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1 at which persons wishing to testify in connection with the Zoning Text Amendment were heard
2 and the Zoning Text Amendment was comprehensively reviewed.
3

4 **WHEREAS**, all other legal prerequisites to the adoption of this Ordinance have occurred.
5

6 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES**
7 **ORDAIN AS FOLLOWS:**
8

9 **SECTION 1.** The City Council hereby adopts the recitals and findings set forth above
10 and in the agenda report prepared in connection with this Ordinance.
11

12 **SECTION 2. General Plan Consistency.** Based on the entire record before the City
13 Council and all written and oral evidence presented, including the staff report and the findings
14 made in this Ordinance, the City Council hereby finds and determines that the proposed
15 Ordinance is consistent with the goals and policies of the City of Colton General Plan and is
16 reasonably related to the public welfare of the citizens of the City and surrounding regions. The
17 Zoning Text Amendment is necessary to provide clarity to implement existing regulations,
18 provide consistency with other code regulations, allow flexibility to certain standards, and allow
19 for addressing potential negative impacts. Specifically, provisions in the ordinance address the
20 following General Plan policies:
21

22 **Land Use Element:**
23

- 24 ○ **Policy LU-1.1:** *“Ensure that all new development conforms to all appreciable*
25 *provisions of the General Plan and Zoning Code.”* The Ordinance will modify
26 regulations and uses permitted that allows for review of use and development proposal
27 to ensure consistency with the General Plan and Zoning Code as proposed herein with
28

1 chapters **18.04 (Definitions)**, 18.06 (Permitted Uses) and 18.26 (Light Industrial)
2 Zone requirements of the City of Colton Zoning Code.

- 3
4
5 ○ **Policy LU-1.6: “Ensure that new development projects are compatible with**
6 ***permitted, well-maintained uses and buildings in the surrounding neighborhood or***
7 ***district.”*** The Ordinance will modify regulations and uses permitted that allows for
8 review of use and development to ensure compatibility with existing neighborhoods
9 and districts as proposed within chapters **18.04 (Definitions)**, 18.06 (Permitted Uses)
10 18.26 (Light Industrial) Zone and 18.58.060 (Conditional Use Permits). The project
11 site is located adjacent to an existing Automobile Impound Yard to the west, which is
12 exact use proposed. The Light Industrial Zones surround the site to the north and south
13 with adequate access from South La Cadena Drive and Congress Street to Fogg Street
14 and East “M” Street.

- 15
16
17 ○ **Policy LU-1.8: “Interpret the Land Use Plan in a manner that provides for**
18 ***compatibility between adjacent land uses, and that allows the City to achieve land***
19 ***use, design, and economic development objectives.”*** The proposed zoning text
20 amendments provide for parking, findings within a Conditional Use Permit review
21 process to ensure projects are reviewed to be compatible within a neighborhood to
22 achieve land use, design and economic development objectives. Because of the
23 location of the subject site, staff is also reviewing and prepared findings for projects
24 within the Sensitive Development Area Overlay Zone within Planning Commission
25 Resolution No. R-16-24.
26
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28

1 ○ **Policy LU-3.6: “Identify and revitalize areas within the City which, through**
2 **deterioration of structures, high vacancy rates, vandalism, or health and safety**
3 **concerns, merit special attention.”** The site is vacant with overgrown vegetation
4 surrounded by a chain link fence. The proposed zoning text amendment will develop
5 with site with similar uses permitted in the industrial zone and be developed in
6 compliance with development standards of the M-1 (Light Industrial) Zone. The
7 proposed project will also include half-street improvements, curb, gutter, driveway,
8 and sidewalk improvements and other street improvements along the Fogg Street
9 frontage.
10

11
12 ○ **Policy LU-6.4: “Promote the use of buildings, setbacks, walls, landscaping, and**
13 **other design features to buffer and reduce conflicts between adjacent properties.”**
14 The proposed zoning text amendment requires development projects to comply with
15 development standards within the M-1 (Light Industrial) Zone. The proposed project
16 will provides and complies with building front yard setback from the street, which will
17 be landscaped. In addition, the project complies with the minimum 15% property
18 landscape requirement and installation of perimeter walls/fencing to reduce or buffer
19 any conflicts with adjacent properties.
20
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23 ○ **Policy LU-9-1: “Encourage and facilitate an appropriate mix of goods and services**
24 **offered in community and neighborhood centers.”** The Ordinance will modify
25 chapter 18.06 (Permitted Uses), to allow an automobile impound yard with approval
26 of a Conditional Use Permit, which will expand the type of uses presently permitted
27 within the Light Industrial zones.
28

- 1 ○ **Policy LU-11.3:** *“Increase and diversify local employment opportunities, and retain*
2 *and accommodate industrial development that is compatible with City objectives for*
3 *safety, environmental and visual quality, and employment and revenue generation.”*

4 The Ordinance will increase and diversify local employment opportunities, and the
5 Conditional Use Permit provides a review process to ensure future projects are
6 analyzed for compatibility within neighborhoods and also meeting with City growth
7 and development objectives for safety, environmental, visual quality, employment and
8 revenue generation to mention a few areas of the review.
9

10
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12 **SECTION 3.** The City of Colton finds that the proposed Zone Text Amendment to
13 permit an Automobile Impound Yard (Tow Yard), by modifying allowances for certain permitted,
14 conditional, and prohibited land uses in the M-1 (light Industrial) zone, Sensitive Development
15 Area, is reasonably related to the public welfare of the citizens of the City and surrounding
16 region; more specifically, the Ordinance includes appropriate restrictions to ensure that the
17 proposed standards meet all safety standards including Building and Safety Codes, Fire Codes
18 and review/approval by the City Engineer.
19

20
21 **SECTION 4.** Sections 18.04.064, 18.04.074, and 18.06.060 of Chapter 18.06 (Uses
22 Permitted) of Title 18 of the Colton Municipal Code, pertaining to the Uses Permitted in Each
23 Zone, is hereby amended to read as follows adding new text as shown in boldface underline (**text**)
24 and deleted text is shown in strikethrough (~~text~~) with existing text to remain unchanged shown
25 without boldface underline nor strikethrough:
26

27 **18.04.064 - Automobile Impound Yard.**
28

"Automobile Impound Yard" means an area Designated or maintained for the temporary storage of Vehicles legally removed or impounded from public or Private Property ~~with or without the vehicle owner's / operator's consent~~ as prescribed by Law.

18.04.074 –Automobile Storage.

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

18.06.060 - Uses Permitted in each Zone.

G. Industrial Districts Table	I-P	M-1	M-2
Automobile Impound Yard	N	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

1 **SECTION 5.** CEQA. The City Council finds that this Ordinance is not subject to the
2 California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and Sections
3 15060(b)(3). The activity is not subject to CEQA because it will not result in a direct or
4 reasonably foreseeable indirect physical change in the environment, and the activity is covered by
5 the general rule that CEQA applies only to projects, which have the potential for causing a
6 significant effect on the environment. Where it can be seen with certainty that there is no
7 possibility that the activity may have a significant effect on the environment, the activity is not
8 subject to CEQA. The proposed amendments propose regulatory and administrative amendments
9 to the zoning code. Additional environmental review will be conducted on projects that are
10 affected by these changes.
11

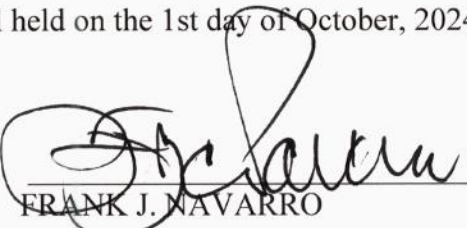
12
13 **SECTION 6.** Custodian of Records. The documents and materials that constitute the
14 record of proceedings on which this Ordinance is based are located at the City Clerk's office
15 located at 650 N. La Cadena Drive, Colton, California 92324. The custodian of these records is
16 the City Clerk.
17

18
19 **SECTION 7.** Severability. If any section, sentence, clause or phrase of this Ordinance or
20 the application thereof to any entity, person or circumstance is held for any reason to be invalid or
21 unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or
22 applications of this Ordinance which can be given effect without the invalid provision or
23 application, and to this end the provisions of this Ordinance are severable. The City Council of
24 the City of Colton hereby declare that they would have adopted this Ordinance and each section,
25 sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
26 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.
27
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1 **SECTION 8.** Effective Date. This Ordinance shall become effective thirty (30) days
2 following its adoption.

3 **SECTION 9.** Publication. The City Clerk shall certify to the adoption of this Ordinance.
4 Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a
5 summary thereof, along with the names of the City Council members voting for and against the
6 Ordinance, shall be published in a newspaper of general circulation in the City of Colton.
7

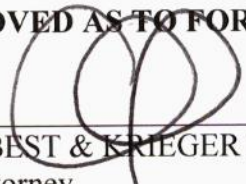
8 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of Colton
9 California, at a regular meeting of the City Council held on the 1st day of October, 2024.

10
11 
12 FRANK J. NAVARRO
13 Mayor

14 **ATTEST:**

15 
16 STEPHANIE M. VARGAS
17 Chief Deputy City Clerk
18
19

20 **APPROVED AS TO FORM:**

21 
22 BEST BEST & KRIEGER LLP
23 City Attorney
24
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1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**) ss.
3 **CITY OF COLTON**)

4 **CERTIFICATION**

5
6 I, Stephanie M. Vargas, Chief Deputy City Clerk for the City of Colton,
7 California, do hereby certify that the foregoing is a full, true and correct copy of
8 **ORDINANCE NO. O-10-24**, duly adopted by the City Council of said City, and approved by
9 the Mayor of said City, at its Regular Meeting of said City Council held on the **1ST day of**
10 **OCTOBER 2024**, and that it was adopted by the following vote, to wit:

11 AYES: COUNCILMEMBER Toro, Chastain, González, Echevarria,
12 Mayor Navarro
13 NOES: COUNCILMEMBER None
14 ABSTAIN: COUNCILMEMBER None
15 ABSENT: COUNCILMEMBER None
16

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

19
20
21
22 _____
23 STEPHANIE M. VARGAS
24 Chief Deputy City Clerk
25 City of Colton

26
27
28 (SEAL)