

1 uses, including adoption of findings that confirm consistency with the General Plan and
2 Zoning Code. .

- 3 ○ **Policy LU-1.6:** *“Ensure that new development projects are compatible with permitted,
4 well-maintained uses and buildings in the surrounding neighborhood or district.”* The
5 Ordinance will provide for a discretionary permitting category that allows for Planning
6 Commission review of proposed uses for compatibility with existing neighborhoods and
7 districts.
- 8 ○ **Policy LU-6.4:** *“Promote the use of buildings, setbacks, walls, landscaping, and other
9 design features to buffer and reduce conflicts between adjacent properties.”* The
10 Ordinance will provide for a discretionary permitting category that allows for Planning
11 Commission review of proposed uses to ensure design features are incorporated which
12 minimize conflicts between adjacent properties.
- 13 ○ **Policy LU-9-1:** *“Encourage and facilitate an appropriate mix of goods and services
14 offered in community and neighborhood centers.”* The Ordinance will provide for
15 Planning Commission review of discretionary land uses in commercial zones to ensure that
16 they provide the desired mix of goods and services.
- 17 ○ **Policy LU-11.3:** *“Increase and diversify local employment opportunities, and retain and
18 accommodate industrial development that is compatible with City objectives for safety,
19 environmental and visual quality, and employment and revenue generation.”* The
20 Ordinance will provide for Planning Commission review of discretionary land uses in
21 industrial zones to ensure that the proposed uses will increase and diversify local
22 employment opportunities, and are compatible with City objectives for safety,
23 environmental and visual quality, and employment and revenue generation.

24 **SECTION 3.** Section 18.06.060 of Chapter 18.06 of Title 18 of the Colton Municipal
25 Code, pertaining to the Uses Permitted in Each Zone, is hereby amended to read as follows:

26 18.06.060 – Uses Permitted in Each Zone.

27 A. Allowed Uses. Generally, a land use is either allowed by right, allowed through issuance of a
28 conditional use permit, or not permitted. In addition to the requirements for planning permits
or entitlements listed herein, other permits and entitlements may be required prior to
establishment of the use (e.g., Building Permit or permits required by other agencies). The
requirements for planning permits or entitlements identified in Tables: 18.06.060-E,
18.06.060-F and 18.06.060-G below include:

1. Permitted (P). A land use shown with a "P" indicates that the land use is permitted by right
in the designated zoning district, subject to compliance with all applicable provisions of
this Title (e.g., development standards) as well state and federal law.
2. Conditionally Permitted (C). A land use shown with a "C" **or “MC”** indicates that the
land use is permitted in the designated zoning district upon issuance of a Conditional Use
Permit **or Minor Conditional Use Permit, respectively,** from the designated approving
authority, subject to compliance with all applicable provisions of this Zoning Code (e.g.,
development standards) as well as state and federal law.

- 1 3. Not Permitted (N). A land use shown with an "N" is not allowed in the applicable zoning
 2 district.
- 3 4. Adult Use Development Permit (A). A land use shown with an "A" indicates that the land
 4 use is permitted in the designated zoning district upon issuance of an Adult Use
 5 Development Permit from the Planning Commission subject to compliance with all
 6 provisions of Chapter 18.49 of this Zoning Code.
- 7 B. Uses Not Listed. Land uses that are not listed in Table 18.06.060-1 below or in the zoning
 8 district tables are not allowed, except as otherwise provided for in this Title.
- 9 C. Illegal Uses. No use that is illegal under local, state, or federal law shall be allowed in
 10 any zoning district within the City.
- 11 D. Special Use Regulations. Additional use regulations for specific land uses, such as Residential
 12 or Group Care Facility, are listed in Chapter 18.48 (Special Provisions).

E. Residential Districts Table	V-L	R1	R2	R3/R4
Animal Boarding	P	N	N	N
Assisted Living Facilities	N	N	N	P
Boarding, lodging, or rooming houses, pursuant to Chapter 18.48 of this Title.	C	C	C	C
Cemeteries	C	N	N	N
Day Care Center Child or Adult	<u>MC</u>	<u>MC</u>	<u>MC</u>	N
Dwelling—Compact Lots Subdivision, pursuant to Section 18.48.190 of Title 18.	N	N	C	P
Dwelling—Single-Family	P	P	P	P
Dwelling—Two-Family	N	N	P	P
Dwelling—Multiple-Family	N	N	P	P
Dwelling—Second Unit	P	P	P	N
Dwellings—Cluster Development	C	C	P	P
Dwelling—Group	N	N	N	P
Educational Institution	N	C	C	C
Family Day Care Home—Small	P	P	P	P
Family Day Care Home—Large	<u>MC</u>	<u>MC</u>	<u>MC</u>	C
Home Occupation pursuant to Chapter 18.48 of this Title.	P	P	P	P
Manufactured Home, pursuant to Chapter 18.48 of this Title.	P	P	P	P
Mobilehome Park, pursuant to Chapter 18.48 of this Title.	N	N	C	C
Office Ancillary to Multi-Family/Model Home	P	P	P	P
Plant Nursery (grown in containers only)	P	P	P	P
Religious Assembly	C	C	C	C
Residential or Group Care Facility—Small (serving 6 or fewer persons)	P	P	P	P

1	Residential or Group Care Facility—Large (serving 7 or more persons)	C	C	C	C
2	Utility Distribution Facilities	P	P	P	P
3	Other such uses that the Director or designee may find to be similar with those uses previously listed, pursuant to Section 18.060.060 K.				
4					
5					

6	F. Commercial Districts Table	C-1	C-2	MU-D	MU-N
7	Administrative/Professional Services	P	P	P	P
8	Adult Businesses	N	N	N	N
9	Alcoholic Beverage Sales—On- or Off-Site, pursuant to Chapter 18.48 of this Title.	<u>MC</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
10	Amusement Arcade, pursuant to Chapter 18.48 of this Title.	N	P	C	C
11	Animal Boarding	N	C	N	N
12	Animal Grooming	N	P	P	P
13	Animal Health Care	N	<u>MC</u>	P	P
14	Antique Shops	P	P	P	N
15	Assembly Uses	C	C	C	N
16	Automobile Parking	N	<u>MC</u>	<u>MC</u>	<u>MC</u>
17	Automobile Repair	N	C	N	N
18	Automobile Sales/Rentals	N	C	N	N
19	Automobile Servicing	N	C	N	N
20	Bar	N	C	C	N
21	Business Support Services	P	P	P	P
22	Cemeteries	N	N	N	N
23	Communication Services	N	P	P	P
24	Community Recreation	P	P	P	P
25	Construction Sales/Service	N	P	N	N
26	Composting	N	N	N	N
27	Convenience Sales and Service	P	P	P	P
28	Cultural Institutions	P	P	P	P
	Dance, Martial Arts or Yoga Studio	P	P	P	P
	Day Care Center Child or Adult	<u>MC</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
	Dwelling—Compact Lots Subdivision, pursuant to Section 18.48.190 of Title 18.	N	N	P	P
	Dwelling—Single Family	N	N	P	P
	Dwelling—Multiple-Family	N	N	P	P

1	Dwelling—Second Units	N	N	P	P
2	Dwelling—Live/Work	P	P	P	P
3	Eating/Drinking Establishments	P	P	P	P
4	Eating/Drinking Establishments—Drive-Thru	C	C	C	C
5	Educational Institutions and Vocational Schools	C	P	C	C
6	Entertainment Facilities	C	P	P	P
7	Family Day Care Home, Large	<u>MC</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
8	Family Day Care Home, Small	P	N	P	P
9	Farmers Market, pursuant to Chapter 18.48 of this Title.	P	P	P	P
10	Financial Institutions	N	P	P	P
11	Florist	P	P	P	P
12	Fortunetelling, pursuant to Chapter 18.48 of this Title.	N	<u>MC</u>	N	N
13	Funeral Services	N	P	N	N
14	Health and Fitness Club	N	P	P	P
15	Home Occupations, pursuant to Chapter 18.44 of this Title.	P	P	P	P
16	Hospitals	N	P	N	N
17	Hotels and Motels	N	C	C	N
18	Instructional Services	C	P	P	N
19	Laundry services—Heavy	N	P	N	N
20	Laundry services—Light	P	P	P	P
21	Library Services	<u>MC</u>	P	P	P
22	Manufacturing—Custom, pursuant to Chapter 18.48 of this Title.	N	P	N	N
23	Medical/Dental/Optical Services	P	P	P	P
24	Movie Theaters	N	P	P	N
25	Nightclub	N	C	C	N
26	Personal Services	P	P	P	P
27	Plant Nursery (grown in containers only)	P	P	P	P
28	Postal Services	P	P	P	P
	Recreational Facilities	N	P	P	P
	Recycling Facilities—Small Collection	P	P	P	P
	Recycling Facilities—Large Collection	N	C	N	N
	Recycling Facilities—Reverse Vending Machines	P	P	P	P
	Recycling Processing Facility—Light	N	N	N	N
	Recycling Processing Facility—Heavy	N	N	N	N
	Repair Services	N	P	P	P
	Resale/Secondhand Stores	<u>MC</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>

1	Research Services	N	P	N	N
2	Retail Sales—Indoors	P	P	P	P
3	Retails Sales—Outdoors	N	C	C	C
4	Single-Room Occupancy Facility	N	C	C	N
5	Swap Meets (Indoor and Outdoor), pursuant to Chapter 18.48 of this Title.	N	C	N	N
6	Therapeutic Services, pursuant to Chapter 18.48 of this Title.	P	P	P	P
7	Transportation Facilities—Public.	C	P	P	P
8	Transportation Facilities—Private.	N	C	N	N
9	Utility Distribution Facilities	P	P	N	N
10	Utility Operations Facilities	N	<u>MC</u>	<u>MC</u>	N
11	Warehousing (accessory use only, maximum 15% of floor area)	N	P	N	N
12	Wholesaling	N	P	N	N
13	24-hour Retail or Restaurant Operations, pursuant to Chapter 18.48 of this Title.	C	C	C	C
14	Other such uses that the Director or designee may find to be similar with those uses previously listed, pursuant to Section 18.060.060 K.				

15	G. Industrial Districts Table			I-P	M-1	M-2
16	Administrative/Professional Services			P	P	P
17	Adult Businesses. (See Chapter 18.49, Adult Use Regulations.)			N	A	A
18	Alcoholic Beverage Sales—On- or Off-Site Sale			<u>MC</u>	<u>MC</u>	<u>MC</u>
19	Amusement Arcade, pursuant to Chapter 18.48 of this Title.			P	P	P
20	Animal Boarding			N	N	P
21	Animal Grooming			P	P	P
22	Animal Health Care			P	P	P
23	Assembly Uses			C	C	P
24	Automobile Parking			<u>MC</u>	<u>MC</u>	P
25	Automobile Repair			C	C	P
26	Automobile Sales/Rentals			C	C	P
27	Automobile Servicing			C	C	P
28	Business Support Services			P	P	P
	Cemeteries			N	C	P
	Communication Services			P	P	P
	Community Recreation			P	P	P
	Construction Sales/Service			P	P	P

1	Composting, Mulching and Related Green Waste	N	C	C
2	Convenience Sales and Service	P	P	P
3	Contractors' Storage Yard/Corporation Yards	N	C	C
4	Cultural Institutions	P	P	P
4	Dance, Martial Arts or Yoga Studio	P	P	N
5	Day Care Center Child or Adult	<u>MC</u>	N	N
6	Dwelling—Caretaker	P	P	P
6	Dwelling—Live/Work	P	P	N
7	Eating/Drinking Establishments	P	P	P
8	Eating/Drinking Establishments—Drive Thru	P	P	C
9	Educational Institutions and Vocational Schools	P	P	P
9	Emergency Shelter	N	P	N
10	Entertainment Facilities	P	P	N
11	Farmers Market, pursuant to Chapter 18.48 of this Title.	P	P	P
12	Financial Institutions	P	P	P
12	Funeral Services	P	P	P
13	Health and Fitness Club	P	P	N
14	Hospitals	P	P	P
15	Hotels and Motels	C	N	N
15	Instructional Services	P	P	P
16	Laundry services—Heavy	P	P	P
17	Laundry services—Light	P	P	P
18	Library Services	P	P	P
18	Lodge or Private Club	C	C	C
19	Manufacturing—Custom	P	P	P
20	Manufacturing—Light	P	P	P
21	Manufacturing—Heavy	N	N	P
21	Medical/Dental/Optical Services	P	P	P
22	Miniwarehouse	C	C	P
23	Personal Services	P	P	P
24	Plant Nurseries (grown in containers)	P	P	P
24	Plant Nurseries (grown in soil)	C	C	C
25	Postal Services	P	P	P
26	Public Maintenance Services	P	P	P
27	Recreational Facilities	P	P	P
27	Recreational Vehicle Parks	C	N	N
28				

1	Recycling Facilities—Small Collection	P	P	P
2	Recycling Facilities—Large Collection	C	C	C
3	Recycling Facilities—Reverse Vending Machines	P	P	P
4	Recycling Processing Facility—Light	N	C	C
5	Recycling Processing Facility—Heavy	N	N	C
6	Repair Services	P	P	P
7	Research Services	P	P	P
8	Retail Sales—Indoor	P	P	P
9	Retail Sales—Outdoor	C	C	C
10	Salvage Operations	N	N	C
11	Swap Meets (Indoor and Outdoor), pursuant to Chapter 18.48 of this Title.	C	C	C
12	Transportation Facilities—Public	P	P	P
13	Transportation Facilities—Private	C	P	P
14	Truck and Trailer Storage	N	N	C
15	Utility Distribution Facilities	P	P	P
16	Utility Operations Facilities	N	N	P
17	Warehousing	P	P	P
18	Wholesaling	P	P	P
19	24-hour Retail or Restaurant Operations, pursuant to Chapter 18.48 of this Title.	C	C	C
20	Other such uses that the Director or designee may find to be similar with those uses previously listed, pursuant to Section 18.060.060 K.			

H. Open Space Districts Table	O-S Recreation	O-S Resources
Basins for Groundwater Recharge	N	P
Cemeteries	N	C
Equestrian Uses	<u>MC</u>	<u>MC</u>
Flood Control Facilities	N	P
Flood Plains	N	P
Habitat Conservation Areas	N	P
Nature Preserves	N	P
Passive Recreation Areas (public and private)	P	<u>MC</u>
Permanent Open Space	N	P
Private Parks	C	N
Private Recreational	C	N

1	Public Parks	P	N
2	Recreational Activity Fields, including but not limited to private or public golf courses	P	C
3	Trails (public and private)	P	C
4	Other such uses that the Director or designee may find to be similar with those uses previously listed, pursuant to Section 18.060.060 K.		

7	I. Public/Institutional District Table	Public/Institutional Zone
8	Affordable Housing owned by City Housing Authority or other public entity	P
9	Cemeteries	P
10	Civic Center and City Hall	P
11	Community Recreation	P
12	Fire Stations	P
13	Flood Control Facilities	P
13	Flood Plains	P
14	Hospitals	P
15	Library Services	P
16	Parks	P
16	Postal Services	P
17	Public Maintenance Services	P
18	Public Safety Facilities (Police and Fire Stations)	P
19	Public Schools	P
19	Public Transportation Facilities	P
20	Recreation Activity Fields (public only), including golf courses	P
21	Recreation Uses (public only)	P
21	Trails	P
22	Utility Operations and/or Distribution Facilities	P
23	All facilities, including buildings and grounds, owned by the City, County, State of California, the United States government, a school district, library district, water district, sanitary district, or other type of public service district	P
25	Incidental and accessory structures and uses located on the same site with and necessary for the operation of a permitted use	P
27	Other such uses that the Director or designee may find to be similar with those uses previously listed, pursuant to Section 18.060.060 K.	

J. Railroad/Utility Corridor Table	Railroad/Utility Corridor Zone
Community Gardens within Utility Corridor	P
Flood Plains	P
Public Transportation Facilities	P
Railroads	P
Trails	P
Utility Operations and/or Distribution Facility	P
Incidental and accessory equipment and uses located on the same site with and necessary for the operation of a permitted use	P
Other such uses that the Director or designee may find to be similar with those uses previously listed, pursuant to Section 18.060.060 K.	

K. Similar Uses Permitted. When a use is not specifically listed in this Zoning Code, it shall be understood that the use may be permitted if it is determined by the Director that the use is similar to other uses listed.

It is further recognized that every conceivable use cannot be identified in this Zoning Code, and anticipating that new uses will evolve over time, this Section establishes the Director's authority to compare a proposed use and measure it against those listed in this Zoning Code and the Standard Industrial Classification Manual for determining similarity. The Director may administer a fee via the Code Interpretation Letter in accordance with the most current adopted fee schedule.

1. In determining "similarity," the Director shall consider all of the following:
 - a. The proposed use meets the intent of, and is consistent with the goals, objectives and policies of the General Plan; and
 - b. The proposed use meets the stated purpose and general intent of the district in which the use is proposed to be located; and
 - c. The proposed use will not adversely impact the public health, safety and general welfare of the City's residents; and
 - d. The proposed use shares characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located.
2. Appeal. Any determination of similarity shall be final ten days after the date the Director's decision letter is issued, unless an appeal to the Planning Commission is filed and fees paid pursuant to adopted fee schedule.

SECTION 4. Section 18.58.060 of Chapter 18.58 of Title 18 of the Colton Municipal Code, pertaining to the Conditional Use Permits, is hereby amended to read as follows:

18.58.060 - Conditional Use Permits **and Minor Conditional Use Permits.**

- 1 A. The purpose of a Conditional Use Permit or Minor Conditional Use Permit is to allow certain
2 Uses that contribute to the orderly growth and Development of the City to be properly
integrated into the overall community pattern and zone where located.
- 3 B. A Minor Conditional Use Permit application may be filed for uses that are of less
4 complexity and require less staff time to process than uses which require a Conditional
5 Use Permit. Uses subject to a Minor Conditional Use Permit are listed in Section
6 18.06.060 – Uses Permitted in each Zone.
- 7 B. In considering a Conditional Use Permit or Minor Conditional Use Permit, the Commission
8 Shall affix those conditions which it determines will tend to safeguard the public health, safety
9 and general welfare in the zone.
- 10 C. Applications for Conditional Use Permits or Minor Conditional Use Permits Shall be made
11 to the Commission, in writing, and Shall contain such information as May be specified by the
12 Director.
- 13 D. A Uniform Fee, set by Council Resolution, Shall be paid to the City upon the filing of each
14 Application.
- 15 E. The Commission Shall hold one Public Hearing upon the Matters referred to in the Application.
16 Additional hearings May be held, at the discretion of the Commission. The Commission Shall
17 investigate the facts bearing on each case to provide information necessary to assure action
18 consistent with the intent and purpose of this title.
- 19 F. Notice of the time and place of the hearing Shall be given by Notice through the United States
20 mail, with postage prepaid, to all Persons shown on the last equalized assessment roll of the
21 County, as owning Property, and tenants of each Property, within a distance of six hundred
22 sixty feet from the external boundaries of the Property described in the Application.
- 23 G. In addition, further Notice May be given by publication in a newspaper of general circulation
24 in the City, or in such other manner as May be deemed necessary or desirable.
- 25 H. Before approving a Conditional Use Permit or Minor Conditional Use Permit, the
26 Commission Shall make certain findings that the circumstances prescribed below do apply:
- 27 1. That the proposed Use is in accord with the General Plan, the objectives of this title, and
28 the purposes of the zone in which the site is located;
2. That the proposed Use, together with the conditions applicable thereto will not be
detrimental to the public health, safety or welfare, or Materially injurious to Properties or
Improvements in the vicinity;
3. That the proposed Use complies with each of the applicable provisions of this title.
- I. The Commission Shall make its findings and render its Decision granting or denying the
Conditional Use Permit or Minor Conditional Use Permit in writing forty Days after the date
of the first hearing, unless continued for further investigation, study or hearing.
- J. A revision or modification to an Approved Conditional Use Permit or Minor Conditional Use
Permit such as, but not limited to, change in conditions, expansions, intensification, location,
hours of operation or change of ownership May be requested by an Applicant. The Applicant
Shall supply necessary information as determined by the City, to indicate reasons for the
requested change.

1 K. The Planning Commission May periodically review any Conditional Use Permit or Minor
2 Conditional Use Permit to ensure that it is being operated in a manner consistent with
3 conditions of Approval or in a manner which is not detrimental to the public health, safety or
4 welfare, or Materially injurious to Properties in the vicinity. If, after review, the Commission
deems that there is sufficient evidence to warrant a full examination, then a Public Hearing
date Shall be set.

5 **SECTION 5.** If any sentence, clause or phrase of this Ordinance is for any reason held to
6 be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining
provisions of this Ordinance.

7 **SECTION 6.** The City Council hereby finds and determines that it can be seen with
8 certainty that there is no possibility that this Ordinance may have a significant adverse effect on the
9 environment. Thus, 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.

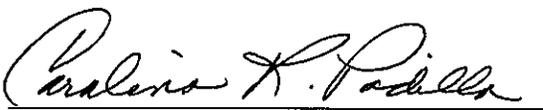
10 **SECTION 9. Certification/Publication.** The City Clerk shall certify to the passage of the
11 Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after
12 adoption in a newspaper of general circulation published and circulated in the City of Colton.

13 **SECTION 10.** This Ordinance shall become effective thirty (30) days after its adoption in
14 accordance with the provisions of California law.

15
16 PASSED, APPROVED AND ADOPTED on this 2nd day of August, 2016.

17
18 
19 RICHARD A. DELAROSA
20 Mayor

21 ATTEST:

22 
23 CAROLINA R. PADILLA
24 City Clerk
25
26
27
28

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF COLTON)

4 CERTIFICATION

5 I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby
6 certify under penalty of perjury that the foregoing is a full, true and correct copy of
7 **ORDINANCE NO. O-11-16**, and was duly passed, approved, and adopted by the City
8 Council of the City of Colton at its Regular Meeting held on the **2nd day of August**,
9 **2016**, by the following vote to wit:

10
11 AYES: COUNCILMEMBER Toro, Jorin, Navarro, González,
Suchil and Mayor DeLaRosa
12
13 NOES: COUNCILMEMBER None
14
15 ABSTAIN: COUNCILMEMBER None
16
17 ABSENT: COUNCILMEMBER Bennett

18 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
19 seal of the City of Colton, California, this ____ day of _____, _____.
20

21 _____
22 CAROLINA R. PADILLA
23 City Clerk
City of Colton, California

24 (SEAL)
25
26
27
28