximum access
to all parts of the site, and in accordance with the Fire Departments' requirements.

36. The proposed project's use and/or operations shall be designed and maintained in accordance
with the 2012/2013 editions of the International Fire and Building Codes / California Fire and
Building Codes (Title 24).

37. Deferred plan submittals to the Fire Department and separate permits from the Fire Department
are required on the following:

- o automatic fire suppression/sprinkler systems

1 **PUBLIC WORKS:**

2 **STREET IMPROVEMENTS**

3 38. Construct missing street improvements along the project frontage consisting of curb, gutter,
4 sidewalk, A.C. pavement, driveway approaches, handicap access ramps, streetlights, street
5 trees, street signs, and roadway striping, etc., as per the approved Street Improvement Plans and
6 City of Colton Standard Specifications.

7 39. Submit (3) sets of street improvement plans for the off-site improvements (including signing
8 and striping), prepared by a licensed civil engineer. The scale of this plan shall be no less than
9 1" = 40.'

10 40. An automatic sprinkler system shall be installed within any landscaped open space areas,
11 including between the sidewalk and the tract at the right-of-way line.

12 41. All parkway and unpaved areas within the public right-of-way fronting the project shall be
13 landscaped and maintained, and an automatic sprinkler system installed.

14 **DRAINAGE**

15 42. The property's street and lot grading shall be designed in a manner that perpetuates the existing
16 natural drainage patterns with respect to tributary drainage area, outlet points and outlet
17 conditions; otherwise, a drainage easement shall be obtained from the affected property owners
18 for the release of concentrated or diverted storm flows. A copy of the recorded drainage
19 easement shall be submitted to the City of Colton for review prior to the recordation of the final
20 map.

21 43. Submit drainage/hydrology study calculations and a hydraulic analysis for both developed and
22 undeveloped conditions to the City of Colton for review and approval. All of the drainage from
23 each individual lot shall drain into the public right-of-way and not impact surrounding
24 properties, or a drainage easement acceptance letter from the adjacent landowner must be
25 obtained.

26 44. Owner/Developer shall notify adjacent property owners about the impact of the proposed
27 development on drainage configuration of existing adjacent properties. Such notification shall
28 be pre-approved by the City Engineer. These drainage issues shall be resolved prior to issuance
of a grading permit.

45. The 10 year storm flow shall be contained within the curb and the 100 year storm flow shall be
contained within the street right-of-way. When either of these criteria is exceeded, additional
drainage facilities shall be installed.

46. File a Notice of Intent and obtain an NPDES Construction Activity General Permit from the
State Regional Water Quality Control Board and submit a copy of each to the Public Works
Department. Ensure that Best Management Practices (BMPs) are followed, per NPDES
requirements to reduce storm water runoff during, construction and thereafter. Temporary
erosion control measures shall be implemented immediately following rough grading to prevent
deposition of debris into the downstream properties or drainage facilities. Submit a Storm Water
Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that

1 will prevent all construction pollutants from contacting storm water and with the intent of
2 keeping all products of erosion from moving off site into receiving waters for review.

3 **GRADING**

4 47. Submit to the City Public Works Department a separate grading plan of a scale of 1" = 20'
5 prepared by a civil engineer registered in the State of California. The grading plan shall include
6 a topographic contour map of the site and 15 feet beyond the property lines, with a one-foot
7 contour interval. This contour map shall be prepared within the last 12 months prior to a grading
8 permit approval. The final grading plan shall be a 4 mil mylar, which the City Engineer will
9 sign and retain at the City Engineer Office for record.

10 48. A note shall be placed on the plans that states "All block walls and fencing shall be shown on
11 the grading plan for reference only and shall be separately permitted by the City Building
12 Department.

13 49. Place City Standards grading and drainage notes, including NPDES requirements on the
14 grading plan.

15 50. A pad certification prepared by a licensed Civil Engineer registered in the State of California
16 shall be submitted prior to issuance of building permits.

17 51. Prior to final project acceptance, applicant to submit an as built of grading plans. No final will
18 be authorized until as-buids are submitted to Public Works Department.

19 52. The applicant shall submit a Water Quality Management Plan (WQMP) specifically identifying
20 Best Management Practices (BMPs) that will be used onsite to reduce the pollutants into the
21 storm drain system prior to issuance of grading permit. Forms are available at the City of Colton
22 Public Works Department.

23 **WATER AND WASTEWATER REQUIREMENTS**

24 53. The development shall meet all the requirements as set forth by the water/wastewater
25 department for water, sewer and pre-treatment facilities.

26 54. All construction shall conform to the current edition of the specifications for public works
27 construction (green book), and the current standards and specifications of the City of Colton
28 Water / Wastewater Department.

55. Wastewater questionnaire shall be submitted to water/wastewater division for review and
comment. No project will be approved unless this information is received prior to submittal for
plan check.

56. Developer is required to have a registered civil engineer prepare a water and sewer
improvement plan. The plan must show the size and location of the existing or proposed sewer
connection to the existing on-site sewer main or the sewer collection system with the required
cleanout at property line. Sewer civil engineering plans shall be submitted with an engineer's
cost estimate along with the sewer calculations to support the design.

57. Construction of all offsite improvements shall be per the approved water and sewer plans.

- 1 58. The developer shall submit a wastewater collection system feasibility study prepared by a
2 qualified registered civil engineer for review and approval by the city engineer and director of
3 water and wastewater. Additional water infrastructure or further engineering review may be
4 required by the developer based on the information provided in the study.
- 5 59. Developer's civil engineer is required to produce record drawings in both mylar and a
6 compatible electronic file for future archiving and gis conversion after all changes,
7 modifications, and additions requested by the water/wastewater department have been made on
8 the plans.
- 9 60. Developer shall verify the existence and location of any utility easements and show said
10 easements on all plans. All utility easements shall be protected from encroachment.
- 11 61. The developer shall connect the proposed sewer pipeline to the existing sewer main along the
12 alley south of larch avenue. However, water service can be connected at ridge view lane. If the
13 project requires a sewer main located or extends on the private property, a public utility
14 easement shall be provided to the city. Any easement issues shall be settled either before
15 approval of the final map, or issuance of building permits, whichever is applicable.
- 16 62. Developer is required to install new sewer lateral connections from the nearest city gravity main
17 if one does not currently exist, per city of colton standard drawings no.124, no.201, no.308, and
18 no.312. License: contractors performing this work are required to have either an "a" license or
19 a "c-42" license to meet permit requirements. Developer is also required to install new sewer
20 cleanout at property line for all new sewer lateral connections to city sewer per colton standard
21 drawing no.308.
- 22 63. Any subdivision of a single parcel into multiple parcels requires separate sewer services for
23 each parcel when development occurs.
- 24 64. Developer's contractor is required to videotape new gravity sewer main for sags and offsets,
25 and provide one videotape to the utilities inspector and one tape to the developer prior to
26 acceptance by city.
- 27 65. All water and wastewater capacity fees must be paid prior to obtaining the certificate of
28 occupancy. Additional capacity fees may apply if the actual discharge exceeds the estimated
flow established during initial approval. Service will be terminated if the fees are not paid.
66. All connection fees and charges shall be levied at rate scheduled by city council at the time of
payment by developer. Developer shall remit sewer connection fees to the city of colton
water/wastewater division.
67. Bond and construct all offsite improvements per the approved sewer improvement plans. The
project developer shall provide a bond to the city guaranteeing the installation of all sewer
infrastructures and shown on the approved development plan or otherwise required as part of
this development. The project developer shall provide an itemized cost estimate of said
improvements, to be submitted with the bond, for the review and approval of the director prior
to approval of the final plan.

1 **PROJECT DEVELOPMENT**

2 68. No final inspection will be performed until all Public Works Department requirements
3 pertaining thereto are in compliance.

4 **STUDIES & REPORTS**

5 69. Submit a soils report prepared by a registered geologist or soils engineer. This report should be
6 based on soil samples taken from the site and should analyze the existing geotechnical
7 conditions of the site to determine if the existing soil is adequate for the development and safe
8 from hazardous or deleterious materials. The report should also satisfactorily address the
9 compaction and soil stability characteristics of the site. The number of soil borings performed
10 on the site shall be strategically located throughout the site.

11 70. The applicant shall submit a Water Quality Management Plan (WQMP) (if applies) specifically
12 identifying Best Management Practices (BMPs) that will be used onsite to reduce the pollutants
13 into the storm drain system prior to issuance of grading permit. Forms are available at the City
14 of Colton Public Works Department.

15 71. Submit drainage/hydrology study calculations and a hydraulic analysis for both developed and
16 undeveloped conditions to the City of Colton for review and approval. All of the drainage from
17 each individual lot shall drain into the public right-of-way and not impact surrounding
18 properties, or a drainage easement acceptance letter from the adjacent landowner must be
19 obtained.

20 **FEES**

21 72. A Plan Check fee for all improvement plans and studies for the proposed development shall be
22 paid prior to plan checking proceedings in accordance with the fee schedule in effect at the time
23 the fees are paid.

24 73. Sewer Connection fees shall be paid prior to the issuance of building permits, in accordance
25 with the fee schedule in effect at the time the fees are paid.

26 74. Pay Plan Check Fees and Permit Fees for the review of the site grading and drainage plan.
27 Submit a detailed cost estimate to determine the plan checking fee.

28 75. Pay Plan Check Fee for the review of the site Hydrology Calc. Review

76. The applicant/sub divider shall pay the development impact fees and infrastructure fees in effect
at the time that building permits are obtained for approved structures. Applicants/sub dividers
shall be required to submit detailed plans showing approved Land Uses and the square footage
of each structure proposed.

77. Pay plan check fee for the plan checking of street improvement plans. Submit a detailed cost
estimate to determine the plan checking fee.

78. Pay plan check fee for the plan checking of the Water Quality Management Plan.

IMPROVEMENT PLANS AND FINAL MAP

- 1 79. Improvement Plans for the proposed project shall be prepared as a separate set of drawings for
2 each of the following categories:
 - 3 a. Rough Grading/ Precise Grading and Plot Plan
 - 4 b. Street and Storm Drain Plan
 - 5 c. Striping Plan
 - 6 d. Landscaping Plan
 - 7 e. Water and Sewer Utility Plan
 - 8 f. Final Map
- 9 80. The Developer shall repair any areas of existing improvements that become damaged during
10 any phase of construction of the project, as determined by the Office of the City Engineer. The
11 contractor working in the right-of-way must submit proof of a Class “A” Contractor License,
12 City of Colton Business License, and liability insurance. The City Engineer shall determine if
13 any existing streets are damaged to the extent that a full 1 ½” A.C. overlay is required.
- 14 81. Submit a copy of the Title Report to the Public Works Department.
- 15 82. All plans, including grading plans shall be drawn on 24” x 36” 4 mil Mylar.
- 16 83. Original drawings shall be revised to reflect As-Built conditions by the Design Engineer prior
17 to final acceptance of the work by the City. Water service lines, water meters, sewer laterals
18 and electric, irrigation lines, etc., within the street right-of-way and 5’ outside of the street right-
19 of-way shall be shown on the As-Built Water/Sewer Plans. Construction plans for gas,
20 telephone, electric and cable TV etc., shall be submitted to the City for records.
- 21 84. A small index map shall be included on the title sheet of each set of plans, showing the overall
22 layout of the public improvements.
- 23 85. A map of the proposed development drawn to scale 1” = 200’, showing the outline of streets
24 and street names, shall be submitted to the City to update the City wall atlas map.
- 25 86. An original mylar of the final map (after it is recorded) shall be provided to the City for the
26 City’s map files.
- 27 87. The street name signs and traffic control devices shall be relocated or installed as required per
28 the approved plans and City of Colton Standard Specifications.
88. Contact all affected agencies, (Army Corps of Engineers, California Department of Fish &
Game, Regional Water Quality Control Board, and San Bernardino County Flood Control &
Water Conservation District, etc.), and obtain the necessary approvals with regards to the
proposed development, which. Submit copies of correspondence with the agencies to the Public
Works Department.
89. Submit improvement plans to all affected utilities, including the Gas Company, Cable
Companies, Verizon California, etc., prior to issuance of the Building Permit and transmit
correspondence to the Public Works Department.

CONSTRUCTION & MAINTENANCE OF PUBLIC IMPROVEMENTS

- 1 90. All required water lines and fire hydrants shall be installed and made operable before any
2 building permits for framing are issued. This may be done in phases if the construction work is
3 in progress for emergency vehicles.
- 4 91. Vehicular access shall be maintained at all times to all parts of the proposed project, where
5 construction work is in progress, for emergency vehicles.
- 6 92. All precautions shall be taken to prevent washouts, undermining and subsurface ponding,
7 caused by rain or runoff to all surface structures (curbs, gutters, sidewalks, paving, etc.). The
8 Public Works Department may order repair, removal and replacement, extra compaction tests,
9 load tests, etc. or any combination thereof for any such structure that was damaged or appears
10 to have been damaged. All of the additional work, testing, etc., shall be at the expense of the
11 developer.
- 12 93. All required public improvements for the project shall be completed, tested and approved by
13 the Public Works Department prior to the issuance of any Certificate of Occupancy for such
14 tract.
- 15 94. Prior to any street construction or relocation, when there are monuments in the project area
16 which control the location of subdivisions, streets or highways, or provide survey control, the
17 developer shall locate and reference the monuments and shall reset them after construction as
18 required by Section 8771 of the Business and Professions Code, in a manner meeting the
19 approval of the City Engineer.

20 **CODE ENFORCEMENT:**

- 21 92. Comply with the requirements of the City of Colton **Code Enforcement/Police**, including the
22 following:
- 23 a. Landscaping: Property manager or tenant will maintain all approved landscaping in good
24 condition, including but not limited to adequate irrigation, mowing of grass, and replacing
25 dead trees and shrubs. Above ground landscaping controls or backflow valves will be
26 secured in a locked metal cage to prevent theft or vandalism.
- 27 b. Litter/Graffiti: The exterior of the subdivision and areas adjacent to the residential project
28 over which they have control, including all signs and residential buildings and structures,
shall be maintained free of litter and graffiti at all times. The owner or operator shall provide
for daily removal of trash, litter and debris from the premises and on all abutting sidewalks
and parking lots within twenty (20) feet of the premises. Graffiti shall be removed within
forty-eight (48) hours upon notification with a color-matching paint. The expectation for
graffiti cover up is an appearance that the graffiti never existed.
- c. The applicant shall grant “right of access” by the city or agent to remove graffiti.
- d. Exterior Lighting: All lightning will be maintained in good working order. All lighting
shall be shown on the required plot plans. Lighting level will be a minimum foot candles as
required by ordinance. The placement of the lighting fixtures shall be such that the angle
of projected light does not interfere or hinder the vision of police officers or security
personnel patrolling the areas. All lighting will be properly shielded so as to not trespass

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or disturb neighboring residences, adjacent businesses, or persons while driving vehicles upon the roadway. In the event a lighting fixture becomes inoperable, property management will have the lighting repaired within 72 hours.

- e. Storage: Parking and trash areas will not be used for storage of hazardous materials, including but not limited to tires, waste oil, and inoperable or unregistered vehicles. Property manager or tenant shall promptly abate hazardous materials or inoperable vehicles. General exterior storage areas will be screened from public view.
- f. Signage: Applicant will fully comply with Colton Municipal Code 18.50 Sign Ordinance as amended. Temporary promotional signs require a permit and must be authorized by Development Services prior to display. Refer to code for additional signage permitting and requirements.

Attachment 2

Site Plan

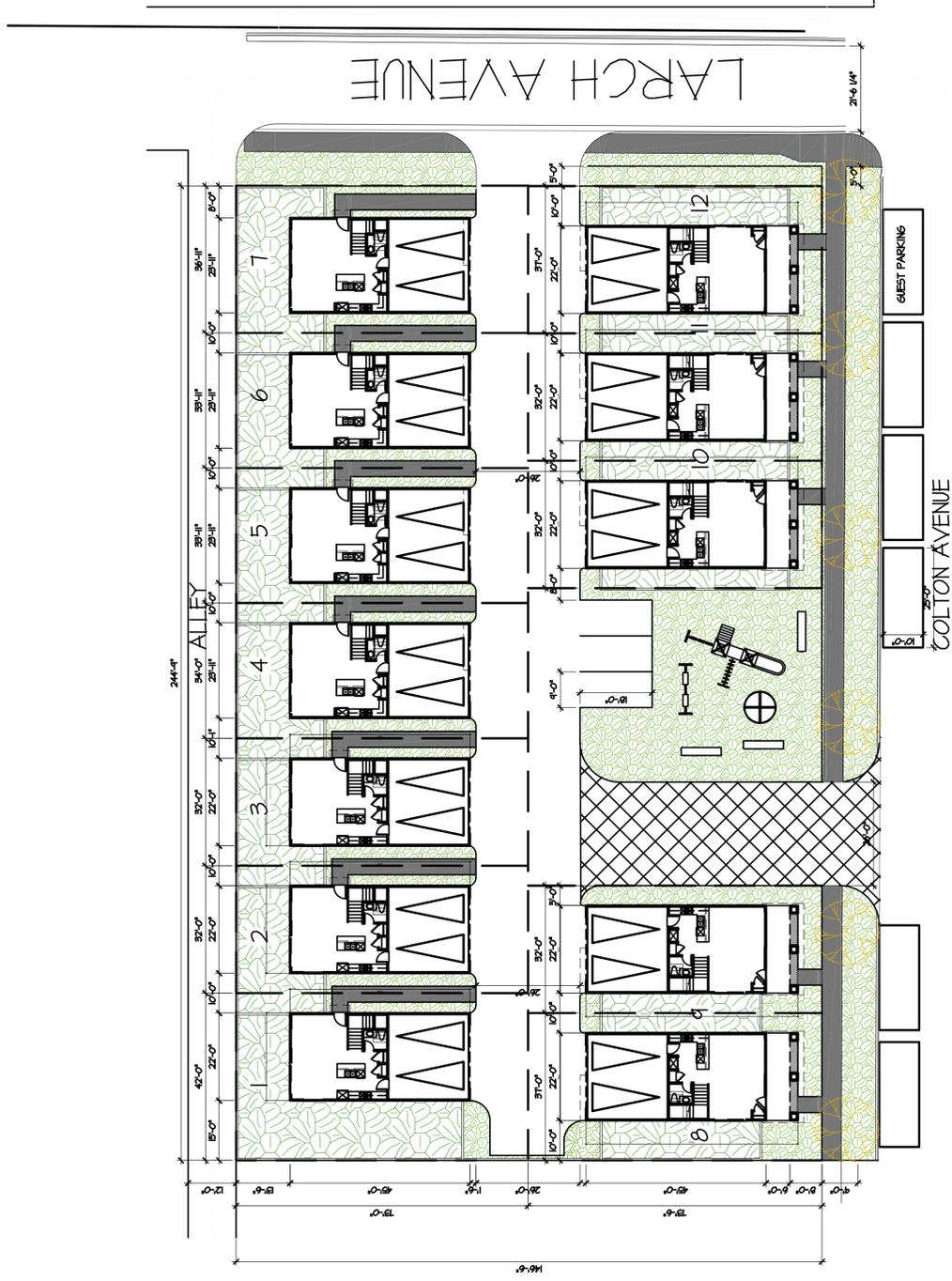
SCALE: 1" = 20'-0"

LOT SIZE: .82 ACRES
 NO. OF UNITS: 12
 DENSITY: 14.63 UNITS / ACRE
 PARKING: 2 CAR GARAGE / UNIT
 +3 ONSITE GUEST PARKING
 +6 OFFSITE GUEST PARKING

PLAN 1 - 5 UNITS
 PLAN 1X - 3 UNITS
 PLAN 2 - 4 UNITS
 PUBLIC OPEN SPACE - 2,558 SQ FT
 PLAN 1 BUILDING SIZE - 22'x45'
 PLAN 1x BUILDING SIZE - 22'x45'
 PLAN 2 BUILDING SIZE - 23'-11"x45'
 PLAN 1 LOT SIZE - ranges from 32"x73'-6" to 37'x73'-6"
 PLAN 1x LOT SIZE - ranges from 32'x73' to 42'x73'
 PLAN 2 LOT SIZE - ranges from 33'-11"x73' to 36'-11"x73'

LEGEND:

-  SIDEWALK
-  PUBLIC LANDSCAPE
-  PRIVATE LANDSCAPE
-  COLORED CONCRETE



Architectural
 Site Plan

0 10 20 40

ASP

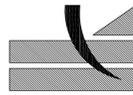
Paseo

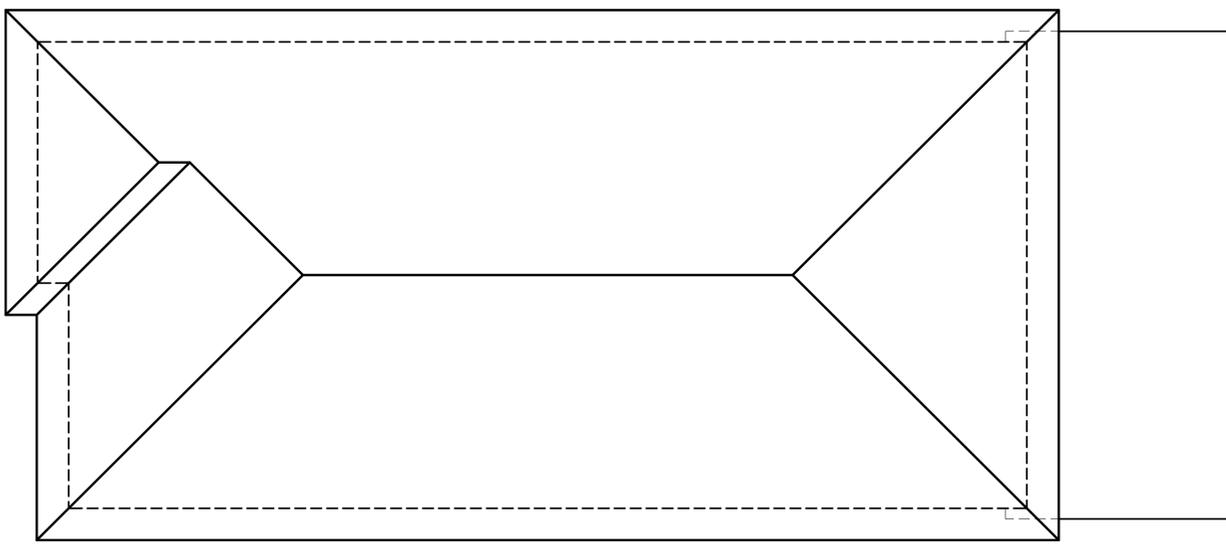
COLTON, CALIFORNIA

AEGIS BUILDERS, INC.
 233.1 W. Lincoln Ave.
 Anaheim, CA 92801
 626-827-4496

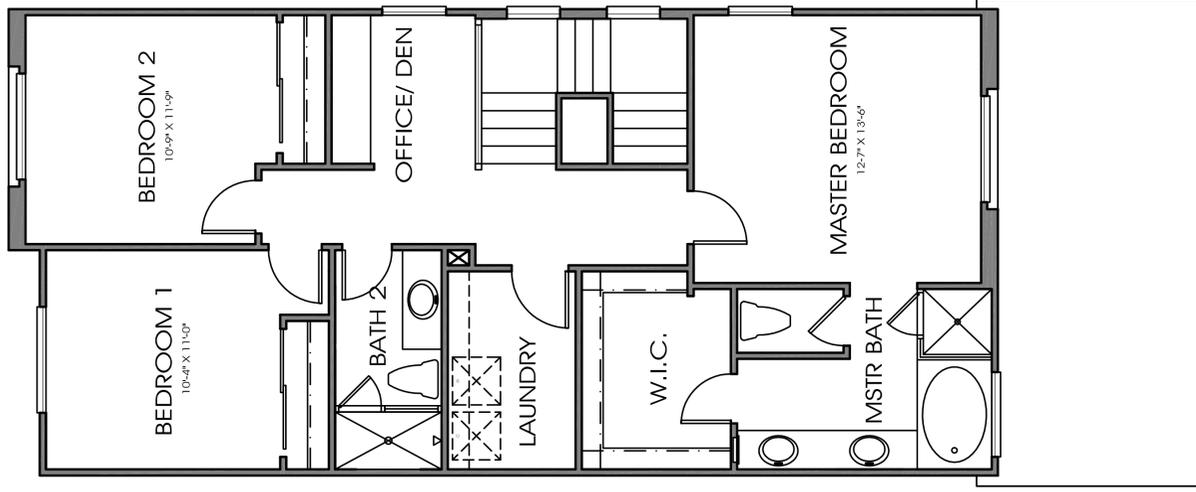
HANNOUCHE
 ARCHITECTS
 949.261.2070

20250 SW ACACIA ST. #145 NEWPORT BEACH, CA 92660
 PROJECT #2016011 DATE: 11/25/16

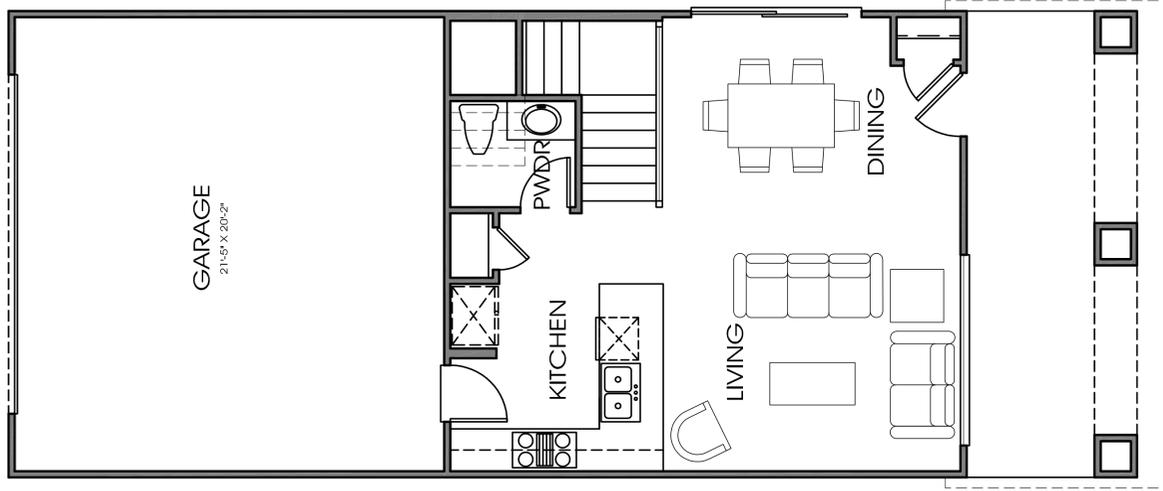




ROOF PLAN



SECOND FLOOR PLAN 1006 S.F.



FIRST FLOOR PLAN 498 S.F.
(EACH UNIT TOTAL) 1,504 S.F.

PLAN 1
0 1 4 8

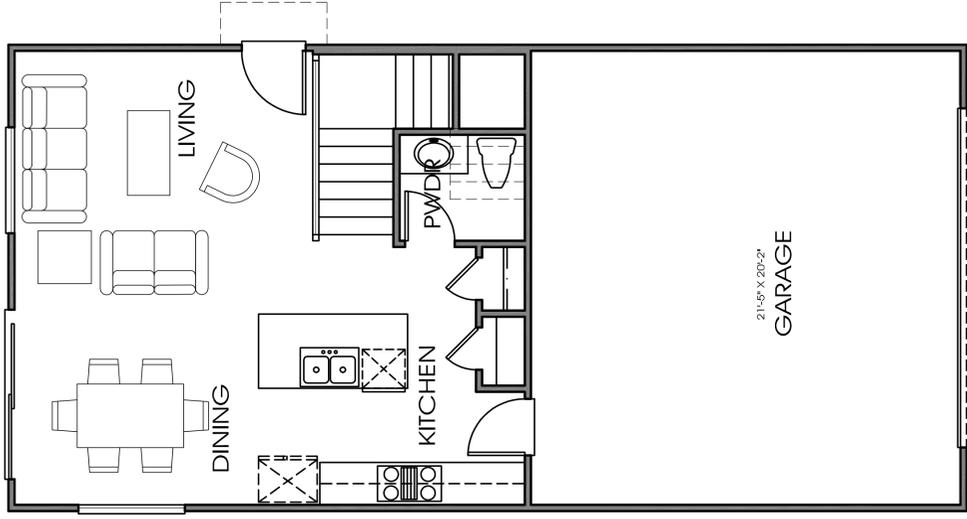
AEGIS BUILDERS, INC.
2331 WEST LINCOLN AVENUE
ANAHEIM, CA 92801
(714) 520-5544

Paseo

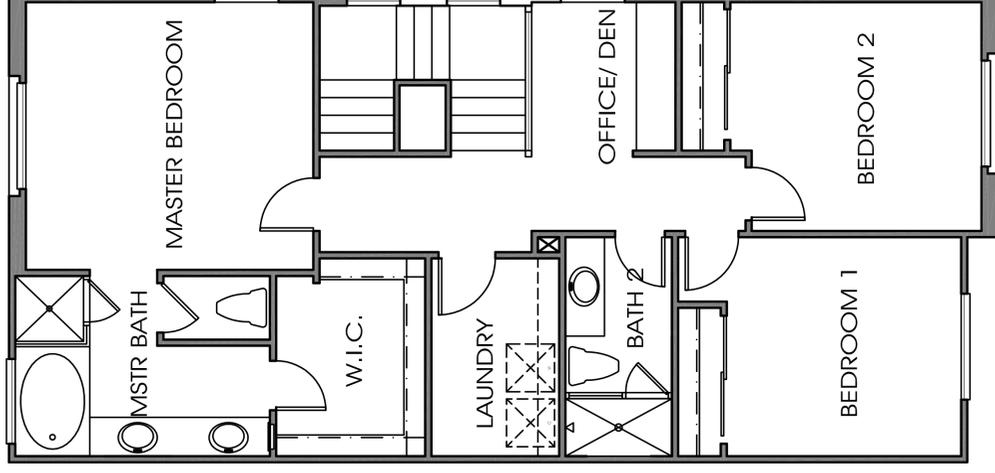
COLTON, CALIFORNIA

HANNOUCHE
ARCHITECTS
949.261.2070

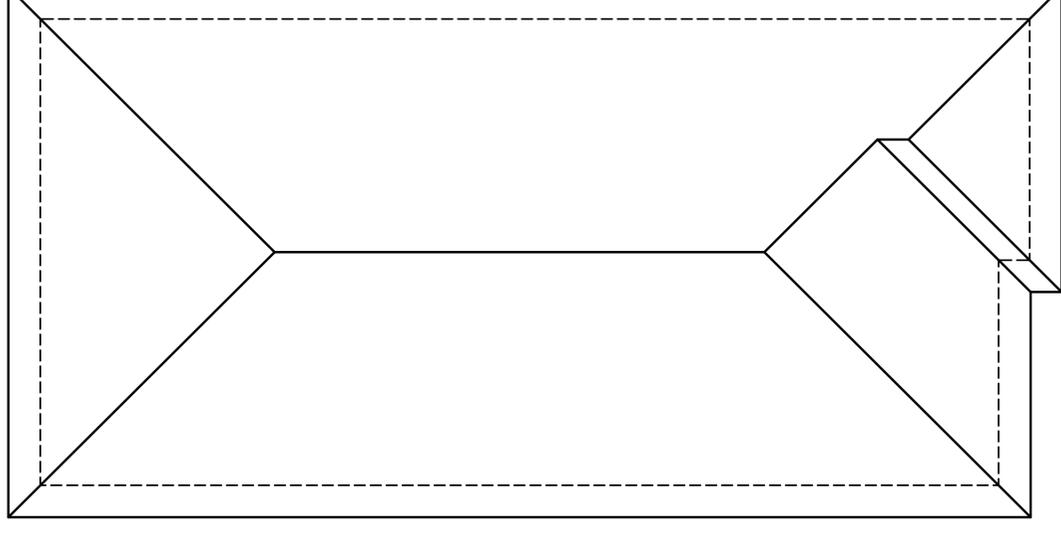
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PROJECT # 2016011 DATE: 10/04/16



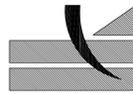
FIRST FLOOR PLAN 498 S.F.
(EACH UNIT TOTAL) 1,504 S.F.



SECOND FLOOR PLAN 1006 S.F.



ROOF PLAN



HANNOUCHE
ARCHITECTS
949.261.2070
20250 SW ACACIA ST., # 145, NEWPORT BEACH, CA 92660
PROJECT # 2016011 DATE: 10/04/16

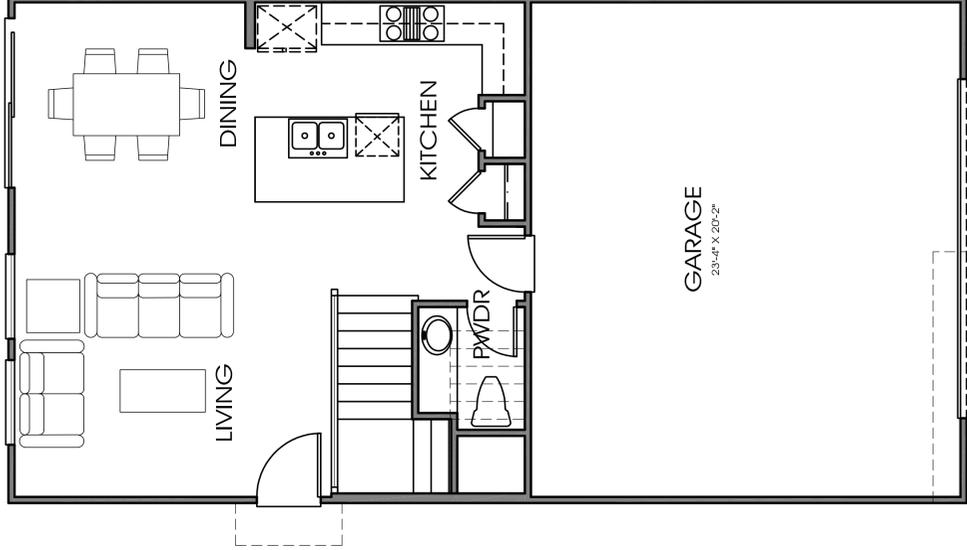
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COLTON, CALIFORNIA

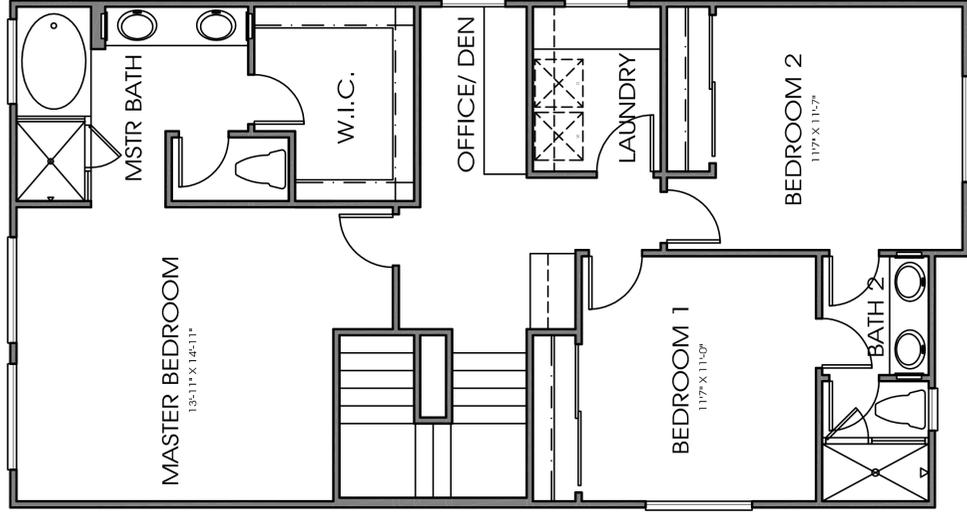
PLAN 1X



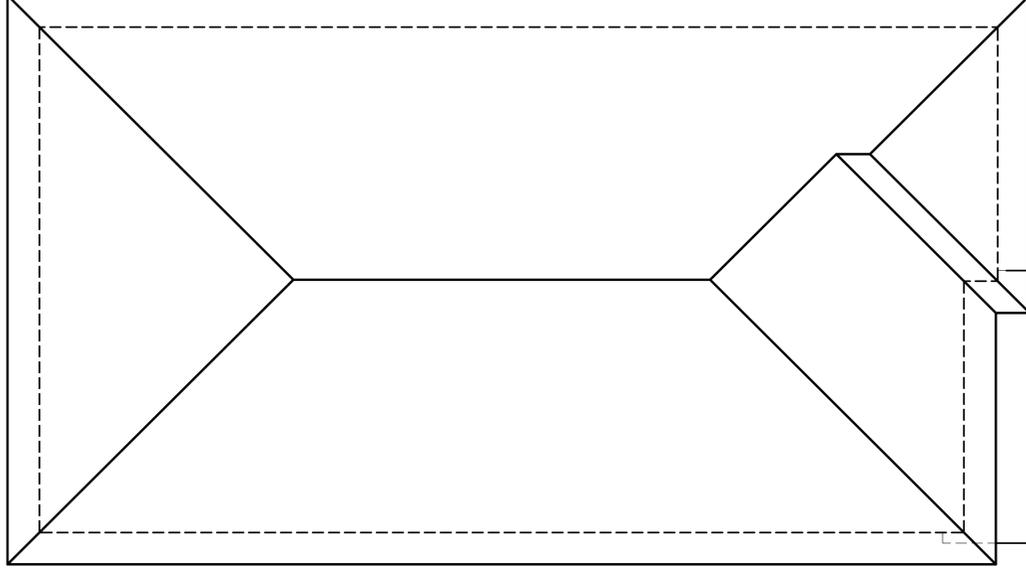
AEGIS BUILDERS, INC.
2331 WEST LINCOLN AVENUE
ANAHEIM, CA 92801
(714) 520-5544



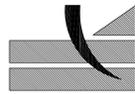
FIRST FLOOR PLAN
(EACH UNIT TOTAL) 545 S.F.
1,602 S.F.



SECOND FLOOR PLAN 1057 S.F.



ROOF PLAN



HANNOUCHE
ARCHITECTS

949.261.2070
20250 SW ACACIA ST., # 145, NEWPORT BEACH, CA 92660
PROJECT # 2016011 DATE: 10/04/16

Paseo

COLTON, CALIFORNIA

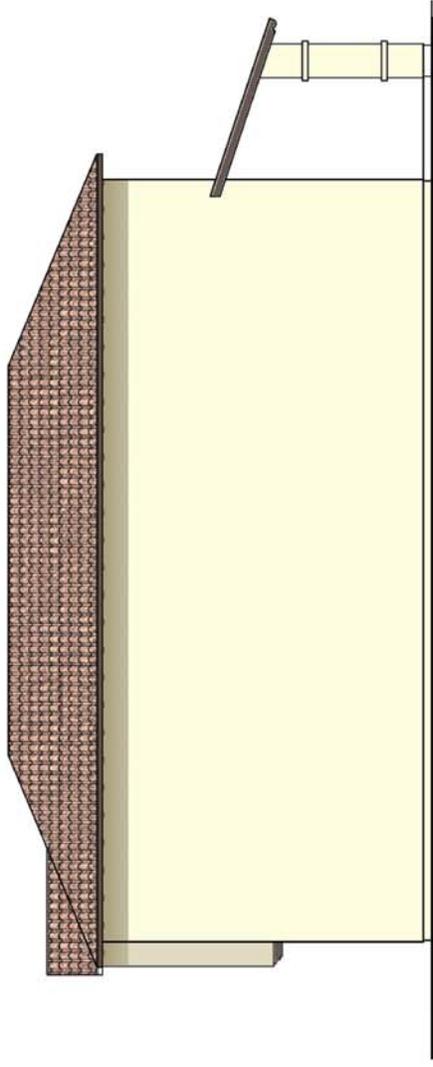
PLAN 2



AEGIS BUILDERS, INC.
2331 WEST LINCOLN AVENUE
ANAHEIM, CA 92801
(714) 520-5544



FRONT



LEFT



REAR

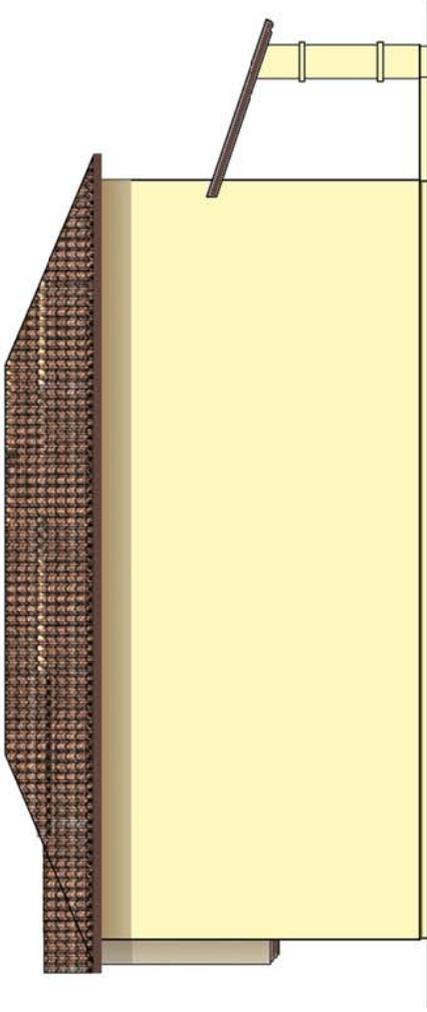


RIGHT





FRONT



LEFT



REAR



RIGHT



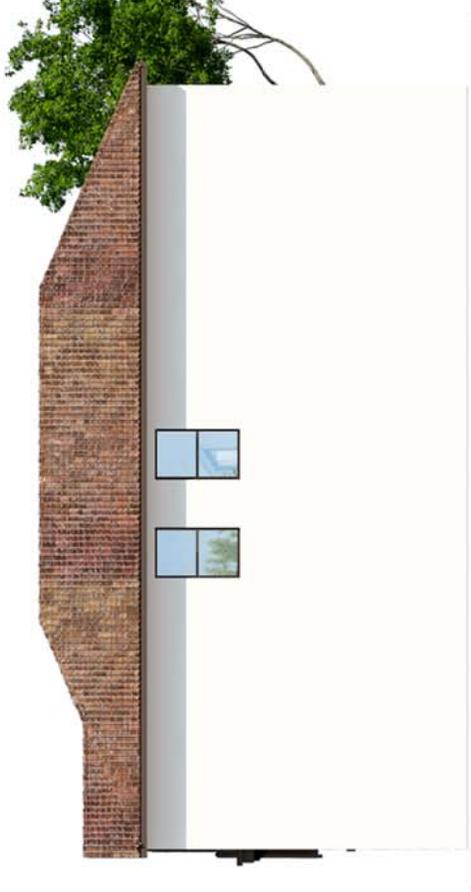
FRONT



LEFT



REAR



RIGHT

HANNOUCHE
ARCHITECTS

949.261.2070
20250 HWY ACACIA ST. #145 NEWPORT BEACH, CA 92660
PROJECT 2016011

Paseo

COLTON, CALIFORNIA

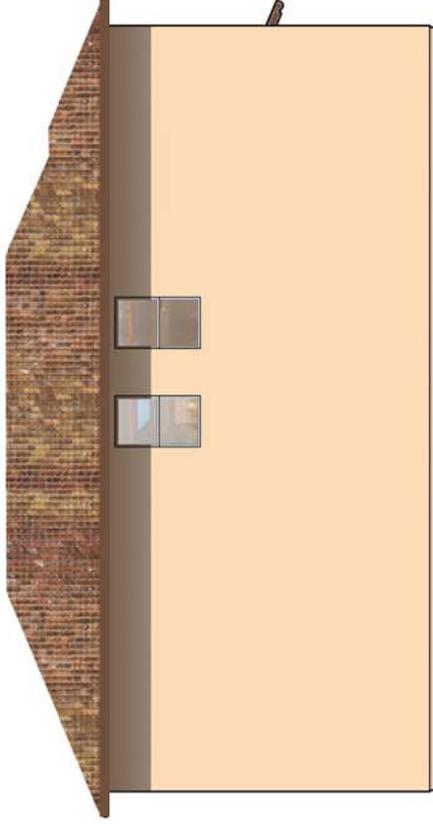
PLAN 2 SPANISH



AEGIS BUILDERS, INC.
2331 WEST LINCOLN AVENUE
ANAHEIM, CA 92801
(714) 520-5544



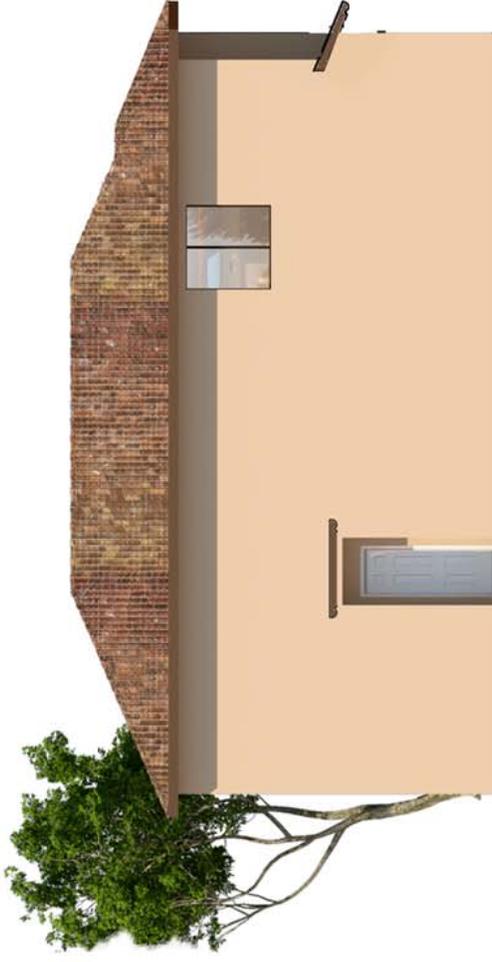
FRONT



LEFT



REAR



RIGHT

HANNOUCHE
ARCHITECTS

949.261.2070
2331 WEST LINCOLN AVENUE
ANAHEIM, CA 92801
PROJECT 2014011

Paseo

COLTON, CALIFORNIA

PLAN 2 TUSCANY



AEGIS BUILDERS, INC.
2331 WEST LINCOLN AVENUE
ANAHEIM, CA 92801
(714) 520-5544

COLTON

COLOR AND MATERIAL SELECTIONS

PLAN 1/ PLAN 1X

SPANISH



STUCCO :
SHERWIN WILLIAMS
SW 7678 COTTAGE CREAM



TILE :
TALAVERA MEXICAN TILE
Item: 10182



TRIM:
SHERWIN WILLIAMS
SW 6104 KAFFEE



SHUTTER/ FRONT DOOR:
SHERWIN WILLIAMS
SW 6433 IVERNESS



FASCIA:
SHERWIN WILLIAMS
SW 6103 TEA CHEST



GARAGE DOOR:
SHERWIN WILLIAMS
SW 6433 IVERNESS



ROOF TILE:
EAGLE ROOFING
CAPISTRANO CORONA DEL MAR

TUSCANY



STUCCO :
SHERWIN WILLIAMS
SW 6673 BANANA CREAM



STONE :
ELDORADO
ANDANTE FIELDLEDGE



SHUTTER :
SHERWIN WILLIAMS
SW 6090 JAVA



GARAGE DOOR/ FRONT DOOR:
SHERWIN WILLIAMS
SW 6090 JAVA



TRIM/ FASCIA:
SHERWIN WILLIAMS
SW 6089 GROUNDED



ROOF TILE:
EAGLE ROOFING
CAPISTRANO ALBUQUERQUE



BRICK:
MCNEAR
SAHARA

COLTON

COLOR AND MATERIAL SELECTIONS

PLAN 2

SPANISH



STUCCO :
SHERWIN WILLIAMS
SW 7551 GREEK VILLA



TRIM:
SHERWIN WILLIAMS
SW 6082 COBBLE BROWN



FASCIA/ GARAGE DOOR:
SHERWIN WILLIAMS
SW 6082 COBBLE BROWN



ROOF TILE:
EAGLE ROOFING
CAPISTRANO WEATHERED TERRACOTTA

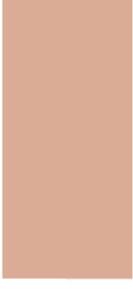


SHUTTER BODY/ FRONT DOOR :
SHERWIN WILLIAMS
SW 6048 TERRA BRUN



SHUTTER TRIM:
SHERWIN WILLIAMS
SW 6083 SABLE

TUSCANY



STUCCO :
SHERWIN WILLIAMS
SW 7597 TREK TAN



SHUTTER/ FRONT DOOR:
SHERWIN WILLIAMS
SW 6187 ROSEMARY



TRIM/ FASCIA:
SHERWIN WILLIAMS
SW 6089 GROUNDED



BRICK:
MCNEAR
DORADO



STONE :
ELDORADO
VENETO FIELDLEDGE



GARAGE DOOR:
SHERWIN WILLIAMS
6187 ROSEMARY



ROOF TILE:
EAGLE ROOFING
CAPISTRANO TUSCAN BLEND





P L A N 1



P L A N I A



P L A N 2



P L A N 2 A



Planning Commission Staff Report

City of Colton
Development Services Department

MEETING DATE:

December 13, 2016
(Continued from November 22, 2016)

FILE INDEX NUMBER:

DAP-001-301

REQUEST:

Zoning Text Amendment (ordinance) to modify various provisions of Title 18 of the Colton Municipal Code related to Chapter 18.50 (Signs)

APPLICANT:

City-initiated

BACKGROUND

In early 2016, the Development Services Department was directed to prepare a Sign Code amendment to permit offsite signs, including freeway-oriented signs and directional signs. This was included as a Planning Division Objective in the FY2016-17 budget as follows: “*Update Sign Code, including addressing offsite signage standards.*”

The Code does not currently permit offsite signs, with the exception of billboard relocation agreements and the “kiosk program,” which allows for City-operated signage kiosks for certain businesses and developments, as approved by City Council.

A comprehensive update to the Sign Code was completed in 2008 (Ordinance No. O-02-08), following a 2-year process of deliberations by a “Sign Code Advisory Committee” consisting of members of the City Council and Planning Commission, sign industry professionals, consultants and staff. Following the 2008 comprehensive update, four additional Sign Code amendments have been completed:

- October 18, 2011: Ord. No. O-05-11, DAP-001-926- Sign Code Update Phase 1 – year-round promotional signs (CMC 18.50.160), since expired.
- June 19, 2012: Ord. No. O-06-12, DAP-001-980-Sign Code Update Phase 2 - various sections.
- October 10, 2013: Ord. No. O-04-13, DAP-001-082 – political signs & temporary promotional signs.
- March 4, 2014: Ord. No. O-03-14, DAP-001-133- replace Design Review Committee as approving body.

The proposed amendments discussed below address offsite signage standards, as well as Sign Code “clean-up” items identified by staff for inclusion in this amendment.

DISCUSSION

As noted above, the current Sign Code does not permit offsite signs, except for the City's kiosk program. In order to develop appropriate standards to permit offsite signs, including directional signs and freeway-oriented signs, staff examined sign codes for the cities of Fontana, San Bernardino, La Palma, Hesperia, Victorville, Corona and Riverside, as well as limitations of the California Outdoor Advertising Act. Standards determined appropriate for the needs and interests of the City of Colton have been developed that are consistent with State standards, as well as ensuring that "sign clutter" is minimized and the City's aesthetic environment is maintained.

Standards have been developed for ***Off-premises Directional Signs and Outdoor Advertising Displays, including "Gateway Signs"*** (freeway-oriented, offsite billboards) - see Table 18.50-2 and Section 18.50.120 of Attachment 1 (Exhibit A). The proposed standards will permit Outdoor Advertising Displays subject to approval of a Uniform Sign Program, and Gateway Signs subject to approval of a Conditional Use Permit, in compliance with specific spacing, height and display area standards. Electronic changeable copy (digital) sign standards are also addressed in the amended text. Consistent with current State standards, billboards are not permitted within a "Classified Landscape Freeway" corridor, unless it is associated with a billboard relocation agreement.

Up to three Off-premises Directional Signs are proposed to be permitted for multi-tenant shopping centers, business, office or industrial parks. The location of directional signs is proposed to be restricted to freeway-adjacent sites and major arterials, as well as civic institutions.

Additional Sign Code modifications proposed by staff include:

- Updates to terms (e.g., references to "Design Review Committee" deleted)
- Fees and standards for Temporary Promotional Signs and Banners
- Window sign standards
- Building permit requirements for signs
- Reuse of nonconforming signs.

ENVIRONMENTAL DETERMINATION

This project is exempt from CEQA because it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. R-39-16 recommending to the City Council approval of the draft ordinance.

ATTACHMENTS

1. Draft Planning Commission Resolution No. R-39-16 with Exhibit A

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CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF COLTON)

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Colton at a meeting held on December 13, 2016, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Planning Commission Secretary
Mark R. Tomich, AICP

1 "Can Sign" means a Sign which contains all the text and/or Logo symbols within a single enclosed
2 cabinet that is mounted to a wall or other surface. It specifically does not include the Sign cabinet that is
part of a freestanding Sign.

3 "Canopy Sign" means any Sign that is a part of or attached to an awning, canopy or other fabric,
4 plastic or structural protective cover (excluding a Marquee) over a door, entrance, window or outdoor
service area.

5 "Changeable Copy Sign, Electronic " means a Sign whose primary advertising focus is the
intermittent display of electronic, computerized, digital or similarly produced letters, numerals, words
6 messages, scenes or images as part of the advertising message that is changed no more than once every
four seconds. A Sign on which the message or image create the illusion of flashing, blinking, movement, or
animation shall be considered an Animated Sign purposes of this chapter.

7 "Changeable Copy Sign, Non-Electronic" means a Sign or portion thereof with characters, letters or
8 illustrations that can be changed or rearranged manually without altering the face or surface of the Sign. A
Sign on which the message or characters change more than twelve times per day shall be considered an
Animated Sign and not a Changeable Copy Sign for purposes of this chapter.

9 "Channel Letter Sign" means a Sign made up of individual letters that are independently mounted to a
10 wall or other surface. The "air space" between the letters is not part of the Sign structure but rather the
building façade. A Logo may also be considered a channel letter provided it is clearly distinguishable from
11 other Sign elements.

12 "City Manager" means the City Manager of the City of Colton or his or her designee.

13 "Commercial Flag" means a "Banner."

14 "Commercial Message" means any Sign, wording, Logo, or other representation that names or
15 advertises a business, product, service, or other commercial activity.

16 "Construction Sign" means a temporary Sign directly connected with a construction project and may
include the construction company's name, addresses and telephone number.

17 "Copy" means the words, letters, numbers, figures, designs, or other symbolic representations
18 incorporated into a Sign.

19 "Development Services Director" means the Development Services Director of the City of Colton or
his or her designee.

20 "Directional Sign" means any Sign intended to be permanently affixed and utilized only for the
purpose of indicating the direction of any object, place, or area.

21 "Field" means the part of the Sign with no letters or Logos.

22 "Freeway-Oriented Sign" means a Sign, located on property which is adjacent to a freeway and
meant to be seen from the freeway.

23 "Frontage, Public" means that side of a building facing onto a public street, mall (pedestrian
courtyard), or parking area.

24 "Frontage, Street" means that side of a lot abutting a public street.

25 "Future Tenant Identification Sign" means a temporary Sign not exceeding thirty-two square feet in
area that identifies a future use of a site or building.

26 **"Gateway Sign" means an off-premise, freeway-oriented Outdoor Advertising Display**
27 **advertising city businesses, other non-competing businesses, and civic news and**
28 **announcements, and located within 1500 feet of city corporate limits.**

"Grand Opening Sign" means a Banner not exceeding thirty-two square feet in area that promotes the
opening of a new business or use at a site or building.

"Graphic" means a symbol, pattern, or image used to advertise a product of a company, business, or
organization and includes, but is not limited to, trademark Logos.

1 "Inflatable Balloon Sign" means a Sign consisting of balloons, inflatables or similar air, helium or
2 hydrogen filled materials, including balloons and inflatables made of metallic and cloth material, no matter
the size that is used to attract attention.

3 "Kiosk Sign" means an advertising and Directional Sign sponsored by the local building industry
4 association or other local business and/or civic association and approved by the Planning Commission
and/or City Council to advertise future residential subdivisions, residential planned communities or local
business promotions and civic events sponsored by such associations.

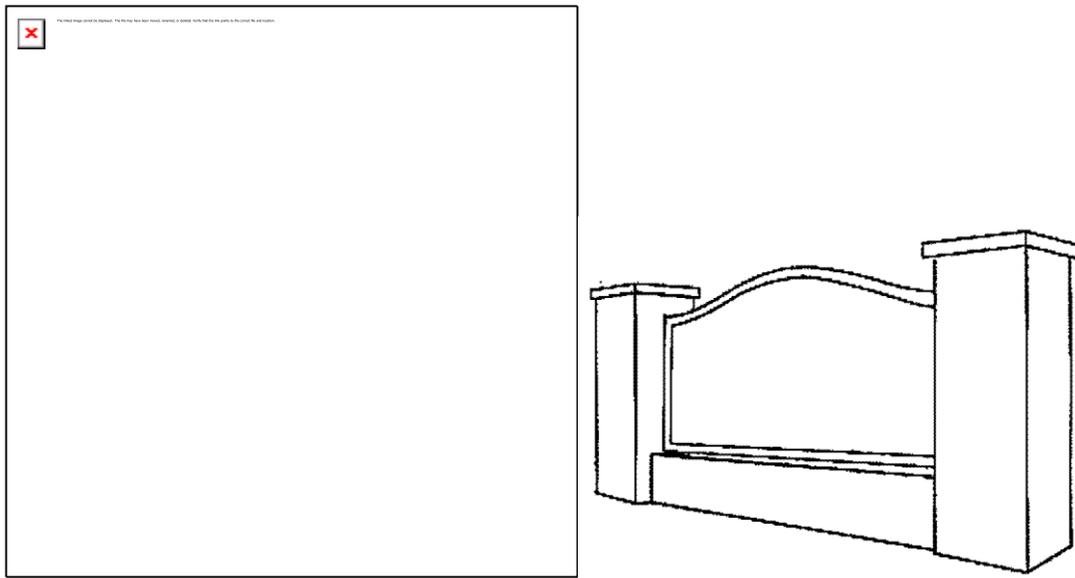
5 "Logo" means a proprietary Graphic and/or text used as an identifying mark of a company, business,
6 or organization. For purposes of this chapter, Logos shall be limited to registered trademarks, with proof of
trademark from the United States Department of Treasury, for companies with a minimum of five operating
stores/locations.

7 "Marquee" means any permanent roof-like structure projecting beyond a building or extending along
8 and projecting beyond the wall of the building for a distance of five or more feet, generally designed and
constructed to provide protection from the weather.

9 "Marquee Sign" means any Sign attached to, in any manner, or made a part of a Marquee.

10 "Monument Sign" means a freestanding Sign less than six feet in height which is detached from a
11 building and having a support structure that is a solid-appearing base constructed of a permanent material,
such as concrete block or brick. All other freestanding Sign types shall be either "Pole Sign" or "Pylon
Sign." See Figure 18.50-1 (Monument Sign).

12 **Figure 18.50-1: Monument Sign**



23 "Multi-Tenant Center" means a property or combination of properties containing two or more
businesses and which share common parking, driveway and access areas.

24 "Murals" means a painting on an exterior as a work of art with no Commercial Message.

25 "Noncommercial Flag" means any cloth, paper, canvas, light-weight fabric or other non-rigid material
26 that identifies the United States, the State of California and other countries and states, counties and
municipalities, nationally recognized organizations or corporations, and any other vertical or horizontal flag
with no text, characters, or other message.

27 "Noncommercial Sign" means a Sign which displays noncommercial speech, e.g., commentary or
28 advocacy on topics of public debate and concern.

1 "Nonconforming Sign" means a Sign lawfully erected which does not comply with the provisions of
2 this chapter.

3 "Off-Premises Advertising Display" or "**Freeway-oriented** Outdoor Advertising Display" means any
4 **billboard**, structure, housing, Sign, ~~device, figure, statuary, painting, message placard~~ or other
5 contrivance, or any part thereof, which has been designed, constructed, created, intended or engineered
6 to have a useful life of fifteen years or more and intended or used to advertise or to provide data or
7 information in the nature of advertising for a business or businesses not located on the same premises as
8 the Sign.

9 "**Off-Premises Directional Sign**" means any Sign intended not located on the same premises
10 as the business which it references, and to be utilized only for the purpose of indicating the
11 direction to the business or businesses for pedestrians or vehicles.

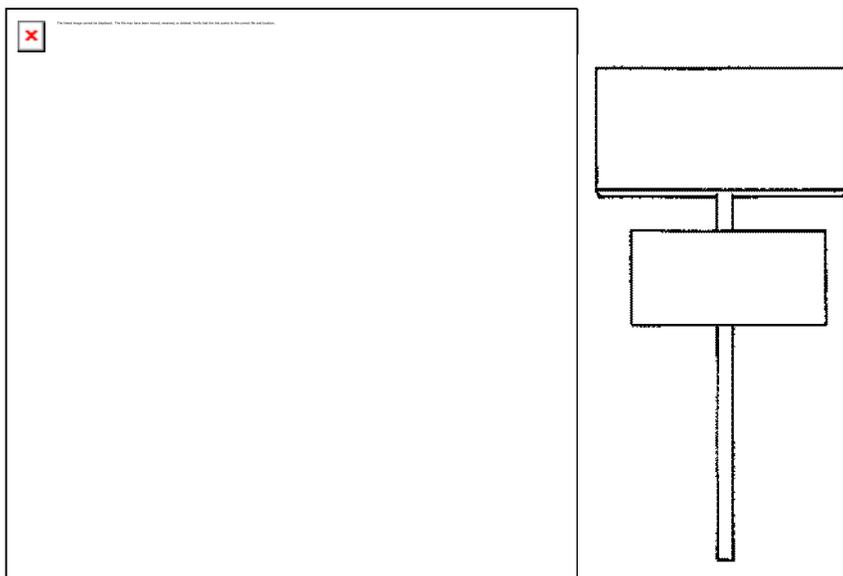
12 "On-Premises Advertising Display" means any structure, housing, Sign, device, figure, statuary,
13 painting, message placard or other contrivance, or any part thereof, which has been designed,
14 constructed, created, intended or engineered to have a useful life of fifteen years or more and intended or
15 used to advertise or to provide data or information in the nature of advertising for a business or businesses
16 located on the same premises as the Sign.

17 "Painted Sign" means a Sign which is comprised only of paint applied on a Building or structure,
18 except for Murals, as defined by this section.

19 "Permanent Window Sign" means a Sign painted, attached, glued or otherwise affixed to a window or
20 located within three feet of the interior side of the window or otherwise easily visible from the exterior of the
21 Building.

22 "Pole Sign" means a freestanding Sign in excess of six feet in height which is detached from a
23 Building and is supported by one or more structural elements that are less than one-fourth the width of the
24 Sign Face. See Figure 18.50-2 (Pole Sign).

25 **Figure 18.50-2: Pole Sign**

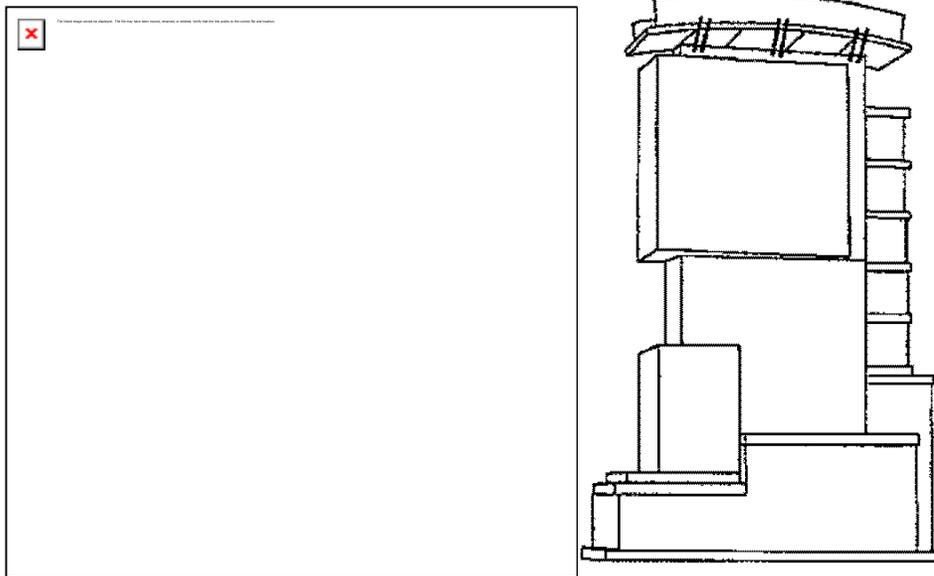


"Political Sign" means a Sign erected prior to an election to advertise or identify a candidate,
campaign issue, election proposition or other related matters.

"Portable Sign" means a temporary Sign that is not permanently attached to the ground or a Building
or not designed to be permanently attached to the ground or a Building, including, but not limited to A-
frames, sandwich boards or other freestanding signboards.

1 "Pylon Sign" means a freestanding Sign in excess of six feet in height which is detached from a
2 Building and is supported by one or more structural elements that are architecturally similar to the design
of the Sign. Pylon Signs less than six feet in height are prohibited. See Figure 18.50-3 (Pylon Sign).

3 **Figure 18.50-3: Pylon Sign**



14 "Real Estate Sign" means a temporary Sign advertising the sale or lease of the property upon which it
is located, and may include the identification of the firm handling such sale, lease or rent.

15 "Roof Sign" means a Sign erected, constructed, painted or placed upon or over a roof or parapet wall
16 of a Building and which is wholly or partly supported by such Building.

17 "Sign" means any device, fixture, placard or structure that uses color, form, Graphic, illumination,
symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to
18 communicate information of any kind to the public. Light banding along a Building is excluded from the
definition of a Sign.

19 "Sign Face" means that area or portion of a Sign on which Copy is intended to be placed.

20 "Temporary Promotional Sign" means any portable sign, commercial flag, pennant, streamer, Banner,
bunting material or other similar non-permanent sign made of non-metallic paper, cloth, canvas, light-
weight fabric or other non-rigid material, with or without frames, whether displayed freestanding, wall-
21 mounted, pole-mounted, window-mounted or painted, or any other method of attachment, that is displayed
for a limited period of time less than one year and intended to attract attention to the business or use
22 conducted on the site. Temporary Promotional Signs Shall not be used in lieu of permanent signage.

23 "Uniform Sign Program" means an integrated, visual and/or written description of the Signs to be
placed on a Building or grouping of Buildings for the purpose of aesthetic uniformity in Sign design,
construction and placement.

24 "Wall Sign" means a Sign attached to or erected against the wall of a Building or structure with the
exposed face of the Sign parallel to the plane of such wall.

25 "Window sign" means any Sign, picture, letter, character or combination thereof, designed to
26 communicate information about an activity, business, commodity, event, sale or service that is placed
upon and/or inside and/or within three feet of a window for the purpose of being visible from exterior of the
27 window.

28 "Year-Round Promotional Sign" means a Banner, Commercial Flag or Portable Sign that is prohibited
pursuant to Section 18.50.070, but that the City may allow by subsequent ordinance.

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2 18.50.040 - Permits and review procedures.

3 A. Permit Required.

- 4 1. A Sign permit shall be required prior to the placing, erecting, moving, modifying or reconstructing
5 of any Sign, including refacing a panel on a can or cabinet Sign, in the City, unless expressly
6 exempted by this chapter. Signs requiring a permit shall comply with the provisions of this
7 chapter and all other applicable laws and ordinances.
- 8 2. A Uniform Sign Program, as described in subsection D of this section, shall be required for all
9 new multi-tenant developments of three or more separate tenants that share either the same
10 parcel or structure and use common Access and parking facilities. **The Uniform Sign Program
11 shall include any Off-premises Advertising Display (except Gateway Signs), and Off-
12 premises Directional Sign associated with a multi-tenant development or single-tenant
13 development which qualifies under this Code.**
- 14 3. **A Gateway Sign shall require approval of a Conditional Use Permit by the Planning
15 Commission, pursuant to Section 18.58.060 of this Title.**
- 16 ~~4.3.~~ A Temporary Promotional Sign permit shall be required for all Temporary Promotional Signs
17 unless specifically exempted by this chapter. Issuance of the temporary Sign permit shall be as
18 described in subsection I of this section.

19 B. Method of Application. An application for a Sign permit, Uniform Sign Program, or a Temporary
20 Promotional Sign shall be made on forms as prescribed by the development services department and
21 shall be filed with the same. The application shall be accompanied by any fees as specified by City
22 Council resolution.

23 C. Review Criteria for Sign Permit.

- 24 1. Criteria for Approval. A Sign permit may be Approved when it complies with the standards and
25 requirements of this chapter. A permit application may be Approved subject to conditions, so
26 long as those conditions are required by this chapter or some other applicable law, rule, or
27 regulation.
- 28 2. Multiple Sign Applications. When an application proposes two or more Signs, the application
may be granted in whole or in part, with separate decisions as to each proposed Sign. When an
application is denied in whole or in part, written notice of determination shall specify the ground
for such denial.
3. Revocation or Cancellation. The Development Services Director shall revoke any Approval or
permit upon refusal by the permit holder to comply with the provisions of the permit after written
notice of noncompliance and at least thirty days' opportunity to correct. This provision does not
apply in the event that the Sign, by nature of its physical condition, is an imminent and significant
threat to public safety.
4. Permits Issued in Error. Any Approval or permit issued in error may be revoked by the City upon
written notice to the permit holder of the reason for the revocation.

D. Uniform Sign Program.

1. Purpose. The purpose of the Uniform Sign Program is to adopt unique and specific design and
development standards for individual multi-tenant and mixed use developments, **including any
Off-Premises Advertising Display, where permitted.** The intent is to integrate a project's
Signs with the design of the structures to achieve a unified architectural statement. A Uniform
Sign Program provides a means for defining common Sign regulations for multi-tenant projects,
to encourage maximum incentive and latitude in the design and display of multiple Signs and to
achieve, not circumvent, the intent of this title.
2. Review Procedure. Review and Approval of a Uniform Sign Program is the responsibility of the
Planning Commission. The Development Services Director ~~and/or Design Review Committee~~
may make a recommendation on the program to the Commission, and the Commission may

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approve, approve with conditions, or deny the program. Additionally, the Planning Commission shall be the approving authority for modifications and amendments to Uniform Sign Programs, except that the **Development Services Director** ~~Design Review Committee~~ may be the approving authority for minor modifications that do not change or modify the intent or conditions of the original Approval. The Design Review Committee may elevate the decision to the Planning Commission.

- 3. Standards. The Uniform Sign Program shall include criteria for building-attached and freestanding Signs, including Directional Signs, for tenants, anchors, and the integrated development itself to establish consistency of Sign type, location, Logo and/or letter height, lines of Copy, illumination, and construction details of Signs for the project. All Signs within the development shall be consistent with the Uniform Sign Program as the adopted program establishes the Sign standards for the development. The message substitution policy of this chapter shall be deemed incorporated in every Sign program, even if the Sign program documents do not explicitly so state. Maximum size, location, height, setback, and other development standards for Signs in the Uniform Sign Program shall be consistent with the standards of this chapter.

E. Approving Authority. The designated approving authorities for Sign permits, Uniform Sign Programs, and Temporary Promotional Signs are listed in Table 18.50-1.

- 1. Each row of the table lists a specific Sign permit by Sign type. Each of the designated approving authorities is listed in a column. The symbol in the cell where the rows and columns meet identifies whether the Approval authority listed in that column is a recommending body, final decision body, or elevated final decision body for that permit type. For instance, the table identifies the Development Services Director as the final decision body and the ~~Design Review Committee~~ **Planning Commission** as the elevated final decision body for Sign permit-building attached Signs.
- 2. Typically, the final decision body is the designated approving authority for the listed permit; however the approving authority may, if the designated approving authority determines that the proposed signage is of significant public interest, elevate the Approval to the next hearing body as listed in the table.
- 3. The approving authority shall approve, conditionally approve, or deny the proposed Sign permit Application in accordance with the requirements of this chapter.

Table 18.50-1: Approval Authority for Signs

Type of Permit	Designated Approving Authority "R" symbolizes the "Recommending Body" "F" symbolizes the "Final Decision Body" "E" symbolizes the "Elevated Final Decision Body"	
	Development Services Director	Planning Commission
Sign Permit — building attached Signs	F	E

1	Sign Permit — Temporary Promotional Signs	F	
2	Sign Permit - Off-premises Directional Signs*	R	F
3			
4	Sign Permit — freestanding permanent Signs (e.g., Monument, Pylon, Pole), not including freeway-oriented, electronic changeable Copy Pylon Signs, or Off-premises Outdoor Advertising Display and Gateway Sign*	F	E
5			
6			
7	Sign Permit — freestanding freeway-oriented, electronic changeable Copy Pylon Signs, or Off-premises Outdoor Advertising Display,**	R	F
8			
9	Gateway Sign***	R	F
10			
11	Uniform Sign Program — minor amendment	F	E
12	Uniform Sign Program — adoption and major amendment	R	F

13 *Uniform Sign Program is required.

14 **Uniform Sign Program is required for three or more tenants.

15 ***Uniform Sign Program is required.

16 ****Conditional Use Permit is required.

17 F. Timely Decision. At each level of review or appeal, the decision shall be rendered, in writing, within the following time limits. The time period begins running when the application is deemed complete, or the notice of Appeal has been filed, whichever applies.

18 1. Upon receipt of a completed Sign review Application by the Development Services Director, the Director shall approve, deny, or refer the Application to the ~~Design Review Committee~~ **Planning Commission** within thirty calendar days.

19 2. **Upon referral, the Planning Commission** ~~upon receipt of a completed Sign review Application by the Design Review Committee~~ shall approve **or** deny, ~~or refer~~ the Application within sixty calendar days.

20 3. Notwithstanding the time limits imposed by this section, the department and the Applicant may mutually agree to an extension of the time limits. Such extension shall be in writing and Shall be for no more than ninety days.

21 4. Should the Director ~~and/or the Committee~~ fail to render a decision on a Sign Application within the prescribed time limits established by this section, such Sign Application shall be deemed automatically appealed to the Planning Commission to the extent it complies with the area and location requirements for Signs imposed by this chapter.

1 5. Notwithstanding any of the time limits contained in this section, the Development Services
2 Director and ~~Design Review Committee~~ **Planning Commission** shall endeavor to render
3 decisions in a timely manner.

4 G. Variances. Applications for a variance from the terms of this title shall be reviewed by the Planning
5 Commission according to the variance procedures as set forth in this title, except for deviations up to
6 twenty percent of that standard for letter height, maximum Sign area, maximum Sign height, or
7 separation between Signs may be allowed with the concurrent Approval of a minor Sign ~~variance~~
8 **deviation** by the same approving authority for the Sign, when it is found that the deviation is
9 necessary to improve the effectiveness of the purpose of the Sign.

10 H. Appeals.

11 1. Unless otherwise specified herein, a decision of the Development Services Director or ~~Design
12 Review Committee~~ may be Appealed by the Applicant or any interested person within fifteen
13 days of the decision to the Planning Commission. The Appeal shall be made on the forms
14 prescribed by the planning division and fees shall be paid in accordance with the fee resolution
15 adopted by the City Council. The Planning Commission shall review an Appeal at a regularly
16 scheduled meeting according to the schedule of meetings and deadlines for submission of
17 Applications. Notwithstanding such schedule, an Appeal hearing shall be held within thirty days
18 of the **filing** date of any Appeal.

19 2. A decision of the Planning Commission may be Appealed to the City Council by the Applicant or
20 any interested person in accordance with the provisions of Subsection 18.58.070(C) of this code.
21 The decision of the City Council shall be final.

22 3. A final determination of the City Council may be Appealed to a court of competent jurisdiction in
23 accordance with applicable provisions of the California Code of Civil Procedure.

24 I. Temporary Promotional Sign Permit.

25 1. Permit Requirements and Conditions. No Temporary Promotional Sign shall be displayed
26 without first obtaining a Temporary Promotional Sign permit from the Development Services
27 Director. Permits shall be issued within three working or business days of the filing of a
28 completed Application that complies with all provisions of this chapter and the filing of all
required fees for a Temporary Promotional Sign. The Development Services Director may, in his
or her discretion, approve an Application that does not comply with the requirements of this
chapter upon conditioning the permit with its compliance. The Development Services Director
may also Attach additional reasonable conditions to assure that the Temporary Promotional Sign
is safely displayed and will not constitute a hazard to public safety.

2. Permit/Deposit Fees.

. . .

20 ~~b.a.~~ A fee as established by resolution of the City Council ~~may~~ **shall** be assessed if **for** the
21 Temporary Promotional Sign. .

22 3. Appeals. A decision of the Development Services Director denying a temporary promotional sign
23 permit may be Appealed to the ~~Design Review Committee~~ **Planning Commission** within five
24 working or business days of the Director's decision. The matter shall be scheduled for the next
25 regularly scheduled ~~Design Review Committee~~ **Planning Commission** meeting for
26 consideration. The ~~Design Review Committee~~ **Planning Commission** shall render a decision
27 within ~~twenty~~ **thirty** days of the meeting where it first considers the Appeal. The decision of the
28 ~~Design Review Committee~~ **Planning Commission** Shall be final.

4. Authority. The Development Services Director is hereby authorized to develop all appropriate
guidelines and policies and develop all appropriate forms for the implementation of this section.

27 18.50.050 - Enforcement.

28 A. General Enforcement Provisions.

- 1 1. Any violation of the provisions of this chapter shall be deemed to be a continuing violation until
2 the violation has been corrected.
- 3 2. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and
4 shall be punished by a fine of not more than one thousand dollars or by imprisonment for not
5 more than six months, or by both such fine and imprisonment. Notwithstanding the above, the
6 City Attorney may, in his or her discretion, file the violation as an infraction. In Addition to these
7 penalties or as an alternative, a person violating any of the provisions of this chapter shall be
8 subject to the assessment of administrative fines and penalties pursuant to Title 8 of this code.
- 9 3. Notwithstanding any other provision of this chapter, the City Attorney, upon the order of the City
10 Manager or his or her designee, may commence an action in a court of competent jurisdiction to
11 obtain an injunction prohibiting the construction, erection, maintenance or display, or requiring
12 the removal, of any Sign which is in violation of any of the provisions of this chapter. In any such
13 action, the City shall be entitled to recover its costs and its reasonable attorney's fees.
- 14 4. The owner or other person entitled to possession of a Sign which is removed, stored and/or
15 destroyed pursuant to any provision of this section shall be liable to the City for the cost of
16 removal, storage and/or destruction and the City may recover the same through an action
17 commenced in a court of competent jurisdiction together with the City's court costs and
18 reasonable attorney's fees.
- 19 5. Any illegal Sign found and declared to be a public nuisance may be abated by the City in
20 accordance with the provisions contained in Title 8 of this code.
- 21 6. Enforcement of the provisions of this chapter shall be in accordance with Title 8 of this code.

22 B. Temporary, Limited Term, and Political Sign Enforcement Provisions.

- 23 1. The Development Services Director or code **compliance office enforcement division** may
24 summarily and without prior notice remove any Temporary Promotional Sign or Political Sign
25 which constitutes an immediate peril to persons or property or constitutes a nuisance.
- 26 2. If the Development Services Director or code **compliance office enforcement division** finds that
27 any Temporary Promotional Sign or Political Sign has been posted or is being maintained in
28 violation of the provisions of this section, the ~~Community Development~~ **Services** Director or
code **compliance office enforcement division** may issue to the property owner, Sign owner or
the owner's authorized agent an oral or written demand for the removal of such Sign or for
correction of the violation. Such notice shall include a brief statement of the reasons for requiring
removal.
3. The Development Services Director or code **compliance office enforcement division** may use
due diligence to provide such notice by telephone or in person, and in Addition, may provide
such notice in writing by hand delivery or by placing such notice in the United States mail
addressed to the last known address of the owner of any Sign posted in violation of this chapter.
4. Upon the failure of any owner of any Temporary Promotional Sign posted in violation of this
chapter to correct the violation or to remove such Political Sign or Temporary Promotional Sign
after notice by the Development Services Director or code **compliance office enforcement**
~~division~~, these entities shall have the authority to remove all such illegally posted Temporary
Promotional Signs or Political Signs, and to dispose of such Signs if they are not claimed by the
owner within ten working days.
5. The Development Services Director or code **compliance office enforcement division** may
remove any abandoned Temporary Promotional Sign or Political Sign summarily and without
prior notice. A Temporary Promotional Sign or Political Sign shall be deemed abandoned under
the following circumstances:
 - a. The owner of a Temporary Promotional Sign posted in violation of this section or the
owner's authorized agent cannot in good faith be located within five working days; or
 - b. Any Temporary Promotional Sign or Political Sign remains posted for more than ten days
after the event or election to which it relates.

- 1 6. The owner of a Sign that is informed by the Development Services Director or code **compliance**
2 **office enforcement division** of a violation of these provisions Shall have the right to Appeal such
3 notice to the City Council within five days of its receipt, if the election or event to which such Sign
4 relates has not occurred. Such Appeal Shall be in writing and shall temporarily stop enforcement of
5 the required removal until the matter is heard by the City Council. The City Council's
6 determination Shall be final.
- 7 7. The City Council may, by resolution, adopt such fees as are necessary and reasonable to cover
8 the cost of removal of illegally posted temporary promotional or Political Signs and the
9 Development Services Director or code **compliance office enforcement division** is authorized to
10 collect such fees when any Temporary Promotional Sign or Political Sign is claimed by an
11 owner, or by legal action after the claim period expires.

12 18.50.060 - Exempt Signs.

13 The following Signs may be erected without a permit, provided they comply with the development
14 standards listed herein:

- 15 A. Official traffic Signs or other municipal governmental Signs, legal notices, advertisements
16 prescribed by law and placed by governmental entities, and Signs indicating the location of
17 buried utility lines or any notice posted by a governmental officer in the scope of his duties. The
18 City has a compelling interest in permitting such Signs in order to comply with state and local
19 laws and promote public safety.
- 20 B. Street address Signs consistent with Section XIV(B) of Security Ordinance Number 0-13-89,
21 notwithstanding anything in this section, may be illuminated and may contain reflective paint or
22 material. The City has a compelling interest in permitting such Signs to promote the identification
23 of property to guide emergency response personnel.
- 24 C. Direction, warning or information Signs or structures required or authorized by law, or by federal,
25 state, county, or City authority. The City has a compelling interest in permitting such Signs in
26 order to comply with state and local laws and to promote public safety.
- 27 D. Noncommercial Flags attached to poles that identify the United States, the state of California
28 and other countries and states, counties and municipalities, nationally recognized organizations
or corporations, and any other vertical or horizontal flag with no text, characters, or other
message, not to exceed three flags/poles on properties containing less than one acre of land,
and not to exceed six flags/poles on properties containing more than one acre of land. Poles
shall not exceed thirty feet in height and flags shall not exceed forty-two square feet in surface
area. Such flags shall be maintained in good condition and free of tattering or tearing.
- E. Historical and/or memorial tablets and identification plaques installed by or on behalf of a
recognized governmental historical agency. The City has a compelling interest in permitting such
Signs to promote interest in historical structures and events and to promote public safety and
identification.
- F. Permanent Window Signs not exceeding **20 percent per one Window Area per building**
elevation ~~four square feet per Street Frontage~~ shall be permitted. Such Signs should be
encouraged to promote business identification, hours of operation and address information.
Such Signs may not be illuminated.
- G. Time and temperature Signs containing no advertising Copy. The City has a compelling interest
in permitting such Signs to promote awareness of local conditions for individuals with medical
problems.
- H. Interior Signs within a structure not visible from the exterior of the structure, except temporary
Window Signs.
- I. Signs and advertising for the California State Lottery as authorized by California Government
Code, Section 8800 et seq.
- J. Kiosk Signs and other similar identification Signs placed on City property and Approved by the
Planning Commission and/or City Council that are used to identify and promote economic

1 development efforts or significant commercial enterprises in the City. For purposes of this
2 subsection the term "significant commercial enterprises" Shall be defined as a grouping of
3 similarly situated commercial land uses with an integrated commercial or economic development
4 theme.

5 K. Signs carried by individuals while standing, sitting, or traveling along any public sidewalk or other
6 public property not to exceed two square feet. Such Signs may not be illuminated.

7 L. Signs placed within community sports facilities as defined in Section 12.24.141.

8 M. Construction Signs are allowed on private property outside of the public right-of-way and any
9 required clear vision triangle, with the following limitations:

10 1. Residential Subdivisions. One Sign, limited to a maximum of thirty-two square feet. May
11 only be erected after Approval of tentative map and must be removed immediately upon the
12 close of escrow of the sale of the last lot. The maximum height shall be eight feet.

13 2. Multiple-family Residential. One Sign, not exceeding twenty-four square feet in area, May
14 be placed on property upon which an Apartment Building is under construction or for which
15 a site plan has been Approved. Such Sign shall be subject to removal when the vacancy
16 rate is reduced to twenty-five percent or less. The maximum height shall be five feet.

17 3. Nonresidential Property. One Sign per property not to exceed thirty-two square feet in area.
18 The maximum height shall be five feet. The Sign may not be illuminated. Such Signs shall
19 not be erected prior to the commencement of construction or grading and shall be removed
20 upon first issuance of an occupancy certificate for the Building(s).

21 N. Future Tenant Signs. One Future Tenant Identification Sign per business or use shall be
22 permitted not to exceed thirty-two square feet in area. A Future Tenant Identification Sign listing
23 the name of future tenants, responsible agent or realtor, and identification of the specific
24 complex shall be encouraged. Said Sign is permitted until such time as a certificate of
25 occupancy is issued for the Building(s). The maximum height shall be five feet. The Sign may
26 not be illuminated.

27 O. Real estate for sale or rental Signs provided they are not located in the public right-of-way.

28 P. Directional Signs whose function is guiding traffic, parking, and loading on private property, with
no advertising/Commercial Message. Maximum of one Sign per driveway. Sign area is limited to
a maximum of six square feet per Sign and a maximum height of four feet if freestanding.
Exceptions to standards regarding Copy, quantities, Sign area, and height may be allowed for
larger sites with multiple Buildings, tenants, and/or driveways as part of Uniform Sign Program
by the Planning Commission or a Minor Amendment to an existing Uniform Sign Program by the
Development Services Director Design Review Committee.

Q. Nameplates identifying (and Copy limited to) the address of the Building, property, or tenant to a
maximum of one square foot per Sign. Nameplates may only be lit by either an indirect light
(e.g., porch light) source, low-wattage Spotlight without glare to the adjoining property, or internal
light source with opaque (non-transparent) background. The Signs may be combined into one
single tenant directory at the shared entrances of a multi-tenant Building subject to the Approval
of a Sign permit by the Director if attached to a Building wall and as part of Uniform Sign
Program by the Planning Commission or a Minor Amendment to an existing Uniform Sign
Program by the **Director Design Review Committee** if not attached to a Building wall.

R. Political signs complying with the following regulations:

1. Political signs Shall not exceed sixteen square feet in total area within a residential zone or
thirty-two square feet in total area within a commercial or industrial zone. Aggregate total
sign area for a single candidate Shall not exceed thirty-two square feet per parcel.

2. Political signs Shall not be placed sooner than forty-five days prior to the date of the
election to which such sign relates. Political signs originally placed for a primary election
May remain in place if such signs also relate to the next general election.

- 1 3. All political signs Shall be removed not later than ten days following the date of the election
2 to which such sign relates. Political signs existing on property longer than ten days following
3 the election to which such sign relates Shall be deemed abandoned and a nuisance and
4 Shall be abated pursuant to Title 8 of this code.
- 5 4. No political sign Shall exceed an overall height of twelve feet from the finished grade.
- 6 5. No political sign Shall be placed in a manner that obstructs visibility of pedestrian or
7 vehicular traffic or that poses a public safety or health hazard; such signs are deemed to be
8 public nuisances and Shall be removed in accordance with Title 8 of this Code.
- 9 6. No political sign Shall be placed or fixed to any publicly owned tree, fence, or utility pole
10 within the public right-of-way or otherwise posted on any public property. Placement of such
11 political signs Shall be deemed a public nuisance pursuant to California Government Code,
12 Section 38773.5 and Shall be subject to summary Abatement.
- 13 7. No sign Shall be placed on a vacant or unimproved lot without prior Approval from the
14 property owner.
- 15 S. Grand Opening Signs. One Grand Opening Sign per business or use shall be allowed, not to
16 exceed thirty-two square feet in area. Said Sign is permitted for a maximum of forty-five days
17 after occupancy is issued for the business or use by the City. The maximum height shall be five
18 feet. The Sign may not be illuminated.
- 19 T. Murals, subject to Approval by the City Council after advisory review by the ~~Design Review~~
20 ~~Committee~~ and Planning Commission.

21 18.50.070 - Prohibited Signs.

22 It shall be unlawful to erect, and no permit shall be issued, for any of the following Signs:

- 23 A. Any Sign not specifically in accordance with the provisions of this chapter;
- 24 B. Signs painted or mounted on roofs or placed above the roof line (except for roof parapet walls
25 and mansard roofs);
- 26 C. Animated Signs and flashing Signs, with the exception of time and temperature signs and
27 electronic reader Signs;
- 28 D. Commercial Flags, pennants, Banners, balloons or other paraphernalia composed of paper,
cloth or other flexible material, unless otherwise permitted;
- E. Signs which rotate, move, reflect, blink or incorporate elements that do so, except time and
temperature Signs and electronic reader Signs;
- F. Off-Premises ~~Signs Advertising Displays (billboards)~~, except as otherwise provided **in Section
18.50.120 and;**
- G. Signs placed on the public right-of-way or affixed to an element or structure on the public right-
of-way, except where required by a governmental agency or permitted as part of Kiosk Sign
program **or Gateway Sign;**
- H. Portable Signs, including A-frame Signs, unless otherwise permitted;
- I. Inflatable Balloon Signs, including, but not limited to individual balloons, balloon strings, and
other inflatables made of a flexible material and inflated so as to be lighter than air, except when
part of a bona fide special event Approved through a Special Events Permit;
- J. "Can Signs," except as allowed by Section 18.50.100;
- K. "Pole Signs" and other freestanding Signs constructed with a single supporting pole that is not
covered with architectural cladding or other covers so as to appear as a solid base or structure,
or supported by one or more structural elements that are less than one-fourth the width of the
Sign Face;

- 1 L. Signs made of paper and placed on the exterior of a building and handwritten Signs/flyers placed
in windows;
- 2 M. Signs located in the public right-of-way or located on a publicly owned tree, fence, or utility pole
3 or otherwise posted on public property;
- 4 N. Signs made of neon, except that neon tubing may be used as a source of illumination, provided
it is behind the face of the Sign, **used as a logo, or included as part of an interior window
5 sign;**
- 6 O. Signs affixed to vehicles where the primary purpose of the vehicle is advertising. This does not
apply to Signs maintained on vehicles when such advertising is incidental to the primary purpose
7 for which the vehicle is being used (e.g., delivery service) or is required by state or federal law
(e.g., contractor's license number);
- 8 P. Signs exceeding two square feet in area carried by individuals while standing, sitting or traveling
along any public sidewalk, other public property or any private property when visible from a
public right-of-way;
- 9 Q. Signs attached to light standards unless part of a Uniform Sign Program;
- 10 R. Beacons, except when part of a bona fide special event approved through a Special Events
Permit;
- 11 **S.F.** Painted Signs (which does not include Murals or temporary Window Signs), except where
12 attached to building walls and it is determined that the Sign is complementary to an overall
building design and approved through a Sign Permit at the discretion of the Director of
Development Services.

13 18.50.080 - General development, maintenance, and removal provisions.

- 14 A. Construction of Signs. Every Sign and all parts, portions and materials shall be manufactured,
15 assembled, and erected in compliance with all applicable state, federal and City regulations, including
the City's adoption of the California Building Code.
- 16 B. Maintenance of Signs. Every Sign and all parts, portions and materials shall be maintained and kept
17 in proper repair and condition as approved by Sign permit. The display surface of all Signs shall be
kept clean, neatly painted, and free from rust, corrosion, damage, and graffiti. Damage and graffiti will
18 be repaired, replaced, recovered, refaced, or repainted with color matching paint and materials so as
to produce the appearance that graffiti or damage never existed. Any cracked, broken surfaces,
19 malfunctioning lights, missing Sign Copy, or other non-maintained, damaged, or graffiti portions of a
Sign shall be repaired or replaced within thirty days following notification by the City. Noncompliance
20 with such a request will constitute a nuisance condition and zoning violation and will be enforced as
such.
- 21 C. Determination and Measurement of Sign Area.
 - 22 1. General Area Calculation. Generally, the area of a Sign shall be measured as the overall length
of the Sign times the overall height of each segment of Copy or Logo. When the Sign is
23 composed of individual letters applied to the building without a distinctive background (e.g.,
channel letters), the area of the Sign shall be measured as seventy-five percent of the area of
the Sign Copy (height of the letters times the length of each line of letters, e.g., length x height x
24 seventy-five percent).
 - 25 2. Awning or Canopy Signs. Sign Copy which is applied to an awning or canopy shall be computed
at one hundred percent of the area within a single rectangle enveloping the Sign Copy.
 - 26 3. Freestanding Signs. Freestanding Signs are to be computed as total height by the total length of
the Sign or Signs which contain Sign Copy, excluding structure framework (e.g., post or column).
The base of a freestanding Sign is not part of the Sign when of wood or masonry.
 - 27 a. For double sided freestanding Signs, only one side of the Sign shall be used to make the
28 calculation.

- 1 b. For three-sided Signs, only the side with the largest Sign area shall be used to make the
2 calculation.
- 3 c. For four-sided Signs, the area shall be calculated by the greatest distance between the area
4 of two sides.
- 5 D. Measurement of Sign Height. Sign height shall be measured from the upper most part of the Sign
6 used in determining the area of the Sign to the lowest elevation at the base of the Sign. For
7 freestanding Signs, the Sign structure may project above the upper most part of the Sign used in
8 determining the area of the Sign by a maximum of ten percent of the Sign height.
- 9 E. Setback and Spacing of Freestanding Signs.
- 10 1. The minimum setback distance for freestanding Signs shall be measured from back of the public
11 right-of-way or side of a driveway, unless an encroachment permit is granted. All freestanding
12 Signs shall be located outside of the public right-of-way at least three feet from any property line
13 and any required clear vision triangle.
- 14 2. The minimum spacing distance between permanent freestanding Signs, excluding on-premises
15 directory Signs, should be fifty feet, including distance from Signs on other properties. **The
16 minimum spacing between freeway-oriented Outdoor Advertising Display (Billboard) shall
17 be 500 feet in any direction from other Outdoor Advertising Display or Freeway-oriented
18 Sign on the same side of the freeway and shall not be located on a Classified Landscape
19 Freeway. The minimum spacing between freeway-oriented, electronic changeable Copy,
20 Outdoor Advertising Display shall be a minimum of 1000 feet from another freeway-
21 oriented, electronic changeable Copy, Outdoor Advertising Display (or on-premises
22 Freeway-oriented Sign, if also an electronic changeable Copy Sign).** The designated
23 approving authority will review the proposed location on a case-by-case basis to ensure the Sign
24 is located outside the required clear vision triangle and does not otherwise inhibit motorist safety.
- 25 F. Sign Removal or Replacement. A Sign that consists of a can or panel shall be provided with a solid
26 white opaque covering or other method acceptable to the Director within thirty days following
27 cessation of the business which uses the Sign. When a Sign is removed or replaced, all brackets,
28 poles, and other structural elements that support the Sign shall also be removed. Affected building
29 surfaces shall be restored to match the adjacent portion of the structure. This provision does not
30 apply to routine maintenance.

18.50.090 - Design standards.

The following criteria shall be utilized for permanent advertising displays and Signs, and shall not be construed to govern the design of temporary promotional or Political Signs.

A. General Design Standards.

1. Architectural Style. Each Sign shall be designed to be compatible with and relate to the architectural style of the main building or buildings upon the site where such Sign is located. Each Sign shall also be compatible with the style and character of the existing improvements upon the lots adjacent to the site. Signs located on commercial sites but in a predominately residential area shall be designed to be compatible with such residential area and unobtrusive.
2. Relationship to Buildings. Signs located upon a lot with one main building or several buildings shall be designed to incorporate at least one of the predominant visual elements of such building or buildings, such as type of construction materials, color, or other design detail.
3. Color. The color(s) of a Sign should be harmonious and complementary to the colors of the building on or near which it is to be located. Fewer colors will generally produce the most attractive Sign.

- 1 4. Letter Style. The letter style to be used on a Sign should also be compatible with the
2 architectural style of the building. For example, simple block letters are generally most
3 compatible with the Spanish style buildings. For those buildings that have been recently
4 constructed and having no particular architectural style, simpler letter styles are desirable.
- 5 5. Sign Materials. The goal of Sign design is to maintain moderate, attractive, and compatible
6 styling so as not to conflict or distract from the architectural character of the area. The
7 choice of materials shall be left to the discretion of the applicant, subject to the
8 recommendations of the Development Services Director, the provisions of this chapter and
9 the approval of the City.
- 10 6. Relationship to Other Signs. Where there is more than one Sign on a site or building, all
11 permanent Signs displaying a Commercial Message shall have designs that similarly treat
12 or incorporate the following design elements:
 - 13 a. Letter size and style of Copy;
 - 14 b. Shape of total Sign and related components;
 - 15 c. Type of construction materials;
 - 16 d. Sign/letter color and style of Copy;
 - 17 e. Method used for supporting Sign (e.g., wall or ground base); and
 - 18 f. Location.
- 19 7. Sign Illumination. The artificial illumination of Signs, either from an internal or external
20 source, shall be designed to minimize negative impacts on surrounding rights-of-way and
21 properties. The following standards shall apply to all illuminated Signs:
 - 22 a. External light sources shall be directed and shielded to limit direct illumination of an
23 object other than the Sign;
 - 24 b. The light from an illuminated Sign shall not be of an intensity or brightness that will
25 create glare or other negative impact on residential properties in direct line of sight to
26 the Sign;
 - 27 c. Unless otherwise permitted by another provision of this chapter, Signs shall not have
28 blinking, flashing, or fluttering lights, or other illumination devices that have a changing
light intensity, brightness, or color, ***notwithstanding electronic changeable copy
("digital") signs, which are regulated by Section 18.050.090B.4.a-c;***
 - d. Colored lights shall not be used at a location or in a manner so as to be confused or
constructed as traffic control devices;
 - e. Reflective type bulbs and incandescent lamps that exceed fifteen watts shall not be
used on the exterior surface of Signs so that the face of the bulb or lamp is exposed to
a public right-of-way or adjacent property; and
 - f. Light sources shall utilize energy efficient fixtures to the greatest extent possible and
shall comply with Title 24 of the California Code of Regulations (California Building
Standards Code).
8. For increased readability, the City encourages the use of light or translucent Sign Copy on
dark and nontranslucent background or Sign Field.
9. The maximum coverage of Copy allowed on a Sign shall be eighty percent of the Sign
Face.

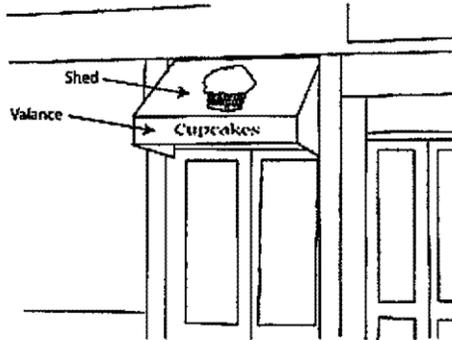
B. Design Standards for Special Sign Types.

1. Awning and Canopy Signs. Awning and Canopy Signs may be permitted only as an integral
part of the awning or canopy to which they are attached or applied, as follows:
 - a. Lettering shall be allowed on awning valances only and shall not exceed eight inches
in height. Logos, symbols, and Graphics that do not include text may be allowed on the

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shed (slope) portion of an awning and shall not exceed four square feet in area for each awning. See Figure 18.50-4 (Awning and Canopy Sign).

Figure 18.50-4: Awning and Canopy Sign



- b. Lettering shall be located within the middle seventy percent of the valance area.
 - c. Only permanent Signs that are an integral part of the awning or architectural projection shall be allowed. Temporary Signs shall not be placed on awnings.
 - d. Awning Signs shall only be allowed for first and second story occupancies.
 - e. Awnings shall not be lighted from under the awning (back-lit) so that the awning appears internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.
 - f. Awnings shall be regularly cleaned and kept free of dust and visible defects.
 - g. The style of the awning/canopy shall complement the architectural style of the building to which it is attached. Awnings should generally have a simple horizontal valance if located over rectangular or square window/door openings. Domed or barrel shaped awnings are appropriate for buildings with arched window/door openings.
2. Blade/Bracket Signs.
- a. Location. Blade or bracket Signs shall be placed only on ground floor façades, except for businesses located above the ground level with direct exterior pedestrian access.
 - b. Height. The lowest point of a blade or bracket Sign shall be a minimum of eight feet above grade.
 - c. Projection. The Sign may project a maximum of four feet from the building.
 - d. Sign Structure. Sign supports and brackets shall be compatible with the design and scale of the Sign.
 - e. Encroachment. Blade or bracket Signs may not encroach into the public right-of-way or be located above it, or into City-owned property.
3. Building Attached Wall Signs.
- a. Wall Signs shall be compatible with the predominant visual architectural elements of the building façade.

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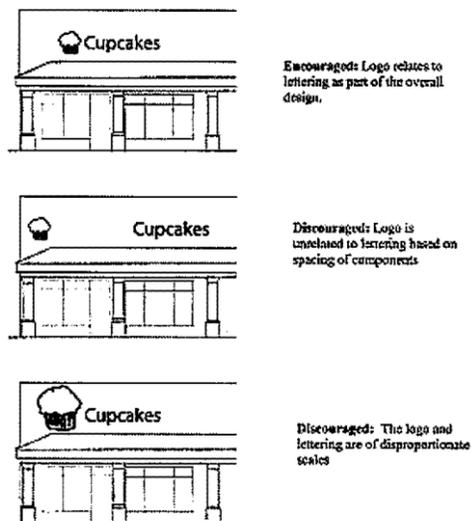
- b. Place Wall Signs to establish façade rhythm, scale, and proportion where such elements are weak. In many existing buildings that have a monolithic or plain façade, Signs can establish or continue appropriate design rhythm, scale, and proportion.
- c. Utilize a consistent proportion of signage to building scale, such as one-third text to two-thirds wall area or one-fourth text to three-fourths wall area. See Figure 18.50-5 (Text Scale). Parapet roof or mansard Roof Signs may be allowed with review and approval by the Director of Development Services only if building does not provide adequate surface area for Wall Signs.

Figure 18.50-5: Text Scale



- d. Wall Sign raceways shall be concealed from public view (e.g., within the building wall or painted to match the exterior color of the building where the Sign is located) or otherwise integrated with the design of the Sign and building so as to not detract from the architectural character of the building.
- e. Direct and indirect lighting methods are allowed provided that they are not harsh or unnecessarily bright. Light shall either be directed down or in such a way that it does not cause light trespass or glare onto adjoining property or the public right-of-way.
- f. Can-type Signs are prohibited, **except when minimum 1.5 inch, push-thru copy is used**. Channel letters are preferred. Channel letters shall be made of a durable material. Channel letters may not utilize gold-colored (or a shade of gold) trim cap.
- g. If a tenant's signage on one façade is made up of multiple elements (e.g., Logo and text), locate, and scale the elements with relationship to each other. See Figure 18.50-6 (Multiple Element Signs).

Figure 18.50-6: Multiple Element Signs



1 4. Electronic changeable Copy Signs.

- 2 a. Electronic changeable Copy Signs shall be permitted as part of a freestanding Sign, **including a Freeway-oriented Outdoor Advertising Display or Gateway Sign**,
3 located along a freeway right-of-way or a major arterial, as defined by the ~~Master Plan of Streets and/or the General Plan~~ **Mobility Circulation** Element, or on the site of a
4 public facilities, educational facilities, or other civic institutions, including religious uses integrated within the design of the freestanding Sign.
- 5 ~~b. Changeable Copy face shall not exceed more than two-thirds of the proposed Sign area, with the remainder permanent text.~~
- 6 ~~b.e.~~ The changeable Copy of Signs within six hundred sixty feet of a freeway centerline
7 shall not change more than once every six seconds ~~with one second intervals between displays with no display.~~
- 8 ~~c.d.~~ The changeable Copy of Signs not within six hundred sixty feet of a freeway centerline
shall not change more than once every sixty seconds.
- 9 ~~d.e.~~ Time and temperature display, of at least six seconds, shall be required to appear
10 during every two minutes of operation.
- 11 ~~e.f.~~ Public service messages shall be accommodated at no additional charge, and **may**
12 constitute ten percent of the messages displayed during each one-hour period. These
13 public service messages are in addition to the required time and temperature displays.
The City shall have authority to review and approve public service messages.
- 14 ~~f.g.~~ Electronic changeable Copy Signs shall automatically adjust the brightness of
illumination between night and day.

15 5. Freestanding Signs.

- 16 a. Monument and Pylon Signs are allowed, subject to setback and spacing requirements
17 in Section 18.50.080.E, because they can be more fully integrated in to the overall
18 development design. Pole Signs are specifically prohibited. Pylon Signs shall be
19 constructed with architectural cladding or similar material covering the supporting
20 framework so they are architecturally integrated with the rest of the Sign.
- 21 b. Voids between the Sign Face and the Sign structure are prohibited. Either the Sign
22 Face shall utilize the full width of the Sign structure or coverings that are architecturally
23 consistent with the rest of the Sign shall be used to fill any voids. The intent is to have
24 the Sign be fully architecturally integrated.
- 25 c. Materials and design for freestanding Signs shall be complementary to the materials
26 and design of the buildings for the related development. For example, if the façade of
27 the building is made of brick or brick veneer, a complementary freestanding Sign would
28 also include brick.
- d. Landscaping shall be provided at the base of the Sign equal to the area of the Sign,
**except for freeway-oriented freestanding signs, including freeway-oriented
Outdoor Advertising Displays.** Landscaping shall be complementary to and
designed in concert with the landscaping for the overall site. The design of the
landscaping shall be such that natural growth will not obscure the Sign from the public
right-of-way.
- e. The minimum letter height on a freestanding Sign shall be ~~ten twelve~~-inches. For
freeway-**oriented** freestanding Signs, **including Gateway Signs and other Outdoor
Advertising Displays (billboards)** the minimum letter height shall be **eighteen**
~~twenty-four~~-inches. The intent is to limit the clutter of text on the Sign and increase
readability for the motoring public, thereby providing for public safety. Monument and
Pylon Signs shall contain the main address number or range of numbers of the site in
minimum **eight twelve**-inch high letters and this area shall not be counted towards the

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maximum Sign area. Deviations from letter height requirements may be approved through a Uniform Sign Program by the Planning Commission.

- f. The maximum letter height on a freestanding Sign shall be thirty-two inches. For freeway freestanding Signs the maximum letter height shall be forty-eight inches. The intent is to limit the negative visual impact of large text size.
 - g. Freeway-oriented freestanding Signs **and Outdoor Advertising Displays (billboards)** shall include City identification Copy consisting of the text "City of Colton" with letter height proportional to overall Sign size, or otherwise identify "Colton" on the Sign. The intent is to help identify the site as being located within the City of Colton. The City identification Copy shall not be counted towards the total Sign area and shall be exempted from the height maximum. The City identification Copy shall be illuminated at night. This requirement may be waived by the approving authority, at its discretion, if it is determined that City identification of adequate size is provided on other Signs within four hundred fifty feet of the proposed Sign.
6. Changeable Copy Sign, non-electronic. These types of Signs shall be considered to be the same as any other type of Sign and shall be regulated by their location, i.e., if located on a wall, they shall be deemed Wall Signs and the changeable Copy portion shall not exceed more than one-half the proposed Sign area.
 7. Menu Board. One single-face freestanding or Wall Sign oriented towards an approved drive-through lane containing menu or other list of products with a maximum Sign area of thirty-two square feet and maximum height of six feet.

18.50.100 - Allowed permanent ~~On-Premises~~ Sign standards.

Table 18.50-2 lists the development standards for all on-premises Signs based on use type and zoning district, as well as allowed Sign type. As identified in Section 18.50.040, a Sign permit **and Building permit** are required before any of the Sign types listed herein are installed, erected, or otherwise established. **The intent of the Sign permit is to ensure that the development standards listed are adhered to. The intent of the Building permit is to ensure that the installed signs comply with California Building Standards and are installed in a safe manner.** Only those Signs that may be permitted are listed. Regulations for temporary promotional on-premises Signs are listed in Section 18.50.110. Regulations for off-premises Signs are listed in Section 18.50.120. The following general rules/standards apply to permanent Signs regulated in this section:

- A. Building Signs are those Signs that are permanently attached to a building (e.g., Wall Signs, awning/Canopy Signs, blade/bracket Signs). Only one type of building Sign (wall, awning/canopy, blade/bracket) is allowed per establishment.
- B. Illumination standards refer to whether or not the Sign may be illuminated and how. Signs that may be illuminated may be done so by "indirect or background" (indirect light source, low-wattage Spotlight, or internal light source with opaque, nontransparent background) or by any method that minimizes glare onto neighboring residential property and the public right-of-way.

Table 18.50-2: Allowed Permanent ~~On-Site~~ Sign Standards

Sign Type	Maximum Number Permitted	Maximum Area	Maximum Height	Illumination Allowed	Other Standards/ Notes
Residential Signs (VL and R-1 Zones)					
Wall Sign	1 / home	6 sf	Roofline	No	Multiple family

1				illumination	Residential Signs (R-2, R-3, and C-1 Zones)
2					
3					
4	Multiple-family Residential Signs (R-2, R-3, MU-D & MU-N Zones)				
5	Wall Sign, project identification	1 / frontage, either type	6 sf	Roofline	Indirect or background
6	Freestanding Sign, project identification		6 sf	8 ft	Indirect or background
7					
8					
9	Wall Sign, tenant	1 / tenant	4 sf	Roofline	No illumination
10					
11	Nonresidential Signs¹				
12					
13	Wall Sign	1 / Each Public Frontage for storefront tenants with an exclusive exterior entrance.	three square feet per one lineal foot and 70% wall length	Roofline	Indirect or background
14					(2)(7) (8)
15					
16	Freestanding Monument Sign	1 / Street Frontage ³	50 sf	6 ft	Indirect or background
17	Freestanding Pylon Sign		50 sf	20 ft	Indirect or background
18					(3)(5)(9)
19					(3)(5) (9)
20	Window Sign	1 / Window per building elevation per establishment	20% of cumulative window area	-	No illumination
21					
22					
23	Off-premises Directional Sign	3 per shopping center, business, office complex or industrial park	16 sf	6 ft	Indirect or background
24					(10)
25					
26					
27	Freestanding Pylon	1 / site w/minimum	500325 sf⁴	50 ft ⁵	Indirect or
28					(4)(5)(6)

1	Sign, (freeway oriented, pylon on premise Sign)	150 ft freeway frontage			background	
2						
3						
4	Outdoor Advertising Display	500 feet from any other permitted display on same side of freeway	Display area: 25' Height/ 60' length			
5						
6	(freeway-oriented, off-premises Sign, including Gateway Sign)		Overall maximum: 1200 sf	55 ft⁵	Indirect or background	(11)
7						See Section 18.150.120
8						
9						
10						

Editor's note— Notes:

Editor's note— 1. All nonresidential properties shall be limited to a maximum of one of each Sign type per property/development, except as otherwise provided. For example, a site may have a maximum combination of one Wall Sign, one freestanding Sign, and one Window Sign. In no instance may an establishment have both an awning/canopy sign and a blade/bracket Sign or an awning/Canopy Sign and a Wall Sign. Only one type of building Sign (wall, awning/canopy, blade/bracket) is allowed per establishment.

Editor's note— 2. Maximum letter height allowed is twenty-four inches, except for Signs for an individual tenant with public entrances along a Public Frontage of one hundred feet or greater of lineal feet shall be allowed letter height up to thirty-six inches. Logos and Graphics shall not exceed three feet by three feet. Logos greater than three feet by three feet are not allowed as standard Can Signs with shapes similar to rectangles, but may be Approved as contoured cabinet Signs if the Logo serves as a single Sign for the establishment, in which case the underlying maximum Sign area prevails.

Editor's note— 3. Applicant may choose one type or the other but is limited to one freestanding Sign per Street Frontage, except as otherwise provided; however Multi-Tenant Centers on sites greater than four acres in size or with more than three hundred linear feet of frontage per street may increase the Sign Face area of each Sign to a maximum of one hundred square feet and have one additional freestanding Sign above the otherwise allowed maximum.

Editor's note— 4. Signs which only include Logo Copy and do not include text may exceed the maximum Sign area to a maximum of three hundred sixty square feet.

Editor's note— 5. Sign height shall be measured from the finish grade of the freeway or adjacent roadway, **whichever is higher**.

Editor's note— 6. Applies to properties which are adjacent to a freeway or are only separated from a freeway by a public or quasi-public right-of-way or easement. The design and character of the Sign must be consistent with the standards for Pylon Signs. Freeway oriented Signs may not identify commercial uses/contain Commercial Message for uses not located on the same site as the Sign. Otherwise, they are considered off-premises Signs and are prohibited by this code.

Editor's note— 7. For multiple-tenant Buildings or parts of Buildings with tenants without exclusive exterior entrances, the building/site name or name of one on-site tenant as a Building identification

1 Sign may be permitted by right. Additional signage may be permitted for a maximum of four tenants
2 without exclusive exterior entrances on a multiple-story office Building subject to review of a Uniform
Sign Program by the Planning Commission.

3 Editor's note— 8. Parapet roof or mansard Roof Signs may be allowed with review and Approval by
4 the Planning Commission only if Building does not provide adequate surface area for Wall Signs.

5 Editor's note— 9. Copy on freestanding Signs, in Addition to building/site name and address, shall be
6 limited to that related to tenants with exclusive exterior entrances and with installed Wall Signs,
except for Monument Signs Approved by the Planning Commission through a Uniform Sign Program
allowing Copy for tenants without exclusive exterior entrances subject to all applicable standards.

7 **Editor's note-- 10. For shared premises only. If part of shopping center or business, office or**
8 **industrial park with multiple establishments on shared premises, may have up to three off-**
9 **premises directional Signs. Directional Signs for shared premises shall identify name of**
10 **shopping center, business, office or industrial park only, not individual tenants or**
11 **establishments.**

12 **Editor's note-- 11. Includes electronic changeable copy "digital" display. May not be located**
13 **closer than 1,000 feet from another freeway-oriented electronic changeable copy Sign.**

14 18.50.110 - Allowed temporary promotional On-Premise Sign standards.

15 This section describes standards for temporary promotional on-premises signs. These signs require
16 the issuance of a temporary sign permit as described in Section 18.50.040. The development standards
17 for temporary signs are listed in Table 18.50-3. The following general rules/standards apply to all
18 Temporary Promotional Signs:

19 A. Time duration. Display periods for Temporary Promotional Signs Shall be limited to a maximum
20 of sixty days, continuous or non-continuous, within a one-hundred-and-eighty-day period not to
21 exceed a total of one hundred and twenty days within a three-hundred-and-sixty-day period.

22 B. Illumination. No Temporary Promotional Signs May be illuminated by lighting exclusively
23 designed for the Temporary Promotional Sign.

24 C. Encroachment. Temporary Promotional Signs Shall not encroach on or above the public right-of-
25 way or be attached to utility poles, traffic signal, utility cabinets and street sign posts, except
26 where all of the following criteria are met: a) the business is located in a Building built at property
27 line with no setback to the public right-of-way, b) the business obtains an encroachment permit
28 from the Public Works Department, and c) the sign conforms to the display specifications of in
Section 18.50.110.F.

D. Obstruction. Temporary Promotional Signs Shall not obstruct required paths, driveways,
crosswalks, walkways for pedestrians and vehicles and views of vehicular traffic, including sight
distances for vehicular traffic at corners.

E. Maintenance. Temporary Promotional Signs Shall be maintained in good condition and free of
tattering or tearing.

F. **Types of Temporary Signs Permitted and Display Specifications.** All Temporary
Promotional Signs Shall conform to the following standards:

1. **Types of Temporary Signs.** ~~Maximum of one of the following signs: Wwall Banner~~
(~~maximum three hundred and twelve square feet~~), commercial flag (~~maximum ten feet~~
~~high~~), or portable/A-frame. .

2. Maximum of **two** ~~one~~-promotional signs per business storefront, **including one at the rear**
of tenant space, if rear space is available to tenant.

3.5. Sign Shall not detract from the appearance of the Building and/or site as determined by the
Director.

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- 4.6. No illumination (lighting) exclusively designed for the sign is permitted.
- 5.7. Sign Shall be removed or replaced if tattered, torn, damaged, or otherwise not in good condition.
- 6. Sign Shall be kept clean and clear of graffiti.
- 7.9. No attachment to the sign, including balloons, streamers, lights, or other attention-getting devices.
- 8.40. Portable Sign Standards:
 - a. **Maximum area of 6-square feet per sign face, maximum of 2 sign faces.**
 - b. **Maximum height of 4 feet from finished grade.**
 - c.a) Signs Shall leave at least four feet for pedestrian Access.
 - d.b) Signs Shall not impede the sight distance of vehicular traffic.
 - e.c) Signs Shall consist of durable materials (metal, wood, plastic) and the use of paper or cardboard is not allowed except as changeable copy within and safely fastened to a framed area made of durable rigid materials. Signs Shall be professionally made or have the appearance of a professionally made sign. Signs with wheels Shall be fixed (locked) in position.
 - f.d) Sign Shall contain the name and phone number of the business and owner of the sign in order (not required on the sign face, but **shall be located somewhere** on the sign structure).
 - g. **Sign May be displayed only during normal hours of the business.**
 - h. **Signs Shall be removed (placed indoors) when the business ceases operation for that day**
 - i. **An Encroachment Permit is required if located on public sidewalk. The Sign must not block pedestrian path of travel on sidewalk, block access to parking, accessible ramps or other on- or off-site pathways.**

Table 18.50-3: Temporary Sign Standards

Use Type	Maximum Temporary Number	Maximum Area	Maximum Height
Single family Residential Dwelling	1 / dwelling	6 sf	5 ft. freestanding; roofline wall
Multiple-family residential dwelling	1 / dwelling	4 sf	5 ft. freestanding; roofline wall
Multiple-family residential, apartment rental	1 / complex	4 sf	5 ft. freestanding; roofline wall
Nonresidential,	2 ± / business	50 ± sf total; 20% of window	5 ft. freestanding;

Wall Sign or Banner	storefront + 1 rear	space if located in window	roofline (<i>wall sign</i>)
Nonresidential, Commercial Flag	1/tenant space	32 sf	10 ft.

18.50.120 - Allowed Off-Premises Signage.

A. Off-premises Directional Sign. *Off-premises directional Signs may be located along a freeway right-of-way or a major arterial, as defined by the General Plan Mobility Element, or on the site of public facilities, educational facilities, or other civic institutions, including religious uses.*

1. Off-premises directional Signs shall comply with design standards contained in Table 18.50-2 (Permanent Sign Standards).

B. Outdoor Advertising Display/Off-premises Advertising Display. *May be permitted adjacent to freeways subject to approval of a Uniform Sign Program pursuant to Section 18.50.040D, with the following Findings:¹*

i. The freeway-oriented Outdoor Advertising Display is necessary because onsite signage would not be visible to the traveling public for a distance on the freeway of one-third mile (1,760 feet) preceding the freeway exist providing access to said premises; or for a line-of-sight distance of two-thirds' mile (3,520 feet), whichever is less.

ii. The freeway-oriented Outdoor Advertising Display is necessary because

ii. The freeway-oriented Outdoor Advertising Display will not interfere with the driving public's view of a significant feature of the natural or built environment.

1. Design Standards. *Outdoor Advertising Displays shall comply with design standards contained in Table 18.50-2 (Permanent Design Standards). Electronic changeable copy Outdoor Advertising Displays shall comply with Electronic changeable copy standards contained in Section 18.050.090B.4.*

2. Distance Requirements. *A freeway-oriented Outdoor Advertising Display shall be located no farther than 150 feet from a freeway right-of-way, and only on a property that is immediately adjacent to and abutting a freeway right-of-way or separated from a freeway right-of-way by only a public frontage road, a railroad right-of-way, a public flood control channel, or public utility easements. No outdoor advertising display shall be located within 150 feet of property for which the zoning does not allow advertising displays.*

¹ Uniform Sign Program findings do not apply to Gateway Signs, which require a Conditional Use Permit.

- 1 **3. Caltrans Standards.** *The freeway-oriented Outdoor Advertising Display shall comply with all*
2 *Caltrans standards, including restrictions pertaining to Classified Landscape Freeways and*
3 *distance/separation standards, and obtaining a State Outdoor Advertising Permit.*
- 4 **4. Number of display faces.** *No more than two display faces per Outdoor Advertising Display*
5 *shall be permitted.*
- 6 **5. Noise attenuation barrier.** *If a noise attenuation barrier exists between the proposed Outdoor*
7 *Advertising Display and the freeway lanes, the applicant shall prepare a line of sight study to*
8 *establish that the display face of the Outdoor Advertising Display will be visible to vehicles in*
9 *one or more freeway traffic lanes at a point six hundred and sixty (660) feet from the outdoor*
10 *advertising display. The 660 feet shall be measured from the middle of the display face to the*
11 *middle of the each approaching freeway lane.*

12 **C.A. Kiosk Program:** Under the City's authority and capacity as proprietor of City property, the City has
13 created a program for off-premises signage kiosks for certain uses and activities of City-wide benefit
14 and interest. For purposes of this section, "city-wide benefit and interest" shall mean those uses or
15 activities that, individually, generate significant revenue for the City. Additionally, such uses shall have
16 a minimum total of one thousand feet lineal public Street Frontage.

17 Such program is adopted by resolution and may be updated from time-to-time as deemed necessary
18 and appropriate by the City Council. The program shall, at a minimum, specify the following:

- 19 1. Uses which qualify for the off-premises signage kiosk program;
- 20 2. Development standards, design, and allowable Copy for off-premises signage kiosks;
- 21 3. Allowable locations for the kiosks;
- 22 4. A process for determining which businesses, developments, and other uses are allowed to be
23 listed in the kiosks;
- 24 5. An administration process for the program, including establishment of a fee schedule;
- 25 6. Any other element of the program deemed necessary and appropriate by the City.

26 **D.B.** Pursuant to Business and Professions Code, Section 5412, the City Council is authorized to enter
27 into relocation agreements with off-premises display owners on whatever terms are agreeable to the
28 display owner and the City.

18.50.140 - Nonconforming Signs.

1 A. All Signs which do not meet the requirements of this chapter but which have been previously
2 Approved by the City and issued a lawful permit shall be deemed Nonconforming Signs and shall
3 either be removed or brought up to code when a substantial Alteration to the Sign is made. For
4 purposes of this section a "substantial Alteration" Shall be defined as repair or refurbishing of any
5 Sign that alters its physical dimensions, height or replaces any integral component including, but not
6 limited to Alterations to exterior cabinets, bases or poles. Substantial Alteration Shall not include the
7 replacement of individual panels on a can or cabinet Sign when the exterior boundaries of individual
8 cans or cabinets are not replaced or altered. In Addition, substantial Alteration Shall also include any
9 repair or refurbishing of Sign that exceeds fifty percent of the depreciated value, as determined by the
10 City, of the Sign and structure, but excepting customary maintenance. "Customary maintenance"
11 Shall be defined as any activity or work performed for the purpose of actively maintaining the Sign in
12 its existing Approved physical configuration and size dimensions at the specific location approved by
13 the City and includes the following:

- 14 1. Repainting the Sign text, cabinet or other component of the Sign without changing the
15 advertising message; or

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2. Routine replacement of border and trim with substantially the same colors and materials.

B. A Nonconforming Sign may continue to be used, provided no additions or enlargements are made thereto and no structural alterations are made therein, except as permitted for customary maintenance in subsection A of this section. If said Nonconforming Sign is destroyed or removed, or ceases to be used for the use in existence as of the effective date of the ordinance codified in this chapter, every future Sign shall be in conformance with the provisions of this chapter.

C. A Nonconforming Sign may be reused upon issuance of a Business Occupancy Permit for a business use which does not require a Conditional Use Permit or other discretionary permit, and no exterior modifications are made to the exterior of building which require a Building Permit. No additions or enlargements may be made to the Nonconforming Sign, except for customary maintenance in Subsection A of this section, and additions or modifications which bring the Sign into closer conformity with City standards.

D.C It shall be the responsibility of the owner of any premises containing a Nonconforming Sign (including a Sign painted directly upon the surface of a structure) to remove said Nonconforming Sign within ninety days of cessation of business at that location.

E.D The City shall comply with all provisions of the California Business and Professions Code, Section 5490 et seq., regarding enforcement and removal of On-Premises Advertising Displays and Signs and California Business and Professions Code, Section 5400 et seq., regarding enforcement and removal of Off-Premises Advertising Displays and Signs.

18.50.150 - Banners and pennants on City-owned utility poles.

Notwithstanding Section 18.50.070, the City of Colton may install banners and/or pennants on City-owned utility poles. The City Manager shall establish a written program to regulate the installation of banners and pennants on City-owned utility poles. Banners and pennants shall be installed in compliance with the program established by the City Manager. Noncommercial flags may be installed by the City of Colton without compliance with a banner program.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. Effective Date. This ordinance shall become effective thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2016.

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Richard A. DeLaRosa, Mayor

ATTEST:

Carolina R. Padilla, City Clerk