

**Appendix I:
Zoning Ordinance Text Changes**

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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 A(8)), adopted October 10, 2013, repealed § 18.16.040, which pertained to Conditional Uses and derived from Ord. 0-14-92 § 1 (Exh.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 ⁴
G. Minimum Rear Yard Setback	20 feet ^{4,2} 15 feet Primary Structure
H. Separation Between Buildings	6 10 feet ^{4,2,5}
I. Max. Lot Coverage	70 75 % of lot area ⁴
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 feet ⁷ 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:

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 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.

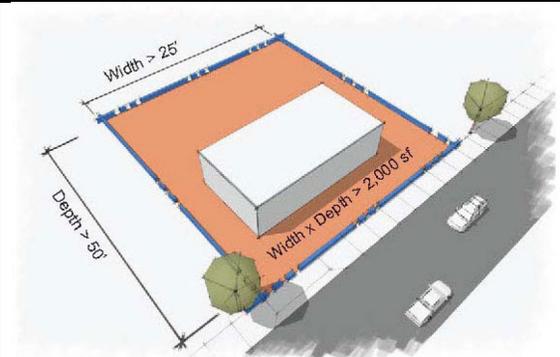
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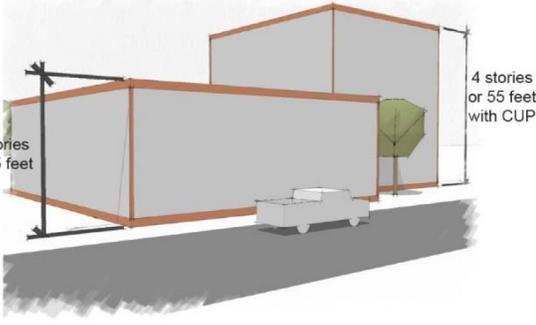
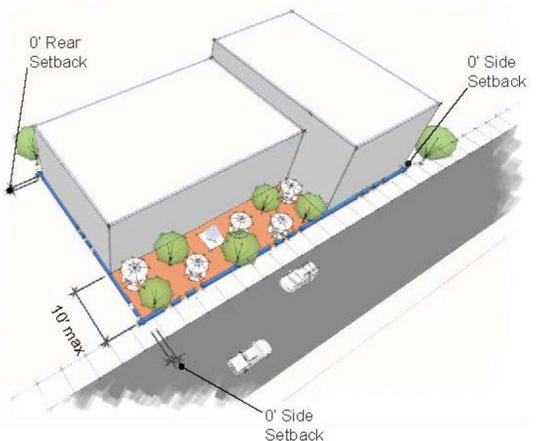
18.23.040 Reserved.

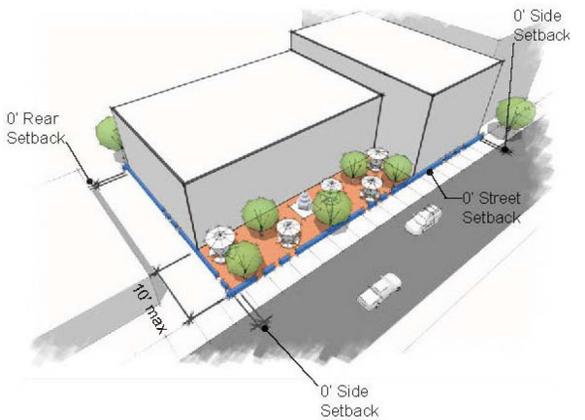
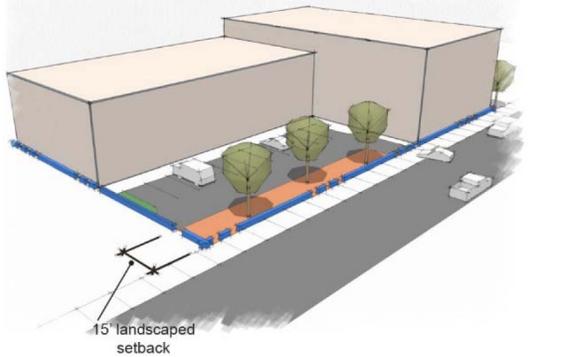
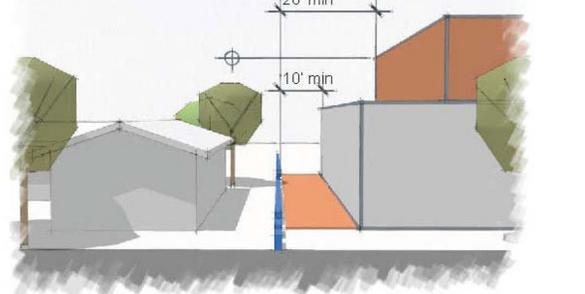
18.23.050 Property Development Standards.

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	 <p style="text-align: center; margin-top: 5px;">Minimum Lot Dimensions</p>
B. Minimum Lot Width	Twenty-five feet ¹	
C. Minimum Lot Depth	fifty feet ¹	

Stand Alone Residential Maximum Density	Residential: 3 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	 <p>Building Height</p>
Street Setback	<p>H Street and La Cadena Drive: Zero feet to ten feet maximum. Setback area shall include plaza, courtyard, outdoor dining, or enhanced pedestrian connections.</p> <p>7th Street, 9th Street, 10th Street, G Street, and Valley Boulevard: Maximum ten feet landscaped to building; Minimum fifteen feet landscaped to parking area.</p>	
Side Setbacks	There shall be no side setback required for interior lots.	 <p>Setbacks: H Street and La Cadena Drive</p>

		 <p>Setbacks: 7th Street, 9th Street, 10th Street, G Street, and Valley Boulevard</p>
Rear Setbacks	There shall be no rear setback required for interior lots.	 <p>Setbacks with Landscaping: 7th Street, 9th Street, 10th Street, G Street, and Valley Boulevard</p>
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.	 <p>Ground Floor Transparency</p>
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	 <p>Setbacks Adjacent to Residential Zones</p>

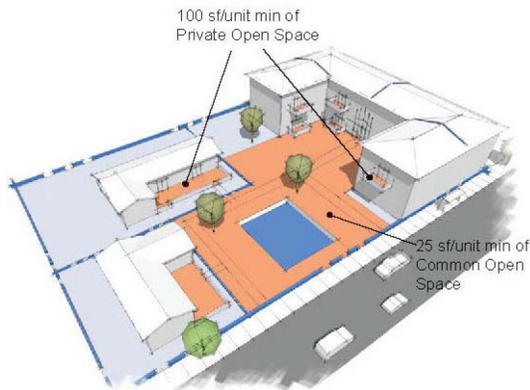
	property line. Where vehicular access is taken from the side or rear of a lot, the building shall be setback a minimum of twenty-five feet from that side.	
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1. For buildings with ground floor commercial uses, the required floor-to-ceiling height at 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;**

- ~~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. O-03-14, § 8, 3-4-2014; Ord. No. O-11-20, § 14, 10-20-2020; Ord. No. O-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. 0-12-18, § 42, 12-18-2018)

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 P	N P	P	P
Dwelling-Single-Family	N P	N P	P	P
Dwelling—Manufactured Home, pursuant to Section 18.48.060 of this Title	N P	N P	N P	P
Dwelling—Multiple-Family	N P	N P	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	P	P	P	P
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

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)

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