

ORDINANCE NO. O-12-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, AMENDING CERTAIN SECTIONS IN CHAPTERS 18.04; 18.06; 18.10; 18.12; 18.14; 18.16; 18.18; 18.22; 18.24; 18.26; 18.28; 18.36; 18.38; 18.39; 18.48; AND 18.50 OF TITLE 18 (ZONING) OF THE COLTON MUNICIPAL CODE RELATED TO ADDING OR AMENDING DEFINITIONS FOR MOTOR VEHICLES, AUTOMOBILES AND TRUCKS AND CERTAIN LAND USES; MODIFYING ALLOWANCES FOR CERTAIN PERMITTED, CONDITIONAL, AND PROHIBITED LAND USES IN VARIOUS ZONES; AND AMENDING AND ADDING CERTAIN REGULATIONS FOR OFF-STREET PARKING, MECHANICAL EQUIPMENT SETBACKS, LANDSCAPING AND PAVING, YARD PROJECTIONS, FENCING, SIGNS, MANUFACTURED HOUSING AND MOBILE UNITS, AND TELECOMMUNICATION FACILITIES. (FILE INDEX NO. DAP-001-504).

WHEREAS, on September 25, 2018, the Planning Commission of the City of Colton (“Planning Commission”) conducted a duly noticed public hearing and recommended the City Council of the City of Colton (“City Council”) amend Title 18 of the Colton Municipal Code (the “Municipal Code”). Following the conclusion of said hearing, the Planning Commission adopted their Resolution No. R-24-18, recommending approval to the City Council to amend (“Zoning Text Amendment”) Chapters 18.04; 18.06; 18.10; 18.12; 18.14; 18.16; 18.18; 18.22; 18.24; 18.26; 18.28; 18.36; 18.38; 18.39; 18.48; and 18.50 of Title 18 of the Colton Municipal Code; and

WHEREAS, the City Council has determined that the Zoning Text Amendment is consistent with the City of Colton General Plan (“General Plan”) as indicated below; and

WHEREAS, the City Council has determined that the proposed Zoning Text Amendment is in the best interests of the City, and that it would be in the public interest to approve the Zone Text Amendment; and

WHEREAS, the Zoning Text Amendment was reviewed, studied and found exempt from the California Environmental Quality Act (“CEQA”) as more fully described below; and

WHEREAS, on _____, the City Council held a duly noticed public hearing at which persons wishing to testify in connection with the Zoning Text Amendment were heard and the Zoning Text Amendment was comprehensively reviewed.

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. The City Council hereby adopts the recitals and findings set forth above and in the agenda report prepared in connection with this Ordinance.

SECTION 2. General Plan Consistency. Based on the entire record before the City Council and all written and oral evidence presented, including the staff report and the findings made in this Ordinance, the City Council hereby finds and determines that the proposed Ordinance is consistent with the goals and policies of the City of Colton General Plan and is reasonably related to the public welfare of the citizens of the City and surrounding regions. The Zoning Text Amendment is necessary to provide clarity to implement existing regulations, provide consistency with other code regulations, allow flexibility to certain standards, and allow for addressing potential negative impacts. Specifically, provisions in the ordinance address the following General Plan policies:

- **Policy LU-1.1:** *“Ensure that all new development conforms to all appreciable provisions of the General Plan and Zoning Code.”* The Ordinance will modify regulations and uses permitted that allows for review of use and development proposal to ensure consistency with the General Plan and Zoning Code. .
- **Policy LU-1.6:** *“Ensure that new development projects are compatible with permitted, well-maintained uses and buildings in the surrounding neighborhood or district.”* The Ordinance will modify regulations and uses permitted that allows for review of use and development to ensure compatibility with existing neighborhoods and districts.
- **Policy LU-9-1:** *“Encourage and facilitate an appropriate mix of goods and services offered in community and neighborhood centers.”* The Ordinance will modify regulations and uses permitted to ensure that a desired mix of goods and services is provided.
- **Policy LU-11.3:** *“Increase and diversify local employment opportunities, and retain and accommodate industrial development that is compatible with City objectives for safety, environmental and visual quality, and employment and revenue generation.”* The Ordinance will modify regulations and uses permitted that will increase and diversify local employment opportunities, and are compatible with City objectives for safety, environmental and visual quality, and employment and revenue generation.

SECTION 3. Certain following sections of Chapter 18.04 of Title 18 of the Colton Municipal Code, pertaining to Definitions, is hereby amended or added to read as follows:

“18.04.061. Automobile. “Automobile” means passenger cars, motorcycles, and trucks less than 20 feet long, not including semi-trailer truck cabs. For purposes of this title, this includes light trucks, all terrain vehicles (ATVs), buses and recreational vehicles that may be more than 20 feet long.”

“18.04.066 - "Automobile Parking" means the same as “Automobile Storage”, as defined by this Title.”

“18.04.067 – Automobile Rental. “Automobile Rental” means the rental of automobiles, not including trucks or trailers.”

“18.04.068 - Automobile Repair. "Automobile Repair" means repair of automobiles, not including trucks, as well as the Sale, installation and servicing of automotive equipment and Parts together with body repair, painting, steam cleaning and welding.”

“18.04.070 - Automobile Sales. "Automobile Sales" means Sale, retail or wholesale of automobiles, not including trucks.”

“18.04.072 - Automobile Servicing. "Automobile Servicing" means fueling, washing and polishing, installation and servicing of automobiles, not including trucks, and automotive equipment and parts including minor tuneups, battery charging, tube and tire repairs and carwashes, but excluding body work, engine overhauling and other similar activities.”

“18.04.074 - Automobile Storage. "Automobile Storage" means storage or parking of automobiles, not including trucks, temporarily or for extended periods of time as a primary or accessory use. Typical Uses include bus yard operation without passenger loading or unloading, recreational Vehicle storage and fleet storage. For the purpose of this title, automobile storage shall not include parking for vehicles 20 feet long or less kept available for use by customers and employees of a building on the same lot.”

“18.04.190 - Eating/Drinking Establishments, Indoor Only. "Eating/Drinking Establishments, Indoor Only" means a place of Business, excluding Nightclubs, Banquet Halls, Bars or Entertainment Facilities, primarily engaged in the Sale of prepared food and beverages for On-Premises consumption inside an enclosed building, such as Restaurants and short order eating places. Subject to all other applicable requirements, beer, wine and liquor May be served if Incidental to the primary food Business.”

“18.04.191 - Eating/Drinking Establishments with Outdoor Seating. "Eating/Drinking Establishments with Outdoor Seating" means a place of business, excluding nightclubs, banquet halls, bars or entertainment facilities, primarily engaged in the sale of prepared food and beverages for on-premises consumption, such as restaurants and short order eating places, which includes outdoor seating for dining and drinking purposes. Subject to all other applicable requirements, beer, wine and liquor may be served if Incidental to the primary food business.”

“18.04.328.1. Motor Vehicle. “Motor Vehicle” means automobiles and trucks as defined by this title.”

“18.04.394 - Retail Sales, Outdoor. "Outdoor Retail Sales" means the display, exchange, barter or Sale to the ultimate consumer of new or commonly Used household items, office equipment, furnishings or other personal Goods as well as food and beverages in an outdoor setting outside a fully enclosed Structure, except for outdoor seating for a eating/drinking establishment. Typical Uses include Swap Meets, flea markets, farmers' markets and craft fairs.”

“18.04.399 - Salvage Operations. “Salvage Operation” means places of business primarily engaged in the storage, sale, dismantling, or other processing of used or waste materials not intended for re-use in their original forms. Typical uses include automobile dismantling yards, junkyards, and paper salvage yards.”

“18.04.438.2 - Truck. “Truck” shall mean any motor vehicle with a length over 20 feet, excluding buses and recreational vehicles. For purposes of this title, this shall include trailers designed for transportation of goods, mobilehomes, aircraft, construction equipment, farm equipment and boats.”

“18.04.438.3 - Truck Parking. "Truck Parking" means the same as “Truck and Trailer Storage”.”

“18.04.438.4 - Truck Rental. “Truck rental” means the rental of trucks, as defined by this Title.”

“18.04.438.5 - Truck Repair. "Truck Repair" means repair of motor Vehicles as well as the Sale, installation and servicing of truck equipment and Parts together with body repair, painting, engine steam cleaning and welding.”

“18.04.438.6 – Truck Sales. "Truck sales" means sale, retail or wholesale of trucks.”

“18.04.438.7 – Truck Servicing. "Truck Servicing" means fueling, washing and polishing, installation and servicing of truck equipment and Parts including Minor tuneups, battery charging, tube and tire repairs and truck washes, but excluding body work, engine overhauling and other similar activities.”

“18.04.439.1 - Truck and Trailer Storage. "Truck and Trailer Storage" means the storage or parking of any truck and/or towable (trailer) designed primarily for transportation of goods temporarily or for extended periods of time either as a primary or accessory use. For the purposes of this title, truck and trailer storage shall not include trucks or trailers parked or stored within approved loading zones of an approved building.”

SECTION 4. Section 18.06.060 of Chapter 18.06 of Title 18 of the Colton Municipal Code, pertaining to the Uses Permitted in Each Zone, is hereby amended to read as follows:

“18.06.060 - Uses Permitted in each Zone.

- A. Allowed Uses.** Generally, a land use is either allowed by right, allowed through issuance of a 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.
 3. Not Permitted (N). A land use shown with an "N" is not allowed in the applicable zoning district.
 4. Adult Use Development Permit (A). A land use shown with an "A" indicates that the land use is permitted in the designated zoning district upon issuance of an Adult Use Development Permit from the Planning Commission subject to compliance with all provisions of Chapter 18.49 of this Zoning Code.
 5. The conformity to the property Development Standards of this title may include the provisions of required walls, landscaping, parking, trash enclosures, street improvements, aesthetic improvements and all other Improvements determined by the Development Services Director to be necessary or required by any regulating ordinance for a particular use.
 6. Permitted within Marijuana Cultivation Candidate Sites Overlay Zone (O) upon issuance of a Conditional Use Permit and other applicable provisions contained in Chapter 18.48.130 of this Title 18.
- B. Uses Not Listed.** Land uses that are not listed in Table 18.06.060-1 below or in the zoning district tables are not allowed, except as otherwise provided for in this Title; Land uses listed in one of the tables but not listed in the table that corresponds to a particular zone are not permitted in that particular zone.

- C. Illegal Uses.** No use that is illegal under local, state, or federal law shall be allowed in any zoning district within the City.
- D. Special Use Regulations.** Additional use regulations for specific land uses, such as Residential or Group Care Facility, are listed in Chapter 18.48 (Special Provisions).

E. Residential Districts Table

	V-L	R1	R2	R3/R4
Administrative/Professional Services	N	C ¹	C ¹	N
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
Community Gardens	N	P	P	P
Day Care Center Child or Adult	MC	MC	MC	N
Dance, Martial Arts, Yoga Studio	N	C ¹	C ¹	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
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	MC	MC	MC	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	<u>N</u>	<u>N</u>
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)), excluding marijuana	P	P	P	P

	V-L	R1	R2	R3/R4
Plant Nursery, marijuana	N	N	N	N
Religious Assembly	C	C	C	C
Residential or Group Care Facility—Small (serving six or fewer persons)	P	P	P	P
Residential or Group Care Facility—Large (serving seven or more persons)	C	C	C	C
Utility Distribution Facilities	P	P	P	P

¹ Only applicable in Downtown Area as shown on Zoning Map.

F. Commercial Districts Table

	C-1	C-2	MU-D	MU-N
Administrative/Professional Services	P	P	P	P
Adult Businesses	N	N	N	N
Alcoholic Beverage Sales—On- or Off-Site, pursuant to Chapter 18.48 of this Title.	MC	MC	MC	MC
Amusement Arcade, pursuant to Chapter 18.48 of this Title.	N	P	C	C
Animal Boarding	N	C	N	N
Animal Grooming	N	P	P	P
Animal Health Care	N	MC	P	P
Antique Shops	P	P	P	N
Assembly Uses	C	C	C	N
Automobile Rental	N	C ¹	N	N
Automobile Repair	N	C ¹	N	N
Automobile Sales	N	C ¹	N	N
Automobile Servicing	N	C	N	N
Automobile Storage or Parking	N	C ¹	C	C
Bar	N	C	C	N
Business Support Services	P	P	P	P
Cemeteries	N	N	N	N
Communication Services	N	P	P	P

	C-1	C-2	MU-D	MU-N
Community Recreation	P	P	P	P
Construction Sales/Service	N	P	N	N
Composting	N	N	N	N
Convenience Sales and Service	P	P	P	P
Cultural Institutions	P	P	P	P
Dance, Martial Arts or Yoga Studio	P	P	P	P
Day Care Center Child or Adult	MC	MC	MC	MC
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- Manufactured Home, pursuant to Section 18.48.060 of this Title	N	N	N	P
Dwelling—Multiple-Family	N	N	P	P
Dwelling—Live/Work	P	P	P	P
Eating/Drinking Establishments, Indoor Only	P	P	P	P
Eating/Drinking Establishments with Outdoor Seating	C	C	C	C
Eating/Drinking Establishments—Drive-Thru	C	C	C ¹	C
Educational Institutions and Vocational Schools	C	P	C	C
Entertainment Facilities	C	P	P	P
Family Day Care Home, Large	MC	MC	MC	MC
Family Day Care Home, Small	P	N	P	P
Farmers Market, pursuant to Chapter 18.48 of this Title.	P	P	P	P
Financial Institutions	N	P	P	P
Florist	P	P	P	P
Fortunetelling, pursuant to Chapter 18.48 of this Title.	N	MC	N	N
Funeral Services	N	P	N	N
Health and Fitness Club	N	P	P	P
Home Occupations, pursuant to Chapter 18.44 of this Title.	P	P	P	P
Hospitals	N	P	N	N

	C-1	C-2	MU-D	MU-N
Hotels and Motels	N	C	C	N
Instructional Services	C	P	P	N
Laundry services—Heavy	N	P	N	N
Laundry services—Light	P	P	P	P
Library Services	MC	P	P	P
Manufacturing—Custom, pursuant to Chapter 18.48 of this Title.	N	P	N	N
Medical/Dental/Optical Services	P	P	P	P
Movie Theaters	N	P	P	N
Nightclub	N	C	C	N
Personal Services	P	P	P	P
Plant Nursery (grown in containers only), excluding marijuana	P	P	P	P
Plant Nursery, marijuana	N	N	N	N
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	MC	MC	MC	MC
Research Services	N	P	N	N
Retail Sales—Indoors	P	P	P	P
Retails Sales—Outdoors	N	C	C	C
Single-Room Occupancy Facility	N	C	C	N
Swap Meets (Indoor and Outdoor), pursuant to Chapter 18.48 of this Title.	N	C	N	N
Therapeutic Services, pursuant to Chapter 18.48 of this Title.	P	P	P	P

	C-1	C-2	MU-D	MU-N
Transportation Facilities—Public.	C	P	P	P
Transportation Facilities—Private.	N	C	N	N
Truck Rental	N	C ¹	N	N
Utility Distribution Facilities	P	P	N	N
Utility Operations Facilities	N	MC	MC	N
Warehousing (accessory use only, maximum fifteen percent of floor area)	N	P	N	N
Wholesaling	N	P	N	N
Twenty-four-hour Retail or Restaurant Operations, pursuant to Chapter 18.48 of this Title.	C	C	C	C

¹ Not permitted in General Commercial—Downtown Overlay Zone and Mixed-Use Downtown Zone.

G. Industrial Districts Table

	I-P	M-1	M-2
Administrative/Professional Services	P	P	P
Adult Businesses	N	N	A
Alcoholic Beverage Sales—On- or Off-Site Sale	MC	MC	MC
Amusement Arcade, pursuant to Chapter 18.48 of this Title.	P	P	P
Animal Boarding	N	N	P
Animal Grooming	P	P	P
Animal Health Care	P	P	P
Assembly Uses	C	C	P
Automobile Impound Yard	N	N	C
Automobile Rental	C	C	P
Automobile Repair	C	C	P
Automobile Sales	C	C	P
Automobile Servicing	C	C	P
Automobile Storage or Parking	C	C	C
Business Support Services	P	P	P

	I-P	M-1	M-2
Cemeteries	N	C	P
Communication Services	P	P	P
Community Recreation	P	P	P
Construction Sales/Service	P	P	P
Composting, Mulching and Related Green Waste	N	C	C
Convenience Sales and Service	P	P	P
Contractors' Storage Yard/Corporation Yards	N	C	C
Cultural Institutions	P	P	P
Dance, Martial Arts or Yoga Studio	P	P	N
Day Care Center Child or Adult	MC	N	N
Dwelling—Caretaker	P	P	P
Dwelling—Live/Work	P	P	N
Eating/Drinking Establishments, Indoor Only	P	P	P
Eating/Drinking Establishments with Outdoor Seating	C	C	C
Eating/Drinking Establishments—Drive Thru	P	P	C
Educational Institutions and Vocational Schools	P	P	P
Emergency Shelter	N	P	N
Entertainment Facilities	P	P	N
Farmers Market, pursuant to Chapter 18.48 of this Title.	P	P	P
Financial Institutions	P	P	P
Funeral Services	P	P	P
Health and Fitness Club	P	P	N
Hospitals	P	P	P
Hotels and Motels	C	N	N
Instructional Services	P	P	P
Laundry services—Heavy	P	P	P
Laundry services—Light	P	P	P
Library Services	P	P	P
Lodge or Private Club	C	C	C

	I-P	M-1	M-2
Manufacturing—Custom	P	P	P
Manufacturing—Light	P	P	P
Manufacturing—Heavy	N	N	P
Marijuana Cultivation, Indoor (see Chapter 18.48.130 of this Title 18)	O	O	O
Marijuana Cultivation, Outdoor	N	N	N
Marijuana Testing Facility (see Chapter 18.48.130 of this Title 18)	C	C	C
Medical/Dental/Optical Services	P	P	P
Miniwarehouse	C	C	P
Personal Services	P	P	P
Plant Nurseries (grown in containers), excluding marijuana	P	P	P
Plant Nurseries (grown in soil), excluding marijuana	C	C	C
Postal Services	P	P	P
Public Maintenance Services	P	P	P
Recreational Facilities	P	P	P
Recreational Vehicle Parks	C	N	N
Recycling Facilities—Small Collection	P	P	P
Recycling Facilities—Large Collection	C	C	C
Recycling Facilities—Reverse Vending Machines	P	P	P
Recycling Processing Facility—Light	N	C	C
Recycling Processing Facility—Heavy	N	N	C
Repair Services	P	P	P
Research Services	P	P	P
Retail Sales—Indoor	P	P	P
Retail Sales—Outdoor	C	C	C
Salvage Operations	N	N	C
Swap Meets (Indoor and Outdoor), pursuant to Chapter 18.48 of this Title.	C	C	C
Transportation Facilities—Public	P	P	P
Transportation Facilities—Private	C	<u>C</u>	<u>C</u>
Truck Rental	C	C	C

	I-P	M-1	M-2
Truck Repair	N	C	C
Truck Sales	N	C	C
Truck Servicing	N	C	C
Truck and Trailer Storage or Parking	N	C	C
Utility Distribution Facilities	P	P	P
Utility Operations Facilities	N	N	P
Warehousing	P	P	P
Warehousing with Truck Storage, as defined by CMC 18.04.439.1	C	C	C
Wholesaling	P	P	P
Twenty-four-hour Retail or Restaurant Operations, pursuant to Chapter 18.48 of this Title.	C	C	C

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	MC	MC
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	MC
Permanent Open Space	N	P
Private Parks	C	N
Private Recreational	C	N
Public Parks	P	N
Recreational Activity Fields, including but not limited to private or public golf courses	P	C

	O-S Recreation	O-S Resources
Trails (public and private)	P	C

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.

I. Public/Institutional District Table

	Public/Institutional Zone
Affordable Housing owned by City Housing Authority or other public entity	P
Cemeteries	P
Civic Center and City Hall	P
Community Recreation	P
Fire Stations	P
Flood Control Facilities	P
Flood Plains	P
Hospitals	P
Library Services	P
Parks	P
Postal Services	P
Public Maintenance Services	P
Public Safety Facilities (Police and Fire Stations)	P
Public Schools	P
Public Transportation Facilities	P
Recreation Activity Fields (public only), including golf courses	P
Recreation Uses (public only)	P
Trails	P
Utility Operations and/or Distribution Facilities	P
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

	Public/Institutional Zone
Incidental and accessory structures 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.

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	
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 5. Section 18.10.060 of Chapter 18.10 of Title 18 of the Colton Municipal Code, pertaining to Building Projections in the V-L, Very Low Density Residential, zone, is hereby amended to read as follows:

“18.10.060 - Building Projections.

Building projections into yard areas are permitted as follows:

Table 3 - Projection Standard

Front Setback	<p>Fire escapes, unenclosed and uncovered stairways, unenclosed patios, porches, cornices, Eaves, sills and similar architectural features, which may project up to five feet into the setback.</p> <p>Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the setback.</p>
Side Setbacks	<p>Fireplaces having a maximum linear dimension of eight feet and eaves may project two feet into the setback.</p>
Rear Setbacks	<p>Fire escapes, unenclosed and uncovered stairways, porches, cornices, eaves, sills and similar architectural features which may project up to five feet into the setback.</p> <p>Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the required setback.</p> <p>Attached unenclosed patios with no freestanding walls may extend up to ten feet into the required setback.</p>
Swimming Pools and Spas	<p>Five feet from any lot line, and may only be placed in the rear yard area.”</p>

SECTION 6. Section 18.10.170 of Chapter 18.16 of Title 18 of the Colton Municipal Code, pertaining to the Parking Requirements in the V-L, Very Low Density Residential, zone, is hereby amended to read as follows:

“18.10.180 - Parking Requirements.

- A. There Shall not be less than two Parking Spaces in the form of a garage for every Dwelling Unit, with dimensions of not less than ten feet in width and twenty feet

in depth. The required Parking Spaces Shall be provided on the same Lot as the Main Building, and Shall be independently accessible with a minimum of twenty-five feet of unobstructed space provided for the maneuvering of Vehicles.

- B. There Shall be paved vehicular Access to the Off-Street Parking Facilities, with a Driveway not less than ten feet wide and not encumbered by a Projection to a height under eight feet above Grade.
- C. For a boarding, lodging, or rooming house in the V-L Zone, there Shall be no less than one Parking Space per room or suite, or one space per two beds, whichever is greater.
- D. No covered or uncovered tandem parking is permitted for parking credit. Each credited parking space shall be so designed that a car need not be moved to gain access to or from any other parking space.
- E. All driveways and parking areas shall be surfaced or paved with concrete, asphalt, or other non-permeable material to create continuous path with no unpaved areas.
- F. Driveways in front yards for garages, carports, or approved parking spaces which are adjacent to the front yard shall not exceed the width of the garage, carport, or approved parking space. All other driveways in front yards shall not exceed 12 feet in width.
- G. Additional paved areas in front yards for parking adjacent to a driveway may be permitted where it does not exceed 20 percent of the front yard area, not including the driveway.
- H. Parking of vehicles is prohibited in landscape or unpaved areas.”

SECTION 7. Section 18.10.185 of Chapter 18.10 of Title 18 of the Colton Municipal Code, pertaining to the Mechanical Equipment in the V-L, Very Low Density Residential, zone, is hereby amended to read as follows:

“18.10.185 - Mechanical Equipment.

- A. All heating, ventilating and air conditioning equipment, including ducts, meters, plumbing lines and tanks, shall be architecturally screened from public view, with the use of masonry walls when mounted at grade. Roof mounted equipment is prohibited, except with the use of parapet walls when mounted on flat roof.
- B. Plumbing vent pipes, all heater flues and all roof penetrations shall be gathered and concealed from view in the same manner.
- C. All new mechanical equipment shall meet the same zoning setback requirement applicable to the building or structure served.”

SECTION 8. Section 18.10.190 of Chapter 18.10 of Title 18 of the Colton Municipal Code, pertaining to the Landscaping in the V-L, Very Low Density Residential, zone, is hereby amended to read as follows, is hereby amended to read as follows:

“18.10.190 - Landscaping.

- A. Landscaping shall be provided in areas between the building line and the front or street side property lines, except for driveways to approved designated parking spaces and areas screened by a permitted solid fence or wall least 6 feet high. Additional paving for walkways may be allowed not to exceed 4 feet, or not to exceed 125 square feet, whichever is greater.
- B. Drought-resistant landscaping shall be provided for the development of any lot. Landscaping shall conform to the standards of Water Efficient Landscape Ordinance contained in Chapter 13.30 of the Municipal Code when applicable.
- C. Within the minimum required front setback area, no less than 50 percent of this area shall consist of live plants as ground cover and no more than 40 percent shall consist of permeable hardscape ground cover material, such as bark, mulch, wood, stones, rocks, decomposed granite, or decorative colored (non-grey) gravel. In addition, two twenty-four-inch box trees shall be provided in the same area, the type of tree to be determined by the Planning Division.
- D. The required Landscaping shall be maintained in a neat, clean, safe, orderly and healthful condition.
- E. The landscaped areas shall be provided with a suitable permanent method for watering or sprinkling of plants. Wherever possible, the watering system shall utilize the least amount of water. Sprinklers Used to satisfy the requirements of this provision shall be so spaced as to assure complete coverage of the landscaped area.”

SECTION 9. Section 18.12.050 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to Property Development Standards in the R-1, Low Density Residential, zone, is hereby amended to read as follows:

“18.12.050 - Property Development Standards.

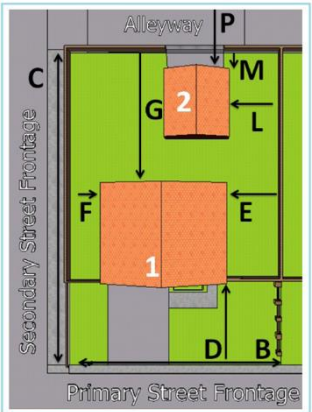
The following property development standards, set out in Sections 18.12.150-1 through 18.12.190, shall apply to all land and buildings in the R-1 Zone.

18.12.050-1 Property Development Standards

Table 1 - Building Placement

A. Minimum Lot Size	7,200 square feet ¹	
B. Minimum Lot Width	60 feet ¹	

C. Minimum Lot Depth	100 feet ¹
D. Minimum Front Yard Setback	25 feet ¹
E. Minimum Side Yard Setbacks	10% of lot width not exceeding 15 feet ^{1, 2, 3}
F. Minimum Corner Side Yard Setback	5 feet ¹
G. Minimum Rear Yard Setback	20 feet ^{1, 2}
H. Separation Between Buildings	6 feet ^{1, 3, 5}
I. Max. Lot Coverage	40% of lot area ¹
J. Dwelling Units per Acre	2.1—8 DU/AC
K. Minimum Dwelling Unit Size	1,300 square feet ¹
L. Maximum Building Height	2.5 Stories or 35 feet



1 Main Building
2 Accessory Building

1. May be reduced when clustering homes for hillside development, subject to discretionary review process. See "cluster development" definition in Chapter 18.04 (Definitions) and Section 18.10.150 (Hillside Setbacks) of this Title.
2. Main buildings and garages opening to an alley shall have a setback of at least twenty-five feet from the opposite side of the alley.
3. Main buildings shall have a side setback of ten feet from the property line for a reversed corner lot.
4. Plus four feet for each story above the first for a facing wall with openings, and three feet plus one foot for each story above the first for a facing wall without openings. The total separation between two facing walls is the sum of that required for each.
5. Buildings linked by a common roof shall not be considered separate. Openings must be located in the wall overlap area in order to count as openings for the purpose of calculating building separation.

TABLE 2 - ACCESSORY STRUCTURES

M. Side Setback one story	5 feet
N. Rear Setback one story	5 feet ¹
O. Side Setback two story	10 feet ¹
P. Rear Setback two story	10 feet ¹

Q. Rear Setback with Alley	25 feet ²
R. Lot Coverage	10% of lot area”

1. Non-Residential and Residential.
2. Garage openings facing alley shall have a rear setback measured from opposite side of the alley.

SECTION 10. Section 18.12.060 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to Building Projections in the R-1, Low Density Residential, zone, is hereby amended to read as follows:

“18.10.060 - Building Projections.

Building projections into yard areas are permitted as follows:

Table 3 - Projection Standard

Front Setback	Fire escapes, unenclosed and uncovered stairways, unenclosed patios, porches, cornices, Eaves, sills and similar architectural features, which may project up to five feet into the setback. Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the setback. Carports pursuant to CMC 18.12.170.B.
Side Setbacks	Fireplaces having a maximum linear dimension of eight feet and eaves may project two feet into the setback.
Rear Setbacks	Fire escapes, unenclosed and uncovered stairways, porches, cornices, eaves, sills and similar architectural features which may project up to five feet into the setback. Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the required setback. Attached unenclosed patios with no freestanding walls may extend up to ten feet into the required setback.
Swimming Pools and Spas	Five feet from any lot line, and may only be placed in the rear yard area.”

SECTION 11. Section 18.12.170 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to Parking in the R-1, Low Density Residential, zone, is hereby amended to read as follows:

“18.12.170 - Parking requirements.

- A. There shall be no less than two parking spaces in the form of a garage for every dwelling unit, with dimensions of not less than ten feet in width and twenty feet in depth. The required parking spaces shall be provided on the same lot as the main building, and shall be independently accessible with unobstructed space provided for the maneuvering of Vehicles. Vehicles maneuvering area shall comply with appropriate vehicular turning radius as specified by the Director for appropriate driveway width.
- B. For existing dwelling units with an existing ~~a~~ one-car garage, and less than two onsite parking spaces as required by Section 18.12.170(A), a maximum of one parking space shall be required in the form of a garage or carport. A carport may project up to twenty feet into the front setback but not less than three feet from the front property line. The carport shall be constructed to California Building Code standards, and fabricated of durable materials and colors that are compatible with the existing single family home and garage located on the parcel. The width of the carport and/or garage shall not be greater than the width of the existing garage, and the height of the carport and/or garage shall be limited to twelve feet.
- C. There Shall be paved vehicular Access to the Off-Street Parking Facilities, with a Driveway not less than ten feet wide and not encumbered by a Projection to height under eight feet above Grade.
- D. For a boarding, lodging, or rooming house in the R-1 Zone, there Shall be no less than one Parking Space per room or suite, or one space per two beds, whichever is greater.
- E. No covered or uncovered tandem parking is permitted for parking credit. Each credited parking space shall be so designed that a car need not be moved to gain access to or from any other parking space.
- F. All driveways and parking areas shall be surfaced or paved with concrete, asphalt, or other non-permeable material to create continuous path with no unpaved areas.
- G. Driveways in front yards for garages, carports, or approved parking spaces which are adjacent to the front yard shall not exceed the width of the garage, carport, or approved parking space. All other driveways in front yards shall not exceed 12 feet.
- H. Additional paved areas in front yards for parking adjacent to a driveway may be permitted where it does not exceed 20 percent of the front yard area, not including the driveway.

- I. Parking of vehicles is prohibited in landscape or unpaved areas.”

SECTION 12. Section 18.12.175 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to Mechanical Equipment in the R-1, Low Density Residential, zone, is hereby amended to read as follows:

“18.10.175 - Mechanical Equipment.

- A. All heating, ventilating and air conditioning equipment, including ducts, meters, plumbing lines and tanks, shall be architecturally screened from public view, with the use of masonry walls when mounted at grade. Roof mounted equipment is prohibited, except with the use of parapet walls when mounted on flat roof.
- B. Plumbing vent pipes, all heater flues and all roof penetrations shall be gathered and concealed from view in the same manner.
- C. All new mechanical equipment shall meet the same zoning setback requirement applicable to the building or structure served.”

SECTION 13. Section 18.12.180 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to the Landscaping in the R-1, Low Density Residential, zone, is hereby deleted in its entirety due to duplication of topic matter with Section 18.12.190

SECTION 14. Section 18.12.190 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to the Landscaping in the R-1, Low Density Residential, zone, is hereby amended to read as follows:

“18.12.190 - Landscaping.

- A. Landscaping shall be provided in areas between the building line and the front or street side property lines, except for driveways to approved designated parking spaces and areas screened by a permitted solid fence or wall least 6 feet high. Additional paving for walkways may be allowed not to exceed 4 feet, or not to exceed 125 square feet, whichever is greater.
- B. Drought-resistant landscaping shall be provided for the development of any lot. Landscaping shall conform to the standards of Water Efficient Landscape Ordinance contained in Chapter 13.30 of the Municipal Code when applicable.

- C. Within the minimum required front setback area, no less than 50 percent of this area shall consist of live plants as ground cover and no more than 40 percent shall consist of permeable hardscape ground cover material, such as bark, mulch, wood, stones, rocks, decomposed granite, or decorative colored (non-grey) gravel. In addition, two twenty-four-inch box trees shall be provided in the same area, the type of tree to be determined by the Planning Division.
- D. The required Landscaping shall be maintained in a neat, clean, safe, orderly and healthful condition.
- E. The landscaped areas shall be provided with a suitable permanent method for watering or sprinkling of plants. Wherever possible, the watering system Shall utilize the least amount of water. Sprinklers Used to satisfy the requirements of this provision shall be so spaced as to assure complete coverage of the landscaped area.”

SECTION 15. Section 18.14.060 of Chapter 18.14 of Title 18 of the Colton Municipal Code, pertaining to Building Projections in the R-2, Medium Density Residential, zone, is hereby amended to read as follows:

“18.14.060 - Building Projections.

Building projections into yard areas are permitted as follows:

Table 3 - Projection Standard

Front Setback	<p>Fire escapes, unenclosed and uncovered stairways, unenclosed patios, porches, cornices, Eaves, sills and similar architectural features, which may project up to five feet into the setback.</p> <p>Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the setback.</p>
Side Setbacks	<p>Fireplaces having a maximum linear dimension of eight feet and eaves may project two feet into the setback.</p>
Rear Setbacks	<p>Fire escapes, unenclosed and uncovered stairways, porches, cornices, eaves, sills and similar architectural features which may project up to five feet into the setback.</p> <p>Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the required setback.</p> <p>Attached unenclosed patios with no freestanding walls may extend up to ten feet into the required setback.</p>
Swimming Pools and Spas	<p>Five feet from any lot line, and may only be placed in the rear yard area.”</p>

SECTION 16. Section 18.14.180 of Chapter 18.14 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the R-2, Medium Density Residential, zone, is hereby amended to read as follows:

“18.14.180 - Parking Requirements.

- A. There Shall be not less than two Parking Spaces, in the form of an enclosed garage, for every Dwelling Unit, with dimensions of not less than ten feet in width and twenty feet in depth. The required Parking Spaces Shall be provided on the same Lot as the Main Building, and Shall be independently accessible with unobstructed space provided for the maneuvering of Vehicles. Vehicles maneuvering area shall comply with appropriate vehicular turning radius as specified by the Director for appropriate driveway width.
- B. There Shall be paved vehicular Access to the Off-Street Parking Facilities, with a Driveway not less than twelve feet wide and not encumbered by a Projection to a height under eight feet above Grade.
- C. Every parking stall adjoined on one or both sides of its length by a curb, face, wall partition, column, post or similar obstruction, that is located less than four feet from an access aisle measured along the length of the stall or continues to form the end of an access aisle, Shall have a minimum width of 11.5 feet.
- D. For a boarding, lodging, or rooming house in the R-2 Zone, there Shall be no less than one parking space per room or suite, or one space per two beds, whichever is greater.
- E. All driveways and parking areas shall be surfaced or paved with concrete, asphalt, or other non-permeable material to create continuous path with no unpaved areas.
- F. Parking of vehicles is prohibited in landscape or unpaved areas.”

SECTION 17. Section 18.14.190 of Chapter 18.14 of Title 18 of the Colton Municipal Code, pertaining to Landscaping in the R-2, Medium Density Residential, zone, is hereby amended to read as follows:

“Section 18.14.190. Landscaping.

- A. Landscaping shall be provided in areas between the building line and the front or street side property lines, except for driveways to approved designated parking spaces and areas screened by a permitted solid fence or wall least 6 feet high. Additional paving for walkways may be allowed not to exceed 4 feet, or not to exceed 125 square feet, whichever is greater.
- B. Drought-resistant landscaping shall be provided for the development of any lot. Landscaping shall conform to the standards of Water Efficient Landscape Ordinance contained in Chapter 13.30 of the Municipal Code when applicable. Landscaping Shall provide a mixture of shrubs, vines, groundcover, flowers or lawns throughout the entire Front Yard area, Side Yard area, and throughout Open Spaces between Buildings not occupied by a Sidewalk. In addition, two fifteen-gallon trees Shall be provided per Dwelling Unit, in the Front Yard area. The types of tree(s) proposed must be approved by the Planning Division.
- C. Within the minimum required front setback area, no less than 50 percent of this area shall consist of live plants as ground cover and no more than 40 percent shall consist of permeable hardscape ground cover material, such as bark, mulch, wood, stones, rocks, decomposed granite, or decorative colored (non-grey) gravel.
- D. The required Landscaping shall be maintained in a neat, clean, safe, orderly and healthful condition.
- E. The landscaped areas shall be provided with a suitable permanent method for watering or sprinkling of plants. Wherever possible, the watering system Shall utilize the least amount of water. Sprinklers Used to satisfy the requirements of this provision Shall be so spaced as to assure complete coverage of the landscaped area.”

SECTION 18. Section 18.14.210 of Chapter 18.14 of Title 18 of the Colton Municipal Code, pertaining to Mechanical Equipment in the R-2, Medium Density Residential, zone, is hereby amended to read as follows:

“18.14.185 - Mechanical Equipment.

- A. All heating, ventilating and air conditioning equipment, including ducts, meters, plumbing lines and tanks, shall be architecturally screened from public view, with the use of masonry walls when mounted at grade. Roof mounted equipment is prohibited, except with the use of parapet walls when mounted on flat roof.
- B. Plumbing vent pipes, all heater flues and all roof penetrations shall be gathered and concealed from view in the same manner.

C. All new mechanical equipment shall meet the same zoning setback requirement applicable to the building or structure served.”

SECTION 19. Section 18.16.060 of Chapter 18.16 of Title 18 of the Colton Municipal Code, pertaining to Building Projections in the R-3 and R-4, Multiple-Family Residential, zone, is hereby amended to read as follows:

“18.16.060 - Building Projections.

Building projections into yard areas are permitted as follows:

Table 3 - Projection Standard

Front Setback	Fire escapes, unenclosed and uncovered stairways, unenclosed patios, porches, cornices, Eaves, sills and similar architectural features, which may project up to five feet into the setback. Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the setback.
Side Setbacks	Fireplaces having a maximum linear dimension of eight feet and eaves may project two feet into the setback.
Rear Setbacks	Fire escapes, unenclosed and uncovered stairways, porches, cornices, eaves, sills and similar architectural features which may project up to five feet into the setback. Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the required setback. Attached unenclosed patios with no freestanding walls may extend up to ten feet into the required setback.
Swimming Pools and Spas	Five feet from any lot line, and may only be placed in the rear yard area.”

SECTION 20. Section 18.16.190 of Chapter 18.16 of Title 18 of the Colton Municipal Code, pertaining to Landscaping in the R-3 and R-4, Multiple-Family Residential, zone, is hereby amended to read as follows:

“18.16.190 - Landscaping.

A. Drought-resistant Landscaping Shall be provided for the Development of any Lot with a minimum Landscaping coverage of thirty percent of the Lot Area. Landscaping shall conform to the standards of Water Efficient Landscape Ordinance contained in Chapter 13.30 of the Municipal Code where applicable. The Landscaping Shall provide a mixture of shrubs, vines, groundcover, flowers or lawns throughout the entire Front Yard area, Side Yard areas, Parkways and throughout Open Spaces not occupied by

accessways, parking areas and Sidewalks. Two trees per Dwelling Unit or one tree per two hundred square feet of gross Floor Area (administrative and Professional Services) Shall be provided and planted throughout the landscape areas. Twenty percent of the trees Shall be of twenty-four-inch box size, another twenty percent of thirty-six-inch box size, and the remainder May be a minimum of fifteen-gallon size. Landscape and irrigation plans Shall be prepared by a licensed landscape architect and submitted to the Planning Division along with the general Building plans, for review and Approval.

- B. The required Landscaping Shall be maintained in a neat, clean, safe, orderly and healthful condition.
- C. The landscaped areas shall be provided with a suitable permanent method for watering or sprinkling of plants. Wherever possible, the watering system shall utilize the least amount of water. Sprinklers used to satisfy the requirements of this provision shall be so spaced as to assure complete coverage of the landscaped areas.”

SECTION 21. Section 18.16.210 of Chapter 18.16 of Title 18 of the Colton Municipal Code, pertaining to Mechanical Equipment in the R-3 and R-4, Multiple-Family Residential, zone is hereby amended to read as follows:

“18.16.185 - Mechanical Equipment.

- A. All heating, ventilating and air conditioning equipment, including ducts, meters, plumbing lines and tanks, shall be architecturally screened from public view, with the use of masonry walls when mounted at grade. Roof mounted equipment is prohibited, except with the use of parapet walls when mounted on flat roof.
- B. Plumbing vent pipes, all heater flues and all roof penetrations shall be gathered and concealed from view in the same manner.
- C. All new mechanical equipment shall meet the same zoning setback requirement applicable to the building or structure served.”

SECTION 22. Section 18.16.180 of Chapter 18.16 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the R-3 and R-4, Multiple-Family Residential, zone is hereby amended to read as follows:

“18.16.180 - Parking Requirements.

- A. Parking Requirements for Multiple-Family Dwellings.
 - 1. There Shall be no less than two Parking Spaces, in the form of enclosed garages, for every Dwelling Unit, with dimensions of not less than ten feet in width and

twenty feet in depth. Where there are six or more Dwelling Units on one Lot, there Shall be an additional one-half Unenclosed Space per Dwelling Unit for Guest parking.

2. One bedroom and efficiency dwelling units parking requirement is a minimum one car garage or carport, plus guest parking as required in [Subsection] 18.16.180.A.1.
 3. There Shall be paved vehicular Access to the Off-Street Parking Facilities with a Driveway not less than twelve feet wide and not encumbered by any Projection to a height under twelve feet above Grade.
- B. Parking Requirements for Single-Family Dwellings shall conform to the R-1 zone in Section 18.12.170.
- C. Parking requirements for a boarding, lodging, or rooming house. There Shall be no less than one Parking Space per room or suite, or one space per two beds, whichever is greater.
- D. General Requirements.
1. All Off-Street Parking Spaces required in a Residential Zone Shall be provided on the same Lot as the Main Buildings, and Shall be independently accessible with unobstructed space provided for the maneuvering of Vehicles. No parking stall Shall be designed so that a Vehicle May back onto a Public Street. Vehicles maneuvering area shall comply with appropriate vehicular turning radius as specified by the Director or designee for appropriate driveway width.
 2. All Driveway approaches, Driveway and parking areas Shall be surfaced or paved with concrete, asphalt concrete or other bituminous surfacing of at least 2.5-inch thickness and Shall be thereafter maintained in good condition.
 3. Where two Driveways are provided, each Shall be clearly marked as to the direction of ingress and egress.
 4. Parking requirements for Uses Permitted with a Conditional Use Permit shall be subject to provisions of Section 18.36 of this Title.
 5. Parking of vehicles is prohibited in landscape or unpaved areas.”

SECTION 23. Section 18.18.120 of Chapter 18.18 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the C-1, Neighborhood Commercial, zone is hereby replaced in its entirety with the following:

“18.18.120 - Parking Requirements. See Section 18.36”

SECTION 24. Section 18.22.120 of Chapter 18.22 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the C-2, General Commercial, zone is hereby replaced in its entirety with the following:

“18.22.120 - Parking requirements. See Section 18.36”

SECTION 25. Section 18.23.4.080 of Chapter 18.23 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in C-2/D-O, General Commercial, Downtown Overlay zone, is hereby amended to read as follows:

“18.23.4.080 - Parking Requirements.

A. Specific Requirements.

1. The following number of parking spaces shall be required to serve the uses or buildings listed, as established in Table 18.23.070-1 (Downtown Zone Parking Requirements). All uses must provide the sum of the requirements for each individual use.
2. "Square feet" means "gross square feet" and refers to the sum gross square feet of the floor area of a building and its accessory buildings unless otherwise specified.
3. The General Parking Requirements in Subsection 18.18.120 B. shall be met.
4. When the calculation of the required number of off-street parking spaces results in a fraction of a space, the total number of spaces shall be rounded up to the nearest whole number.
5. On-street parking spaces adjacent to a project site may be counted toward meeting minimum on-site parking requirements where no parking restrictions are in place, subject to the review and approval of the Development Services Director.

Table 18.23.070-1 (Downtown Zone Parking Requirements)

<u>Land Use</u>	<u>Spaces Required (based upon gross floor area)</u>
<u>Commercial Land Uses</u>	<u>Parking Spaces Required</u>
<u>C-2/D-O</u>	<u>1 space per 500 sf</u>

- B. General Requirements. The general requirements for off-street parking shall be as outlined in Chapter 18.36 of this Code.”

SECTION 26. Section 18.24.120 of Chapter 18.24 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the I-P, Industrial Park, zone is hereby replaced in its entirety with the following:

18.24.120 - Parking Requirements. See Section 18.36”

SECTION 27. Section 18.26.120 of Chapter 18.26 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the M-1, Light Industrial, zone is hereby replaced in its entirety with the following:

“18.26.120 - Parking Requirements. See Section 18.36”

SECTION 28. Section 18.28.120 of Chapter 18.28 of Title 18 of the Colton Municipal Code, pertaining to Parking Requirements in the M-2, Heavy Industrial, zone is hereby replaced in its entirety with the following:

“18.28.120 - Parking Requirements. See CMC 18.36.”

SECTION 29. The title of Chapter 18.36 of Title 18 of the Colton Municipal Code, pertaining to Parking and Loading Requirements, is hereby amended to read as follows:

“Chapter 18.36 – NON-RESIDENTIAL PARKING AND LOADING REQUIREMENTS”

SECTION 30. Section 18.36.020 of Chapter 18.36 of Title 18 of the Colton Municipal Code, pertaining to Parking and Loading Requirements, is hereby amended to read as follows:

“18.36.020 - General Parking Provisions.

- A. When a Structure or Use is altered, modified or enlarged, it must at that time comply with the standards and requirements set forth in this title, with regard to the addition proposed only.
- B. Parking for the existing Structure or Use need not conform to this chapter, but it Shall not be reduced below that which is described in this title for the specific Use.
- C. Where calculation of the number of spaces required results in a fractional number, the next higher whole number shall be Used.
- D. In the case of mixed uses in a building or on a Lot, the total requirements for Off-Street parking Shall be the sum of the requirements for the various Uses computed separately. Off- Street parking for one Use Shall not be considered as providing required parking for any other Use except as specified for joint Use.
- E. No covered or uncovered tandem parking is Permitted for parking credit. Each credited Parking Space Shall be so designed that a car need not be moved to gain Access to or from any other Parking Space.

- F. In the case of a Miniwarehouse Use, parallel parking is Permitted upon Conditional Use Permit design Approval.
- G. Parking Spaces in Commercial and Industrial Zones Shall have dimensions of not less than nine feet in width and twenty feet in depth. Handicapped stalls Shall be provided as recommended by the State Code (two percent of the total required spaces). In the case where a parking stall is adjoined on one or both sides of its length by a Curb, Fence, Wall, partition, column, post or similar Obstruction, that is located less than four feet from an Access aisle measured along the length of the stall or continues to form the end of an Access aisle, it Shall have a minimum width of 11.5 feet.
- H. In the case where the parking area contains twenty or more spaces, twenty percent of the total required number of spaces May be designed to accommodate Compact Cars, with dimensions not less than 7.5 feet in width and fifteen feet in depth. In Addition, Compact Car spaces provided on a Lot Shall be clearly marked as compact.
- I. All Off-Street Parking Spaces Shall be provided on the same Lot as the Main Buildings, except as otherwise allowed by this Title.
- J. All off-street parking spaces shall be independently accessible with a minimum of twenty-five feet of unobstructed space provided for the maneuvering of vehicles to the front of the parking space. No parking stall shall be designed so that a vehicle may back onto a Public Street.
- K. All Driveway approaches, driveway and parking areas Shall be surfaced or paved with concrete, asphalt concrete or other bitulithic surfacing of at least two and one-half inch thickness and Shall be thereafter maintained in good condition.
- L. All parking areas Shall be provided with adequate wheel Stops (a concrete Curb not less than six inches high, securely installed and maintained as a safeguard to abutting Property). The barrier Shall be at least three feet from any Property line, but in no case Shall it be less than necessary to meet the intent of this section. A continuous Curb Shall be installed where possible to allow for Landscaping beyond the Curb.
- M. One-way Driveways shall be twelve feet wide; two-way, twenty feet wide, and shall not be encumbered by any projection to a height under fourteen feet above Grade. Where there is more than one means of access, two twelve-foot driveways may be provided in lieu of one twenty-foot wide Driveway. All driveways shall be separated from nondriveway areas by a continuous Curb.

- N. Where two driveways are provided, each shall be clearly marked as to the direction of ingress and egress.
- O. Parking Facilities may be designed to encroach on the front setback area a maximum of seventeen feet in the C-1 Zone; twelve feet in the C-2 zone; and 5 feet in all other zones.”

SECTION 31. Section 18.36.021 of Chapter 18.36 of Title 18 of the Colton Municipal Code, pertaining to Parking and Loading Requirements, is hereby added to read as follows:

“18.36.021. Number of Parking Spaces Required

- 1. Parking on nonresidential zones, except for the C-2/D-O, M-U/D and M-U/N zones, shall meet the minimum parking required for a particular use based on the table below.
- 2. The minimum parking provided shall be use by passenger-size cars or equivalent of customers, employees, and visitors. Parking for fleet vehicles, trucks, and vehicles over 20 feet long shall be provided in addition to the minimum parking required.
- 3. "Square feet" means "gross square feet" and refers to the sum gross square feet of the floor area of a building and its accessory buildings unless otherwise specified.
- 4. Exceptions to the standards and requirements set forth in this title may be approved by the Planning Commission following preparation of a parking study by a licensed traffic engineer and recommendations of the City Engineer and Development Services Director. For applications where the Planning Commission is not the deciding authority, such exceptions may be allowed by the Development Services Director unless elevated to the Planning Commission.

Land Use	Minimum number of parking spaces required (based upon gross floor area)
Commercial Land Uses:	
Automobile and Truck Uses	1 space/600 sf
Child Care Facilities/Family Day Care—Large	1 space/staff member, plus 1 space/each 20 children. A circular driveway at least 20 feet in width shall be provided for the safe off-street loading and unloading of children.

Land Use	Minimum number of parking spaces required (based upon gross floor area)
Eating and Drinking Establishments, including fast food and drive-in	1 space/100 sf; minimum 5 spaces
Funeral Services	1/35 sf of assembly room floor area
General Commercial Uses including Convenience Sales and Services, Personal Services	1 space/ 250 sf
Hotels and Motels	1 space/room + 2 spaces for managers
Movie Theaters	1 space/250 sf, plus 1/100 seats
Office Uses including medical uses	1 space/250 sf
Office Supply Retail handling only bulky merchandise	1 space /600 sf
Repair Services	1 space/250 sf
Retail Stores	1 space/250 sf
Therapeutic Services	1 space/250 sf
Industrial Land Uses:	
Manufacturing & industrial Buildings	1 space/ 500 sf, or sum of 1/250 sf office space, plus 1/1000 sf warehouse/storage space, plus 1/500 sf remaining space
Warehouse and storage Buildings	1 space/ 1000 sf up to the first 10,000 sf, plus 1 space/2000 sf for area over the first 10,000 sf, plus 1 space/ 250 sf office space
Miniwarehouses	1 space/ 3500 sf
Storage Yards, Contractor and Lumber Yards	1 space/ 500 sf building, plus 1 space/ 2000 sf storage area
Institutional/ Assembly Land Uses:	
Bowling Alleys	3 spaces/alley, plus 50% of regular parking requirements for all other uses associated with alley, such as an arcade or bar.

Land Use	Minimum number of parking spaces required (based upon gross floor area)
Hotels and Motels	1 space/room + 2 spaces for managers
Movie Theaters	1 space/250 sf, plus 1/100 seats
Places of Assembly	1 space/each 5 seats in principal assembly room, counting 20 inches of seating space on a bench as one seat. In cases where temporary or movable seats are provided, one space shall be provided for every 40 square feet of area within the assembly room.
Universities/Colleges	1 space per employee on the maximum shift; plus 1 space for every 2 students based on enrollment capacity
Vocational/Trade Schools	1 space for each employee on the maximum shift; plus 1 space for every 3 students over the age of 16”

SECTION 32. Section 18.38.030 of Chapter 18.38 of Title 18 of the Colton Municipal Code, pertaining to Fencing, is hereby amended to read as follows with new text is shown in boldface underline (**text**) and deleted text is shown in strikethrough (~~text~~) with existing text to remain unchanged shown without boldface underline nor strikethrough::

“18.38.030 - Height and location—Residential Zones.

The height of fences, hedges and walls within the side and rear setback areas in all residential zones shall not exceed six feet. The height within the front setback areas shall not exceed five feet for an ornamental iron fence, hedge or any fence with openings, and three feet for a masonry wall or any fence without openings. No fence, hedge, wall or visual obstruction shall be permitted within a corner cutoff area.”

SECTION 33. Section 18.38.040 of Chapter 18.38 of Title 18 of the Colton Municipal Code, pertaining to Fencing, is hereby amended to read as follows:

“18.38.040 - Height and location—Nonresidential Zones.

- A. The height of Fences, Hedges and Walls shall not exceed eight feet in the I-P, M-1, and M-2 zones, and six feet on all other nonresidential zones.

- B. Parking areas shall be provided with screening from other properties and public right-of-ways with a solid fence, hedge, berm, or wall with a height no less than 3 feet.”

SECTION 34. Section 18.38.050 of Chapter 18.38 of Title 18 of the Colton Municipal Code, pertaining to Fencing, is hereby amended to read as follows:

“18.38.050 - Chain link Fence review. As provided in Section 18.38.010 E., the placement of chain link fencing in all residential and Nonresidential Zones within the City may be Approved by the Director, after giving consideration to appearance, structural quality and durability.”

SECTION 35. Section 18.38.080 of Chapter 18.38 of Title 18 of the Colton Municipal Code, pertaining to Fencing, is hereby amended to read as follows:

“18.38.080 - Retaining Walls.

Retaining Walls with a height not exceeding three feet when located within a front yard and eight feet elsewhere may be permitted through review and approval by the Planning Division and proper Permit processing. The review may create conditions as to the location, Materials, design and color of said Walls. The design of proposed retaining Walls with a height exceeding eight feet Shall be made to create a ladder effect of two off-set retaining Walls, with a width not less than one foot between the two Walls, designed for the planting of shrubs and/or vines.”

SECTION 36. Section 18.38.100 of Chapter 18.38 of Title 18 of the Colton Municipal Code, pertaining to Fencing, is hereby amended to read as follows:

- A. The Community Development Department is specifically charged with the enforcement of the provisions of this chapter.
- B. Any Person erecting or constructing any Wall or Fence within the City Shall obtain a Fence Permit and, where applicable, a Building Permit from the Department prior to said construction or erection.
- C. All concrete Block Walls over four feet high Shall be built per City Standards or of Approved design to be Approved and submitted by a California State-Registered Engineer or Architect.

SECTION 37. Section 18.39.030 of Chapter 18.39 of Title 18 of the Colton Municipal Code, pertaining to Telecommunication Facilities, is hereby amended to read as follows:

“18.39.030 - Applicability.

- A. All new Communication Towers and Communication Antennas in the City Shall be subject to these regulations, as well as all other applicable Federal, state and Local Laws, rules and regulations. For purposes of measurement, Communication Tower Setbacks and separation distances, as delineated in subsections C, D and E of Section 18.39.050, Shall be calculated and applied irrespective of municipal and County jurisdictional boundaries.
- B. All Communication Towers existing on April 30, 1998 Shall be considered Permitted Uses and allowed to continue their usage as they presently exist; provided, however, that anything other than routine maintenance Shall comply with the requirements of Section 18.39.050, other than subsections C, D and E of that section. As Used in this subsection, routine maintenance Shall include, without limitation, structural modifications such as making provisions for additional Antennas or additional providers, as well as New Construction on an existing Communication Tower.
- C. All governmental towers with public safety systems or equipment Shall be exempt from the requirements of this chapter.
- D. Modifications to all existing communication towers shall be exempt from the requirements of this chapter provided such modifications comply with the following:
 - 1.** The height of the existing communication tower shall not be increased.
 - 2.** Replacement of existing antennas or addition of new antennas shall not result in an increase of more than four (4) antennas from the existing number of antennas on the communication tower.
 - 3.** The lease/ground equipment enclosure area shall not be increased.
 - 4.** All replacement and new antennas and new miscellaneous equipment shall be consistent with the size of existing antennas and design of the existing communication tower.
 - 5.** All modifications to existing communication towers shall be required to meet all applicable Building Codes and shall be required to obtain a building permit.”

SECTION 38. Section 18.48.060 of Chapter 18.48 of Title 18 of the Colton Municipal Code, pertaining to Mobilehomes and Office Units, is hereby amended to read as follows:

“18.48.060 - Manufactured Housing and Mobilehomes

- A. A single manufactured housing unit may be approved through an Architectural & Site Plan Review application, subject to the following:
1. The proposed unit is found to be keeping with the overall character and quality of the neighborhood and community.
 2. The subject property is zoned V-L, R-1, or M-U/N.
 3. No more than one manufactured housing unit allowed on any property.
 4. The proposed unit shall be occupied only as a single-family dwelling.
 5. The proposed unit shall be subject to all provisions of these chapters applicable to residential structures.
 6. The proposed unit shall be attached to a permanent concrete base foundation system in compliance with all applicable Building regulations.
 7. The proposed unit shall be converted with an exterior material customarily used on conventional dwellings and approved by the Committee. The exterior covering material shall extend to the ground.
 8. The proposed unit shall have a roof with a pitch of not less than two-inch vertical rise for each twelve inches of horizontal run and consisting of shingles or other material customarily used for conventional dwellings and approved by the Building Official.
 9. The proposed unit shall have eaves no less than 12 inches deep and provided a porch at its main entry.
- B. Mobilehome parks may be permitted in the R-2 and R-3/R-4 zones with conditional use permit approval. A conditional use permit shall not be required for the installation of a mobilehome within a space previously approved within an established mobilehome park.”

SECTION 39. Section 18.48.061 of Chapter 18.48 of Title 18 of the Colton Municipal Code, pertaining to Mobilehomes and Office Units, is hereby added to read as follows:

“18.48.061. Mobile nonresidential units

For Nonresidential Uses. Mobile units may be temporarily used on property with a permitted nonresidential use. The following conditions must be satisfied before an approval can be granted:

1. The proposed use for the mobile unit shall be accessory to a use permitted in the zone in which it is to be located.
2. All requirements of this chapter for development in the zone in which the mobile unit is to be located shall be satisfied.
3. The mobile unit shall be compatible in appearance with the surrounding Structures and Improvements.

4. Approval shall be limited to a one-Year period, with a possible one-Year extension, at the discretion of the Director.”

SECTION 40. Section 18.50.070.J of Chapter 18.50 of Title 18 of the Colton Municipal Code, pertaining to prohibited Signs, is hereby amended to read as follows:

“J. Can Signs,” except as allowed by Section 18.50.090.B.3.f.”

SECTION 41. Section 18.50.090.B.3.f of Chapter 18.50 of Title 18 of the Colton Municipal Code, pertaining to design standards for building attached wall signs, is hereby amended to read as follows:

“f. Panel signs either within Can-type Signs or within frames are prohibited, except where the Development Services Director finds that such a sign will not detract from other signs on the property or on surrounding area, and that sign anchoring and installation can comply with the California Building Code. Channel letters are preferred. Channel letters shall be made of a durable material. Channel letters may not utilize gold-colored (or a shade of gold) trim cap.”

SECTION 42. Section 18.58.102.Q of Chapter 18.58 of Title 18 of the Colton Municipal Code, pertaining to Development Agreement, is hereby amended to read as follows:

- “1. Notwithstanding the foregoing, the City Council shall review the Development agreement at least once every twelve Months after the effective date of the Adopting Ordinance (hereinafter called periodic review). The City Council may, on its own motion or on the advice of the City Manager, review the Development agreement more often than once every twelve Months as it is deemed necessary (hereinafter "Special Review").
2. The City Council May delegate or refer the periodic review of the Development agreement to the Planning Commission or to the City Manager or his Designated Representative.”

SECTION 43. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and Sections 15060(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 44. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk’s office located at 650 N. La Cadena Drive, Colton, California 92324. The custodian of these records is the City Clerk.

SECTION 45. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council of the City of Colton hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 46. Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 47. Publication. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Colton.

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