

CITY OF COLTON PLANNING COMMISSION AGENDA

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

REGULAR MEETING – Tuesday, January 13, 2026 – 5:30 P.M.

Colton - PC Agenda_01-13-2026_Final

Documents:

[COLTON - PC AGENDA_01-13-2026_FINAL.PDF](#)

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIENCE

D. APPROVAL OF MEETING MINUTES

Documents:

[12-09-25_PC AGENDA MEETING MINUTES_FINAL DRAFT2.PDF](#)

E. PUBLIC COMMENTS

F. PUBLIC HEARING:

1. FILE INDEX NUMBER: DAP-001-744 Program 10 & 11 Housing Element

PROPERTY OWNER: Various- Citywide

APPLICANT: City of Colton – Development Services – Planning Division

PROPERTY LOCATION: 0163-211-02, 0163-211-05, 0163-211-25, 0163-074-31, 0163-081-06, 0163-081-07, 0163-081-08, 0163-081-09, 0164-182-38, 0164-182-41, 0164-182-43, 0164-182-46, 0164-182-47, 0164-182-48, 0164-182-51, 0164-182-53, 0164-182-55, 0164-182-57, 0164-182-58, 0164-281-01, 0164-281-02, 0164-281-09, 0164-281-11, 0164-181-08, 0164-181-12, 0276-144-30, 0276-144-31, 0163-172-46, 0163-172-47, 0163-172-49, 0163-172-50, 0163-272-01, 0164-182-52, 0164-182-54, one APN to be assigned also known as 910 S. Hert Street]

REQUEST A request for the Planning Commission to recommend to the City Council amendments to nine areas of the General Plan Land Use Map and Zoning Map and Amendments to 2013 General Plan Land Use Element and amendments to Title 18 (Zoning Code) pertaining to Section 18.06.060 (Uses Permitted in each Zone), Chapter 18.16 (R—3 And R-4 MultipleFamily Residential), Chapter 18.23 (Mixed Use – Downtown Zone), and Chapter 18.58 (Administration) of the Colton Municipal Code consistent with adopted 2021-2029 6th Cycle Housing Element Update and adopting Environmental Findings pursuant to the California Environmental Quality Act, adopting a Statement of Overriding Considerations, Certifying the Final Environmental Impact Report (Sch #

2025010520), and adopting a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL DETERMINATION: A Program Environmental Impact Report (Program EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Housing Element Update Programs 10 & 11 Rezone and General Plan Amendment (State Clearinghouse [SCH] No. 2025010520).

STAFF RECOMMENDATION: Staff Recommends that the Planning Commission:

- a. Receive staff presentation.
- b. Receive public comments.
- c. Commission comments and questions.
- d. Adopt resolution entitled:

RESOLUTION NO. R-01-26. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL AMENDMENT TO NINE AREAS OF THE GENERAL PLAN LAND USE MAP AND ZONING MAP AND AMENDMENTS TO 2013 GENERAL PLAN LAND USE ELEMENT AND AMENDMENTS TO TITLE 18 (ZONING CODE) PERTAINING TO SECTION 18.06.060 (USES PERMITTED IN EACH ZONE), CHAPTER 18.16 (R—3 AND R-4 MULTIPLE-FAMILY RESIDENTIAL), CHAPTER 18.23 (MIXED USE – DOWNTOWN ZONE). AND CHAPTER 18.58 (ADMINISTRATION) OF THE COLTON MUNICIPAL CODE CONSISTENT WITH ADOPTED 2021-2029 6TH CYCLE HOUSING ELEMENT UPDATE AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 2025010520), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (FILE NO. DAP-001-744)

Documents:

[ITEM F-1_STAFF REPORT WITH ATTACHMENTS 1-2_DAP-001-744.PDF](#)

.. 2. FILE INDEX NUMBER: DAP25-0047 2025 ADU Ordinance Amendment

APPLICANT: City-initiated

PROPERTY LOCATION: City-wide

REQUEST: Zoning Text Amendment to modify various provisions of Title 18, Section 18.48.150 of the Colton Municipal Code related to Accessory Dwelling Units (ADUs) and Junior ADUs.

ENVIRONMENTAL DETERMINATION: Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend approval of the proposed text amendment to the City Council through adoption of the attached Resolution titled:

RESOLUTION NO. R-02-26 A RESOLUTION OF THE PLANNING COMMISSION OF

THE CITY OF COLTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 18, SECTION 18.48.150 OF THE COLTON MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA (FILE INDEX NO. DAP25-0047)

Documents:

[ITEM F-2_STAFF REPORT_DAP25-0047_ADU ORDINANCE UPDATE-2026.PDF](#)

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

H. COMMISSION COMMENTS

I. ADJOURNMENT Next Scheduled Meeting: Tuesday, January 27, 2026

Documents Related to Open Session Agendas (SB 343). *Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection Monday through Thursday 7:30 am to 5:00 p.m. at the City of Colton Development Services Department located at the Civic Center Annex (across the street from City Hall) at 659 N. La Cadena Drive, Colton, CA 92324. The meeting will be an in-person meeting and comments via telephone or zoom will not be available.*

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

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



CITY OF COLTON PLANNING COMMISSION AGENDA
650 NORTH LA CADENA DRIVE, COLTON, CA 92324 REGULAR MEETING
Tuesday, January 13, 2026 at 5:30 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIENCE

D. APPROVAL OF MEETING MINUTES

December 9, 2025, Draft Planning Commission Minutes

E. PUBLIC COMMENTS

F. PUBLIC HEARING:

1. FILE INDEX NUMBER: DAP-001-744

Program 10 & 11 Housing Element

PROPERTY OWNER:

Various- Citywide

APPLICANT:

City of Colton – Development Services – Planning Division

PROPERTY LOCATION: 0163-211-02, 0163-211-05, 0163-211-25, 0163-074-31, 0163-081-06, 0163-081-07, 0163-081-08, 0163-081-09, 0164-182-38, 0164-182-41, 0164-182-43, 0164-182-46, 0164-182-47, 0164-182-48, 0164-182-51, 0164-182-53, 0164-182-55, 0164-182-57, 0164-182-58, 0164-281-01, 0164-281-02, 0164-281-09, 0164-281-11, 0164-181-08, 0164-181-12, 0276-144-30, 0276-144-31, 0163-172-46, 0163-172-47, 0163-172-49, 0163-172-50, 0163-272-01, 0164-182-52, 0164-182-54, one APN to be assigned also known as 910 S. Hert Street|

REQUEST

A request for the Planning Commission to recommend to the City Council **amendments** to nine areas of the **General Plan Land Use Map** and **Zoning Map** and **Amendments to 2013 General Plan Land Use Element and amendments to Title 18 (Zoning Code)** pertaining to Section 18.06.060 (Uses Permitted in each Zone), Chapter 18.16 (R—3 And R-4 Multiple-Family Residential), Chapter 18.23 (Mixed Use – Downtown Zone), and Chapter 18.58 (Administration) of the Colton Municipal Code consistent with adopted 2021-2029 6th Cycle Housing Element Update and **adopting Environmental Findings** pursuant to the California Environmental Quality Act, **adopting a Statement of Overriding Considerations**, Certifying the Final Environmental Impact Report (Sch # 2025010520), and adopting a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL DETERMINATION: A Program Environmental Impact Report (Program EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Housing Element Update Programs 10 & 11 Rezone and General Plan Amendment (State Clearinghouse [SCH] No. 2025010520).

STAFF RECOMMENDATION: Staff Recommends that the Planning Commission:

- a. Receive staff presentation.
- b. Receive public comments.

Commissioners:

Richard Prieto, District 1

Adrianna Escarcega, District 2

Letitia Baden, District 3

Bruce McKillop, District 4

Gary Grossich, At Large

- c. Commission comments and questions.
- d. Adopt resolution entitled:

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2. FILE INDEX NUMBER: DAP25-0047
Amendment

2025 ADU Ordinance

APPLICANT: City-initiated

PROPERTY LOCATION: City-wide

REQUEST: **Zoning Text Amendment** to modify various provisions of Title 18, Section 18.48.150 of the Colton Municipal Code related to Accessory Dwelling Units (ADUs) and Junior ADUs.

ENVIRONMENTAL DETERMINATION: Under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State’s ADU law.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend approval of the proposed text amendment to the City Council through adoption of the attached Resolution titled:

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

H. COMMISSION COMMENTS

I. ADJOURNMENT Next Scheduled Meeting: Tuesday, January 27, 2026

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CITY OF COLTON PLANNING COMMISSION AGENDA MEETING MINUTES

COUNCIL CHAMBERS, 650 NORTH LA CADENA DRIVE, COLTON, CA 92324
REGULAR MEETING –TUESDAY, DECEMBER 9, 2025 – 5:30 P.M.

A. CALL TO ORDER

B. ROLL CALL

Present

Richard Prieto
Adrianna Escarcega
Leticia (“Tish”) Baden
Gary Grossich
Bruce McKillop

Commissioners:

Richard Prieto, District 1
Adrianna Escarcega, District 2
Leticia Baden, District 3
Bruce McKillop, District 4
Gary Grossich, At Large

Commissioners Absent:

None

Staff Present:

Heidi Duron, Development Services Director
Mario Suarez, Planning Manager
David Alvarez, Senior Planner
Steve Gonzales, Associate Planner

C. PLEDGE OF ALLEGIANCE Led by Leticia Baden

D. END OF YEAR SOCIAL HOUR – 5:00 P.M. TO 6:00 PM-Food & drink provided by city staff.

E. APPROVAL OF MEETING MINUTES FOR

November 25, 2025, Draft Planning Commission Minutes

Motion and second by Commissioner Escarcega / Commissioner McKillop.

Roll Call vote: Ayes: 4 Noes: 0 Absent: 0 Abstain: 1 (Grossich)

F. PLANNING COMMISSION CONSIDERATION

Cancellation of December 23, 2025, Planning Commission meeting.

Motion and second by Commissioner Grossich / Commissioner Baden.

Roll Call vote: Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

G. PUBLIC COMMENTS:

Eugene Valdez – Supports Rezoning to Mixed-Use Downtown Zoning as recommended by the South Colton Livable Corridor Plan to allow for future live-work projects in South Colton.

H. PUBLIC HEARING

1. **FILE INDEX NO.:** **DAP24-0029** **Pepper Clinic/Hotel**

APPLICANT: Philip Lee

PROPERTY OWNER: Executive Development LLC

PROPERTY LOCATION: 801 Pepper Ave

ASSESSORS PARCEL NO.: 0254-071-10

DESCRIPTION: A request for Master Plan for the Planning Area 19B of the Colton’s Hub City Centre Specific Plan (CHCCSP) Architectural and Site Plan Review a 3-story 60,000 sf medical office clinic, and associated site improvements; Conditional Use Permit for a 5-story, 112-room hotel, and a 3-story parking structure; Minor Deviation for increase of height of hotel structure from 60 feet allowed to 65 feet; Variance for rear setback of 15 feet to zero (0 feet) for parking structure; and Parcel Map 20802 to subdivide parcel into three lots, including phasing for construction and establishing a shared parking agreement with medical office site.

ENVIRONMENTAL DETERMINATION: The Planning Commission of the City of Colton, in accordance with the California Environmental Quality Act, has determined the proposed project pursuant to the California Environmental Quality Act (“CEQA”), A Mitigated Negative Declaration (MND) was prepared for this project

Presented by: Mario Suarez, Planning Manager

STAFF RECOMMENDATION: Staff recommends that this project be continued to a date uncertain and public noticing / mailings will be sent again for any future public hearing.

PUBLIC COMMENTS:

None

COMMISSION ACTION

No action necessary as project was pulled by the Applicant and renoticed for future meeting.

I. STUDY SESSION/COMMUNITY MEETING

A request for a Development Application Process (DAP25-0038) to allow **single lot subdivision Tentative Tract No. 20835** of 85 residential condo units and **Architectural and Site Plan Review**

of project site plan and site development improvements on property measuring 5.19 acres in area within the R-3/R-4 (Multiple Family Residential) Zone.

This project also includes an SB 330, the Housing Crisis Act of 2019, application seeking vesting rights. The project also includes utilizing AB 130 and SB 131 for CEQA Exemptions. A study session review of a proposed project is not subject to the California Environmental Quality Act.

STAFF RECOMMENDATION: Receive a staff presentation pertaining to this project and identify concerns or requests for additional information that staff will need to address prior to the public hearing. Since this is a study session, no action is required.

PUBLIC COMMENTS:

Nicolas Zupkofska – Improvements on Rancho, no parking on Rancho, concerns about guest parking.

PLANNING COMMISSION COMMENTS

- Staff will be following up with open space calculations and guest parking space requirements.
- (Note – Planning Commission recording incomplete due to technical error– following comments are from staff notes)
- Concerns raised by the Planning Commission about what it will look like between subject site and Lucia Condo Project.
- Concerns raised by Applicant on changing setbacks and guest parking requirements in order to make the project work.
- Concerns by the Planning Commission on ingress and egress from Rancho Avenue.
- Review possible access onto Georgia Street if possible.
- Concerns about parking along Rancho Avenue – posting “No Parking Zone” is recommended.
- Commission noted changes to zoning code to be presented in final form on January 13, 2026.

J. DIRECTOR’S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

- Building and Fire Code Adoption at the December 2, 2025, City Council Meeting.
- AB98 Approval completed at the December 2, 2025, City Council Meeting
- Thanks to Commission & thanked Mario for coordinating the year end social event.

K. COMMISSION COMMENTS

COMMISSIONER RICHARD PRIETO

- Wished everyone happy holidays and happy new year.

COMMISSIONER ADRIANNA ESCARCEGA

- Wished everyone happy holiday and happy new year.
- Thanked staff for the study session.
- Reminded everyone to please take care and healthy salutations.

COMMISSIONER LETITIA BADEN

- Wished everyone a happy holiday and happy new year.
- Thanked staff for their work.

COMMISSIONER BRUCE McKILLOP

- None

COMMISSIONER GARY GROSSICH

- Wished everyone a happy holiday and happy new year.
- Thanked staff for study session.

L. ADJOURNMENT

Motion to adjourn by Commissioner Baden

Meeting adjourned at 7:30 pm

Next Scheduled Meeting, Tuesday, December 23, 2025, Canceled.

Next meeting is Tuesday, January 13, 2026

Documents Related to Open Session Agendas (SB 343). *Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection Monday through Thursday 7:30 am to 5:00 p.m. at the City of Colton Development Services Department located at the Civic Center Annex (across the street from City Hall) at 659 N. La Cadena Drive, Colton, CA 92324. The meeting will be an in-person meeting and comments via telephone or zoom will not be available.*

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Planning Commission Staff Report

CITY OF COLTON -
Development Services Department
Planning Division

MEETING DATE: January 13, 2026

FILE INDEX NUMBER: DAP-001-744

APPLICANT: City of Colton

PROPERTY OWNER: VARIOUS

REQUEST: A request for the Planning Commission to recommend to the City Council **amendments** to nine areas of the **General Plan Land Use Map and Zoning Map and Amendments to 2013 General Plan Land Use Element and amendments to Title 18 (Zoning Code)** pertaining to Section 18.06.060 (Uses Permitted in each Zone), Chapter 18.16 (R—3 And R-4 Multiple-Family Residential), Chapter 18.23 (Mixed Use – Downtown Zone), and Chapter 18.58 (Administration) of the Colton Municipal Code consistent with adopted 2021-2029 6th Cycle Housing Element Update and **adopting Environmental Findings** pursuant to the California Environmental Quality Act, **adopting a Statement of Overriding Considerations**, Certifying the Final Environmental Impact Report (Sch # 2025010520), and adopting a Mitigation Monitoring and Reporting Program.

ACTIONS:

CEQA SCOPING MEETING: 2/11/2025

COMMUNITY MEETING: 03/29/2023; 10/04/2023; 11/07/2023

STUDY SESSIONS: 10/14/2023; 11/25/2025

DRAFT EIR REVIEW PERIOD: 10-10-2025 to 11-26-2025

PLANNING COMMISSION SCHEDULED: 01/13/2026; **Decision**_____.

ENVIRONMENTAL DETERMINATION: A Program Environmental Impact Report (Program EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Housing Element Update Programs 10 & 11 Rezone and General Plan Amendment (State Clearinghouse [SCH] No. 2025010520).

Parcel Map Numbers:

0163-211-02, 0163-211-05, 0163-211-25, 0163-074-31, 0163-081-06, 0163-081-07, 0163-081-08, 0163-081-09, 0164-182-38, 0164-182-41, 0164-182-43, 0164-182-46, 0164-182-47, 0164-182-48, 0164-182-51, 0164-182-53, 0164-182-55, 0164-182-57, 0164-182-58, 0164-281-01, 0164-281-02, 0164-281-09, 0164-281-11, 0164-181-08, 0164-181-12, 0276-144-30, 0276-144-31, 0163-172-46, 0163-172-47, 0163-172-49, 0163-172-50, 0163-272-01, 0164-182-52, 0164-182-54, one APN to be assigned also known as 910 S. Hert Street| (See Attachment 1)

Previous Planning / City Council Actions

- 8/20/2013 Resolution No R-60-13 was approved by the City Council certifying the environmental impact report (SCH #2012031037) prepared for the General Plan Update, adopting the CEQA Findings and Statement of Overriding Consideration and Adopting a Mitigation Monitoring and Reporting Program.
- 8/20/2013 Resolution No. R-61-13 was approved by the City Council approving A General Plan Amendment for Comprehensive Updates to the Land Use Element, Housing Element and Circulation (Mobility) Element of the General Plan (File Index No.: DAP-001-101)
- 6/25/2013 Resolution No. R-14-13 was approved by the Planning Commission recommending to the City Council the approval of a General Plan Amendment for Comprehensive Updates to the Land Use Element, Housing Element and Circulation (Mobility) Element of the General Plan (File Index No.: DAP-001-101)

PROJECT DESCRIPTION/PURPOSE

The City has identified nine areas of the City, constituting approximately 89.9 acres for potential rezoning and a General Plan Amendment (GPA). These properties are described as part of the six areas in the City that relate to the Program 10/11 Rezone/GPA of the 2021–2029 General Plan Housing Element Update. Under Program 11, the sites rezoned will comply with the requirements of Government Code Section 65583.2(h), which states that cities must have a program to facilitate by-right approval for projects that include at least 20 percent of the units for lower-income housing on rezoned low-income sites. The project is also required to meet the Regional Housing and Needs Assessment (RHNA).

RHNA is the process established in State law by which future housing needs are determined for each city and county. On March 4, 2021, the Southern California Association of Governments (SCAG) adopted the final RHNA Plan, which assigns Colton’s housing needs. According to the RHNA, housing needs for the City of Colton include 1,318 very low income units, 668 low income units, 906 moderate income units, and 2,542 above moderate income units, which is a total of 5,434 housing units in order for the City to have enough housing at all price levels to fully accommodate its assigned share of the region’s housing need. The Housing Element must provide an evaluation of potential capacity for additional housing based on land use designations, development regulations, other development constraints (such as infrastructure availability and environmental conditions), and real estate market trends.

With the HUB City Centre Project approval, the City’s RHNA requirements are being as shown in the table below:

Table 2-3: City of Colton Sites Inventory to Meet the RHNA

	Very Low	Low	Moderate	Above Moderate	Total
Approved Projects	—	12	140	374	526
Vacant Sites	1,356	657	1,102	1,583	4,698
Underutilized Sites	210	141	36	1,234	1,621
ADUs	20	31	31	7	89
	Very Low	Low	Moderate	Above Moderate	Total
Total Capacity	1,586	841	1,309	3,198	6,934
RHNA + 20% Buffer	1,582	802	1,087	3,050	6,934
Additional Surplus	4	39	222	148	—
Source: City of Colton General Plan. 2021–2029 Housing Element, 6th Cycle.					

The purpose of Program 10/11 Rezone/GPA is to accommodate the Regional Housing Needs Allocation (RHNA) and increase the inventory of land available for the development of housing compliant with State law and consistent with the General Plan. The objectives of the proposed project are to:

- Rezone parcels with sufficient area and development standards to accommodate the City's RHNA allocation throughout the planning period.
- Promote infill development and encourage efficient development patterns.
- Meet housing needs by encouraging a variety of housing development affordable at all income levels, including construction of Accessory Dwelling Units (ADUs).
- Reduce, remove, and/or mitigate potential constraints to housing development and incorporate best practices related to land use

The second part (**Attachment 2**) includes Final Administrative Draft Environmental Impact Report (FEIR) documents. The full document because of size is available electronically at the following link: <https://www.coltonca.gov/779/Environmental-Documents>

The third portion of the project includes proposed text amendments to Title 18 (Zoning Code) that will change densities, development standards, parking and administrative reviews to be consistent with the adopted 2021-2029 (6th Cycle) Housing Element Update.

PROPOSED GENERAL PLAN LAND USE AND ZONING MAP AMENDMENTS:

The properties proposed for rezoning in the Study Area are in central and eastern Colton. The nine areas proposed for rezoning include the following, as described in Chapter 2.0, Project Description, of this Draft Program EIR: The minor clarifications identified in the staff report do not result in or require any changes to the analysis or conclusion in the EIR.

- **Area 1:** 500, 530 and 660 South La Cadena Drive (3 parcels)—Assessor's Parcel Numbers (APNs): 0163-211-02, 05 and 25; Existing General Plan land use designation "General Commercial" amended to "Mixed Use—Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use—Downtown).
- **Area 2:** 233 South La Cadena Drive (1 parcel)—APN: 0163-074-31; Existing General Plan land use designation "General Commercial" amended to "Mixed Use—Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use—Downtown).
- **Area 3:** 158 and 170 South La Cadena Drive, 115 and 131 East L Street (4 parcels)—APNs: 0163-081-06, 07, 08, and 09; Existing General Plan land use designation "General Commercial" amended to "Mixed Use—Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use—Downtown).
- **Area 4:** 1202, 1300, and 1500 East Fairway Drive and 1200, 1250, 1300, 1350, 1400, and 1500 Crossroads Drive (11 Parcels)—APNs: 0164-182-38, 41, 43, 46, 47, 48, 51, 53, 55, 57, and 58; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use—Downtown." Zoning Map amended from I-P (Industrial Park) to M-U/D (Mixed Use—Downtown).
- **Area 5:** 1201 and 1301 East Fairway Drive (6 Parcels)—APNs: 0164-281-01, 02, 09, and 11 and APN(s): 0164-181-08, and 12; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use—Downtown." Zoning Map amended from I-P (Industrial Park) to M-U/D (Mixed Use—Downtown).

- **Area 6:** E. Santo Antonio Drive and Mt. Vernon Avenue (2 Parcels)–PNs: 276-144-30 and 276- 144-31; Existing General Plan land use designation “General Commercial.” Zoning Map amended from C-2 (General Commercial) to C-2/R-O (General Commercial/Residential Overlay).
- **Area 1-A:** 609, 613, 645, 655 and 659 South 7th Street (5 parcels)–APNs: 0163-172-46 and 47; Existing General Plan land use designation "Low Density Residential" amended to "Mixed Use–Downtown." Zoning Map amended from R-1 (Low Density Residential) to M-U/D (Mixed Use–Downtown). APNs: 0163-172-48, 49, and 50; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).
- **Area 1-B:** Herts Street and Congress Street (1 parcel)–APN: Includes 0163-272-01 changing from M-1 (Light Industrial) to M-U/D (Mixed Use – Downtown) and new lot Not Assigned with no current Assessor Parcel Number and no existing General Plan land use or Zoning designation; proposed to be amended with Mixed Use Downtown Land Use Designation and to M-U/D (Mixed Use– Downtown) Zone.
- **Area 4-A:** 1200 East Fairway Drive and 1200 Crossroad Drive (2 Parcels)–APNs: 0164-182- 52 and 54; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use–Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use– Downtown).

The Vicinity Map of the proposed General Plan and Zoning Map properties are provided in **Attachment 1** of this staff report. The focused maps showing each of the proposed changes to the General Plan Land Use Element Maps and “Official Colton Zoning Map” are provided in **Attachment 3** of this staff report.

PROPOSED AMENDMENTS TO 2013 GENERAL PLAN LAND USE ELEMENT TEXT

Included in **Attachment 3** of this staff report are copies of the proposed amendments to the 2013 General Plan Land Use Element presented in October of 2023. The final documents with the changes recommended address the density changes and changes related to the HUB City Centre Specific Plan as follow up to the Specific Plan Changes approved by the City Council in August of 2025. The remaining changes include updated language to the land use descriptions.

PROPOSED VARIOUS AMENDMENTS TO ZONING ORDINANCE TEXT

Included in **Attachment 3** of this staff report are copies of the proposed zoning ordinance text amendments. The zoning text amendments include changes to the Permitted Uses Table Section, Multiple Family Residential Zone Chapter, Mixed-Use Downtown Zone Chapter, and Administrative Chapter of the Colton Municipal Code. The proposed changes include the following four major areas:

- Updating Permitted Uses in 18.06.060 to allow mixed-use projects, compact lots, manufactured homes, and multiple family dwellings within commercial zones.
- Updating Multiple Family Residential Zones Development Standards, Recreation Open Space, and Parking to allow for multi-family residential projects. Current code is too restrictive and violates Housing Element objectives. Staff has updated the Code that would permit multiple family residential like what is permitted in the Mixed Use – Downtown Zone.
- Amendments to Mixed Use – Downtown Code updating the Residential private open space to allow 70 square feet of private open space instead of 100 square feet and reducing the minimum dimension to six feet. Updating the Multiple Family (apartments, condominiums and townhouse) parking requirements.

- Updating the Administrative Code's Roles/Applications/Fees language on application submissions, clarification to the Business Occupancy Permit Ordinance and updating the ministerial approval of residential projects and clarifying requirements that go to the Planning Commission in compliance with new housing laws.

ENVIRONMENTAL DETERMINATION:

Purpose of the Program EIR

- Identify feasible measures to reduce significant environmental impacts at a program level.
- Establish policy and regulatory framework for future projects.
- Evaluate potential environmental impacts of the Housing Element Rezone on the physical environment.
- Ensure compliance with CEQA requirements.

Structure

- Main Document: Identification of relevant thresholds, impact analysis and mitigation measures.
- Appendices: Technical studies and supporting data completed.

Public Review

- Draft EIR available for comment during designated review period (October 10, 2025 to November 26, 2025).

The Draft Program EIR is available for public review at:

- City of Colton Development Services Department - 659 North La Cadena Drive, Colton, CA 92324
- Colton Public Library – Main Branch - 656 North 9th Street, Colton, CA 92324
- City Hall Information Booth - 650 North La Cadena Drive, Colton, CA 92324
- Online: <https://www.coltonca.gov/779/Environmental-Documents>

Comments Received

- **Attachment 2** includes responses to comments received from State Agency, Local Adjacencies, and Individuals. All comments provided detailed responses to concerns received and many of the comments received were also in support of the proposed changes.

Three Significant Unavoidable Impacts & Irreversible Changes

- Air Quality – future development and regional location of Colton cause for air quality impacts that exceed South Coast AQMD thresholds, regional basin contributions (i.e. trucks, permitted facilities) are health risks that are unavoidable in this area.
- Cultural Resources – If there are historic buildings that will be demolished or the combined effect of multiple projects on historic resources are considered significant and unavoidable.
- Public Services – Providing sufficient park space was the significant and unavoidable issue in this area.

Under the California Environmental Quality Act (CEQA), a public agency must adopt written Findings of Fact for each significant environmental impact identified in an Environmental Impact Report (EIR), and, if it approves a project with significant and unavoidable impacts, it must also adopt a Statement of Overriding Considerations explaining why the project is approved despite those impacts.

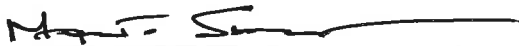
Based on the entire record before the Planning Commission, including all written and oral evidence presented, the Planning Commission hereby makes the Findings of Fact and adopts the Statement of Overriding Considerations in accordance with the California Environmental Quality Act (CEQA), as set forth in **Attachment 2** hereto and incorporated herein by reference.

The Planning Commission finds that the Environmental Impact Report (EIR) for the project (State Clearinghouse No. 2025010520) has been completed in compliance with CEQA and reflects the independent judgment of the City. The Findings of Fact and Statement of Overriding Considerations identify significant environmental impacts that cannot be avoided, even with the implementation of all feasible mitigation measures, and set forth the specific economic, legal, social, technological, and other benefits that outweigh the unavoidable adverse environmental effects. The Planning hereby recommends the City Council certify the EIR and adopt the Findings of Fact and Statement of Overriding Considerations.

RECOMMENDATION: Staff Recommends that the Planning Commission:

- a. Receive staff presentation.
- b. Receive staff presentation. :
- c. Receive public comments.
- d. Commission comments and questions.
- e. Adopt resolution entitled

RESOLUTION NO. R-01-26. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL AMENDMENT TO NINE AREAS OF THE GENERAL PLAN LAND USE MAP AND ZONING MAP AND AMENDMENTS TO 2013 GENERAL PLAN LAND USE ELEMENT AND AMENDMENTS TO TITLE 18 (ZONING CODE) PERTAINING TO SECTION 18.06.060 (USES PERMITTED IN EACH ZONE), CHAPTER 18.16 (R—3 AND R-4 MULTIPLE-FAMILY RESIDENTIAL), CHAPTER 18.23 (MIXED USE – DOWNTOWN ZONE). AND CHAPTER 18.58 (ADMINISTRATION) OF THE COLTON MUNICIPAL CODE CONSISTENT WITH ADOPTED 2021-2029 6TH CYCLE HOUSING ELEMENT UPDATE AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 2025010520), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (FILE NO. DAP-001-744)



Prepared by: Mario Suarez, AICP
Planning Manager



Reviewed by: Heidi Duron, MPA
Development Services Director

ATTACHMENTS:

1. Vicinity Map Overview of General Plan Land Use Map and Rezoning Map Changes
2. Administrative Final Environmental Impact Report (EIR)
 - a. Includes Introduction, Master Responses and Responses to Written Comments.
 - b. The Final EIR includes the following contents:
 - Draft Program EIR (provided under separate cover)
 - Draft Program EIR Appendices (provided under separate cover)
 - Master Responses and Responses to Written Comments on the Draft Program EIR (Sections 2 and 3 of this document)
 - Mitigation Monitoring and Reporting Program (provided under separate cover)

The above documents may be viewed at the following electronic link:

<https://www.coltonca.gov/779/Environmental-Documents>

3. PC Resolution No. R-01-26 with the following exhibits
 - a. **Exhibit A** – City Council Resolution for General Plan Amendments Land Use Element (Map and Text) with the following exhibits:
 - i. Exhibit “A-1” – Findings and Statement of Overriding Considerations
 - ii. Exhibit “A-2” – General Plan Amendments to 2013 Land Use Element Update Land Use Map
 - iii. Exhibit A-3” – General Plan Amendments to 2013 Land Use Element Update Text
 - b. **Exhibit B** – City Council Ordinance for Zoning Text and Map Amendments
 - i. Exhibit “B-1” – Findings and Statement of Overriding Considerations
 - ii. Exhibit “B-2” – Rezoning (Map)
 - iii. Exhibit B-3” – Zoning Ordinance Text Amendments

**Vicinity Map Overview of General Plan
Land Use Map and Rezoning Map Changes**

ATTACHMENT 1



Administrative Final Environmental Impact Report (EIR)

- a. Includes Introduction, Master Responses and Responses to Written Comments.
- b. The Final EIR includes the following contents:
 - Draft Program EIR (provided under separate cover)
 - Draft Program EIR Appendices (provided under separate cover)
 - Master Responses and Responses to Written Comments on the Draft Program EIR (Sections 2 and 3 of this document)
 - Mitigation Monitoring and Reporting Program (provided under separate cover)

The above documents may be viewed at the following electronic link:

<https://www.coltonca.gov/779/Environmental-Documents>

ATTACHMENT 2

PC Resolution No. R-01-26 with the following exhibits

- c. Exhibit A – City Council Resolution for General Plan Amendments Land Use Element (Map and Text) with the following exhibits:
 - i. Exhibit “A-1” – Findings and Statement of Overriding Considerations
 - ii. Exhibit “A-2” – General Plan Amendments to 2013 Land Use Element Update Land Use Map
 - iii. Exhibit A-3” – General Plan Amendments to 2013 Land Use Element Update Text
- d. Exhibit B – City Council Ordinance for Zoning Text and Map Amendments
 - i. Exhibit “A-1” – Findings and Statement of Overriding Considerations
 - ii. Exhibit “A-2” – Rezoning (Map)
 - iii. Exhibit A-3” – Zoning Ordinance Text Amendments

ATTACHMENT 3

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RESOLUTION NO. R-01-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL AMENDMENT TO NINE AREAS OF THE GENERAL PLAN LAND USE MAP AND ZONING MAP AND AMENDMENTS TO 2013 GENERAL PLAN LAND USE ELEMENT AND AMENDMENTS TO TITLE 18 (ZONING CODE) PERTAINING TO SECTION 18.06.060 (USES PERMITTED IN EACH ZONE), CHAPTER 18.16 (R—3 AND R-4 MULTIPLE-FAMILY RESIDENTIAL), CHAPTER 18.23 (MIXED USE – DOWNTOWN ZONE). AND CHAPTER 18.58 (ADMINISTRATION) OF THE COLTON MUNICIPAL CODE CONSISTENT WITH NEWLY ADOPTED GENERAL PLAN 2021-2029 6TH CYCLE HOUSING ELEMENT UPDATE AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 2025010520), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (FILE NO. DAP-001-744)

WHEREAS, City of Colton (City) is proposing map amendments to nine areas of the City within the existing General Plan Land Use Map and Official Zoning Map (the “Map Amendments”) and also various proposed text amendments to the City’s General Plan Land Use Element and Zoning Code (the “Text Amendments”) to implement Resolution No. R-04-2022 adopted by City Council on January 4, 2022, approving the General Plan 2021-2029 6th Cycle Housing Element Update. ; and

WHEREAS, a Program Environmental Impact Report (EIR) was prepared, SCH #2025010520, on January 13, 2026 that addresses all of the environmental impacts of the proposed Map and Text Amendments; and

WHEREAS, the Program Environmental Impact Report includes Findings of Fact and a Statement of Overriding Considerations in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, on March 29, 2023, October 4, 2023, November 11, 2023, the City held duly noticed Community Meetings and on October 10, 2023 and November 25, 2025 the Planning Commission held Study Sessions open to the public on the proposed Map and Text Amendments; and

WHEREAS, on January 13, 2025, the Planning Commission of the City of Colton (“Commission”) conducted a duly noticed public hearing on the proposed Map and Text Amendments at which time all persons wishing to testify in connection with the matter were heard and the proposed Map and Text Amendments were comprehensively reviewed; and

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

1 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
2 **COLTON RESOLVES AS FOLLOWS:**

3 **SECTION 1.** Based on the entire record before the Commission, all written and
4 oral evidence presented to the Commission, and the findings set forth in this Resolution, the
5 Commission recommends the City Council of the City of Colton approve the aforementioned
6 Program Environmental Impact Report for the project, and the various General Plan Land Use
7 Element Text and Map Amendments and Zoning Map Amendments and various Title 18 (Zoning
8 Code) text amendments in **Exhibits “A” and “B”** attached herein.

9 **SECTION 2.** Based on the entire record before the Planning Commission,
10 including all written and oral evidence presented, the Planning Commission hereby recommends
11 that the City Council make the Findings of Fact and adopt the Statement of Overriding
12 Considerations in accordance with the California Environmental Quality Act (CEQA), as set forth
13 in **Exhibits A & B** attached hereto and incorporated herein by reference. The Planning Commission
14 finds that the Environmental Impact Report (EIR) for the project (State Clearinghouse No.
15 2025010520) has been completed in compliance with CEQA and reflects the independent judgment
16 of the City. The Findings of Fact and Statement of Overriding Considerations identify significant
17 environmental impacts that cannot be avoided, even with the implementation of all feasible
18 mitigation measures, and set forth the specific economic, legal, social, technological, and other
19 benefits that outweigh the unavoidable adverse environmental effects. The Planning Commission
20 hereby recommends the City Council certify the EIR and adopt the Findings of Fact and Statement
21 of Overriding Considerations.

22 **SECTION 3.** Based on the entire record before the Commission and all written and
23 oral evidence presented to the Commission, the Commission finds the General Plan and Zoning
24 Map Amendments and the Text Amendments to the General Plan and to Title 18 are consistent
25 with the adopted General Plan 2021-2029 6th Cycle Housing Element and 2013 Land Use Element
26 of the City of Colton because they implement the 2022 Council-adopted General Plan Housing
27 Element Amendment, as described in more detail below. does reflect the recommended zoning
28 districts categories consistent with adopted General Plan Land Use Categories adopted by the City
Council on August 20, 2013.

A. The following land use and zoning districts provide for land uses that are consistent with
the land use classification for the Subject Sites in the General Plan Land Use Element as
shown in the proposed amendments as attached hereto as **Exhibit A & B** attached herein,
which are hereby expressly incorporated herein by reference.:

- **Area 1:** 500, 530 and 660 South La Cadena Drive (3 parcels)—Assessor’s Parcel
Numbers (APNs): 0163-211-02, 05 and 25; Existing General Plan land use designation
"General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended
from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).
- **Area 2:** 233 South La Cadena Drive (1 parcel)—APN: 0163-074-31; Existing General
Plan land use designation "General Commercial" amended to "Mixed Use–Downtown."
Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–
Downtown).
- **Area 3:** 158 and 170 South La Cadena Drive, 115 and 131 East L Street (4 parcels)—

APNs: 0163- 081-06, 07, 08, and 09; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).

- **Area 4:** 1202, 1300, and 1500 East Fairway Drive and 1200, 1250, 1300, 1350, 1400, and 1500 Crossroads Drive (11 Parcels)–APNs: 0164-182-38, 41, 43, 46, 47, 48, 51, 53, 55, 57, and 58; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use– Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use– Downtown)."
- **Area 5:** 1201 and 1301 East Fairway Drive (6 Parcels)–APNs: 0164-281-01, 02, 09, and 11 and APN(s): 0164-181-08, and 12; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use–Downtown." Zoning Map amended from I-P (Industrial Park) to M-U/D (Mixed Use–Downtown).
- **Area 6:** E. Santo Antonio Drive and Mt. Vernon Avenue (2 Parcels)–PNs: 276-144-30 and 276- 144-31; Existing General Plan land use designation “General Commercial.” Zoning Map amended from C-2 (General Commercial) to C-2/R-O (General Commercial/Residential Overlay).
- **Area 1-A:** 609, 613, 645, 655 and 659 South 7th Street (5 parcels)–APNs: 0163-172-46 and 47; Existing General Plan land use designation "Low Density Residential" amended to "Mixed Use– Downtown." Zoning Map amended from R-1 (Low Density Residential) to M-U/D (Mixed Use– Downtown). APNs: 0163-172-48, 49, and 50; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).
- **Area 1-B:** Herts Street and Congress Street (1 parcel)–APN: Includes 0163-272-01 changing from M-1 (Light Industrial) to M-U/D (Mixed Use – Downtown) and new lot Not Assigned with no current Assessor Parcel Number and no existing General Plan land use or Zoning designation; proposed to be amended with Mixed Use Downtown Land Use Designation and to M-U/D (Mixed Use– Downtown) Zone.
- **Area 4-A:** 1200 East Fairway Drive and 1200 Crossroad Drive (2 Parcels)–APNs: 0164-182- 52 and 54; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use– Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use– Downtown).

B. The Planning Commission hereby recommends that the City Council of the City of Colton (“City Council”) adopt the Map and Text Amendments to the City’s General Plan, Zoning Map and Zoning Code (Title 18) as attached hereto as **Exhibits “A” and “B”** which are hereby expressly incorporated herein by reference.

SECTION 4. Based on the entire record before the Commission and all written and oral evidence presented to the Commission, the Commission finds the proposed Text and Map Amendments are reasonably related to the public welfare of the citizens of the City of Colton and the surrounding region because they implements the following goals, objectives, policies and programs outlined in the Council-adopted General Plan 2021-2029 6th Cycle Housing Element Update.

1 **Program 10: Update Zoning Standards** - To accommodate for a shortfall of sites and provide
2 for adequate sites, the City will also up-zone its Mixed Use Downtown zoning designations to
3 allow up to 40 du/acre and its R3/R4 zone to allow up to 30 du/acre. Furthermore, the Hub City
4 Center Specific Plan (HCCSP) will be amended to allow up to 40 units per acre in the specific
5 plan area on retail parcels identified for rezoning in the sites inventory. The Mixed-Use zoning
6 standards will also be updated to allow 100% residential use and require at least 50% of the
7 total floor area to be occupied by a residential use.

8 **Program 11: Rezoning Sites** - Rezoned sites will comply with the requirements of
9 Government Code Sec. 65583.2(h) which states that cities must have a program to facilitate by-
10 right approval for projects that include at least 20 percent of the units for lower-income housing
11 on rezoned low-income sites, which is the reason for the proposed amendments to the 2013
12 General Plan Land Use Element (Text and Maps) and Title 18 (Zoning Code) and Official
13 Zoning Map

14 **SECTION 5.** Based upon the findings and proposed project amendments set forth
15 above in this Resolution, the Planning Commission hereby recommends to the City Council
16 approval of proposed Program EIR, General Plan Text and Map Amendments, Map Amendments
17 to the City's Official Zoning Map and Text Amendments to the Zoning Code (Title 18 of the City
18 of Colton's Municipal Code) in **Exhibits "A" and "B"** attached herein.

19 **SECTION 6.** The Secretary shall certify to the adoption of this Resolution.

20 PASSED, APPROVED AND ADOPTED this 13th day of January, 2026.

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Planning Commission Chairperson
Richard Prieto

ATTEST:

Planning Commission Secretary
Heidi Duron, MPA
Development Services Director

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Colton at a meeting held on January 13, 2026, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Planning Commission Secretary
Heidi Duron, MPA
Development Services Director

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON APPROVING MAP AMENDMENTS TO NINE AREAS OF THE 2013 GENERAL PLAN LAND USE MAP AND TEXT AMENDMENTS TO 2013 GENERAL PLAN LAND USE ELEMENT TO IMPLEMENT PROGRAMS 10 AND 11 OF THE COLTON GENERAL PLAN 2021-2029 6TH CYCLE HOUSING ELEMENT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 2025010520), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (FILE NO. DAP-001-744)

WHEREAS, on January 4, 2022, the General Plan 2021-2029 6th Cycle Housing Element was adopted by the City Council by Resolution No. R-4-22 (the "Housing Element Update"), in compliance with State housing law; and

WHEREAS, the Housing Element Update was adopted to implement the standards and requirements established by recent State housing law, specifically related to the City's adopted 2021-2029 6th Cycle Housing Element Update; and

WHEREAS, the Housing Element Update is a Citywide Housing Plan which outlines the City's Goals, Policies and Programs for the orderly development of local housing to meet needs; and

WHEREAS, Programs 10 and 11 of the Housing Element Update require the City Council to subsequently re-designate certain properties in the City's General Plan Land Use Map to different land use categories and to amend certain development standards in the City's General Plan in order to facilitate the development of local housing, which are identified as land use Application No. DAP-001-744 and attached hereto as Exhibits "A-2" and "A-3") (the proposed "General Plan Map and Text Amendments"); and

WHEREAS, on January 13, 2026, the Planning Commission of the City of Colton ("Planning Commission") conducted a duly noticed public hearing and recommended by a vote of ____ to ____ that the City Council adopt the General Plan Map and Text Amendments ; and

WHEREAS, on _____ 2026, the Colton City Council conducted a duly noticed public hearing to consider General Plan Map and Text Amendments; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON RESOLVES 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 Resolution.

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 Resolution, the City Council hereby finds and determines that the proposed General Plan Land Use Element Map and Text Amendments are consistent with the goals and policies of the City of Colton General Plan and are

1 reasonably related to the public welfare of the citizens of the City and surrounding regions. Specifically,
2 the General Plan Land Use Element Map and Text Amendments implement Programs 10 and 11 of the
3 City's 2021-2029 Sixth Cycle Housing Element Update which implements State housing law and policy.

4 **SECTION 3.** Based on the entire record before the City Council, including all written and oral
5 evidence presented, the City Council hereby makes the Findings of Fact and adopts the Statement of
6 Overriding Considerations in accordance with the California Environmental Quality Act (CEQA), as set
7 forth in **Exhibit A-1** attached hereto and incorporated herein by reference. The City Council finds that the
8 Environmental Impact Report (EIR) for the project (State Clearinghouse No. 2025010520) has been
9 completed in compliance with CEQA and reflects the independent judgment of the City. The Findings of
Fact and Statement of Overriding Considerations identify significant environmental impacts that cannot be
avoided, even with the implementation of all feasible mitigation measures, and set forth the specific
economic, legal, social, technological, and other benefits that outweigh the unavoidable adverse
environmental effects. The City Council therefore certifies the EIR and adopts the Findings of Fact and
Statement of Overriding Considerations.

10 **SECTION 4.** The General Plan Land Use Element of the General Plan, is hereby amended by
11 changing Land Use Map designations of certain property and deleting, modifying and/or adding the text as
12 shown in the attached **Exhibits A-2 and A-3** (New Text is shown Double Underline and deleted text is
shown in ~~strikethrough~~.)

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

17 **SECTION 6. Certification.** The City Clerk shall certify to the passage of the Resolution .

18 **SECTION 7.** This Resolution shall become effective thirty (30) days after its adoption in
19 accordance with the provisions of California law.

20 PASSED, APPROVED AND ADOPTED on this ____ day of _____, 2026.

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23 _____
Frank Navarro
Mayor

24 ATTEST:

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Isaac T. Suchil
City Clerk

Exhibit A-1 Findings of Fact and Statement of Overriding Consideration
--

Administrative Final Environmental Impact Report (EIR)

e. Includes Introduction, Master Responses and Responses to Written Comments.

f. The Final EIR includes the following contents:

- Draft Program EIR (provided under separate cover)
- Draft Program EIR Appendices (provided under separate cover)
- Master Responses and Responses to Written Comments on the Draft Program EIR (Sections 2 and 3 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

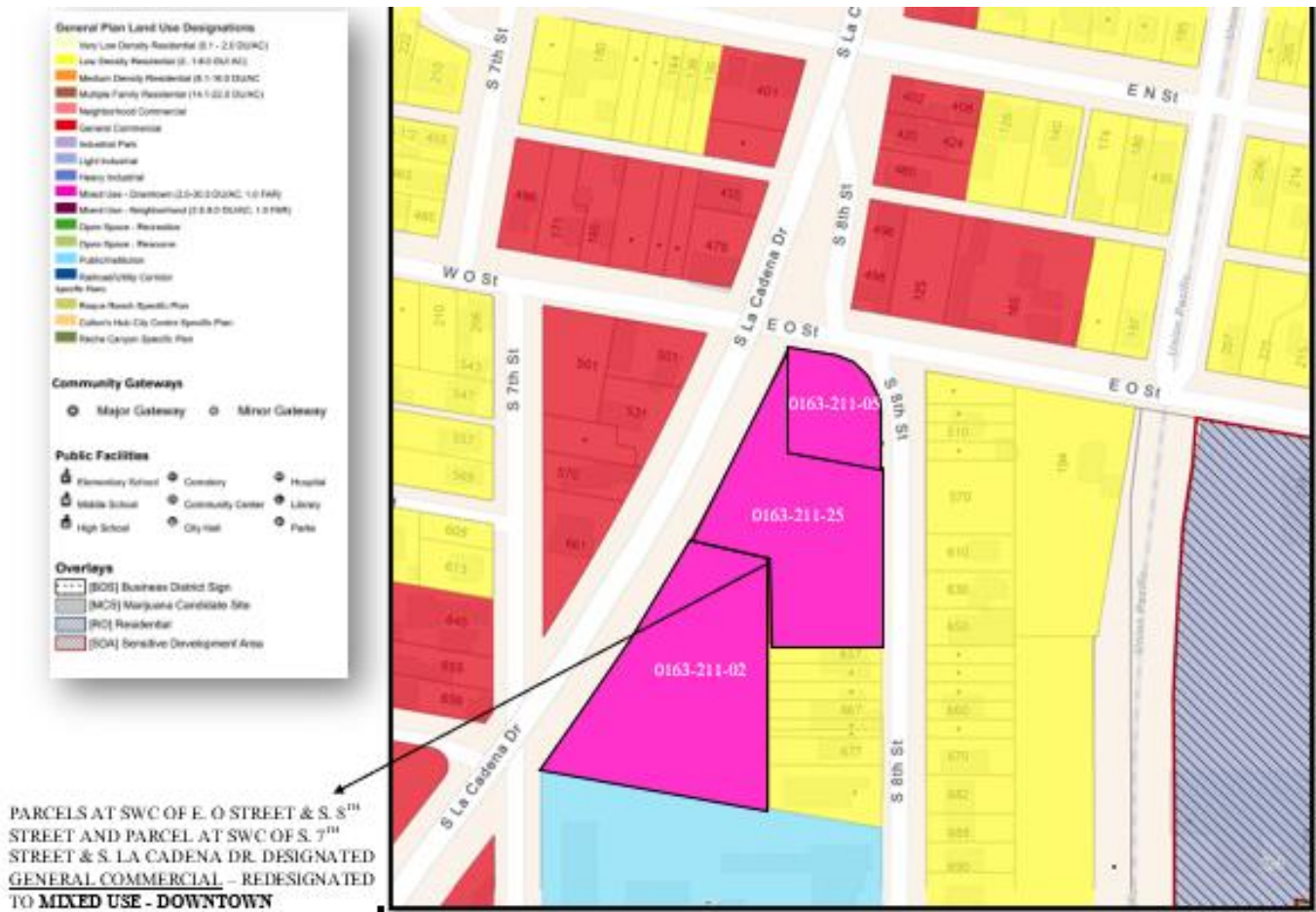
The above documents may be viewed at the following electronic link:

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General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

**Exhibit A-2 of PC
Resolution No. R-0-26**

- **Area 1:** 500, 530 and 660 South La Cadena Drive (3 parcels)—Assessor's Parcel Numbers (APNs): 0163-211-02, 05 and 25; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).



AREA 1 EXHIBIT: GENERAL PLAN LAND USE MAP AMENDMENT

General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

Exhibit A-2 of PC
Resolution No. R-0-26

- **Area 2:** 233 South La Cadena Drive (1 parcel)–APN: 0163-074-31; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).
- **Area 3:** 158 and 170 South La Cadena Drive, 115 and 131 East L Street (4 parcels)–APNs: 0163- 081-06, 07, 08, and 09; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).



PARCELS AT NEC & SWC OF S. LA CADENA DR AND W. L STREET DESIGNATED GENERAL COMMERCIAL - REDESIGNATED TO MIXED-USE - DOWNTOWN

AREA 2 & 3 EXHIBIT: GENERAL PLAN LAND USE MAP AMENDMENT

General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

**Exhibit A-2 of PC
Resolution No. R-0-26**

- Area 4:** 1202, 1300, and 1500 East Fairway Drive and 1200, 1250, 1300, 1350, 1400, and 1500 Crossroads Drive (11 Parcels)—APNs: 0164-182-38, 41, 43, 46, 47, 48, 51, 53, 55, 57, and 58; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use- Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use- Downtown).



AREA 4 EXHIBIT: GENERAL PLAN LAND USE MAP AMENDMENT

General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

**Exhibit A-2 of PC
Resolution No. R-0-26**

- **Area 4-A:** 1200 East Fairway Drive and 1200 Crossroad Drive (2 Parcels)—APNs: 0164-182- 52 and 54; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use- Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use- Downtown).

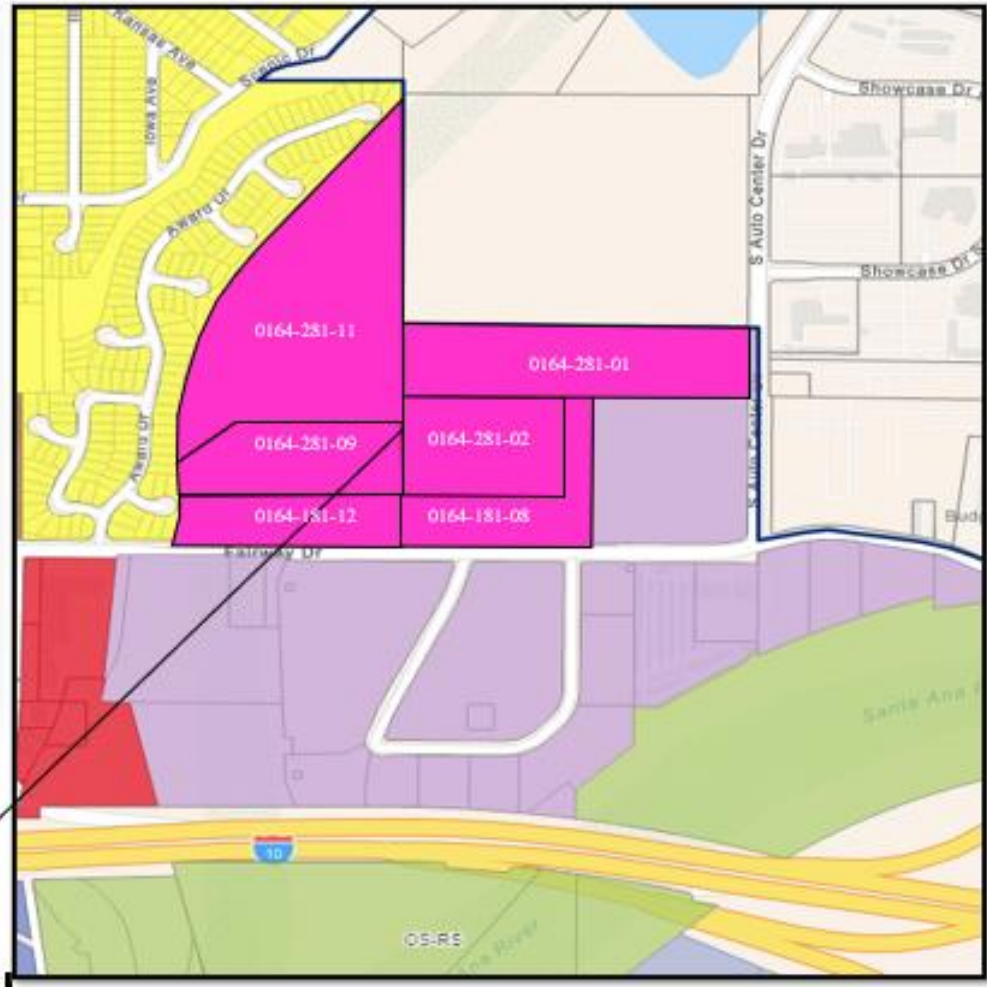


AREA 4-A EXHIBIT: GENERAL PLAN LAND USE MAP AMENDMENT

General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

Exhibit A-2 of PC
Resolution No. R-0-26

- **Area 5:** 1201 and 1301 East Fairway Drive (6 Parcels)–APNs: 0164-281-01, 02, 09, and 11 and APN(s): 0164-181-08, and 12; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use–Downtown." Zoning Map amended from I-P (Industrial Park) to M-U/D (Mixed Use–Downtown).



PARCELS NORTH OF FAIRWAY DR.
& WEST OF S. AUTO CENTER DR.
DESIGNATED INDUSTRIAL PARK –
REDESIGNATED TO MIXED USE -
DOWNTOWN

AREA 5 EXHIBIT: GENERAL PLAN LAND USE MAP AMENDMENT

**General Plan Amendments to
2013 Land Use Element Update Land Use Map
DAP-001-744**

**Exhibit A-2 of PC
Resolution No. R-0-26**

- **Area 6:** E. Santo Antonio Drive and Mt. Vernon Avenue (2 Parcels)—PNs: 276-144-30 and 276- 144-31; Existing General Plan land use designation “General Commercial.” Zoning Map amended from C-2 (General Commercial) to C-2/R-O (General Commercial/Residential Overlay).

Not Applicable – Rezoning Overlay only.

General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

**Exhibit A-2 of PC
Resolution No. R-0-26**

- Area 1-A:** 609, 613, 645, 655 and 659 South 7th Street (5 parcels)–APNs: 0163-172-46 and 47; Existing General Plan land use designation "Low Density Residential" amended to "Mixed Use– Downtown." Zoning Map amended from R-1 (Low Density Residential) to M-U/D (Mixed Use– Downtown). APNs: 0163-172-48, 49, and 50; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).

Zoning Designations	
	VL - Very Low Density Residential
	R-1 - Low Density Residential
	R-2 - Medium Density Residential
	R-3/R-4 - Multiple Family Residential
	C-1 - Neighborhood Commercial
	C-2 - General Commercial
	C-2/D - General Commercial Downtown
	M-U/D - Mixed Use Downtown
	M-U/N - Mixed Use Neighborhood
	IP - Industrial Park
	M-1 - Light Industrial
	M-2 - Heavy Industrial
	P-I - Public/Institutional Zone
	R-U - Railroad/Utility/ROW Zone
	OS-R - Open Space Recreation
	OS-RS - Open Space Resources
Specific Plans	
	Reche Canyon Specific Plan
	Requet Ranch Specific Plan
	Cotton's Hui City Centre Specific Plan



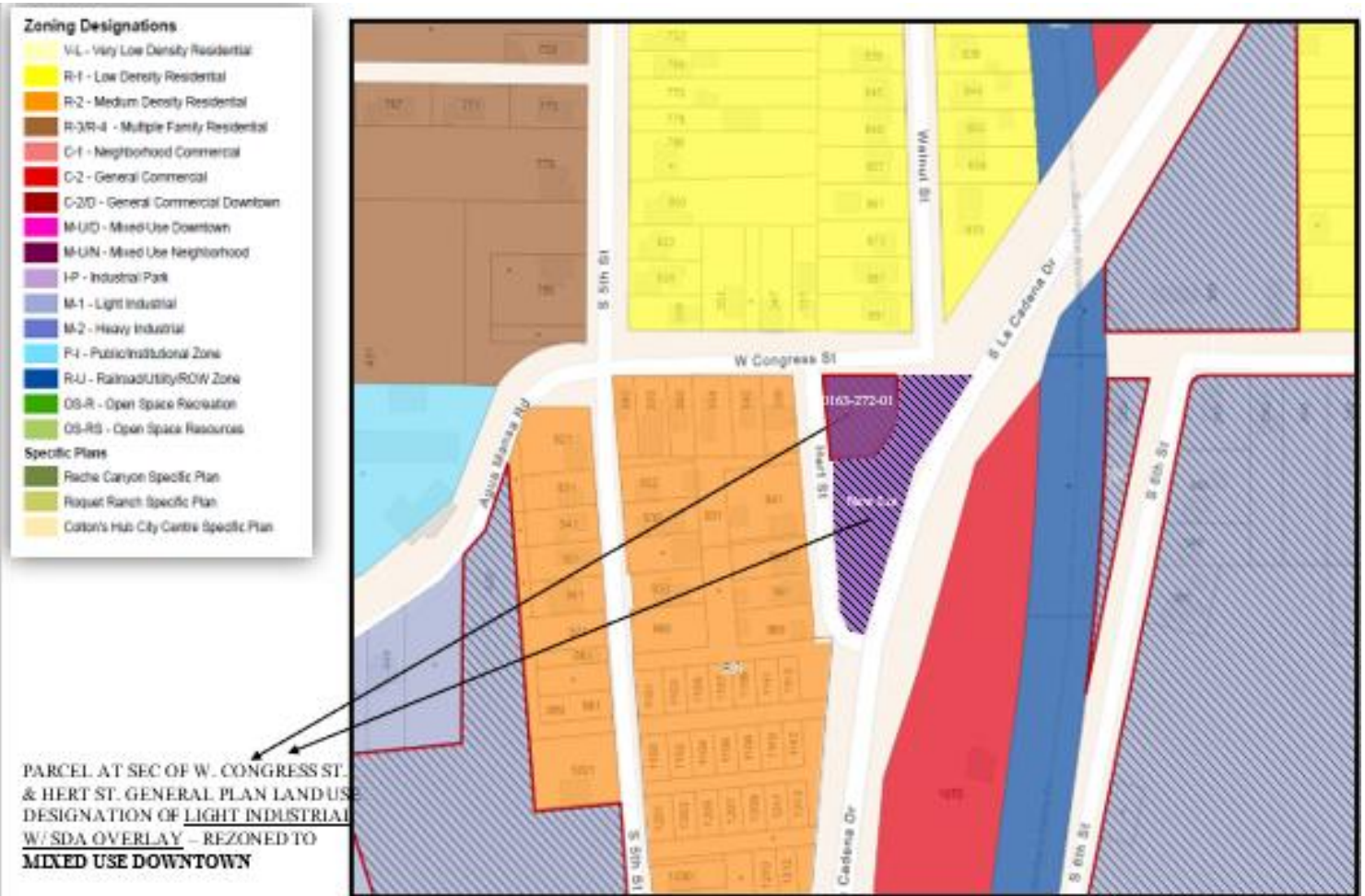
PARCELS AT SWC OF S. 7TH STREET & STEPHEN ST. ZONED R-1 (LOW DENSITY RESIDENTIAL) AND PARCELS AT NWC OF S. 7TH STREET & S. LA CADENA DR. ZONED C-2 (GENERAL COMMERCIAL) – GPA TO MIXED-USE DOWNTOWN

AREA 1-A EXHIBIT: GENERAL PLAN LAND USE AMENDMENT

General Plan Amendments to 2013 Land Use Element Update Land Use Map DAP-001-744

**Exhibit A-2 of PC
Resolution No. R-0-26**

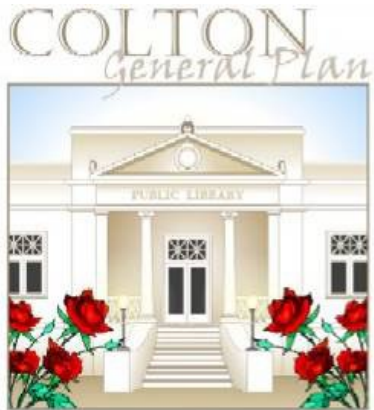
- **Area 1-B:** Herts Street and Congress Street (1 parcel)–APN: Includes 0163-272-01 changing from M-1 (Light Industrial) to M-U/D (Mixed Use – Downtown) and new lot Not Assigned with no current Assessor Parcel Number and no existing General Plan land use or Zoning designation; proposed to be amended with Mixed Use Downtown Land Use Designation and to M-U/D (Mixed Use– Downtown) Zone.



AREA 1B EXHIBIT: GENERAL PLAN LAND USE AMENDMENT

**Appendix H:
Land Use Text and Map Changes**

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City of Colton General Plan

Land Use Element

Adopted by City Council on August 20, 2013
Resolution No. 61-13

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Framework for Land Use Planning

Dating to over 300 years ago, the area that today comprises the City of Colton has served as a crossroads and center of regional activity. In the late 1700s, explorers from Mexico first passed through on their way north to Monterey. The first permanent settlement occurred in the early 1800s as the Jurupa and San Bernardino ranchos, which were Mexican land grants to private owners. The ranchos supported agricultural activity that was important to the growing region. The ranchos were gradually subdivided, and smaller ranches and citrus orchards dotted the area. As the final transcontinental leg of the Southern Pacific Railway pushed through in 1875 on its way to Los Angeles, a formal town was laid out on a traditional grid street pattern, evidenced today in Colton's downtown and the south Colton neighborhood south of Interstate 10. Activity associated with the railroad and the citrus orchards made Colton a busy place, with many businesses and residents working to support railroad operations. In south Colton, where many railroad workers lived, residents built their own homes often using the disassembled wooden crates from railroad shipments as building materials.



Undated photo of downtown Colton, south Colton, and rail lines

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Railroad activity ultimately was expanded so that both east-west and north-south regional lines crossed in Colton. With the waning of the citrus industry, other businesses dependent upon rail for materials delivery and shipment were established along the rail lines, thus creating large tracts of land devoted to industrial operations, many of which continue today. The original residential settlements remained adjacent to the rail and industrial operations, allowing local residents to walk to their jobs.

Many buildings standing today in downtown and south Colton date back to these early years. Proudly, the Colton Museum on La Cadena Drive, built in 1891 as a Carnegie Library, displays and describes those influences that shaped the Colton we see today. Following the relatively quiet period of during the 1920s and Great Depression, Colton again experienced a development boom. Construction of Interstates 10 and 215 through the City — further defining the crossroads nature of the community — attracted transportation-based industries. The frenzied residential building period of post-World War II, followed 30 to 40 years later by explosive subdivision growth throughout the Inland Empire, created many new neighborhoods. A modest amount of commercial development followed to support demand for goods and services.



The Colton Carnegie Library was built in 1908 and now houses the Colton Area Museum

The urban pattern of Colton in the twenty-first century reflects these varied building periods and significantly, the way that the railroads and freeways influenced development activity. In many parts of Colton, residential uses still abut rail lines and industrial activities. Downtown supports a mix of civic, residential, and commercial uses. Major commercial businesses line the freeways to take advantage of regional traffic and customers. These historic influences create both opportunities to embrace and issues to resolve as Colton looks to reposition and reshape itself moving forward.

As of 2012, over 52,000 people called Colton home, and over 630 businesses were operating in the City. The only vacant land remaining for significant business and

neighborhood growth consists of properties challenged by topography, biological resource constraints, and limited access. Thus, the City now looks for creative ways to expand the local economy, house new residents, provide open spaces and community gathering places, and respond to broad-based concerns about relationships between land use, transportation, and environmental quality.

How do we envision Colton as we look toward 2030 and beyond? How do we plan for quality jobs? How does the City respond to the need for housing for all income levels? What policies and programs do we put in place to sustain our community's economic and environmental health? This Land Use Element establishes the framework that City leaders and staff, residents, and the business community will use in discussions and decisions about land use and development.

This Element sets a planning horizon year of 2030. However, the total development capacity established by the Land Use Plan might not be achieved by that year due to market and other factors affecting the rate at which development progresses. The City's objective for the Land Use Element is to establish the vision, indicate how that vision can be achieved through public and private development initiatives, and ensure balance between the Land Use Plan and the Circulation Plan, as well as the provision of infrastructure and services.

Community Vision

To understand the community's vision for Colton, City leaders conducted several public workshops during 2007-2011 to invite residents, property owners, and local business persons to share their concerns, hopes, and ideas for Colton. From these discussions, four overarching principles for land use planning and decision-making emerged which together, establish the Community Vision:

In Colton, the development, use, and maintenance of public and private lands will always:

- *respect our heritage and historic resources,*
- *protect our traditional suburban development pattern and residential neighborhoods while accommodating new, more urban approaches to development,*
- *provide opportunities for diverse businesses that generate revenue and employment, and*
- *promote high-quality design.*

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Land Use Element Scope and Context

This Land Use Element establishes policies for the use and development of properties in Colton, including the location, distribution, type, and intensity. In addition to addressing properties within the corporate City limits, this element also applies to lands within the City's sphere of influence, which encompasses unincorporated properties in portions of Reche Canyon, an aggregate mine and associated industries south of Interstate 10, and a residential neighborhood just north of Interstate 10, between Hermosa Boulevard and Valencia Drive. Together, properties within the City limits and unincorporated sphere areas define the "planning area," shown on Figure LU-1. The planning area encompasses 18 square miles.

While the Land Use Element addresses all lands within the planning area, the City has developed specific policies and action programs for these focus areas:

Colton's Historic Areas¹

- Downtown Colton
- South Colton

Major Commercial Corridors

- Valley Boulevard
- Mount Vernon Avenue

Emerging Urban and Mixed-Use Districts

- West Valley (including the Colton Hub City Centre Specific Plan Area) |

In addition to focusing on districts and corridors, the Land Use Element provides policy direction within a citywide context for all residential neighborhoods, commercial and industrial centers, parks, natural resource areas, and public facilities. Importantly, policies

¹ The City has designated several areas within these focus areas and other parts of the community as official Historic Districts, including 9th Street, Agua Mansa, Citrus Park, La Cadena, San Salvador, and Terrace. Refer to the *Cultural Resources Preservation Element* for discussion and policies.

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reflect the City's commitment to enhancing the community aesthetic by integrating land use and urban design, and to promoting sustainable building practices.



Figure LU-1:
Planning Area

Land Use Context

Local Geography and Transportation Infrastructure

Colton has complex physical conditions that affect land use planning and land use decisions. The Colton area was one of the earlier communities established in the Inland Empire due to its proximity to the Santa Ana River. Water was an important resource for the first Native American inhabitants and early European settlers as well, providing for their daily needs and supporting agricultural activities. One of the earlier settlements in San Bernardino, Agua Mansa, was situated along the banks of this river.

In addition to the Santa Ana River, hillsides help define the southern area of Colton. The slopes and canyons of the Jurupa Hills, La Loma Hills, and Reche Canyon provide picturesque locations for homes but present challenges with regard to access and grading. Another unique geological formation is the Colton Sand Dune system, considered at one point as one of the largest inland sand dune formations in Southern California. As the dunes provide habitat for a federally protected species, they have constrained development activity since 1993.

Railroads, which led to Colton's establishment and which were integral to the consequential decisions that defined the San Bernardino Valley in the past, continue to play an important role in Colton. The Union Pacific and BNSF (formerly the Burlington Northern and Southern Pacific) Railroads move goods from the ports of Los Angeles and Long Beach to the rest of the United States directly through Colton. The many at-grade crossings and frequent train trips create traffic, noise, and air quality conditions that significantly impact adjacent land uses. Similarly, the I-10 and I-215 freeways, while providing convenient access for residents and businesses, create noise and other impacts.

Our History

From a small settlement, to a small town, to the citrus processing industry and railroad enterprises, to what Colton is today, the City's patterns of development reflect the decisions that were made throughout its history. The following provides an overview of Colton's historic land use trends. Additional detail regarding the City's history may be found in the Cultural Resources Preservation Element.

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Originally, the area we now call Colton was inhabited by Native American cultures. The Gabrielenos were the earliest known inhabitants, followed by the Cahuilla and Serrano Native Americans. California was made a colony of Spain in the 1700s, and the area became part of the Rancho Jurupa and Ranch San Bernardino.

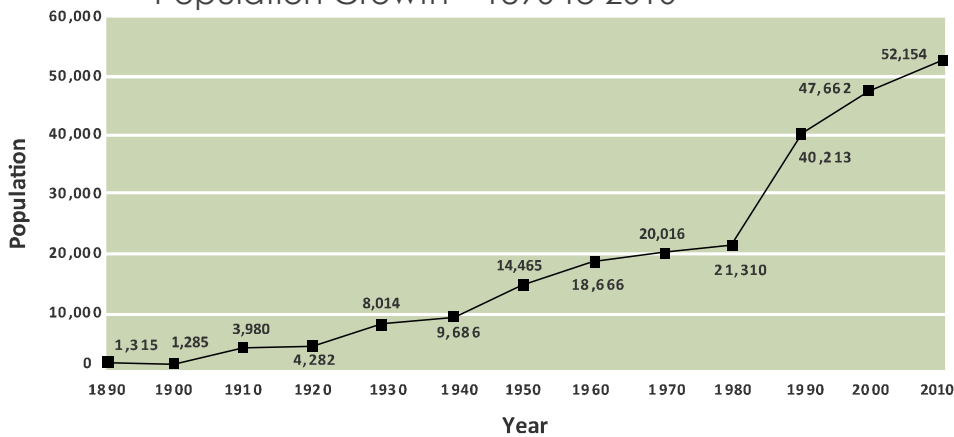


Downtown Colton in 2011, from La Cadena at H Street looking toward Interstate 10

The town of Colton was founded in 1875 by the Southern Pacific Railroad with the intent of making it the railroad center of Southern California. The railroad had the greatest role in the development of Colton, which was named after a Southern Pacific Railroad official, David R. Colton. Incorporated in 1887, Colton began to be known as “the Hub City” because it was the point where the Santa Fe, Union Pacific, Burlington, and the Southern Pacific railroads all converged. Because of its hub location, Colton became an important shipping and distribution point, connecting the City to all of Southern California. Colton was also a rich citrus and farm area that gave rise to the large citrus processing industry. Local farmers cultivated fruit trees; after processing, access to the rail network allowed the shipping of harvest north and east. The network further expanded in 1886 after the Santa Fe Railway established a transcontinental link, which led to population growth and urban development. Although the Southern Pacific railroad line connected Colton to other areas of Southern California and provided accessible transport services, the rail lines unofficially divided the City into north and south Colton.

The City experienced relatively steady population growth from 1920 to 1980. The most dramatic growth occurred between 1980 and 1990, in which the population practically doubled. Figure LU-2 shows population growth in Colton between 1890 and 2010.

Figure LU-2:
Population Growth – 1890 to 2010



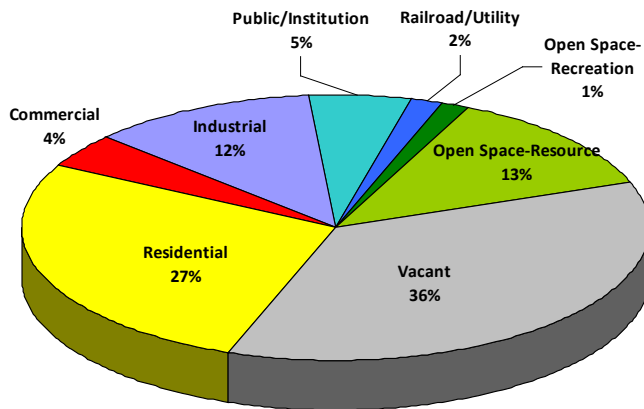
Colton in 2012

According to the U.S. Census, in 2010 Colton had a population of 52,154 residents. Colton is part of the vast Inland Empire, an area that encompasses Riverside and San Bernardino counties, and through the first decade of the twenty-first century, continued to be one of the fastest growing regions in the U.S. The significant residential growth in the Inland Empire fueled the building industry for many years, but the new millennium finally brought increased business growth, particularly in the logistics industry. As Colton moves toward 2030, its strategic location relative to major freeways and railroads, combined with relatively low land costs, will give the City the advantages it needs in a competitive region.

The land use pattern in Colton today reflects the City's industrial roots (see Figure LU-3).. In cities with major railways and highways, industrial land uses developed along these major corridors where there was a concentration of goods movement. Colton is a prime example, as most of its industrial uses are located along the BNSF railroad that runs north/south through the center of the City, and along the Union Pacific railroad parallel to I-10. As the population increased, nonindustrial development grew outward from these industrial clusters.

Residential uses are located throughout the planning area at varying development densities. The highest densities are in developments in the Cooley Ranch area and northwest of downtown. The lowest residential densities can be found in the hillside developments of Reche Canyon.

Figure LU-3:
Land Use Distribution - 2012



Commercial uses have located primarily along the major roadway corridors of Mount Vernon Avenue and Valley Boulevard, and along I-215. Distinctions can be made between commercial uses that serve the local community and uses with a broader service area. Local commercial areas have been established primarily near residential neighborhoods and consist of low-scale, stand-alone commercial business and commercial centers, such as those on La Cadena Drive south of I-10. Shopping areas such as those in Cooley Ranch, just off I-215, support larger retail stores and restaurants that serve a regional market.

An important employment base has emerged on Colton's west side as a result of the San Bernardino County Arrowhead Regional Medical Center. With City leaders' focused campaign to work with federal agencies to release local protected habitat lands for development, the west side of Colton represents a key location to create a vibrant mixed-use business center.

Sphere of Influence and Planning Area

Many issues addressed by the General Plan transcend City boundaries. The City's land use decisions will also affect properties within its sphere of influence. California law requires that a General Plan "cover the territory within the boundaries of an adopting City...as well as any land outside its boundaries which in the planning agency's judgment bears relation to its planning."² Local Agency Formation Commissions (LAFCOs) are responsible for

² California General Plan Guidelines. Governor's Office of Planning and Research. 2003.

delineating sphere of influence boundaries, which are updated every five years. Delineating a sphere of influence discourages competition among agencies for developable land, and promotes efficient and effective service delivery for cities and special districts.

As noted above, this Land Use Element establishes the planning area that includes areas outside the City limits. Properties within the sphere of influence may be candidates for future annexation. Annexation is desired by LAFCO to ensure ongoing maintenance of infrastructure and services.

Physical Conditions Affecting Development

Although Colton lies within one of the fastest growing regions in the country, certain physical conditions have placed limits on development activity. These development constraints include sensitive habitat, railroad infrastructure and operations, and earthquake and flood risk, as illustrated in Figure LU-4.

Delhi Sands Flower-Loving Fly Habitat

The Colton Sand Dune system referenced above is one of the largest inland sand dune formations in Southern California and is a critical natural habitat for several animal species. One such species is the Delhi sands flower-loving fly (DSF), an endemic insect restricted to the semi-arid sand dunes in Southern California's San Bernardino and Riverside counties. The historical distribution of the DSF included the City of Colton. The DSF was placed on the federal Endangered Species list in 1993 by the U.S. Fish and Wildlife Service.



Delhi sands flower-loving fly
(*Rhaphiomidas terminatus abdominalis*)

As shown in Figure LU-4, the DSF habitat area, as defined in 2010, affects the western portion of Colton in the area generally west of Cypress Street and north of the Santa Ana River. Land use development on these lands has been constrained by the presence of the DSF and the federal laws that govern the environment of the species, and unfortunately, most of the developable land in Colton is within proximity of potential species habitat. However, City leaders continue to diligently work with the U.S. Fish and Wildlife Service to negotiate an agreement that is both beneficial to the species and facilitates development of this land that is vital to Colton's local economy.

Figure LU-4 Factors Affecting Development (11x17)

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Back Page: Figure LU-4
Factors Affecting Development (11x17)

Rail

Colton has retained its status as “the Hub City.” The Union Pacific Railroad main switching yard is located in the City, and a large intermodal hub for the BNSF Railroad is located just a few miles north of Colton, in the city of San Bernardino. With its prime location for transportation, trucking, and logistics operations, and the advantages available to industries that ship via rail, Colton can promote this infrastructure for business development. However, consideration must be given as well to long-established non-industrial uses near rail operations, with development decisions balanced to minimize land use incompatibilities.

Beginning in 2009, the City and railroads began to address three long-standing issues related to the intense rail operations through Colton: at-grade train conflicts, train conflicts with roadway traffic, and train horn noise. The north-south and east-west rail lines, owned by two separate operators, have long conflicted with regard to routes and scheduling. East-west train traffic would have to stop to allow north-south trains to move through, and vice versa, resulting in trains stopped across Colton’s roadways. In 2008, over 110 freight and passenger trains moved daily through Colton Crossing, making it one of the busiest at grade train/train crossings in the United States. In addition, rail spurs serving the industrial areas in south Colton would block streets in the nearby residential neighborhoods. Consistent with safety requirements, trains traveling through Colton would have to sound their horns to alert drivers, given the many at-grade rail/roadway crossings.

Two major projects resolve these conflicts and the associated inconveniences put upon Colton residents. The Colton Crossing project involves elevating the east-west Union Pacific tracks over the north-south BNSF line along its extent through Colton. A second related project to establish a “quiet zone” through the City means that the closure of several at-grade road crossings of rail lines north of Interstate 10 will alleviate the need for train conductors to sound their horns along the north-south rail routes.



The Colton Crossing, prior to construction of improvements to construct the UPRR fly-over of the UPRR line.

Photo courtesy of the San Bernardino Association of Governments, 2012

Santa Ana River Floodplain

The City of Colton participates in the National Flood Insurance Program (NFIP). The NFIP provides federal flood insurance subsidies and federally financed loans to qualifying property owners in flood-prone areas. Flood Insurance Rate Maps (known as FIRMs) are an important part of the NFIP and are prepared by the Federal Emergency Management Agency, or FEMA. FIRMs show potential flood zones for the 100-year and 500-year floods. These are floods that, respectively, have a one percent and 0.2 percent chance of occurring every year. Flood risk information presented on FIRMs is based on historic, meteorological, hydrologic, and hydraulic data, as well as open space conditions, flood control works, and development.



Santa Ana River and trail near the La Loma Hills

Colton's geographic location within the Santa Ana River floodplain contributes to the presence of flood risk for some portions of the City. Major flood control improvements to along the Santa Ana River have significantly reduced flood risks throughout most portions of Colton along the river. However, as shown in Figure LU-3, flood hazards continue to exist along portions of Fairway Drive and south of Fogg Street in south Colton, as well as along the Reche Canyon Channel, which drains into the Santa Ana River and its tributaries. Development within the floodplain may be susceptible to flood and mudslide hazards unless specific flood protection measures are taken.

San Jacinto Fault Zone

California is a highly seismic region, given its location on the edge of the Pacific and North American tectonic plates. A major geologic feature in the City is the San Jacinto Fault, which extends roughly 130 miles through Southern California. As the fault zone trends northwest-southeast through Southern California, it touches Colton along the northeast City

boundary, as shown on Figure LU-4. The San Jacinto Fault, which was responsible for the 1918 San Jacinto earthquake, has not produced a catastrophic earthquake in Southern California during recorded history. Research suggests that this portion of the fault is capable of producing a probable magnitude 6.5 to 7.5 earthquake.

The San Jacinto Fault zone has been designated by the State as an Alquist-Priolo Earthquake Fault Zone,³ which indicates the active nature of the fault. This designation means that special geologic studies are required for any application to build a structure for human occupancy within the fault zone. If a fault trace is discovered during such studies, the structure cannot be placed over the trace and usually, must be set back by approximately 50 feet. These regulations will apply to any development in Colton proposed within the designated Alquist-Priolo Earthquake Fault Zone.

Other Regulations and Agencies Affecting Land Use Decisions

Several other agencies either have jurisdiction over lands in Colton or have regulatory authority for specific types of permits related to land development. Also, broad-based state laws—and the California Environmental Quality Act, or CEQA, in particular—require that Colton consult with outside agencies when making land use decisions or reviewing development projects. The descriptions here are not inclusive, but indicate key regulations that the City and developers must consider in land use decisions.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the California legislature in 1970 in response to a public mandate for thorough environmental review of projects. The provisions of the law and environmental review procedures are described in the CEQA Law and Guidelines. CEQA is the instrument for ensuring that environmental impacts of local development projects are appropriately assessed and mitigated, and if not fully mitigated, ensuring that project benefits to the community are substantial.

U.S. Fish and Wildlife Service and California Department of Fish and Game

Both the U.S. Fish and Wildlife Service and the California Department of Fish and Game have regulations that protect wildlife and plant species. Special permits are required for alteration, dredging, or any activity in a lake or stream, as well as other activities that may affect fish and game habitat. Future development in natural habitat areas, such as that

³ This nomenclature is derived from a 1972 act passed by the California legislature and the lawmakers who drafted the legislation. The 1972 act, which requires mitigation of hazards to structures for human occupancy associated with surface faulting, was a reaction to the significant damage resulting from the 1971 San Fernando earthquake.

occupied by the Delhi sands flower-loving fly, that has the potential to affect those habitats will be subject to the regulations of both of these federal and state agencies.

Regional Water Quality Control Board, Santa Ana Region

As part of a multi-pronged effort to improve the quality of water resources nationwide, the federal government authorized the State Regional Water Quality Control Board and its regional offices such as the Regional Water Quality Control Board, Santa Ana Region to set up programs to implement National Pollutant Discharge Elimination System (NPDES) goals. Under the NPDES Stormwater Permit issued to the County of San Bernardino and Colton as co-permittees, most new development projects in the City are required to incorporate measures to minimize pollutant levels in stormwater runoff. Compliance is required at the time that construction permits are issued, as well as over the long term through periodic inspections.

The Regional Water Quality Control Board is also responsible for issuing permits for dredging and filling near water bodies, monitoring the quality of groundwater basins, managing the Santa Ana River watershed, and directing clean-up activities of leaking underground storage tanks (among other duties).

Local Agency Formation Commission for San Bernardino County

The Local Agency Formation Commission for San Bernardino County, or LAFCO, was formed in response to state legislation in 1963 that established a mechanism to resolve jurisdictional conflicts of overlapping agencies in counties statewide. LAFCO's broad charge is to study and make recommendations regarding agencies' service areas and responsibilities. The San Bernardino LAFCO also is responsible for defining the spheres of influence for cities and reviewing annexation requests.

San Bernardino County Association of Governments

The San Bernardino Association of Governments (SANBAG) is responsible for coordinating regional planning efforts of cities in San Bernardino County and the County itself, and most significantly, coordinating a multi-modal transportation system that serves all County residents. The SANBAG board, comprised of city council and board of supervisor representatives from all participating jurisdictions, meets monthly to discuss and address planning issues of regional interest and concern.

City of Colton Capital Improvement Plan

The City's Public Works Department maintains a five-year Capital Improvement Plan, or CIP, that identifies public works projects planned and funded on a rolling five-year basis. The CIP includes anything from resurfacing of streets to major projects like remodeling public facilities and buildings, retrofitting/replacing bridges to meet seismic and safety standards, bike paths and trails, traffic signals, road widening and realignment. CIP projects respond to goals and policies in the Circulation Element, but also are used to support long-range land use plans by providing the infrastructure improvements needed.

Land Use Plan

The foundation for this Land Use Element is the Land Use Plan, presented in Figure LU-6. The Land Use Map identifies the planned geographic distribution of all land use types, identified as “land use designations,” that can be grouped into five general categories:

- Residential
- Commercial
- Mixed Use
- Industrial
- Public, Institutional, Utilities, and Open Space

All proposed new land uses and modifications to established uses must be consistent with the Land Use Plan, both in terms of how a property is used and developed.

Density and Intensity

When describing areas of Colton, we differentiate one area from another by the principal use, whether that use is homes (residential), shops, restaurants and offices (commercial), research and development or light industrial (business park), a park (open space), or a school (public/institutional). To describe the intensity of use—how much development exists on a property or could be built—land use planners have developed quantitative measures of density and intensity. The term *density* typically applies to residential uses and refers to the allowed development capacity of a property. Density is defined in terms of dwelling units per acre of land (du/ac) and population per acre of land (pop/ac).

For commercial, industrial, and other nonresidential uses, *intensity* describes the degree to which a property is or can be developed. The measure of intensity Colton has adopted is the floor-area ratio. The floor-area ratio, or FAR, describes the relationship between the total square footage of development on a lot and the area of that lot. The FAR is determined by dividing the gross floor area of all buildings on a lot by the land area of that lot. FAR and factors such as building square footage, building height, and the percent of lot coverage are all interrelated. For example, a 20,000 square foot building on a 40,000 square-foot lot yields a 0.5 FAR. This 0.5 FAR can accommodate a single-story building that covers half the lot or a two-story building with reduced lot coverage. Figure LU-5 illustrates different FAR calculations.

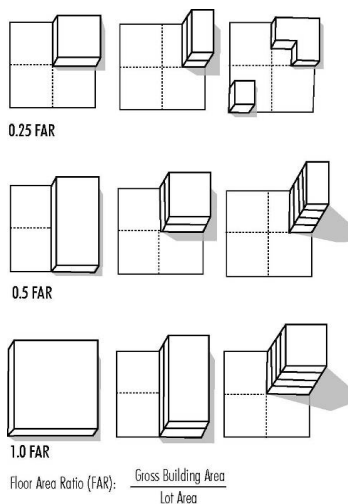


Figure LU-5:
Example of Floor-Area
Ratio (FAR)

DRAFT LAND USE ELEMENT

Figure LU-6 Land Use Plan (11x17)

Commented [SL1]: This figure will need to be updated to change the label on the map and in the legend from “West Valley Specific Plan” to “Colton Hub City Centre Specific Plan”

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Back Page: Figure LU-6 Land Use Plan (11x17)

Land Use Designations

Residential

Four residential land use designations are established to reflect the residential character of Colton homes. In addition to residential uses, limited nonresidential uses such as religious and charitable organizations may be permitted, as implemented through the City's Zoning Ordinance. Each residential designation defines the representative development types, the maximum permitted development density, and an estimate of the population density based on an average household size of 3.209 persons (as reported in 2011 by the California Department of Finance).

Very Low Density Residential

The *Very Low Density Residential* designation provides for detached, single-family residences within a density range of 0.1 to 2.0 dwelling units per acre. Development is characterized generally by single-family detached homes on large, individual lots in areas where terrain, access, and the presence of natural resources may limit the extent to which development can occur. This designation applies generally to hillside areas, such as the La Loma Hills, the Pellissier Ranch area, and Reche Canyon. Within this designation, clustering of dwelling units may be allowed through a discretionary permit process to limit grading and provide opportunities to preserve natural open space. Other uses, such as accessory dwelling units and group homes and, may be permitted consistent with the zoning regulations for the implementing zone.

- *Allowed Density: 0.1 to 2.0 dwelling units per acre*
- *Typical Population Density: 1 to 7 persons per acre*

Low Density Residential

The *Low Density Residential* designation provides for detached, single-family residences within a density range of 2.1 to 8.0 dwelling units per acre. Development is characterized generally by single-family detached homes on individual lots that form a cohesive neighborhood. Residential subdivisions in this category are similar to those found in many of Colton's established residential tracts. Within this designation, clustering of dwelling units may be allowed to provide additional opportunity for a diversity of housing types and architectural styles and common open space areas. New development must be compatible and similar in character to the surrounding residential neighborhoods within this designation. Other uses, such as accessory dwelling units, group homes, and child care services, may be permitted consistent with the zoning regulations for the R-1 and similar implementing zones.

- *Allowed Density: 2.1 to 8.0 dwelling units per acre*
- *Typical Population Density: 7 to 26 persons per acre*

Medium Density Residential

~~The Medium Density Residential designation allows detached and attached units, townhouses, and condominiums. Development densities may range from 8.1 to 16.0 units per acre. Development is characterized generally by detached and attached single family homes on small lots, alley-loaded homes, duplexes, triplexes, condominiums, and townhouses with common open space and small private patios or yards. Other uses such as mobile home parks and schools are permitted consistent with the City's R-2 zone regulations.~~

The Medium Density Residential designation allows detached units and attached townhouses, condominiums, and apartments. Development densities range from 8.1 to 16.0 units per acre. Development is characterized generally by detached or attached houses on small lots, alley-loaded homes, duplexes, triplexes, condominiums, townhouses, and live/work lofts with common open space and small private patios or yards. Other uses such as mobile home parks and schools are permitted subject to a Conditional Use Permit consistent with the City's R-2 zone regulations. Design objectives include elements that enhance the visual characteristics of the neighborhood through site planning, architecture, open space, and landscaping.

- *Allowed Density: 8.1 to 16.0 dwelling units per acre*
- *Typical Population Density: 26 to 51 persons per acre*

High Density Residential

~~The High Density Residential designation accommodates multi-family housing and specifically housing development of a more intensive form, including condominiums, apartments, stacked flats, and senior housing. Higher densities are intended for specialized housing, such as senior housing at locations where adequate support infrastructure exists. Other uses such as mobile home parks and child care services are permitted consistent with the City's R-3 zone regulations.~~

~~Residential projects may be constructed at densities between 16.1 and 22.0 units per acre. For projects developed exclusively for senior residents as income-subsidized housing, the City may allow densities of up to 60 dwelling units per acre through a discretionary permit process. Design elements such as architecture, site planning, and landscaping are critically important to create quality development. Maximum densities can only be achieved where exemplary design qualities are provided.~~

The High-Density Residential designation accommodates multi-family housing, and specifically housing development of a more intensive form, including condominiums, apartments, stacked flats, and senior housing. Density range includes 16.1 to 22 30.0 dwelling units per acre. The higher densities are intended for specialized housing, such as senior housing, at locations where adequate support infrastructure exists. Other uses such as mobile home parks and large family day care homes may be permitted subject to a conditional use permit consistent with the City R-3/R-4 zone regulations. Design objectives include well-designed and visually pleasing buildings that contribute to creating a sense of community and take into consideration the scale proportion and character of the surrounding areas.

- *Allowed Density: 16.1 to 22 30.0 dwelling units per acre*

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- *Typical Population Density: 52 to 71 persons per acre*

Commercial

Colton's commercial areas provide places where residents, businesses, and visitors to the community can purchase goods and services. Two commercial land use designations represent the variety of commercial uses desired in Colton: *Neighborhood Commercial* and *General Commercial*. The City will prioritize commercial development that benefits the City and residents through employment and revenue generation.

Neighborhood Commercial

The *Neighborhood Commercial* designation provides for a variety of retail, office, and service-oriented business activities that serve a local neighborhood area and population. The approach to development incorporates a smaller scale, and commercial uses are lower intensity for compatibility with the character of surrounding residential neighborhoods. Corner locations for *Neighborhood Commercial* uses are preferable to minimize disruption within residential neighborhoods. *Neighborhood Commercial* uses will be located along roadways traveled by localized or residential commuter traffic, and at intersections bisecting residential neighborhoods. Drive-through and auto service/repair businesses may be restricted through zoning regulations to minimize traffic and noise impacts on adjacent residential uses.

- *Maximum Intensity: 0.5 FAR*

General Commercial

The *General Commercial* designation permits a wide range of retail and commercial services, professional offices, and medical facilities. The *General Commercial* designation supports higher-intensity commercial uses such as fast-food and sit-down restaurants, offices, auto services, and community-wide and regional retail establishments. Since many of these uses tend to be large in scale, appropriate locations provide regional exposure, high traffic visibility, and contain sites capable of accommodating expansive floor area and customer parking. The *General Commercial* designation should not apply to areas along low-volume residential roadways or in the midst of a residential neighborhood.

- *Maximum Intensity: 1.0 FAR*

Mixed-Use

~~The Mixed Use designations provide for mixed use urban environments that offer opportunities for people to live, work, and shop within a compact area. Development approaches integrate residential, commercial, and/or office uses into one building or district. Mixed use in one building is typically referred to as vertical mixed use. For example, a mixed use building of several floors could have lower floors dedicated to retail space and the upper floors for offices, apartments, and/or condominiums. Horizontal mixed use refers to a project where retail and residential uses are located in different buildings connected by pedestrian passageways.~~

~~Because mixed-use developments provide both residential and commercial components, the maximum permitted intensity of use is expressed in terms of density and FAR. For any individual development, these density and FAR can be combined to yield the maximum permitted development envelope. The Mixed-Use designations provide for mixed-use urban environments that offer opportunities for people to live, work, and shop within a compact area. Development approaches integrate residential, commercial, and/or office uses into one building or district. Mixed use in one building is typically referred to as vertical mixed use. For example, a mixed-use building of several floors could have lower floors dedicated to retail space and the upper floors for offices, apartments, and/or condominiums. Horizontal mixed use refers to a project where retail and residential uses are located in different buildings connected by pedestrian passageways.~~

~~Because mixed-use developments provide both residential and commercial components, the maximum permitted intensity of use is expressed in terms of density and FAR. For any individual development, this density and FAR can be combined to yield the maximum permitted development envelope. Furthermore, sites that are designated as mixed-use can have 100% residential uses by right.~~

Mixed-Use: Downtown Colton

~~The Mixed Use: Downtown Colton designation provides for a downtown district that integrates civic, public, commercial, office, and residential uses. Supporting convenience retail and personal service commercial uses are permitted to serve the needs of local residents, employees, and visitors. Higher density residential uses are encouraged to add vibrancy and presence. Long-established, low-density residential areas containing homes dating to Colton's early years are encouraged to retain their density and character. Live/work development approaches are permitted as well where they contribute to the function and character of Downtown. All development within the district should reflect attractive, pedestrian-oriented design that complements the area's historic character. Public and shared parking facilities are encouraged.~~

~~The Mixed Use - Downtown Colton designation provides for the creation of a downtown district that integrates civic, public, commercial, office, and residential uses. The district is intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities. Supporting convenience retail and personal service uses are permitted to serve the needs of residents, employees, and visitors. Higher-density residential uses are encouraged at select locations to add vibrancy and create a 24-hour presence. Long-established, low-density residential areas containing homes dating to Colton's early years will be encouraged to retain their density and character. Public and shared parking facilities are encouraged. Drive-through and motor vehicle service/repair businesses are specifically prohibited.~~

~~All development within the district will consist of attractive, pedestrian-oriented design that complements the area's historic character and establishes a "village-like" environment. The density range is 2.0 to 40 units per acre.~~

~~For projects developed exclusively for senior residents as income-subsidized housing, the City may allow densities of up to 60 dwelling units per acre through a discretionary permit~~

process.

- Residential densities at 2.0 to ~~430~~ units per acre
- Maximum Intensity: 2.0 FAR for nonresidential components
- Typical Population Densities: 7 to 96 persons per acre

Mixed-Use: Neighborhood

~~The Mixed-Use: Neighborhood designation allows office, commercial, and residential uses within the same structure or adjacent to each other, including as live/work units. This designation is intended to preserve the established housing stock and residential character of a neighborhood while allowing for office or commercial opportunities and adaptive reuse of residential structures, and encouraging connections between residential neighborhoods and commercial and civic land uses. In addition to residential uses, the Mixed-Use Neighborhood designation provides opportunities for office and commercial uses similar to those allowed within the Business Park designation, provided compatibility with the scale and character of the established neighborhood can be achieved. Businesses with environmental nuisances (noise, odor, dust/smoke, glare, etc.) will not be allowed. The Mixed Use - Neighborhood designation is intended to preserve the low-scale nature of older districts where residences and small local business have co-existed well for many years. Mixed Use Neighborhood areas allows for office, commercial, and residential uses within the same structure or adjacent to each other. This designation facilitates preservation of historic homes for either residential or office/commercial use (adaptive reuse of residential structures) and encourages connections between residential neighborhoods and civic land uses.~~

~~In addition to residential uses, the Mixed Use - Neighborhood designation provides opportunities for office and commercial uses similar to those allowed within the Neighborhood Commercial designation. Development standards require compatibility with the scale and character of the established neighborhood. Design objectives for the Mixed Use – Neighborhood are to protect and preserve the scale and architectural elements of established historical buildings. Consistent with the established character of these areas, the density range is 2.0 to 8.0 dwelling units per acre.~~

- Maximum Density: 2.0 to 8.0 dwelling units per acre
- Maximum Intensity: 1.0 FAR for nonresidential components
- Typical Population Densities: 7 to 19 persons per acre

Industrial

Attracting employment- and revenue-generating land uses to Colton is a priority. Industrial land uses can help the City achieve both fiscal and employment objectives. The City's location adjacent to major rail and transportation corridors is a significant advantage for retaining existing businesses and attracting new businesses. The following industrial land use designations take advantage of the highly diverse nature of manufacturing, mining, transportation, and warehousing industries in Colton and within its sphere of influence.

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Industrial Park

This designation provides for single-tenant and multi-tenant office and industrial buildings that house professional offices, research and development, light industrial, and similar uses. Supporting retail and personal service commercial uses that are subordinate to and compatible with the *Industrial Park* environment may be permitted to serve the needs of the local business community. Commercial recreation and entertainment uses may be allowed, consistent with zoning regulations. Businesses that generate employment and sales or use tax revenues are preferred. Areas designated as *Industrial Park* should be visually attractive and reflect high-quality development and design standards within a park-like setting. They should also provide adequate buffering from less-intensive land uses and have adequate access to major transportation routes.

- *Maximum Intensity: 0.5 FAR*

Light Industrial

This designation supports a variety of fabrication, manufacturing, assembly, distribution, and warehouse uses and, to a lesser degree, supporting commercial and office uses. The *Light Industrial* designation is intended for uses that are compatible with those in nearby commercial and residential districts, and do not produce substantial environmental nuisances (noise, odor, dust/smoke, glare, etc.). Uses may include low-intensity packing, assembly, storage, and similar uses that do not adversely affect surrounding residential, office, educational or commercial land uses. *Light Industrial* developments should be visually attractive, reflect high-quality development standards, provide adequate buffering from less-intensive land uses, and have adequate access to major transportation routes.

- *Maximum Intensity: 0.5 FAR*

Heavy Industrial

Heavy Industrial uses may include heavy manufacturing, distribution, assembly, resource mining, storage, and similar activities not normally compatible near residential development due to environmental nuisances such as noise and air pollution. Within established areas, *Heavy Industrial* uses should be buffered from residential neighborhoods by *Light Industrial* or *Business Park* development wherever possible.

- *Maximum Intensity: 0.5 FAR*

Public, Institutional, Utility, and Open Space

This broad set of land use designations provides for the regulation and protection of publicly owned properties, properties of private institutions, and properties restricted to park and recreation uses.

Public/Institutional

The *Public/Institutional* designation generally includes all major public, quasi-public, and institutional land uses, including the Civic Center, fire stations, hospitals, libraries, community centers, water treatment facilities, waste disposal facilities, and public schools.

- *Maximum Intensity: 0.5 to 2.0 FAR, depending upon the corresponding zoning*

Railroad/Utility Corridor

The *Railroad/Utility Corridor* designation applies to all railroad corridors and associated railroad uses, as well as properties used for energy resource transmission and other utility lines. No FAR is established since no buildings are associated with this use type.

Open Space-Recreational

The *Open Space-Recreational* designation provides for diversified recreational interests on public lands, including parks, recreational activity fields, trails, and passive areas. This designation is intended to identify publicly owned parks and recreation facilities, as well as larger privately held facilities devoted to passive and active outdoor recreation.

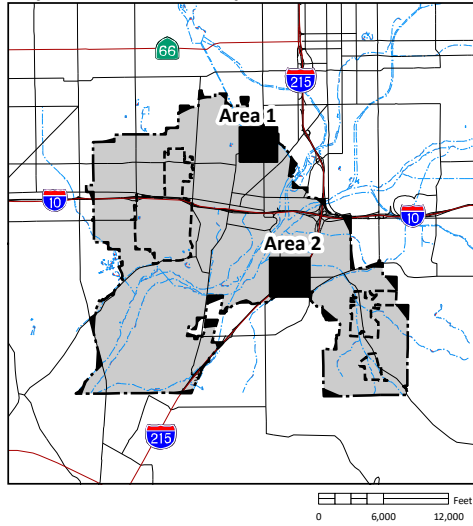
Open Space-Resource

The *Open Space-Resource* designation applies to open space areas necessary for the protection and preservation of unique areas for such purposes as groundwater recharge, flood control, wildlife habitat conservation, and hillside protection. Designated areas include the Santa Ana River and its floodplain, storm drain channels, conservation areas designated for the protection of the Delhi Sands Flower-Loving Fly, and steep hillsides and rock outcroppings within the La Loma Hills and Reche Canyon areas. Complementary uses within the *Open Space-Resource* designation include cemeteries and recreation and equestrian uses.

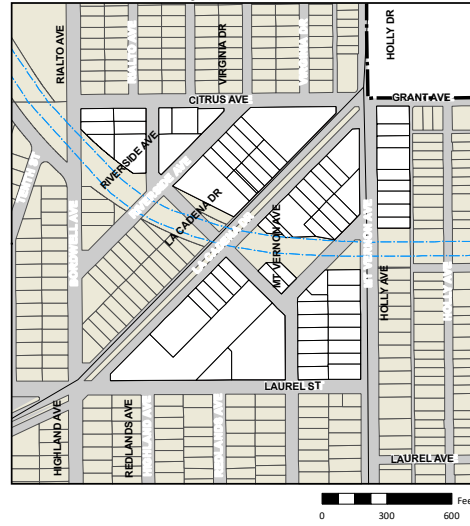
Overlay District

An overlay district is an additional land use regulation that is placed on a property but does not change the underlying land use designation. Overlay districts are used to impose additional development restrictions or allow for expanded uses or development intensities in specific locations, in addition to the base land use designation. The *Residential Overlay* will allow additional opportunity for new residential development in the City, but only in selected areas. This overlay district applies to the areas shown in Figure LU-7.

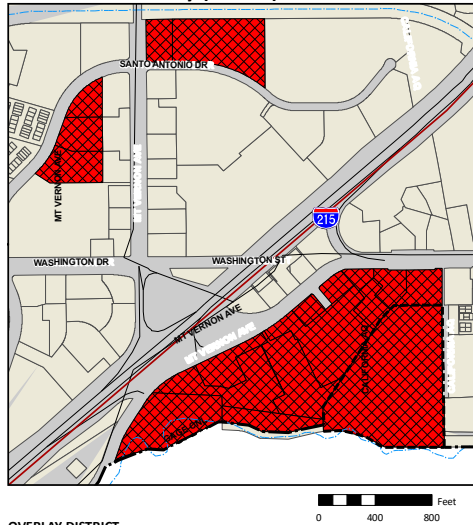
Citywide Reference Map



Residential Overlay (Area 1)



Residential Overlay (Area 2)



OVERLAY DISTRICT

Residential Overlay District (up to 30.0 DU/AC)

GENERAL PLAN DESIGNATIONS

- General Commercial
- Business Park
- Light Industrial
- Mixed Use-Neighborhood (2.1-6.0 DU/AC, 0.5 FAR)



Date: January 2012.
Map Prepared by: Hogle-Ireland, Inc.
Source: City of Colton, 2011.

BASEMAP

- City Boundary
- Sphere of Influence
- Freeway
- Major Road
- Surface Water

Figure LU-7:
Residential
Overlays

Residential Overlay

~~The Residential Overlay designation provides, in addition to the base land use, the opportunity to develop residential uses in areas where convenient access to transit and neighborhood-serving uses is available. Together, the base land use designation and the overlay allow for a combination of commercial or office uses with higher density residential development. The overlay is intended to promote high-quality market-rate and affordable housing construction, as well as assisted living facilities, in areas where residents can easily walk to shops, services, schools, and transit stops. Residential development can either occur as part of a mixed-use development or as stand-alone, attractive multi-family housing. Design must include pedestrian-friendly spaces such as plazas, courtyards, and other amenities. The Residential Overlay may apply to four base land use designations: General Commercial, Mixed-Use Neighborhood, Industrial Park, and Light Industrial.~~

The Residential Overlay is established to promote higher-density residential uses along major corridors in the City, specifically along Mount Vernon Avenue. This overlay works in concert with underlying designations to create an active mixed-use, pedestrian-friendly environment with supporting convenience retail and service uses that serve the needs of residents. Design objectives are to provide high-quality development that provides pedestrian-friendly spaces such as plazas, courtyards, and other amenities. Densities of up to 40.0 units per acre will be permitted for developments meeting affordability performance criteria contained in the zoning regulations. The increased density offered by the Residential Overlay is not a discretionary incentive in return for concessions from a developer but will be available to all projects that meet design and other pertinent criteria established in the Residential Overlay development standards under the Zoning Code. Where designated, the Residential Overlay may apply to four base land use designations: General Commercial, Mixed-Use Neighborhood, Industrial Park, and Light Industrial. **The Residential Overlay may also be extended to Colton adopted Specific Plans.**

- *Maximum Density: up to ~~40~~ dwelling units per acre*
- *Typical Population Densities: 96 persons per acre*

Specific Plans and Planned Communities

The preparation and adoption of specific plans and community plans are permitted by California planning law for any area that requires special consideration or treatment. Specific plans are appropriate for areas requiring special attention due to location, unique challenges facing development (i.e. sensitive habitat), or where opportunities exist for development of an integrated mix of uses around key activity generators. In Colton, the City historically adopted several specific plans to craft unique regulations for permitted uses, development standards (setbacks, heights, landscape, architecture, etc.), and circulation and infrastructure improvements. Figure LU-8 shows the location of adopted and planned specific plans.⁴ On the Land Use Policy Map (Figure LU-6), specific plans are shown as unique areas, with readers directed to consult the individual specific plans for

⁴ Prior specific plans and community plans that have been rescinded or planned for elimination include the Cooley Ranch Community Plan, Santa Ana River Specific Plan, and Agua Mansa Specific Plan (a multijurisdictional plan adopted in the 1980s).

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land use regulations, as well as development standards and required infrastructure improvements.

Commented [SL2]: This map outline is correct - West Valley name needs to change to HCCSP.

Figure LU-8:
Specific Plans

Implications of Land Use Policy

Over time, as properties transition from one use to another or property owners rebuild, land uses and intensities will gradually shift to align with the intent of this Land Use Element. Table LU-1 summarizes the land use distribution by acreage. Based on an assumed average level of development, Table LU-1 also indicates the amount of residential and nonresidential development that can be expected with implementation of land use policies established by this Land Use Element. Most new development is intended to occur within the Pellissier Ranch area and the Colton Hub City Centre West Valley Specific Plan area.

Table LU-1:
Development and Population Projections

Land Use Designations	Net Acres		Projected Dwelling Units ¹		Projected Population ¹		Projected Non-Residential Square Feet	
	City ²	SOI ²	City	SOI	City	SOI	City	SOI
Very Low Density Residential	600	-	961	-	3,043	-	-	-
Low Density Residential	1,430	166	7,863	915	24,913	2,900	-	-
Medium Density Residential	339	-	4,344	-	13,763	-	-	-
High Density Residential	184	3	3	61	10,123	193	-	-
Neighborhood Commercial	47		195	-	-	-	405,500	-
General Commercial	314	9	-	-	-	-	4,107,800	111,700
<i>Residential Overlay</i>	56	15	391	103	1,239	326	547,500	144,100
Mixed-Use Neighborhood	29	-	149		473		38,300	-
<i>Residential Overlay</i>	7	-	158		501		8,700	-
Mixed-Use Downtown	46	-	476		1,508		1,375,200	-
Industrial Park	205	-	-				1,784,700	-
Light Industrial	1,059	-	-				9,226,400	-
Heavy Industrial	785	582	-				3,418,500	2,533,400
Public/Institution	541	-	-	-	-	-	-	-
Railroad/Utility/ROW	159	12	-	-	-	-	-	-
Open Space-Recreation	46	-	-	-	-	-	-	-
Open Space-Resource	1,173	-	-	-	-	-	-	-
Reche Canyon Specific Plan	1,480	321	2,405	611	7,621	1,934	56,100	20,100
<u>West Valley Colton Hub City Centre Specific Plan</u>	324	-	<u>3,000</u> 1,262	-	<u>9,300</u> 1,998	-	<u>1,797,503</u> 2,222,900	-
Total	8,824	1,109	21,204	1,690	67,182	5,354	23,291,600	2,809,300

Notes:

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- 1) *Population projections are based on an average household size of 3.460 persons per household and a vacancy rate of 8.4%, based on 2010 data from the U.S. Census Bureau. [Colton Hub City Centre Specific Plan uses a household size of 3.1 persons per household based on 2023 data from the U.S. Census Bureau.](#)*
- 2) *City refers to incorporated City of Colton. SOI refers to Colton Sphere of Influence (see Figure LU-1).*

This Land Use Element has a planning horizon year of 2030. However, the total development capacity established by the Land Use Plan might not be achieved by 2030. Market and other factors will continue to affect the rate at which development progresses. The City's objective for the Land Use Element is to establish its vision for land use patterns, types, and intensities, and to provide the capacity for that vision to be achieved through public and private development initiatives. The City will monitor growth against this plan, with the intention also of ensuring that the transportation network, infrastructure, and public services continue to support and are in balance with the Land Use Plan.

Goals and Policies

Goals are broad statements of community desires. Policies are statements that support the achievement of a specific goal. These goal and policy statements will guide the City Council, Planning Commission, other appointed City commissions, committees and boards, and City staff in their review of land use proposals and their decisions relative to growth and development. They are structured to address:

- Citywide objectives
- Strategies for particular land uses
- Focus areas

Citywide Goals and Policies

Citywide goals and policies reflect the policy direction based on particular issues that apply to the entire City of Colton, rather than a specific area.

Land Use Diversity and Compatibility

To remain a balanced and economically healthy city, Colton will continue to plan for and accommodate a broad range of land uses. High-quality development will be the standard for all new projects, with the objective of creating a distinctive character for Colton. Conditions on development will be applied uniformly with this objective in mind. Also, focused attention will be paid to addressing the long-existing interfaces between residential and industrial uses to improve conditions in neighborhoods while respecting the important contributions that industrial businesses make to local employment and revenues.

Goal LU-1:	Achieve a balance of land use types that create diverse opportunities for housing, employment, commerce, recreation, and civic engagement.
Policy LU-1.1:	Ensure that all new development conforms to all applicable provisions of the General Plan and Zoning Code.
Policy LU-1.2:	Evaluate existing Specific Plans to ensure continued appropriateness in relation to the goals and policies of the General Plan and the City's long-term vision, and to

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	reflect planned land use. After evaluation, maintain, amend, or repeal Specific Plans, as appropriate.
Policy LU-1.3:	Ensure that the zoning map, Zoning Code, Specific Plans, and other applicable development-related ordinances are brought into conformance with the Land Use Element as soon as practical following adopted or amendment.
Policy LU-1.4:	Pursue the annexation of unincorporated islands within the City's boundaries wherever possible and financially advantageous to the City.
Policy LU-1.5:	Encourage the assemblage of small lots to create more cohesive development sites.
Policy LU-1.6:	Ensure that new development projects are compatible with permitted, well-maintained uses and buildings in the surrounding neighborhood or district.
Policy LU-1.7:	Require that new development assume the full fair-share cost of public improvements which are necessitated by that development.
Policy LU-1.8:	Interpret the Land Use Plan in a manner that provides for compatibility between adjacent land uses, and that allows the City to achieve land use, design, and economic development objectives.
Policy LU-1.9:	Apply a Special Development Area overlay zone on industrially zoned properties that abut properties zoned for residential uses, and apply appropriate conditions through the discretionary review process to minimize impacts.
Policy LU-1.10	Require that Crime Prevention through Environmental Design (CPTED) approaches be used in the design and development of all new projects and substantial remodeling projects.

Goal LU-2: Create great places in Colton through use of high-quality streetscapes and design requirements.

Policy LU-2.1:	Pay critical attention to the appearance of properties at the City's major gateways, as identified in Figure LU-5.
Policy LU-2.2:	Require that private development at the gateways locations create a stronger sense of City identity. Improve the public realm to reinforce this image.
Policy LU-2.3:	Apply rigorous and transparent design review practices to all development applications.
Policy LU-2.4:	Protect structures of historical and architectural significance.

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Economic Development

While the Land Use Plan accommodates a broad range of commercial and industrial uses, the many opportunities available to businesses looking to locate in the Inland Empire mean that the City must ensure a favorable business environment. A diversity of businesses will provide for more local jobs at all income ranges and create greater surety of tax revenues to fund City services.

Goal LU-3:	Ensure a strong and diversified economic base to provide for fiscal stability and sustainability.
Policy LU-3.1:	Provide for land uses that allow a variety of retail, service, manufacturing, institutional, office, and recreational businesses to locate in Colton.
Policy LU-3.2:	Retain industrial land for businesses that provide jobs for manufacturing and processing of goods, and that create local revenue sources.
Policy LU-3.3:	Continue to use creative financing tools for City-initiated revitalization and to spark private investment.
Policy LU-3.4:	Pursue a variety of funding approaches, including grants, impact fees, assessments, and transportation funds, to support public services, municipal programs, and capital investments that support City businesses.
Policy LU-3.5:	Establish a list of commercial and industrial uses that are needed in the City, and work towards bringing those businesses to Colton.
Policy LU-3.6:	Identify and revitalize areas within the City which, through deterioration of structures, high vacancy rates, vandalism, or health and safety concerns, merit special attention.

Sustainable Development and Building Practices

Sustainable development means designing, constructing, and operating buildings and cities to meet the present day needs of the community without compromising the ability of future generations to meet their needs. For Colton, this means protecting groundwater resources, conserving energy, encourage reuse of materials, preserving open space for habitat and other beneficial uses, and creating alternative mobility options for vehicles. By employing sustainable development practices, the community can reduce the adverse impacts on the natural environment, while improving the quality of life and economic well-being for all in the City.

As the City of Colton is the primary purveyor of water and electricity for the community, it has the ability to promote and enact water and energy conservation programs that ensure managed use of these resources for long-term viability. Ensuring Colton has access to clean and plentiful water resources from the Upper Santa Ana Valley groundwater basin will provide the community long-term reassurance regarding the availability of water. Creating walkable neighborhoods and a pedestrian-friendly downtown district will encourage residents to walk and use transit, thus minimizing vehicle use and reducing greenhouse gas emissions. Encouraging developers of new and retrofitted buildings to implement green principles will allow for greater energy efficiency, utilize sustainable materials, reduce waste stream, lower maintenance costs, decrease water use, and improve indoor air quality.

Altogether, these initiatives will move the City forward in its efforts to improve environmental quality and provide for sustainable development practices to become standard. As a good environmental steward and advocate of creating places that promote healthy people and businesses, the City will lead by example.

Goal LU-4:	Incorporate green building and other sustainable building practices into development projects.
Policy LU-4.1:	Require that new development projects reflect the principles of Traditional Neighborhood Development: walkable street patterns, pedestrian amenities, access to transit, a mix of complementary uses, comfortable and accessible open spaces, a range of housing types and densities, and quality design.
Policy LU-4.2:	Facilitate the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar programs in both private and public projects.
Policy LU-4.3:	Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements.
Policy LU-4.4:	Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment.
Policy LU-4.5:	Promote adaptive reuse of existing buildings as an alternative to new construction.
Policy LU-4.6:	Require that land divisions and development projects incorporate designs and practices that respect natural site features and provide for groundwater recharge.

Goal LU-5:	Reduce use of energy resources citywide, with a key goal of reducing the City's carbon footprint.
Policy LU-5.1:	Require the incorporation of energy conservation features into the design of all new construction and site development, as required by State law and local regulations.
Policy LU-5.2:	Provide incentives, as funding opportunities become available, for the installation of energy conservation features in existing multi-family residential and commercial developments, including technical assistance and possible low interest loans.
Policy LU-5.3:	Educate the public using a variety of outreach channels regarding the need for energy conservation, techniques which can be employed, and systems which are available.
Policy LU-5.4	Support the ongoing efforts of the California Air Resources Board to implement AB32 and SB375, and fully follow any new AB32 and SB375-related regulations.
Policy LU-5.5:	Develop and implement greenhouse gas emissions reduction measures, including discrete, early-action greenhouse gas reducing measures that are technologically feasible and cost effective.
Policy LU-5.6:	Require detailed air quality and climate change analyses for all applications that have the potential to adversely affect air quality, and incorporate the analyses into applicable CEQA documents. Projects with the potential to generate significant levels of air pollutants and greenhouse gases, such as manufacturing facilities and site development operations, shall be required to incorporate mitigation into their design and operation, and to utilize the most advanced technological methods feasible.
Policy LU-5.7:	Work with the South Coast Air Quality Management District and the Southern California Association of Governments to implement the <i>Air Quality Management Plan</i> (AQMP) and <i>Regional Transportation Plan/Sustainable Communities Strategy</i> , with the objective of meeting federal and state air quality standards for all pollutants. To ensure that new measures can be practically enforced in the region, participate in future amendments and updates of the AQMP.

Residential Neighborhood Preservation and Protection

The Colton neighborhoods that grew up around the railroads in the early 1900s provided housing for rail workers. Simultaneously, the presence of rail attracted rail-dependent industrial businesses that built their manufacturing and processing plants right next door to the neighborhoods. The adverse effects of these rail/homes and industrial/residential adjacencies — noise, odors, dust — have always existed, but the impacts have become increasingly pronounced with increased truck traffic and the gradual infilling of vacant residential properties. The values and conditions of homes in some neighborhoods have declined as a result, and deferred maintenance compounds deteriorating neighborhood conditions.

These neighborhoods provide homes for many long-time Colton residents who have deep community roots. Also, the development patterns are at a scale reflective of traditional neighborhood design. These neighborhoods have the potential to be rehabilitated as healthy, stable places if particular land use conflicts can gradually be resolved and owners have incentives to better maintain their properties. A key initiative of the City is to preserve and protect long-standing Colton neighborhoods.

Goal LU-6:	Minimize or eliminate land use conflicts where residences are in close proximity to rail lines, freeways, and industrial businesses.
Policy LU-6.1:	Protect residential neighborhoods adjacent to industrial areas pursuant to the policy direction provided in Policy LU-1.9.
Policy LU-6.2:	Discourage the establishment of incompatible uses in proximity to each other.
Policy LU-6.3:	Use land use designations and zones to buffer incompatible uses.
Policy LU-6.4:	Promote the use of buildings, setbacks, walls, landscaping, and other design features to buffer and reduce conflicts between adjacent properties.
Policy LU-6.5:	As properties recycle from one use to another, ensure that the new use is consistent with the Land Use Plan and policy directives that support this Goal LU-6.
Policy LU-6.6:	Require that industrial businesses adjacent to residential neighborhoods adopt and implement truck routing plans that avoid use of local streets to the greatest extent practical.
Policy LU-6.7:	Require that specific types of industrial uses—as defined in the Zoning Code and at the time a development or building permit application is filed—that are proposed to locate within 1,000 feet of existing or planned residential development include preparation of an air quality analysis that, at a minimum, analyzes the potential

	impacts of toxic air contaminants and cancer risks on existing or potential residents or sensitive receptors.
Policy LU-6.8:	Require that any residential use or sensitive receptor use—at the time a development or building permit application is filed—that is proposed to locate within 1,000 feet of an existing industrial use or within 500 feet of a freeway include preparation of an air quality analysis that, at a minimum, analyzes the potential impacts of toxic air contaminants and cancer risks on the future residents or sensitive receptors.

Goal LU-7:	Provide opportunities for all neighborhoods in Colton to be in a healthy and attractive physical condition.
Policy LU-7.1:	Stress the importance of property maintenance and rehabilitation activities to improve neighborhood conditions.
Policy LU-7.2:	Enforce City codes to minimize the construction of illegal additions and structures in residential neighborhoods.
Policy LU-7.3:	Allow nonconforming residential units in residential neighborhoods and mixed-use districts (including units nonconforming due to lot size), in the event of damage or total destruction, to be rebuilt at the density and with the same setbacks that existed prior to such an event.
Policy LU-7.4:	Work with property owners of illegally constructed second dwelling units to achieve building code compliance for those units, where such units are permitted by zoning regulations.
Policy LU-7.5:	Facilitate recycling of underutilized properties for infill developments in residential areas.

New Residential Neighborhoods

Opportunities exist in the [Colton Hub City Centre](#)~~West Valley~~ Specific Plan and Pellissier Ranch/La Loma Hills areas for new neighborhoods to be built. New subdivisions can be expected in Reche Canyon as well, and on other large vacant tracts of land with residential and mixed use designations. The City will insist upon quality development that complements existing neighborhoods and at compatible densities. The goal is to improve the overall housing stock in the community.

Goal LU-8:	Create new attractive residential neighborhoods throughout Colton that provide a range of quality housing.
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Policy LU-8.1:	Consider the maximum densities set forth for each of the residential land use designations as maximums that can only be achieved by those developments that exhibit the highest design quality and provide definable community benefit.
Policy LU-8.2:	Require that the architectural design and scale of new residential developments respect and enhance the character of established neighborhoods.
Policy LU-8.3:	Encourage the provision of a range of housing types and sizes to accommodate the varied needs of all socioeconomic segments of the community.
Policy LU-8.4:	Pursue opportunities to locate higher-density residential development near activity centers such as parks and recreation facilities, commercial areas, employment centers, and transit.
Policy LU-8.5:	Avoid residential development in environmentally sensitive or hazardous areas unless mitigating measures are adequately implemented.
Policy LU-8.6:	Require that multi-family residential development and major subdivisions include amenities such as common open space or community facilities.
Policy LU- 8.7:	Establish a density bonus program to incentivize well-designed, affordable housing developments with appropriate amenities in multiple-family zoned areas.

Commercial Districts

Colton has outstanding freeway visibility from I-10 and I-15 that commercial users find very attractive. These properties can support businesses with regional draws. Commercial properties in Downtown and south Colton, and along Mount Vernon Avenue and portions of Valley Boulevard, cater more generally to local needs. This mix of regional- and local-serving commercial districts benefits the City, and the City's goal is to take better advantage and create opportunities for more productive and attractive commercial tenants. Strategic initiatives will include: 1) improving access (as described in the Mobility Element), 2) establishing and implementing standards for quality site planning and design, 3) updating the zoning regulations to make sure desired uses are accommodated and undesirable uses not allowed, and 4) pursuing economic development programs to attract new businesses.

Goal LU-9:	Maintain a diverse mix of commercial uses that benefit the community in terms of needed commercial services, tax revenue, and employment opportunities.
Policy LU-9.1:	Encourage and facilitate an appropriate mix of goods and service offered in community and neighborhood commercial centers.
Policy LU-9.2:	Discourage proliferation of strip commercial development approaches.

Policy LU-9.3:	Encourage a unified architectural character in commercial areas, and vigorously enforce commercial land use standards, including but not limited to landscaping, signage, and property maintenance to enhance the visual appearance of the City's commercial areas.
Policy LU-9.4:	Maintain the integrity and appearance of commercial properties by streamlining and simplifying the application process for new businesses occupancies and by encouraging updating of the visual appearance of a property whenever possible.
Policy LU-9.5:	Establish Zoning Code amortization requirements for nonconforming uses in commercial areas.
Policy LU-9.6:	Pursue removal of nonconforming signs.
Policy LU-9.7:	Explore opportunities to increase commercial amenities in underserved neighborhoods.
Policy LU-9.8:	Diversify the types of commercial uses available in Colton to ensure the City's fiscal well-being. Create a balanced mix of restaurants and retail stores that offer a varied selection of dining and shopping opportunities.

Mixed-Use Districts

Consistent with the goal of pursuing more sustainable development approaches and reinvigorating Downtown Colton, the Land Use Plan provides for mixed use districts in the ~~West Valley~~Colton Hub City Centre Specific Plan area, in Downtown, and along portions of La Cadena Drive and Colton Avenue. While the planned scale and intensities vary among the districts, the overall objective is to create pedestrian-oriented, exciting places with a mix of residences, retail and office businesses, restaurants, schools, civic functions, and public spaces. Streetscape enhancements will add to district character.

Goal LU-10:	Create new mixed-use, walkable districts that are great places to live and exciting destinations.
Policy LU-10.1:	Implement the land use policies for Downtown Colton set forth in this Land Use Element via a Specific Plan or similar document, and actively seek out developers to build in the Downtown consistent with City objectives.
Policy LU-10.2:	Adopt a new Neighborhood Mixed-Use zone.
Policy LU-10.3:	Implement the West Valley Colton Hub City Centre Specific Plan.
Policy LU-10.4:	Establish land use patterns and provide pedestrian amenities within the mixed-use districts that minimize the need for vehicle travel among the uses within a district.

Industrial Districts

Railroads and industry served by rail were the foundation of Colton. Industry provides jobs for people of many skill levels. Given Colton's strategic location businesses dependent on rail and ready freeway access — and recognizing the employment base industry can provide — the Land Use Plan provides for a continued and robust presence of industrial businesses. From large-scale manufacturing and processing applications to research spaces for emerging technologies, ample space will be available to accommodate industry at appropriate locations.

Goal LU-11:	Achieve and maintain a strong and highly competitive industrial base that provides attractive, high-quality developments and varied employment opportunities.
Policy LU-11.1:	Require that the construction and rehabilitation of industrial sites incorporate innovative site planning and attractive water- and energy-efficient landscaping and building design.
Policy LU-11.2:	Pursue opportunities to locate labor-intensive industrial uses near regional public transportation routes in order to facilitate employment access to Colton facilities.
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.
Policy LU-11.4:	Explore economic opportunities based on access to freeways and railroads, such as the creation of an intermodal facility or inland port.
Policy LU-11.5:	Work with developers to encourage heavy industrial uses and uses incompatible with residential or commercial development to locate along the Agua Mansa Road corridor (defined as that area along the Santa Ana River south to South Riverside Avenue, with West Agua Mansa Road on the west).

Open Space

Colton has an abundance of natural resource areas that are dedicated open spaces for flood control and habitat preservation purposes. These provide a welcome visual complement to the urban scene but generally cannot be used for recreation (except for the multi-use trail along the Santa Ana River). The parks scattered throughout the community provided places for active recreation. With growing participation by persons of all ages in recreation programs sponsored by the City and other organizations, the limited park areas have become strained. Thus, the key aim for open space is to increase open space resources for recreation.

Goal LU-12:	Provide for open space and recreation areas that meet the needs of Colton residents.
Policy LU-12.1:	Preserve and protect the City's established recreational and open space uses.
Policy LU-12.2:	Pursue opportunities for providing additional open space and recreation areas for residents, working toward the goal of having a City park within one-half mile of every residential neighborhood in Colton.
Policy LU-12.3:	Prioritize the development of a regional park and/or sports park within City limits.
Policy LU-12.4:	Provide five acres of park space for every 1,000 residents.

Goal LU-13:	Protect open space lands necessary for flood control and habitat preservation purposes, and to provide buffers from identified earthquake faults and other public safety hazards.
Policy LU-13.1:	Continue to monitor any changes to the flood zone boundaries of the Santa Ana River made by federal agencies, and modify Figure LU-4 as appropriate to reflect the most current Federal Emergency Management Agency (FEMA) flood maps.
Policy LU-13.2:	Prohibit development within designated flood plain areas, as shown on Figure LU-4 and more specifically as shown on adopted Flood Insurance Rate Maps published by FEMA. Figure LU-4 is incorporated into the Safety Element with this reference and policies LU-13.1 and LU-13.2.
Policy LU-13.3:	Work with the U.S. Fish and Wildlife Service and California Department of Fish and Game to establish and maintain the minimal area needed for Delhi sands flower-loving fly habitat.
Policy LU-13.4:	Require formal fault investigations for development of properties along the San Jacinto Fault zone consistent with State law. For areas where development is prohibited due to fault restrictions, require that such space be set aside a open space to the maximum extent feasible by law.

Public Facilities

Public facilities in Colton include public schools, fire stations, City Hall and the Police Station, City maintenance facilities, the power plant, the wastewater treatment plant, and Hermosa Gardens cemetery. These facilities are critical to daily civic life, and residents and businesses expect services to be continuous and reliable.

Goal LU-14:	Ensure adequate land area is available to support desired levels of City-provided public facility services.
Policy LU-14.1:	Review City public facilities physical plants and sites on a regular basis to determine whether adjustments are needed consistent with the Land Use Plan adopted City policies and ordinances.

Planning Focus Areas

Land use focus areas cover specific areas or neighborhoods in Colton. Particular areas have been identified because of their distinguishing characteristics, common issue(s), architectural styles or form, and/or development patterns. Land Use Element policies aim to preserve the qualities that make areas unique and special, and to also address the issues and concerns that have prevented certain neighborhoods and districts from achieving their full potential. Figure LU-8 identifies the focus areas.

Downtown Colton

Since Colton's incorporation in 1887, many changes have occurred on properties beyond the original downtown. However, Colton's downtown has remained the community center. Today, the City's historic core — bounded roughly by Valley Boulevard to the south, 6th



Street to the west, 9th Street to the east, and C Street on the north — serves as the City's civic core. City Hall, the library, the Colton Museum, Fleming Park, and the Police and Fire departments are all located downtown.

Colton Civic

Center

The City aims to encourage a mix of civic, office, commercial, and residential uses in the geographic center of the City. This area will function as a Central Business District for Colton, re-establishing downtown as a community focal point. Delineating a business district can help focus efforts to revitalize and bring new energy into the area. Attracting professional uses to downtown will not create competition for other activity centers (~~West~~

Valley Colton Hub City Centre Specific Plan, Cooley Ranch), as those areas focus largely on retail uses.

Figure LU-9:
Planning Focus
Areas

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The intent of the business district will be to create opportunities for small-scale office and professional uses in a vibrant, walkable downtown setting. Residential uses will create the opportunity for activity in the area after business hours and will support the commercial uses along Valley Boulevard Gateway. Signage at downtown entry locations, particularly along Valley Boulevard, will help to create and enhance the downtown identity as an historic and attractive destination.

In addition to civic uses, some of the most distinctive features of this area are the historic homes surrounding the Civic Center, many of which are located within the historic districts identified in the Cultural Resources Preservation Element. Development in Downtown Colton will respect and build upon the historic structures and character, and new development will complement this character.

Goal LU-15:	Recreate downtown Colton as a vibrant, pedestrian-friendly, and attractive district that integrates civic, public, residential, office, and commercial uses.
Policy LU-15.1:	Pursue attractive new developments and redevelopment within downtown to revitalize the commercial and residential areas. Encourage new development on vacant sites to achieve quality infill development consistent with surrounding uses.
Policy LU-15.2:	Keep government, public, and cultural uses in downtown. Locate future cultural uses, including a performing arts center, community center, theaters, art galleries, and civic uses, such as government facilities, in the downtown district.
Policy LU-15.3:	Promote adaptive reuse of historic residential structures for office or commercial uses to maintain the district's character.
Policy LU-15.4:	Encourage a balance of land uses to encourage activity each day of the week and after business hours.
Policy LU-15.6:	Prohibit inappropriate commercial uses such as warehouses, liquor stores, and drive-through restaurants, and promote uses that encourage significant pedestrian activity, such coffee houses and restaurants with outdoor dining.
Policy LU-15.7:	Encourage the development of gateway features that include landscaping, entry features, signage, street furniture, and public art and other design features.
Policy LU-15.8:	Expand new development upward by selectively increasing building heights, where appropriate.
Policy LU-15.9:	Encourage high-quality, attractive, higher-density housing that complements office and commercial uses in the area.
Policy LU-15.10:	Enhance City Hall as an expanded civic area, with public gathering places and easily accessible City services.

- Policy LU-15.11:** Require preservation of significant historic buildings and resources in downtown, and discourage the use of generic architecture styles used by corporate and franchise businesses that may undermine downtown's character.
- Policy LU-15.12:** Prepare a Specific Plan or similar document that provides a comprehensive vision and implementation plan for Downtown Colton.

La Cadena Drive

La Cadena Drive runs through the historic core of Colton between the downtown and Laurel Street. Historic homes and small office buildings along La Cadena Drive contribute to its unique character, as many of the homes have been converted to professional office uses. This transformation has created opportunities for small professional businesses to locate near the Civic Center in an attractive residential atmosphere. To encourage this trend, La Cadena Drive between Laurel Street and C Street has a General Plan designation of *Mixed Use Neighborhood*. The process of adaptive reuse of homes in this neighborhood will extend the life of these structures while retaining their historic and aesthetic features.



The *Mixed Use Neighborhood* designation will encourage and accommodate small professional offices and commercial uses within existing residential structures. The La Cadena Drive corridor is envisioned as a pedestrian-friendly district, with office and civic uses and enhancements inviting to pedestrians, such as landscaping, street furniture, well-

marked crosswalks, and wide sidewalks. Civic uses bring people to downtown, and a mixed use environment along La Cadena Drive will link to downtown activity and provide expanded opportunities for residents to shop, do business, and visit restaurants. The homes along La Cadena Drive contribute significantly to the attractive character of the area, and preserving the historic character of the structures is a priority.



Ideal uses include financial institutions, real estate offices, and professional office uses such as legal and medical. In addition to office and residential uses, supporting retail and personal service commercial uses are appropriate to serve the needs of local

residents, employees, and visitors. Commercial establishments are required to maintain the low-scale historic character of the district. Preferred commercial uses include small-scale cafes and restaurants that cater to the local business community, and other supporting office uses. Businesses with environmental nuisances (noise, odor, dust/smoke, glare, etc.) will not be allowed.

Goal LU-16:	Create an attractive, diverse mixed-use district along La Cadena Drive.
Policy LU-16.1:	Promote a mix of offices and local businesses that encourage street activity, and provide for connections to established lower-density residential neighborhoods to create a dynamic mixed-use setting.
Policy LU-16.2:	Discourage uses that may be disruptive to the area's general residential character, such as businesses with noise or traffic issues.
Policy LU-16.3:	Encourage quality building façades appropriate for pedestrian scale and visual interest.
Policy LU-16.4:	Work with business owners to facilitate shared parking.
Policy LU-16.5:	Provide incentives for preservation of historic homes, and encourage revitalization of deteriorating structures, as well as adaptive reuse of historic buildings.
Policy LU-16.6:	Develop and implement a cohesive urban design and streetscape plan for the district.
Policy LU-16.7:	Encourage gathering spaces and plaza areas for general use.
Policy LU-16.8:	Link projects and downtown with public transit and/or trails (bus rapid transit, bike lanes, etc.).

Valley Boulevard Corridor

Valley Boulevard is Colton's main east-west corridor, with excellent frontage along I-10 and freeway access at Rancho Avenue, 9th Street, and Mount Vernon Avenue. Valley Boulevard often serves as an alternate travel route between cities in west San Bernardino County when the I-10 experiences congestion. Many commercial and industrial buildings exhibit deferred maintenance, and design quality has not been a priority. Older residential structures are intermixed with the commercial and industrial uses. The City has implemented extensive street improvements east of 9th Street and has assisted with façade improvements and new development at the gateway to downtown.

This busy commercial corridor presents opportunities for enhanced and new commercial development. The corridor has the potential to support regional-serving commercial uses

given its freeway visibility and orientation. Underutilized and aging industrial properties should be encouraged to transition to uses that can increase tax revenues and attract regional customers.

The goal is to attract and facilitate more intense commercial development that is currently lacking in the City and that would provide mid-level, sit-down restaurants and commercial uses with a regional appeal. Uses such as self-storage or warehouses that do not contribute to the economic development of the area by providing increased revenue or creating employment opportunities will be discouraged. To facilitate larger, deeper sites that are appropriate for commercial development, lot consolidation, street vacation, and the use of similar actions or incentives to consolidate property will be encouraged.

The visual appeal of a major corridor like Valley Boulevard is important, and the City will extend the enhancements that have occurred at the east end to cover the length of the boulevard (consistent with CIP scheduling), visually tying the east end to new development within the [West Valley Colton Hub City Centre](#) Specific Plan Amendment area. By coupling property redevelopment initiatives with more vigorous code enforcement activity, the City will help transform the use and appearance of private properties along this critical corridor.

Mount Vernon Avenue Corridor

The Mount Vernon Avenue Corridor has direct access to I-10 via an off-ramp, and connects Colton and the City of San Bernardino to the north. A key use anchoring the corridor's north end, but located in San Bernardino, is San Bernardino Valley College. Prior City planning efforts have sought to encourage lower-scale mixed use along Mount Vernon Avenue, in part to reflect a pattern of small auto-related business and restaurants intermixed with older single-family homes and duplexes. However, very little private investment has occurred, due in part to the narrow, shallow lots under multiple ownership. City leaders have identified two key goals for the corridor: 1) eliminate blighting conditions associated with marginal uses and ill-maintained properties, and 2) create focused opportunities for higher-density housing.

To achieve these goals, public and private reinvestment will be required. In addition, Zoning Code changes are necessary to provide for a gradual transition to uses and development approaches that better serve surrounding neighborhoods and create a more aesthetically pleasing travel corridor.

In the Mount Vernon Avenue Corridor, the *General Commercial* designation applies only to locations where larger parcel sizes can support well-planned, cohesive shopping centers. The *Neighborhood Commercial* designation applies to all other commercial properties to maintain development at a smaller scale compatible with parcel size and adjacent residential neighborhoods. In addition, the *Residential Overlay*, which allows densities up to ~~340~~ units per acre, is applied near the San Bernardino Valley College and on properties just north of Laurel Street.

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Residential Overlay



Neighborhood Commercial

To overcome the challenges to new development posed by the shallow lot widths and depths along Mount Vernon, lot consolidation incentives such as adjustments to setback requirements, provisions for reduced on-site parking, and other modified development standards will be used as a tool to encourage private investment. Commercial buildings will be encouraged to be built to the sidewalk line to create a pedestrian-friendly streetscape that also incorporates landscaping with street trees and planted areas in the street right-of-way. Where lot consolidation or lot size is limiting, the City will consider remote parking areas, so long as they are within walking distance to the new development served. Zoning regulations may be revised to address sign clutter.

The City has previously invested in attractive, vintage-style street lamps along Mount Vernon Avenue, including extensive median treatments. Further public realm improvements could be pursued over time to include coordinated street furniture and enhanced pedestrian crossings.

Goal LU-17:	Revitalize Valley Boulevard and Mount Vernon Avenue as attractive and economically healthy commercial corridors.
Policy LU-17.1:	Attract and retain a wide range of commercial businesses that offer goods and services to both the local and regional markets, increase tax revenue, and create employment opportunities.
Policy LU-17.2:	Attract full-service, mid-scale restaurants to complement the variety of fast-food restaurants already available in the City.
Policy LU-17.3:	Support development proposals that will revitalize aging, underutilized, and poorly maintained properties along Valley Boulevard and Mount Vernon Avenue.
Policy LU-17.4:	Encourage the gradual transition of long-established residential uses along Valley Boulevard and Mount Vernon Avenue to desired commercial uses.

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Policy LU-17.5:	Facilitate development of regional-serving commercial uses along Valley Boulevard to take advantage of freeway visibility and accessibility.
Policy LU-17.6:	Reduce the visual and environmental impacts of expansive parking lots along major corridors by encouraging a street-oriented development pattern that encourages pedestrian activity, with buildings sited at or near the sidewalk edge.
Policy LU-17.7:	Discourage used auto sales businesses from locating on Mount Vernon Avenue.
Policy LU-17.8:	Require the use of landscaping, lighting, site design, and similar design elements to improve the appearance of commercial sites.
Policy LU-17.9:	Provide creative and innovative parking solutions for commercial development on Mount Vernon Avenue, including shared parking facilities and remote parking strategies.
Policy LU-17.10:	Encourage and facilitate revitalization of properties along Mount Vernon Avenue and Valley Boulevard through lot mergers, street vacations, and City-sponsored programs.
Policy LU-17.11:	Vigorously enforce City codes, including building and safety, zoning and land use regulations, and property maintenance codes, to improve the visual appearance of properties along Valley Boulevard and Mount Vernon Avenue.
Policy LU-17.12:	Develop and implement a coordinated marketing strategy to define the image, identity, and market position to enhance opportunities for businesses, to attract chain stores, and to increase commercial activity.
Policy LU-17.13:	Monitor traffic conditions along major commercial corridors in the City, and complete intersection and roadway improvements to support economic activity.
Policy LU-17.14:	Accommodate high-quality, multi-family housing development at selected locations on Mount Vernon Avenue, <u>Valley Boulevard and adopted Specific Plans</u> , as indicated by the <i>Residential Overlay</i> on the Land Use Policy Map.
Policy LU-17.15:	Encourage food service, retail, and similar uses at the north end of Mount Vernon Avenue to take advantage of the proximity of San Bernardino Valley College.

South Colton

South Colton embodies the culture and history of the City. Residents show obvious pride in their homes and neighborhoods. Built concurrently with development of the local railroad industry, south Colton is a compact, historic residential neighborhood that shares streets and property lines with industrial businesses, railroad lines, and retail commercial uses along La Cadena Drive. The boundaries for south Colton, shown on Figure LU-8, extend roughly south of I-10, west of the Santa Ana River, and east of Rancho Avenue.



Homes in south Colton

The area's many industrial businesses create employment opportunities, but their proximity to residences also creates conflicts such as truck traffic, noise issues, and dust and vibration impacts. The railroads that connect the region to the rest of the country are a significant regional and local economic asset, but they too create impacts to the residential area, including train traffic, compromised air quality, pedestrian safety, train noise, and vibrations and overall decreased quality of life. Due to the proximity to industrial uses and major railroads, many residential uses share a property line or street with an industrial use. This proximity poses quality of life issues for residents. Many industrial uses, including heavy trucking and warehousing uses, create truck traffic impacts through residential areas, particularly along streets that immediately serve both industrial and residential uses. The challenge is striking a balance in creating a residential neighborhood that is safe with limited impacts and promoting a positive business-friendly attitude toward industrial businesses.

In residential neighborhoods, specifically north of Congress Street, neighborhood protection, revitalization, and economic development will be a priority. The *Low Density Residential* designation has been applied to most of the area in recognition of the limitations posed by small lots, and also as a measure to preserve the intimate character

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of this historic neighborhood. This Plan encourages rehabilitation and beautification programs, and the addition of much needed local-serving commercial uses. Land use policy maintains established industrial businesses south of Congress Street, provided existing conflicts are appropriately addressed and no new incompatible uses are introduced.

Circulation policies address street improvements and street maintenance, strict enforcement of truck routes, safety for pedestrians, and increased safety measures at railroad crossings. Figure M-2 in the Mobility Element identifies the planned realignment of Congress Street and elimination of the 9th Street rail spur to mitigate circulation conflicts with residential land uses.

Goal LU-18:	Revitalize south Colton as a healthy, vibrant community with quality housing and commercial and community services that meet residents' needs.
Policy LU-18.1:	Preserve and maintain established single-family homes in south Colton.
Policy LU-18.2:	Encourage and facilitate property maintenance and rehabilitation to improve neighborhood conditions.
Policy LU-18.3:	Use City economic development programs to attract neighborhood-serving uses to south Colton that meet residents' needs.
Policy LU-18.4:	Continue to provide and expand the recreational and community services at Veteran's Park and the Luque Community Center.
Policy LU-18.5:	Provide recreational and community amenities, including fields and facilities for active recreation, consistent with the needs and desires of south Colton residents.
Policy LU-18.6:	Establish creative methods for funding the maintenance of and improvements to aging infrastructure.

Goal LU-19:	Minimize conflicts between industrial activity and residential neighborhoods in south Colton.
Policy LU-19.1:	Require that new and expanded industrial and commercial uses adjacent to residential neighborhoods use physical design features such as buffering, landscaping, setbacks, screening, operational standards, and other methods to minimize light, glare, noise, dust, odor, vibration, traffic, and other impacts. Apply the buffering approach identified in Policy LU-8.2.
Policy LU-19.2:	Provide logical transitions between industrial development and adjacent single-family neighborhoods through careful treatment of scale, massing, and the location of services that respond sensitively to adjacent residential uses.

Policy LU-19.3:	Prohibit through truck traffic on residential streets in south Colton, and develop programs, such as traffic calming, to discourage use of neighborhood streets for commercial vehicle traffic.
Policy LU-19.4:	Work with the railroad to eliminate the 9th Street railroad spur.
Policy LU-19.5:	Improve safety measures at railroad crossings through the use of railroad crossing signs or grade separations.
Policy LU-19.6:	Implement the roadway safety improvements identified in the Circulation Element.
Policy LU-19.7:	Prepare a specific plan or similar regulatory document that identifies comprehensive circulation and land use strategies to address and avoid long-standing land use conflicts in the south Colton area.

Colton Hub City Centre Specific Plan ~~West Valley Specific Plan~~

The ~~West Valley~~Colton Hub City Centre Specific Plan area represents a major opportunity area for comprehensive reuse and redevelopment. The City's goal is to create a distinct activity center with the look and feel of an "urban village." This concept is intended to provide an environment where people can both live and work; enjoy complementary residential, commercial, and recreational uses; access alternative modes of transportation; and feel pride in their distinctive community identity. Through the ~~West Valley~~Colton Hub City Centre Specific Plan, land use policies will integrate urban village and mixed-use concepts to create an environment for living, working, shopping, and playing in Colton. living and shopping environments that are missing in Colton. Housing opportunities will be created ~~for residents looking for either a single-family suburban character or housing within a more urban context~~by allowing a wide variety of housing types and densities, including mixed-use housing projects. Development goals include creating economic development opportunities by attracting retail and office uses. Successful completion of high-quality mixed-use and residential projects will assist the City in accomplishing multiple housing, circulation, land use, and recreation objectives.

The West Valley Boulevard area is bounded by the City's western boundary, San Bernardino Avenue to the north, the Burlington Northern Santa Fe railroad to the east, and I-10 to the south (see Figure LU-7). The Arrowhead Regional Medical Center, with 373 beds and a 24-hour emergency department, is the most prominent use. Other major land uses include the 33-acre Hermosa Gardens Cemetery and a 55-acre golf course. Commercial and industrial businesses front on Valley Boulevard.

A major barrier to development is the presence of Delhi Sands Flower-Loving Fly (DSF) habitat, as delineated by the U.S. Fish and Wildlife Service. Although the area has tremendous economic development potential, the City has lost significant potential tax

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revenue due to presence of the habitat. Any development proposal requires close coordination with federal agencies to protect the habitat consistent with established regulations. Although the area has significant constraints, it represents one of the City's major opportunities for economic development and new housing. The City has and will continue to negotiate with federal officials to reach agreement on strategies that can both achieve habitat protection goals within the region and allow Colton to plan for and realize critically important economic growth. A Habitat Conservation Plan (HCP), prepared by the City in consultation with the U.S. Fish and Wildlife service, will reflect the agreed upon strategies to protect DSF habitat while managing economic development.

The area presents many opportunities for new land uses that will complement the Arrowhead Medical Center and take advantage of freeway access. Mixed-use development approaches may consist of either horizontal or vertical integration, providing for a blend of uses to create a great place to live, work, shop and play within a pedestrian-oriented community. Upon build-out, the area will accommodate ~~approximately almost 1,3003,000~~ residential units at varying densities and over ~~two~~ approximately 1.7 million square feet of retail, office, and business park development, in addition to active and passive parks, and preserved habitat for the DSF.



Townhomes, lofts, and live/ work housing



Pedestrian-friendly retail



Business park and light industrial



Hospitality

Commercial uses will be comprised of small-format retail anchors, supporting retail uses, casual sit-down restaurants, and entertainment uses such as theaters and bookstores.

DRAFT LAND USE ELEMENT

Entertainment uses will allow the City to capture sales tax revenue that is being spent in the nearby cities of Ontario, Rancho Cucamonga, and Redlands.

New office development can provide support services for the hospital and allow doctors to establish offices near the hospital. The proximity and ease of access to I-10 will make office uses attractive to employers who may be priced out of office properties in the western part of the County.

While residential neighborhoods in Colton are predominately of single-family character, this area provides opportunities for a mix of housing types with unified architectural themes, higher densities, common open spaces, and linkages to commercial and office uses. Mixed-use and higher density residential is encouraged through development standards and objective design guidelines. This type of new development can attract younger professionals looking for housing in the growing Inland Empire job market, and appeal to the growing market for a compact, walkable, high-quality living and work environment. It also provides for increased housing capacity and opportunity to meet a wide range of housing needs across the community.

The properties on the south side of Valley Boulevard adjacent to the freeway will remain designated for *General Commercial* uses to better leverage visibility from the freeway and accessibility from the Pepper Avenue and Riverside Avenue freeway exits. Vehicle sales have traditionally been an important part of this area and can again make a significant contribution to the City revenue stream. Large-scale, new vehicle sales businesses will continue to be allowed along this part of Valley Boulevard, but smaller-scale businesses selling new and used vehicles are not considered to be appropriate uses and will be discouraged.

The ~~West Valley Specific~~ Colton Hub City Centre Specific Plan offers significant development potential that is appropriate for creating “place making,” where all uses are integrated into a memorable village setting that is walkable and pedestrian-oriented, where people can live, work, shop and play. New dining, shopping, and entertainment establishments will generate significant new sales tax revenue for the City by attracting residents and employees in Colton and other neighboring cities. New quality development that creates a distinctive setting within the City will also generate additional property tax revenue and upgrade an important City gateway.

Goal LU-20:	Establish a mixed-use village via the <u>West Valley Colton Hub City Centre Specific</u> Plan that provides a complementary mix of commercial, residential, and office uses.
Policy LU-20.1:	Ensure developments possess a distinct quality and character that differentiates the West Valley Colton Hub City Centre Specific Plan area from other newly built commercial activity centers in the region.
Policy LU-20.2:	Balance residential, commercial, and office land uses to establish a sustainable economic foundation.

Policy LU-20.3:	Establish land uses compatible with and complementary to the Arrowhead Regional Medical Center, such as office developments, commercial laboratories, medical equipment sales and services, and hospitality and dining establishments that cater to hospital visitors and employees.
Policy LU-20.4:	Attract <u>small-format</u> commercial anchors and dining and entertainment establishments with a regional appeal that are lacking in neighboring communities and along the I-10 freeway corridor.
Policy LU-20.5:	Emphasize commercial and revenue-generating uses that complement and balance the land uses encouraged in other activity centers in the City, particularly Cooley Ranch.
Policy LU-20.6:	Include a diverse housing mix, emphasizing a variety of attractively designed higher-density homes with common open space and added amenities.
Policy LU-20.7:	Locate higher-density residential uses and commercial centers around the area's major access points to facilitate access by residents and freeway drivers.
Policy LU-20.8:	Locate higher-intensity uses closer to Valley Boulevard, and provide buffers or design transitions to minimize noise and traffic impacts to the residential neighborhoods located north of the West Valley Boulevard area.
Policy LU-20.9:	Create connections between neighboring land uses that make alternatives to the automobile safe and attractive. Provide pedestrian linkage to surrounding neighborhoods, and require that development plans and designs facilitate both pedestrian and bicycle use.
Policy LU-20.10:	Provide parks, public spaces, plazas, and open space that are consistent with adopted design themes and that all residents can enjoy.
Policy LU-20.11:	Require that roadway systems are adequate to accommodate new volumes, existing demands, and emergency response needs.
Policy LU-20.12:	Avoid piecemeal development of the West Valley Specific Plan <u>Colton Hub City Centre</u> area by requiring development to occur within the context of a master plan.
Policy LU-20.13:	Use gateway monuments or distinguishing gateway features at key points of arrival into the City, and at major developments, to convey civic pride and identity.

Pellissier Ranch/La Loma Hills

The Pellissier Ranch/La Loma Hills area, located at the southern edge of the City (see Figure LU-9), covering approximately 1,450 acres, represents the largest remaining developable area in Colton. The Santa Ana River defines the north and western boundaries, with the

DRAFT LAND USE ELEMENT

Riverside County line forming the southern border. The eastern edge of the area is bounded largely by neighborhoods located on the west side of La Cadena Drive.

The City envisions this area as a riverfront community consisting of low-density and medium-density housing, schools and parks, trails, community facilities, and a commercial area serving the neighborhood. (See the Circulation Element for key circulation components of the Pellissier Ranch/La Loma Hills.)

Neighborhood commercial and higher-density residential developments are appropriate closer to La Cadena Avenue and within flatter areas of land. Cluster development approaches and transfer of development rights are encouraged to preserve the hillsides and ridgelines, and to create opportunities for publicly accessible open space areas.

All new development in this focus area will complement the natural features of the La Loma Hills and the Santa Ana River, and will be required to minimize impacts to sensitive natural habitats. Opportunities for both active and passive recreation should be made available through neighborhood and pocket parks. Community trails will link to open space areas within the hillsides and connect to the Santa Ana River Trail.

Goal LU-21:	Create a residential neighborhood in the Pellissier Ranch/La Loma Hills area that consists largely of low-density or clustered residential development, with support neighborhood commercial uses, open space, and compatible uses that complement the natural landscape, the Santa Ana River, and the La Loma Hills.
Policy LU-21.1:	Allow for a diverse housing mix that is compatible to the hillsides area.
Policy LU-21.2:	Allow residential density transfer to limit residential development on hillsides and transfer residential units to flatter land areas.
Policy LU-21.3:	Provide adequate public, community, and educational facilities to meet residential needs.
Policy LU-21.4:	Provide pedestrian linkages to surrounding neighborhoods and neighborhood commercial centers.
Policy LU-21.5:	Establish community recreation and park facilities, including open space areas with hiking and bicycle trails.
Policy LU-21.6:	Base allowable densities and intensities on infrastructure capacity, landform, and other physical constraints.
Policy LU-21.7:	Ensure that roadway systems are adequate to accommodate new volumes, existing demands, and emergency response needs.

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Policy LU-21.8:	Ensure that safety services and sewer, water, and utility infrastructure are adequate to accommodate new development.
Policy LU-21.9:	Require that new development assumes the full fair-share cost of public improvements which are necessitated by that development.
Policy LU-21.10:	Look for opportunities to create public or publicly accessible open space areas within the focus area.
Policy LU-21.11:	Allow for continued operation of industrial businesses along Center Street and the County line, and require that new development projects provide enhanced design detail and infrastructure improvements consistent with the Circulation Element and the Capital Improvement Program.

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**Exhibit-B of Resolution
No. R-01-26**

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND THE CITY'S OFFICIAL ZONING MAP CHANGING ZONING OF CERTAIN PROPERTY AND AMENDING THE TEXT OF CERTAIN SECTIONS OF TITLE 18 (ZONING CODE), SECTIONS 18.06.060 (USES PERMITTED IN EACH ZONE) OF CHAPTER 18.06 (ZONING DISTRICTS AND MAPS) CHAPTER 18.16 (R-3 AND R-4 MULTIPLE-FAMILY RESIDENTIAL) ZONE, CHAPTER 18.23 (MIXED-USE DOWNTOWN) ZONE, AND CHAPTER 18.58 (ADMINISTRATION) IN COMPLIANCE WITH GENERAL PLAN HOUSING ELEMENT PROGRAMMING, AND ADOPTING ENVIRONMENTAL FINDINGS OF FACT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 2025010520), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (FILE NO. DAP-001-744)

WHEREAS, on January 4, 2022, the General Plan 2021-2029 6th Cycle Housing Element was adopted by the City Council by Resolution No. R-4-22 (the "Housing Element Update"), in compliance with State housing law; and

WHEREAS, the Housing Element Update was adopted to implement the standards and requirements established by recent State housing law, specifically related to the City's adopted 2021-2029 6th Cycle Housing Element Update; and

WHEREAS, the Housing Element Update is a Citywide Housing Plan which outlines the City's Goals, Policies and Programs for the orderly development of local housing to meet needs; and

WHEREAS, Programs 10 and 11 of the Housing Element Update require the City Council to subsequently rezone certain properties in the City's Official Zoning Map to different zoning categories and to amend certain development standards in the City's Zoning Code (Title 18 of the Colton Municipal Code) in order to facilitate the development of local housing, which are identified as land use Application No. DAP-001-744 and attached hereto as **Exhibits "B-2" and "B-3"** (the proposed "Zoning Map and Text Amendments"); and

WHEREAS, on January 13, 2026, the Planning Commission of the City of Colton ("Planning Commission") conducted a duly noticed public hearing and recommended by a vote of ____ to ____ that the City Council adopt the Zoning Map and Text Amendments; and

WHEREAS, on _____ 2026, the Colton City Council conducted a duly noticed public hearing to consider Zoning Map and Text Amendments and introduced the Zoning Map and Text Amendments; and

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

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

3 **SECTION 1.** The City Council hereby adopts the recitals and findings set forth above and in
4 the agenda report prepared in connection with this Ordinance.

5 **SECTION 2.** Based on the entire record before the City Council, including all written and
6 oral evidence presented, the City Council hereby makes the Findings of Fact and adopts the Statement
7 of Overriding Considerations in accordance with the California Environmental Quality Act (CEQA),
8 as set forth in **Exhibit B-1** attached hereto and incorporated herein by reference. The City Council finds
9 that the Environmental Impact Report (EIR) for the project (State Clearinghouse No. 2025010520) has
10 been completed in compliance with CEQA and reflects the independent judgment of the City. The
11 Findings of Fact and Statement of Overriding Considerations identify significant environmental
12 impacts that cannot be avoided, even with the implementation of all feasible mitigation measures, and
13 set forth the specific economic, legal, social, technological, and other benefits that outweigh the
14 unavoidable adverse environmental effects. The City Council therefore certifies the EIR and adopts the
15 Findings of Fact and Statement of Overriding Considerations.

16 **SECTION 3.** The City's' Official Zoning Map is hereby amended to rezone certain property
17 to different zoning classifications; and Sections 18.06.060 (Uses Permitted in each Zone) of Chapter
18 18.06 (Zoning Districts and Maps), Chapter 18.16 (R-3 and R-4 Multiple-Family Residential) Zone,
19 Chapter 18.23 (Mixed-Use Downtown) Zone, and Chapter 18.58 (Administration) are hereby amended
20 by deleting, modifying and/or adding the text as shown in the attached **Exhibits B-2 and B-3** (New
21 Text is shown Double Underline and deleted text is shown in ~~striketrough~~.)

22 **SECTION 4.** Severability. If any section, subsection, subdivision, sentence, clause, phrase,
23 or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of
24 any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions
25 of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and
26 each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the
27 fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions
28 thereof be declared invalid or unconstitutional.

SECTION 5. Certification/Publication. The City Clerk shall certify to the passage of the
Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after
adoption in a newspaper of general circulation published and circulated in the City of Colton.

SECTION 6. This Ordinance shall become effective thirty (30) days after its adoption in
accordance with the provisions of California law.

PASSED, APPROVED AND ADOPTED on this ____ day of _____, 2026.

Frank Navarro
Mayor

ATTEST:

Isaac T. Suchil
City Clerk

Exhibit B-1 Findings of Fact and Statement of Overriding Consideration
--

Administrative Final Environmental Impact Report (EIR)

g. Includes Introduction, Master Responses and Responses to Written Comments.

h. The Final EIR includes the following contents:

- Draft Program EIR (provided under separate cover)
- Draft Program EIR Appendices (provided under separate cover)
- Master Responses and Responses to Written Comments on the Draft Program EIR (Sections 2 and 3 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

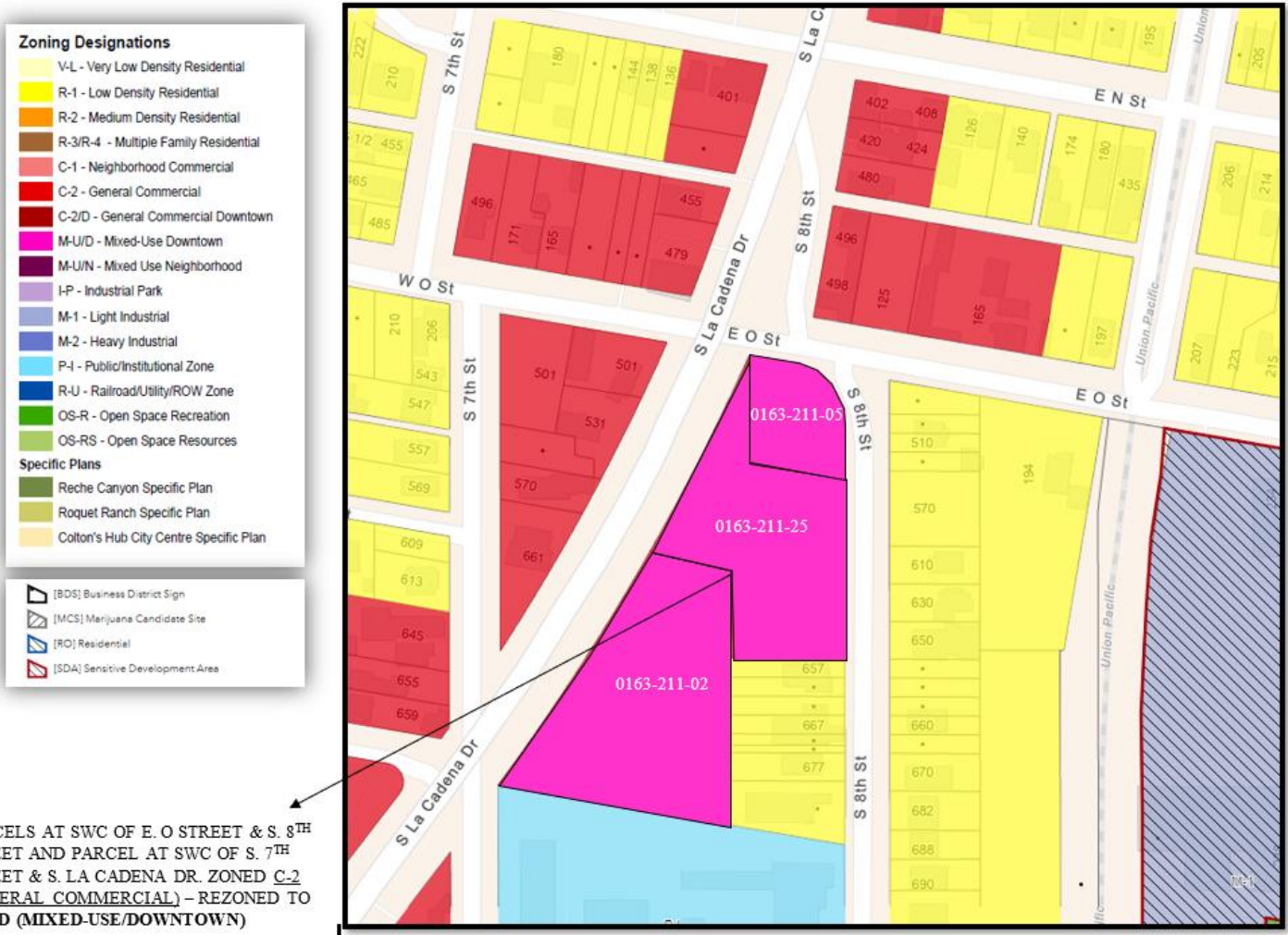
The above documents may be viewed at the following electronic link:

<https://www.coltonca.gov/779/Environmental-Documents>

Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

Exhibit B-2 of PC
Resolution No. R-0-26

- **Area 1:** 500, 530 and 660 South La Cadena Drive (3 parcels)—Assessor's Parcel Numbers (APNs): 0163-211-02, 05 and 25; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).



AREA 1 EXHIBIT: ZONE CHANGE DESIGNATION

Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

Exhibit B-2 of PC
Resolution No. R-0-26

- **Area 2:** 233 South La Cadena Drive (1 parcel)–APN: 0163-074-31; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).
- **Area 3:** 158 and 170 South La Cadena Drive, 115 and 131 East L Street (4 parcels)–APNs: 0163- 081-06, 07, 08, and 09; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).

Zoning Designations	
	V-L - Very Low Density Residential
	R-1 - Low Density Residential
	R-2 - Medium Density Residential
	R-3/R-4 - Multiple Family Residential
	C-1 - Neighborhood Commercial
	C-2 - General Commercial
	C-2/D - General Commercial Downtown
	M-U/D - Mixed Use Downtown
	M-UN - Mixed Use Neighborhood
	IP - Industrial Park
	M-1 - Light Industrial
	M-2 - Heavy Industrial
	P-1 - Public/Institutional Zone
	R-U - Railroad/Utility/ROW Zone
	OS-R - Open Space Recreation
	OS-RS - Open Space Resources
Specific Plans	
	Rache Canyon Specific Plan
	Roquet Ranch Specific Plan
	Colton's Hub City Centre Specific Plan
	(BOD) Business District Sign
	(MCS) Marijuana Candidate Site
	(RD) Residential
	(SDA) Sensitive Development Area



PARCELS AT NEC & SWC OF S. LA CADENA DR. AND W. L STREET ZONED C-2 (GENERAL COMMERCIAL) – REZONED TO M-U/D (MIXED-USE/DOWNTOWN)

AREA 2 & 3 EXHIBIT: ZONE CHANGE DESIGNATION

Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

**Exhibit B-2 of PC
Resolution No. R-0-26**

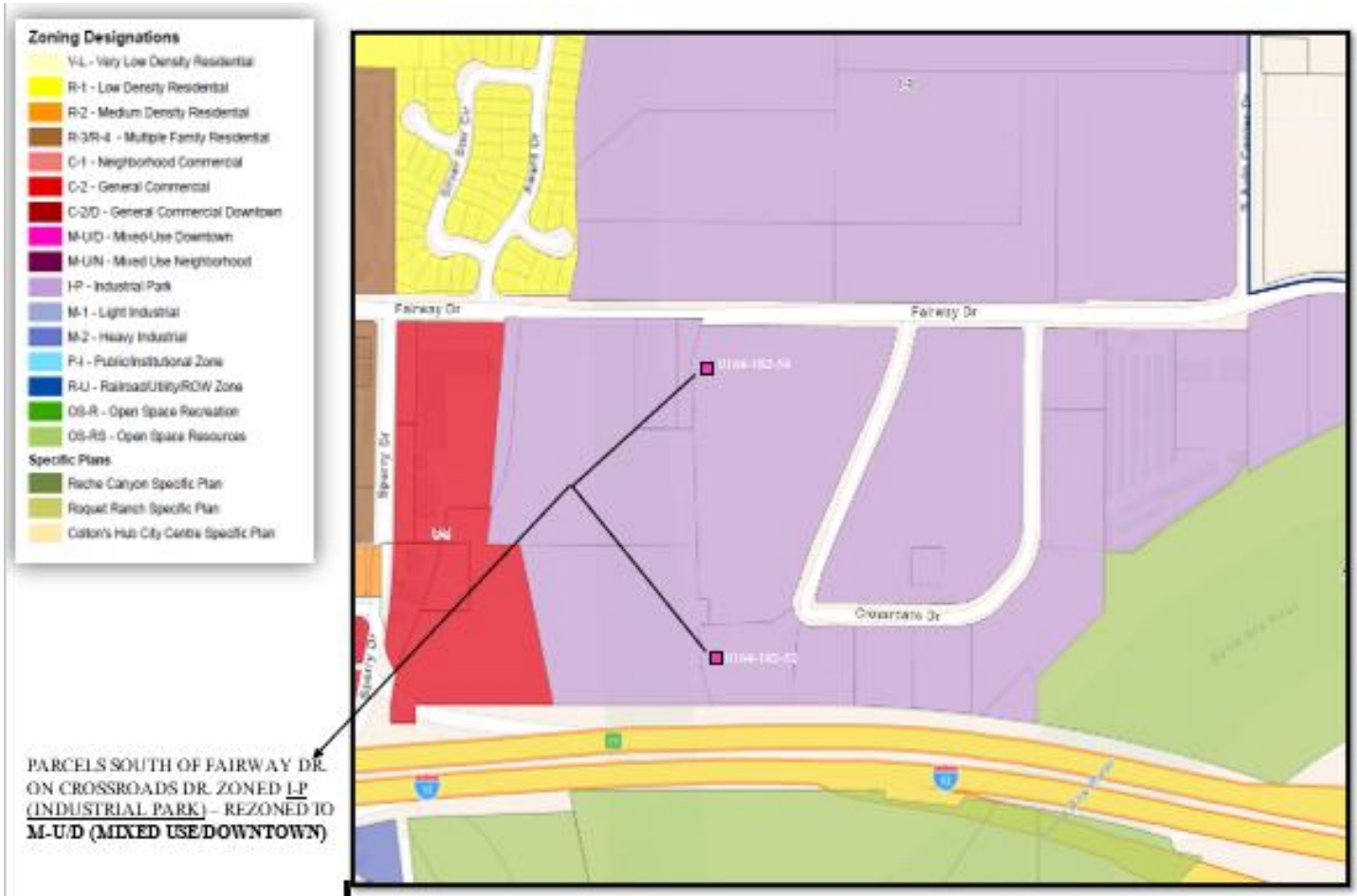
- Area 4:** 1202, 1300, and 1500 East Fairway Drive and 1200, 1250, 1300, 1350, 1400, and 1500 Crossroads Drive (11 Parcels)—APNs: 0164-182-38, 41, 43, 46, 47, 48, 51, 53, 55, 57, and 58; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use– Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use– Downtown).



Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

Exhibit B-2 of PC
Resolution No. R-0-26

- **Area 4-A:** 1200 East Fairway Drive and 1200 Crossroad Drive (2 Parcels)—APNs: 0164-182- 52 and 54; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use– Downtown." Zoning Map amended from 1-P (Industrial Park) to M-U/D (Mixed Use– Downtown).

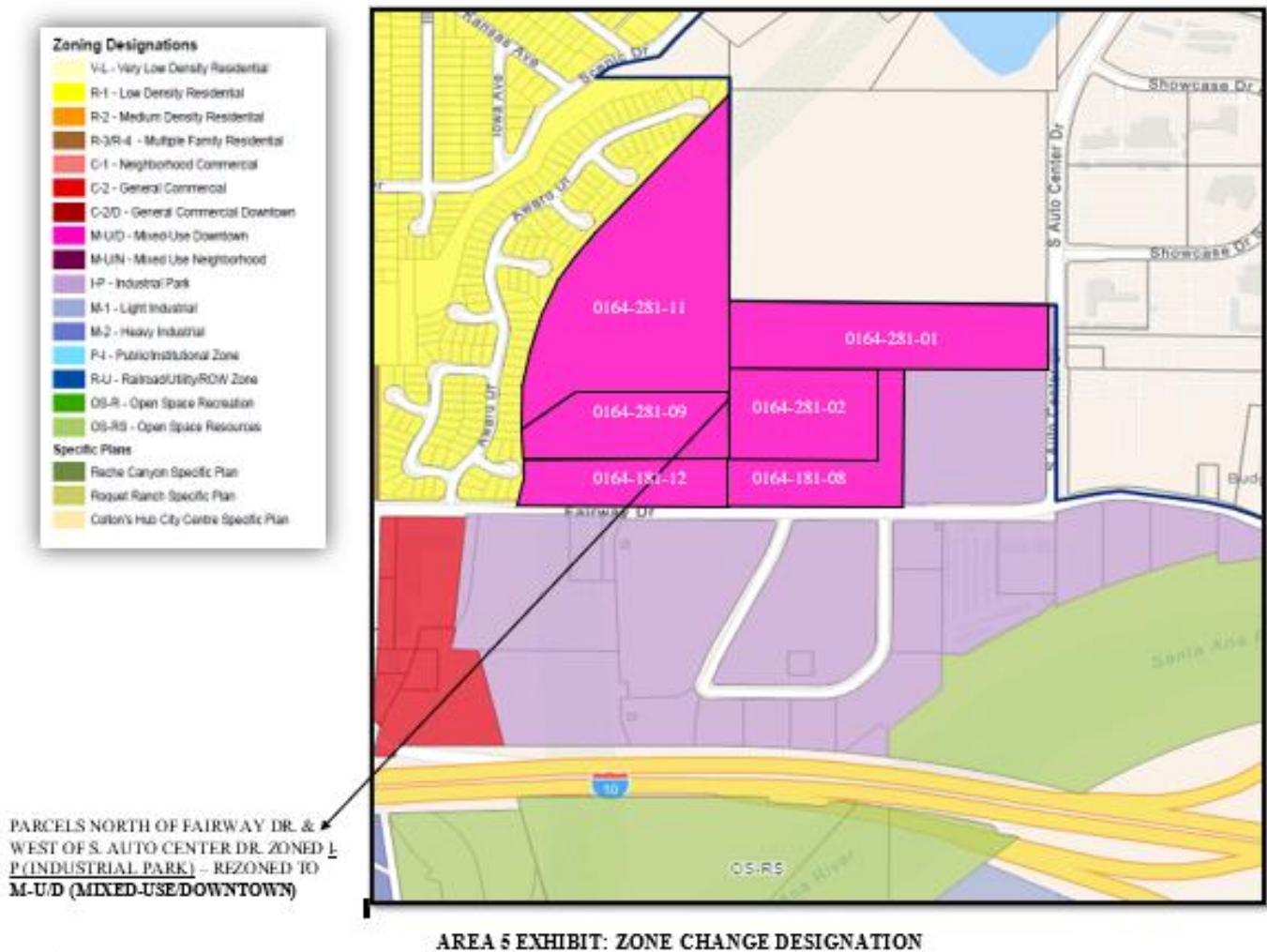


AREA 4-A EXHIBIT: ZONE CHANGE DESIGNATION

Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

**Exhibit B-2 of PC
Resolution No. R-0-26**

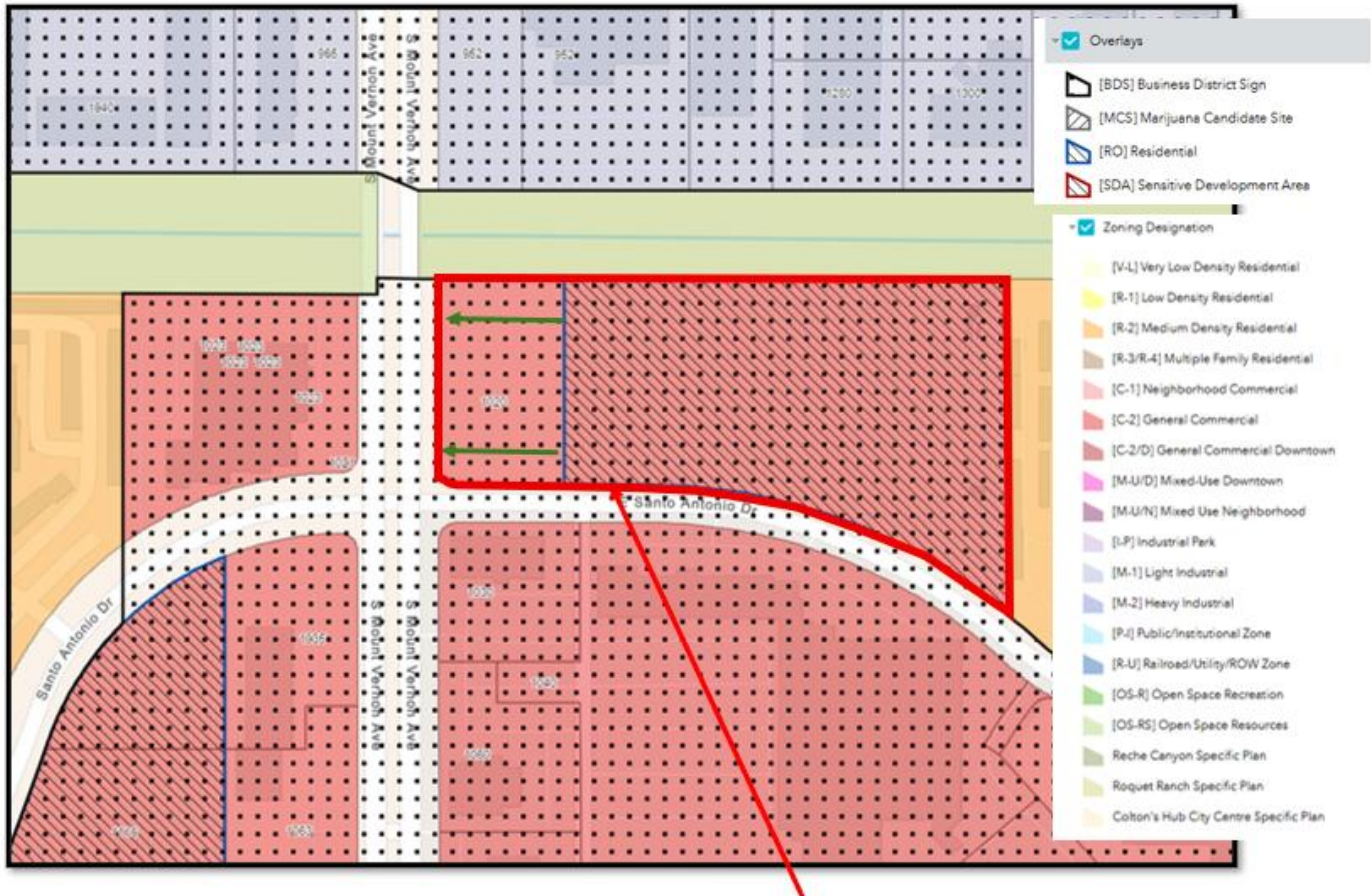
- Area 5:** 1201 and 1301 East Fairway Drive (6 Parcels)–APNs: 0164-281-01, 02, 09, and 11 and APN(s): 0164-181-08, and 12; Existing General Plan land use designation "Industrial Park" amended to "Mixed Use–Downtown." Zoning Map amended from I-P (Industrial Park) to M-U/D (Mixed Use–Downtown).



**Rezoning Map Amendments
To Official Colton Zoning Map
DAP-001-744**

**Exhibit B-2 of PC
Resolution No. R-0-26**

- **Area 6:** E. Santo Antonio Drive and Mt. Vernon Avenue (2 Parcels)—PNs: 276-144-30 and 276- 144-31; Existing General Plan land use designation “General Commercial.” Zoning Map amended from C-2 (General Commercial) to C-2/R-O (General Commercial/Residential Overlay).



Extending the R-O (Residential Overlay) Zone to 1020 S. Mount Vernon Avenue – APN: 0276-144-30 & 276-144-31

AREA 6 EXHIBIT: ZONE CHANGE DESIGNATION

Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

Exhibit B-2 of PC
Resolution No. R-0-26

- **Area 1-A:** 609, 613, 645, 655 and 659 South 7th Street (5 parcels)–APNs: 0163-172-46 and 47; Existing General Plan land use designation "Low Density Residential" amended to "Mixed Use– Downtown." Zoning Map amended from R-1 (Low Density Residential) to M-U/D (Mixed Use– Downtown). APNs: 0163-172-48, 49, and 50; Existing General Plan land use designation "General Commercial" amended to "Mixed Use–Downtown." Zoning Map amended from C-2 (General Commercial) to M-U/D (Mixed Use–Downtown).



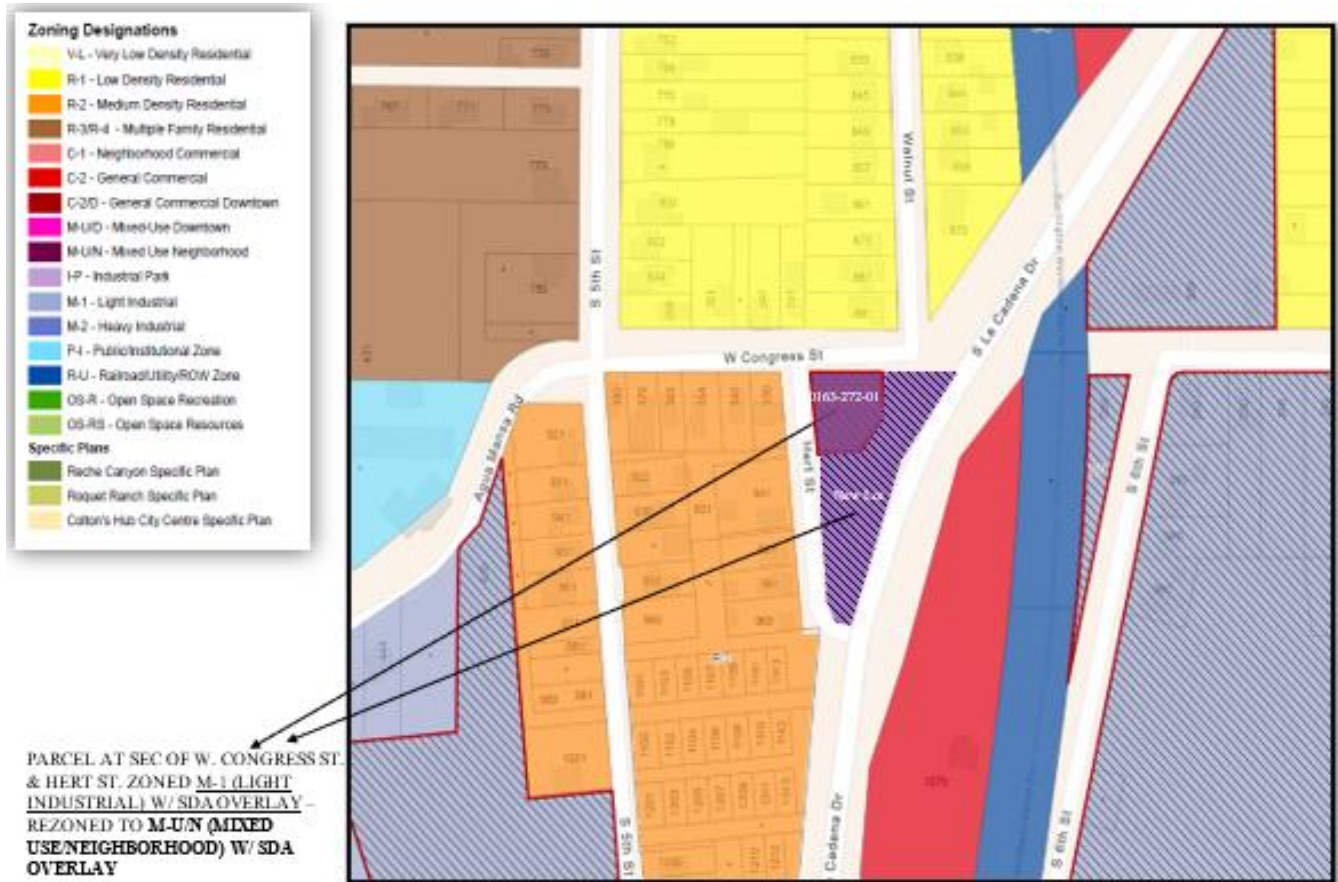
PARCELS AT SWC OF S. 7TH STREET & STEPHEN ST. ZONED R-1 (LOW DENSITY RESIDENTIAL) AND PARCELS AT NWC OF S. 7TH STREET & S. LA CADENA DR. ZONED C-2 (GENERAL COMMERCIAL) - REZONED TO M-U/D (MIXED-USE DOWNTOWN)

AREA 1-A EXHIBIT: ZONE CHANGE DESIGNATION

Rezoning Map Amendments To Official Colton Zoning Map DAP-001-744

**Exhibit B-2 of PC
Resolution No. R-0-26**

- Area 1-B:** Herts Street and Congress Street (1 parcel)–APN: Includes 0163-272-01 changing from M-1 (Light Industrial) to M-U/D (Mixed Use – Downtown) and new lot Not Assigned with no current Assessor Parcel Number and no existing General Plan land use or Zoning designation; proposed to be amended with Mixed Use Downtown Land Use Designation and to M-U/D (Mixed Use– Downtown) Zone.



AREA 1B EXHIBIT: ZONE CHANGE DESIGNATION

**Appendix I:
Zoning Ordinance Text Changes**

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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 Candidate Sites Overlay Zone (MCS) upon issuance of a Conditional Use Permit and other applicable provisions contained in Chapter 5.54 of Title 5 of the Colton Municipal Code.
- 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.
- 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 in compliance with 18.48.130	MC	N	N	N
Animal Daycare in compliance with 18.48.130	MC	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

E. Residential Districts Table	V-L	R1	R2	R3/R4
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
Electric Vehicle Charging Station—Small, See Chapter 18.48 of this Title	P	P	P	P
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	N	N
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
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 Daycare in compliance with 18.48.130	MC	MC	MC	MC
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 Light Repair	N	C	P	P
Automobile Rental	N	C ¹	N	N
Automobile Repair	N	C ¹	N	N
Automobile Sales	N	C ¹	N	N
Automobile Storage or Parking	N	C ¹	C	C
Automobile Wash (Self Service/Automatic/Hand Carwash)	N	C ^{1, 2}	P	P
Bar	N	C	C	N
Business Support Services	P	P	P	P
Cemeteries	N	N	N	N

F. Commercial Districts Table	C-1	C-2	MU-D	MU-N
Communication Services	N	P	P	P
Community Recreation	P	P	P	P
Congregate Care Health Facility in compliance with 18.48.100 D. and F. and 18.58.060	N	N	MC	N
Construction Sales/Service (no storage or display outside structures)	N	P	N	N
Construction Sales/Service with storage or display outside structures	N	P ¹	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 <u>P</u>	N <u>P</u>	P	P
Dwelling—Single-Family	N <u>P</u>	N <u>P</u>	P	P
Dwelling—Manufactured Home, pursuant to Section 18.48.060 of this Title	N <u>P</u>	N <u>P</u>	N <u>P</u>	P
Dwelling—Multiple-Family	N <u>P</u>	N <u>P</u>	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
Electric Vehicle Charging Station—Small, see Chapter 18.48 of this Title	P	P	P	P
Electric Vehicle Charging Station—Large, see Chapter 18.48 of this Title	P	P	P	P
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
Hotels and Motels	N	C	C	N
Hydrogen Vehicle Fueling Station, see Chapter 18.48 of this Title	P	P	P	P
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
Mixed-Use Commercial – Residential, pursuant to Section 18.23	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Movie Theaters	N	P	P	N
Nightclub	N	C	C	N

F. Commercial Districts Table	C-1	C-2	MU-D	MU-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	N	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 18.48.010 of this Title.	P	P	P	P
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.				
² Self Service Automobile Facilities Not permitted within 0.75 miles of another Self-Service Automobile Facility if located with the C-2/D 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 in compliance with 18.48.130	MC	MC	MC
Animal Daycare in compliance with 18.48.130	MC	MC	MC
Animal Grooming	P	P	P
Animal Health Care	P	P	P
Assembly Uses	C	C	P
Automobile Impound Yard	N	C	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 Park, subject to Special Provisions 18.48	C	C	C
Business Support Services	P	P	P
Cemeteries	N	C	P
Communication Services	P	P	P
Community Recreation	P	P	P
Concrete Batch Plant	N	N	C
Construction Sales/Service (no storage or display outside structures)	P	P	P
Construction Sales/Service with storage or display outside structures	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
Electric Vehicle Charging Station—Small, see Chapter 18.48 of this Title	P	P	P
Electric Vehicle Charging Station—Large, see Chapter 18.48 of this Title	P	P	P
Entertainment Facilities	P	P	N
Farmers Market, pursuant to Chapter 18.48 of this Title.	P	P	P
Financial Institutions	P	P	P
Food Commissary	C	C	C
Funeral Services	P	P	P
Health and Fitness Club	P	P	N
Hospitals	P	P	P
Hotels and Motels	C	N	N
Hydrogen Vehicle Fueling Station, see Chapter 18.48 of this Title	P	P	P
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
Manufacturing—Custom	P	P	P
Manufacturing—Light	P	P	P
Manufacturing—Heavy	N	N	P
Marijuana Cultivation, Indoor (see Chapter 5.54 of Title 5)	O	O	O
Marijuana Cultivation, Outdoor	N	N	N
Marijuana Testing Facility (see Chapter 5.54 of Title 5)	C	C	C

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Marijuana Product Manufacturing (see Chapter 5.54 of Title 5)	O	O	O
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
Therapeutic Services, pursuant to Chapter 18.48.010 of this Title.	P	P	P
Transportation Facilities—Public	P	P	P
Transportation Facilities—Private	C	C	C
Truck Rental	C	C	C
Truck Repair	N	C	C
Truck Sales	N	C	C
Truck Servicing	N	C	C
Truck and Trailer Storage or Parking, subject to Special Provisions Chapter 18.48	N	N	C
Utility Distribution Facilities	P	P	P
Utility Operations Facilities	N	N	P
Warehouse, General, subject to Special Provisions Chapter 18.48	C	C	C
Warehousing Logistics and Distribution, subject to Special Provisions Chapter 18.48	N	N	C
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
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
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	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.

(Ord. No. O-11-16, § 3, 8-2-2016; Ord. No. O-12-16, § 3(Exh. C), 8-2-2016; Ord. No. O-11-17, § 2(Exh. A), 12-5-2017; Ord. No. O-12-18, § 4, 12-18-2018; Ord. No. O-04-19, § 6(Exh. A), 5-7-2019; Ord. No. O-11-20, § 5, 10-20-2020; Ord. No. O-01-21, § 5, 2-16-2021; Ord. No. O-13-22, § 5, 10-18-22; Ord. No. O-01-23, § 5, 2-21-2023; Ord. No. O-05-24, § 4, 6-4-2024; Ord. No. O-10-24, § 4, 10-1-2024)

Chapter 18.16 R-3 AND R-4 MULTIPLE-FAMILY RESIDENTIAL ZONE

18.16.010 Intent and Purpose.

The R-3 and R-4 Multiple-Family Zone is intended to accommodate multi-family housing and specifically housing development of a more intensive form, including condominiums, apartments, stacked flats, and senior housing. Higher densities are intended for specialized housing, such as senior housing at locations where adequate support infrastructure exists. Other uses such as mobile home parks and family day care homes may be permitted consistent with the City's R-3 and R-4 zone regulations.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013)

18.16.020 Uses Generally.

In the R-3 and R-4 Zone, no building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered or enlarged, except for the purpose set out in Section 18.16.030 of this chapter.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013)

18.16.030 Permitted Uses.

Refer to Table E in Section 18.06.060 E.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013)

18.16.040 Reserved.

Editor's note(s)—Ord. No. O-05-13, § 2(Exh. A(8)), adopted October 10, 2013, repealed § 18.16.040, which pertained to Conditional Uses and derived from Ord. 0-14-92 § 1 (Exh. A) (part), 1992; Ord. No. O-01-10, § 12, 3-2-2010.

18.16.050 Property Development Standards.

The following property development standards, set out in Sections 18.16.150 through 18.16.230, shall apply to all land and buildings in the R-3 and R-4 Zone. A reduction in the property development standards may be permitted in the case of the development of housing for senior citizens, through the application of a Conditional Use Permit.

18.16.050-1 Property Development Standards

Building Placement-Table 1-Primary Structures	Table 1- Development Standard
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 10 feet
E. Minimum Side Yard Setbacks	10% of lot width not exceeding 15 feet^{1,2,3} 5 Feet, 10 feet for second story, above second story requires third story and above to be 10 feet.
F. Minimum Corner Side Yard Setback	5 feet ¹
G. Minimum Rear Yard Setback	20 feet^{1,2} 15 feet Primary Structure
H. Separation Between Buildings	6 10 feet ^{1,2,5}
I. Max. Lot Coverage	70 75 % of lot area ¹
J. Dwelling Units per Acre	16.1— 22 30 DU/Acre Up to 30 dwelling units/acre ^{6, 7}
K. Minimum Dwelling Unit Size	
— 3 Bedroom, Plus	1,200 square feet ⁸
— 2 Bedroom	1,000 square feet ⁸
— 1 Bedroom	800 square feet ⁸
— Efficiency/Bachelor	600 square feet ⁸
L. Maximum Building Height	2.5 Stories or 35 feet² Three stories or forty-five feet. Up to four stories or fifty-five feet with CUP

1. 40 feet minimum on cul-de-sac bulb.
2. Main buildings and garages opening to an alley shall have a side setback of 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.
6. Minimum twenty dwelling units per acre is required for properties within the Housing Element, Appendix D Site.
7. For projects developed exclusively for senior residents as income-subsidized housing, densities of up to sixty dwelling units per acre is allowed with approval of a conditional use permit.
8. The minimum dwelling unit sizes and building height may be reduced in size or increased in height (maximum three stories or thirty-five feet) for affordable housing projects, subject to review and approval by appropriate review body.

Table 2 - ACCESSORY STRUCTURES	TABLE 2 Development Standard
M. Side Setback one story	5 feet ³
N. Rear Setback one story	5 feet ³
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	35% 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.
3. **Storage buildings with no plumbing, electricity or mechanical equipment and less than or equal to 120 square feet may be placed on property line if roof is not draining onto adjacent property. Otherwise, setback at least three feet from any property lines.**

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013; Ord. No. O-03-15, § 10, 3-3-2015)

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.

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013; Ord. No. O-12-18, § 19, 12-18-2018)

18.16.070—18.16.160 Reserved.

Editor's note(s)—Ord. No. O-05-13, § 2(Exh. A(8)), adopted October 10, 2013, repealed §§ 18.16.070—18.16.160, which pertained to Lot dimensions, Density of Development, Maximum coverage, Minimum Dwelling size, Building Height, Front Setback, Side Setback, Rear Setback, Accessory buildings, Separation between Buildings and derived from Ord. 0-14-92 § 1 (Exh. A) (part), 1992.

18.16.170 Recreation Space.

All Residential Developments ~~Zone S~~ shall provide a minimum of one square foot of outdoor Recreation Space for every three square feet of gross Floor Area within each Dwelling Unit.

- A. At least half of the space required Shall be in the form of private Recreation Space, with minimum dimension of eight feet and a minimum area of one hundred fifty square feet per Dwellings. The private space May be provided in the form of patios, porches, balconies or recessed areas open on at least two sides, and May only be located in the side and Rear Yard areas.
- B. Common Recreation Space Shall contain a minimum area of five hundred square feet and a minimum dimension of twenty feet. It May be provided in the form of pools, putting greens or recreation Buildings.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

18.16.180 Parking Requirements.

A. Parking Requirements for Multiple-Family Dwellings.

1. For Dwelling Units consisting of two bedroom, there shall be no less than one and a half parking spaces for every dwelling unit.
2. For Dwelling Units consisting of three or more bedrooms, there shall be no less than two Parking Spaces, in the form of enclosed garages or carports, for every Dwelling Unit, with dimensions of not less than ten feet in width and twenty feet in depth.
3. Guest Parking: Where there are six or more Dwelling Units on one Lot, there Shall be an additional ~~one-half~~ 0.25 Unenclosed Space per Dwelling Unit for Guest parking.
- ~~2~~ 4. One bedroom/studios 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.13.
- ~~3~~ 5. There Shall be paved vehicular Access to the Off-Street Parking Facilities with a Driveway not less than ~~twelve~~ thirteen feet, wide (in one direction) and not encumbered by any Projection to a height under twelve feet above Grade.
6. Tandem Parking ~~multi-family residential projects~~, tandem parking spaces may be used for residential parking, and receive parking credit when serving the same residential unit subject to approval by the Development Services Director. Tandem parking spaces shall be a minimum of eleven feet wide and twenty feet deep per space.

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~~ except as provided herein, parking requirements shall be subject to provisions of Section 18.36 of this Title, as applicable.
5. Parking of vehicles is prohibited in landscape or unpaved areas.
6. Bicycle Parking. Provide facilities for the temporary storage of bicycles as outlined in Chapter 18.36 of this Code.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-01-10, § 8, 3-2-2010; Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013; Ord. No. O-12-18, § 22, 12-18-2018)

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.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013; Ord. No. O-12-18, § 21, 12-18-2018)

Note(s)—Formerly numbered as § 18.16.185.

18.16.190 Landscaping.

- A. The landscape requirements for multi-family projects shall comply with the following code requirements:
 - 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.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992; Ord. No. O-12-18, § 20, 12-18-2018)

18.16.200 Trash and Storage Areas.

- A. Trash Areas.
 - 1. ~~Trash areas for Multiple Family Dwellings Shall provide the equivalent of not less than a fifty gallon capacity container per Dwelling Unit.~~ Where commercial trash containers are Used, there Shall be not

less than one such container for every fifteen Dwelling Units **or use of smaller bins shall be in.**
Compliance with City of Colton Trash and Recycling Enclosure Design Guide.

2. For office Uses, trash containers Shall be provided with a sufficient capacity to contain all Refuse generated by the Use.
 3. All outside trash and Garbage collection areas Shall be enclosed or screened with a six-foot-high Wall with Gates and Shall be located as to allow for convenient pickup and disposal. The location design Shall also incorporate Access separate than Pedestrian Access.
 4. All trash containers Shall be provided with lids.
- B. For Multiple-Family Dwellings, at least sixty cubic feet of enclosed accessory storage space Shall be provided for each Dwelling Unit. Said space May be located in a garage or Carport; provided, that it does not interfere with the parking of a Vehicle.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013)

18.16.220 Architectural Compatibility.

The exterior design of Structures Shall be compatible with the surrounding architecture in order to preserve neighborhood integrity and promote architectural consistency within the City.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

18.16.230 Design Review.

Architectural and Site Plan Review for all development in the R-3 and R-4 zone shall be submitted to the appropriate decision-making body for review and approval pursuant to Chapter 18.58. Affordable housing projects shall be reviewed through administrative review process.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-13, § 2(Exh. A(8)), 10-10-2013)

Chapter 18.23 M-U MIXED-USE—DOWNTOWN ZONE

18.23.010 Intent and Purpose.

The Mixed-Use Downtown Zone (M-U/D) integrates civic, public, commercial, office, and residential uses. Supporting convenience retail and personal service commercial uses are permitted to serve the needs of local residents, employees, and visitors. Higher-density residential uses are encouraged to add vibrancy and presence. Long-established, low-density residential areas containing homes dating to Colton's early years are encouraged to retain their density and character.

Live/work development approaches are permitted as well where they contribute to the function and character of Downtown. All development within this zone should reflect attractive, pedestrian-oriented design that complements the area's historic character. Public and shared parking facilities are encouraged.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.020 Reserved.

18.23.030 Permitted Uses.

Refer to Table F in Section 18.06.060 F.

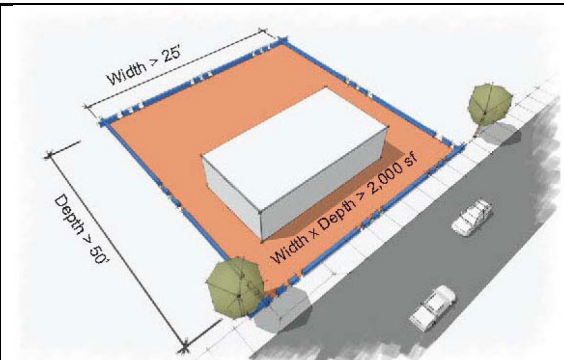
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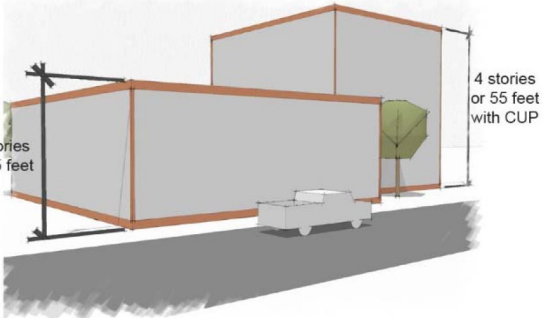
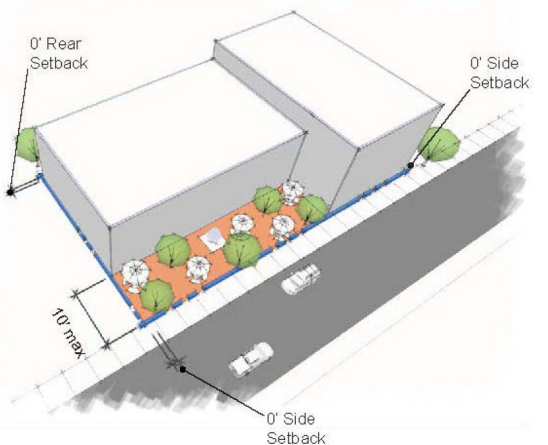
18.23.040 Reserved.

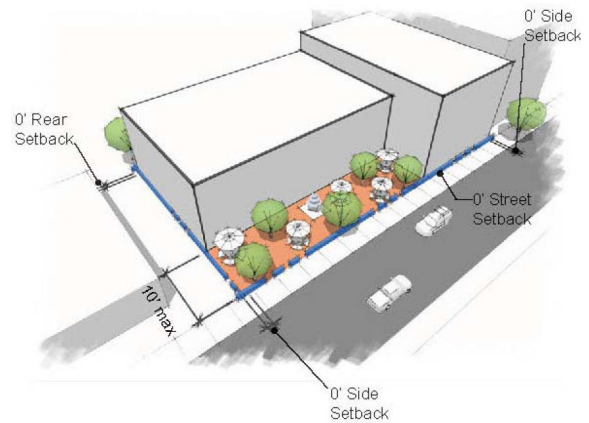
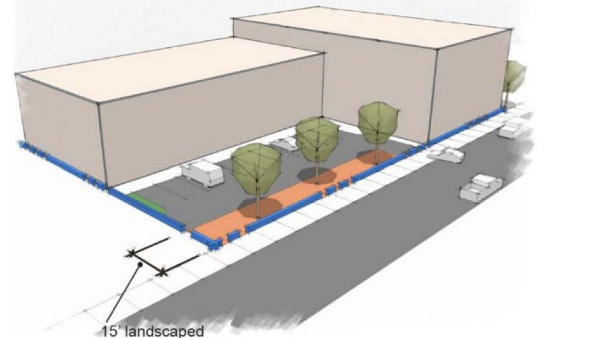
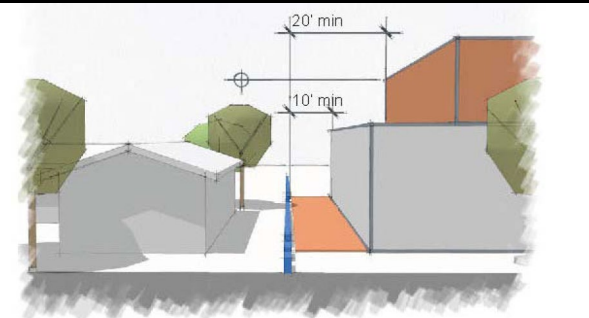
18.23.050 Property Development Standards.

The following property development standards, set out in Table 18.23.050-1, shall apply to all land and buildings in the M-U Mixed-Use Downtown Zone.

18.23.050-1 Property Development Standards

Building Placement	Table 1	
A. Minimum Lot Size	Two thousand square feet	
B. Minimum Lot Width	Twenty-five feet ¹	
C. Minimum Lot Depth	fifty feet ¹	
Minimum Lot Dimensions		

Stand Alone Residential Maximum Density	Residential: 340.0 40.0 dwelling units/acre. ²	
Mixed-Use/Commercial Maximum Intensity	3.0 Floor Area Ratio (FAR) for non-residential components.	
Building Height	Three stories or forty-five feet. Up to four stories or fifty-five feet with CUP. ¹	 Building Height
Street Setback	H Street and La Cadena Drive: Zero feet to ten feet maximum. Setback area shall include plaza, courtyard, outdoor dining, or enhanced pedestrian connections.	
	7th Street, 9th Street, 10th Street, G Street, and Valley Boulevard: Maximum ten feet landscaped to building; Minimum fifteen feet landscaped to parking area.	 Setbacks: H Street and La Cadena Drive
Side Setbacks	There shall be no side setback required for interior lots.	

		 Setbacks: 7th Street, 9th Street, 10th Street, G Street, and Valley Boulevard
Rear Setbacks	There shall be no rear setback required for interior lots.	 Setbacks with Landscaping: 7th Street, 9th Street, 10th Street, G Street, and Valley Boulevard
Ground Floor Transparency	The ground floor building facade facing a street frontage line, where the ground floor use is non-residential, shall consist of a minimum forty-five percent area of glass doors, windows, or other transparent materials.	 Ground Floor Transparency
Good Neighbor	Where the side of a lot abuts a residential zone, the minimum side setback shall be ten feet. Where the rear of a lot abuts a residential zone, the minimum rear setback shall be fifteen feet. Those portions of a building that abut a residential zone, where the proposed structure is over thirty-five feet tall, shall be setback a minimum of twenty feet from that	 Setbacks Adjacent to Residential Zones

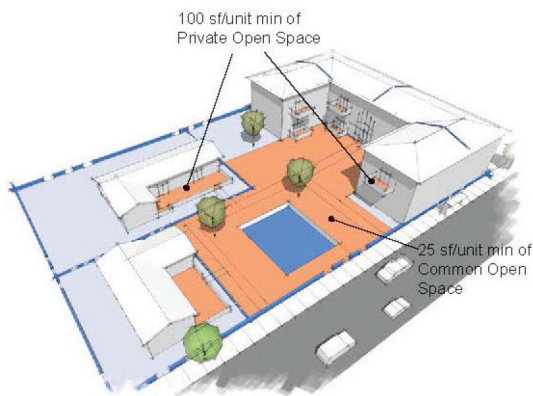
	property line. Where vehicular access is taken from the side or rear of a lot, the building shall be setback a minimum of twenty-five feet from that side.	
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1. For buildings with ground floor commercial uses, the required floor-to-ceiling height at the ground floor level for buildings facing public frontage lines shall be a minimum of twelve feet.
2. For projects developed exclusively for senior residents as income-subsidized housing, densities of up to sixty dwelling units per acre are allowed with approval of a Conditional Use Permit.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.060 Residential Open Space.

In the form of private and common area, all M-U Mixed-Use Downtown residential developments shall provide a minimum of twenty-five square feet of Residential Open Space each Dwelling Unit.



Residential Open Space

- A. A minimum of ~~one hundred~~ **seventy** square feet of required Residential Open Space shall be in the form of private open space, with a minimum dimension of ~~eight~~ **six** feet. Private open space may be provided in the form of patios, porches, balconies, or recessed areas open on at least one side.
- B. Common Residential Open Space shall be provided at a minimum of twenty-five square feet per unit. Common Residential Open Space areas shall have a minimum dimension of ten feet. When common open space is designed for public/private use, a minimum of twenty square feet per unit is required. These Common Residential Open Space areas may be provided in the form of pools, playgrounds, recreation fields, or recreation buildings, but no less than fifty percent of the Common Residential Open Space area shall be outdoor, landscaped Common Residential Open Space.
- C. Provide sidewalk connections from homes to public sidewalks, and between homes and Residential Open Space.
- D. Residential Open Space credit may be considered for park and/or common areas located within two hundred feet of the project site, subject to review and approval by the Development Services Director.

18.23.070 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 (M-U 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. For a mixed-use building, "square feet" means "gross square feet" and refers to the sum gross square feet of the publicly accessible floor area of a building and its accessory buildings.
3. Residential parking requirements for dens, studies, or other similar rooms that may be used as bedrooms shall be defined and calculated based upon the Building Code.
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.

Table 18.23.070-1 M-U—Downtown Zone Parking Requirements

Land Use	Spaces Required
Commercial Land Uses	
MU/D—H Street and La Cadena Drive	One space/one thousand square feet
MU/D—All Others	One space/five hundred square feet
Congregate Care Health Facility	1 for each 10 beds, one for each employee at maximum shift, plus one space reserved for on call Doctor
Residential Land Uses	
Multiple-Family (apartments, condominiums, and townhomes)—H Street and La Cadena Drive	One space/dwelling unit
Multiple-Family (apartments, condominiums, and townhomes)—All Others	One – Bedroom/Efficiency Units – One space / dwelling unit enclosed by garage or carport. Two Bedrooms Units - One and a half spaces/dwelling unit enclosed by garage or carport Three Bedrooms or Greater - Minimum two spaces required for dwelling units with three or more bedrooms enclosed by garage or carport
Live/Work Units—Residential Portion	One space/dwelling unit enclosed by garage or carport
Single-Family Residential	Two spaces/dwelling unit within a garage or carport

- B. General Requirements. The general requirements for off-street parking shall be as outlined in Chapter 18.36 of this Code.
- C. Tandem Parking. For lots less than ten thousand square feet in area, mixed-use developments, and/or multi-family residential projects, tandem parking spaces may be used for residential parking, and receive parking credit when serving the same residential unit subject to approval by the Development Services Director. Tandem parking spaces shall be a minimum of eleven feet wide and twenty feet deep per space.

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- D. Shared Parking. In addition to the shared parking requirements outlined in Section 18.36.040 of this Code, the use of shared parking agreements for mixed-use residential, retail, and office is encouraged within the Mixed-Use Downtown Zone. Developments incorporating shared parking strategies and/or joint use agreements may receive up to a ten percent reduction in the total number of parking spaces required for the proposed mix of uses subject to approval by the Development Services Director.
 - E. Off-site parking may be permitted for nonresidential projects subject to the approval of a Conditional Use Permit, based on the approval process outlined in Section 18.58.060 of this code. In addition to the findings in Section 18.58.060, the following criteria shall apply:
 - 1. All off-site parking facilities shall be located within one thousand feet of the property where the use in question is located, unless a binding agreement is provided to provide transportation access from the parking facility to the use in question on a regular basis.
 - 2. Public transit service shall be available within one-half mile of the use in question.
 - F. 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.
 - G. Bicycle Parking. Provide facilities for the temporary storage of bicycles as outlined in Chapter 18.36 of this Code.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016; Ord. No. O-01-21, § 10, 2-16-2021)

18.23.080 Landscaping.

- A. Landscaping shall be provided for the development of any lot with a minimum landscaping coverage of fifteen percent of the lot area not occupied by building footprint. The landscaping shall provide a mixture of shrubs, trees, groundcover, flowers and lawns throughout the entire front yard area, side yard areas, parkways and throughout open spaces not occupied by access ways, parking areas and sidewalks. One tree per three parking spaces shall be provided and planted throughout the landscaped areas. Twenty-five percent of the trees shall be of twenty-four inch box size, another twenty-five 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 or Engineer and submitted to the Development Services Director 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.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.090 Trash, Recycling, and Storage Areas.

- A. Residential.
 - 1. Trash and recycling areas for multiple-family dwellings and live/work units shall provide a minimum fifty-gallon capacity container per dwelling unit. Where commercial trash containers are used, there shall be a minimum of one such container for every fifteen dwelling units.

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2. All outside trash and recycling collection areas shall be enclosed or screened with a six-foot-high wall with gates and shall be located to allow for convenient pickup and disposal. The location and design shall also incorporate access separate from pedestrian access.
 3. All trash and recycling containers shall be provided with lids.
 4. For multiple-family dwellings and live/work units, at least sixty cubic feet of enclosed accessory storage space shall be provided for each dwelling unit. Said space may be located in the Dwelling Unit, integrated into a balcony space, or in a garage or carport; provided, that it does not interfere with parking a vehicle.
 5. Recycling. Separate adequate capacity trash containers shall be provided for recycling.
- B. Non-Residential.
1. Trash containers shall be provided with a sufficient capacity to contain all refuse generated by the use.
 2. All outside trash and recycling collection areas shall be enclosed or screened with a six-foot-high wall with gates and shall be located to allow for convenient pickup and disposal.
 3. All trash and recycling containers shall be provided with lids.
 4. The design of the trash enclosure shall follow City specifications on trash enclosures.
 5. Separate, adequate capacity trash containers shall be provided for recycling.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.100 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, or with the use of parapet walls when mounted on flat and pitched roofs.
- B. Plumbing vent pipes, all heater flues, and all roof penetrations shall be gathered and concealed from view in the same manner and shall be painted to match the roof color.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.110 Architectural Compatibility.

The exterior design of structures shall be compatible with the surrounding architecture in order to preserve neighborhood integrity and promote architectural consistency within the City.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.120 Architectural and Site Plan Review.

Architectural and Site Plan Review for all development in the M-U/D Mixed-Use Downtown zone shall be submitted to the appropriate decision-making body for review and approval pursuant to Chapter 18.58. The decision-making body shall consider the following criteria:

- A. The project is located within one-half mile walking distance of transit stops, shops, services, and public schools.

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- B. The project features high-quality market rate and/or affordable housing. Mixed income housing is encouraged.
 - C. The project will provide for, or contribute to, a mix of complementary uses.
 - D. The project will provide for, or contribute to, a range of housing types and densities within the community.
 - E. The project design includes pedestrian-friendly spaces such as plazas, squares, courtyards, and other amenities.
 - F. The project design includes comfortable and accessible open spaces.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

18.23.130 Colton Downtown Design Manual Reference.

The Colton Downtown Design Manual is a companion document to complement the Downtown Development Code, and has been prepared to establish an achievable vision, shape future development, and implement an action plan for Downtown Colton. Any future development plans within the Downtown must be consistent with the Colton Downtown Design Manual.

(Ord. No. O-12-16, § 3(Exh. C), 8-2-2016)

Chapter 18.58 ADMINISTRATION

18.58.010 Roles/Applications/Fees.

- A. The City Council. The Council Shall adopt zoning regulations as stated in this title; approve any changes to the Zoning Map; consider Appeals of Commission Decisions; and perform such other duties as are required by state Law.
- B. The Planning Commission. The Commission Shall review, advise the Council on, and administer regulations of, this title; grant or deny **Architectural and Site Plan Review**, Conditional Use Permits, **Minor Conditional Use Permits, Subdivisions pursuant to the current Subdivision Map Act** and Variances; and perform such other duties as are required by the Council and/or state Law.
- C. The Development Services Department. The Department Shall advise the Council, and Planning Commission on Matters concerning zoning regulations; Shall maintain records of all Matters relating to administration of zoning regulations; Shall advise the public of the provisions hereof; and Shall review Building Permits and Business Occupancy Permits as to the provisions of this title. The Department May also approve Minor modifications to a Development plan Approved by the Commission and/or Council.
- D. The Department of Public Works.
 - 1. The Director of Public Works, or his or her Designee(s), Shall determine whether a public works Project is exempt from environmental review, pursuant to CEQA and the City's CEQA guidelines.
 - i. Where the Project is exempt, the Director of Public Works, or his or her Designee(s), Shall make such findings and file all required forms.
 - ii. Where the Project is not exempt, the Director of Public Works, or his or her Designee(s), Shall determine which, if any, document(s) need to be prepared under the provisions of CEQA and the City's Local CEQA guidelines and Shall recommend to the City Council the appropriate environmental document in accordance with the City's Local CEQA guidelines.
 - 2. The environmental determination of the Director of Public Works, or his or her Designee, regarding public works Projects Shall, if required, be subject to the Approval of and/or Appeal to the City Council only.
- E. **All applicants for a project(s) and Informal Development Consultation (Pre-Application) shall be required to submit all applicable City application form(s), submission requirements, and pay required fees as adopted by the City Council. Failure to meet these requirements shall render the application incomplete and the City shall not be obligated to process the application further until each of these requirements have been met.**

(Ord. 0-12-06 § 1, 2006: Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-03-14, § 8, 3-4-2014)

18.58.020 Business Occupancy Permits.

- A. No Building erected, moved, enlarged or altered Shall be occupied, Used, or changed in Use or ownership until a Business Occupancy Permit has been issued by the Department. Such Business Occupancy Permit Shall be applied for coincidentally with the Application for a Building Permit and Shall be issued only after

such Building, erection, enlargement or Alteration has been completed in conformity with the provisions of this title and when the proposed Use conforms thereto. Any Use legally occupying an existing Building at the time the Ordinance codified in this title became effective May be continued but Shall not be changed unless a Business Occupancy Permit for the new Use Shall have been issued by the Department, after finding that such Use conforms with the provisions of this and other applicable chapters and Ordinances.

- B. 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 ~~Community Development~~ **Services** Department to be necessary or required by any regulating Ordinance for the particular Use.
- C. A Business Occupancy Permit Shall also be applied for before any Vacant land is hereafter Used or before an existing Use of Vacant land is changed. The Director Shall issue such Permits, provided such Use is in conformity with the provisions of this title. No Business Occupancy Permit Shall be required where the land is to be Used for tilling the soil and growing thereon farm, garden or orchard products.
- D. The Business Occupancy Permit Shall state that the Building or proposed Use of a Building or land complies with all the Laws and Ordinances and with the provision of this title. A record of all Permits Shall be kept on file in the Department and copies Shall be furnished on request to any Person having a proprietary or Tenancy interest in the Building or land affected.
- E. **If a Zoning Entitlement such as a Conditional Use Permit is required by this title, the Business Occupancy Permit shall not be issued until the zoning entitlement is approved by the appropriate City decision making body.**
- F. **Business Occupancy Waivers for a business within a business or clean and show or general waiver may be issued by the City under review and approval by the Development Services Director or designee.**

(Ord. 0-6-94 § 1, 1994; Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

18.58.030 Administrative Application review procedures.

- A. Authority.
 - 1. The Director is authorized to review, approve, deny or conditionally approve all Development Applications as further described in this section.
 - 2. The Director Shall be assisted in his/her decisions by an Application Review Committee ("Committee") and May appoint members to the Committee to assist him/her in carrying out the Application review procedures outlined in this section.
 - 3. The Director May receive recommendations from the Committee on all Projects described in this section.
 - 4. The Director May have regularly scheduled meetings of the Committee and May call special meetings at his/her convenience or as the situation May warrant.
- B. Intent and purpose. The City finds that an administrative Application review process will support the implementation of the General Plan and Zoning Code by ensuring compliance with all purposes, objectives, policies and standards in an efficient and objective manner.
- C. Powers. Notwithstanding other provisions of this Code, the Director is granted power to receive, administratively hear and determine Applications and collect a fee in accordance with the most current adopted fee schedule on the Following Matters only:

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1. Minor deviations. The Director Shall have the power to hear and approve, conditionally approve or deny minor deviations from the provisions of the zoning regulations in the limited situations enumerated below:
 - a. An increase of up to ten percent of Floor Area Ratio or lot coverage over the maximum allowed;
 - b. A ten percent maximum reduction on the front Setback, two feet maximum reduction on the side Setback, twenty percent maximum reduction on the rear Setback, and twenty percent maximum reduction on the separation between Buildings;
 - c. Width reduction not exceeding two feet of the amount prescribed for paved vehicular Access;
 - d. A maximum of five percent reduction of the minimum Floor Area for Dwelling Units;
 - e. A maximum height increase of two feet for Fences, Hedges and Walls;
 - f. Allowance for the Use of common Recreation Space as a substitute for private Recreation Space;
 - g. Area, width and Setback reductions up to ten percent of the amount prescribed for automobile service stations;
 - h. Reduction of up to ten percent of the amount of Parking Spaces required.
 - i. Increase of up to ten percent of the maximum sign area, maximum height, or increase/reduction of ten percent in maximum/minimum letter height for Building attached or freestanding signs.
 - j. Modify front yard paving and landscaping requirements within the R-1 Zone for properties with no available on-street parking within sixty (60) feet of property line.
 2. Minor Subdivisions. Where basic criteria for a Minor Subdivision are met as prescribed by Section 16.20.020 of this Code, the Director Shall have the power to recommend Approval, conditional Approval or disapproval to the Public Works Director of any proposed Minor Subdivision in the Following limited situations and provided no Variances are required:
 - a. Realignment of Lot Lines, where the Minor Subdivision Application consists of the realignment of existing Lot Lines;
 - b. Where the Application for the Minor Subdivision consists of an Application to split off a portion of the Lot (or to acquire a portion of another Lot) not to exceed twenty-five percent of the Lot of the Applicant involved;
 - c. Where the Application consists of division into not more than four Parcels.
 3. Architectural and Site Plan Review. **The following planning approval process shall apply to each specific development project type as outlined below:**
 - The Director/**Designee** shall review, and approve, deny or conditionally approve an **administrative review of an Architectural and Site Plan Review for commercial, industrial, institutional type projects** which do not exceed fifteen thousand square feet of gross floor area.
 - **The Director/Designee shall review, and approve, deny or conditionally approve an administrative review of an Architectural and Site Plan Review for residential projects proposed from 2 to 30 dwelling units an acre;**
 - **The Planning Commission shall review, and approve, deny or conditionally approve an Architectural and Site Plan Review for residential projects greater than 30 dwelling units per acre;**

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- ~~The Director Shall only make recommendations on Projects of larger size and the Planning Commission Shall have the authority to approve, deny or conditionally approve~~ **The Planning Commission shall review, and approve, deny or conditionally approve** Architectural and Site Plan Review for all such proposed **commercial, Industrial, and institutional** projects in the City that exceed fifteen thousand square feet of gross floor area.
 - ~~Only plans for the Development of a Single Family detached Dwelling unit including accessory buildings, and additions or Alterations to existing structures, fences, hedges and walls~~ **servicing a single family dwelling unit** which do not change the external appearance nor increase the intensification of Use of the structure, shall be exempt from Architectural and Site Plan Review **and only require review through building plan check process which shall include the planning/zoning review and other City departmental review.**

The Director and/or the Planning Commission Shall approve or conditionally approve Architectural and Site Plan Review , except where they make one or more of the following findings:

- a. The provisions for vehicular parking and for vehicular and pedestrian circulation on the site, and onto adjacent public right-of-way will create safety hazards, **unless reduction of parking is required by City Code or state legislation.**
 - b. The bulk, location and height proposed will be detrimental or injurious to other development in the neighborhood or will result in the loss of or damage to unique natural or topographic features of the site that are important to the environmental quality of life for the citizens of Colton, and the project is feasible in a manner that will avoid such detrimental or injurious results or such loss or damage;
 - c. ~~The provisions for on-site landscaping do not provide adequate protection to neighboring properties from detrimental features of the proposed project that could be avoided by adequate landscaping~~ **On-site landscaping is not in compliance with the minimum code landscape requirements for the proposed development, unless approved otherwise by a Variance application;**
 - d. The provisions for exterior lighting are either inadequate for human safety or will diminish the value and/or usability of adjacent property;
 - e. The exterior design of the buildings and structures will be injurious or detrimental to the environmental or historic features of the immediate neighborhood in which the proposed project is located and will cause irreparable damage to property in the neighborhood, to the City and to its citizens;
 - f. The proposed Project will impose an undue burden upon off-site public services, including sewer, water and streets, which conclusion shall be based upon a Written report of the City Engineer; and there is no provision in the capital works program of the City to correct the specific burden within a reasonable period after the project will be completed.
4. Signs. The Director Shall review Applications for all Signs within the City, recognizing that the height, size, shape, number, color, lighting and movement of any Sign Shall be proportional to the size and/or intensification of Use of any given Development. The Director Shall have the authority to approve, conditionally approve or deny those signs identified in Table 18.50-1 of this Title as being subject to Approval by the Director.
 5. Determination of appropriate environmental documents to be prepared pursuant to CEQA. Except as otherwise provided in Subsection D. herein, the Director Shall direct City staff regarding the appropriate document(s) to prepare on each proposed Project for Commission and/or Council review and certification pursuant to the California Environmental Quality Act (CEQA). Where the Project is

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- deemed to be exempt from environmental review pursuant to CEQA Guidelines, the Director Shall make such findings and file all required forms.
6. Approval of architectural and site plan review within a Specific Plan Area. In cases where all standards, criteria and guidelines specified by a specific plan are met, the Director Shall have the power to approve any Architectural and Site Plan Review.
 7. Unlisted Uses. The Director Shall make determinations whether a use not specifically listed in this Zoning Code is permitted, conditionally permitted or not permitted pursuant to Subsection 18.060.060 K.
- D. Environmental determination for public works projects. Notwithstanding any other provision in this title, the Director of Public Works, or his or her Designee(s), Shall determine the appropriate level of environmental review necessary for CEQA compliance. In the event a Project is not exempt from CEQA, the Director of Public Works Shall recommend to the City Council the appropriate environmental document in accordance with CEQA Guidelines. If required, the Decision of the Director of Public Works, and his or her Designee(s), Shall be subject to the Approval of and/or Appeal to the City Council only. The procedures for Appeal to the City Council Shall be the same as those set forth in Subsections F.2. and F.3. of this section, except that such Appeal Shall be in writing and delivered to the Director of Public Works and the City Clerk, rather than the Director.
- E. Decisions.
1. All Decisions Shall be effective ten Days after the Director's Decision.
 2. In all cases, Written Notice of the Director's Decision Shall be mailed or personally delivered to the Applicant. If personally delivered, the Written Notice Shall be deemed received by the Applicant upon personal delivery. If mailed, the Written Notice Shall be deemed received by the Applicant three calendar days following deposit in the mail.
- F. Appeals and Discretion to decline jurisdiction.
1. Notwithstanding any provisions giving the Director the power and the authority to hear and determine the foregoing Matters, the Director May, at his/her discretion, decline to hear or determine the Matter and instead May refer it to the Commission.
 2. Any Applicant not satisfied with a determination by the Director Shall have the right to Appeal to the Planning Commission. Such Appeal Shall be made in writing and delivered to the Office of the Director within ten calendar Days after the Applicant's receipt of notification of the Director's Decision. A Fee Shall be paid as established by City Council Resolution.
 3. In the event of an Appeal as provided in Subsection F.1. or F.2. of this section, the action of the Director in the Matter Shall be suspended pending the Appeal. After a Decision by the Commission, Appeal Shall be to the Council. Such Appeal Shall be made in the same time and manner as the Appeal to the Commission, except that the Appeal Shall be Written and delivered to the City Clerk, rather than the Director.
- G. Filing Fee. With respect to Applications filed under the provisions of Subsections C.1., C.2., C.4. and C.8. of this section, a Uniform Fee set by Council Resolution Shall be paid to the City upon the filing of each Application to cover the costs and expenses involved.

(Ord. 0-12-06 § 2, 2006; Ord. 0-16-05 § 10, 2005; Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. 0-03-14, § 8, 3-4-2014; Ord. No. 0-11-20, § 14, 10-20-2020; Ord. No. 0-01-21, § 12, 2-16-2021)

18.58.040 Variances.

- A. Variances from the terms of this title Shall be granted only when, because of special circumstances applicable to the Property, including size, shape, topography, location or surroundings, the strict Application deprives such Property of privileges enjoyed by other Property in the vicinity and under identical zoning classification.
- B. Any Variance ~~granted Shall be subject to such conditions as will assure that the adjustment thereby authorized~~ Shall not constitute a grant of special privileges inconsistent with the limitations upon other Properties in the vicinity and zone in which such Property is situated.
- C. The Planning Commission, upon its own motion May, or upon the verified Application of any interested Person Shall, initiate proceedings for consideration of the granting of a Variance from the provision of this title.
- D. Application for Variances Shall be made to the Commission in writing, and Shall contain such information as May be specified by the Director. In cases where the Department considers the conditions set forth on the Application not within the scope of the Variance procedure, the Applicant Shall be so informed, whereupon, if the Application is accepted, it Shall be signed by the Applicant to the effect that he was informed.
- E. A Uniform Fee set by Council Shall be paid to the City upon filing of each Application.
- F. The Commission Shall hold one Public Hearing upon the Matters referred to in the Application. Additional hearings May be held at the discretion of the Commission. Within forty Days of said first hearing, the Commission Shall make a determination and report thereon, unless the Matter is continued for further investigation and study.
- G. Notice of Time and place of the hearing shall be given through the United States mail, with postage prepaid, to all persons shown on the last equalized assessment roll of the County, as owning property and tenants within a distance of six hundred sixty feet from the external boundaries of the property described in the application.
- H. In Addition, further Notice May be given by publication in a newspaper of general circulation in the City, or in such manner as May be deemed necessary or desirable.
- I. Any Variance granted Shall be subject to such conditions as deemed necessary and reasonable to protect the best interests of the surrounding Property or neighborhood, the General Plan, or the intent thereof. Such conditions May include the dedication and Development of Streets adjoining the Property, and other Improvements. All such conditions Shall be binding upon the Applicants, their successors and assigns.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-03-14, § 9, 3-4-2014; Ord. No. O-05-16, § 3, 4-5-2016; Ord. No. O-11-20, § 15, 10-20-2020)

18.58.050 Zone changes and General Plan amendments.

- A. Subject to the provisions of the state planning and zoning Law, proceedings to change zones and/or General Plan or specific plan Designations, or Uses within zones and/or Designations, to alter boundaries of zones and/or Designations, to impose regulations not heretofore imposed May be initiated and conducted in the Following manner:
 - 1. By motion of the Council on its own initiative;
 - 2. By action of the Commission on its own initiative, or the Owner(s) of record of the Parcel(s) of Property for which a change is sought, or by a purchaser thereof under a contrast in writing duly executed and

acknowledged by both the Buyer and the seller, by a lessee in possession thereof with the Written consent of the Owner(s) or by the agent of any of the foregoing, duly authorized thereto in writing.

- B. Any Application for a change of zone and/or General Plan or specific plan Designation Shall contain such information as is requested by the Director. The accuracy of all information, maps and lists submitted Shall be the responsibility of the Applicant. The Department May reject any Application that does not supply the information requested.
- C. A Uniform Fee set by Council Resolution Shall be paid to the City upon the filing of each such Application.
- D. No Application (other than one initiated by the Commission or Council) Shall be accepted, for a change of zone and/or General Plan Designation, for Parcels of Property, or portions thereof, which have been included in an Application upon which final action has been taken by the Council within twelve Months prior to the date of said Application for the same or substantially the same change. If, however, a substantial change of circumstance is shown to have occurred since the previous unsuccessful Application and good cause is shown therefor, the Applicant May reapply after the final action on the prior Application, by applying to the Commission for Permission to file the subsequent Application for the change. A denial by the Commission of Permission to file a new Application May be Appealed.
- E. The Commission Shall hold one Public Hearing upon the Matters referred to in a petition for a zone change and/or General Plan amendment. Additional hearing May be held, at the discretion of the Commission. Within forty Days of the first hearing, the Commission Shall make a determination and a Written recommendation thereof to the Council, unless the Matter is continued for further investigation and study, in which event, the Commission Shall make a progress report to the Council at least once every forty Days. When such hearings, investigations and studies have been completed, the Commission Shall render its Decision in the form of a Written recommendation to the Council. The Council, after receipt of the recommendation, Shall hold one Public Hearing and May in its discretion hold additional hearings, after the completion of which it Shall either approve, modify or reject the same. Any Decision by the Council Shall be by majority vote of the entire membership of the Council.
- F. In considering any request for a change of zone, the Commission Shall satisfy itself that the Following conditions prevail before recommending to the Council that the change be granted:
 - 1. That the proposed change of zone is in conformity with the General Plan of the City;
 - 2. That there is a need in the community for more of the types of Uses Permitted by the zone;
 - 3. That the proposed change of zone would not adversely affect the surrounding area or the community in general.
- G. Notice of Time and place of the hearing shall be given through the United States mail, with postage prepaid, to all persons shown on the last equalized assessment roll of the County, as owning property and tenants within a distance of six hundred sixty feet from the external boundaries of the property described in the application.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992; Ord. No. O-11-20, § 16, 10-20-2020)

18.58.060 Conditional Use Permits and Minor Conditional Use Permits.

- A. The purpose of a Conditional Use Permit or Minor Conditional Use Permit is to allow certain 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.

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- B. A Minor Conditional Use Permit application may be filed for uses that are of less complexity and require less staff time to process than uses which require a Conditional Use Permit. Uses subject to a Minor Conditional Use Permit are listed in Section 18.06.060—Uses Permitted in each Zone.
 - C. In considering a Conditional Use Permit or Minor Conditional Use Permit, the Commission Shall affix those conditions which it determines will tend to safeguard the public health, safety and general welfare in the zone.
 - D. Applications for Conditional Use Permits or Minor Conditional Use Permits Shall be made to the Commission, in writing, and Shall contain such information as May be specified by the Director.
 - E. A Uniform Fee, set by Council Resolution, Shall be paid to the City upon the filing of each Application.
 - F. The Commission Shall hold one Public Hearing upon the Matters referred to in the Application. Additional hearings May be held, at the discretion of the Commission. The Commission Shall investigate the facts bearing on each case to provide information necessary to assure action consistent with the intent and purpose of this title.
 - G. Notice of Time and place of the hearing shall be given through the United States mail, with postage prepaid, to all persons shown on the last equalized assessment roll of the County, as owning property and tenants within a distance of six hundred sixty feet from the external boundaries of the property described in the application.
 - H. In addition, further Notice May be given by publication in a newspaper of general circulation in the City, or in such other manner as May be deemed necessary or desirable.
 - I. Before approving a Conditional Use Permit or Minor Conditional Use Permit, the Commission Shall make certain findings that the circumstances prescribed below do apply:
 - 1. That the proposed Use is in accord with the General Plan, the objectives of this title, and 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.
 - J. 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.
 - K. 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.
 - L. The Planning Commission May periodically review any Conditional Use Permit or Minor Conditional Use Permit to ensure that it is being operated in a manner consistent with conditions of Approval or in a manner which is not detrimental to the public health, safety or 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.

(Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-05-16, § 4, 4-5-2016; Ord. No. O-11-16, § 4, 8-2-2016; Ord. No. O-11-20, § 17, 10-20-2020)

18.58.070 Expiration of land Use entitlements.

Any land Use entitlement described in this chapter granted by the Commission becomes subject to revocation or surrender if not exercised within one Year of the date of Approval thereof. Upon Written Application by the Applicant or Property Owner filed prior to the expiration of the Approved land Use entitlement, the time at which the land Use entitlement expires May be extended by the Commission for an additional one Year period, at a time, for good cause. The existence of "Good Cause" will be determined at the sole discretion of the Commission. No more than four extensions May be granted for any Approved land Use entitlement. Upon Written Application by the Applicant or Property Owner filed prior to the expiration of the land Use entitlement, the Approved land Use entitlement Shall automatically be extended for thirty Days or until the Application for extension is Approved or denied, whichever occurs first. All requests for extension Shall be acted upon by the Commission on the consent calendar.

(Ord. 0-15-07 § 15, 2007; Ord. 0-21-99 § 1, 1999; Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

(Ord. No. O-13-17, § 2, 12-19-2017)

18.58.080 Revocation of land Use entitlements.

- A. Any land Use entitlement described in this chapter may, by action of the Commission, be revoked or surrendered upon any one or more of the Following grounds:
 - 1. That the Approval was obtained by fraud;
 - 2. That the Use for which such Approval is granted has not been exercised within one Year of the date of Approval thereof;
 - 3. That the Use for which such Approval was granted has ceased to exist or has been suspended for one Year or more;
 - 4. The land Use entitlement granted is being, or recently has been, exercised contrary to the terms or conditions of such Approval, or in Violation of any statute, Ordinance, Law or regulation;
 - 5. That the Use for which Approval was granted was so exercised as to be detrimental to the public health and safety, or so as to constitute a Nuisance;
 - 6. That the Use for which such Approval is granted has not been exercised and the Owner wishes to surrender or remove the land Use entitlement.
- B. A Public Hearing Shall be held before the Commission or before a Neutral Hearing Officer, appointed as specified in Section 18.58.101, to determine whether there are grounds to revoke or surrender the land Use entitlement. Written Notice of the Public Hearing Shall be served on the Owner of the Property for which such land Use entitlement was granted, at least ten Days before such Public Hearing. The Notice May be served either personally or by registered mail, postage prepaid, return receipt requested.
- C. At the Public Hearing, the Commission or the Hearing Officer, as applicable, Shall investigate the facts bearing on each case and render its Decision in writing within forty Days after the date of the first hearing, unless continued for further investigation, study or hearing. The Decision of the Commission or the Hearing Officer on the revocation of any land Use entitlement Shall be final Following a ten-Day Appeal period.

(Ord. 0-15-07 § 16, 2007)

(Ord. No. O-13-17, § 3, 12-19-2017)

18.58.090 Referral of extension or revocation determination to City Council.

Notwithstanding any provision hereof giving the Commission the power and authority to hear and determine whether there are grounds for an extension or a revocation of a land Use entitlement, the Commission may, at its discretion, decline to hear or determine the Matter and instead May refer it to the City Council. The City Council May consider the foregoing Matters, or May instead refer such Matters to a neutral Hearing Officer, to be appointed as further specified in Section 18.58.101.

(Ord. 0-15-07 § 17, 2007)

18.58.100 Appeal procedure.

- A. The Decision of the Commission on all land Use Applications Shall be final Following a ten-Day Appeal period. The Commission Shall, within two working Days from the date of the Commission's action of any land Use Application, notify the Applicant by forwarding a Copy of the Resolution to the address shown upon the Application.
- B. The action of the Planning Commission in denying an Application Shall be final and conclusive unless, within ten calendar Days Following the Notice of the Commission's action to the Applicant, an Appeal in writing is filed with the City Clerk by the Applicant, persons residing or owning property within six hundred sixty feet from the external boundaries of the Property subject to the Planning Commission's decision, or the City Council pursuant to subsection H below.
- C. Upon receipt of a Written Appeal, the City Clerk Shall advise the Secretary of the Planning Commission who Shall transmit the Planning Commission's Complete Record of the case.
- D. Within forty Days Following receipt of the filing of a Written Appeal, the City Council Shall conduct a duly advertised Public Hearing on the Matter, or Shall appoint a Neutral Hearing Officer, as further specified in Section 18.58.101, to conduct a duly advertised Public Hearing on the Matter, Public Notice of which Shall be given.
- E. The City Council Shall announce its findings and Decision by formal Resolution not more than forty Days Following the conclusion of the hearing, and the Resolution Shall recite, among other things, the facts and reasons which, in the opinion of the City Council, make the Approval or denial of the Application necessary to carry out the general purpose of this title.
- F. The action by the City Council Shall be by a majority vote of those members present and voting and Shall be final and conclusive. Any Resolution adopted shall require a minimum of four (4) votes.
- G. In the event of an Appeal as provided above, the action of the Commission in the Matter Shall forthwith be suspended pending the Appeal. Upon the City Council's or Hearing Officer's rendering of a decision on Appeal, the action of the Commission in the Matter shall be void and of no force of effect. In the event that the City Council is unable to render a decision on Appeal, the decision of the Commission shall be final and conclusive.
- H. Any two members of the City Council May Appeal the Decision of the Commission on a land Use Application, within ten calendar Days after mailing of the Notice of the Commission's decision. Notice of the Commission's decision Must be mailed within two working Days after such decision to the members of the City Council.

(Ord. 0-15-07 § 18, 2007)

(Ord. No. O-13-17, § 4, 12-19-2017; Ord. No. O-06-18, § 2, 4-3-2018)

18.58.101 Appointment of Neutral Hearing Officer.

- A. If a Decision regarding a land Use entitlement is referred for consideration to a Neutral Hearing Officer according to the provisions set forth in this chapter, the City Shall arrange for a qualified Hearing Officer pursuant to any of the Following methods selected in its sole discretion: (1) pursuant to an agreement for a qualified Attorney with the California Office of Administrative Hearings; (2) pursuant to an agreement for a qualified Attorney with the County of San Bernardino; (3) by mutual agreement with the holder of the land Use entitlement/appellant; or (4) pursuant to any other method or agreement which satisfies applicable Law. "Qualified Attorney" means an Attorney at Law having been admitted to practice before the Courts of this state for at least five Years prior to his/her appointment. Hearing Officers Shall be assigned to Matters on a rotating basis to assure fair and impartial review and analysis of applicable issues. The City Shall have no role in the selection, assignment or rotation of the Hearing Officers, except as provided for in (3) above when mutually selected with the appellant.
- B. The City and holder of the land Use entitlement/appellant Shall each be responsible for paying one-half of the Fees and costs charged by the Hearing Officer, unless and except to the extent that a specific provision of this Code provides otherwise.
- C. Nothing contained in this section Shall be construed to prohibit any Person from seeking prompt judicial review of a Decision of a City Official regarding an activity protected by the First Amendment of the United States Constitution, as applicable. The City Shall comply with all requirements provided for by the California Government Code, Code of Civil Procedure, or other applicable Laws, rules or regulations necessary for prompt judicial review.

(Ord. 0-15-07 § 19 (part), 2007)

18.58.102 Development agreements.

- A. Purpose. The purpose of this section is to establish procedures and requirements for the City's consideration of Development agreements upon Application by, or on behalf of, a Property Owner or other Person having a legal or equitable interest in the Property which is to be the subject of a Development agreement. In adopting this section, the City Council has considered the General Plan of the City and the legislative findings and declarations set forth in Section 65864 of the Government Code.
- B. Development Agreement—Authorized. Pursuant to the provisions of Chapter 2.5 of Division 1 of Title 7 of the Government Code (Section 65864 et seq.), the City Council is authorized to enter into Development agreements upon Application by, or on behalf of, a Property Owner or other Person having legal or equitable interest in the Property which is the subject of the proposed agreement.
- C. Development Agreement—Application, Fees.
 - 1. A Developer wishing to enter into a Development agreement with the City Shall submit to the Planning Director a Written Application on a form provided by the Planning Director.
 - 2. The Planning Director May require the Developer to submit such additional information and supporting data as May be considered necessary to properly evaluate the proposed Development agreement.
 - 3. The Written Application required in this section Shall be accompanied by a nonrefundable processing Fee in an amount as set by Resolution of the City Council.
- D. Proposed Form of Agreement. Each Application Shall be accompanied by the form of Development agreement proposed by the Applicant.

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- E. Review of Application. The Planning Director Shall review the Application to determine whether or not it is complete. If it is found that the Application is complete, the Planning Director Shall accept it for filing. If the Application is found to be incomplete, the Planning Director Shall refuse to accept the Application for filing and Shall inform the Applicant of the items necessary to properly complete the Application.
- F. Development Agreement—Hearing by Planning Commission.
1. The Planning Director Shall refer all Applications for Development agreement to the Planning Commission for a Public Hearing.
 2. Upon receipt of the Application, the Planning Director Shall set a date for the Public Hearing.
 3. The Planning Director Shall insure that the public is given proper Notice of said Public Hearing in accordance with state planning, zoning and Development Law.
- G. Conduct of Hearing. The Public Hearing held pursuant to this section Shall be conducted as nearly as May be possible in accordance with the procedural standards adopted under Government Code Section 65804 for the conduct of zoning hearings. Each Person interested in the Matter Shall be given an opportunity to be heard. The Applicant Shall have the burden of proof at the Public Hearing on the proposed Development agreement.
- H. Irregularity in Proceedings. No action, inaction or recommendation regarding the proposed Development agreement Shall be held void or invalid, or be set aside by a Court by reason of any error, irregularity, informality, neglect or omission ("error"), as to any Matter pertaining to petition, Application, Notice, finding, record, hearing, report, recommendation, or any Matters of procedure whatever unless after an examination of the entire case, including the evidence, the Court is of the opinion that the error complained of was prejudicial and that by reason of the error the complaining Party sustained and suffered substantial injury, and that a different result would have been probable if the error had not occurred or existed. There is no presumption that error is prejudicial or that injury was done if error is shown.
- I. Determination by Planning Commission.
1. After the hearing by the Planning Commission, the Planning Commission Shall forward its Written recommendation and the Application to the City Council. The recommendation Shall include the Planning Commission's determination of whether or not the Development agreement proposed:
 - a. Is consistent with the objectives, policies, general land Uses and programs specified in the General Plan and any applicable specific plan;
 - b. Is compatible with the Uses authorized in, and the regulations prescribed for, the land Use District in which the Real Property is located;
 - c. Is in conformity with public convenience, general welfare, and good land Use practice;
 - d. Will be detrimental to the health, safety and general welfare;
 - e. Will adversely affect the orderly Development of Property or the preservation of Property valued.
 2. The recommendation Shall include the factual bases for said determination.
- J. Development Agreement—Hearing by City Council.
1. Upon receipt of the Application and the Written recommendation of the planning, the City Council Shall set a date for a Public Hearing on the Matter.
 2. The City Clerk Shall insure that the public is given Notice of the Public Hearing in accordance with the state planning, zoning and Development Laws.
- K. Action by City Council.

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1. After the Public Hearing, the City Council May approve, modify or disapprove the recommendation of the Planning Commission. It May refer back to the Planning Commission, for report and recommendation, Matters not previously considered by the Planning Commission.
 2. Upon receipt of a referral as set forth in subsection (K)(1) of this section, the Planning Commission, without further Public Hearing, Shall consider the new Matters and report its recommendations in writing to the City Council within forty Days after receipt of said referral. Failure to act within the forty-Day limit Shall constitute a favorable endorsement on the Matters set forth in the referral.
 3. If the City Council approves the Development agreement, it Shall do so by Ordinance.
- L. Requirements for Approval. No Development agreement May be Approved by the City Council unless all of the Following conditions are met:
1. The City Council Must find that:
 - a. The provisions of the agreement are consistent with the General Plan and any applicable specific plan, and
 - b. The Development agreement complies with all applicable zoning, Subdivision, and Building regulations, and with the general and any relevant specific plan;
 2. The agreement Must state:
 - a. The specific duration of the agreement,
 - b. The Permitted Uses of the Property,
 - c. The density and intensity of Use,
 - d. The maximum height and size of proposed Buildings,
 - e. Specific provisions for reservations or dedication of land for public purposes.
- M. Effective Date of Development Agreement. In adopting this subsection, the City Council recognizes the fact that a Development agreement is a legislative Act which is subject to referendum. Therefore, notwithstanding the fact that the City Council adopts an Ordinance approving a Development agreement and causes said agreement to be signed, said agreement Shall be effective and Shall only create obligations on the Part of the City from and after the date that the Ordinance approving said Development agreement takes effect.
- N. Development Agreement—Amendment or Cancellation. Either Party May propose an amendment to or cancellation in whole or in Part of a Development agreement previously entered into. However, with the exception of modification or revocation pursuant to subsections Q through V of this section, both parties Must agree in writing to an amendment, or cancellation, of a Development agreement before it Shall be effective.
- O. Amendment or Cancellation Procedure.
1. The procedure for proposing an adoption of an amendment to or cancellation in whole or in Part of the Development agreement is the same as the procedure for entering into an agreement in the first instance as outlined in this section.
 2. However, where the City Council initiates the proposed amendment to or cancellation in whole or in Part of the Development agreement, it Shall first give Notice to the Property Owner of its intention to initiate such proceedings at least fifteen calendar Days in advance of the giving of Notice of the Public Hearing regarding the amendment or cancellation pursuant to subsection F of this section.
- P. Recordation of Development Agreement, Amendment or Cancellation.

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1. Within ten Days after the effective date of the Development agreement, the City Clerk Shall have the agreement recorded with the County Recorder.
 2. If the parties to the agreement or their successors in interest amend or cancel the agreement as provided in Government Code Section 65868, or if the City terminates or modifies the agreement as provided in Government Code Section 65865.1 for failure of the Applicant to comply in good faith with the terms or conditions of the agreement, the City Clerk Shall have Notice of such action recorded with the County Recorder.

Q. Periodic Review of Development Agreement.

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.

R. Notice of Periodic Review. Notice of periodic review Shall be given as follows:

1. Notice to Developer.
 - a. The Planning Director Shall give the Developer thirty calendar Days' advance Notice of the review by placing such Notice to the Developer into the U.S. mail, first class, postage prepaid, and addressed to such address as the Developer has listed in the Development agreement.
 - b. The City Clerk Shall give the Developer Notice of a special review in the same manner as provided in subsection (R)(1)(a) of this section for annual review.
2. Notice to the Public. Public Notice of periodic or special reviews Shall be accomplished as set forth in subsection F of this section.

S. Periodic Review—Hearing, Burden, Findings.

1. Any periodic review conducted pursuant to subsection Q of this section Shall be accomplished in the form of a Public Hearing as required by subsection G of this section.
2. The burden Shall be on the Developer or his successor in interest, to demonstrate good-faith compliance with the terms of the agreement.
3. At the conclusion of the Public Hearing, the City Council Shall make findings regarding whether or not the Developer has, for the period under review, complied in good faith with the terms and conditions of the agreement.

T. Periodic Review—Action by Council.

1. If the City Council finds and determines on the basis of the evidence given that the Property Owner has complied in good faith with the terms and conditions of the agreement during the period under review, the review for that period Shall be concluded.
2. If the City finds and determines on the basis of substantial evidence that the Property Owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the Council May modify or terminate the agreement.
3. If the periodic review has been referred by the City Council to the Planning Commission or to the City Manager or his Designated Representative, the determination resulting from said review Shall be

Appealable in writing to the City Council within ten calendar Days after the final action. A hearing Shall be conducted in accordance with the City Council's rules for consideration of Appeals.

4. If the periodic review is conducted by the City Council, the determination resulting from said review Shall be deemed to be final for all purposes.

U. Periodic Review—Modification or Termination of Agreement—Public Hearing, Notice.

1. If, upon a finding pursuant to subsection (V)(2) of this section, the City determines to proceed with modification or termination of the agreement, the City Shall set a hearing date and give Notice to the Property Owner and the public of the hearing. Said Notice Shall be given in the manner set forth in subsections F and R of this section.
2. In addition to the informational content required by subsections F and R of this section, the Notice required by this section Shall contain:
 - a. A statement concerning whether the City proposes to terminate or to modify the Development agreement;
 - b. Other information which the City considers necessary to inform the Property Owner of the nature of the proceedings.

V. Periodic Review—Modification or Termination—Hearing.

1. Any Public Hearing on the subject of modification or termination of the agreement based upon a periodic review Shall be conducted in the manner prescribed in subsection G of this section.
2. Upon concluding said hearing, the City Council May take whatever action it deems necessary to protect the interest of the City.
3. The Decision of the City Council Shall be final.

(Ord. 0-15-07 § 19 (part), 2007)

(Ord. No. O-12-18, § 42, 12-18-2018)



Planning Commission Staff Report

**City of Colton
Development Services Department**

MEETING DATE: January 13, 2026

FILE INDEX NUMBER: DAP25-0047

REQUEST: **Zoning Text Amendment** to modify various provisions of Title 18, Section 18.48.150 of the Colton Municipal Code related to Accessory Dwelling Units (ADUs) and Junior ADUs.

APPLICANT: City-initiated

BACKGROUND

Since 2013, the City has adopted numerous zoning text amendments. The City has initiated an amendment of several Zoning Code (Title 18) sections of the Colton Municipal Code to group changes covering various topics into one unified code text amendment. The amendments are for the following purposes:

- Provide clarity to implement existing regulations.
- Provide internal consistency with other code regulations.
- Allow greater flexibility for certain standards.
- Address potential negative impacts from specified uses.

Pursuant to the state planning and zoning law and the Colton Municipal Code, the Planning Commission must consider the amendments, determine whether they are consistent with the Colton General Plan and the existing Colton Zoning Code and make a recommendation to the City Council.

In recent years, the California Legislature approved, and the Governor signed into law a number of bills (“new ADU Laws”) that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and Junior ADUs. In 2025, the California Legislature approved, and the Governor signed into law, four new bills — AB 462, AB 1154, SB 9; and SB 543 — that further amend state ADU law as summarized below.

DISCUSSION

New Legislation:

AB 462 – Rules Governing the Issuance of a Certificate of Occupancy (C of O) for an ADU

AB 462 modifies the rules governing the issuance of a certificate of occupancy (C of O) for an ADU. Historically, state law has prohibited a local agency from issuing a C of O for an ADU before one is issued for the primary dwelling (i.e., the primary dwelling must have a C of O before the ADU can receive one).

AB 462 creates a narrow exception to this prohibition for detached ADUs when all of the following conditions are satisfied: (1) the Governor has declared a state of emergency for the county on or after February 1, 2025; (2) the primary dwelling was substantially damaged or destroyed by an event referenced in the state of emergency proclamation; and (3) the ADU has been issued construction permits and passed

all required inspections. (Gov. Code, § 66328(b).) If these conditions are satisfied, the detached ADU can receive a C of O before the primary dwelling. In all other scenarios, the primary dwelling still needs a C of O before one can be issued for an ADU.

AB 462 was enacted as an urgency measure that *took effect immediately* when signed by the Governor (on October 10, 2025).

The following three bills were enacted as non-urgency measures and take effect on January 1, 2026.

AB 1154 – JADU Owner-Occupancy; Short-Term Rental

When a JADU is developed, existing state law requires a property owner to reside in the JADU or remaining portion of the single-family dwelling. AB 1154 narrows this requirement to now only apply when a JADU shares sanitation facilities (bathroom) with the single-family dwelling. If the JADU has its own bathroom, then the property owner does not have to reside on the property at all. (See amended Gov. Code, § 66333(b).)

AB 1154 also expressly prohibits JADUs from being used as short-term rentals (i.e., rented for a term shorter than 30 days). (See amended Gov. Code, § 66333(g).) Most ADU ordinances already included this prohibition (as well as prohibiting ADUs from being used as short-term rentals). But now it's required by state law.

SB 9; SB 543 – ADU Ordinance Submittal to HCD; Approval

Under existing law, local agencies are required to submit a copy of their ADU ordinance to the California Department of Housing and Community Development (HCD) within 60 days of adoption.

This year's SB 9¹ and SB 543 create a penalty for failing to do so by rendering null and void any local ordinance that is not submitted to HCD within 60 days of adoption. (See amended Gov. Code, § 66326(d); new Gov. Code, § 66333.5(d).) The bills further specify that a local ADU ordinance is null and void if HCD issues findings that the ordinance does not comply with state law and the local agency fails to respond to HCD within 30 days. (*Id.*)

SB 543 – ADU Size; Number of ADUs; Impact Fees; Application Timeline

SB 543 makes numerous changes and clarifications to state ADU law, the most notable of which are summarized below.

ADU & JADU Size

Existing law limits the maximum size of a JADU to 500 square feet and prohibits local ADU ordinances from imposing certain development standards that would prevent an ADU created under Government Code section 66314 through 66322 from being at least 800 square feet.

SB 543 amends state ADU law to specify that allowable square footage of an ADU or JADU refers to square footage of "interior livable space." (See amended Gov. Code, § 66313(d), 66321(b)(2).)

Impact Fees

Existing law exempts ADUs that are 750 square feet or smaller from development impacts fees (DIFs).

SB 543 clarifies that DIFs may not be imposed on an ADU that has 750 or fewer square feet of *interior* livable space or on a JADU with 500 or fewer square feet of *interior* livable space.

¹ Not to be confused with the SB 9 of 2021 (Stats. 2021, Ch. 162) regarding urban lot splits and second primary dwelling units.

The bill also exempts an ADU or JADU with fewer than 500 square feet of interior livable space from school impact fees. (See amended Gov. Code, § 66311.5.)

Quantity of ADUs Created Under Government Code Section 66323

Existing state law creates four categories of ADUs that must be approved if they comply with the limited standards provided in Government Code section 66323(a)(1)–(4). These are:

- (1) A converted ADU and JADU created on a lot with a proposed or existing single-family dwelling (Gov. Code, § 66323(a)(1));
- (2) A detached ADU created on a lot with a proposed or existing single-family dwelling (Gov. Code, § 66323(a)(2));
- (3) Converted ADUs created in an existing multifamily dwelling (Gov. Code, § 66323(a)(3)); and
- (4) Detached ADUs created on a lot with a proposed or existing multifamily dwelling.

Allowing Combinations of ADUs on Property

For some time, there has been uncertainty as to whether ADUs created under Government Code section 66323 could be combined. Some practitioners interpreted the statute to not require local agencies to allow combinations. Initially, HCD took the same position in its 2020 ADU Handbook. But for the last few years, HCD has taken the opposite position: that yes, combinations are permitted. (See HCD January 2025 ADU Handbook, at p. 19 [“[P]ursuant to Government Code section 66323, subdivision (a), local governments must allow units created pursuant to subparagraphs (1) and (2) together or (3) and (4) together”].)

SB 543 codifies HCD’s most recent interpretation by amending Government Code section 66323 to specifically allow combinations. Thus, a lot with a multifamily dwelling can now have a converted ADU or ADUs created under section 66323(a)(3) *and* detached ADUs created under section 66323(a)(4). And a lot with a single family dwelling can now have a converted ADU and a JADU created under section 66323(a)(1) *and* a detached ADU created under section 66323(a)(2).

ADU Permitting Process

Existing law has long required local agencies to approve or deny an ADU application within 60 days of receiving a complete application. However, state law was silent with respect to incompleteness determinations, subsequent resubmittals, and appealing local decisions on ADU applications.

SB 543 requires local agencies to now:

- (1) Determine whether an ADU application is complete within 15 business days of submittal;
- (2) If the application is incomplete, within the same 15 days provide the applicant with a list of incomplete items and how to address them;
- (3) Review a resubmitted application for completeness within 15 business days;
- (4) Provide the applicant with a written appeal process for any incompleteness determination or denial (to the Planning Commission or City Council, or both); and

- (5) Provide a final written determination on the appeal within 60 business days of receiving the appeal).
(See amended Gov. Code, §§ 66317 [ADUs], 66335 [JADUs].)

AB 462 took effect immediately when signed, but technically it doesn't require any change to a local ADU ordinance; the City just needs to follow the new rules for CDP processing and issuance of a CofO, if applicable. But the remaining bills take effect January 1, 2026, and for the City's ADU ordinance to remain valid and enforceable, it must comply with the new changes in state law. Adopting the proposed ordinance (Exhibit A to Attachment 1) ensures that the City's ADU ordinance will remain in compliance with state law. For these reasons, staff recommends that the Planning Commission adopt the attached resolution (Attachment 1), recommending that the City Council adopt the proposed ordinance.

The attached resolution and the draft ordinance (**Attachment 1_PC Resolution**) contains all of the proposed changes as redlined for new language and strike thru for language to be deleted to the Chapter 18, Section 18.48.150 (Accessory Dwelling Units) of the Municipal Code, substantially in the form attached.

ENVIRONMENTAL DETERMINATION

Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

PUBLIC NOTICING:

In accordance with the requirements of Government Code section 65090, this item has been noticed in a newspaper of general circulation as of December 20, 2025.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the proposed text amendment to the City Council through adoption of the attached Resolution titled:

RESOLUTION NO. R-02-26 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 18, SECTION 18.48.150 OF THE COLTON MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA (FILE INDEX NO. DAP25-0047)



Prepared by:
Steve Gonzales, Associate Planner



Reviewed by:
Mario Suarez, AICP, Planning Manager



Approved by: Heidi Duron, Development Services Director

ATTACHMENTS

1. Draft Planning Commission Resolution R-02-26 with Exhibit A – Draft ADU Ordinance (redlined and strike-thru)
2. Draft Planning Commission Resolution R-02-26 with Exhibit A – Draft ADU Ordinance (clean)

Draft Planning Commission Resolution R-02-26 with Exhibit A- Draft ADU Ordinance (redlined
& strike-thru)

Attachment 1

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RESOLUTION NO. R-02-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 18, SECTION 18.48.150 OF THE COLTON MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ADOPTION OF THE ORDINANCE TO BE STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE § 21080.17 (FILE INDEX NO. DAP25-0047)

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, a number of bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in 2025, the California Legislature approved, and the Governor signed into law, Assembly Bill 462 (“AB 462”), Assembly Bill 1154 (“AB 1154”), Senate Bill 9 (“SB 9”), and Senate Bill 543 (“SB 543”), which further amend state ADU law; and

WHEREAS, AB 462, AB 1154, SB 9, and SB 543 are in effect, and for the City’s ADU ordinance to remain valid, it must be amended to reflect the requirements of AB 462, AB 1154, SB 9, and SB 543; and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to reflect AB 462, AB 1154, SB 9, and SB 543’s changes to state law; and

WHEREAS, on January 13, 2026, the Planning Commission held a duly-noticed public hearing to consider the attached Ordinance; and

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

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COLTON DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. Incorporation. The recitals above are true and correct and are each incorporated by reference and adopted as findings by the Planning Commission.

SECTION 2. CEQA. The Planning Commission recommends that the City Council find that, under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Article 2 of Chapter 13 of Division 1 of Title 7 of the California Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 66313. Therefore, adoption of the proposed ordinance is statutorily exempt from CEQA in that it implements state ADU law.

1 **SECTION 3. General Plan.** The Planning Commission hereby finds that the adoption of
2 the Ordinance is consistent with the General Plan as a matter of law under Government Code
3 section 66314(c).

4 **SECTION 4. Recommendation.** Given the foregoing, and based on the entire record before
5 the Planning Commission, the Planning Commission hereby recommends that the City Council
6 adopt the ordinance attached hereto as Exhibit "A."

7
8 **SECTION 5. Effective Date.** This Resolution takes effect immediately upon adoption.
9

10 **SECTION 6. Certification; Records.** The secretary shall attest as to the adoption of this
11 Resolution and cause the same to be maintained in the permanent records of the City.

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15 PASSED, APPROVED AND ADOPTED this 13th day of January, 2026.
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Planning Commission Chairperson
Richard Prieto

ATTEST:

Planning Commission Secretary
Heidi Duron, Development Services Director

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning
Commission of the City of Colton at a meeting held on January 13, 2026, by the following vote of
the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Planning Commission Secretary
Heidi Duron, Development Services Director

1 **Exhibit-A**

2
3 **ORDINANCE NO. O-XX-26**

4 **AN ORDINANCE AMENDING TITLE 18, SECTION 18.48.150 OF THE COLTON**
5 **MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR**
6 **ACCESSORY DWELLING UNITS AND DETERMINING THE ADOPTION OF THE**
7 **ORDINANCE TO BE STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC**
8 **RESOURCES CODE § 21080.17 (FILE INDEX NO. DAP25-0047)**
9

10 **WHEREAS**, the City Council of the City of Colton desires to amend certain provisions of
11 the Colton Zoning Code to ensure consistency with state law; and
12

13 **WHEREAS**, state law authorizes cities to act by ordinance to provide for the
14 creation and regulation of accessory dwelling units (“ADUs”) and junior accessory
15 dwelling units (“JADUs”); and
16

17 **WHEREAS**, in recent years, the California Legislature has approved, and the
18 Governor has signed into law, numerous bills that, among other things, amend various
19 sections of the Government Code to impose new limits on local authority to regulate ADUs
20 and JADUs; and
21

22 **WHEREAS**, in 2025, the California Legislature approved, and the Governor
23 signed into law, Assembly Bill 462 (“AB 462”), Assembly Bill 1154 (“AB 1154”), Senate
24 Bill 9 (“SB 9”), and Senate Bill 543 (“SB 543”), which further amend state ADU law; and

25 **WHEREAS**, AB 462, AB 1154, SB 9, and SB 543 are in effect, and for the City’s
26 ADU ordinance to remain valid, it must be amended to reflect the requirements of AB 462,
27 AB 1154, SB 9, and SB 543; and

28 **WHEREAS**, the City desires to amend its local regulatory scheme for the
29 construction of ADUs and JADUs to reflect AB 462, AB 1154, SB 9, and SB 543’s changes
30 to state law; and

31 **WHEREAS**, on January 13, 2026, the Planning Commission held a duly-noticed
32 public hearing and considered the staff report, recommendations by staff, and public
33 testimony concerning this proposed Ordinance. Following the public hearing, the Planning
34 Commission voted to forward the Ordinance to the City Council with a recommendation
35 in favor of its adoption; and

36 **WHEREAS**, on January 20, 2026, the City Council held a duly-noticed public
37 hearing to consider the Ordinance, including: (1) the public testimony and agenda reports
38 prepared in connection with the Ordinance, (2) the policy considerations discussed therein,
39 and (3) the consideration and recommendation by the City’s Planning Commission; and

40 **WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.
41

1 **NOW, THEREFORE**, the City Council of the City of Colton does ordain as
2 follows:

3 **SECTION 1. Incorporation.** The recitals above are each incorporated by reference
4 and adopted as findings by the City Council.

5 **SECTION 2. CEQA.** Under California Public Resources Code section 21080.17,
6 the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an
7 ordinance by a city or county implementing the provisions of Article 2 of Chapter 13 of
8 Division 1 of Title 7 of the California Government Code, which is California’s ADU law
9 and which also regulates JADUs, as defined by section 66313. Therefore, adoption of the
10 Ordinance is statutorily exempt from CEQA in that it implements state ADU law.

11 **SECTION 3. General Plan.** The City Council hereby finds that the adoption of the
12 Ordinance is consistent with the General Plan as a matter of law under Government Code
13 section 66314(c).

14 **SECTION 4. Code Amendment.** Section 18.48.150 – ACCESSORY DWELLING
15 UNITS of the Colton Municipal Code is hereby amended and restated to read in its entirety
16 as provided in Exhibit “A-1,” attached hereto and incorporated herein by reference.

17 **SECTION 5. Effective Date.** This Ordinance takes effect 30 days after its adoption.

18 **SECTION 6. HCD Submittal.** In accordance with Government Code section
19 66326, the City Clerk is directed to submit a copy of this Ordinance to the California
20 Department of Housing and Community Development within 60 days after adoption.

21 **SECTION 7. Publication.** The City Clerk is directed to certify to the adoption of
22 this Ordinance and post or publish this Ordinance as required by law.

23 **SECTION 8. Custodian of Records.** The custodian of records for this Ordinance is
24 the City Clerk and the records comprising the administrative record are located at 650 N.
25 La Cadena Drive, Colton, CA 92324.

26 **SECTION 9. Severability.** If any provision of this Ordinance or its application to
27 any person or circumstance is held to be invalid by a court of competent jurisdiction, such
28 invalidity has no effect on the other provisions or applications of the Ordinance that can be
29 given effect without the invalid provision or application, and to this extent, the provisions
30 of this Ordinance are severable. The City Council declares that it would have adopted this
31 Ordinance irrespective of the invalidity of any portion thereof.

Exhibit “A-1”

SECTION 18.48.150 – ACCESSORY DWELLING UNITS

Section 18.48.150 - Accessory Dwelling Units

- (a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.
- (b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:
- (1) Deemed to be inconsistent with the City’s general plan and zoning designation for the lot on which the ADU or JADU is located.
 - (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 - (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
 - (4) Required to correct a nonconforming zoning condition, as defined in subsection (c)(8) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.
- (c) **Definitions.** As used in this section, terms are defined as follows:
- (1) “Accessory dwelling unit” or “ADU” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - (A) An efficiency unit, as defined by section 17958.1 of the California Health and Safety Code; and
 - (B) A manufactured home, as defined by section 18007 of the California Health and Safety Code.
 - (2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
 - (3) “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
 - (4) “Efficiency kitchen” means a kitchen that includes all of the following:

- (A) A cooking facility with appliances.
- (B) A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- (5) “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:
- (A) It is no more than 500 square feet of **interior livable space** in size.
- (B) It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
- (C) It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
- (D) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
- (E) It includes an efficiency kitchen, as defined in subsection (c)(4) above.
- (6) “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (7) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (8) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
- (9) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- (10) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (11) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(d) **Approvals.** The following approvals apply to ADUs and JADUs under this section:

(1) **Ministerial ADU and Building Permits Required. Every ADU and JADU requires an ADU permit and a building permit. The city will review and approve permit applications in accordance with subsection (d)(3) below.**

(2) **Processing Fee. The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city’s ADU ordinance. The ADU-permit processing fee is determined by the Development Services Director and approved by the city council by resolution.**

(3) **Process and Timing.**

(A) **Completeness.**

(i) **Determination in 15 days. The city will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the city receives the application submittal.**

(ii) **Incomplete items. If the city’s determination under subsection (d)(3)(A)(i) above is that the application is incomplete, the city’s notice must list the incomplete items and describe how the application can be made complete.**

(iii) **Cure. After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the city to be incomplete.**

(iv) **Subsequent submittals. If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the city will determine in writing whether the additional information remedies all the incomplete items that the city identified in its original notice. The city may not require the application to include an item that was not included in the original notice.**

(v) **Deemed complete. If the city does not make a timely determination as required by this subsection (A), the application or resubmitted application is deemed complete for the purposes of subsection (d)(3)(C) below.**

(vi) **Appeal of incompleteness. An applicant may appeal the city’s determination that the application is incomplete by submitting a written appeal to the city clerk. The planning commission will**

review the written appeal and affirm or reverse the completeness determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

(B) No discretion or hearing. Ministerial permits for an ADU or JADU are considered and approved without discretionary review or a hearing.

(C) Deadline to approve or deny ministerial approvals. The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application. If the city has not approved or denied the complete application within 60 days, the application is deemed approved unless either:

(i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

(ii) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

(D) Denial. If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection (d)(3)(C) above.

(E) Appeal of denial. An applicant may appeal the city's denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

(F) Concurrent review of demolition. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

(e) **Classes.**

(1) **Class 1: Statutorily Regulated.** Class 1 ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in subsection (f) below, it is allowed in each of the scenarios

provided in this subsection (e)(1). An ADU and JADU approved under subsection (e)(1)(A) may be combined with an ADU approved under subsection (e)(1)(B), and ADUs approved under subsection (e)(1)(C) may be combined with ADUs approved under subsection (e)(1)(D).

(A) **Converted on Lot with Single-Family:** One ADU as described in this subsection (e)(1)(A) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

- (i) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
- (ii) Has exterior access that is independent of that for the single-family dwelling; and
- (iii) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- (iv) The JADU complies with the requirements of Government Code sections 66333 through 66339.

(B) **Limited Detached on Lot with Single-Family:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:

- (i) The side- and rear-yard setbacks are at least four feet.
- (ii) The total floor area is 800 square feet of livable space or smaller.
- (iii) The peak height above grade does not exceed the applicable height limit in subsection (f)(2) below.

(C) **Converted on Lot with Multifamily:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (e)(1)(C), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

(D) **Limited Detached on Lot with Multifamily:** No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:

- (i) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.
- (ii) The peak height above grade does not exceed the applicable height limit provided in subsection (f)(2) below.
- (iii) If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.
- (2) Class 2: Locally Regulated.** Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under subsection (e)(1) above, all ADUs are subject to the standards set forth in subsections (f) and (g) below.
- (f) General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under subsections **Error! Reference source not found.** or (e)(2) above:
- (1) Zoning.**
- (A) An ADU or JADU subject only to a building permit under subsection **Error! Reference source not found.** may be created on a lot in a residential or mixed-use zone.
- (B) An ADU or JADU subject to an ADU permit under subsection (e)(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- (2) Height.**
- (A) Except as otherwise provided by subsections (f)(2)(B) and (f)(2)(C) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 35 feet in height.
- (B) A detached ADU may be up to two stories with a maximum height of 30 feet if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 32 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

- (C) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed two stories or 30 feet in height.
- (D) An ADU that is attached to the primary dwelling may not exceed 35 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (f)(2)(D) may not exceed two stories.
- (E) For purposes of this subsection (f)(2), height is measured above existing legal grade to the peak of the structure.
- (3) Fire Sprinklers.**
- (A) Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- (B) The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- (4) Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.
- (5) No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- (6) Septic System.** If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.
- (7) Owner Occupancy.**
- (A) **ADUs. ADUs are not subject to an owner-occupancy requirement.**
- (B) **JADUs.**
- (i) **Generally. As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence.**

(ii) Exceptions. The owner-occupancy requirement in this subsection (f)(7)(B) does not apply in either of the following situations:

(I) The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).

(II) The property is entirely owned by another governmental agency, land trust, or housing organization.

(8) **Deed Restriction.** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director or designee. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

(A) Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

(B) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.

(C) The deed restriction runs with the land and may be enforced against future property owners.

(D) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

(E) The deed restriction is enforceable by the director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

(9) **Income Reporting.** In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 65852.2, the following requirements must be satisfied:

(A) With the building-permit application, the applicant must provide the City with an estimate of the projected annualized rent that will be charged for the ADU or JADU.

(B) Within 90 days after each yearly anniversary of the issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the City does not receive the report within the 90-day period, the owner is in violation of this Code, and the City may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the City may enforce this provision in accordance with applicable law.

(10) **Building & Safety.**

(A) **Must comply with building code.** Subject to subsection (f)(10)(B) below, all ADUs and JADUs must comply with all local building code requirements.

(B) **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the Building Official **or Code Enforcement Division officer** makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (f)(10)(B) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

(g) **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under subsection (e)(2) above.

(1) **Maximum Size.**

(A) The maximum size of a detached or attached ADU subject to this subsection (g) is 850 square feet for a studio or one-bedroom unit and 1,200 square feet for a unit with two or more bedrooms.

(B) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 75 percent of the floor area of the existing primary dwelling.

- (C) Application of other development standards in this subsection (g), such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (g)(1)(B) above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU to be less than 800 square feet.
- (2) **Floor Area Ratio (FAR). No ADU subject to this subsection (g) may cause the total FAR of the lot to exceed 45 percent, subject to subsection (g)(1)(C) above.**
- (3) **Setbacks.**
- (A) An ADU that is subject to this subsection (g) must conform to a 25-foot front-yard setback.
- (B) ADU that is subject to this subsection (g) must conform to 4-foot side- and rear-yard setbacks.
- (C) No setback is required for an ADU that is subject to this subsection (g) if the ADU is constructed in the same location and to the same dimensions as an existing structure.
- (4) **Lot Coverage.** No ADU subject to this subsection (g) may cause the total lot coverage of the lot to exceed ~~55~~50 percent, subject to subsection (g)(1)(C) above.
- (5) **Minimum Open Space.** No ADU subject to this subsection (g) may cause the total percentage of open space of the lot to fall below ~~30~~50 percent, subject to subsection (g)(1)(C) above.
- (6) **Passageway.** No passageway, as defined by subsection (c)(9) above, is required for an ADU.
- (7) **Parking.**
- (A) Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (c)(12) above. Off-street parking shall be permitted in setback areas or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based on specific site or regional topographical or fire and safety conditions.
- (B) The required parking space for the ADU must be located on the same lot as the ADU.
- (C) Access to all required parking for the ADU and primary dwelling must be from a public street, an alley, or a recorded access easement. For any lot served by a panhandle or easement access, the access must be a minimum 20 feet in width.

(D) Curb cuts providing access from the public right-of-way to on-site parking spaces must be approved by the City Engineer in accordance with established, objective standards. A construction permit from the City Engineer shall be obtained for any new or widened curb cuts.

(E) Required parking spaces or required maneuvering area must be free of any utility poles, support wires, guard rails, stand pipes or meters.

(F) All required parking spaces must be kept clear for parking purposes only.

(G) Exceptions. No parking under subsection (g)(7)(A) is required in the following situations:

(i) The ADU is located within one-half mile walking distance of public transit, as defined in subsection (c)(11) above.

(ii) The ADU is located within an architecturally and historically significant historic district.

(iii) The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (e)(1)(A) above.

(iv) When on-street parking permits are required but not offered to the occupant of the ADU.

(v) When there is an established car share vehicle stop located within one block of the ADU.

(vi) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (g)(7)(G)(i) through (v) above.

(H) No Replacement. When a garage, carport, or covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

(8) Architectural Requirements.

(A) The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

- (B) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- (C) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
- (D) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- (E) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
- (F) Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.
- (G) All windows and doors in an ADU are less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.
- (9) Landscape Requirements.** Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
- (A) At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
- (B) Plant specimens must be at least six feet tall when installed. As an alternative, a solid fence of at least 6 feet in height may be installed.
- (C) All landscaping must be drought-tolerant.
- (D) All landscaping must be from the City's approved plant list.
- (10) Historical Protections.** An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.
- (h) Fees. The following requirements apply to all ADUs that are approved under subsections Error! Reference source not found. or (e)(2) above.**
- (1) Impact Fees.**

(A) No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection (h)(1), “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.

(B) A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and is therefore not subject to school fees under Education Code section 17620.

(C) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

(2) **Utility Fees.**

(A) If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

(B) Except as described in subsection (h)(2)(A), converted ADUs on a single-family lot that are created under subsection (e)(1)(A) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.

(C) Except as described in subsection (h)(2)(A), all ADUs that are not covered by subsection (h)(2)(B) require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

(i) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

(ii) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

(i) **Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.**

(1) **Generally.** The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

(2) **Unpermitted ADUs and JADUs constructed before 2020.**

(A) **Permit to Legalize.** As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

(i) The ADU or JADU violates applicable building standards, or

(ii) The ADU or JADU does not comply with the state ADU or JADU law (Government Code section 65852.2) or this ADU ordinance (section 18.48.150).

(B) **Exceptions:**

(i) Notwithstanding subsection (i)(2)(A) above, the City may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the City makes a finding that correcting a violation is necessary to comply with standards specified in California Health and Safety Code section 17920.3.

(ii) Subsection (i)(2)(A) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

~~(j) **Nonconforming ADUs and Discretionary Approval.** Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections (a) through (i) of this section may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.~~

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT

1 **FINDING.** The City Council Finds that under California Public Resources Code section
2 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the
3 adoption of an ordinance by a city or county implementing the provisions of section
4 65852.2 of the Government Code, which is California's ADU law and which also regulates
5 JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily
6 exempt from CEQA in that the proposed ordinance implements the State's ADU law.

7
8 **SECTION 5. EFFECTIVE DATE.** This ordinance shall go into effect and be in
9 full force and operation from and after thirty (30) days after its final passage and adoption.

10
11 **SECTION 6. PUBLICATION.** The City Clerk shall certify to the adoption of this
12 ordinance. Not later than fifteen (15) days following the passage of this ordinance, the
13 ordinance, or a summary thereof, along with the names of the City Council members voting
14 for and against the ordinance, shall be published in a newspaper of general circulation in
15 the City of Colton.

16
17 **SECTION 7. FILING.** The City Clerk shall submit a copy of this ordinance to
18 the Department of Housing and Community Development within 60 days after adoption.
19 The City Clerk shall also submit a Notice of Exemption within three days after adoption.

20
21 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of
22 Colton, California, at a regular meeting of the City Council held on the ____ day of _____,
23 2026 by the following vote:

24
25
26
27 _____
28 FRANK J. NAVARRO, Mayor
29
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31
32
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34

35 **ATTEST:**

36 _____
37 ISAAC T. SUCHIL, City Clerk
38

Draft Planning Commission Resolution R-02-26 with Exhibit A- Draft ADU Ordinance (clean)

Attachment 2

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RESOLUTION NO. R-02-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 18, SECTION 18.48.150 OF THE COLTON MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ADOPTION OF THE ORDINANCE TO BE STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE § 21080.17 (FILE INDEX NO. DAP25-0047)

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, a number of bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in 2025, the California Legislature approved, and the Governor signed into law, Assembly Bill 462 (“AB 462”), Assembly Bill 1154 (“AB 1154”), Senate Bill 9 (“SB 9”), and Senate Bill 543 (“SB 543”), which further amend state ADU law; and

WHEREAS, AB 462, AB 1154, SB 9, and SB 543 are in effect, and for the City’s ADU ordinance to remain valid, it must be amended to reflect the requirements of AB 462, AB 1154, SB 9, and SB 543; and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to reflect AB 462, AB 1154, SB 9, and SB 543’s changes to state law; and

WHEREAS, on January 13, 2026, the Planning Commission held a duly-noticed public hearing to consider the attached Ordinance; and

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

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COLTON DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. Incorporation. The recitals above are true and correct and are each incorporated by reference and adopted as findings by the Planning Commission.

SECTION 2. CEQA. The Planning Commission recommends that the City Council find that, under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Article 2 of Chapter 13 of Division 1 of Title 7 of the California Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 66313. Therefore, adoption of the proposed ordinance is statutorily exempt from CEQA in that it implements state ADU law.

SECTION 3. General Plan. The Planning Commission hereby finds that the adoption of the Ordinance is consistent with the General Plan as a matter of law under Government Code section 66314(c).

SECTION 4. Recommendation. Given the foregoing, and based on the entire record before the Planning Commission, the Planning Commission hereby recommends that the City Council adopt the ordinance attached hereto as Exhibit "A."

SECTION 5. Effective Date. This Resolution takes effect immediately upon adoption.

SECTION 6. Certification; Records. The secretary shall attest as to the adoption of this Resolution and cause the same to be maintained in the permanent records of the City.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2026.

Planning Commission Chairperson
Richard Prieto

ATTEST:

Planning Commission Secretary
Heidi Duron, Development Services Director

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Colton at a meeting held on January 13, 2026, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Planning Commission Secretary
Heidi Duron, Development Services Director

Exhibit-A

ORDINANCE NO. O-XX-26

AN ORDINANCE AMENDING TITLE 18, SECTION 18.48.150 OF THE COLTON MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ADOPTION OF THE ORDINANCE TO BE STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE § 21080.17 (FILE INDEX NO. DAP25-0047)

WHEREAS, the City Council of the City of Colton desires to amend certain provisions of the Colton Zoning Code to ensure consistency with state law; and

WHEREAS, state law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, numerous bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in 2025, the California Legislature approved, and the Governor signed into law, Assembly Bill 462 (“AB 462”), Assembly Bill 1154 (“AB 1154”), Senate Bill 9 (“SB 9”), and Senate Bill 543 (“SB 543”), which further amend state ADU law; and

WHEREAS, AB 462, AB 1154, SB 9, and SB 543 are in effect, and for the City’s ADU ordinance to remain valid, it must be amended to reflect the requirements of AB 462, AB 1154, SB 9, and SB 543; and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to reflect AB 462, AB 1154, SB 9, and SB 543’s changes to state law; and

WHEREAS, on January 13, 2026, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning this proposed Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on January 20, 2026, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City’s Planning Commission; and

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

1 **NOW, THEREFORE**, the City Council of the City of Colton does ordain as
2 follows:

3 **SECTION 1. Incorporation.** The recitals above are each incorporated by reference
4 and adopted as findings by the City Council.

5 **SECTION 2. CEQA.** Under California Public Resources Code section 21080.17,
6 the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an
7 ordinance by a city or county implementing the provisions of Article 2 of Chapter 13 of
8 Division 1 of Title 7 of the California Government Code, which is California’s ADU law
9 and which also regulates JADUs, as defined by section 66313. Therefore, adoption of the
10 Ordinance is statutorily exempt from CEQA in that it implements state ADU law.

11 **SECTION 3. General Plan.** The City Council hereby finds that the adoption of the
12 Ordinance is consistent with the General Plan as a matter of law under Government Code
13 section 66314(c).

14 **SECTION 4. Code Amendment.** Section 18.48.150 – ACCESSORY DWELLING
15 UNITS of the Colton Municipal Code is hereby amended and restated to read in its entirety
16 as provided in Exhibit “A-1,” attached hereto and incorporated herein by reference.

17 **SECTION 5. Effective Date.** This Ordinance takes effect 30 days after its adoption.

18 **SECTION 6. HCD Submittal.** In accordance with Government Code section
19 66326, the City Clerk is directed to submit a copy of this Ordinance to the California
20 Department of Housing and Community Development within 60 days after adoption.

21 **SECTION 7. Publication.** The City Clerk is directed to certify to the adoption of
22 this Ordinance and post or publish this Ordinance as required by law.

23 **SECTION 8. Custodian of Records.** The custodian of records for this Ordinance is
24 the City Clerk and the records comprising the administrative record are located at 650 N.
25 La Cadena Drive, Colton, CA 92324.

26 **SECTION 9. Severability.** If any provision of this Ordinance or its application to
27 any person or circumstance is held to be invalid by a court of competent jurisdiction, such
28 invalidity has no effect on the other provisions or applications of the Ordinance that can be
29 given effect without the invalid provision or application, and to this extent, the provisions
30 of this Ordinance are severable. The City Council declares that it would have adopted this
31 Ordinance irrespective of the invalidity of any portion thereof.

Exhibit “A-1”

SECTION 18.48.150 – ACCESSORY DWELLING UNITS

Section 18.48.150 - Accessory Dwelling Units

(a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

(b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:

- (1) Deemed to be inconsistent with the City’s general plan and zoning designation for the lot on which the ADU or JADU is located.
- (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
- (4) Required to correct a nonconforming zoning condition, as defined in subsection (c)(8) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

(c) **Definitions.** As used in this section, terms are defined as follows:

- (1) “Accessory dwelling unit” or “ADU” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - (A) An efficiency unit, as defined by section 17958.1 of the California Health and Safety Code; and
 - (B) A manufactured home, as defined by section 18007 of the California Health and Safety Code.
- (2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
- (3) “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- (4) “Efficiency kitchen” means a kitchen that includes all of the following:

- (A) A cooking facility with appliances.
- (B) A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- (5) “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:
- (A) It is no more than 500 square feet of interior livable space in size.
- (B) It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
- (C) It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
- (D) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
- (E) It includes an efficiency kitchen, as defined in subsection (c)(4) above.
- (6) “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (7) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (8) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
- (9) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- (10) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (11) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(d) **Approvals.** The following approvals apply to ADUs and JADUs under this section:

(1) Ministerial ADU and Building Permits Required. Every ADU and JADU requires an ADU permit and a building permit. The city will review and approve permit applications in accordance with subsection (d)(3) below.

(2) Processing Fee. The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city’s ADU ordinance. The ADU-permit processing fee is determined by the Development Services Director and approved by the city council by resolution.

(3) **Process and Timing.**

(A) Completeness.

(i) Determination in 15 days. The city will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the city receives the application submittal.

(ii) Incomplete items. If the city’s determination under subsection (d)(3)(A)(i) above is that the application is incomplete, the city’s notice must list the incomplete items and describe how the application can be made complete.

(iii) Cure. After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the city to be incomplete.

(iv) Subsequent submittals. If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the city will determine in writing whether the additional information remedies all the incomplete items that the city identified in its original notice. The city may not require the application to include an item that was not included in the original notice.

(v) Deemed complete. If the city does not make a timely determination as required by this subsection (A), the application or resubmitted application is deemed complete for the purposes of subsection (d)(3)(C) below.

(vi) Appeal of incompleteness. An applicant may appeal the city’s determination that the application is incomplete by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the completeness

determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

(B) No discretion or hearing. Ministerial permits for an ADU or JADU are considered and approved without discretionary review or a hearing.

(C) Deadline to approve or deny ministerial approvals. The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application. If the city has not approved or denied the complete application within 60 days, the application is deemed approved unless either:

(i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

(ii) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

(D) Denial. If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection (d)(3)(C) above.

(E) Appeal of denial. An applicant may appeal the city's denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

(F) Concurrent review of demolition. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

(e) **Classes.**

(1) **Class 1: Statutorily Regulated.** Class 1 ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in subsection (f) below, it is allowed in each of the scenarios provided in this subsection (e)(1). An ADU and JADU approved under subsection (e)(1)(A) may be combined with an ADU approved under subsection (e)(1)(B), and ADUs approved under subsection (e)(1)(C) may be combined with ADUs approved under subsection (e)(1)(D).

(A) **Converted on Lot with Single-Family:** One ADU as described in this subsection (e)(1)(A) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(i) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and

(ii) Has exterior access that is independent of that for the single-family dwelling; and

(iii) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

(iv) The JADU complies with the requirements of Government Code sections 66333 through 66339.

(B) **Limited Detached on Lot with Single-Family:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:

(i) The side- and rear-yard setbacks are at least four feet.

(ii) The total floor area is 800 square feet of livable space or smaller.

(iii) The peak height above grade does not exceed the applicable height limit in subsection (f)(2) below.

(C) **Converted on Lot with Multifamily:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (e)(1)(C), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

(D) **Limited Detached on Lot with Multifamily:** No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:

(i) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

(ii) The peak height above grade does not exceed the applicable height limit provided in subsection (f)(2) below.

(iii) If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

(2) **Class 2: Locally Regulated.** Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under subsection (e)(1) above, all ADUs are subject to the standards set forth in subsections (f) and (g) below.

(f) **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under subsections **Error! Reference source not found.** or (e)(2) above:

(1) **Zoning.**

(A) An ADU or JADU subject only to a building permit under subsection **Error! Reference source not found.** may be created on a lot in a residential or mixed-use zone.

(B) An ADU or JADU subject to an ADU permit under subsection (e)(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

(2) **Height.**

(A) Except as otherwise provided by subsections (f)(2)(B) and (f)(2)(C) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 35 feet in height.

(B) A detached ADU may be up to two stories with a maximum height of 30 feet if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 32 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

(C) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed two stories or 30 feet in height.

(D) An ADU that is attached to the primary dwelling may not exceed 35 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (f)(2)(D) may not exceed two stories.

(E) For purposes of this subsection (f)(2), height is measured above existing legal grade to the peak of the structure.

(3) Fire Sprinklers.

(A) Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

(B) The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(4) Rental Term. No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

(5) No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

(6) Septic System. If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

(7) Owner Occupancy.

(A) ADUs. ADUs are not subject to an owner-occupancy requirement.

(B) JADUs.

(i) Generally. As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence.

(ii) Exceptions. The owner-occupancy requirement in this subsection (f)(7)(B) does not apply in either of the following situations:

(I) The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).

(II) The property is entirely owned by another governmental agency, land trust, or housing organization.

(8) Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director or designee. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

(A) Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

(B) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.

(C) The deed restriction runs with the land and may be enforced against future property owners.

(D) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

(E) The deed restriction is enforceable by the director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

(9) Income Reporting. In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 65852.2, the following requirements must be satisfied:

(A) With the building-permit application, the applicant must provide the City with an estimate of the projected annualized rent that will be charged for the ADU or JADU.

(B) Within 90 days after each yearly anniversary of the issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the City does not receive the report within the 90-day period, the owner is in violation of this Code, and the City may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the City may enforce this provision in accordance with applicable law.

(10) Building & Safety.

(A) **Must comply with building code.** Subject to subsection (f)(10)(B) below, all ADUs and JADUs must comply with all local building code requirements.

(B) **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the Building Official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (f)(10)(B) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

(g) **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under subsection (e)(2) above.

(1) Maximum Size.

(A) The maximum size of a detached or attached ADU subject to this subsection (g) is 850 square feet for a studio or one-bedroom unit and 1,200 square feet for a unit with two or more bedrooms.

(B) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 75 percent of the floor area of the existing primary dwelling.

(C) Application of other development standards in this subsection (g), such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (g)(1)(B) above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU to be less than 800 square feet.

(2) Floor Area Ratio (FAR). No ADU subject to this subsection (g) may cause the total FAR of the lot to exceed 45 percent, subject to subsection (g)(1)(C) above.

(3) **Setbacks.**

(A) An ADU that is subject to this subsection (g) must conform to a 25-foot front-yard setback.

(B) ADU that is subject to this subsection (g) must conform to 4-foot side- and rear-yard setbacks.

(C) No setback is required for an ADU that is subject to this subsection (g) if the ADU is constructed in the same location and to the same dimensions as an existing structure.

(4) **Lot Coverage.** No ADU subject to this subsection (g) may cause the total lot coverage of the lot to exceed 50 percent, subject to subsection (g)(1)(C) above.

(5) **Minimum Open Space.** No ADU subject to this subsection (g) may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection (g)(1)(C) above.

(6) **Passageway.** No passageway, as defined by subsection (c)(9) above, is required for an ADU.

(7) **Parking.**

(A) Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (c)(12) above. Off-street parking shall be permitted in setback areas or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based on specific site or regional topographical or fire and safety conditions.

(B) The required parking space for the ADU must be located on the same lot as the ADU.

(C) Access to all required parking for the ADU and primary dwelling must be from a public street, an alley, or a recorded access easement. For any lot served by a panhandle or easement access, the access must be a minimum 20 feet in width.

(D) Curb cuts providing access from the public right-of-way to on-site parking spaces must be approved by the City Engineer in accordance with established, objective standards. A construction permit from the City Engineer shall be obtained for any new or widened curb cuts.

- (E) Required parking spaces or required maneuvering area must be free of any utility poles, support wires, guard rails, stand pipes or meters.
- (F) All required parking spaces must be kept clear for parking purposes only.
- (G) Exceptions. No parking under subsection (g)(7)(A) is required in the following situations:
- (i) The ADU is located within one-half mile walking distance of public transit, as defined in subsection (c)(11) above.
 - (ii) The ADU is located within an architecturally and historically significant historic district.
 - (iii) The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (e)(1)(A) above.
 - (iv) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (v) When there is an established car share vehicle stop located within one block of the ADU.
 - (vi) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (g)(7)(G)(i) through (v) above.
- (H) No Replacement. When a garage, carport, or covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

(8) Architectural Requirements.

- (A) The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
- (B) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- (C) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

- (D) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- (E) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
- (F) Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.
- (G) All windows and doors in an ADU are less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.
- (9) Landscape Requirements.** Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
- (A) At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
- (B) Plant specimens must be at least six feet tall when installed. As an alternative, a solid fence of at least 6 feet in height may be installed.
- (C) All landscaping must be drought-tolerant.
- (D) All landscaping must be from the City's approved plant list.
- (10) Historical Protections.** An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.
- (h) Fees. The following requirements apply to all ADUs that are approved under subsections Error! Reference source not found. or (e)(2) above.**
- (1) Impact Fees.**
- (A) No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection (h)(1), "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

(B) A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and is therefore not subject to school fees under Education Code section 17620.

(C) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

(2) Utility Fees.

(A) If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

(B) Except as described in subsection (h)(2)(A), converted ADUs on a single-family lot that are created under subsection (e)(1)(A) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.

(C) Except as described in subsection (h)(2)(A), all ADUs that are not covered by subsection (h)(2)(B) require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

(i) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixtured units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

(ii) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

(i) Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

(1) Generally. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

(2) Unpermitted ADUs and JADUs constructed before 2020.

(A) Permit to Legalize. As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

(i) The ADU or JADU violates applicable building standards, or

(ii) The ADU or JADU does not comply with the state ADU or JADU law (Government Code section 65852.2) or this ADU ordinance (section 18.48.150).

(B) Exceptions:

(i) Notwithstanding subsection (i)(2)(A) above, the City may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the City makes a finding that correcting a violation is necessary to comply with standards specified in California Health and Safety Code section 17920.3.

(ii) Subsection (i)(2)(A) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING. The City Council Finds that under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

SECTION 5. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 6. 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

1 for and against the ordinance, shall be published in a newspaper of general circulation in
2 the City of Colton.

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4 **SECTION 7. FILING.** The City Clerk shall submit a copy of this ordinance to
5 the Department of Housing and Community Development within 60 days after adoption.
6 The City Clerk shall also submit a Notice of Exemption within three days after adoption.

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8 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of
9 Colton, California, at a regular meeting of the City Council held on the ____ day of _____,
10 2026 by the following vote:

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14 FRANK J. NAVARRO, Mayor

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22 **ATTEST:**

23 ISAAC T. SUCHIL, City Clerk
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