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ORDINANCE NO. O-06-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND TITLE 18, CHAPTER 18.50 OF THE COLTON MUNICIPAL CODE RELATING TO SIGNS. (FILE INDEX NO.: DAP-000-980)

WHEREAS, the Planning Commission of the City of Colton (“Planning Commission”) initiated an application to amend Chapter 18.50 of Title 18 of the Colton Municipal Code (“Sign Code”), as allowed by Section 18.58.050.A.2. of the Colton Municipal Code, to clarify and update existing regulations related to signs; and

WHEREAS, the Planning Commission conducted study sessions on January 25, 2011, June 28, 2011, and December 13, 2011 to discuss and solicit testimony regarding possible modifications to the Sign Code; and

WHEREAS, on January 10, 2012, and continued to February 28, 2012, the Planning Commission held a duly noticed public hearing regarding a proposed Ordinance (the “Ordinance”) amending the Sign Code and recommending to the City Council the approval of the Ordinance; and

WHEREAS, on April 17, 2012 and continued to April 23, 2012 and May 15, 2012, the City Council of the City of Colton (“City Council”) held a duly noticed public hearing at which time all persons wishing to testify in connection with the Ordinance were heard and the Ordinance was comprehensively reviewed; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council hereby adopts the recitals set forth above in connection with this Ordinance.

SECTION 2. The introduction of Chapter 18.50 of Title 18 of the Colton Municipal Code is hereby amended and replaced in its entirety to read as follows:

- | | |
|--|-----------------------|
| Chapter 18.50 | Sign Ordinance |
| Sections: | |
| 18.50.010 - Purpose. | |
| 18.50.020 - Interpretation and substitution of text. | |
| 18.50.030 - Definitions. | |
| 18.50.040 - Permits and review procedures. | |
| 18.50.050 - Enforcement. | |
| 18.50.060 - Exempt signs. | |
| 18.50.070 - Prohibited signs. | |
| 18.50.080 - General development, maintenance, and removal provisions. | |
| 18.50.090 - Design standards. | |

- 1 **18.50.100 - Allowed permanent on-premise sign standards.**
- 2 **18.50.110 - Allowed temporary promotional on-premise sign standards.**
- 3 **18.50.120 - Allowed off-premise signage.**
- 4 **18.50.130 - Amortization of off-premise and outdoor advertising displays.**
- 5 **18.50.140 - Nonconforming signs.**
- 6 **18.50.150 - Banners and pennants on City-owned utility poles.**

7 **SECTION 3.** Section 18.50.020 of Title 18 of the Colton Municipal Code is hereby
8 amended and replaced in its entirety to read as follows:

9 **18.50.020 - Interpretation and substitution of text.**

- 10 A. The provisions of this chapter shall not be interpreted to nullify any easements, covenants
11 or other private agreements which provide for more restrictive sign regulations than are
12 required by this chapter.
- 13 B. The development services director is authorized and directed to enforce and administer the
14 provisions of this chapter. Whenever the application of this chapter is uncertain due to
15 ambiguity of its provisions, the issue shall be referred to the development services director
16 for a determination. Such determination shall be made within ten days. Any decision made
17 by the development services director may be appealed to the planning commission in
18 accordance with Section 18.50.040(F) of this chapter.
- 19 C. It is the city's policy and intent to regulate both commercial and noncommercial signs in a
20 viewpoint-neutral or content-neutral manner. The message of the sign shall not be
21 reviewed except to the minimum extent necessary to identify the type of sign.
- 22 D. In each instance and under the same conditions to which this chapter permits any sign, a
23 sign containing an ideological, political or other noncommercial message that is
24 constructed to the same physical dimensions of the permitted sign shall be permitted.
- 25 E. Within this chapter, the distinction between on-premise and off-premise applies to
26 commercial messages.
- 27 F. Signs not expressly permitted by this chapter are prohibited.

28 **SECTION 4.** Section 18.50.030 of Title 18 of the Colton Municipal Code is hereby
amended and replaced in its entirety to read as follows:

18.50.030 - Definitions.

For purposes of this chapter, the following terms shall have the provided definitions:

“Abandoned advertising display” or “abandoned sign” means any display or sign remaining in place or not maintained for a period of ninety days, which no longer identifies an ongoing business, product or service available on the business premises where the display or sign is located or where the building, business or establishment to which the display or sign is related has ceased operation. For purposes of this definition, abandonment for the applicable ninety-day period shall be deemed conclusive evidence of abandonment regardless of the property, business or sign owner's intent.

1 "Animated sign" means any sign that uses flashing, blinking, movement or change of
2 lighting to depict action or create a special effect. Any sign with images or messages changing
3 more than once within four seconds shall also be considered an animated sign.

4 "Beacon" or "spotlight" means any structure or equipment emitting laserlight or light
5 with one or more beams (whether stationary or moving) that are directed into the atmosphere or at
6 one or more points not on the same lot as the light source.

7 "Banner" means any non-metallic paper, cloth, canvas, light-weight fabric or other non-
8 rigid material, with or without frames, whether displayed horizontally or vertically freestanding
9 (such as a flag), wall-mounted, pole-mounted, window-mounted or painted, or any other method
10 of attachment, that is intended to be displayed for a limited period of time and intended to attract
11 attention to the business or use conducted on the site, or intended to provide notice to City
12 residents, as well as those who work in and visit the City, about special events that are sponsored
13 by the City.

14 "Can sign" means a sign which contains all the text and/or logo symbols within a single
15 enclosed cabinet that is mounted to a wall or other surface. It specifically does not include the
16 sign cabinet that is part of a freestanding sign.

17 "Canopy sign" means any sign that is a part of or attached to an awning, canopy or other
18 fabric, plastic or structural protective cover (excluding a marquee) over a door, entrance, window
19 or outdoor service area.

20 "Changeable copy sign, electronic " means a sign whose primary advertising focus is the
21 intermittent display of electronic, computerized, digital or similarly produced letters, numerals,
22 words messages, scenes or images as part of the advertising message that is changed no more than
23 once every four (4) seconds. A sign on which the message or image create the illusion of flashing,
24 blinking, movement, or animation shall be considered an animated sign purposes of this chapter.

25 "Changeable copy sign, non-electronic" means a sign or portion thereof with characters,
26 letters or illustrations that can be changed or rearranged manually without altering the face or
27 surface of the sign. A sign on which the message or characters change more than twelve times per
28 day shall be considered an animated sign and not a changeable copy sign for purposes of this
chapter.

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

"City manager" means the city manager of the city of Colton or his or her designee.

"Commercial message" means any sign, wording, logo, or other representation that names
or advertises a business, product, service, or other commercial activity.

"Commercial flag" means a "banner."

"Construction sign" means a temporary sign directly connected with a construction project

1 and may include the construction company's name, addresses and telephone number.

2 "Copy" means the words, letters, numbers, figures, designs, or other symbolic
3 representations incorporated into a sign.

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

6 "Development services director" means the development services director of the city of
7 Colton or his or her designee.

8 "Field" means the part of the sign with no letters or logos.

9 "Freeway-oriented sign" means a sign, located on property which is adjacent to a freeway
10 and meant to be seen from the freeway.

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

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

14 "Future tenant identification sign" means a temporary sign not exceeding thirty-two
15 square feet in area that identifies a future use of a site or building.

16 "Grand opening sign" means a banner not exceeding thirty-two square feet in area that
17 promotes the opening of a new business or use at a site or building.

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

20 "Inflatable balloon sign" means a sign consisting of balloons, inflatables or similar air,
21 helium or hydrogen filled materials, including balloons and inflatables made of metallic and cloth
22 material, no matter the size that is used to attract attention.

23 "Kiosk sign" means an advertising and directional sign sponsored by the local building
24 industry association or other local business and/or civic association and approved by the planning
25 commission and/or city council to advertise future residential subdivisions, residential planned
26 communities or local business promotions and civic events sponsored by such associations.

27 "Logo" means a proprietary graphic and/or text used as an identifying mark of a company,
28 business, 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 (5) operating stores/locations.

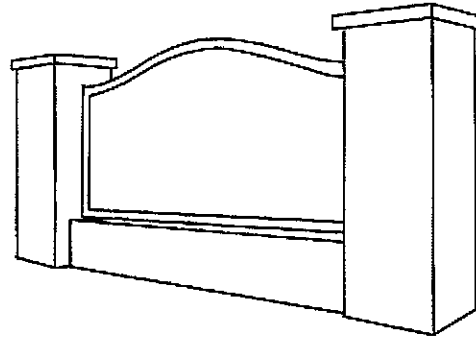
"Marquee" means any permanent roof-like structure projecting beyond a building or
extending along and projecting beyond the wall of the building for a distance of five or more feet,
generally designed and constructed to provide protection from the weather.

"Marquee sign" means any sign attached to, in any manner, or made a part of a marquee.

"Monument sign" means a freestanding sign less than six feet in height which is detached

1 from a building and having a support structure that is a solid-appearing base constructed of a
2 permanent material, such as concrete block or brick. All other freestanding sign types shall be
3 either "Pole Sign" or "Pylon Sign." See Figure 18.50-1 (Monument Sign).

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



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10 "Multi-tenant center" means a property or combination of properties containing two or
11 more businesses and which share common parking, driveway and access areas.

12 "Murals" means a painting on an exterior as a work of art with no commercial message.

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

17 "Noncommercial sign" means a sign which displays noncommercial speech, e.g.,
18 commentary or advocacy on topics of public debate and concern.

19 "Nonconforming sign" means a sign lawfully erected which does not comply with the
20 provisions of this chapter.

21 "Off-premise advertising display" or "outdoor advertising display" means any structure,
22 housing, sign, device, figure, statuary, painting, message placard or other contrivance, or any part
23 thereof, which has been designed, constructed, created, intended or engineered to have a useful
24 life of fifteen years or more and intended or used to advertise or to provide data or information in
25 the nature of advertising for a business or businesses not located on the same premises as the sign.

26 "On-premise advertising display" means any structure, housing, sign, device, figure,
27 statuary, painting, message placard or other contrivance, or any part thereof, which has been
28 designed, constructed, created, intended or engineered to have a useful life of fifteen years or
more and intended or used to advertise or to provide data or information in the nature of
advertising for a business or businesses located on the same premises as the sign.

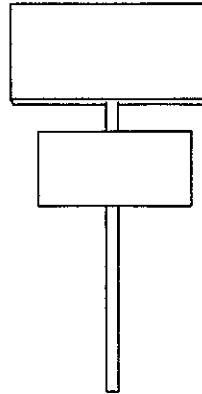
"Painted sign" means a sign which is comprised only of paint applied on a building or
structure, except for murals, as defined by this section.

"Permanent window sign" means a sign painted, attached, glued or otherwise affixed to a

1 window or located within three feet of the interior side of the window or otherwise easily visible
2 from the exterior of the building.

3 "Pole sign" means a freestanding sign in excess of six feet in height which is detached
4 from a building and is supported by one or more structural elements that are less than one-fourth
5 the width of the sign face. See Figure 18.50-2 (Pole Sign).

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

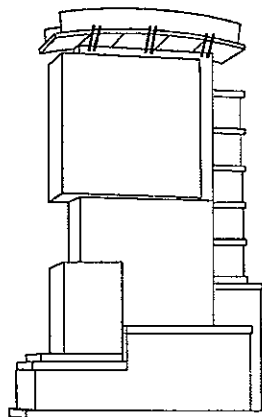


12 "Political sign" means a sign erected prior to an election to advertise or identify a
13 candidate, campaign issue, election proposition or other related matters.

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

17 "Pylon sign" means a freestanding sign in excess of six feet in height which is detached
18 from a building and is supported by one or more structural elements that are architecturally
19 similar to the design of the sign. Pylon signs less than six feet in height are prohibited. See Figure
20 18.50-3 (Pylon Sign).

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



27 "Real estate sign" means a temporary sign advertising the sale or lease of the property
28 upon which it is located, and may include the identification of the firm handling such sale, lease

1 or rent.

2 "Roof sign" means a sign erected, constructed, painted or placed upon or over a roof or
3 parapet wall of a building and which is wholly or partly supported by such building.

4 "Sign" means any device, fixture, placard or structure that uses color, form, graphic,
5 illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a
6 person or entity, or to communicate information of any kind to the public. Light banding along a
7 building is excluded from the definition of a sign.

8 "Sign face" means that area or portion of a sign on which copy is intended to be placed.

9 "Temporary promotional sign" means any commercial flag, pennant, streamer, banner,
10 bunting material or other similar non-permanent sign made of non-metallic paper, cloth, canvas,
11 light-weight fabric or other non-rigid material, with or without frames, whether displayed
12 freestanding, wall-mounted, pole-mounted, window-mounted or painted, or any other method of
13 attachment, that is displayed for a limited period of time less than one year and intended to attract
14 attention to the business or use conducted on the site. Temporary promotional signs shall not be
15 used in lieu of permanent signage.

16 "Uniform sign program" means an integrated, visual and/or written description of the
17 signs to be placed on a building or grouping of buildings for the purpose of aesthetic uniformity
18 in sign design, construction and placement.

19 "Wall sign" means a sign attached to or erected against the wall of a building or structure
20 with the exposed face of the sign parallel to the plane of such wall.

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

25 "Year-round promotional sign" means a banner, commercial flag or portable sign that is
26 prohibited pursuant to Section 18.50.070, but that the City may allow by subsequent ordinance."

27 **SECTION 5.** Section 18.50.040 of Title 18 of the Colton Municipal Code is hereby
28 amended and replaced in its entirety to read as follows:

18.50.040 - Permits and review procedures.

A. Permit Required.

1. A sign permit shall be required prior to the placing, erecting, moving, modifying or reconstructing of any sign, including re-facing a panel on a can or cabinet sign, in the city, unless expressly exempted by this chapter. Signs requiring a permit shall comply with the provisions of this chapter and all other applicable laws and

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ordinances.

2. A uniform sign program, as described in subsection D of this section, shall be required for all new multi-tenant developments of three or more separate tenants that share either the same parcel or structure and use common access and parking facilities.
3. A temporary promotional sign permit shall be required for all temporary promotional signs unless specifically exempted by this chapter. Issuance of the temporary sign permit shall be as described in subsection I of this section.

B. Method of Application. An application for a sign permit, uniform sign program, or a temporary promotional sign shall be made on forms as prescribed by the development services department and shall be filed with the same. The application shall be accompanied by any fees as specified by city council resolution.

C. Review Criteria for Sign Permit.

1. Criteria for Approval. A sign permit may be approved when it complies with the standards and requirements of this chapter. A permit application may be approved subject to conditions, so long as those conditions are required by this chapter or some other applicable law, rule, or regulation.
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

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1 unique and specific design and development standards for
2 individual multi-tenant and mixed use developments. The intent is
3 to integrate a project's signs with the design of the structures to
4 achieve a unified architectural statement. A uniform sign program
5 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.

6 2. Review Procedure. Review and approval of a uniform sign program
7 is the responsibility of the planning commission. The development
8 services director and/or design review committee may make a
9 recommendation on the program to the commission, and the
10 commission may approve, approve with conditions, or deny the
11 program. Additionally, the planning commission shall be the
12 approving authority for modifications and amendments to uniform
13 sign programs, except that the design review committee may be the
14 approving authority for minor modifications that do not change or
15 modify the intent or conditions of the original approval. The design
16 review committee may elevate the decision to the planning
17 commission.

18 3. Standards. The uniform sign program shall include criteria for
19 building-attached and freestanding signs, including directional
20 signs, for tenants, anchors, and the integrated development itself to
21 establish consistency of sign type, location, logo and/or letter
22 height, lines of copy, illumination, and construction details of signs
23 for the project. All signs within the development shall be consistent
24 with the uniform sign program as the adopted program establishes
25 the sign standards for the development. The message substitution
26 policy of this chapter shall be deemed incorporated in every sign
27 program, even if the sign program documents do not explicitly so
28 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 as the elevated final decision body for

1 sign permit-building attached signs.

- 2 2. Typically, the final decision body is the designated approving
3 authority for the listed permit; however the approving authority
4 may, if the designated approving authority determines that the
5 proposed signage is of significant public interest, elevate the
6 approval to the next hearing body as listed in the table.
7 3. The approving authority shall approve, conditionally approve, or
8 deny the proposed sign permit application in accordance with the
9 requirements of this chapter.

8 Table 18.50-1: Approval Authority for Signs

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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	Design Review Committee	Planning Commission
10 Sign Permit — building attached 11 signs.	F	E	
12 Sign Permit — temporary 13 promotional signs	F		
14 Sign Permit — freestanding 15 permanent signs (e.g., 16 monument, pylon, pole), not 17 including freeway-oriented, 18 electronic changeable copy pylon 19 signs.	F	E	E
20 Sign Permit — freestanding 21 freeway-oriented, electronic 22 changeable copy pylon signs.	R	R	F
23 Uniform Sign Program — minor 24 amendment	R	F	E
25 Uniform Sign Program — 26 adoption and major amendment	R	R	F

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- 1 F. Timely Decision. At each level of review or appeal, the decision shall be
2 rendered, in writing, within the following time limits. The time period
3 begins running when the application is deemed complete, or the notice of
4 appeal has been filed, whichever applies.
- 5 1. Upon receipt of a completed sign review application by the
6 development services director, the director shall approve, deny, or
7 refer the application to the design review committee within thirty
8 calendar days.
 - 9 2. Upon receipt of a completed sign review application by the design
10 review committee, the committee shall approve, deny, or refer the
11 application to the planning commission within thirty calendar days.
 - 12 3. Notwithstanding the time limits imposed by this section, the
13 department and the applicant may mutually agree to an extension of
14 the time limits. Such extension shall be in writing and shall be for
15 no more than ninety days.
 - 16 4. Should the director and/or the committee fail to render a decision
17 on a sign application within the prescribed time limits established
18 by this section, such sign application shall be deemed automatically
19 appealed to the planning commission to the extent it complies with
20 the area and location requirements for signs imposed by this
21 chapter.
 - 22 5. Notwithstanding any of the time limits contained in this section, the
23 development services director and design review committee shall
24 endeavor to render decisions in a timely manner.
- 25 G. Variances. Applications for a variance from the terms of this title shall be
26 reviewed by the planning commission according to the variance procedures
27 as set forth in this title, except for deviations up to 20% of that standard for
28 letter height, maximum sign area, maximum sign height, or separation
between signs may be allowed with the concurrent approval of a minor
sign variance by the same approving authority for the sign, when it is found
that the deviation is necessary to improve the effectiveness of the purpose
of the sign.
- H. Appeals.
1. Unless otherwise specified herein, a decision of the development
services director or design review committee may be appealed by
the applicant or any interested person within fifteen days of the
decision to the planning commission. The appeal shall be made on
the forms prescribed by the planning division and fees shall be paid
in accordance with the fee resolution adopted by the city council.
Automatic appeals made pursuant to subsection (F)(4) of this

1 section shall not be required to submit a fee. The planning
2 commission shall review an appeal at a regularly scheduled meeting
3 according to the schedule of meetings and deadlines for submission
4 of applications. Notwithstanding such schedule, an appeal hearing
5 shall be held within thirty days of the date of any appeal.

6 2. A decision of the planning commission may be appealed to the city
7 council by the applicant or any interested person in accordance with
8 the provisions of subsection 18.58.070(C) of this code. The
9 decision of the city council shall be final.

10 3. A final determination of the city council may be appealed to a court
11 of competent jurisdiction in accordance with applicable provisions
12 of the California Code of Civil Procedure.

13 I. Temporary Promotional Sign Permit.

14 1. Permit Requirements and Conditions. No temporary promotional
15 sign shall be displayed without first obtaining a temporary
16 promotional sign permit from the development services director.
17 Permits shall be issued within three working or business days of the
18 filing of a completed application that complies with all provisions
19 of this chapter and the filing of all required fees for a temporary
20 promotional sign. The development services director may, in his or
21 her discretion, approve an application that does not comply with the
22 requirements of this chapter upon conditioning the permit with its
23 compliance. The development services director may also attach
24 additional reasonable conditions to assure that the temporary
25 promotional sign is safely displayed and will not constitute a hazard
26 to public safety.

27 2. Permit/Deposit Fees.

28 a. No permit fee shall be charged for a temporary promotional
sign if obtained prior to its display.

b. A fee as established by resolution of the city council may be
assessed if the temporary promotional sign is displayed
without a permit. The fee shall cover the city's reasonable
administrative costs for enforcing compliance with this
section and the processing of the application.

3. Appeals. A decision of the development services director denying a
temporary promotional sign permit may be appealed to the design
review committee within five working or business days of the
director's decision. The matter shall be scheduled for the next
regularly scheduled design review committee for consideration. The
design review committee shall render a decision within twenty days

1 of the meeting where it first considers the appeal. The decision of
2 the design review committee shall be final.

- 3 4. Authority. The development services director is hereby authorized
4 to develop all appropriate guidelines and policies and develop all
appropriate forms for the implementation of this section.

5 **SECTION 6.** Section 18.50.050 of Title 18 of the Colton Municipal Code is hereby
6 amended and replaced in its entirety to read as follows:

7 **18.50.050 - Enforcement**

8 A. General Enforcement Provisions.

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

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

- 31 1. The development services director or code enforcement division may summarily
and without prior notice remove any temporary promotional sign or political sign

1 which constitutes an immediate peril to persons or property or constitutes a
2 nuisance.

- 3 2. If the development services director or code enforcement division finds that any
4 temporary promotional sign or political sign has been posted or is being
5 maintained in violation of the provisions of this section, the community
6 development director or code enforcement division may issue to the property
7 owner, sign owner or the owner's authorized agent an oral or written demand for
8 the removal of such sign or for correction of the violation. Such notice shall
9 include a brief statement of the reasons for requiring removal.
- 10 3. The development services director or code enforcement division may use due
11 diligence to provide such notice by telephone or in person, and in addition, may
12 provide such notice in writing by hand delivery or by placing such notice in the
13 United States mail addressed to the last known address of the owner of any sign
14 posted in violation of this chapter.
- 15 4. Upon the failure of any owner of any temporary promotional sign posted in
16 violation of this chapter to correct the violation or to remove such political sign or
17 temporary promotional sign after notice by the development services director or
18 code enforcement division, these entities shall have the authority to remove all
19 such illegally posted temporary promotional signs or political signs, and to dispose
20 of such signs if they are not claimed by the owner within ten working days.
- 21 5. The development services director or code enforcement division may remove any
22 abandoned temporary promotional sign or political sign summarily and without
23 prior notice. A temporary promotional sign or political sign shall be deemed
24 abandoned under the following circumstances:
- 25 a. The owner of a temporary promotional sign posted in violation of this
26 section or the owner's authorized agent cannot in good faith be located
27 within five working days; or
 - 28 b. Any temporary promotional sign or political sign remains posted for more
than ten days after the event or election to which it relates.
6. The owner of a sign that is informed by the development services director or code
enforcement division of a violation of these provisions shall have the right to
appeal such notice to the city council within five days of its receipt, if the election
or event to which such sign relates has not occurred. Such appeal shall be in
writing and shall temporarily stop enforcement of the required removal until the
matter is heard by the city council. The city council's determination shall be final.
7. The city council may, by resolution, adopt such fees as are necessary and
reasonable to cover the cost of removal of illegally posted temporary promotional
or political signs and the development services director or code enforcement
division is authorized to collect such fees when any temporary promotional sign or
political sign is claimed by an owner, or by legal action after the claim period
expires.

1 **SECTION 7.** Section 18.50.060 of Title 18 of the Colton Municipal Code is hereby is
2 hereby amended and replaced in its entirety to read as follows:

3 **18.50.060 - Exempt signs**

4 The following signs may be erected without a permit, provided they comply with
5 the development standards listed herein:

- 6 A. Official traffic signs or other municipal governmental signs, legal notices,
7 advertisements prescribed by law and placed by governmental entities, and
8 signs indicating the location of buried utility lines or any notice posted by a
9 governmental officer in the scope of his duties. The city has a compelling
10 interest in permitting such signs in order to comply with state and local
11 laws and promote public safety.
- 12 B. Street address signs consistent with Section XIV(B) of Security Ordinance
13 Number O-13-89, notwithstanding anything in this section, may be
14 illuminated and may contain reflective paint or material. The city has a
15 compelling interest in permitting such signs to promote the identification of
16 property to guide emergency response personnel.
- 17 C. Direction, warning or information signs or structures required or authorized
18 by law, or by federal, state, county, or city authority. The city has a
19 compelling interest in permitting such signs in order to comply with state
20 and local laws and to promote public safety.
- 21 D. Noncommercial flags attached to poles that identify the United States, the
22 state of California and other countries and states, counties and
23 municipalities, nationally recognized organizations or corporations, and
24 any other vertical or horizontal flag with no text, characters, or other
25 message, not to exceed three flags/poles on properties containing less than
26 one acre of land, and not to exceed six flags/poles on properties containing
27 more than one acre of land. Poles shall not exceed thirty feet in height and
28 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 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

- 1 compelling interest in permitting such signs to promote awareness of local
2 conditions for individuals with medical problems.
- 3 H. Interior signs within a structure not visible from the exterior of the
4 structure, except temporary window signs.
- 5 I. Signs and advertising for the California State Lottery as authorized by
6 California Government Code, Section 8800 et seq.
- 7 J. Kiosk signs and other similar identification signs placed on city property
8 and approved by the planning commission and/or city council that are used
9 to identify and promote economic development efforts or significant
10 commercial enterprises in the city. For purposes of this subsection the term
11 "significant commercial enterprises" shall be defined as a grouping of
12 similarly situated commercial land uses with an integrated commercial or
13 economic development theme.
- 14 K. Signs carried by individuals while standing, sitting, or traveling along any
15 public sidewalk or other public property not to exceed two square feet.
16 Such signs may not be illuminated.
- 17 L. Signs placed within community sports facilities as defined in Section
18 12.24.141.
- 19 M. Construction signs are allowed on private property outside of the public
20 right-of-way and any required clear vision triangle, with the following
21 limitations:
- 22 1. Residential Subdivisions. One sign, limited to a maximum of thirty-
23 two square feet. May only be erected after approval of tentative
24 map and must be removed immediately upon the close of escrow of
25 the sale of the last lot. The maximum height shall be eight feet.
- 26 2. Multiple-family Residential. One sign, not exceeding twenty-four
27 square feet in area, may be placed on property upon which an
28 apartment building is under construction or for which a site plan has
 been approved. Such sign shall be subject to removal when the
 vacancy rate is reduced to twenty-five percent or less. The
 maximum height shall be five feet.
3. Nonresidential Property. One sign per property not to exceed thirty-
 two square feet in area. The maximum height shall be five feet. The
 sign may not be illuminated. Such signs shall not be erected prior to
 the commencement of construction or grading and shall be removed
 upon first issuance of an occupancy certificate for the building(s).
- N. Future Tenant Signs. One future tenant identification sign per business or
 use shall be permitted not to exceed thirty-two square feet in area. A future

1 tenant identification sign listing the name of future tenants, responsible
2 agent or realtor, and identification of the specific complex shall be
3 encouraged. Said sign is permitted until such time as a certificate of
4 occupancy is issued for the building(s). The maximum height shall be five
5 feet. The sign may not be illuminated.

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

8 P. Directional signs whose function is guiding traffic, parking, and loading on
9 private property, with no advertising/commercial message. Maximum of
10 one sign per driveway. Sign area is limited to a maximum of six square feet
11 per sign and a maximum height of 4 feet if freestanding. Exceptions to
12 standards regarding copy, quantities, sign area, and height may be allowed
13 for larger sites with multiple buildings, tenants, and/or driveways as part of
14 Uniform Sign Program by the Planning Commission or a Minor
15 Amendment to an existing Uniform Sign Program by the Design Review
16 Committee.

17 Q. Nameplates identifying (and copy limited to) the address of the building,
18 property, or tenant to a maximum of one square foot per sign. Nameplates
19 may only be lit by either an indirect light (e.g., porch light) source, low-
20 wattage spotlight without glare to the adjoining property, or internal light
21 source with opaque (non-transparent) background. The signs may be
22 combined into one single tenant directory at the shared entrances of a
23 multi-tenant building subject to the approval of a sign permit by the
24 Director if attached to a building wall and as part of Uniform Sign Program
25 by the Planning Commission or a Minor Amendment to an existing
26 Uniform Sign Program by the Design Review Committee if not attached to
27 a building wall.

28 R. Political signs complying with the following regulations:

1. Individual political signs shall not exceed thirty-two square feet in total area.
2. Political signs shall not be placed sooner than one hundred 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.
3. All political signs shall be removed not later than ten days following the date of the election to which such sign relates. Political signs existing on property longer than ten days following the election to which such sign relates shall be deemed abandoned and a nuisance and shall be abated pursuant to Title 8 of this code.
4. No political sign shall exceed an overall height of twelve feet from the finished grade.
5. No political sign shall be placed in a manner that obstructs visibility of pedestrian or vehicular traffic or that poses a public safety or health hazard; such signs are deemed to be public nuisances and

1 shall be removed in accordance with Title 8 of this code.

2 6. No political sign shall be placed or fixed to any publicly owned
3 tree, fence, or utility pole within the public right-of-way or
4 otherwise posted on any public property. Placement of such
5 political signs shall be deemed a public nuisance pursuant to
6 California Government Code, Section 38773.5 and shall be subject
7 to summary abatement.

8 S. Grand Opening Signs. One grand opening sign per business or use shall be
9 allowed, not to exceed thirty-two (32) square feet in area. Said sign is
10 permitted for a maximum of forty-five (45) days after occupancy is issued
11 for the business or use by the City. The maximum height shall be five feet.
12 The sign may not be illuminated.”

13 T. Murals, subject to approval by the City Council after advisory review by the Design
14 Review Committee and Planning Commission.

15 **SECTION 8.** Section 18.50.070 of Title 18 of the Colton Municipal Code is hereby
16 amended and replaced in its entirety to read as follows:

17 **18.50.070 - Prohibited signs**

18 It shall be unlawful to erect, and no permit shall be issued, for any of the following
19 signs:

- 20 A. Any sign not specifically in accordance with the provisions of this chapter;
- 21 B. Signs painted or mounted on roofs or placed above the roof line (except for
22 roof parapet walls and mansard roofs);
- 23 C. Animated signs and flashing signs, with the exception of time and
24 temperature signs and electronic reader signs;
- 25 D. Commercial flags, pennants, banners, balloons or other paraphernalia
26 composed of paper, cloth or other flexible material, unless otherwise
27 permitted;
- 28 E. Signs which rotate, move, reflect, blink or incorporate elements that do so,
except time and temperature signs and electronic reader signs;
- F. Off-premise advertising displays (billboards), except as otherwise
provided;
- 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;
- H. Portable signs, including A-frame signs, unless otherwise permitted;
- I. Inflatable balloon signs, including, but not limited to individual balloons,

1 balloon strings, and other inflatables made of a flexible material and
2 inflated so as to be lighter than air, except when part of a bona fide special
3 event approved through a Special Events Permit;

4 J. "Can signs," except as allowed by Section 18.50.100;

5 K. "Pole signs" and other freestanding signs constructed with a single
6 supporting pole that is not covered with architectural cladding or other
7 covers so as to appear as a solid base or structure, or supported by one or
8 more structural elements that are less than one-fourth the width of the sign
9 face;

10 L. Signs made of paper and placed on the exterior of a building and
11 handwritten signs/flyers placed in windows;

12 M. Signs located in the public right-of-way or located on a publicly owned
13 tree, fence, or utility pole or otherwise posted on public property;

14 N. Signs made of neon, except that neon tubing may be used as a source of
15 illumination, provided it is behind the face of the sign;

16 O. Signs affixed to vehicles where the primary purpose of the vehicle is
17 advertising. This does not apply to signs maintained on vehicles when such
18 advertising is incidental to the primary purpose for which the vehicle is
19 being used (e.g., delivery service) or is required by state or federal law
20 (e.g., contractor's license number);

21 P. Signs exceeding two square feet in area carried by individuals while
22 standing, sitting or traveling along any public sidewalk, other public
23 property or any private property when visible from a public right-of-way;

24 Q. Signs attached to light standards unless part of a uniform sign program;

25 R. Beacons, except when part of a bona fide special event approved through a
26 Special Events Permit;

27 S. Year-round promotional signs, except as allowed by subsequent ordinance.

28 T. Painted signs (which does not include murals or temporary window signs), except where
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.

SECTION 9. Section 18.50.080 of Title 18 of the Colton Municipal Code is hereby
amended and replaced in its entirety to read as follows:

18.50.080 - General development, maintenance, and removal provisions.

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

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1 E. Setback and Spacing of Freestanding Signs.

- 2 1. The minimum setback distance for freestanding signs shall be measured from back
3 of the public right-of-way or side of a driveway, unless an encroachment permit is
4 granted. All freestanding signs shall be located outside of the public right-of-way
5 at least 3 feet from any property line and any required clear vision triangle.
- 6 2. The minimum spacing distance between permanent freestanding signs, excluding
7 on-premise directory signs, should be fifty feet, including distance from signs on
8 other properties. The designated approving authority will review the proposed
9 location on a case-by-case basis to ensure the sign is located outside the required
10 clear vision triangle and does not otherwise inhibit motorist safety.

11 F. Sign Removal or Replacement. A sign that consists of a can or panel shall be provided
12 with a solid white opaque covering or other method acceptable to the Director within
13 thirty days following cessation of the business which uses the sign. When a sign is
14 removed or replaced, all brackets, poles, and other structural elements that support the
15 sign shall also be removed. Affected building surfaces shall be restored to match the
16 adjacent portion of the structure. This provision does not apply to routine maintenance.

17 **SECTION 10.** Section 18.50.090 of Title 18 of the Colton Municipal Code is hereby
18 amended and replaced in its entirety to read as follows:

19 **18.50.090 - Design standards**

20 The following criteria shall be utilized for permanent advertising displays and signs, and shall not
21 be construed to govern the design of temporary promotional or political signs.

22 A. General Design Standards.

- 23 1. Architectural Style. Each sign shall be designed to be compatible with and relate to
24 the architectural style of the main building or buildings upon the site where such
25 sign is located. Each sign shall also be compatible with the style and character of
26 the existing improvements upon the lots adjacent to the site. Signs located on
27 commercial sites but in a predominately residential area shall be designed to be
28 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.
4. Letter Style. The letter style to be used on a sign should also be compatible with
the architectural style of the building. For example, simple block letters are
generally most compatible with the Spanish style buildings. For those buildings

1 that have been recently constructed and having no particular architectural style,
2 simpler letter styles are desirable.

3 5. Sign Materials. The goal of sign design is to maintain moderate, attractive, and
4 compatible styling so as not to conflict or distract from the architectural character
5 of the area. The choice of materials shall be left to the discretion of the applicant,
6 subject to the recommendations of the development services director, the
7 provisions of this chapter and the approval of the city.

8 6. Relationship to Other Signs. Where there is more than one sign on a site or
9 building, all permanent signs displaying a commercial message shall have designs
10 that similarly treat or incorporate the following design elements:

- 11 a. Letter size and style of copy;
- 12 b. Shape of total sign and related components;
- 13 c. Type of construction materials;
- 14 d. Sign/letter color and style of copy;
- 15 e. Method used for supporting sign (e.g., wall or ground base); and
- 16 f. Location.

17 7. Sign Illumination. The artificial illumination of signs, either from an internal or
18 external source, shall be designed to minimize negative impacts on surrounding
19 rights-of-way and properties. The following standards shall apply to all illuminated
20 signs:

- 21 a. External light sources shall be directed and shielded to limit direct
22 illumination of an object other than the sign;
- 23 b. The light from an illuminated sign shall not be of an intensity or brightness
24 that will create glare or other negative impact on residential properties in
25 direct line of sight to the sign;
- 26 c. Unless otherwise permitted by another provision of this chapter, signs shall
27 not have blinking, flashing, or fluttering lights, or other illumination
28 devices that have a changing light intensity, brightness, or color;
- 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

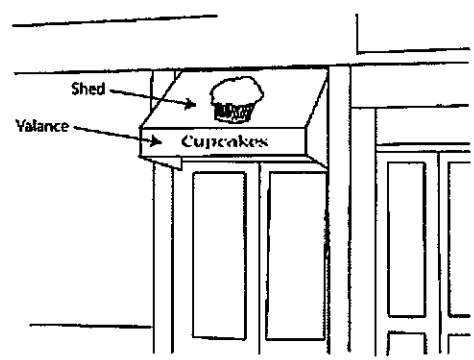
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- f. Light sources shall utilize energy efficient fixtures to the greatest extent possible and shall comply with Title 24 of the California Code of Regulations (California Building Standards Code).
- 8. For increased readability, the city encourages 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 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

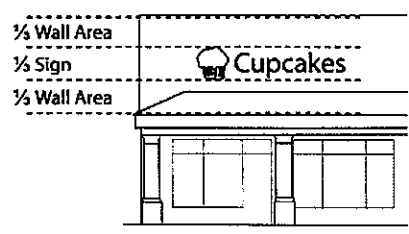
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horizontal valance if located over rectangular or square window/door openings. Domed or barrel shaped awnings are appropriate for buildings with arched window/door openings.

- 2. Blade/Bracket Signs.
 - a. Location. Blade or bracket signs shall be placed only on ground floor facades, 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 facade.
 - b. Place wall signs to establish facade rhythm, scale, and proportion where such elements are weak. In many existing buildings that have a monolithic or plain facade, 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



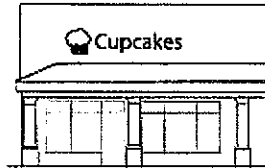
- d. Wall sign raceways shall be concealed from public view (e.g., within the building wall or painted to match the exterior color of the building where the

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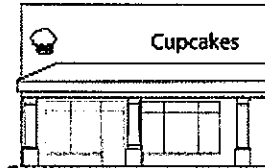
1 sign is located) or otherwise integrated with the design of the sign and building
2 so as to not detract from the architectural character of the building.

- 3 e. Direct and indirect lighting methods are allowed provided that they are not
4 harsh or unnecessarily bright. Light shall either be directed down or in such a
5 way that it does not cause light trespass or glare onto adjoining property or the
6 public right-of-way.
- 7 f. Can-type signs are prohibited. Channel letters are preferred. Channel letters
8 shall be made of a durable material. Channel letters may not utilize gold-
9 colored (or a shade of gold) trim cap.
- 10 g. If a tenant's signage on one facade is made up of multiple elements (e.g., logo
11 and text), locate, and scale the elements with relationship to each other. See
12 Figure 18.50-6 (Multiple Element Signs).

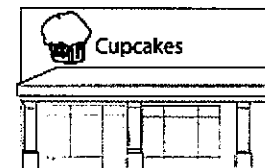
13 Figure 18.50-6: Multiple Element Signs



15 Encouraged: Logo relates to
16 lettering as part of the overall
17 design.



19 Discouraged: Logo is
20 unrelated to lettering based on
21 spacing of components



23 Discouraged: The logo and
24 lettering are of disproportionate
25 scales

26 4. Electronic changeable copy signs

- 27 a. Electronic changeable copy signs shall be permitted as part of a
28 freestanding sign located along a freeway right-of-way or a major arterial,
as defined by the Master Plan of Streets and/or the General Plan
Circulation Element, or on the site of a public facilities, educational
facilities, or other civic institutions, including religious uses integrated
within the design of the freestanding sign.
- b. Changeable copy face shall not exceed more than two-thirds of the
proposed sign area, with the remainder permanent text.

- 1 c. The changeable copy of signs within 660 feet of a freeway centerline shall
2 not change more than once every six (6) seconds with one second intervals
3 between displays with no display.
- 4 d. The changeable copy of signs not within 660 feet of a freeway centerline
5 shall not change more than once every sixty (60) seconds.
- 6 e. Time and temperature display, of at least six seconds, shall be required to
7 appear during every two minutes of operation.
- 8 f. Public service messages shall be accommodated at no additional charge,
9 and constitute 10 percent of the messages displayed during each one-hour
10 period. These public service messages are in addition to the required time
11 and temperature displays. The City shall have authority to review and
12 approve public service messages.
- 13 g. Electronic changeable copy signs shall automatically adjust the brightness
14 of illumination between night and day.
- 15 h. Electronic changeable copy signs may not identify commercial
16 uses/contain commercial message for uses not located on the same site as
17 the sign. Otherwise, they are considered off-premise signs and are
18 prohibited by this code

19 5. Freestanding Signs.

- 20 a. Monument and pylon signs are allowed, subject to setback and spacing
21 requirements in Section 18.50.080.E, because they can be more fully integrated
22 in to the overall development design. Pole signs are specifically prohibited.
23 Pylon signs shall be constructed with architectural cladding or similar material
24 covering the supporting framework so they are architecturally integrated with
25 the rest of the sign.
- 26 b. Voids between the sign face and the sign structure are prohibited. Either the
27 sign face shall utilize the full width of the sign structure or coverings that are
28 architecturally consistent with the rest of the sign shall be used to fill any
voids. The intent is to have the sign be fully architecturally integrated.
- c. Materials and design for freestanding signs shall be complementary to the
materials and design of the buildings for the related development. For example,
if the facade of the building is made of brick or brick veneer, a complementary
freestanding sign would also include brick.
- d. Landscaping shall be provided at the base of the sign equal to the area of the
sign. 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.

- 1 e. The minimum letter height on a freestanding sign shall be twelve inches. For
 2 freeway freestanding signs the minimum letter height shall be twenty-four
 3 inches. The intent is to limit the clutter of text on the sign and increase
 4 readability for the motoring public, thereby providing for public safety.
 5 Monument and pylon signs shall contain the main address number or range of
 6 numbers of the site in minimum 12-inch high letters and this area shall not be
 7 counted towards the maximum sign area. Deviations from letter height
 8 requirements may be approved through a Uniform Sign Program by the
 9 Planning Commission.
- 10 f. The maximum letter height on a freestanding sign shall be thirty-two inches.
 11 For freeway freestanding signs the maximum letter height shall be forty-eight
 12 inches. The intent is to limit the negative visual impact of large text size.
- 13 g. Freeway freestanding signs shall include city identification copy consisting of
 14 the text "City of Colton" with letter height proportional to overall sign size, or
 15 otherwise identify "Colton" on the sign. The intent is to help identify the site as
 16 being located within the city of Colton. The city identification copy shall not
 17 be counted towards the total sign area and shall be exempted from the height
 18 maximum. The city identification copy shall be illuminated at night. This
 19 requirement may be waived by the approving authority, at its discretion, if it is
 20 determined that city identification of adequate size is provided on other signs
 21 within 450 feet of the proposed sign.
- 22 6. Changeable Copy Sign, non-electronic. These types of signs shall be considered
 23 to be the same as any other type of sign and shall be regulated by their location,
 24 i.e., if located on a wall, they shall be deemed wall signs and the changeable copy
 25 portion shall not exceed more than one-half the proposed sign area.
- 26 7. Menu Board. One (1) single-face freestanding or wall sign oriented towards an
 27 approved drive-through lane containing menu or other list of products with a
 28 maximum sign area of 32 square feet and maximum height of 6 feet.

29 **SECTION 11.** Section 18.50.100 of Title 18 of the Colton Municipal Code is hereby
 30 amended and replaced in its entirety to read as follows:

31 **18.50.100 - Allowed permanent on-premise sign standards.**

32 Table 18.50-2 lists the development standards for all on-premise signs based on use type and
 33 zoning district, as well as allowed sign type. As identified in Section 18.50.040, a sign permit is
 34 required before any of the sign types listed herein are installed, erected, or otherwise established.
 35 The intent of the sign permit is to ensure that the development standards listed are adhered to.
 36 Only those signs that may be permitted are listed. Regulations for temporary promotional on-
 37 premise signs are listed in Section 18.50.110. Regulations for off-premise signs are listed in
 38 Section 18.50.120. The following general rules/standards apply to permanent signs regulated in
 39 this section:

- 40 A. Building signs are those signs that are permanently attached to a building (e.g., wall signs,
 41 awning/canopy signs, blade/bracket signs). Only one type of building sign (wall,
 42 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 (RE and R-1 Zones)					
Wall sign	1 / home	6 sf	Roofline	No illumination	Multiple-family Residential Signs (R-2, R-3, RE, and C-1 Zones)
Wall sign, project identification	1 / frontage, either type	6 sf	Roofline	Indirect or background	
Freestanding sign, project identification		6 sf	8 ft	Indirect or background	
Wall sign, tenant	1 / tenant	4 sf	Roofline	No illumination	
Nonresidential Signs¹					
Wall sign	1 / public frontage for storefront tenants with an exclusive exterior entrance.	three (3) square feet per one lineal foot and 70% wall length	Roofline	Indirect or background	(2)(7) (8)
Freestanding Monument sign	1 / street frontage [‡]	50 sf	6 ft	Indirect or background	(3)(5) (9)
Freestanding Pylon sign		50 sf	20 ft	Indirect or background	(3)(5) (9)
Window sign	1 / establishment	20% of window area	-	No illumination	
Freestanding sign, freeway oriented, pylon	1 / site w/ minimum 150 ft freeway frontage	325 sf [†]	50 ft [‡]	Indirect or background	(4) (5) (6)

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,

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1 blade/bracket) is allowed per establishment.

2 Editor's note— 2. Maximum letter height allowed is twenty-four inches, except for signs for an
3 individual tenant with public entrances along a public frontage of 100 feet or greater of lineal feet
4 shall be allowed letter height up to 36 inches. Logos and graphics shall not exceed three feet by
5 three feet. Logos greater than 3 feet by 3 feet are not allowed as standard can signs with shapes
6 similar to rectangles, but may be approved as contoured cabinet signs if the logo serves as a
7 single sign for the establishment, in which case the underlying maximum sign area prevails.

8 Editor's note— 3. Applicant may choose one type or the other but is limited to one freestanding
9 sign per street frontage, except as otherwise provided; however multi-tenant centers on sites
10 greater than four acres in size or with more than three hundred linear feet of frontage per street
11 may increase the sign face area of each sign to a maximum of 100 square feet and have one
12 additional freestanding sign above the otherwise allowed maximum.

13 Editor's note— 4. Signs which only include logo copy and do not include text may exceed the
14 maximum sign area to a maximum of three hundred sixty sf.

15 Editor's note— 5. Sign height shall be measured from the finish grade of the freeway or
16 adjacent roadway.

17 Editor's note— 6. Applies to properties which are adjacent to a freeway or are only separated
18 from a freeway by a public or quasi-public right-of-way or easement. The design and character of
19 the sign must be consistent with the standards for pylon signs. Freeway oriented signs may not
20 identify commercial uses/contain commercial message for uses not located on the same site as the
21 sign. Otherwise, they are considered off-premise signs and are prohibited by this code.

22 Editor's note— 7. For multiple-tenant buildings or parts of buildings with tenants without
23 exclusive exterior entrances, the building/site name or name of one on-site tenant as a building
24 identification sign may be permitted by right. Additional signage may be permitted for a
25 maximum of four tenants without exclusive exterior entrances on a multiple-story office building
26 subject to review of a Uniform Sign Program by the Planning Commission.

27 Editor's note— 8. Parapet roof or mansard roof signs may be allowed with review and approval
28 by the Planning Commission only if building does not provide adequate surface area for wall
signs.

Editor's note— 9. Copy on freestanding signs, in addition to building/site name and address,
shall be 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 an Uniform
Sign Program allowing copy for tenants without exclusive exterior entrances subject to all
applicable standards.

SECTION 12. Section 18.50.120 of Title 18 of the Colton Municipal Code is hereby
amended and replaced in its entirety to read as follows:

18.50.120 - Allowed off-premise signage

- A. Generally, all new off-premise commercial message signage is prohibited within the city.
Existing off-site commercial message signs (e.g., billboards) are considered
nonconforming signs as regulated by Section 18.50.140. However, under the city's
authority and capacity as proprietor of city property, the city has created a program for

1 off-premise signage kiosks for certain uses and activities of city-wide benefit and interest.
2 For purposes of this section, "city-wide benefit and interest" shall mean those uses or
3 activities that, individually, generate significant revenue for the city. Additionally, such
4 uses shall have a minimum total of one thousand feet lineal public street frontage.

5 Such program is adopted by resolution and may be updated from time-to-time as deemed
6 necessary and appropriate by the city council. The program shall, at a minimum, specify
7 the following:

- 8 1. Uses which qualify for the off-premise signage kiosk program;
- 9 2. Development standards, design, and allowable copy for off-premise signage kiosks;
- 10 3. Allowable locations for the kiosks;
- 11 4. A process for determining which businesses, developments, and other uses are allowed
12 to be listed in the kiosks;
- 13 5. An administration process for the program, including establishment of a fee schedule;
- 14 6. Any other element of the program deemed necessary and appropriate by the city.

15 B. Pursuant to Business and Professions Code, Section § 5412, the City Council is
16 authorized to enter into relocation agreements with off-premises display owners on
17 whatever terms are agreeable to the display owner and the City.

18 **SECTION 13.** Section 18.50.140 of Title 18 of the Colton Municipal Code is hereby
19 amended and replaced in its entirety to read as follows:

20 **18.50.140 - Nonconforming signs.**

21 A. All signs which do not meet the requirements of this chapter but which have been
22 previously approved by the city and issued a lawful permit shall be deemed
23 nonconforming signs and shall either be removed or brought up to code when a substantial
24 alteration to the sign is made. For purposes of this section a "substantial alteration" shall
25 be defined as repair or refurbishing of any sign that alters its physical dimensions, height
26 or replaces any integral component including, but not limited to alterations to exterior
27 cabinets, bases or poles. Substantial alteration shall not include the replacement of
28 individual panels on a can or cabinet sign when the exterior boundaries of individual cans
or cabinets are not replaced or altered. In addition, substantial alteration shall also include
any repair or refurbishing of sign that exceeds fifty percent of the depreciated value, as
determined by the City, of the sign and structure, but excepting customary maintenance.
"Customary maintenance" shall be defined as any activity or work performed for the
purpose of actively maintaining the sign in its existing approved physical configuration
and size dimensions at the specific location approved by the city and includes the
following:

1. Repainting the sign text, cabinet or other component of the sign without changing
the advertising message; or
2. Routine replacement of border and trim with substantially the same colors and
materials.

- 1 B. A nonconforming sign may continue to be used, provided no additions or enlargements
 2 are made thereto and no structural alterations are made therein, except as permitted for
 3 customary maintenance in subsection A of this section. If said nonconforming sign is
 4 destroyed or removed, or ceases to be used for the use in existence as of the effective date
 5 of the ordinance codified in this chapter, every future sign shall be in conformance with
 6 the provisions of this chapter.
- 7 C. It shall be the responsibility of the owner of any premises containing a nonconforming
 8 sign (including a sign painted directly upon the surface of a structure) to remove said
 9 nonconforming sign within ninety days of cessation of business at that location.
- 10 D. The city shall comply with all provisions of the California Business and Professions Code,
 11 Section 5490 et seq., regarding enforcement and removal of on-premise advertising
 12 displays and signs and California Business and Professions Code, Section 5400 et seq.,
 13 regarding enforcement and removal of off-premise advertising displays and signs.

14 **SECTION 14. CEQA.** Based on a certainty that there is no possibility that the proposed
 15 changes to the sign code may have a significant effect on the environment, the application may be
 16 found exempt from California Environmental Quality Act (CEQA), as allowed by CEQA
 17 Guidelines Section 15061 (b)(3).

18 **SECTION 15. Invalidity.** If any sentence, clause or phrase of this Ordinance is for any
 19 reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity
 20 of the remaining provisions of this Ordinance.

21 **SECTION 16. Effective Date.** This Ordinance shall become effective thirty (30) days
 22 after its adoption in accordance with the provisions of California law.

23 **SECTION 17. Certification/Publication.** The City Clerk shall certify to the passage of
 24 this Ordinance and cause the same or a summary thereof to be published within fifteen (15) days
 25 after adoption in the San Bernardino County Sun, a newspaper published and circulated in the
 26 City of Colton.

27 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2012.

28 _____
 SARAH S. ZAMORA, Mayor

ATTEST:

 EILEEN C. GOMEZ, CMC
 City Clerk

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

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I, EILEEN C. GOMEZ, City Clerk of the City of Colton, do hereby certify that the foregoing Ordinance No. ___ was duly and regularly adopted by the City Council of the City of Colton at a regular meeting held on the ___ day of ___, 2012 and that the same was passed and adopted by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Eileen C. Gomez, City Clerk