

# CITY OF COLTON PLANNING COMMISSION AGENDA

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

**REGULAR MEETING – Tuesday, August 23, 2016– 5:30 P.M.**

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MEETING MINUTES

. P.C. Draft Minutes\_August 9, 2016

Documents:

[2016\\_08-09\\_PC MINUTES\\_.PDF](#)

E. PUBLIC COMMENTS

F. BUSINESS ITEMS

. Item F-1\_DAP-001-329\_1067 N. Mt Vernon\_Cardenas

Documents:

[ITEM F-1\\_DAP-001-329\\_MODIFICATION OF SIGN PROGRAM AND MINOR DEVIATION.PDF](#)

G. PUBLIC HEARINGS

. Item G-1\_DAP-001-277-B\_Change Of Zone-SDA

Documents:

[ITEM G-1\\_DAP-001-277-B.PDF](#)

. . Item G-2\_DAP-001-340\_Micro Brewery

Documents:

[ITEM G-2\\_STAFF REPORT\\_DAP-001-340\\_MICRO BREWERY EXPANSION MCUP.PDF](#)

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

I. COMMISSION COMMENTS

J. ADJOURNMENT

**Next Scheduled Meeting: Tuesday, September 13, 2016 at 5:30 p.m.**

***Documents Related to Open Session Agendas (SB 343).*** Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection Monday through Thursday 8:00 am to 4:00 p.m. at the City of Colton Development Services Department located at the Civic Center Annex (across the street from City Hall) at 659 N. La Cadena Drive, Colton, CA 92324.

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

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



CITY OF COLTON  
PLANNING COMMISSION AGENDA MINUTES  
REGULAR MEETING – Tuesday, August 09, 2016– 5:30 P.M.

**A. CALL TO ORDER at 5:30p.m.**

**B. ROLL CALL**

Commissioners Present:

Acting Chair Thomas Archuleta  
Angel Delgado  
Gary Grossich  
Kirk Larson

Commissioners Absent:

Chair Prieto - Excused  
Kirk Larson- Excused

City Staff:

Marco Martinez, City Attorney  
Mark Tomich, Development Services Director  
Mario Suarez, Senior Planner

**C. PLEDGE OF ALLEGIANCE**

Commissioner Grossich led the pledge of allegiance.

**D. APPROVAL OF MEETING MINUTES**

**1. July 12, 2016 Planning Commission Meeting Minutes**

Motion and second by Commissioner Grossich/Commissioner Delgado 5 to 0 to approve.  
Roll Call vote as follows: Ayes-Commissioner Archuleta, Commissioner Arrieta, Commissioner Delgado, Commissioner Granado-Dominguez, and Commissioner Grossich. Noes-None.  
Commissioner Larson and Chair Prieto,absent from vote.

**2. July 26, 2016 Planning Commission Meeting Minutes**

Motion and second by Commissioner Grossich/Commissioner Delgado 5 to 0 to approve.  
Roll Call vote as follows: Ayes-Commissioner Archuleta, Commissioner Arrieta, Commissioner Delgado, Granado-Dominguez, and Commissioner Grossich. Noes-None. Commissioner Larson and Chair Prieto,absent from vote.

Councilman Navarro and Mayor Pro Tem Suchil recognized by Acting Chair Archuleta.

**E. PUBLIC COMMENTS**

None.

**F. COMMISSION CONSIDERATION:**

**1. 60 Day Status Report for 1235 S Lincoln St. - Pallet Use- City Council Resolution R-35-16 and R-36-16. (Continued from July 12, 2016)**

**PRESENTED BY:** Mario Suarez, Senior Planner

**PUBLIC COMMENTS:**

- Robert Krup- Applicant ( Rebbur LLC)

**STAFF RECOMMENDATION**

The Planning Commission to review and provide direction to staff.

Commission directed staff to allow applicant to post performance bond and work with applicant to modify conditions of approval and return to Planning Commission.

**G. PUBLIC HEARINGS**

**1. FILE INDEX NUMBER: DAP-001-230**

**Southwest Regional Operations Center**

**(Continued from July 26, 2016)**

**PROPERTY LOCATION:** 602 Agua Mansa Road  
APN: 0275-041-36 and 0163-452-07

**PRESENTED BY** Mario Suarez, Senior Planner.

**PUBLIC COMMENTS:**

- Nicole Vermillion- Placeworks (Enviromental Consultant).
- Chris Patton- Kunzman & Associates (Traffic Consultant).
- Pat Meyer- Applicant's representative.
- Norm Timmermans- Consultant to Applicant.
- Barbara Santoya, representing 604 Agua Mansa.
- Owen Chang, Colton Unified School District.
- Barbara Webb, 606 Agua Mansa.
- Robert Will-Hunt, Applicant.
- Gary Miller, Architect for project.
- Benjamin Vargas, Cultural Resources Consultant.

**PROJECT DESCRIPTION:**

**A Conditional Use Permit** to allow a truck and trailer storage use and **Architectural Site Plan Review** for a 19,913 square foot office building and ancillary uses including fuel station and truck washing facility on property measuring approximately 11.12 acres in an area located in the M-2 (Heavy Industrial) and M-1 (Light Industrial) Zones.

**ENVIRONMENTAL ASSESSMENT:** Notice is hereby given that the City of Colton is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of California Environmental Quality Act (CEQA) guidelines. The Project site is not on a list compiled pursuant to Government Code section 65962.5. A Mitigated Negative Declaration (MND) is being proposed in conjunction with the above proposal. Mitigation measures to reduce environmental impacts to less than significant levels have been provided in the following environmental categories: Biological Resources, Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic.

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission adopt Planning Commission Resolution No. R-28-16 approving DAP-001-230, subject to conditions imposed by PC Resolution titled below:

**RESOLUTION NO. R-28-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING A CONDITIONAL USE PERMIT TO ALLOW A TRUCK AND TRAILER STORAGE USE AND ARCHITECTURAL SITE PLAN REVIEW FOR A 19,913 SQUARE FOOT OFFICE BUILDING AND ANCILLARY USES INCLUDING FUEL STATION AND TRUCK WASHING FACILITY ON PROPERTY MEASURING APPROXIMATELY 11.12 ACRES IN AN AREA LOCATED IN THE M-2 (HEAVY INDUSTRIAL) AND M-1 (LIGHT INDUSTRIAL) ZONES. (FILE INDEX NO. DAP-001-230)**

Council Member Gonzalez and Mayor DeLaRosa recognized by Acting Chair Archuleta.

Motion and second by Commissioner Grossich\ Commissioner Archuleta 3 to 2 to approve. Roll call vote as follows: Ayes- Commissioner Archuleta, Commissioner Grossich, and Commissioner Delgado. Noes- Commissioner Arrieta, and Commissioner Granado-Dominguez. Chair Prieto and Commissioner Larson absent from vote.

**H. DIRECTOR'S REMARKS/REVIEW OF CITY COUNCIL AGENDAS**

- Update on SDA overlay action at City Council.

**I. COMMISSION COMMENTS:**

**Archuleta**

- Question regarding demolition and fence construction on property located south of CoPart, along S. La Cadena Dr.

**Arrieta**

- Comments regarding weeds at Colton Iron & Metal site on M Street.

**Delgado**

- Concerns regarding vehicle storage and possible sales at 125 East O St. (next to burned house).

**Granado-Dominguez**

- Compliments to staff for dealing with difficult issues.
- Comments regarding possible In-and-Out Restaurant near ARMC.

**J. ADJOURNMENT**

The meeting adjourned at 8:42 p.m.

Approved by: \_\_\_\_\_  
Mark Tomich, AICP



# Planning Commission Staff Report

CITY OF COLTON  
Development Services Department

**TYPE OF ACTION:** FINAL ACTION

**MEETING DATE:** August 23, 2016

**FILE INDEX NUMBER:** DAP-001-329  
Cardenas @ Plaza Las Glorias

**PROPERTY OWNER:** HIGHPOINT PROPERTIES LP

**APPLICANT:** Kaled Serdio, Agent for Cardenas Markets

**PROPERTY LOCATION:** 1067 North Mount Vernon Avenue  
ASSESSOR PARCEL NUMBER: 0161-212-24; 25; 26; 27; & 28

**REQUEST:** **Major Modification to Uniform Sign Program** for Special Major Anchor Tenant Sign at the Plaza Las Glorias Shopping Center amending specific exhibits and allowing secondary signage at the rear of Special Major Anchor tenant with street view from Mt. Vernon Avenue; and **Minor Deviation** to allow a 18.75% increase in letter height from 48-inches to 57-inches for letters related to registered Logo.

## **ACTIONS:**

**APPLICATION FILED:** 6/15/16

**APPLICATION REVIEW COMMITTEE:** 07/06/16

**DEEMED COMPLETE:** 08/03/16

**PUBLIC NOTICE:** N/A – New Business Item

**ENVIRONMENTAL DETERMINATION:** Recommendation: Categorical Exemption- Class 11. Pursuant to CEQA Guidelines Section 15311 – Accessory Structures, which includes signs.

**PLANNING COMMISSION:** 08/23/16 Recommendation: Approval, subject to conditions;  
Decision: \_\_\_\_\_

**APPEAL PERIOD ENDS:** \_\_\_\_\_ (10 days)

**EXPIRATION:** \_\_\_\_\_ (12 months)

## **PROPERTY INFORMATION:**

1. Location: 1043-1199 N. Mt Vernon Avenue, Colton CA 92324  
Assessor's Parcel No: 0161-212-24,25,26,27, & 28
2. Site Size: +/- 13-acres (5 parcels)
3. Existing Land Use: Multiple-tenant shopping center
4. General Plan Land Use Designation: General Commercial
5. Zoning: C-2, General Commercial

Surrounding Properties:

	Existing Land Use	General Plan Land Use Designation	Zoning
North	Street (Olive Avenue) <ul style="list-style-type: none"> <li>• Single-Family Detached Housing</li> <li>• Office</li> </ul>	<ul style="list-style-type: none"> <li>• LDR, Low Density Residential</li> <li>• NC, Neighborhood Commercial</li> </ul>	<ul style="list-style-type: none"> <li>• R1, Low Density Residential</li> <li>• C-1, Neighborhood Commercial</li> </ul>
South	<ul style="list-style-type: none"> <li>• Multiple-Unit Housing</li> <li>• Vacant Undeveloped</li> </ul>	<ul style="list-style-type: none"> <li>• HDR, High Density Residential</li> <li>• GC, General Commercial</li> </ul>	<ul style="list-style-type: none"> <li>• R-3, Multiple-Family Residential</li> <li>• C-2, R-O, General Commercial, Residential Overlay</li> </ul>
East	Street (Mount Vernon Avenue) <ul style="list-style-type: none"> <li>• Commercial Businesses</li> </ul>	NC, Neighborhood Commercial	C-1, Neighborhood Commercial
West	<ul style="list-style-type: none"> <li>• Elementary School (Abraham Lincoln)</li> <li>• Single-Family Detached Housing</li> </ul>	<ul style="list-style-type: none"> <li>• PI, Public Institutional</li> <li>• LDR, Low Density Residential</li> </ul>	<ul style="list-style-type: none"> <li>• P-I, Public Institutional</li> <li>• R-1, Low Density Residential</li> </ul>

**Prior Actions:**

1. **Variances** (File Index No. DAP-001- 213) to the sign code for tenant space at 1125 N. Mt. Vernon was approved with adoption of Planning Commission Resolution No. R-11-15 on June 9, 2015.
2. **Architectural and Site Plan Review** (File Index No. DAP-001-177) for proposed exterior modification of roof & elevations for a façade section of a tenant space at 1125 N. Mt. Vernon Avenue was approved with the adoption of Planning Commission by minutes consensus on June 9, 2015.
3. **Minor Modification of Site Plan & Architectural Review (File Index No.: DAP-001-076; Ref: File Index No.: D-52-00)** for (a) merging three (3) tenant spaces at 1181, 1189, 1191 N. Mt Vernon Ave into one (1) tenant space; (b) convert existing retail use into medical use (dba “Molina Medical”), within an existing ~13-acre shopping center (Plaza Las Glorias). Approved by Director of Development Service on January 16, 2013.
4. **Design Review (File Index No.: DAP-000-146)** for a freestanding water vending kiosk structure (dba “Watermill Express, Inc.”). Denied by Design Review Committee on 6-16-2003.
5. **Design Review (File Index No.: D-12-01)** for mobile recyclable collection facility within a shopping center (Plaza Las Glorias) parking lot. Approved by Design Review Committee on 5-7-2001.
6. **Sign Program (File Index No. DS-105-00)** for multiple signs for a new restaurant (dba “Jack in the Box”) with drive-through lane at 1199 N. Mt Vernon Avenue: one pole sign, two wall signs, two directional signs, one preview menu, and one speaker order menu. Approved by Design Review Committee on 12-4-2000.

7. **Site Plan & Architectural Review (File Index No.: D-52-00)** for additions to existing shopping center consisting of (a) ~3,591-sf addition to existing (1043-1047 N Mt Vernon); and (b) new freestanding ~8,645-sf multi-tenant retail building (1181-1197 N Mt Vernon). Approved by Design Review Committee on 7-3-2000.
8. **Architectural & Site Plan Review (File Index No.: D-44-00)** for the construction of new freestanding ~2,890-sf restaurant building (with drive-through lane) at 1199 N. Mt Vernon Avenue (dba “Jack in the Box”). Approved by Design Review Committee on 6-5-2000.
9. **Major Variance (File Index No.: DV-28-98)** for an [amusement] arcade [as accessory use of a ~11,530-sf restaurant (dba “Peter Piper Pizza) with beer & wine service] within 1000 feet of an elementary school within a tenant space at 1157 N Mt Vernon. Approved by Planning Commission on 8-11-1998.
10. **Design Review (File Index No.: D-22-93)** for 6-foot high chain link fence along the south lot line of the shopping center site, to be removed at the time of development of abutting property to southeast. Approved by Design Review Committee on 5-17-1993.
11. **Sign Variance (File Index No.: DSV-4-92)** for an additional wall sign (north wall) for the tenant space at 1119 N Mt Vernon Avenue (dba “Canada Shoes”). Approved by Planning Commission on 5-10-1992.
12. **Sign Variance (File Index No.: DSV-9-92)** for two additional wall signs (“photo”; ‘pharmacy’) for the tenant space at 1133 [1195] N Mt Vernon Avenue (dba “Thrifty Drugs”). Approved by Planning Commission on 4-14-1992.
13. **Conditional Use Permit (File Index No.: DC-55-91)** for liquor sales at a drug store (dba “Thrifty Drugs”) at 1133 [1195] N Mt Vernon Avenue. Approved by Planning Commission on 11-26-1991.
14. **Major Modification of Sign Program (File Index No.: DS-30-91)** for shopping center (‘Plaza Las Glorias’) located at southwest corner of Mt Vernon Avenue & Olive to (1) allow maximum 4-foot high letters for major tenants, including tenant space at 1067 N Mt Vernon dba ‘Plaza Las Glorias Market’; and (2) allow ‘green’ color letters in addition to ‘burnt red’. Approved by Planning Commission on 7-9-1991.
15. **Sign Program (File Index No.: DS-68-90)** for shopping center (‘Plaza Las Flores’) located at southwest corner of Mt Vernon Avenue & Olive and **Environmental Review** for offsite freeway-oriented shopping center/electronic readerboard pole sign within the public right-of-way at the southwest corner of Valley Boulevard and Mt Vernon Avenue (Ref: DS-25-91). Approved by Planning Commission on November 13, 1990.
16. **Environmental Review (File Index No. D-71-87)** for proposed City Redevelopment Agency-initiated rehabilitation of shopping center. Approved by Planning Commission on 10-27-1987.

## **PROPERTY DESCRIPTION**

The subject property is a multiple-tenant shopping center known as Plaza Las Glorias. The shopping center consists of three buildings – a main building with a total of about 30 tenant spaces including two large tenants (Cardenas food market and Rite Aid drug store) with frontages more than 100 feet, a pad building shared by multiple tenants, and a detached fast food restaurant building (Jack N the Box) with a drive-through lane. The main building and pad building share a Spanish-theme architecture.

The subject tenant space at 1067 N Mount Vernon is located in the center of the buildings along the south property line. The subject tenant space has a frontage of 200 and a floor area of approximately 31,672 square feet.

## **Existing Sign Programs**

The shopping center has a sign program, approved by the Planning Commission in 1990 and later amended in 1991 and 2015. (Attachment 2) The sign program includes provisions for wall-mounted tenant signage and tenant identification panels on a freestanding multi-panel sign along the street (Mt Vernon Avenue). Wall-mounted signs were to be placed within a horizontal sign fascia band on storefronts, with individual letters and logos not to exceed a height of 24 inches. The two large tenants with frontages over 100 feet (“Cardenas” and “Rite Aid”) have been allowed tenant signs with heights greater than 24 inches through variance approvals by the Planning Commission but such signs were still placed with the horizontal sign fascia band. The original sign program had provisions limiting signs colors to green, and later burnt red, which has since been abandoned. The drive-through restaurant (“Jack N The Box”) has its own sign program.

## **PROPOSAL**

**Minor Deviation.** Title 18 (Zoning Code), Section 18.50.040 G.- *Permits and Review Procedures* – allows the City to consider up to 20% minor deviation from letter height, maximum sign area, or separation between signs as an administrative approval or by the Planning Commission if processed simultaneously with the Uniform Sign Program Amendment.

The applicant is proposing to increase the sign height from 48 to 57 inches which is 18.75% increase which is placed on a major tenant frontage that is approximately 200 lineal feet in length.

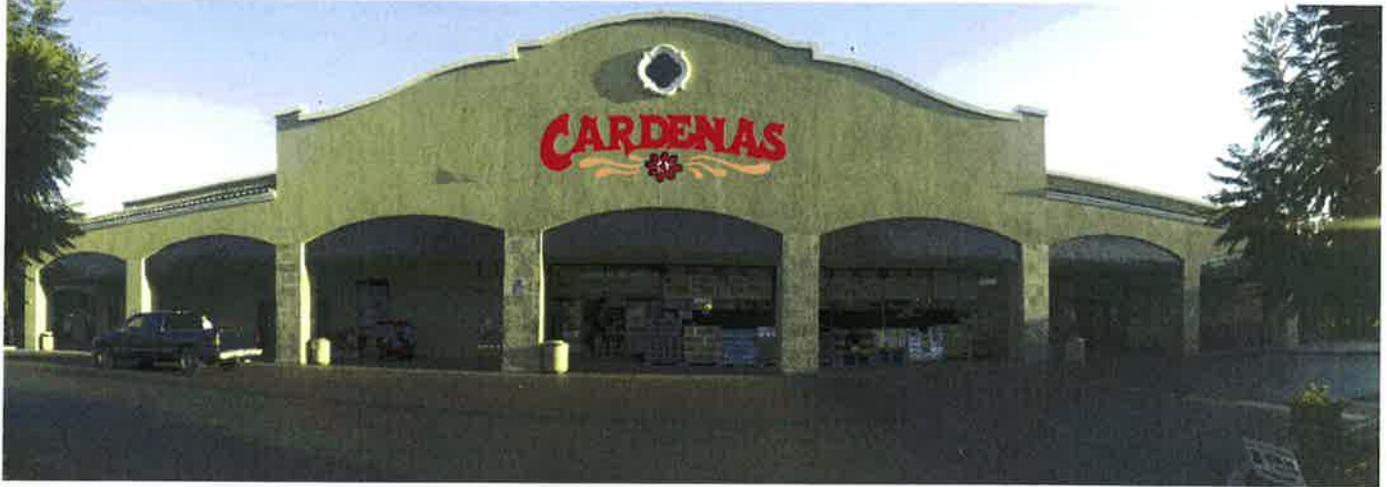
**Logos and Text of Logos.** Title 18 (Zoning Code), Section 18.50.100 - *Allowed Permanent On-Premises Sign Standards*. “*Editor's note— 2. Maximum letter height allowed is twenty-four inches, except for Signs for an individual tenant with public entrances along a Public Frontage of one hundred feet or greater of lineal feet shall be allowed letter height up to thirty-six inches. Logos and Graphics shall not exceed three feet by three feet. Logos greater than three feet by three feet are not allowed as standard Can Signs with shapes similar to rectangles, but may be Approved as contoured cabinet Signs if the Logo serves as a single Sign for the establishment, in which case the underlying maximum Sign area prevails;*” and

The Sign Code Allows one sign per public frontage for storefront tenants with an exclusive exterior entrance. Therefore, the rear wall qualifies as a public frontage and allows for the proposed sign to be proposed as part of the Uniform Sign Program.

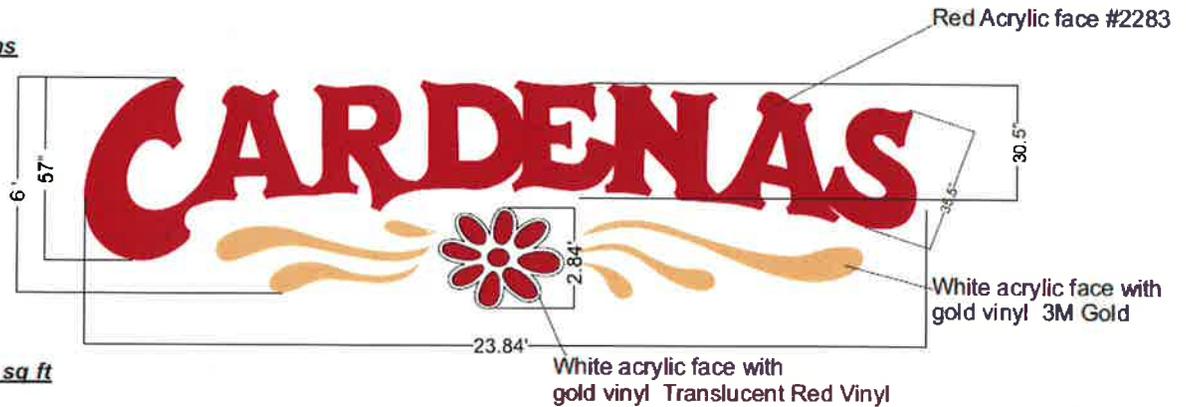
The applicant’s signage is also a registered trademark and is proposed to be placed on the front and rear side of the tenant space. The rear sign is proportionate to the building wall located close to North

Mount Vernon Avenue as possible to provide advertising of Cardenas Market for both pedestrian and drivers traveling in a northern direction on North Mount Vernon Avenue.

**SIGN A: Main Entrance CHANNEL LETTERS**



**Logo Dimensions**



**Sign Area= 145 sq ft**

**SIGN C: Rear of Building CHANNEL LETTERS**



SIGN C: Rear of Building CHANNEL LETTERS



In addition, the Cardenas will also be updating the freestanding sign to match the proposed changes. The exhibit below shows the existing and proposed. The proposed is in compliance with the existing uniform sign program.

SIGN B: Copy change on Existing Monument sign

Existing



Proposed



Description: 156" x 24"

Red Aluminum panel  
 Routed out



**ANALYSIS**

The existing buildings conform to the requirements of the C-2 zone, as shown by the table below.

**Code Compliance Table of existing site:**

Standard	Required/ Allowed	Existing	Proposed	Compliance
Lot Area	10,000 sf min.	~13 acres (site)	No change	Yes
Lot Width	80' min.	~1000' (site)		
Lot Depth	100' min.	~540' (site)		
Floor Area	1.0 FAR max	0.26 FAR (152,434 sf)		
Setbacks	East (front): 20' min. North (street side): 15' min. West/South: 15' min.- next to R zones	20'+ 15'+ 25'+		
Parking Quantity	720 spaces, based on 1:250 for retail, 1:200 for medical; 1:100 for eating	745		
<b>Tenant Space at 1067 Mount Vernon</b>				
Frontage	-	~135'	No change	-
Floor Area	-	~31,672 sf		-
Building Height	40' or 3 stories max	21'	27'	Yes

**Code Compliance for proposed signs:**

Standard	Required/Allowed	Proposed	Conformance
Number of Wall Signs.	One per wall	Two	Yes.
Wall sign area.	600 sf maximum based on 3 sf per 1 lineal ft of wall of 200'	62.6 square feet	Yes
Wall sign length.	15 feet-8-inches, based on 70% of wall of 200'	15-feet and 8- inches or 7.83%	Yes
Wall sign letter height.	48 inches maximum	57 inches	No, but may be allowed through minor deviation.
Can/cabinet signs.	Prohibited	None proposed	Yes
Relationship between signs	Location and scale	Same section; secondary sign smaller than main sign	Yes

**ENVIRONMENTAL DETERMINATION**

Categorical Exemption- Class 11. Staff analyzed the project for compliance with the California Environmental Quality Act (CEQA) compliance and recommends that the Planning Commission find that the proposed project is categorically exempt from further analysis per CEQA Guidelines Section 15311 (Accessory Structures) which pertains to construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt Planning Commission Resolution No. R-31-16 approving DAP-001-329, subject to conditions imposed by PC Resolution titled below:

**RESOLUTION NO. R-31-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING A MODIFICATION TO UNIFORM SIGN PROGRAM (FILE INDEX NO. DS 68-90) AND MINOR DEVIATION TO ALLOW AN 18.75% INCREASE IN LETTER HEIGHT FROM 48-INCHES TO 57-INCHES FOR LETTERS RELATED TO REGISTERED LOGO ON PROPERTY MEASURING APPROXIMATELY 13 ACRES IN AREA WITHIN A SHOPPING CENTER TOTALING TO OVER 1.84 ACRES IN AREA LOCATED IN THE C-2 (GENERAL COMMERCIAL) ZONE. (FILE INDEX NO. DAP-001-329)**



Prepared by:

Mario Suarez, AICP, Senior Planner



Reviewed by:

Mark R. Tomich, AICP, Director

**Attachments**

1. Draft P.C. Resolution No. R-30-16
2. Existing Uniform Sign Program
3. Exhibits to amend the Sign Program
4. Proposed Sign Plans

# **ATTACHMENT 1**

**Draft P.C. Resolution No. R-30-16**



1 2. ***That the granting of the Modification of Uniform Sign Program and Minor Deviation***  
2 ***will not be contrary to the objectives of the General Plan*** in that the allowance for the  
3 proposed signs will allow for the establishment of a retail shoe store, providing greater  
shopping opportunities for residents and visitors. The approval of the variance is  
consistent with the following General Plan goals and policies:

- 4 • General Plan Goal LU-3: *“Ensure a strong and diversified economic base to provide*  
5 *for fiscal stability and sustainability”.*
- 6 • General Plan Goal LU-9: *“Maintain a diverse mix of commercial uses that benefit the*  
7 *community in terms of needed commercial services, tax revenue, and employment*  
8 *opportunities.”*
- 9 • General Plan Policy LU-9.3: *“Encourage a unified architectural character in*  
10 *commercial areas, and vigorously enforce commercial land use standards, including*  
11 *but not limited to landscaping, signage, and property maintenance to enhance the*  
12 *visual appearance of the city’s commercial areas.”*

13 **SECTION 2.** The Planning Commission of the City of Colton, in accordance with the  
14 California Environmental Quality Act, has found that the project will not have a significant  
15 impact on the environment and is Categorical Exempt from CEQA under Article 19, Section  
16 15311 (Accessory Structures), Class 11 of the CEQA Guidelines. This section pertains to  
17 construction, or placement of minor structures accessory to (appurtenant to) existing  
18 commercial, industrial, or institutional facilities, including but not limited to: (a) On-premise  
19 signs.

20 **SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the  
21 Planning Commission hereby approves the requested **Modification to Uniform Sign Program**  
22 **and Minor Deviation (File Index No. DAP-001-329)**, subject to conditions of approval listed on  
23 the attached sheet labeled Exhibit “A”.

24 **SECTION 4.** This action by the Planning Commission shall be final unless an appeal of  
25 the action is filed with the City Clerk’s office in writing, pursuant to Section 18.58.100 of the  
26 Colton Municipal Code.

27 **SECTION 5.** This land use entitlement shall become null and void if not exercised  
28 within one (1) year of this approval and the applicant has not been granted an extension of time  
by the Planning Commission, pursuant to Section 18.58.070 of the Colton Municipal Code.

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

PASSED, APPROVED, AND ADOPTED this 23<sup>th</sup> day of August 2016.

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Planning Commission Chairperson  
Richard Prieto

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ATTEST:

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Planning Commission Secretary  
Mark R. Tomich, AICP

I hereby certify that the foregoing is a true copy of a Resolution adopted by the  
Planning Commission of the City of Colton at a meeting held on August 23, 2016, by the  
following vote of the Planning Commission:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
VACANT:

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Planning Commission Secretary  
Mark R. Tomich, AICP

**EXHIBIT ‘A’**

THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS AS SET FORTH IN THE  
CONDITIONS OF APPROVAL.

1. This approval is for a **Modification of Uniform Sign Program and Minor Deviation (DAP-001-329)** to the requirements of the Sign Code for wall-mounted signs at 1067 North Mt Vernon Avenue on the subject property, as shown on plans stamped dated June July 18, 2016, by the Development Services Department.
2. HOLD HARMLESS. The Applicant shall defend, indemnify, and hold harmless the City of Colton and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Colton, its officers, employees, or agents to attacks, set aside, void, or annul any approval or condition of approval of the City of Colton concerning this project, including but not limited to any approval or condition of approval of the city council, planning commission, or development services director. The City shall promptly notify the Applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.
3. Any requests for modifications, including any deviation from the approved plans and/or conditions of approval, shall be submitted to the Development Services Director for review, prior to implementation of the modification. Significant deviations from the approved plans or conditions of approval shall be subject to review and approval by the Planning Commission. The applicant requesting the modification shall supply information deemed necessary by the Director and/or Commission to make a determination.
4. This approval shall be effective unless the applicant signs an ‘Acknowledgment of Conditions’ form and the executed form is received by the Development Services Department.
5. This approval is granted concurrently with the approvals of a **Major Modification of Uniform Sign Program (File Index No. DAP-001-329)** for the replacement the existing sign program for the shopping center with a new sign program for exterior modifications for the subject tenant space located at 1067 N Mt Vernon, subject to review and approval by the Development Services Director..
6. Conditions imposed on prior approvals at the site shall remain in effect, except as specifically amended or superseded by these conditions.
7. Plans submitted for building plan check and construction plans shall contain an exact reproduction of these conditions of approval on one of its sheets.
8. Prior to the installation of any sign, a Sign Permit shall be obtained from the Development Services Department after applications with appropriate plans are submitted and approved including, where applicable, through the plan check process approved by the Building Division.

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9. The applicant shall relocate the sign located at the rear elevations to provide a minimum of 12- to 24-inches from the bottom of the parapet fascia to provide a more proportionate placement of the sign, subject to review and approval by the Development Services Director.

# **ATTACHMENT 2**

**Existing Uniform Sign Program**

# PLAZA LAS GLORIAS SHOPPING CENTER

COLTON, CALIFORNIA

## SIGN PROGRAM

### PROJECT LOCATION:

1043 – 1199 N. Mt. Vernon Ave., Colton, CA 92324

PREPARED BY:



**RELIABLE PROPERTIES**

6399 Wilshire Blvd., Ste. #604  
Los Angeles, CA 90048  
Phn: (323) 653-3777  
Fax: (323) 651-4011

DAF-001-213

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Tenant Signage Design Guidelines 1.3  
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Prohibited Tenant Signs 1.5

EXHIBITS:

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Exhibit B – PTS Pad Tenant Sign Details 3.1  
Exhibit C – MATS Major Anchor Tenant Sign Details 3.2  
Exhibit D – SMATS Special Major Anchor Tenant Sign Details 3.3  
Exhibit E – ATS Anchor Tenant Sign Details 3.4  
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Exhibit H – ATMS Existing ATM Sign 3.7  
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Exhibit L – WG Window Graphics 5.1

PROJECT INFORMATION:

CONTACTS:

**LANDLORD:**  
Reliable Properties  
6399 Wilshire Blvd.  
Los Angeles, CA 90048  
Contact: Reliable Properties  
(323) 653-3777 Phone  
(323) 651-4011 Fax

**CITY PLANNING**  
City of Colton Planning Department  
659 N. La Cadena Drive  
Colton, CA 92324  
Contact: Colton Planning Department  
(909) 370-5079 Phone  
(909) 783-0875 Fax

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## **Purpose & Intent**

The following criteria have been established for the purpose of assuring a consistent sign design program for the mutual benefits of all Tenants. Flexibility of design is encouraged, yet at the same time, overall visually harmony needs to be maintained. Conformity with these criteria will be enforced by the Landlord and the City of Colton. Any sign that is non-conforming or unapproved will be brought into conformity at the expense of the Tenant.

DAP. 001. 213

# Tenant Signage Submittals & Approvals

There is a formal process for the development, review, and approval of business identification signs at this Shopping Center. All Tenant signage is subject to the Landlord's written approval. Approval will be granted based upon the following:

1. Design, fabrication, and method of installation of ALL signs shall conform to this sign program.
2. Proposed signage is in harmony with adjacent signage conditions.

## A. Submittal To Landlord:

Tenant shall submit three (3) copies of detailed shop drawings to Landlord for approval prior to City submittal or sign fabrication. Sign drawings are to be prepared by a sign contractor with a Class C-45 California state contractor license. All signs must conform to the City Requirements of the City's Planning & Building Departments, and this Sign Program.

Submittals shall include the following:

### Front Elevations:

Scaled elevations of Tenant's sign depicting the proposed sign design and all the dimensions as they relate to the Tenant's sign.

### Shop Drawings:

Fully dimensioned and scaled shop drawings specifying exact dimensions, copy layout, type styles, materials, colors, means of attachment, illumination, electrical specifications, and all other details of construction.

### Site Plan:

Fully dimensioned and scaled site plan specifying sign location(s) and setbacks.

## B. Submittal To City:

Three (3) full sets of plans must be approved by Landlord prior to permit application. Tenant shall handle the city submission and will be responsible for completion of all appropriate applications, payment of any fees and acquisitions of all applicable Planning & Building Department permits.

## C. Tenant's Responsibility:

1. All Sign Contractors must be fully Insured by an admitted insurance carrier for the total aggregate amount of One Million Dollars (1,000,000) and provide proof of insurance acceptable to the Landlord. Landlord must received the Sign Contractor's Certificate of Insurance naming Landlord as an Additional insured prior to installation.

2. The Landlord may, at his discretion and at the Tenant's expense, correct, replace, or remove any sign that is installed without written approval.

3. Tenant shall be responsible for the following expenses relating to the signage at his or her building:

- 100% of approval and permit processing costs and application fees.
- 100% of costs for sign fabrication and installation.
- All costs relating to sign removal, including repair of any damage to the building.
- Tenant to provide wiring, Power, and final hook up from Landlord's house panel to J-box.

DAP.001.213

# Tenant Signage Design Guidelines

The purpose of establishing these designs guidelines is to ensure that each Tenant sign will contribute to the center's success. High quality signage, which reflects the integrity of the architecture, is required. Tenant individual signs should incorporate a diversity of sign styles, icons, and materials.

## A. Materials

Tenant signage should incorporate the following acceptable materials subject to City approvals.

- All tenant signs shall consist of individual channel letters and/or logos.
- Approved signs to be fabricated from minimum .063 aluminum pan channel construction.
- Illumination to be LED.

## B. Illumination

Tenant signage should incorporate one or more of the following Lighting methods subject to Landlord and City approval:

- Reverse/Halo illumination
- Silhouette illumination
- Fiber optics
- Individually internal L.E.D. illumination

## C. Placement and Position

Tenant signage should be aligned along the existing horizontal sign fascia band, including signs along the rear (west) face.

## D. Sign Colors and Finishes

All tenants color must be approved by the Landlord, Governing Agencies and City prior to fabrication. To assist in achieving a

harmonious blend of colors throughout the center, the following guidelines are to be adhered to:

- Sign colors should be selected to provide sufficient contrast against building background colors and be compatible with them.
- Colors within each sign should be compatible.

## E. Typestyles and Logos

The use of logos and distinctive typestyles are encouraged for all Tenant signs. Tenants may adapt established typestyles and logos. Logos are permitted and must be architecturally compatible with the building elevations and approved by Landlord.

## F. Sizes and Quantities

Sizes and quantities for tenant signs shall be outlined in this criteria for each sign type. Notwithstanding, the maximum square footage specified for copy area allowances, adequate amounts of visual open space shall be provided around wall signs so that they appear balanced and in scale in relation to their backgrounds.

All signs which do not meet the requirements of this sign program and City of Colton Sign Code but which have been previously approved by the City and issued permits can remain unless a substantial alteration to sign is made.

Tenant necessitating a larger signage and/or multiple signs than standard guidelines established in this Sign Program and City of Colton Sign Code may request to City of Colton Planning Department for Modification of Uniform Sign Program or Variance with Landlord approval.

## Tenant Signage Fabrication Requirements

Fabrication and installation of all signs shall be subject to the following restrictions:

- A. All signs shall be fabricated and installed with UL approved components and be in compliance with all building and electrical codes.
- B. All signs shall be fabricated and installed with no visible screws, seams, rivets, or fastening devices.
- C. Signs shall be made of durable rust inhibited materials that are appropriate and complementary to the building.
- D. Sign manufacturer shall supply a UL label in an inconspicuous location.
- E. Paint colors and finishes must be reviewed and approved by the Landlord.
- F. Neon tubing and Fluorescent lamps are not permitted, unless approved by Landlord.
- G. Letter faces shall be attached to returns using a continuous weld. Light leaks between face and returns will not be permitted.
- H. Letters shall be installed pin-mounted using threaded rods or anchor bolts. Spacers shall be non-corrosive, and painted to match building color. All bolts and mounting devices shall consist of porcelain finished iron, stainless steel, aluminum or carbon bearing steel with painted finish. Angle clips attached to letter sides will not be permitted.
- I. All sign finishes shall be free of dust, orange peel, drips, and runs. Finishes should have uniform coverage and be of the highest quality.

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# Prohibited Tenant Signs

The following signs are prohibited by the Landlord:

- Temporary wall signs, pennants, flags, banners, inflatable displays, or sandwich boards unless specifically approved by Landlord and subject to City approval.
- Exposed junction boxes, transformers, lamps, tubing, conduits, raceways, or neon crossovers of any type (except for interior of space).
- Pre-manufactured signs, such as franchise signs, subject to Landlord approval.
- Paper, cardboard or Styrofoam signs, stickers, or decals hung around, on, or behind window and/or storefront shall be limited to a maximum fifty percent (50%) of the glass area to allow visibility into the establishment for security purposes.

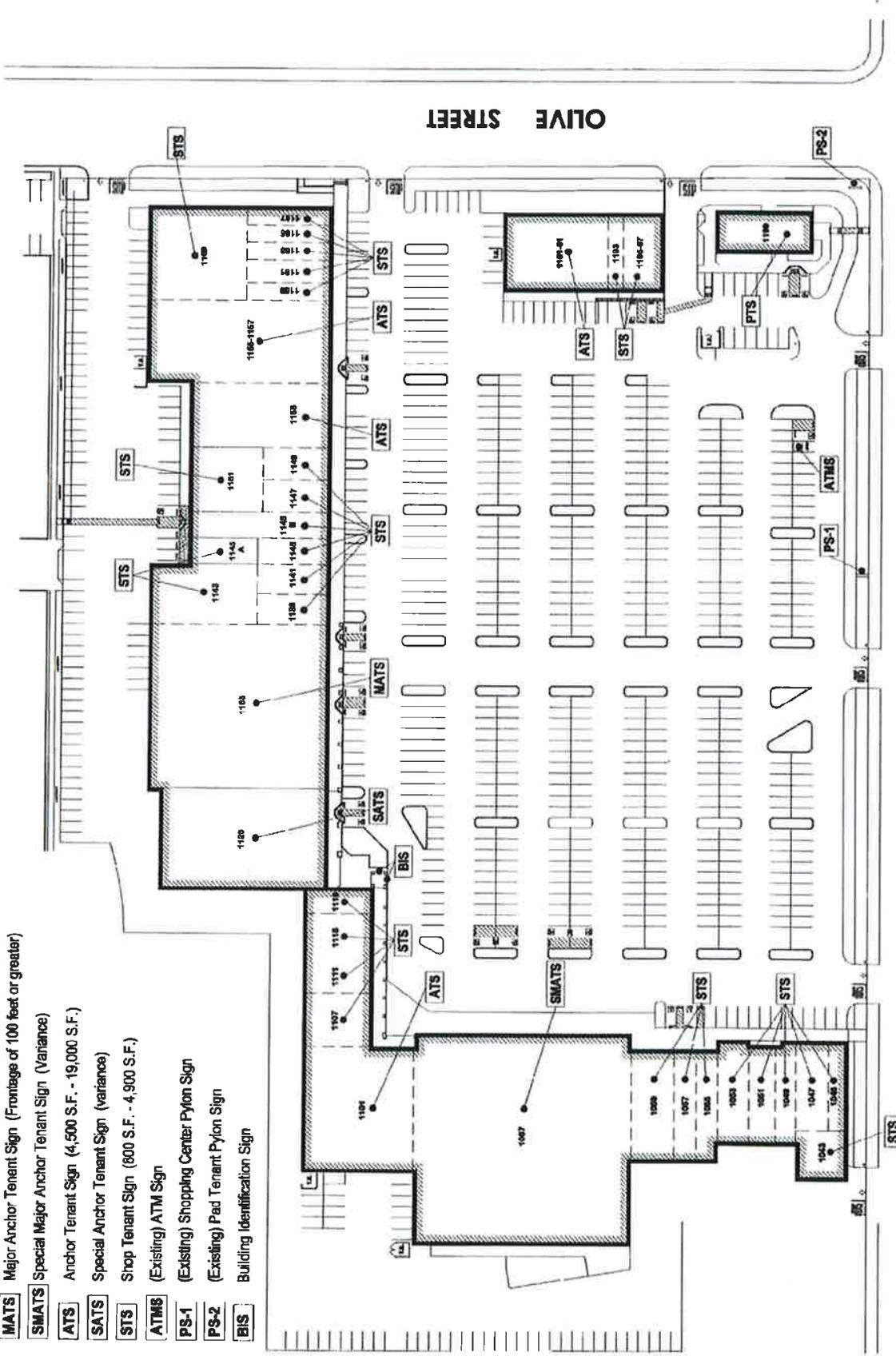
Exposed fastenings, unless fastenings make an intentional statement.

- Animated lights or other "moving" sign components, except where specifically approved by the Landlord.
- Rooftop signs, signs projecting above roof lines or parapets, unless approved by Landlord.
- Advertising or promotional signs on parked vehicles, except where specifically approved by the Landlord.
- Cabinet, canister (can) signs / Article J. - Prohibited Signs (Sec. 18.50.070), except allowed by Sec. 18.50.100.

DMP.001.213

**SIGN INVENTORY:**

- PTS** Pad Tenant Sign (Freestanding Building)
- MATS** Major Anchor Tenant Sign (Frontage of 100 feet or greater)
- SMATS** Special Major Anchor Tenant Sign (Variance)
- ATS** Anchor Tenant Sign (4,500 S.F. - 19,000 S.F.)
- SATS** Special Anchor Tenant Sign (variance)
- STS** Shop Tenant Sign (800 S.F. - 4,900 S.F.)
- ATMS** (Existing) ATM Sign
- PS-1** (Existing) Shopping Center Pylon Sign
- PS-2** (Existing) Pad Tenant Pylon Sign
- BIS** Building Identification Sign



MOUNT VERNON AVENUE

DAF.001.213



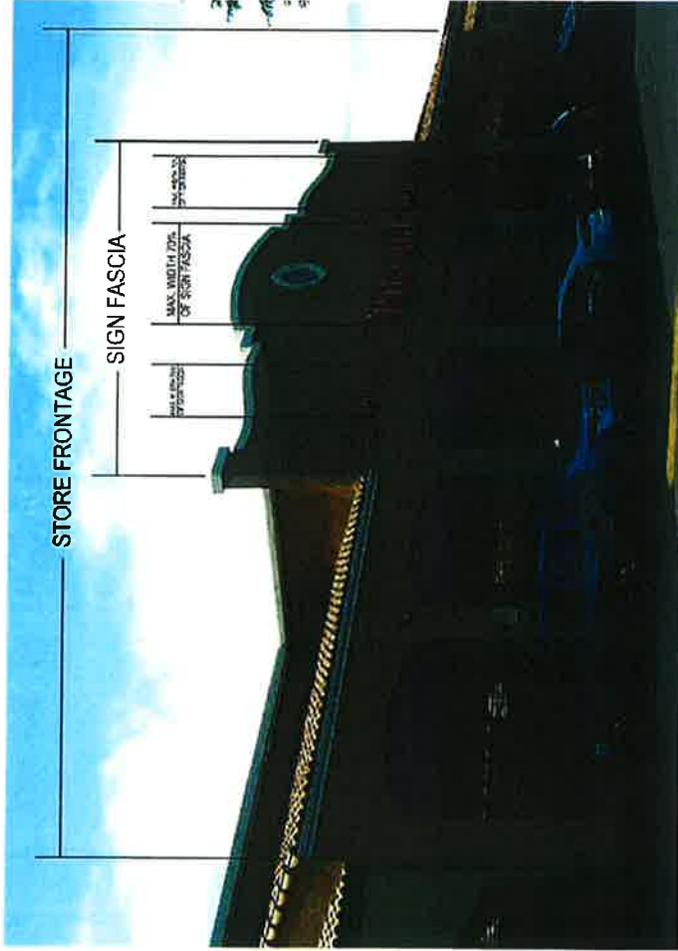
PAD TENANT WALL ELEVATION

**PTS**

**Pad Tenant Sign**

- Materials:** Tenant signage to consist of logo cabinet sign fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Location:** Multiple signs permitted: 1 pole sign, 2 wall signs, 2 directional signs, 1 preview menu, and 1 speaker order menu. Approved by Design Review Committee on 12-4-2000 (File Index No. DS-105-00)
- Allowable Sign Area:** The surface area of sign shall be maximum of 3 sq. ft. per linear foot of lease store frontage.
- Sign Height:** Maximum sign height per Design Review Committee approval on 12-4-2000 (File Index No. DS-105-00). Signage may be single or double lines spread to multiple signs on the same fascia.
- Letter/Logo Height:** Maximum letter/logo height per Design Review Committee approval on 12-4-2000 (File Index No. DS-105-00).
- Sign Length:** Maximum of 70% of width of feasible store frontage.
- Colors:** Tenant's choice with Landlord approval.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All façade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.

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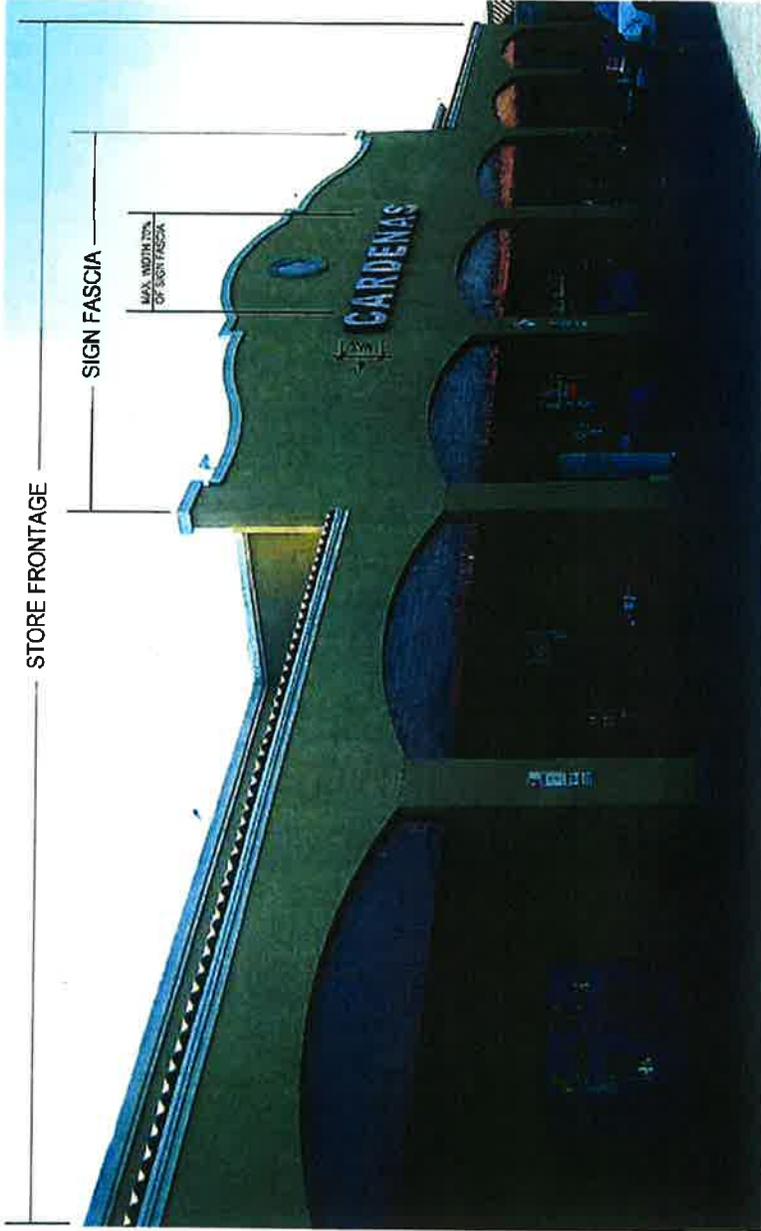


DAF-001-213

**MATS Major Anchor Tenant Sign**

**MAJOR ANCHOR TENANT WALL ELEVATION**

- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Area:** The surface area of sign shall be maximum of 3 sq. ft. per linear foot of lease store frontage.
- Allowable Sign Location:** Tenant at building corner lease space can have signs on both sides of frontage and if Tenant's lease space has 3-public frontage, Tenant can have signs on 3 sides.
- Sign Height:** Maximum sign height shall not exceed 36". Signage may be single or double lines spread to multiple signs on the same fascia.
- Secondary Sign Letter/Logo Height:** Sign Variance for 2 additional secondary signs (File Index No.: DSV-9-92) approved by Planning Commission on 4-14-1992.
- Sign Length:** Maximum of 36" letter /logo total height for single line or double line.
- Colors:** Maximum of 70% of width of leasable store frontage.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Tenant's choice with Landlord approval.  
Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination).  
All façade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.
- Exception:** All signs which do not meet the requirements of signage guide line above and City of Colton Sign Code but which have been previously approved and issued permits can remain unless a substantial alteration to sign is made.

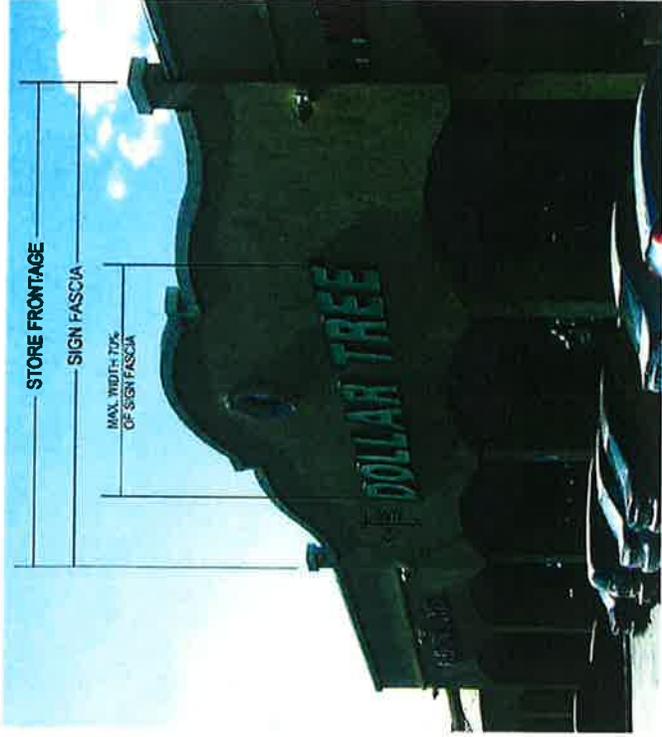


DAW-001-213

**SPECIAL MAJOR ANCHOR TENANT WALL ELEVATION**

**SMATS Special Major Anchor Tenant Sign**

- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Area:** The surface area of sign shall be maximum of 3 sq. ft. per linear foot of lease store frontage.
- Sign Height:** Maximum sign height shall not exceed 48". Signage may be single or double lines spread to multiple signs on the same fascia. Major Modification of Sign Program (File Index No.: DS-30-91) approved By Planning Commission on 7-9-1991.
- Letter/Logo Height:** Maximum of 48" letter/logo height.
- Sign Length:** Maximum of 70% of width of leasable store frontage.
- Colors:** Tenant's choice with Landlord approval.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All façade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.

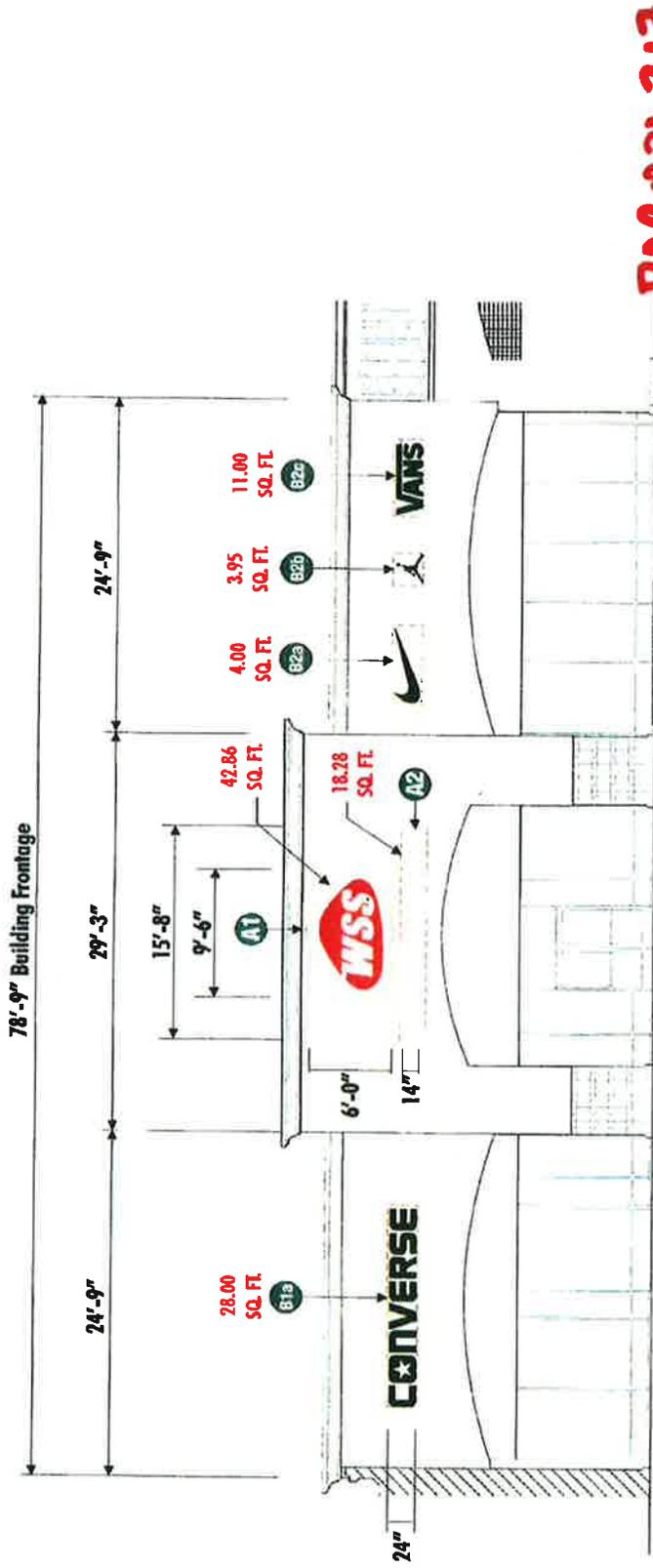


**DAD-001-213**

TYPICAL ANCHOR TENANT WALL ELEVATION

**ATS** **Anchor Tenant Sign**

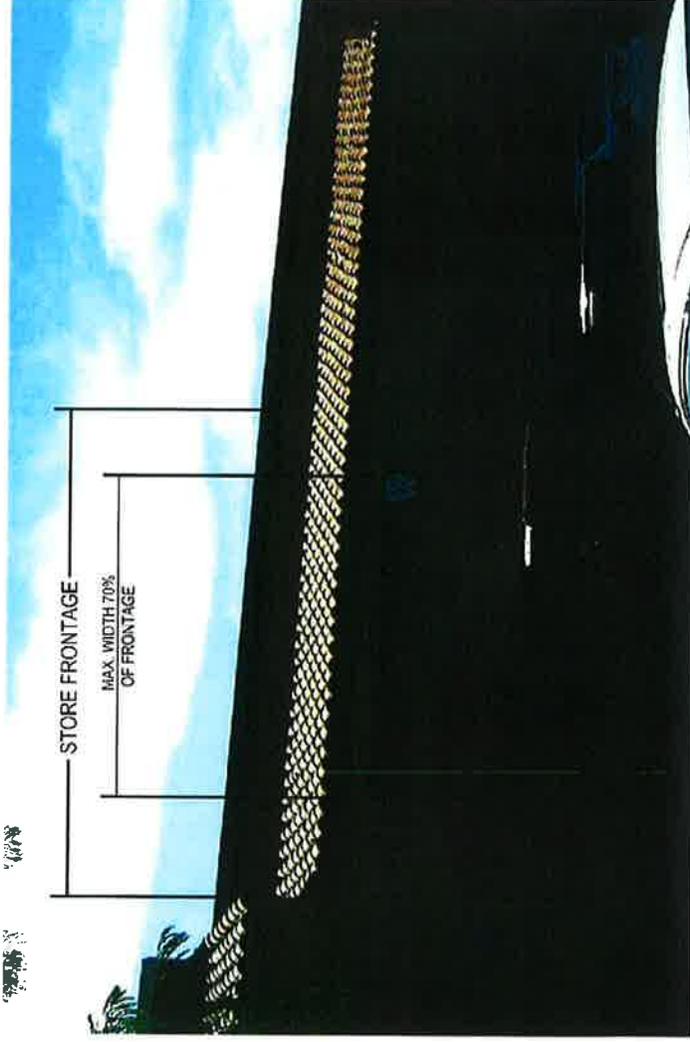
- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Area:** The surface area of sign shall be maximum of 3 sq. ft. per linear foot of lease store frontage.
- Allowable Sign Location:** Tenant at building corner lease space can have signs on both sides of frontage and if Tenant's lease space has 3-public frontage, Tenant can have signs on 3 sides.
- Sign Height:** Maximum sign height shall not exceed 24 inches. Signage may be single or double lines spread to multiple signs on the same fascia.
- Logo/Graphic size:** Maximum of 36 inches by 36 inches.
- Sign Length:** Maximum of 70% of width of leasable store frontage.
- Colors:** Tenant's choice with Landlord approval.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All façade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.
- Exception:** All signs which do not meet the requirements of signage guide line above and City of Colton Sign Code but which have been previously approved and issued permits can remain unless a substantial alteration to sign is made.



**SPECIAL ANCHOR TENANT SIGNS**

**SATS Special Anchor Tenant Sign**

- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Location:** Total of six wall signs (file Index No. DAP-001-213) of Variance is granted by Planning Commission June 9, 2015. Signage may be single or double lines spread to multiple signs on the same fascia.
- Allowable Sign Area:** The surface area of sign shall be maximum of 7.3 sq. ft. per linear foot of lease store frontage.
- Primary Sign:** Two illuminated tenant identification signs, consisting of a company logo graphic sign that includes channel letter text and a channel letter sign. A maximum letter height of 36 inches allowed for the text copy within graphic logo.
- Secondary Sign:** Four non-illuminated product identification logos within a 24 inches high horizontal band. A maximum logo/graphic length of 5'-3" for one of the logos, and maximum overall sign length of 70.25 feet is allowed.
- Sign Length:** Maximum of 89.3% of width of leasable store frontage.
- Colors:** Tenant's choice with Landlord approval.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All façade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.



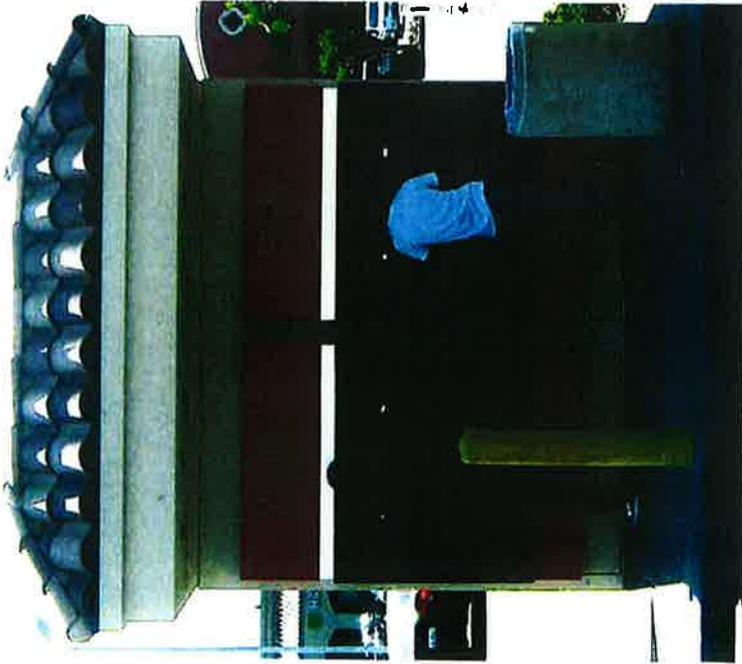
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**STS**

**Shop Tenant Sign**

TYPICAL SHOP TENANT WALL ELEVATION

- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Area:** The surface area of sign shall be maximum of 3 sq. ft. per linear foot of lease store frontage.
- Allowable Sign Location:** Tenant at building corner lease space can have signs on both sides of frontage and if Tenant's lease space has 3-public frontage, Tenant can have signs on 3 sides.
- Sign Height:** Maximum sign height shall not exceed 24 inches. Signage may be single or double lines spread to multiple signs on the same fascia.
- Logo/Graphic size:** Maximum of 36 inches by 36 inches.
- Sign Length:** Maximum of 70% of width of leasable store frontage.
- Colors:** Tenant's choice with Landlord approval.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All Façade signs must have LED illumination unless existing neon. Flush to wall, with transformers located remotely.
- Installation:** All signs which do not meet the requirements of signage guide line above and City of Colton Sign Code but which have been previously approved and issued permits can remain unless a substantial alteration to sign is made.
- Exception:**



**ATMS**

**(Existing) ATM Sign**

**Materials:**

Tenant signage to consist of letters and logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)

**Allowable Sign Location:**

Freestanding ATM can have signs on two sides.

**Sign Height:**

Maximum sign height shall not exceed 24 inches. Signage may be single or double lines spread to multiple signs on the same fascia.

**Letter/Logo Height:**

Maximum of 36 inches by 36 inches letter /logo for single line or double line.

**Sign Length:**

Maximum of 70% of width of leasable frontage.

**Colors:**

Tenant's choice with Landlord approval.

**Typeface:**

Tenant's choice with Landlord approval.

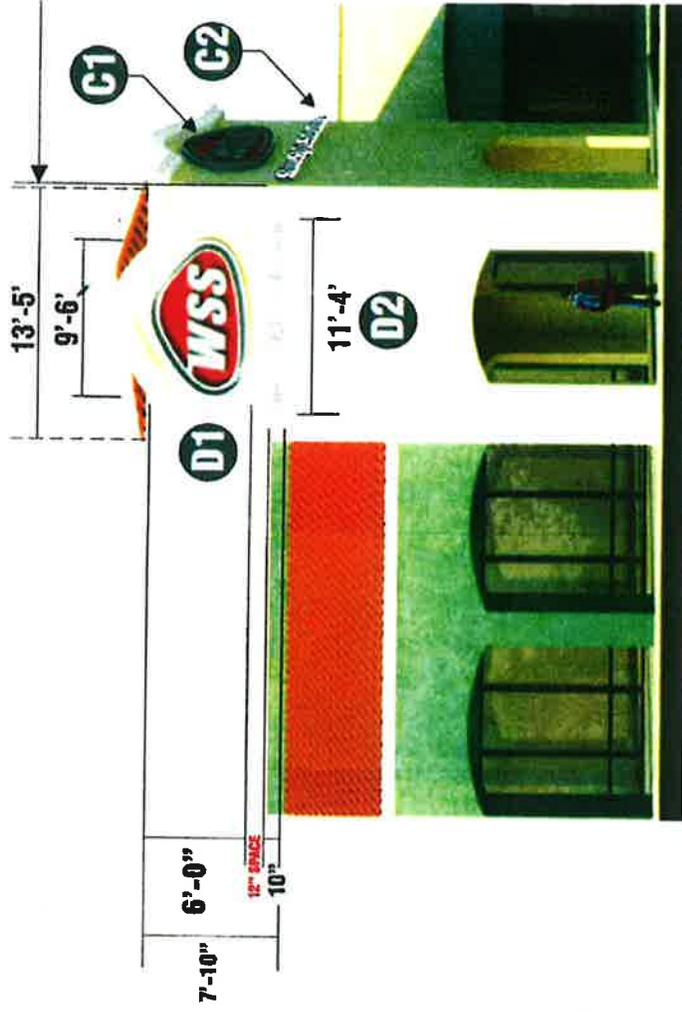
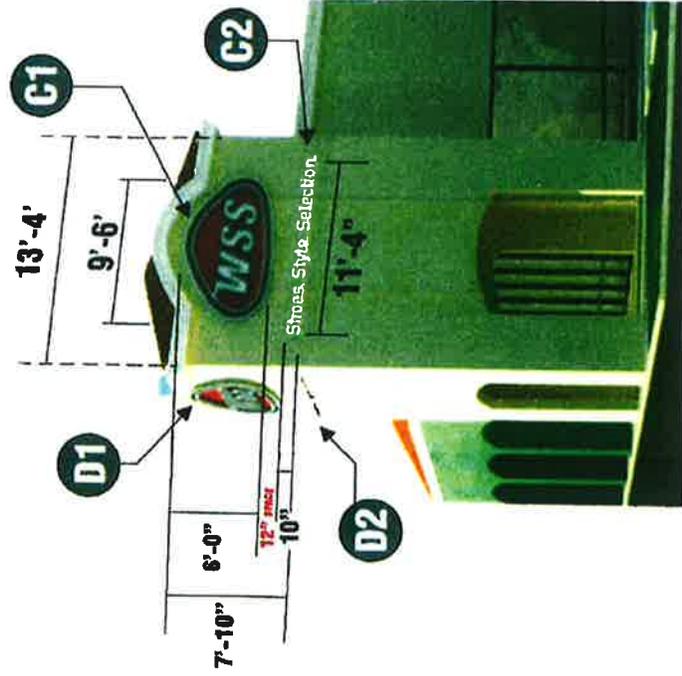
**Illumination:**

letter & logo must be individual internally illuminated LED.

**Installation:**

Flush to wall, with transformers located remotely.

DAF 001.213



### BUILDING/SHOPPING CENTER OR THE NAME OF ONE OF THE TENANTS ON SITE IDENTIFICATION SIGNS

#### BIS

#### Building Identification Sign

- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Area:** On south and east facades of the architectural tower canopy element attached to the tenant space at 1119 N. Mt. Vernon. Both signs shall have the same copy and state either the name of building/shopping center, or the name of one of the tenants on site, as chosen by Landlord.
- Sign Height:** Maximum sign height shall not exceed an overall height of eight feet and provide a minimum 12 inch distance to edges of the fascia. Signage may be single or double lines spread to multiple signs on the same fascia.
- Letter/Logo Height:** Maximum height of eight feet /logo total height for single line or double line.
- Sign Length:** Maximum of 85% of width of tower facade.
- Colors:** Landlord choice or Tenant's choice with Landlord approval.
- Typeface:** Landlord choice or Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All Façade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.

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DM.001.213

**PS-1 (Existing) Shopping Center Pylon Sign**

**Materials:** Double-sided existing freestanding pylon sign. Existing fabricated aluminum cabinet textured and painted with white acrylic plastic face and color vinyl overlay copy or graphic. painted to match building's color.

**Quantity:** One (1) adjacent to the middle driveway of shopping center at Mt. Vernon Ave.

**Typeface:** Helvetica Medium or Recognized Tenant Logo.

**Illumination:** Internally illuminated with fluorescent lamps or L.E.D. illumination.



**DMA.001.213**

**PS-2 (Existing) Pad Tenant Pole Sign**

**Materials:** Double-sided existing freestanding pylon sign. Existing fabricated aluminum cabinet painted with color acrylic plastic face copy and graphic.

**Quantity:** One (1) at northeast corner of the shopping center (corner of Mt. Vernon Ave. & Olive St.).

**Typeface:** Recognized Tenant Logo.

**Illumination:** Internally illuminated with fluorescent lamps or L.E.D. illumination.



**WG Window Graphics**

Materials: letters, logos or products and services graphics on window glass.

Allowable Sign Area: The surface area of window signage shall not exceed 50% of individual window area, unless approved by Landlord.

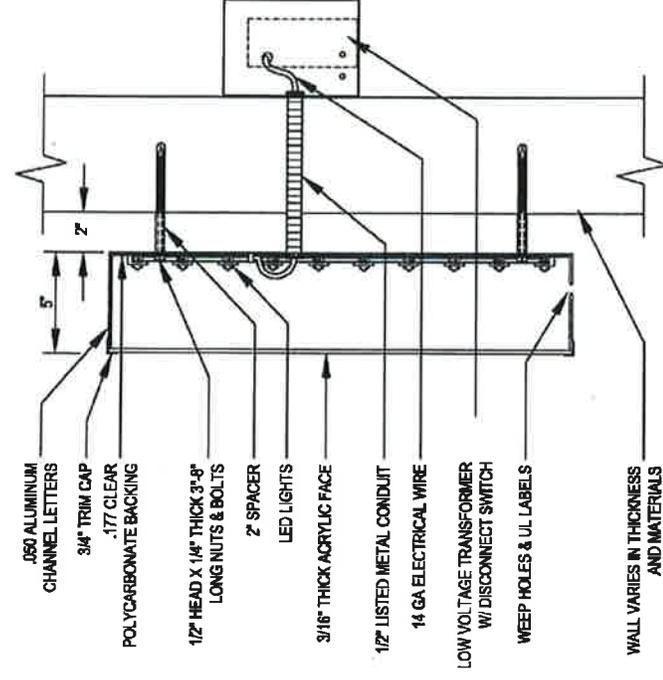
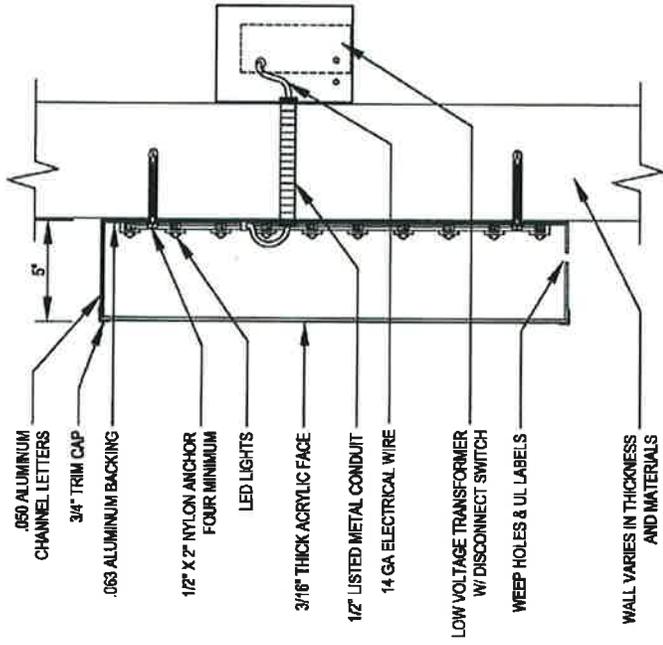
Typeface: Tenant choice with Landlord approval.

Color: Tenant choice, with Landlord approval.

Store advertising on window are subject to Landlord approval.

**Typical Window Graphics**

**AM.001.213**



## FRONT LIT CHANNEL LETTERS

## FRONT & BACK LIT CHANNEL LETTERS

PRIMARY POWER TO BE PROVIDED WITHIN (5) FEET OF EACH SIGN LOCATION. ELECTRICAL REQUIREMENTS ARE (1) 20 AMP 120 V CIRCUIT PER SIGN.

ALL COMPONENTS -UL APPROVED

**DAF.001.213**

# **ATTACHMENT 3**

**Exhibit to amend the Sign Program**



JUL 18 2016  
CITY OF COLTON  
DEVELOPMENT SERVICES DEPARTMENT

SPECIAL MAJOR ANCHOR TENANT WALL ELEVATION

**SMATS Special Major Anchor Tenant Sign**

- Materials:** Tenant signage to consist of individual channel letters and optional logo fabricated from min. 0.050 aluminum with 3/16" translucent pigmented acrylic faces. (See Design Guidelines, Page 1.4)
- Allowable Sign Area:** The surface area of sign shall be maximum of 3 sq. ft. per linear foot of lease store frontage.
- Sign Height:** Maximum sign height shall not exceed 6'. Signage may be single or double lines spread to multiple signs on the same fascia. Major Modification of Sign Program (File Index No. DAP 001-329)
- Letter/Logo Height:** Maximum Logo/Graphic height 6' and maximum overall length 23.84' is allowed Pursuant to city code 18.50.100 Editors Note 4.
- Sign Length:** Maximum of 70% of width of leasable store frontage.
- Colors:** Tenant's choice with Landlord approval.
- Typeface:** Tenant's choice with Landlord approval.
- Illumination:** Channel letter & logo must be individual internally illuminated LED or indirectly illuminated by means of internal LED casting light back onto the building fascia through a clear acrylic back lense (known as "halo" illumination). All facade signs must have LED illumination unless existing neon.
- Installation:** Flush to wall, with transformers located remotely.

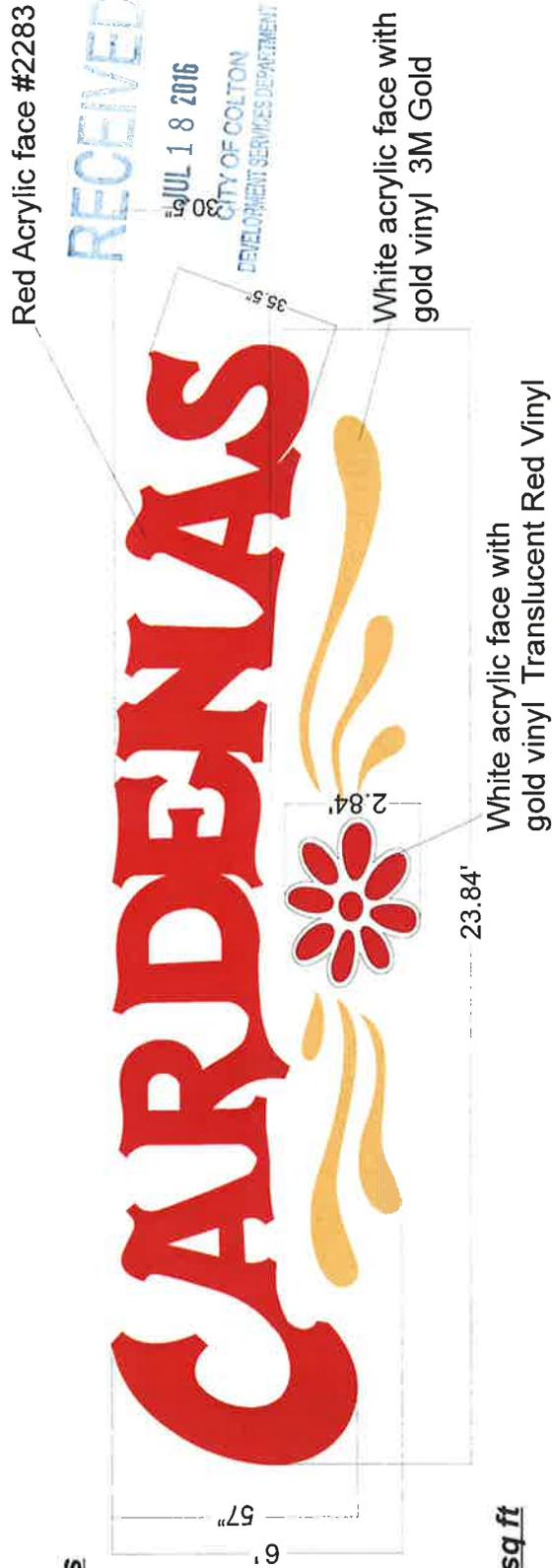
# **ATTACHMENT 4**

## **Proposed Sign Plans**

**SIGN A: Main Entrance CHANNEL LETTERS**



**Logo Dimensions**



**Sign Area = 145 sq ft**

\*\* PROOF APPROVAL \*\*

By signing here, I verified that spelling and content are correct. I understand that my document will print with the information as it appears here, that I assume all responsibility for typographical errors, colors, and that any changes once my order is in production will be billed separately. This is only a sketch. Actual colors may vary. These proofs may look different depending on the monitor or printer used. If color matching is desired, please pick a color # from our \*\*\* FOR CUSTOMERS ONLY \*\*\* Please choose one option.

1  Yes ACCEPTED PLEASE BEGIN JOB  
 Yes ACCEPTED BUT MAKE THESE CHANGES & BEGIN JOB  
 NO PLEASE BEGIN ME ANOTHER PREVIEW (\$25.00) (MOST ORDERS INCLUDE 2 FREE PREVIEWS)

2 Name: \_\_\_\_\_ Last: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_



Take a picture with your phone or scan it &  
 SEND SIGNED PROOFS TO sales@signumlux.com

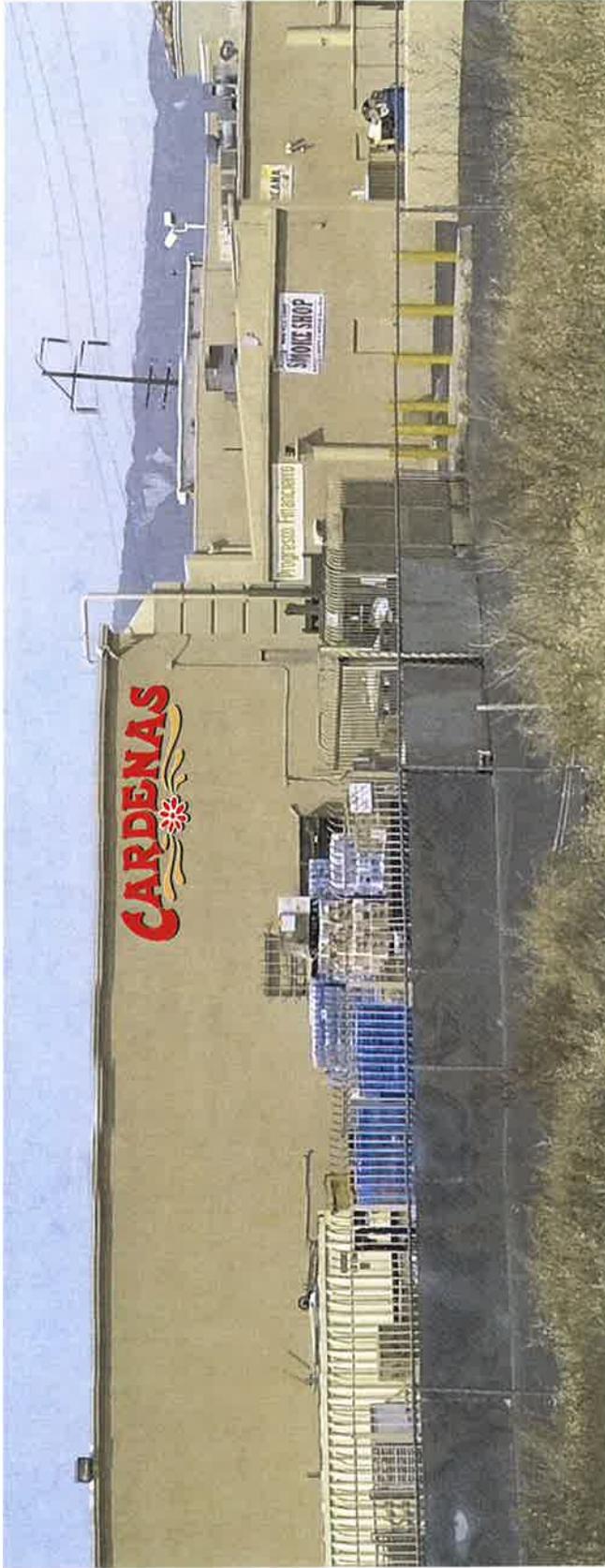
This drawing is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any form. Ownership of this design is held by Signum Lux Corp. Authorization to use this design in any fashion must be obtained in writing from Signum Lux Corp. NOTE: The colors and sizes depicted here are a graphic representation. Actual colors may vary.

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 N. Ontario, CA 91761  
 Tel: (909) 947-1237 Fax: (909) 657-0517  
 Sales@SignumLux.com www.SignumLux.com



RECEIVED  
 JUL 18 2016  
 CITY OF COLTON  
 DEVELOPMENT SERVICES DEPARTMENT

**SIGN C: Rear of Building CHANNEL LETTERS**



Red Acrylic face

White acrylic face with gold vinyl 3M Gold



White acrylic face with gold vinyl Translucent Red Vinyl

**Sign Area = 62.6 sq ft**

**\*\* PROOF APPROVAL \*\***  
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**YES** ACCEPTED PLEASE BEGIN JOB  
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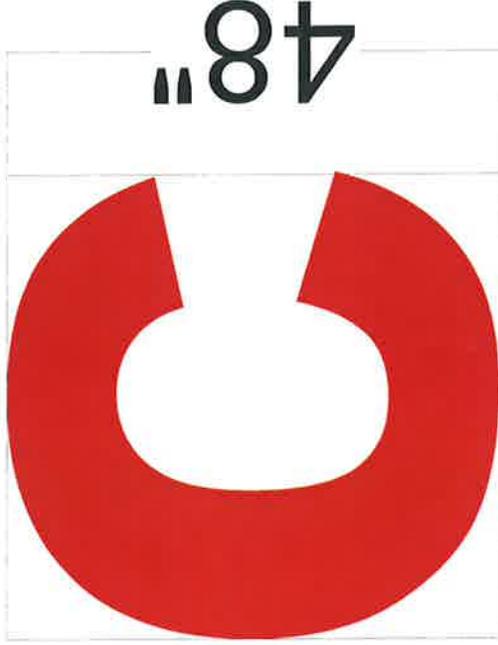
**SIGN A & C: Application for 20% variance**

Due:

**SUGGESTED LETTER**



**EXISTING LETTER**



**20%**  
**HEIGHT DIFFERENCE**

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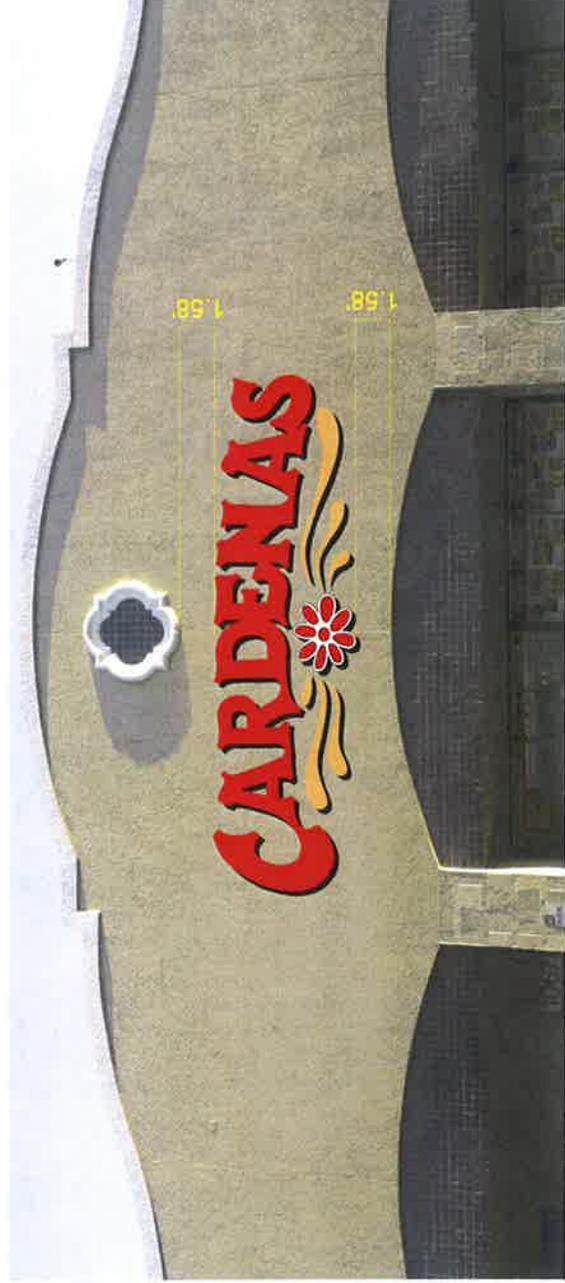


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Sign height is 1/3th of total wall height



Suggested placement



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SIGN B: Copy change on Existing Monument sign

Existing



Description: 156" x 24"

Red Aluminum panel  
Routed out

Proposed



3M Red vinyl

White Acrylic



3M Gold Vinyl

\*\* PROOF APPROVAL \*\*

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**SIGN C: Rear of Building**

217'  
Frontage



Close up



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(MOST ORDERS INCLUDE 2 FREE PREVIEWS)

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Date: \_\_\_\_\_

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Due:



Scale 1" = 133'

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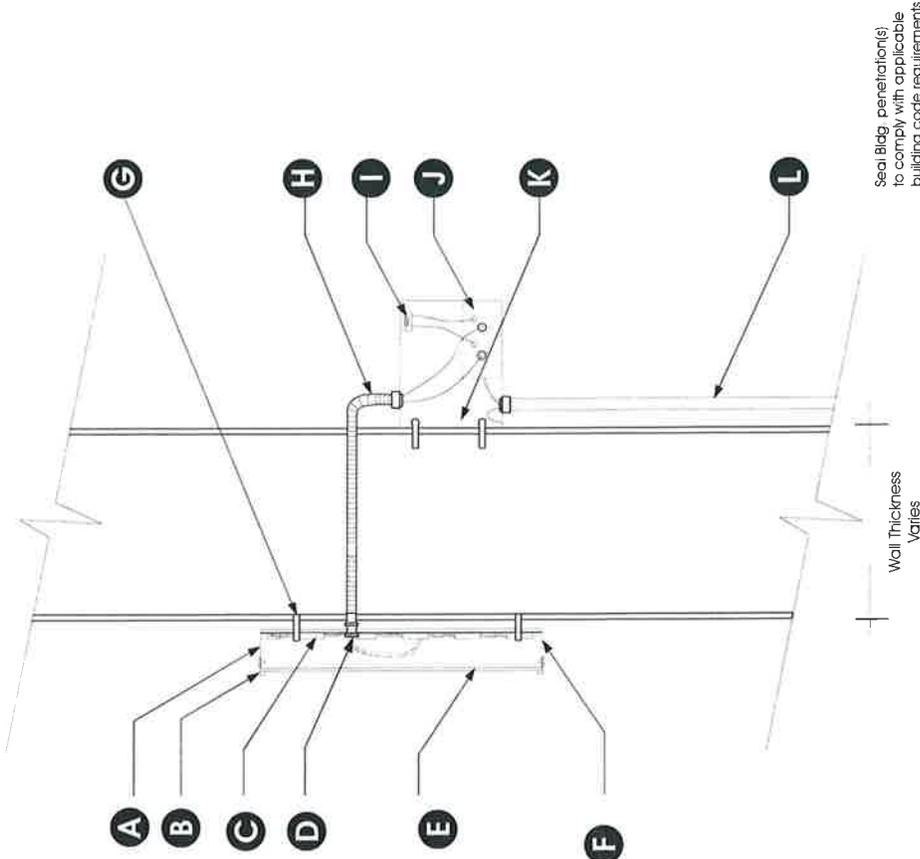
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SMART CHOICES INCLUDE 2 FREE PREVIEW(S)

1 Name: \_\_\_\_\_ Last: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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**Construction Details:**

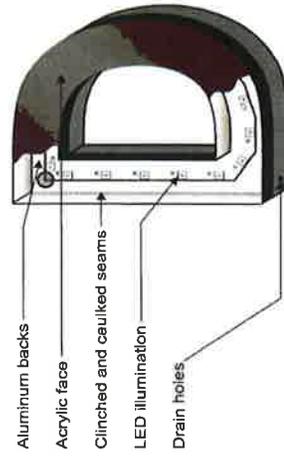


Front And Back-Lit, Plex-Face Channel Letters w/ LED - SECTION

Seal Bldg. penetration(s) to comply with applicable building code requirements

Wall Thickness Varies

<b>A</b>	Aluminum Coil Returns (Black)
<b>B</b>	1" Trim Cap
<b>C</b>	LEDs
<b>D</b>	Conduit Locknut
<b>E</b>	3/16" Plastic Face
<b>F</b>	Drain Holes
<b>G</b>	At least 4 per letter Use 3/8" Concrete Expansion Anchors 1 1/2"
<b>H</b>	Listed flex conduit (metal shown)
<b>I</b>	Listed disconnect switch in primary to be within sight (max. 50ft.) of sign.
<b>J</b>	12 VDC Power supply
<b>K</b>	Grounded continuous sheet metal enclosure ("sheet metal raceway with sheet metal cover).
<b>L</b>	Primary electrical source 120V



Aluminum backs  
Acrylic face  
Clinched and caulked seams  
LED illumination  
Drain holes

**ELECTRICAL NOTES**  
 Sign Company DOES NOT provide primary electrical to sign.  
 Power to the sign must be done by a licensed electrical contractor or licensed electrician.  
 Each sign must have:  
 1. A minimum of one dedicated 120V 20A circuit  
 2. Junction box installed within 6 feet of sign  
 3. Three wires: Line, Ground, Neutral

All Sign Components to be UL Listed or Recognized.

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 411 & 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.**

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**Yes** ACCEPTED PLEASE BEGIN JOB  
 **Yes** ACCEPTED BUT MAKE THESE CHANGES & BEGIN JOB  
 **NO** PLEASE REMOVE ANOTHER PREVIEW (\$25.00)  
(SHORT ORDERS INCLUDE 2 PREVIEW IMAGES)

**1** Name: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**2** Last: \_\_\_\_\_  
 Date: \_\_\_\_\_



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# Planning Commission Staff Report

City of Colton  
Development Services Department

<b><u>TYPE OF ACTION:</u></b>	Recommendation to City Council
<b><u>MEETING DATE:</u></b>	August 23, 2016
<b><u>FILE INDEX NUMBER:</u></b>	DAP-001-277-B SDA-O ZONE - LA CADENA/TROPICA RANCHO ROAD AREA
<b><u>APPLICANT:</u></b>	City-initiated
<b><u>PROJECT DESCRIPTION:</u></b>	Modification of Recommendation to City Council of Application for SENSITIVE DEVELOPMENT AREA-OVERLAY ZONE CHANGE/TEXT AMENDMENT & GENERAL PLAN UPDATE FOLLOW-UP (File Index No. DAP-001-277). Zone Change to amend the City Zoning Map to place properties, as described below, within the SDA-O, Sensitive Development Area Overlay zone, with the underlying zone of I-P, Industrial Park to remain unchanged.
<b><u>PROPERTY LOCATION:</u></b>	Parcels zoned I-P, Industrial Park, bounded by the Santa Ana River to the north, La Cadena Drive to the east, Loma Verde residential tract to the south, and the Colton Landfill to the west: <ul style="list-style-type: none"><li>• APN 0275-192-06 (~1601 S La Cadena Dr; southwest corner of La Cadena &amp; Tropica Rancho Road).</li><li>• APN 0275-192-07 &amp; 0163-361-14 &amp; 15 (~1501 S La Cadena Dr)</li><li>• APN 0275-192-03 (~11585 S Bostick/~1600 S Bostick)</li><li>• APN 0275-192-02, -04 (~1701 S Bostick)</li></ul>

## **ACTIONS:**

**ENVIRONMENTAL DETERMINATION:** Recommendation: Negative Declaration.

**PUBLIC REVIEW PERIOD FOR CEQA INITIAL STUDY:** 5/21/2016-6/13/2016

**ORIGINAL APPLICATION - PUBLIC NOTICE:** 7/2/2016

**ORIGINAL APPLICATION - PLANNING COMMISSION:** 7/12/2016; Recommendation to Council

**ORIGINAL APPLICATION - CITY COUNCIL HEARING:** 8/2/2016; Remand Modified Application (Apply SDA-O to Area 8) Back to Planning Commission

**MODIFIED APPLICATION – PUBLIC NOTICE:** 8/13/2016

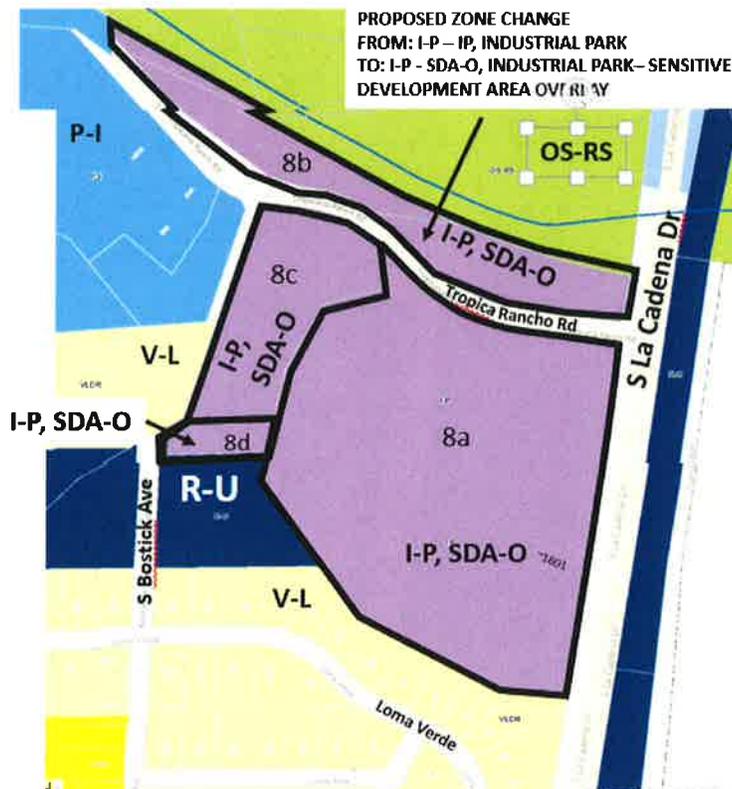
**MODIFIED APPLICATION - PLANNING COMMISSION:** 8/23/2016

**MODIFIED APPLICATION - CITY COUNCIL HEARING:** 9/20/2016 (scheduled)

## **BACKGROUND**

On August 2, 2016, the City Council conducted a public hearing for the consideration of a recommendation by the Planning Commission for adoption of this application which includes, among other items, Zoning Map changes of several parcels in the southern part of the City.

As part of its discussion, the City Council discussed the recommendation to exclude the proposed zone change for parcels in the vicinity of La Cadena Drive and Tropica Rancho Road referred to as “Area 8” (see map below).



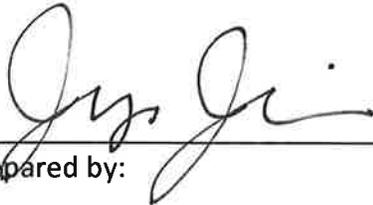
However, to address potential impacts from future uses on these parcels on the adjacent residential neighborhood and the community at large, the City Council requested that a Sensitive Development Overlay (SDA-O) zone be applied onto Area 8 (with the underlying I-P, Industrial Park, zone to remain.). By applying the SDA-O zone, any development on the parcels would first require the approval of a conditional use permit (CUP) by the Planning Commission at a public noticed hearing.

At the conclusion of its discussion, the City Council accepted the Planning Commission recommendations (including the exclusion of some of the proposed zone changes) but the application was not approved/adopted. Instead, the City Council remanded the application back to the Planning Commission for the consideration of applying the SDA-O to Area 8. A resolution recommending approval of this change and an updated modified draft Ordinance is attached to this report for consideration by the Commission.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the following resolution which recommends that the City Council adopt the modified application:

**RESOLUTION NO. 29-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON APPROVE A MODIFIED APPLICATION TO AMEND THE ZONING MAP TO APPLYING THE SENSITIVE DEVELOPMENT AREA OVERLAY, SDA-O, ZONE TO I-P, INDUSTRIAL PARK, ZONED PROPERTY IN THE VICINITY OF LA CADENA DRIVE AND TROPICA RANCHO ROAD. (FILE INDEX NO. DAP-001-277-B)**



Prepared by:

Jay Jarrin, AICP, Senior Planner



Approved by:

Mark R. Tomich, AICP, Director

**ATTACHMENTS**

1. Draft Planning Commission Resolution No. R-29-16 with Draft Modified Ordinance and Map Exhibits

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**RESOLUTION NO. 29-16**

**RESOLUTION NO. 29-16. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON APPROVE A MODIFIED APPLICATION TO AMEND THE ZONING MAP TO APPLYING THE SENSITIVE DEVELOPMENT AREA OVERLAY, SDA-O, ZONE TO I-P, INDUSTRIAL PARK, ZONED PROPERTY IN THE VICINITY OF LA CADENA DRIVE AND TROPICA RANCHO ROAD. (FILE INDEX NO. DAP-001-277-B)**

**WHEREAS**, the City of Colton (hereinafter “City”) initiated an application (File Index No. DAP-001-277) for **Amendments to the Zoning Map and the Zoning Code, which** including applying the Sensitive Development Area Overlay, SDA-O, zone to certain properties, with the underlying zone to remain unchanged; and

**WHEREAS**, on August 2, 2016, the City Council, during its consideration of the application, remanded the application back to the Planning Commission for consideration of a modified application applying the SDA-O zone to parcels (hereinafter referred to as “Area 8”) zoned I-P, Industrial Park, and bounded by the Santa Ana River to the north, La Cadena Drive to the east, Loma Verde residential tract to the south, and the Colton Landfill to the west, consisting of the following:

- APN 0275-192-06 (~1601 S La Cadena Dr; southwest corner of La Cadena & Tropica Rancho Road). Hereinafter referred to as “Area 8a”.
- APN 0275-192-07 & 0163-361-14 & 15 (~1501 S La Cadena Dr) – Hereinafter referred to as “Area 8b”.
- APN 0275-192-03 (~11585 S Bostick/~1600 S Bostick) - Hereinafter referred to as “Area 8c”.
- APN 0275-192-02, -04 (~1701 S Bostick) - Hereinafter referred to as “Area 8d”; and

**WHEREAS**, the Planning Commission held a public hearing, after giving published notice, on August 23, 2016 for consideration of the modified application applying the SDA-O zone to Area 8, as described above; and

**WHEREAS**, the Planning Commission, following the conclusion of said hearing, the Planning Commission adopted Resolution No. R-29-16, recommending approval to the City Council of an updated Ordinance that includes applying the SDA-O zone to Area 8, as described above; and

**WHEREAS**, the staff reports accompanying this ordinance is found to be true, adopted as Findings and incorporated in this resolution; and

**WHEREAS**, pursuant to the Guidelines for the California Environmental Quality Act (“CEQA”), an Initial Study prepared to assess environmental impacts of the project has determined that the project would not create any significant adverse impacts on the environment and, therefore, a Negative Declaration (ND) has been prepared, and

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

1           **NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION**  
2           **OF THE CITY OF COLTON:**

3           **SECTION 1.** Pursuant to Section 18.58.050.F of the Colton Municipal Code, the  
4           Planning Commissions finds that the following conditions prevail:

- 5           1. The proposed applying of the SDA-O zone is consistent with the overall objectives of  
6           the Colton General Plan.
  - 7           • Policy LU-1.6: “Ensure that new development projects are compatible with  
8           permitted, well-maintained uses and buildings in the surrounding neighborhood or  
9           district.”
  - 10           • Policy LU-1.9: “Apply a [Sensitive] Special Development Area Overlay [SDA-O]  
11           on industrially zoned properties that abut properties zoned for residential uses, and  
12           apply appropriate conditions through the discretionary review process to minimize  
13           impacts”
  - 14           • Policy LU-6.2: “Discourage the establishment of incompatible uses in proximity to  
15           each other.”
- 16           2. There is a need for more of the types of uses permitted by the existing underlying I-P,  
17           Industrial Park, zone provided that potential impacts onto residential neighborhoods  
18           and community at large are minimized through the conditional use permit (CUP)  
19           process required by the proposed SDA-O zone.
- 20           3. The proposed applying of the SDA-O zone will not adversely affect the surrounding  
21           area or the community in general since the applying of the SDA-O zone will allow for  
22           review of proposed uses through the conditional use permit (CUP) process that may  
23           have impacts on residential neighborhoods and community at large.

24           **SECTION 2.** The Planning Commission hereby adopts the recitals and findings with  
25           respect to the modified Ordinance, as set forth in the attached Exhibit “A” as if fully set forth  
26           herein.

27           **SECTION 3.** The Planning Commission of the City of Colton, in accordance with the  
28           California Environmental Quality Act (CEQA), finds that, based on the basis of an Initial Study  
29           prepared to assess environmental impacts of the project, the project would not create any  
30           significant adverse impacts on the environment and a Negative Declaration (ND) has been  
31           prepared to meet CEQA requirements.

32           **SECTION 4.** The Planning Commission hereby recommends that the City Council of the  
33           City of Colton (“City Council”) adopt the modified Ordinance, in substantially the form attached  
34           hereto as Exhibit “A,” which is incorporated by reference.

35           **SECTION 5.** The Secretary shall certify the adoption of this Resolution.

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- 1) Parcels zoned M-1, Light Industrial, bounded by Ranch Avenue to the west, K Street to the north, M Street to the south, and Third Street to the east, and located at 223,225,275 S Rancho Ave (3 parcels) – APN 0163-051-11, -27, & -30. Hereinafter referred to as “Area 1”.
- 2) Parcels zoned M-1, Light Industrial, bounded by K Street to the north, Seventh Street to the east, the BNSF Railroad line to the west, and a public alley to the south, and located at 105, 143 S 7<sup>th</sup> Street; 240, 248, 252, 264, 274, 294 West K Street (8 parcels)- APN 0163-071-12,-13,-14,-15,-16,-17,-18,-19. Hereinafter referred to as “Area 2”.
- 3) Parcels zoned M-2, Heavy Industrial, bounded by K Street to the north, Ninth Street to the east, the “C-2” zoned properties to the west, and a public alley to the south, and located at 134, 148, 162, ~174, 190 East K Street– APN 0163-081-12,-13,-14,-15,-16. Hereinafter referred to as “Area 3”.
- 4) Parcels zoned I-P, Industrial Park, bounded by Fogg Street to the east, M Street to the north, Congress St to the south, and properties zoned “C-1”, “R-1” and “R-2” to the west, and located at 551, 555 S Fogg St, ~402,452,454,502 S 12<sup>th</sup> St, 500 E M St - APN 0163-232-01,-02,-24; 0163-135-01,-03,-04; 0163-141-17. Hereinafter referred to as “Area 4”.
- 5) Parcels zoned I-P, Industrial Park, bounded by Rancho Avenue to the west, Cement Plant Road/Georgia Avenue to the south, O Street to the north, and an abandoned railroad spur to the east, and located at 500, 620, 680 S Rancho Av; 510, 555, 565, 575, 585 W Birch Ct; ~550 Maple Ct –APN 0163-161-39,-45,-46,-47,-48,-49,-50,-65,-66. Hereinafter referred to as “Area 5”.
- 6) Parcel zoned M-1, Light Industrial bounded by La Cadena Drive to the west, Congress Street to the south, R-1 zoned properties to the east, and the BNSF railroad line to the west, and located at 309 W Congress St, APN 0163-202-21. Hereinafter referred to as “Area 6”.
- 7) One parcel zoned M-1, Light Industrial, abutting “R-2” zoned properties to the west, bounded by Agua Mansa Road to the north and Fifth Street to the east, and located at 430 W Agua Mansa, APN 0163-261-34. Hereinafter referred to “Area 7a”.
- 8) One parcel zoned M-1, Light Industrial, abutting “R-2” zoned properties to the north, bounded by La Cadena Drive to the east and Fifth Street to the west identified as APN 0163-271-25 ( ~1089 S La Cadena). Hereinafter referred to “Area 7b”.

(c) Amending the Official Zoning Map to change the zoning classifications for the following parcels:

- 1) Parcels zoned I-P, Industrial Park, and bounded by the Santa Ana River to the north, La Cadena Drive to the east, Loma Verde residential tract to the south, and the Colton Landfill to the west. Hereinafter referred to as “Area 8”. Area 8 consists of the following:
  - APN 0275-192-06 (~1601 S La Cadena Dr; southwest corner of La Cadena & Tropica Rancho Road). Hereinafter referred to as “Area 8a”.
  - APN 0275-192-07 & 0163-361-14 & 15 (~1501 S La Cadena Dr) –. Hereinafter referred to as “Area 8b”.

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- APN 0275-192-03 (~11585 S Bostick/~1600 S Bostick) - Hereinafter referred to as “Area 8c”.
  - APN 0275-192-02, -04 (~1701 S Bostick) - Hereinafter referred to as “Area 8d”.
- 2) Parcels zoned M-1, Light Industrial and bounded by La Cadena Drive to the west, Fogg Street to the south and BNSF railroad line to the east, and located at 1070 S La Cadena Drive - APN 0163-273-07. Hereinafter referred to as “Area 9”.
- 3) Parcels zoned M-1, SDA-O - Light Industrial, Sensitive Development Area-Overlay and bounded by O Street to the north, Congress Street to the south, the Ninth Street railroad spur line to the west, and Veterans Park to the east, and located at 234 E O Street - APN 0163-221-39. Hereinafter referred to as “Area 10a”.
- 4) Parcel zoned R-1, Low Density Residential, and bounded by Congress Street to the south, “M-1” zoned property to the west, Veterans Parks to the north, and “R-1” zoned properties to the east, and located at 271 E Congress – APN 0163-221-35. Hereinafter referred to as “Area 10b”.

**WHEREAS**, the Planning Commission directed staff to prepare separate resolutions relating to recommendations on Areas 6, 9, and 10, as described above; and

**WHEREAS**, the Planning Commission, following the conclusion of said hearing, the Planning Commission adopted Resolution No. R-21-16, recommending approval to the City Council of an Ordinance for Text and Map Amendments relating to Areas 1, 2, 3, 4, 5, 7, and 8, as described above; and adopted Resolution No. R-22-16 recommending to the City Council the approval of the proposed project regarding recommendations relating to Areas 6, 9, and 10, as described above; and

**WHEREAS**, the Planning Commission recommended approval of the project, as original described, except for the proposed zone changes to Area 5, 8, and 10a and, instead, recommended that the zoning for these areas remain unchanged; and

**WHEREAS**, on August 2, 2016, the City Council held a duly noticed public hearing at which time all persons wishing to testify in connection with the application were heard and the application was comprehensively reviewed; and

**WHEREAS**, also on August 2, 2016, the City Council continued the hearing and remanded the application back to the Planning Commission for consideration of a modified application applying the SDA-O zone to Area 8, as described above; and

**WHEREAS**, the Planning Commission held a public hearing, after giving published notice, on August 23, 2016 for consideration of the modified application applying the SDA-O zone to Area 8, as described above; and

**WHEREAS**, the Planning Commission, following the conclusion of said hearing, the Planning Commission adopted Resolution No. R-29-16, recommending approval to the City

1 Council of an updated Ordinance that includes applying the SDA-O zone to Area 8, as described  
2 above; and

3 **WHEREAS**, on \_\_\_\_, 2016, the City Council held a duly noticed public hearing at which  
4 time all persons wishing to testify in connection with the application were heard and the modified  
5 application was comprehensively reviewed; and

6 **WHEREAS**, the staff reports accompanying this ordinance is found to be true, adopted as  
7 Findings and incorporated in this resolution; and

8 **WHEREAS**, pursuant to the Guidelines for the California Environmental Quality Act  
9 (“CEQA”), an Initial Study prepared to assess environmental impacts of the project has  
10 determined that the project would not create any significant adverse impacts on the environment  
11 and, therefore, a Negative Declaration (ND) has been prepared, and

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

13 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES**  
14 **ORDAIN AS FOLLOWS:**

15 **SECTION 1. Incorporation of Recitals.** The City Council hereby adopts the recitals and  
16 findings set forth above and in the agenda report prepared in connection with this Ordinance.

17 **SECTION 2. General Plan Consistency.** Based on the entire record before the City  
18 Council and all written and oral evidence presented, including the staff report and the findings  
19 made in this Ordinance, the City Council hereby finds and determines that the proposed  
20 Ordinance is consistent with the goals and policies of the City of Colton General Plan, or will be  
21 consistent upon the concurrent adoption of an Amendment to the General Plan, and is reasonably  
22 related to the public welfare of the citizens of the City and surrounding regions. Specifically, the  
23 provisions of this Ordinance implement General Plan policies and/or reclassifies properties into  
24 appropriate zoning classifications, which will be consistent with new general plan land use  
25 designations, which furthers the City’s goals and policies as set forth in the City of Colton  
26 General Plan, specifically:

- 27 ○ Policy LU-1.1: “Ensure that all new development conforms to all appreciable provisions  
28 of the General Plan and Zoning Code.”

29 The proposed SDA Expansion will require a discretionary review (conditional use permit)  
30 by the Planning Commission for development and uses. The review of conditional use  
31 permits includes adoption of findings that confirm consistency with the General Plan and  
32 Zoning Code. The General Plan Update Follow-Up will be consistent with a concurrent  
33 approval of an Amendment to the General Plan to provide consistency between the  
34 General Plan and the Zoning Code.

- 35 ○ Policy LU-1.6: “Ensure that new development projects are compatible with permitted,  
36 well-maintained uses and buildings in the surrounding neighborhood or district.”

1 The proposed SDA Expansion will ensure that development is compatible with  
2 surrounding neighborhood through the additional discretionary (conditional use permit)  
3 review required by the Planning Commission. The General Plan Update Follow-Up will  
4 reclassify properties into classifications that will reduce potential impacts onto  
5 surrounding neighborhoods.

- 6 ○ Policy LU-1.9: “Apply a [Sensitive] Special Development Area Overlay [SDA-O] on  
7 industrially zoned properties that abut properties zoned for residential uses, and apply  
8 appropriate conditions through the discretionary review process to minimize impacts.” ;  
9 Policy LU-6.1: “Protect residential neighborhoods adjacent to industrial areas pursuant to  
10 the policy direction provided in Policy LU-1.9”

11 The proposed SDA-O expansion will implement this General Plan policy by applying the  
12 SDA-O on industrially zoned properties that abut properties zoned for residential uses and  
13 allow for the applying of appropriate conditions through the conditional use permit  
14 (discretionary) review process to minimize impacts.

- 15 ○ Policy LU-6.2: “Discourage the establishment of incompatible uses in proximity to each  
16 other.”

17 The proposed SDA-O expansion will help discourage incompatible uses in proximity to  
18 other uses through the conditional use permit process. The proposed general plan update  
19 follow-up will prohibit industrial uses on reclassified properties in proximity to residential  
20 uses and other uses that may be incompatible to industrial uses.

- 21 ○ Policy LU-19.1: “Require that new and expanded industrial and commercial uses adjacent  
22 to residential neighborhoods use physical design features such as buffering, landscaping  
23 setbacks, screening operational standards, and other methods to minimize light, glare,  
24 noise, dust, odor, vibration, traffic, and other impacts. Apply the buffering approach  
25 identified in Policy LU-8.2.”

26 The proposed SDA-O expansion will provide a method for requiring physical design  
27 features to minimize impacts through the conditional use permit process. The proposed  
28 general plan update follow-up will prohibit industrial uses that are most likely to have the  
greatest impacts on residential neighborhoods and community at large.

**SECTION 3.** The City Council of the City of Colton, in accordance with the California  
Environmental Quality Act (CEQA), finds that, based on the basis of an Initial Study prepared to  
assess environmental impacts of the project, the project would not create any significant adverse  
impacts on the environment and a Negative Declaration (ND) has been prepared to meet CEQA  
requirements. Therefore, the City Council hereby adopts the Negative Declaration.

**SECTION 4.** Based upon the findings set forth in Sections 1, 2, and 3 of this Ordinance,  
the City Council hereby approves the following:

1. Section 18.30 of the Colton Municipal Code is amended to read as follows:

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**“Chapter 18.30 SDA SENSITIVE DEVELOPMENT AREA OVERLAY ZONE**

**18.30.010 Intent and purpose.** The SDA Overlay Zone is intended to mitigate the impacts of industrial uses near or adjacent to residential neighborhoods. The SDA Overlay Zone allows the Planning Commission to review proposed industrial uses and impose conditions of approval to ensure compatibility between industrial and residential uses.

**18.30.020 Map Designation.** This zone shall be in the form of an Overlay Zone and shall be established only in conjunction with another zone and shall be designated on the Official Zoning Map with the symbol SDA together with the underlying zone symbol, i.e., R-1/SDA.

**18.30.030 Conditional Use Permit requirements.**

- A. Plans for all development in an SDA Zone Shall be submitted to the Commission for review and Approval under the Conditional Use Permit procedure.
- B. Plans for Development be submitted to the Commission May be proposed as a Master Conditional Use Permit whereby potential future land uses are identified within particular buildings and/or locations within a site or parcel. Subsequent Conditional Use Permits shall not be required for uses within particular buildings and/or locations as identified by an approved Master Conditional Use Permit.
- C. Before approving a proposed Development, the Commission must find that the following conditions are satisfied:
  - 1. That the proposed development is in conformance with the goals, policies and land use designations in the General Plan for that area;
  - 2. That the proposed development will not impose significant noise, traffic, air quality, aesthetic or other environmental impacts on adjacent or nearby residential neighborhoods that cannot be mitigated to a level of insignificance.
  - 3. That the proposed development meets all requirements of this title for similar developments permitted by right.
- D. In granting a permit, the Commission may impose certain conditions that in its opinion will assist to safeguard the health, safety and property values in that zone.
- E. If the Commission so deems necessary, it may refuse to allow a use which it considers incompatible with adjacent or nearby residential neighborhoods.”

2. Amending the Official Zoning Map to apply the SDA-O, Sensitive Development Area-Overlay, zone, with the underlying zone to remain unchanged, for the following parcels, which excludes Area 5, as described above:

- A. Parcels zoned M-1, Light Industrial, bounded by Ranch Avenue to the west, K Street to the north, M Street to the south, and Third Street to the east, and located at 223,

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225, 275 S Rancho – APN 0163-051-11, -27, & -30. Identified as “Area 1” on the attached map exhibits.

B. Parcels zoned M-1, Light Industrial, bounded by K Street to the north, Seventh Street to the east, the BNSF Railroad line to the west, and a public alley to the south, and located at 105, 143 S 7<sup>th</sup> Street; 240, 248, 252, 264, 274, 294 West K Street (8 parcels)- APN 0163-071-12,-13,-14,-15,-16,-17,-18,-19. Identified as “Area 2” on the attached map exhibits.

C. Parcels zoned M-2, Heavy Industrial, bounded by K Street to the north, Ninth Street to the east, the “C-2” zoned properties to the west, and a public alley to the south, and located at 134, 148, 162, ~174, 190 East K Street– APN 0163-081-12,-13,-14,-15,-16. Identified as “Area 3” on the attached map exhibits.

D. Parcels zoned I-P, Industrial Park, bounded by Fogg Street to the east, M Street to the north, Congress St to the south, and properties zoned “C-1”, “R-1” and “R-2” to the west, and located at 551, 555 S Fogg St, ~402,452,454,502 S 12<sup>th</sup> St, 500 E M St - APN 0163-232-01,-02,-24; 0163-135-01,-03,-04; 0163-141-17. Identified as “Area 4” on attached map exhibits.

E. Parcel zoned M-1, Light Industrial bounded by La Cadena Drive to the west, Congress Street to the south, R-1 zoned properties to the east, and the BNSF railroad line to the west, and located at 309 W Congress St, APN 0163-202-21. Identified as “Area 6” on the attached map exhibits.

F. One parcel zoned M-1, Light Industrial, abutting “R-2” zoned properties to the west, bounded by Agua Mansa Road to the north and Fifth Street to the east, and located at 430 W Agua Mansa, APN 0163-261-34. Identified as “Area 7a” on the attached map exhibits.

G. One parcel zoned M-1, Light Industrial, abutting “R-2” zoned properties to the north, bounded by La Cadena Drive to the east and Fifth Street to the west identified as APN 0163-271-25 (~1089 S La Cadena). Identified as “Area 7b” on the attached map exhibits.

H. Parcels zoned I-P, Industrial Park, and bounded by the Santa Ana River to the north, La Cadena Drive to the east, Loma Verde residential tract to the south, and the Colton Landfill to the west. Identified as part of “Area 8” on the attached map exhibits.

- APN 0275-192-06 (~1601 S La Cadena Dr; southwest corner of La Cadena & Tropica Rancho Road). Identified as “Area 8a” on the attached map exhibits.
- APN 0275-192-07 & 0163-361-14 & 15 (~1501 S La Cadena Dr). Identified as “Area 8b” on the attached map exhibits.
- APN 0275-192-03 (~11585 S Bostick/~1600 S Bostick). Identified as “Area 8c” on the attached map exhibits.
- APN 0275-192-02, -04 (~1701 S Bostick). Identified as “Area 8d” on the attached map exhibits.

1  
2 3. Amending the Official Zoning Map to change the zoning classifications for the following  
parcels, which excludes Areas 8 and 10a, as described above:

3 A. Proposed change from M-1, Light Industrial to C-2, General Commercial for the  
4 parcel bounded by La Cadena Drive to the west, Fogg Street to the south and BNSF  
5 railroad line to the east, and located at 1070 S La Cadena Drive - APN 0163-273-07 -  
identified as “Area 9” on attached map exhibits.

6 B. Proposed Change from R-1, Low Density Residential, to OS-R, Open Space-  
7 Recreation for parcel bounded by Congress Street to the south, “M-1” zoned property  
8 to the west, Veterans Parks to the north, and “R-1” zoned properties to the east, and  
located at 271 E Congress – APN 0163-221-35 - identified as “Area 10b” on attached  
map exhibits.

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

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

13 **SECTION 7. Certification/Publication.** The City Clerk shall certify to the passage of the  
14 Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after  
adoption in a newspaper of general circulation published and circulated in the City of Colton.

15  
16 PASSED, APPROVED AND ADOPTED on this \_\_\_\_ day of \_\_\_\_\_, 2016.

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19 \_\_\_\_\_  
RICHARD A. DELAROSA  
20 Mayor

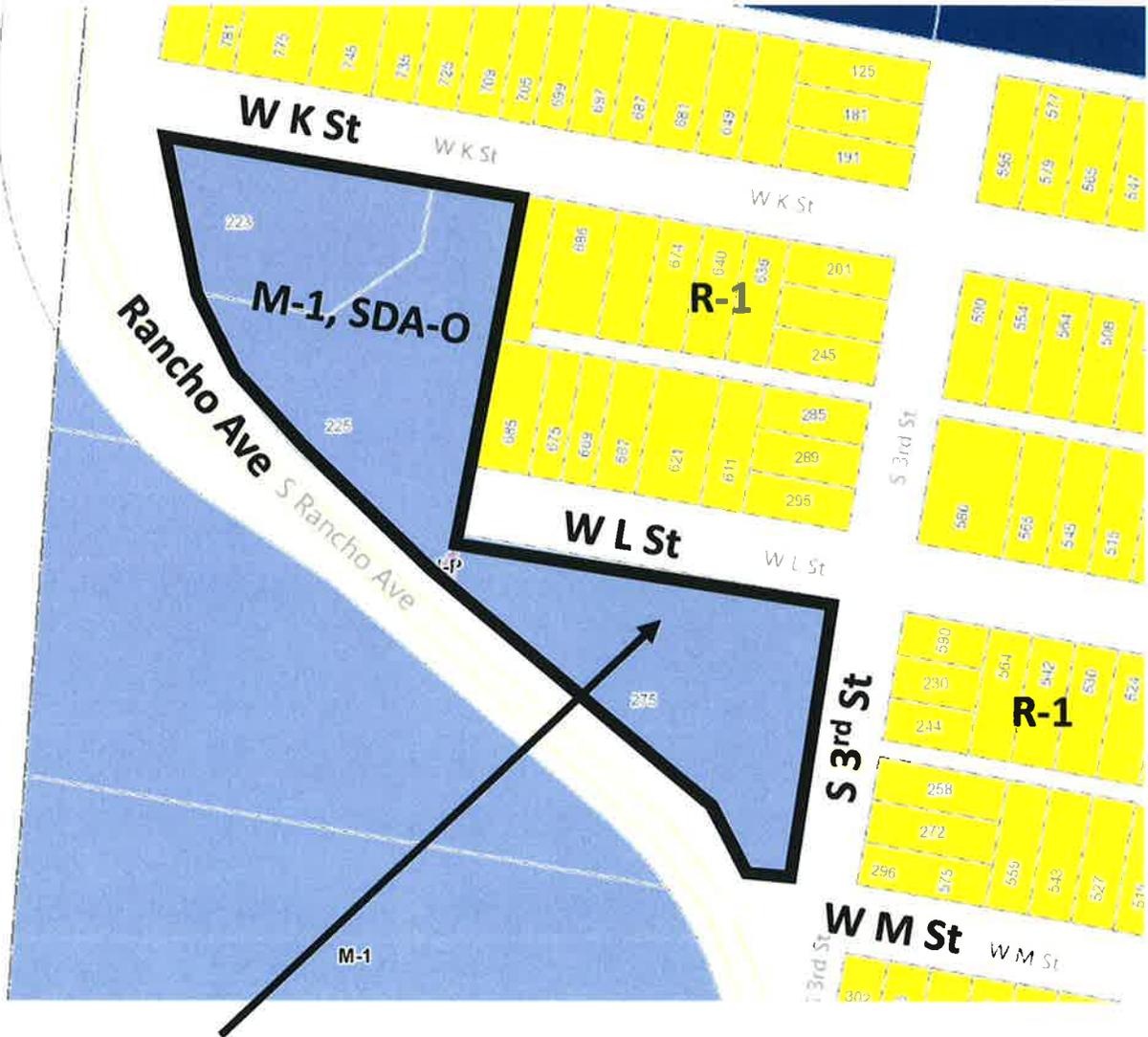
21 ATTEST:

22  
23 \_\_\_\_\_  
CAROLINA R. PADILLA  
24 City Clerk

25 ###

# Area 1

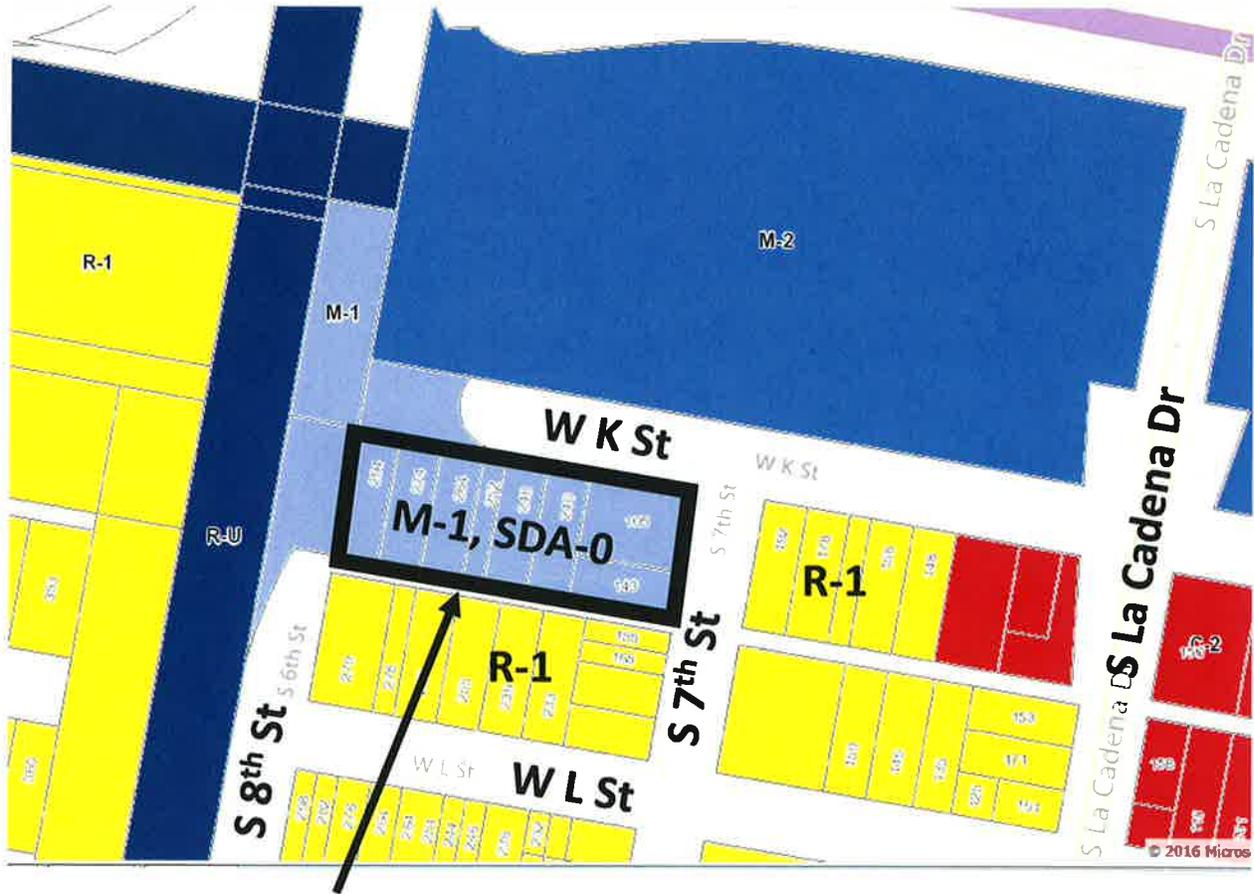
Parcels zoned M-1, Light Industrial, bounded by Ranch Avenue to the west, K Street to the north, M Street to the south, and Third Street to the east, and located at 223,225,275 S Rancho Ave (3 parcels) – APN 0163-051-11, -27, & -30.



**PROPOSED ZONE CHANGE  
FROM: M-1, LIGHT INDUSTRIAL  
TO: M-1 - SDA-O, LIGHT INDUSTRIAL – SENSITIVE DEVELOPMENT AREA OVERLAY**

# Area 2

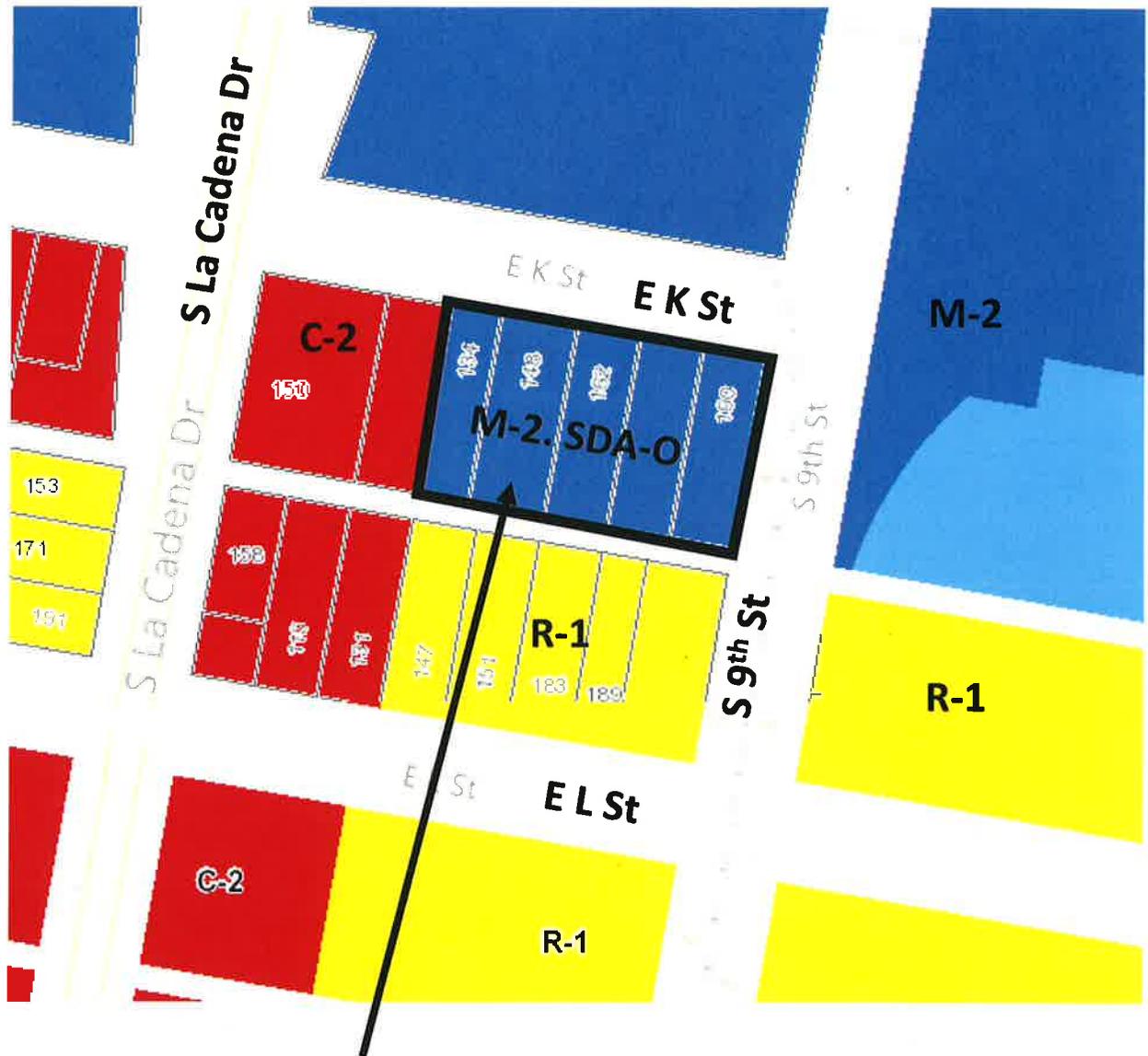
Parcels zoned M-1, Light Industrial, bounded by K Street to the north, Seventh Street to the east, the BNSF Railroad line to the west, and a public alley to the south, and located at 105, 143 S 7<sup>th</sup> Street; 240, 248, 252, 264, 274, 294 West K Street (8 parcels)- APN 0163-071-12,-13,-14,-15,-16,-17,-18,-19



**PROPOSED ZONE CHANGE**  
**FROM: M-1, LIGHT INDUSTRIAL**  
**TO: M-1 - SDA-O, LIGHT INDUSTRIAL – SENSITIVE DEVELOPMENT AREA OVERLAY**

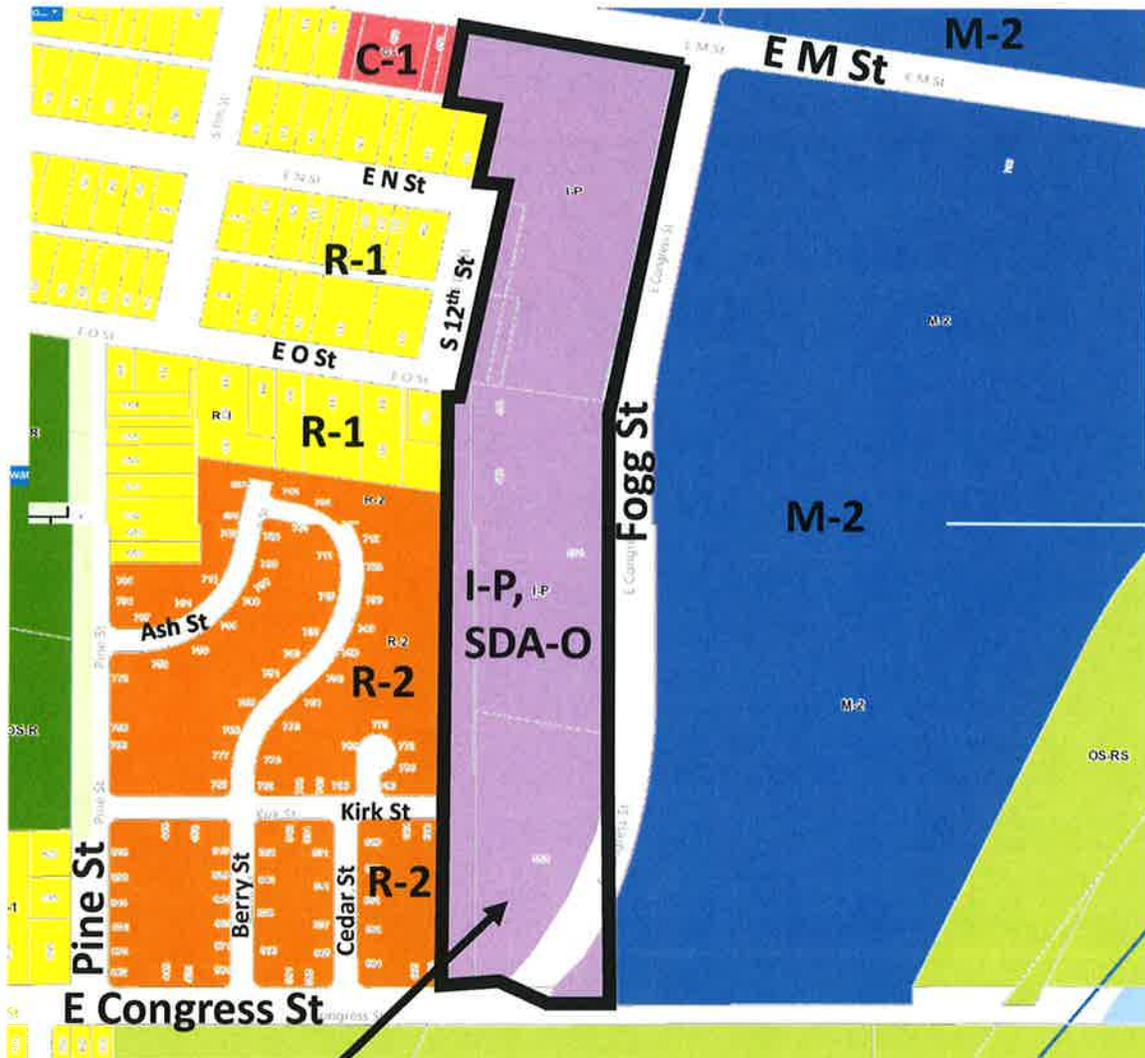
# Area 3

Parcels zoned M-2, Heavy Industrial, bounded by K Street to the north, Ninth Street to the east, the "C-2" zoned properties to the west, and a public alley to the south, and located at 134, 148, 162, ~174, 190 East K St (5 parcels) – APN 0163-081-12,-13,-14,-15,-16



# Area 4

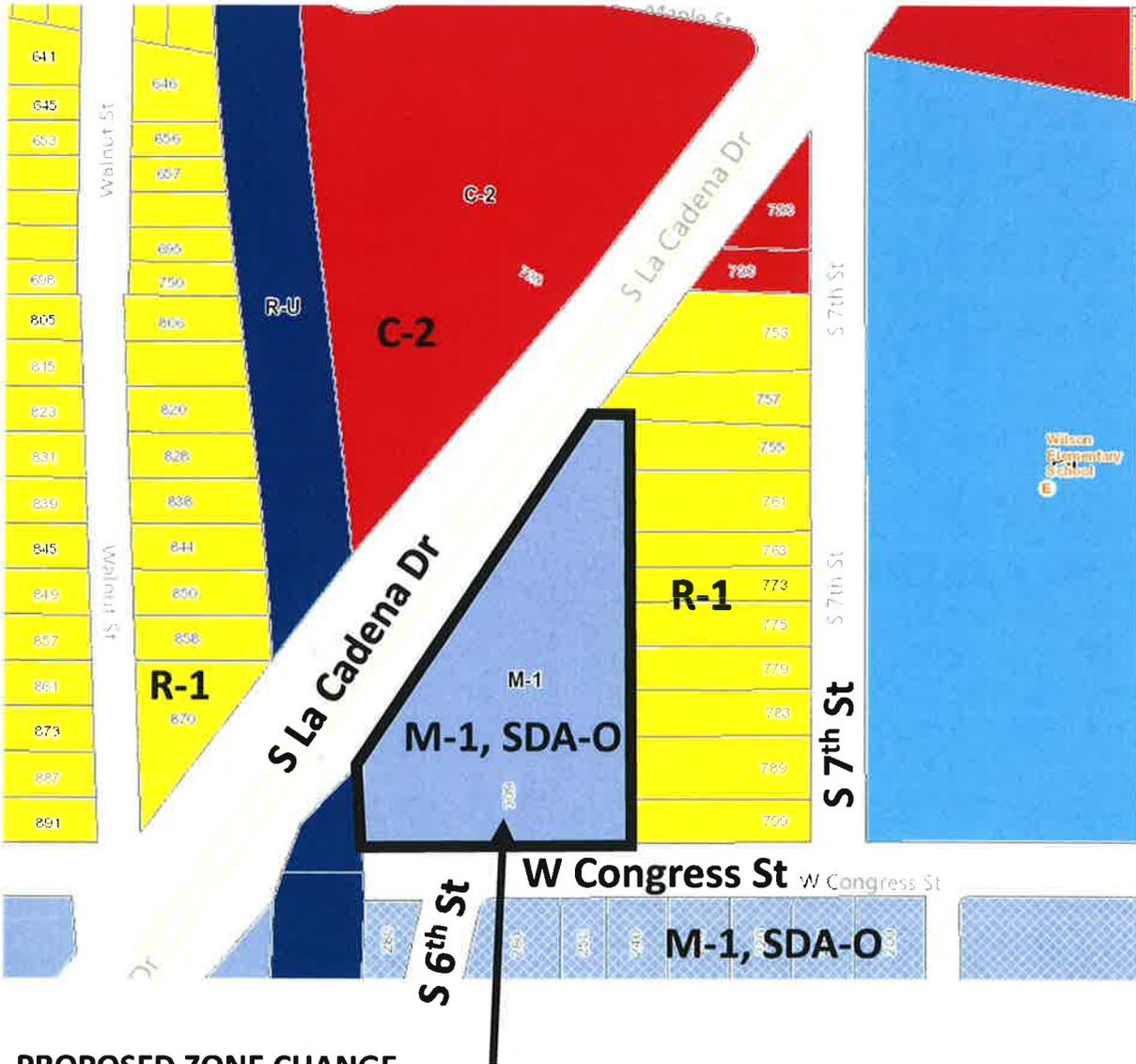
Parcels zoned I-P, Industrial Park, bounded by Fogg Street to the east, M Street to the north, Congress St to the south, and properties zoned "C-1", "R-1" and "R-2" to the west, and located at 551, 555 S Fogg St, ~402,452,454,502 S 12<sup>th</sup> St, 500 E M St - APN 0163-232-01,-02,-24; 0163-135-01,-03,-04; 0163-141-17 (7 parcels)



**PROPOSED ZONE CHANGE**  
**FROM: I-P – IP, INDUSTRIAL PARK**  
**TO: I-P - SDA-O, INDUSTRIAL PARK– SENSITIVE DEVELOPMENT AREA OVERLAY**

# Area 6

Parcel zoned M-1, Light Industrial bounded by La Cadena Drive to the west, Congress Street to the south, R-1 zoned properties to the east, and the BNSF railroad line to the west, and located at 309 W Congress St, APN 0163-202-21 (1 parcel)



**PROPOSED ZONE CHANGE**  
**FROM: M-1, LIGHT INDUSTRIAL**  
**TO: M-1 - SDA-O, LIGHT INDUSTRIAL – SENSITIVE DEVELOPMENT AREA OVERLAY**

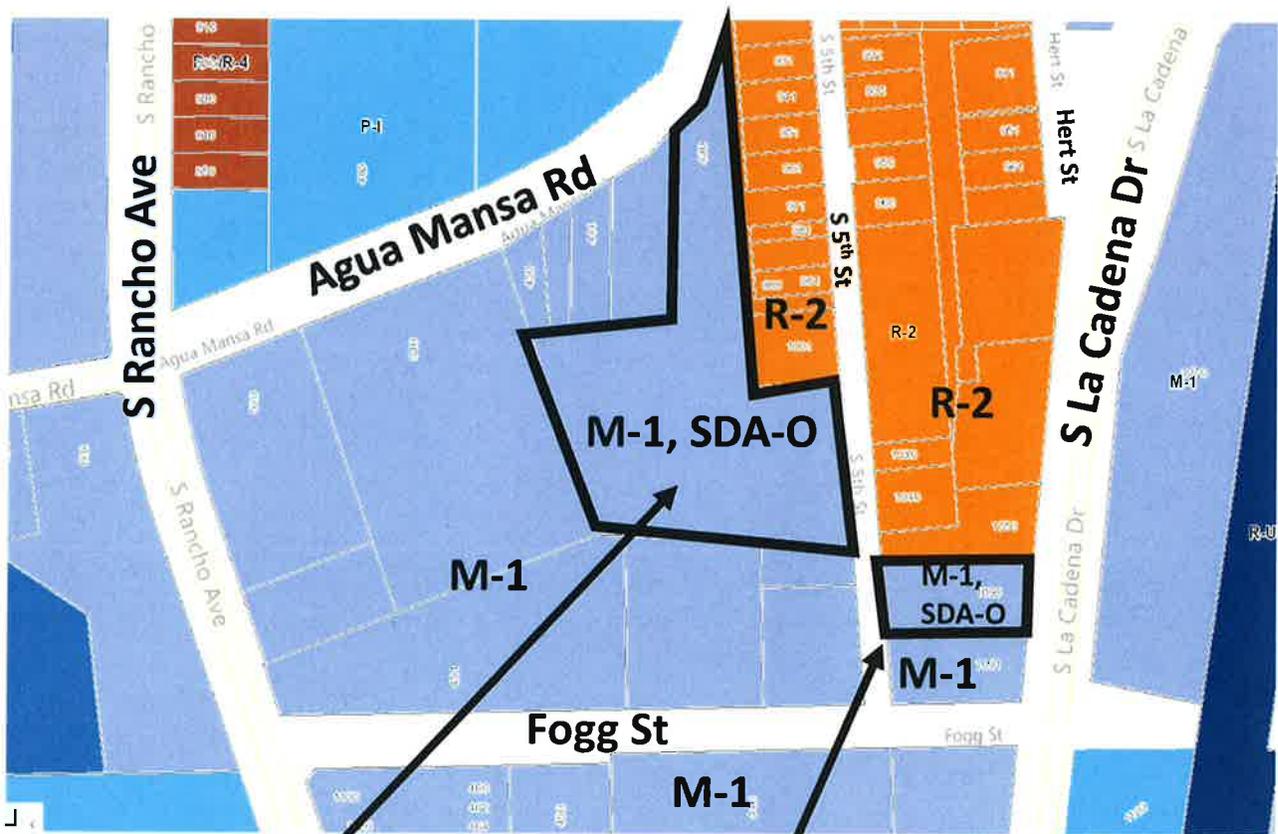
August 16, 2016

City of Colton, California  
DAP-001-277 - General Plan Update Follow  
Up & SDA-O Expansion

# Area 7a & 7b

Area 7a. Parcels zoned M-1, Light Industrial, abutting "R-2" zoned properties to the west and bounded by Agua Mansa Road to the north and Fifth Street to the east, and located at 430 W Agua Mansa, APN 0163-261-34.

Area 7b. Parcels zoned M-1, Light Industrial, abutting "R-2" zoned properties to the north and bounded by La Cadena Drive to the east and Fifth Street to the west identified as APN 0163-271-25 (~1089 S La Cadena)



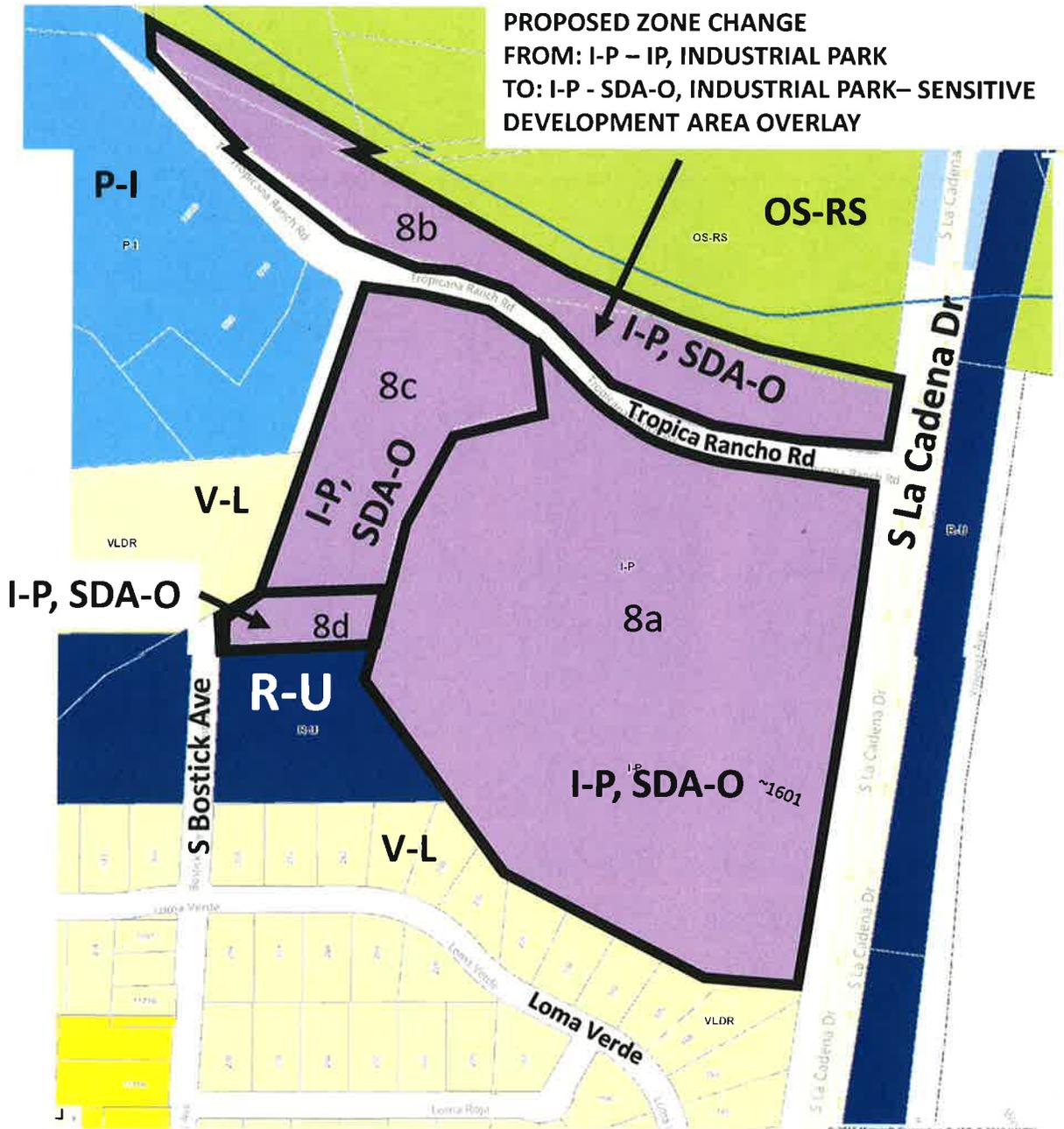
**AREA 7A**  
**PROPOSED ZONE CHANGE**  
**FROM: M-1, LIGHT INDUSTRIAL**  
**TO: M-1 - SDA-O, LIGHT**  
**INDUSTRIAL – SENSITIVE**  
**DEVELOPMENT AREA OVERLAY**

**AREA 7B**  
**PROPOSED ZONE CHANGE**  
**FROM: M-1, LIGHT INDUSTRIAL**  
**TO: M-1 - SDA-O, LIGHT**  
**INDUSTRIAL – SENSITIVE**  
**DEVELOPMENT AREA OVERLAY**

# Area 8

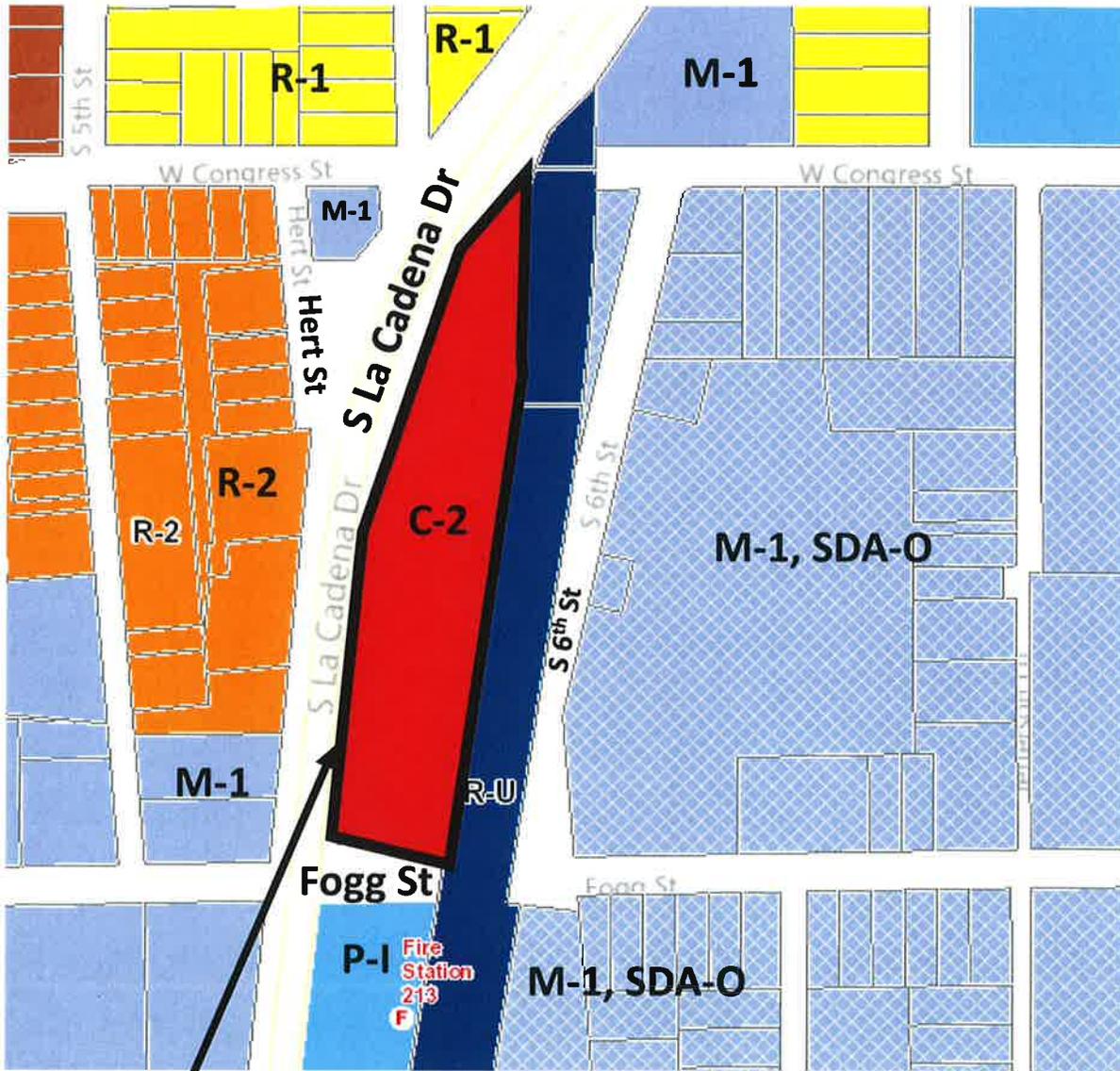
Parcels zoned I-P, Industrial Park, bounded by the Santa Ana River to the north, La Cadena Drive to the east, Loma Verde residential tract to the south, and the Colton Landfill to the west, including the following:

- 8a (1 parcel) APN 0275-192-06 (~1601 S La Cadena) – southwest corner of Tropica Rancho Rd & Santa Ana River
- 8b (3 parcels) three parcels between Tropico Ranch Rd & Santa Ana River – APN 0275-192-07 & 0163-361-14 & 15 (~1501 S La Cadena Dr)
- 8c (2 parcels) ~11585 S Bostick (~1600 S Bostick) –APN 0275-192-03
- 8d (2 parcels)- APN 0275-192-02, -04 (~1701 S Bostick)



# Area 9

parcel zoned M-1, Light Industrial, bounded by La Cadena Drive to the west, Fogg Street to the south and BNSF railroad line to the east, and located at 1070 S La Cadena Drive - APN 0163-273-07



**PROPOSED ZONE CHANGE**  
**FROM: M-1, LIGHT INDUSTRIAL**  
**TO: C-2 GENERAL COMMERCIAL**

# Area 10b

- Parcel zoned R-1, Low Density Residential, bounded by Congress Street to the south, "M-1" zoned property to the west, Veterans Parks to the north, and "R-1" zoned properties to the east, and located at 271 E Congress – APN 0163-221-35



**PROPOSED ZONE CHANGE**  
**FROM: R-1 , LOW DENSITY RESIDENTIAL**  
**TO: OS-R, OPEN SPACE-RECREATION**



# Planning Commission Staff Report

City of Colton  
Development Services Department

**MEETING DATE:** August 23, 2016

**FILE INDEX NUMBER:** DAP-001-340 3 Iron Brewing Company

**REQUEST:** A Modification of Conditional Use Permit (File Index No. DAP-001-138) for a small manufacturing brewing use (microbrewery) to allow an on-site consumption and off-sale ABC Alcohol License (Type 23) to expand from Unit A (1,400 square feet) into Unit B (1,400 square feet) to allow an additional tasting room, storage space, and offices; **Determination of Public Convenience and Necessity (PCN)** will also be considered by the Planning Commission on property measuring 1.4 acres in area within the M-1 (Light Industrial) Zone.

**APPLICANT:** Richard Morales Jr.

**PROPERTY OWNER:** Herbert C. Royal

**ACTIONS:**  
**APPLICATION FILED:** 07/14/16  
**APPLICATION REVIEW COMMITTEE:** 08-01-16 **Decision:** Recommendation of approval with conditions to the Planning Commission.  
**CONSIDERATION BY THE PLANNING COMMISSION:** 08/23/16; **Decision:** \_\_\_\_\_  
**ENVIRONMENTAL DETERMINATION: Exempt under CEQA, Section 15301 (Existing Facilities), Class 1.**  
 This section pertains to existing facilities, categorically exempting from CEQA proposed projects that involve negligible or no expansion beyond what currently exists at the time of environmental determination.

**PROPERTY INFORMATION:**

- 1. Location: 898 Via Lata Drive, Suite A and Suite B
- 2. Lot Size(s): 1.4 acres (60,984 square feet)
- 3. Existing/Previous Land Use: Industrial Building
- 4. General Plan Land Use Designation: Light Industrial
- 5. Zoning: M-1 (Light Industrial)
- 6. Surrounding Properties:

	Existing Land Use	Zoning	General Plan Land Use Designation
<b>North</b>	Industrial	M-1 (Light Industrial)	Light Industrial
<b>South</b>	Industrial	M-1 (Light Industrial)	Light Industrial
<b>East</b>	Summit Carrier College	M-1 (Light Industrial)	Light Industrial
<b>West</b>	Industrial	M-1 (Light Industrial)	Light Industrial

## 7. Building Permit History:

1979	Final Building Permit to allow construction of a 19,600 square foot industrial building.
10/23/2014	Final Building Permit approving update parking lot accessibility requirements.
10/23/2014	Final Building Permit for tenant improvements (bathroom, plumbing, and electrical)
03/25/2015	Final Building Permit for tenant improvements to establish a micro-brewery.
03/25/2015	Final Business Occupancy Permit Approval.
03/04/2016	Business License Up to date

## 8. Past Planning Actions:

None Found – Planning logs date back to 1981

03/25/2014	Resolution No. R-05-14 approved by the Planning Commission to allow a micro-brewery [small beer manufacturer]
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## BACKGROUND AND PROPOSAL

On January 19, 2010, the City Council adopted Ordinance No. 0-08-09, which requires the review and approval of a Conditional Use Permit for premises engaged in the sale of beer, wine and other alcoholic beverages for on-premise or off-premise consumption. Therefore, the review and approval of a Conditional Use Permit for the micro brewery is required to allow the sale beer for on-site consumption and off-site sales.

The proposed brewery is determined to be a “custom manufacturing” use defined by Section 18.04.316 of the Zoning Code: *“Manufacturing, Custom” means Establishments primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment , and the direct sale to consumers of only to those goods produced on site. Typically uses include ceramic studios, candlestick shops and custom jewelry manufacturers.* The beer making equipment used by the applicant is made in Concord, California and the goods made, in this case beer, will be sold on the premises.

Existing Suite A includes 1,400 square foot industrial suite organized as follows:

- **Brewery manufacturing area:** 1,160 square feet, minor tenant improved proposed, no exterior changes
- **Tasting Area:** 240 square feet
- **Brewery tours:** Friday (4:00 pm to 9:00 pm) and Saturday (11:00 am to 9:00 pm). Serving size will include 4, 12 and 16 ounce plastic serving containers.
- **Brewing Manufacturing Days:** Monday through Thursday (8:00 am to 4:30 pm)
- **Operation Personnel:** 2 owner-operators; no employees

Expansion into Suite B includes:

- **Proposed Tasting Area** (400 square feet)
- **Dry Storage Area, existing bathroom and office** (1,000 square feet)

## PROPERTY INFORMATION

The property is located at the east side of Via Lata Drive just north of the T-Intersection of Via Lata Drive and Cooley Drive. The industrial building was constructed in 1979 with 14 industrial suites and parking located adjacent to the building and at the rear of the lot. The site is landscaped and includes two trash enclosure areas. At this time, three of the suites are vacant. The remaining suites are occupied by print shops, sound and satellite shop, rent a center store, adolescent treatment center, ambulance office, development company, and auto sales office that also warehouses cars. The applicant has provided an operation statement for the proposed expansion (Attachment 1)

There are industrial uses/administrative offices/private technical colleges located in the surrounding neighborhood. The property has street frontage along Via Lata Drive and suite A faces the street. The site is relatively flat and there are a total of 49 paved parking spaces on site: 28 parking spaces along the south side of the building and 21 parking spaces at the rear of the lot. Two handicapped accessible parking spaces have been provided on the site; one is van accessible in size.

**ZONING COMPLIANCE TABLE**

<b>Standard</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Lot Area</b>	15,000 sf minimum	60,984 sf	No change	Yes
<b>Lot Depth</b>	100'	387.36'	No change	Yes
<b>Lot Width</b>	100'	156.35'	No change	Yes
<b>F.A.R.</b>	0.5 (30.492 sf)	0.32 (19,600 sf)	No change	Yes
<b>Suite floor area</b>	N/A	Suite A: 1,400 sf	Suite A: No change	N/A
<b>Building Height</b>	40' or 3 stories max	One story	No change	Yes
<b>Parking</b>	49 parking spaces	49 parking spaces	No change	Yes
<b>Accessible Parking</b>	2 parking spaces	2 parking spaces	No change	Yes
<b>Setback, front</b>	20'	32'	No change	Yes
<b>Setback, Side</b>	0'	26'-3" (north elevation) 60'-1" (south elevation)	No change	Existing non conforming
<b>Setback, rear</b>	0'	76'	No change	Yes
<b>Perimeter Fence</b>	Six foot screen wall	Six foot high block wall	No change	Yes
<b>Landscaping Area</b>	15% of lot area	15%	No change	Yes

**ANALYSIS**

The proposed micro brewery expansion provides additional room for tasting and room to store and an additional office for the business. Staff has not received any complaints about the business operation. The proposed expansion is reasonable request with no proposed changes to previous conditions of approval. The same hours and restrictions included in the 2014 CUP approval are included in the attached Draft Planning Commission Resolution for the proposed Modification of CUP. The applicants have concurred in continued compliance with the existing and proposed conditions.

**Concentration Status of ABC Licenses:** The ABC website allows staff to conduct a query to find out the existing number of active ABC licenses in a Census Tract and also provides information as to the maximum number of on- and off –sales alcohol licenses are permitted based on population of the of the Census Tract. The subject property is located in U.S. Census Tract 71.08 with a population of 2,202 and is permitted one (1) on-sale license and one (1) off-sale license. Presently, there are five (5) on-sale alcohol licenses and two (2) off-sale alcohol licenses in the 71.08 Census Tract. One (1) on-sale for Walmart related to “instructional tasting” was recently approved by the Planning Commission. The existing mico-brewery permits both on and off-sales of alcohol as related to the small beer manufacture or micro-brewery as defined by the Department of Alcoholic Beverage Control. Most of the licenses are clustered along Mount Vernon Avenue commercial area, including restaurants and grocery and convenience store uses (See Attachment 5). The Colton Police Department does not object to the proposed Type 23 Alcohol License. However, we have included the standard conditions of approval in the attached Resolution No. R-30-16. (Attachment 6)

Because the Census Tract is presently over the limit of allowed licenses, the Planning Commission will need to find that public convenience or necessity would be served by the issuance of the license associated with this Modification of Conditional Use Permit (MCUP). The proposed findings for the MCUP are provided within the attached draft Resolution No. R-30-16. In addition, the determination of public convenience or necessity is also included in Section 3 of Draft PC Resolution No. R-30-16.

## **ENVIRONMENTAL DETERMINATION**

Staff analyzed the proposal for California Environmental Quality Act (CEQA) compliance. The proposal is exempt under Article 19, Section 15301 (Existing Facilities), Class 1 of the CEQA Guidelines. This section pertains to existing facilities, categorically exempting from CEQA proposed projects that involve negligible or no expansion beyond what currently exists at the time of environmental determination.

## **CONDITIONAL USE PERMIT FINDINGS:**

A key goal of land use rules is for nearby land uses to be compatible with one another. One way cities do this is to say that certain kinds of uses are allowed only under certain conditions through a conditional use permit (CUP). The CUP process allows decision-makers to avoid, minimize or mitigate anticipated problems.

The Planning Commission has authority to conduct public hearings to consider a Modification of CUP applications pursuant to Colton Municipal Code Section 18.58.060 which states in part: *“In considering a 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.”* Therefore, in approving a Conditional Use Permit, the Commission should consider the findings as prescribed below.

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;*** The proposed micro brewery with Type 23 Alcoholic Beverage Control license is consistent with the following General Plan Update goals and objectives:
  - A. General Plan Update **Goal LU-9.** *“Maintain a diverse mix of commercial uses that benefit the community in terms of needed commercial services, tax revenue, and employment opportunities.”* The proposed micro brewery will be the first within the City of Colton expanding the diversity of business uses and generating tax revenue.
  - B. General Plan Update **Policy LU-3.1:** *“Provide for land uses that allow a variety of retail, service, manufacturing, institutional, office, and recreational businesses to locate in Colton.”* The proposed micro brewery with Type 23 ABC License will provide for a greater variety of manufacturing uses within the M-1 zone and is compatible with surrounding uses at this specific location.
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;*** The proposed micro brewery with Type 23 ABC License will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity for the following reasons:
  - A. The proposed use hours of operation are acceptable for the commercial location of the subject site and the surrounding properties.
  - B. The proposed business is located in an area of the City consisting of industrial uses, office uses and other manufacturing uses.
  - C. Conditions have been placed on the alcoholic beverage control license which will mitigate any potential impacts created by the use and ensure that the use will not negatively affect the surrounding community.
  - D. All exterior lighting is subject to conformance with the lighting standards of the City (i.e., non-flashing and directed away so as to eliminate objectionable glare) in conformance with Chapters 18.40 and 18.42 of the Colton Municipal Code.

3. ***That the proposed Use complies with each of the applicable provisions of this title; The use conforms with the requirements of the Colton Zoning Code, as conditioned. The subject property is zoned M-1 (Light Industrial) which permits on- and off-sale alcohol uses, subject to Conditional Use Permit. The M-1 (Light Industrial) Zone is intended to provide areas for the development of industrial uses to serve the community and to establish those standards of development necessary to insure that such commercial areas will be compatible with adjoining land uses.***

**RECOMMENATION**

Staff recommends that the Planning Commission approve the Conditional Use Permit through the adoption of attached Resolution entitled:

**RESOLUTION NO. R-30-16 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING A MODIFICATION OF CONDITIONAL USE PERMIT (FILE INDEX NO. DAP-001-138) TO EXPAND AN EXISTING MICRO-BREWERY USE, TYPE 23 LICENSE, FROM EXISTING UNIT A (1,400 SQUARE FEET) INTO UNIT B (1,400 SQUARE FEET) TO ALLOW AN ADDITIONAL TASTING ROOM, STORAGE AND OFFICES, ON PROPERTY MEASURING 1.4 ACRES IN AREA WITHIN THE M-1 (LIGHT INDUSTRIAL) ZONE. (FILE INDEX NO. DAP-001-340)**

Attachments:

- |              |   |
|--------------|---|
| Attachment-1 | Applicant's Operational Statement Letter        |
| Attachment-2 | Planning Commission Resolution R-05-14          |
| Attachment-3 | Planning Commission Minutes March 25, 2014      |
| Attachment-4 | Planning Commission Staff Report March 25, 2014 |
| Attachment-5 | Updated ABC Queries 2016                        |
| Attachment-6 | Draft PC Resolution No. R-30-16                 |
| Attachment 7 | Plans   |



Prepared by:  
Mario Suarez, AICP, CNU-A  
Senior Planner



Reviewed by:  
Mark Tomich, AICP  
Development Services Director

**ATTACHMENT 1**  
**Operation Statement**

July 14, 2016

## Operations Statement Letter

We plan on making a small expansion- amendment to our (micro brewery) in the city of Colton. We are currently operating at 898 Via Lata, (suite A). We plan on expanding to (suite B) and removing a portion of the common wall between the two units.

Suite B will be mainly used for extra storage(1000 s.f.). Approximately (400 s.f.) will be used as overflow for the tasting room in (suite b). There will be no part of production taking place in (suite b) including brewing, washing, fermenting or alcohol storage of any kind. All alcohol sales and production will continue to take place in (suite a) only.

Brewing days, times and hours of operation will continue without change, including two owner/operators and no employees. Thank you for your support of local business.

Respectfully,

Richard Morales Jr.  
(Co-owner/Brewer)



David De La Torre  
(Co-owner/Brewer)



**ATTACHMENT 2**  
**PC Resolution No. R-5-14**



1 provide for a greater variety of manufacturing uses within the M-1 zone and is  
2 compatible with surrounding uses at this specific location.

3 2. ***That the proposed Use, together with the conditions applicable thereto will not be***  
4 ***detrimental to the public health, safety or welfare, or materially injurious to***  
5 ***properties or improvements in the vicinity;*** The proposed micro brewery with Type  
6 23 ABC License will not be detrimental to the public health, safety or welfare or  
7 materially injurious to properties or improvements in the vicinity for the following  
8 reasons:

9 A. The proposed use hours of operation are acceptable for the commercial location of  
10 the subject site and the surrounding properties.

11 B. The proposed business is located in an area of the City consisting of industrial uses,  
12 office uses and other manufacturing uses.

13 C. Conditions have been placed on the alcoholic beverage control license which will  
14 mitigate any potential impacts created by the use and ensure that the use will not  
15 negatively affect the surrounding community.

16 D. All exterior lighting is subject to conformance with the lighting standards of the  
17 City (i.e., non-flashing and directed away so as to eliminate objectionable glare) in  
18 conformance with Chapters 18.40 and 18.42 of the Colton Municipal Code.

19 3. ***That the proposed Use complies with each of the applicable provisions of this title;***  
20 ***The use conforms with the requirements of the Colton Zoning Code, as conditioned.***  
21 ***The subject property is zoned M-1 (Light Industrial) which permits on- and off-sale***  
22 ***alcohol uses, subject to Conditional Use Permit. The M-1 (Light Industrial) Zone is***  
23 ***intended to provide areas for the development of industrial uses to serve the community***  
24 ***and to establish those standards of development necessary to insure that such***  
25 ***commercial areas will be compatible with adjoining land uses.***

26 **SECTION 2.** The Planning Commission of the City of Colton, in accordance with the  
27 California Environmental Quality Act, has found that the project will not have a significant impact  
28 on the environment and is Categorically Exempt from CEQA under Article 19, Section 15301  
(Existing Facilities), Class 1 of the CEQA Guidelines. This section pertains to existing facilities  
that involve negligible or no expansion beyond what currently exists at the time of environmental  
determination.

**SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the  
Planning Commission hereby finds that public convenience or necessity would be served by the  
issuance of the license associated with this Conditional Use Permit and directs the Development  
Services Director to forward necessary documentation to the State Department of Alcoholic  
Beverage Control (ABC).

**SECTION 4.** This action by the Planning Commission shall be final unless an appeal of  
the action is filed with the City Clerk's office in writing, pursuant to Section 18.58.100 of the Colton  
Municipal Code.

**SECTION 5.** This land use entitlement shall become null and void if not exercised within

1 one (1) year of this approval and the applicant has not been granted an extension of time by the  
2 Planning Commission, pursuant to Section 18.58.070 of the Colton Municipal Code.

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

4 PASSED, APPROVED, AND ADOPTED this 25<sup>th</sup> day of March 2014.

5   
6 \_\_\_\_\_  
7 Planning Commission Chairperson  
8 Richard Prieto

8 ATTEST:

9   
10 \_\_\_\_\_  
11 Planning Commission Secretary  
12 Mark R. Tomich, AICP

13 I hereby certify that the foregoing is a true copy of a Resolution adopted by the  
14 Planning Commission of the City of Colton at a meeting held on March 25, 2014, by the following  
15 vote of the Planning Commission:

15 AYES: Perez, Archuleta, Delgado, De La Rosa, Woods

16 NOES:

17 ABSENT: Prieto, Ramirez

18 ABSTAIN:

19   
20 \_\_\_\_\_  
21 Planning Commission Secretary  
22 Mark R. Tomich, AICP



- 1           a.           A special events permit shall be obtained from the Community Services  
2                    Department for any special events on site (e.g., grand opening, temporary  
3                    outdoor sales, etc).
- 3           b.           The site shall be developed and maintained consistent with the approved  
4                    plans and the conditions of approval.
- 4           c.           The premises shall be kept clean and the operator of the establishment shall  
5                    ensure that no trash or litter originating from the site is deposited onto the  
6                    neighboring properties or onto the public right-of-way.
- 6   9.           Separate submittals and permits are required for all accessory structures such as but not  
7                    limited to, trash enclosures, patios, light standards, and storage buildings.
- 8   10.           The applicant shall post the maximum occupancy loads per Building Code and Fire Code  
9                    requirements.
- 10   11.           The approval of this Conditional Use Permit (File Index No. DAP-001-138) must not be  
11                    construed as the approval of a bar or cocktail lounge, nor as a nightclub or cabaret with  
12                    entertainment and/or dancing and this establishment must not operate as such.
- 12   12.           There will be no gatherings or parties at this location other than a Grand Opening event and  
13                    on occasion Special Events related to tours and beer tasting only.
- 13   13.           The storage of delivery vehicles is not allowed at this location.
- 14   14.           This establishment must comply with the City of Colton Municipal Code Section  
15                    Performance Standards Title 18 (Zoning Code), Chapter 18.42 includes: Fire and explosion  
16                    hazards; electrical interference; noise; vibration; smoke; odors; air quality; light; glare;  
17                    liquid; and solid waste.
- 17   15.           The sales, service, and consumption of alcoholic beverages shall be permitted only between  
18                    the hours of 4:00 pm to 9:00 pm - Monday – Friday; 11:00 am to 9:00 pm – Saturdays and  
19                    Sundays, unless otherwise amended by the granting of a modification of this Development  
20                    Permit Application for the Conditional Use Permit (File Index No. DAP-001-138) by the  
21                    Planning Commission of the City of Colton.
- 21   16.           No minors under the age of 21-years old is permitted on premises under any circumstances.  
22                    Violation of this requirement is grounds for scheduling a revocation hearing with the  
23                    Planning Commission of this Conditional Use Permit approval.
- 23   17.           No other brands of beer may be sold at this location other than that manufactured by this  
24                    facility.
- 24   18.           It shall be the applicant’s responsibility to ensure that no alcoholic beverages, sold on the  
25                    premises, are consumed on any property adjacent to the licensed premises under the control  
26                    of the applicant.
- 26   19.           The applicant or an employee of the licensee must be present to monitor all areas of the  
27                    establishment during all times that alcoholic beverages are being served or consumed.
- 28

- 1 20. All employees serving alcoholic beverages must complete Responsible Beverage Service  
2 Training, or an equivalent approved by the State Department of Alcoholic Beverage  
3 Control, prior to being able to serve alcoholic beverages to patrons. Evidence of the  
4 completion of such training must be maintained on the premises and available for inspection  
5 upon request by the City.
- 6 21. Queuing lines shall be managed in an orderly manner and all disruptive and/or intoxicated  
7 patrons shall be denied entry. The business owner, or his designee, shall be responsible for  
8 monitoring the queuing lines at all times.
- 9 22. Any outdoor queuing line shall not block public walkways or obstruct the entry or exit doors  
10 of adjacent businesses. Stanchions or barriers must be used to maintain order at all times  
11 the queue exceeds 10 patrons.
- 12 23. Employees and contract security personnel shall not consume any alcoholic beverages  
13 during their work shift, except for product sampling for purposes of quality control.
- 14 24. There shall be no exterior advertising of any kind or type, including window signs or other  
15 signs visible from outside, that promote or indicate the availability of alcoholic beverages  
16 on the premises. Interior displays of alcoholic beverages or signs, which are clearly visible  
17 to the exterior, shall constitute a violation of this condition. Permissible window displays  
18 must be kept to a minimum for maximum visibility and shall not exceed 30 percent of the  
19 window coverage. Floor displays shall not exceed three feet in height.
- 20 25. No amusement machines or video games shall be maintained on the premises at any time.
- 21 26. No entertainment, including but not limited to, amplified music, karaoke, performers and  
22 dancing, shall be held at this location for promotional purposes, except in-house sound  
23 system is permitted.
- 24 27. The Applicant and/or Property Owner shall comply with all requirements of all reviewing  
25 agencies and shall comply with all applicable local, state, and federal rules, laws and  
26 regulations.
- 27 28. The Applicant and/or Property Owner shall, at all times, maintain the property so as not to  
28 constitute a nuisance in the community.
- 29 29. This action by the Planning Commission shall be final unless an appeal of the action is filed  
with the City Clerk's office in writing, pursuant to Section 18.58.100 of the Colton  
Municipal Code.
- 30 30. This land use entitlement shall become null and void if not exercised within one (1) year of  
this approval.

**POLICE – CODE ENFORCEMENT DIVISION**

31. Comply with the requirements of the City of Colton **Code Enforcement/Police**, including the following:

- 1 a. **Landscaping:** Property manager or tenant will maintain all approved landscaping in  
2 good condition, including but not limited to adequate irrigation, mowing of grass, and  
3 replacing dead trees and shrubs. Above ground landscaping controls or backflow valves  
4 will be secured in a locked metal cage to prevent theft or vandalism.
- 5 b. **Loitering:** Loitering is prohibited on or about the premises. No exterior fixtures or  
6 furnishings at or adjacent to the location that encourage loitering and nuisance  
7 behavior. No exterior pay telephones.
- 8 c. **Litter/Graffiti:** The exterior of the business and areas adjacent to the business over  
9 which they have control, including all signs and accessory buildings and structures, shall  
10 be maintained free of litter and graffiti at all times. The owner or operator shall provide  
11 for daily removal of trash, litter and debris from the premises and on all abutting  
12 sidewalks and parking lots within twenty (20) feet of the premises. Graffiti shall be  
13 completely removed or covered with a color-matching paint within forty-eight (48)  
14 hours. The expectation for graffiti cover up is to produce an appearance the graffiti  
15 never existed.
- 16 d. The applicant shall grant “right of access” by the City or agent to remove graffiti.
- 17 e. **Exterior Lighting:** All lightning will be maintained in good working order. All lighting  
18 shall be shown on the required plot plans. Lighting shall be designed and installed in  
19 such a manner that provides adequate illumination to all parking spaces, stalls,  
20 walkways, corridors, and stairways, insuring there are no dim, dark, or shadowed areas  
21 (other than shadows naturally cast beneath the actual vehicles.) Lighting level will be  
22 a minimum of 1 footcandle and average of 2 footcandle. Lighting fixtures shall be such  
23 that the angle of projected light does not interfere or hinder the vision of police officers  
24 or security personnel patrolling the areas. All lighting will be properly shielded so as to  
25 not trespass or disturb neighboring residences, adjacent businesses, or persons while  
26 driving vehicles upon the roadway. In the event a lighting fixture becomes inoperable,  
27 property management will have the lighting repaired within 72 hours.
- 28 f. **General Parking:** Parking lot shall be maintained in accordance with Title 18 of the  
Colton Municipal Code, zoning ordinance requirements for paving and striping.
- g. **Storage:** Parking and trash areas will not be used for storage of hazardous materials,  
including but not limited to tires, waste oil, and inoperable or unregistered  
vehicles. Property manager or tenant shall promptly abate hazardous materials or  
inoperable vehicles. General exterior storage areas will be screened from public view.
- h. **Advertisements:** Handbills or advertisements may be distributed in public places  
person-to-person but will not be placed or left upon unoccupied vehicles or otherwise  
left unattended in public places.
- i. **Special Events:** Per Colton Municipal Code Section 5.44, applicant shall not conduct,  
operate, maintain, organize, advertise, or sell or furnish tickets for a special event or  
permit the subject property to be used for any special event without first obtaining a  
special event permit. Special events include, but are not limited to, sales events where

1 merchandise, goods, or vehicles are displayed for sale on the property, political  
2 functions, fundraising events by non-profit entities, and events featuring motivational  
3 or educational speakers. The Special Event Committee may expressly grant a minor  
variance of conditions specific to individual special events.

- 4 j. **Surveillance Monitoring:** The permittee shall install a video surveillance monitoring  
5 system, the video system shall be capable of recording a clear view of all areas of the  
6 subject property including, but not limited to, parking lots, walkways, corridors, all sides  
7 of buildings, the perimeter landscape and grass areas. Recordings shall be retained for  
8 a minimum of 30 days. Copies of recordings will be provided to the Colton Police  
Department upon request. The final location of the security cameras shall be reviewed  
and approved by the City of Colton Police Chief.
- 9 k. **Written Security Policy:** The owner or manager of the licensed premises shall maintain  
10 on the premises a written security policy and procedures manual, that has been approved  
11 by the police department, addressing at a minimum the following items: handling  
12 obviously intoxicated persons; establishing a reasonable ratio of employees to patrons,  
13 based upon activity level, in order to monitor beverage sales and patron behavior;  
14 handling patrons involved in fighting, arguing or loitering about the building and in the  
immediate adjacent area that is owned, leased, rented or used under agreement by the  
Licensee(s); verifying age/checking identification of patrons; warning patrons of  
reaching their drinking limit/potential intoxication and refusing to serve; calling the  
police regarding observed or reported criminal activity and the management of queuing  
lines.
- 15 l. **Right of Access:** Permittee shall grant “right of access” to the City of Colton and its  
16 employees or agents for the purposes of monitoring compliance with these conditions,  
17 patrolling, investigating crimes, and enforcing laws and ordinances on the subject  
18 property. Permittee shall grant “right of access” to the City of Colton and its employees  
or agents to remove graffiti and to determine if the applicant is in compliance with these  
conditions.
- 19 m. **Exterior collection bins,** donation receptacles, or storage containers are not permitted  
20 except by express approval of Development Services Director.
- 21 n. **Alcohol Sales/Service:** Permittee shall observe all laws relative to sales and service of  
22 alcohol. Permittee will comply with alcoholic beverage license conditions and maintain  
23 an alcoholic beverage license in good standing with the Department of Alcohol and  
Beverage Control. Employees shall refuse sales to intoxicated or belligerent persons.
- 24 o. **Verification of Age:** The ABC licensee, permittee, employees and security guards are  
25 each responsible to verify age of persons purchasing alcohol. ABC licensee shall have  
26 at least one (1) employee assigned to check each person’s identification prior to alcohol  
27 sales. Persons who cannot produce identification showing that they are over 21 years  
28 of age shall not be allowed to purchase alcoholic beverages. Identification is defined as  
a physical document issued by a government entity or political subdivision of the United  
States of America, such as a California Driver’s license or California identification  
card. Foreign identification is not acceptable, except for a legitimate passport.

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- p. **Compliance with Applicable Laws.** The permittee shall comply with all federal, state and local laws, including the Alcohol Beverage Control (ABC) Act. Any material violations of such laws in connection with the authorized use shall be grounds for revocation of this conditional use permit.
- q. **Security Guards:** If security guards are used, they must be in possession of a BSIS issued guard card, and a California identification card or driver's license. Guards must be employed by and operating under the direction of a licensed State of California Consumer Affairs Bureau of Security and Investigative Services Private Patrol Operator (PPO) which has registered with the City of Colton as required by Colton Municipal Code section 5.50. Security guards are to be unarmed. Guards may not carry baton or firearm, but may carry a chemical agent if issued a BSIS approved training certificate for the use of the chemical agent.
- r. The permittee and/or licensee shall ensure that any security guard company, if used, initiates registration with the Colton Police Department at least 30 days in advance of security services being performed in the City of Colton in order to facilitate City licensing per Colton Municipal Code section 5.50.
- s. **Interior Lighting:** All interior areas of the premises will be illuminated in a manner that provides lighting sufficient to illuminate and make easily discernable the appearance of all persons on or about the premises.
- t. **After hours Contact Information:** Permittee will ensure after hours contact person information is kept current and on file with police department dispatch center. Ideally there should be several persons available; each should be a key holder with knowledge of alarm reset codes, available to respond within 20-30 minutes, and of sufficient authority to facilitate a board up or other emergency repair measures.
- u. **Complaints.** Three (3) or more verified complaints or occurrences within a one (1) month period, or six (6) or more verified complaints or occurrences within a three (3) month period, or twelve (12) or more verified complaints or occurrences within a one (1) year period regarding disturbances or criminal activity caused by patrons, staff or other persons at or near or leaving from the business facility on the subject property, shall be grounds for revocation of this conditional use permit. For purposes of this condition, verified complaints shall be defined as complaints received by the City of Colton, Colton Police Department, or any other law enforcement agency or any governing agencies regarding the violations of federal, state, or local laws. Occurrences shall be defined as any violation of federal, state, or local laws, including but not limited to the Alcohol Beverage Control (ABC) Act, for which patrons, staff or other persons frequenting the location are cited or arrested at, near or leaving from the subject property. These grounds for revocation are not exclusive.
- v. **Revocation or Modification:** Should the Chief of Police, in his sole and subjective discretion, deem the number of calls for police service attributable to the location to be excessive, or pose a burden to the time and resources of the Colton Police Department, or a nuisance to the City of Colton or surrounding neighborhood, the conditional use

1 permit will be subject to review and potential revocation or modification. The permittee  
2 acknowledges that any violations of these conditions of approval or violations of  
3 federal, state or local laws and ordinances shall constitute good cause and subject the  
conditional use permit to revocation or modification proceedings

4 **FIRE DEPARTMENT**

- 5 32. Premise identification shall be provided in accordance with the City's' Security Ordinance  
#0-13-89, Section XIV (residential), Section XV (commercial).
- 6 33. Portable fire extinguishers shall be required for this project. Size, type, and locations shall  
7 be determined by the fire department's field inspector.
- 8 34. The proposed facility's use and/or operations shall be designed and maintained in  
9 accordance with the 2012/2013 editions of the International Fire and Building Codes /  
California Fire and Building Codes (Title 24).
- 10 35. The applicant shall comply with all Fire Department requirements as noted during the  
11 business occupancy process. (B.O.P.)

12 **ELECTRIC UTILITY DEPARTMENT**

- 13 36. The project developer/applicant shall comply with all customer service policies of the City  
14 of Colton Electric Utility Department. The developer shall provide the Electric Utility with  
15 all information necessary to determine the project's electric service requirements; and if  
16 necessary and at their own expense, install all conduit and vault systems associated with  
17 underground primary/service line extensions and street-lighting as per the Electric Utility's  
approved design. The developer shall pay all charges associated with the Electric Utility's  
cost to construct underground and overhead line extensions and street-lighting.

18 **BUILDING AND SAFETY DIVISION**

- 19 37. The above project shall comply with the current California Codes (CBC, CEC, CMC and  
20 the CPC) as well as city ordinances. Plans shall be submitted to the Building & Safety  
21 Division as a separate submittal. The 2013 edition of the California Codes became effective  
for all permit applications submitted after January 1, 2014.
- 22 38. Site development shall be designed to provide access to all entrances and exterior ground  
23 floor exits and access to normal paths of travel, and where necessary to provide access,  
24 Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and  
25 sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warnings, signage,  
gates, lifts and walking surface material. The accessible route(s) of travel shall be the most  
26 practical direct route between accessible building entrances, site facilities, accessible  
parking, public sidewalks, and the accessible entrance(s) to the site. Commercial buildings  
on the site shall be accessible per California Building Code (CBC) 11B.
- 27 a. City of Colton enforces the State of California provisions of the California Building  
28 Code disabled access requirements. The Federal ADA standards differ in some cases

- 1 from the California State requirements. It is the building owner's responsibility to  
2 be aware of those differences and comply accordingly.
- 3 b. Disabled access parking shall be located on the shortest accessible route. Relocate  
4 parking spaces accordingly.
- 5 39. Site Facilities such as parking (open and covered), recreation facilities, and trash dumpsters,  
6 shall be accessible per California Building Code (CBC) 11B.
- 7 40. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification.  
8 Plans will include "as built" plans, revisions and changes. The CD will also include Title  
9 24 energy calculations, structural calculations and all other pertinent information. It will be  
10 the responsibility of the developer and or the building or property owner(s) to bear all costs  
11 required for this process. The CD will be presented to the Building & Safety Division for  
12 review prior to final inspection and building occupancy. The CD will become the property  
13 of the Colton Building & Safety Division at that time. In addition, a site plan showing the  
14 path of travel from public right of way and building to building access with elevations will  
15 be required.
- 16 41. Prior to the issuance of a building permit, the applicant shall submit a properly completed  
17 "Waste Management Plan" (WMP), as required, to the Compliance Official (Building  
18 Official) as a portion of the building or demolition permit process.
- 19 42. Prior to the issuance of a building permit, show on the plans that no gutter, drainage feature,  
20 swale or other deviation in the flat level surface at the accessible parking spaces exists  
21 within and for a minimum four foot extension beyond the outer dimensions of the parking  
22 space, loading zone and path of travel.
- 23 43. Separate submittals and permits are required for all accessory structures such as but not  
24 limited to, trash enclosures, patios, block walls and signage.
- 25 44. Pursuant to California Business and Professions Code Section 6737, this project is required  
26 to be designed by a California licensed architect or engineer. Based on change of use and  
27 potential exiting and fire life safety improvements, plans shall be prepared, stamped and  
28 signed by a licensed Architect or Registered Civil Engineer for submission for plan check  
review.
45. Plumbing plans shall be prepared, including isometrics, for required plumbing fixtures  
based on California Plumbing Code, Chapter 4 and Table 4-1.

**ATTACHMENT 3**  
**PC Minutes March 25, 2014**



**CITY OF COLTON**  
**PLANNING COMMISSION REGULAR MEETING MINUTES**  
City Council Chambers – Tuesday, March 25, 2014 – 6:30 pm

**A. CALL TO ORDER.**

Call to Order at 6:30pm.

**B. ROLL CALL**

Commissioners Present:

Vice Chair Joe Perez III  
Thomas Archuleta  
Angel Delgado  
Richard De La Rosa  
Jack Woods

Commissioners Absent:

Chairperson Richard Prieto (Excused)  
Cynthia L. Ramirez (Excused)

City Staff:

Marco Martinez, City Attorney  
Mark Tomich, Development Services Director  
Mario Suarez, AICP, Senior Planner  
Faviola Medina, Office Specialist

**C. PLEDGE OF ALLEGIANCE**

Commissioner De La Rosa led the pledge of allegiance.

**D. APPROVAL OF MINUTES**

1. March 11, 2014 Planning Commission Regular Meeting Minutes.

Motion and second by Commissioner Archuleta/Commissioner Delgado (5 to 0)  
to approve minutes.

**E. PUBLIC COMMENT**

- None.

**F. PUBLIC HEARING**

1. **FILE INDEX NUMBER:** DAP-001-138 **3-Iron Brewing Company**

**APPLICANT:** Richard Morales Jr.

**REQUEST:** A **Conditional Use Permit** to allow on- and off-sale beer (Type 23 Alcohol License) sales for a small beer manufacturer use (Micro Brewery) within an existing industrial center located on 1.4 acres of land within the M-1 (Light Industrial) Zone.

**LOCATION:** 898 Via Lata Drive, Suite-A

**ASSESSOR'S PARCEL NUMBER:** 0276-014-19

**ENVIRONMENTAL DETERMINATION:** Pursuant to CEQA section 15332 (Infill Development), the project is exempt from CEQA because project meets the criteria for infill development project in size, location and would not result in significant environmental impacts.

**PRESENTATION BY:** Mario Suarez, AICP, Senior Planner

**PUBLIC COMMENT:**

- Dr. G
- John Anaya
- Gary Grossich
- Ron Lawrence

**RECOMMENDATION:** Staff recommends that the Planning Commission approve Conditional Use Permit through the adoption of attached Resolutions entitled:

**RESOLUTION NO. R-05-14** – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING CONDITIONAL USE PERMIT TO ALLOW AN ON- SITE CONSUMPTION AND OFF-SALE ABC ALCOHOL LICENSE (TYPE 23) FOR A SMALL BEER MANUFACTURER USE (MICRO BREWERY) ON THE PROPERTY LOCATED AT 898 SOUTH VIA LATA DRIVE WITHIN THE M-1 (LIGHT INDUSTRIAL) ZONE. (FILE INDEX NO: DAP-001-138).

Motion and second by Commissioner De La Rosa/ Commissioner Woods (5 to 0) to approve the Conditional Use Permit through the adoption of **RESOLUTION NO. R-05-14** with modification to condition Nos. 2, 16, 31J.

**G. DIRECTOR'S REMARK /REVIEW OF CITY COUNCIL AGENDAS**

- New applications from Discovery Center (Rob Roy) at the northwest corner of Pepper and Valley for a proposed LA Fitness/restaurant/retail pads.

## H. COMMISSION COMMENTS

### De La Rosa

- Met with Art Morgan and CM Toro regarding current and future development in the City. Encouraged each of the Commissioners to meet with the Councilmember who appointed them to be brought up to date.

### Archuleta

- Reminded his fellow Commissioners to turn in their Form 700 to the City Clerk's Office by April 1, 2014.
- Thanked Vice-Chair Perez for running a great meeting.

### Woods

- No comments.

### Delgado

- Asked staff for information regarding the South Colton Planning Workshop. Director Mark Tomich stated that there were no plans for a workshop at this time.
- Asked if there were any plans for the former K-Mart Property.

### Perez

- Recognized and invited Councilmember Navarro to the podium for comments.
- Invited everyone to the Ken Hubbs Baseball 75<sup>th</sup> Anniversary event to be held on April 5, 2014 at 10 a.m.
- Recognized staff's efficiency in preparing presentation and explaining existing and future conditions for the project.

## I. ADJOURNMENT

Motion and second by Commissioner Woods/ Commissioner Delgado to adjourn the meeting at 8:00 pm.

Approved by:



Mark R. Tomich, AICP  
Development Services Director

# **ATTACHMENT 4**

**PC Staff Report March 25, 2014**



# Planning Commission Staff Report

City of Colton  
Development Services Department

**MEETING DATE:** March 25, 2014

**FILE INDEX NUMBER:** DAP-001-138 **3 Iron Brewing Company**

**REQUEST:** **Conditional Use Permit** to allow on- and off-sale beer (Type 23 Alcohol License) sales for a small beer manufacturer use (Micro Brewery) within an existing industrial center located on 1.4 acres of land within the M-1 (Light Industrial) Zone.

**APPLICANT:** Richard Morales Jr.

**PROPERTY OWNER:** Herbert C. Royal

**ACTIONS:**  
**APPLICATION FILED:** 02/19/14  
**CONSIDERATION OF DESIGN REVIEW COMMITTEE:** 03/17/14; **Decision:** Recommendation of approval with conditions to the Planning Commission.  
**CONSIDERATION BY THE PLANNING COMMISSION:** 03/25/14; **Decision** \_\_\_\_\_.  
**ENVIRONMENTAL DETERMINATION: Exempt under CEQA, Section 15301 (Existing Facilities), Class 1.** This section pertains to existing facilities, categorically exempting from CEQA proposed projects that involve negligible or no expansion beyond what currently exists at the time of environmental determination.

**PROPERTY INFORMATION:**

- 1. Location: 898 Via Lata Drive, Suite A
- 2. Lot Size(s): 1.4 acres (60,984 square feet)
- 3. Existing/Previous Land Use: Industrial Building
- 4. General Plan Land Use Designation: Light Industrial
- 5. Zoning: M-1 (Light Industrial)
- 6. Surrounding Properties:

	Existing Land Use	Zoning	General Plan Land Use Designation
North	Industrial	M-1 (Light Industrial)	Light Industrial
South	Industrial	M-1 (Light Industrial)	Light Industrial
East	Summit Carrier College	M-1 (Light Industrial)	Light Industrial
West	Industrial	M-1 (Light Industrial)	Light Industrial

**7. Building Permit History:**  
 1979 Final Building Permit to allow construction of a 19,600 square foot industrial building.

**8. Past Planning Actions:**  
 None Found – Planning logs date back to 1981

**BACKGROUND AND PROPOSAL**

On January 19, 2010, the City Council adopted Ordinance No. 0-08-09, which requires the review and approval of a Conditional Use Permit for premises engaged in the sale of beer, wine and other alcoholic beverages for on-premise or off-premise consumption. Therefore, the review and approval of a Conditional Use Permit for the micro brewery is required to allow the sale beer for on-site consumption and off-site sales.

The proposed brewery is determined to be a “custom manufacturing” use defined by Section 18.04.316 of the Zoning Code: *“Manufacturing, Custom” means Establishments primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment , and the direct sale to consumers of only to those goods produced on site. Typically uses include ceramic studios, candlestick shops and custom jewelry manufacturers.* The beer making equipment used by the applicant is made in Concord, California and the goods made, in this case beer, will be sold on the premises.

In the applicant’s operation statement, Attachment-1, they describe proposing to occupy a 1,400 square foot industrial suite as follows:

- **Brewery manufacturing area:** 1,160 square feet, minor tenant improved proposed, no exterior changes
- **Tasting Area:** 240 square feet
- **Brewery tours:** Friday (4:00 pm to 9:00 pm) and Saturday (11:00 am to 9:00 pm). Serving size will include 4, 12 and 16 ounce plastic serving containers.
- **Brewing Manufacturing Days:** Monday through Thursday (8:00 am to 4:30 pm)
- **Operation Personnel:** 2 owner-operators; no employees

**PROPERTY INFORMATION**

The property is located at the east side of Via Lata Drive just north of the T-Intersection of Via Lata Drive and Cooley Drive. The industrial building was constructed in 1979 with 14 industrial suites and parking located adjacent to the building and at the rear of the lot. The site is landscaped and includes two trash enclosure areas. At this time, three of the suites are vacant. The remaining suites are occupied by print shops, sound and satellite shop, rent a center store, adolescent treatment center, ambulance office, development company, and auto sales office that also warehouses cars. The applicant has provided a list of tenants with hours of operation (See Attachment - 2).

There are industrial uses/administrative offices/private technical colleges located in the surrounding neighborhood. The property has street frontage along Via Lata Drive and suite A faces the street. The site is relatively flat and there are a total of 49 paved parking spaces on site: 28 parking spaces along the south side of the building and 21 parking spaces at the rear of the lot. Two handicapped accessible parking spaces have been provided on the site; one is van accessible in size.

**ZONING COMPLIANCE TABLE**

<b>Standard</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Lot Area</b>	15,000 sf minimum	60,984 sf	No change	Yes
<b>Lot Depth</b>	100'	387.36'	No change	Yes
<b>Lot Width</b>	100'	156.35'	No change	Yes
<b>F.A.R.</b>	0.5 (30.492 sf)	0.32 (19,600 sf)	No change	Yes
<b>Suite floor area</b>	N/A	Suite A: 1,400 sf	Suite A: No change	N/A
<b>Building Height</b>	40' or 3 stories max	One story	No change	Yes
<b>Parking</b>	49 parking spaces	49 parking spaces	No change	Yes
<b>Accessible Parking</b>	2 parking spaces	2 parking spaces	No change	Yes
<b>Setback, front</b>	20'	32'	No change	Yes
<b>Setback, Side</b>	0'	26'-3" (north elevation) 60'-1" (south elevation)	No change	Existing non conforming
<b>Setback, rear</b>	0'	76'	No change	Yes
<b>Perimeter Fence</b>	Six foot screen wall	Six foot high block wall	No change	Yes
<b>Landscaping Area</b>	15% of lot area	15%	No change	Yes

## **ANALYSIS**

**Micro Brewery:** The proposed micro brewery would be the first in the City. The applicant has informed staff that the brewery is planned to produce one-half to 1.5 barrels a day (50 gallons per day). A similar type of small beer brewing company is located in Riverside – Inland Empire Brewing Company and a larger brewing company in Redlands – Hanger 24 Craft Brewery.

**ABC License Type 23:** The Department of Alcoholic Beverage Control (ABC) provides a Type 23 License for small beer manufacturer. The Type 23 ABC License allows the following:

- Production of specialty beers
- May have a restaurant, but not required
- Same privileges as the Type 01 ABC License
  - Sale for on-site consumption and off-sale alcohol
  - With additional license may sell wine (not a part of this application)
  - May conduct beer tasting pursuant to California Business and Professions Code Section 23357.3
  - Minors are allowed on the premises

The proposed micro brewery will only sell the beer that they manufacture on site. Staff recommends a condition of approval that limits the sale of beer to that which is manufactured on site (See Condition #17). Another recommended condition requires anyone under the age of 21 to be accompanied by a parent or guardian. A recommended condition of approval will restrict the hours of operation, when open to the public, shall be from 4:00 pm to 9:00 pm, Monday through Friday, and 11:00 a.m. to 9:00 pm, Saturday and Sunday. This is acceptable to the business operator.

Odors from the beer manufacturing are not anticipated to be environmentally significant to cause any harm or nuisance to the adjacent tenants and/or property owners. Staff has visited several micro breweries in Orange County and no lingering odors from the beer manufacturing were detected.

**Occupancy of Tenant Space:** The applicant proposes a 240 square foot tasting area which includes three to four tables, a bar ordering area, restrooms (handicapped accessible approved). The “tasting area” is proposed to be located at the front of the tenant space measuring approximately 19’-4” in width by 26’-6” in depth. The rear portion of the building includes walk-in cooler, fermentation area, ice machine, brew systems, work counter, grain mill and an office desk. The rear portion measures approximately 19’-4” in width by 41’ in depth.

The maximum building occupancy calculated for the proposed micro brewery is 10 occupants in the front tasting area and 3 occupants at the rear portion of the tenant space. Staff is recommending a condition of approval to require the maximum occupancy loads to be posted per Building Code and Fire Code requirements.

**School Location:** Pursuant to Title 18 (Zoning Code), Section 18.48.140 (Alcoholic Beverage Sales), “*The separation requirement in subsection A Shall not apply when the Business conducting alcohol beverage Sales and the Church, School or Park both are located within a Commercial or Industrial Zone or land Use classification.*” Therefore, the 500 feet separation distance to schools, day care, or other institutions does not apply because the subject site is located within an industrial zone and there are no churches, schools or parks located within a non-Industrial or Commercial zone within 500 feet.

**Concentration Status of ABC Licenses:** The ABC website allows staff to conduct a query to find out the existing number of active ABC licenses in a Census Tract and also provides information as to the maximum number of on- and off-sales alcohol licenses are permitted based on population of the of the Census Tract. The subject property is located in U.S. Census Tract 71.08 with a population of 2,202 and is permitted one (1) on-sale license and one (1) off-sale license. Presently, there are five (5) on-sale alcohol licenses and two (2) off-sale alcohol licenses in the 71.08 Census Tract. All of the licenses are clustered along Mount Vernon Avenue commercial area including restaurants and grocery and convenience store uses (See Attachment 3). The Colton

Police Department does not object to the proposed Type 23 Alcohol License. However, we have included the standard conditions of approval in the attached Resolution No. R-05-14.

Because the Census Tract is presently over the limit of allowed licenses, the Planning Commission would need to find that public convenience or necessity would be served by the issuance of the license associated with this Conditional Use Permit (CUP). The proposed findings are provided below and within the attached draft Resolution No. R-05-14.

**Additional Conditions of approval:** In the attached draft Resolution No. R-05-14, staff has included several conditions related to the operation of the micro-brewery. Staff will provide a more detailed presentation of these conditions during staff's presentation at the Planning Commission's meeting scheduled for March 25, 2014.

### **ENVIRONMENTAL DETERMINATION**

Staff analyzed the proposal for California Environmental Quality Act (CEQA) compliance. The proposal is exempt under Article 19, Section 15301 (Existing Facilities), Class 1 of the CEQA Guidelines. This section pertains to existing facilities, categorically exempting from CEQA proposed projects that involve negligible or no expansion beyond what currently exists at the time of environmental determination.

### **CONDITIONAL USE PERMIT FINDINGS:**

A key goal of land use rules is for nearby land uses to be compatible with one another. One way cities do this is to say that certain kinds of uses are allowed only under certain conditions through a conditional use permit (CUP). The CUP process allows decision-makers to avoid, minimize or mitigate anticipated problems.

The Planning Commission has authority to conduct public hearings to consider CUP applications pursuant to Colton Municipal Code Section 18.58.060 which states in part: "*In considering a 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.*" Therefore, in approving a Conditional Use Permit, the Commission should consider the findings as prescribed below.

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;*** The proposed micro brewery with Type 23 Alcoholic Beverage Control license is consistent with the following General Plan Update goals and objectives:
  - A. General Plan Update **Goal LU-9.** "*Maintain a diverse mix of commercial uses that benefit the community in terms of needed commercial services, tax revenue, and employment opportunities.*" The proposed micro brewery will be the first within the City of Colton expanding the diversity of business uses and generating tax revenue.
  - B. General Plan Update **Policy LU-3.1:** "*Provide for land uses that allow a variety of retail, service, manufacturing, institutional, office, and recreational businesses to locate in Colton.*" The proposed micro brewery with Type 23 ABC License will provide for a greater variety of manufacturing uses within the M-1 zone and is compatible with surrounding uses at this specific location.
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;*** The proposed micro brewery with Type 23 ABC License will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity for the following reasons:

- A. The proposed use hours of operation are acceptable for the commercial location of the subject site and the surrounding properties.
  - B. The proposed business is located in an area of the City consisting of industrial uses, office uses and other manufacturing uses.
  - C. Conditions have been placed on the alcoholic beverage control license which will mitigate any potential impacts created by the use and ensure that the use will not negatively affect the surrounding community.
  - D. All exterior lighting is subject to conformance with the lighting standards of the City (i.e., non-flashing and directed away so as to eliminate objectionable glare) in conformance with Chapters 18.40 and 18.42 of the Colton Municipal Code.
3. ***That the proposed Use complies with each of the applicable provisions of this title;*** The use conforms with the requirements of the Colton Zoning Code, as conditioned. The subject property is zoned M-1 (Light Industrial) which permits on- and off-sale alcohol uses, subject to Conditional Use Permit. The M-1 (Light Industrial) Zone is intended to provide areas for the development of industrial uses to serve the community and to establish those standards of development necessary to insure that such commercial areas will be compatible with adjoining land uses.

### **RECOMMENATION**

Staff recommends that the Planning Commission approve the Conditional Use Permit through the adoption of attached Resolution entitled:

**RESOLUTION NO. R-05-14** - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING CONDITIONAL USE PERMIT TO ALLOW AN ON- SITE CONSUMPTION AND OFF SALE ABC ALCOHOL LICENSE (TYPE 23) FOR A SMALL BEER MANUFACTURER USE (MICRO BREWERY) ON THE PROPERTY LOCATED AT 898 SOUTH VIA LATA DRIVE WITHIN THE M-1 (LIGHT INDUSTRIAL) ZONE. (FILE INDEX NO: DAP-001-138).

#### Attachments:

- Attachment-1 Applicant's Operational Statement Letter
- Attachment-2 List of current tenants with hours of operation
- Attachment-3 ABC License Query Results and ABC Common License Types
- Attachment-4 Planning Commission Resolution No. R-05-14 (Conditional Use Permit)
- Attachment-5 DRC Sign-In Sheets
- Attachment-6 Site Plan, Floor Plan, and Building Elevations

Applicant's Operations Statement

ATTACHMENT 1

February 18, 2014

## **Operations Statement Letter**

We plan to open a new business (micro brewery) in the City of Colton. The location we are considering is at 898 Via Lata, Suite A. The site has a total square footage of 1400 sf. The brewery will have a tasting area for on-site consumption only consisting of approximately 240 sf. This should be consistent with typical craft breweries in nearby cities.

Our planned hours of operation for serving and brewery tours will be Friday (4:00pm-9:00pm) and Saturday (11:00am-9:00pm). We plan to serve in 4, 12, and 16 oz. plastic containers.

Our planned brewing days/times will be Monday-Thursday (8:00am-4:30pm). The operation will be run by two owner-operators and no employees. We can be contacted directly at the numbers below. Thank you for your consideration.

Respectfully,

Richard Morales Jr.  
(Co-owner/Brewer)

David De La Torre  
(Co-owner/Brewer)

List of current tenants with hours of operation

## ATTACHMENT 2





ABC License Query Results and ABC Common License Types  
ATTACHMENT 3

License Number:

Or, locate a general area by entering:

Premises Address:   
 Census Tract:  City:

Map of On and Off – Sales Alcohol Licenses within Census Tract 71.08



898 S. Via Lata Drive



California Department of Alcoholic Beverage Control  
 For the County of **SAN BERNARDINO - (Retail Licenses)**  
**and Census Tract = 71.08**  
 Report as of 3/17/2014

List of On and Off – Sales Alcohol Licenses within Census Tract 71.08 – Red Circle above.

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) 305143	ACTIVE	41	10/23/1997	7/31/2014	KELLY, RAMESH P 1091 S MOUNT VERNON AVE, STE G COLTON, CA 92324 Census Tract: 0071.08	RAVIS INDIA CUISINE		3603
2) 413606	ACTIVE	41	9/13/2004	7/31/2014	DANGPOTICHAR, WORALAK 1091 S MOUNT VERNON AVE, STE J & K COLTON, CA 92324 Census Tract: 0071.08	SUPANBURI THAI RESTAURANT	7759 HYSSOP DR RANCHO CUCAMONGA, CA 91739	3603
3) 463069	ACTIVE	41	9/8/2008	1/31/2014	LOPEZ, ALBERTO OCAMPO 1035 S MOUNT VERNON AVE, STE B & C COLTON, CA 92324-4252 Census Tract: 0071.08	PLAYA PAPAGAYOS RESTAURANT		3603
4) 469071	ACTIVE	47	9/12/2008	8/31/2014	LIAMS IRISH PUB LLC 1087 S MOUNT VERNON AVE, STE A COLTON, CA 92324-4202 Census Tract: 0071.08	LIAMS IRISH PUB	1087 S MT VERNON AVE COLTON, CA 92324	3603
5) 214832	ACTIVE	21	5/6/2013 4:22:29 PM	5/30/2014	WAL MART STORES INC 1120 S MOUNT VERNON AVE COLTON, CA 92324-4220 Census Tract: 0071.08	WALMART 1692	702 SW 8TH ST, DEPT 8916 ATTN: TIM FARRAR BENTONVILLE, AR 72716-6209	3603
6) 24790	ACTIVE	20	10/22/2012 1:44:14 PM	5/30/2014	7 ELEVEN INC 1035 S MOUNT VERNON AVE, STE J & K COLTON, CA 92324-4252 Census Tract: 0071.08	7 ELEVEN STORE 39632A	PO BOX 219088 DALLAS, TX 75221-9088	3603
7) 237479	ACTIVE	47	11/26/2013 7:47:36 AM	12/31/2014	TONYMARSHA INC 1080 S MOUNT VERNON AVE COLTON, CA 92324-4205 Census Tract: 0071.08	SAYAKA JAPANESE RESTAURANT		3603

--- End of Report ---

For a definition of codes, view our [glossary](#).

**COMMON ABC LICENSE TYPES  
AND THEIR BASIC PRIVILEGES**

LICENSE TYPE	DESCRIPTION
01	<b>BEER MANUFACTURER - (Large Brewery)</b> Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer’s licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer’s licensed premises or at a bona fide eating place contiguous to the manufacturer’s licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.
02	<b>WINEGROWER - (Winery)</b> Authorizes the sale of wine and brandy to any person holding a license authorizing the sale of wine and brandy, and to consumers for consumption off the premises where sold. Authorizes the sale of all wines and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place that is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and operated by and for the licensee. May possess wine and brandy for use in the preparation of food and beverage to be consumed at the bona fide eating place. May conduct winetastings under prescribed conditions (Section 23356.1; Rule 53). Minors are allowed on the premises.
20	<b>OFF SALE BEER &amp; WINE - (Package Store)</b> Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
21	<b>OFF SALE GENERAL - (Package Store)</b> Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
23	<b>SMALL BEER MANUFACTURER - (Brew Pub or Micro-brewery)</b> Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
40	<b>ON SALE BEER - (Bar, Tavern)</b> Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.
41	<b>ON SALE BEER &amp; WINE – EATING PLACE - (Restaurant)</b> Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
42	<b>ON SALE BEER &amp; WINE – PUBLIC PREMISES - (Bar, Tavern)</b> Authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
47	<b>ON SALE GENERAL – EATING PLACE - (Restaurant)</b> Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
48	<b>ON SALE GENERAL – PUBLIC PREMISES - (Bar, Night Club)</b> Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
49	<b>ON SALE GENERAL – SEASONAL -</b> Authorizes the same privileges and restrictions as provided for a Type 47 license except it is issued for a specific season. Inclusive dates of operation are listed on the license certificate.



P.C. Resolution No. R-05-14

ATTACHMENT 4



1 is compatible with surrounding uses at this specific location.

2 2. ***That the proposed Use, together with the conditions applicable thereto will not be***  
3 ***detrimental to the public health, safety or welfare, or materially injurious to***  
4 ***properties or improvements in the vicinity;*** The proposed micro brewery with Type  
5 23 ABC License will not be detrimental to the public health, safety or welfare or  
6 materially injurious to properties or improvements in the vicinity for the following  
7 reasons:

8 A. The proposed use hours of operation are acceptable for the commercial location of  
9 the subject site and the surrounding properties.

10 B. The proposed business is located in an area of the City consisting of industrial  
11 uses, office uses and other manufacturing uses.

12 C. Conditions have been placed on the alcoholic beverage control license which will  
13 mitigate any potential impacts created by the use and ensure that the use will not  
14 negatively affect the surrounding community.

15 D. All exterior lighting is subject to conformance with the lighting standards of the  
16 City (i.e., non-flashing and directed away so as to eliminate objectionable glare)  
17 in conformance with Chapters 18.40 and 18.42 of the Colton Municipal Code.

18 3. ***That the proposed Use complies with each of the applicable provisions of this title;***  
19 ***The use conforms with the requirements of the Colton Zoning Code, as conditioned.***  
20 ***The subject property is zoned M-1 (Light Industrial) which permits on- and off-sale***  
21 ***alcohol uses, subject to Conditional Use Permit. The M-1 (Light Industrial) Zone is***  
22 ***intended to provide areas for the development of industrial uses to serve the***  
23 ***community and to establish those standards of development necessary to insure that***  
24 ***such commercial areas will be compatible with adjoining land uses.***

25 **SECTION 2.** The Planning Commission of the City of Colton, in accordance with the  
26 California Environmental Quality Act, has found that the project will not have a significant  
27 impact on the environment and is Categorical Exempt from CEQA under Article 19, Section  
28 15301 (Existing Facilities), Class 1 of the CEQA Guidelines. This section pertains to existing  
facilities that involve negligible or no expansion beyond what currently exists at the time of  
environmental determination.

**SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the  
Planning Commission hereby finds that public convenience or necessity would be served by the  
issuance of the license associated with this Conditional Use Permit and directs the Development  
Services Director to forward necessary documentation to the State Department of Alcoholic  
Beverage Control (ABC).

**SECTION 4.** This action by the Planning Commission shall be final unless an appeal of  
the action is filed with the City Clerk's office in writing, pursuant to Section 18.58.100 of the  
Colton Municipal Code.

**SECTION 5.** This land use entitlement shall become null and void if not exercised  
within one (1) year of this approval and the applicant has not been granted an extension of time

1 by the Planning Commission, pursuant to Section 18.58.070 of the Colton Municipal Code.

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

3 PASSED, APPROVED, AND ADOPTED this 25<sup>th</sup> day of March 2014.

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Planning Commission Chairperson  
Richard Prieto

7 ATTEST:

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Planning Commission Secretary  
Mark R. Tomich, AICP

11  
12 I hereby certify that the foregoing is a true copy of a Resolution adopted by the  
13 Planning Commission of the City of Colton at a meeting held on March 25, 2014, by the  
14 following vote of the Planning Commission:

15 AYES:

16 NOES:

17 ABSENT:

18 ABSTAIN:

19 

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Planning Commission Secretary  
Mark R. Tomich, AICP

**“EXHIBIT A”**

**CONDITIONS OF APPROVAL**

THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS AS SET FORTH IN THE CONDITIONS OF APPROVAL.

**HOLD HARMLESS**

1. The Applicant shall defend, indemnify, and hold harmless the City of Colton and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Colton, its officers, employees, or agents to attacks, set aside, void, or annul any approval or condition of approval of the City of Colton concerning this project, including but not limited to any approval or condition of approval of the city council, planning commission, or development services director. The City shall promptly notify the Applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter

**PLANNING DIVISION**

2. This approval is for a Conditional Use Permit for the sale of alcohol for off-site consumption Type 23 ABC License-On-Sale Consumption and Off-Sale Alcohol) for small beer manufacturer and a determination of a Public Convenience and Necessity in conjunction with a small beer manufacturer located at 898 Via Lata Drive, Suite-A and within the M-1 (Light Industrial) Zone, as shown on the plans stamped and dated February 19, 2014 and March 17, 2014, by the Development Services Department, except as amended by the conditions herein.
3. Any requests for modifications, including any deviation from the approved plans and/or conditions of approval, shall be submitted to the Development Services Director for review, prior to implementation of the modification. Significant deviations from the approved plans or conditions of approval shall be subject to review and approval by the Planning Commission. The applicant requesting the modification shall supply information deemed necessary by the Director and/or Commission to make a determination.
4. Prior to implementation of this approval, plans shall be submitted to the Development Services Department for review and building permits and/or other appropriate permits shall be obtained.
5. All signs shall conform to the Sign Code.
6. Any plans submitted for building plan check and construction plans for this project shall contain an exact reproduction of these conditions of approval on one of its sheets.
7. Prior to the start of business operations, the operator shall obtain a City Business License upon final approval (occupancy) of a Business Occupancy permit (BOP).
8. The site operations shall be subject to the following:

- 1           a.           A special events permit shall be obtained from the Community Services  
2                    Department for any special events on site (e.g., grand opening, temporary  
3                    outdoor sales, etc).
- 3           b.           The site shall be developed and maintained consistent with the approved  
4                    plans and the conditions of approval.
- 4           c.           The premises shall be kept clean and the operator of the establishment shall  
5                    ensure that no trash or litter originating from the site is deposited onto the  
6                    neighboring properties or onto the public right-of-way.
- 6           9.           Separate submittals and permits are required for all accessory structures such as but not  
7                    limited to, trash enclosures, patios, light standards, and storage buildings.
- 8           10.          The applicant shall post the maximum occupancy loads per Building Code and Fire Code  
9                    requirements.
- 10          11.          The approval of this Conditional Use Permit (File Index No. DAP-001-138) must not be  
11                    construed as the approval of a bar or cocktail lounge, nor as a nightclub or cabaret with  
12                    entertainment and/or dancing and this establishment must not operate as such.
- 12          12.          There will be no gatherings or parties at this location other than a Grand Opening event  
13                    and on occasion Special Events related to tours and beer tasting only.
- 13          13.          The storage of delivery vehicles is not allowed at this location.
- 14          14.          This establishment must comply with the City of Colton Municipal Code Section  
15                    Performance Standards Title 18 (Zoning Code), Chapter 18.42 includes: Fire and  
16                    explosion hazards; electrical interference; noise; vibration; smoke; odors; air quality;  
17                    light; glare; liquid; and solid waste.
- 17          15.          The sales, service, and consumption of alcoholic beverages shall be permitted only  
18                    between the hours of 4:00 pm to 9:00 pm - Monday – Friday; 11:00 am to 9:00 pm –  
19                    Saturdays and Sundays, unless otherwise amended by the granting of a modification of  
20                    this Development Permit Application for the Conditional Use Permit (File Index No.  
21                    DAP-001-138) by the Planning Commission of the City of Colton.
- 21          16.          Anyone under the age of twenty-one (21) entering the micro-brewery must be  
22                    accompanied by a parent or guardian. Violation of this requirement is grounds for  
23                    scheduling a revocation hearing with the Planning Commission of this Conditional Use  
24                    Permit approval.
- 24          17.          No other brands of beer may be sold at this location other than that manufactured by this  
25                    facility.
- 25          18.          It shall be the applicant’s responsibility to ensure that no alcoholic beverages, sold on the  
26                    premises, are consumed on any property adjacent to the licensed premises under the  
27                    control of the applicant.
- 27          19.          The applicant or an employee of the licensee must be present to monitor all areas of the  
28                    establishment during all times that alcoholic beverages are being served or consumed.

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20. All employees serving alcoholic beverages must complete Responsible Beverage Service Training, or an equivalent approved by the State Department of Alcoholic Beverage Control, prior to being able to serve alcoholic beverages to patrons. Evidence of the completion of such training must be maintained on the premises and available for inspection upon request by the City.
  21. Queuing lines shall be managed in an orderly manner and all disruptive and/or intoxicated patrons shall be denied entry. The business owner, or his designee, shall be responsible for monitoring the queuing lines at all times.
  22. Any outdoor queuing line shall not block public walkways or obstruct the entry or exit doors of adjacent businesses. Stanchions or barriers must be used to maintain order at all times the queue exceeds 10 patrons.
  23. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift, except for product sampling for purposes of quality control.
  24. There shall be no exterior advertising of any kind or type, including window signs or other signs visible from outside, that promote or indicate the availability of alcoholic beverages on the premises. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition. Permissible window displays must be kept to a minimum for maximum visibility and shall not exceed 30 percent of the window coverage. Floor displays shall not exceed three feet in height.
  25. No amusement machines or video games shall be maintained on the premises at any time.
  26. No entertainment, including but not limited to, amplified music, karaoke, performers and dancing, shall be held at this location for promotional purposes, except in-house sound system is permitted.
  27. The Applicant and/or Property Owner shall comply with all requirements of all reviewing agencies and shall comply with all applicable local, state, and federal rules, laws and regulations.
  28. The Applicant and/or Property Owner shall, at all times, maintain the property so as not to constitute a nuisance in the community.
  29. This action by the Planning Commission shall be final unless an appeal of the action is filed with the City Clerk's office in writing, pursuant to Section 18.58.100 of the Colton Municipal Code.
  30. This land use entitlement shall become null and void if not exercised within one (1) year of this approval.

26 **POLICE – CODE ENFORCEMENT DIVISION**

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31. Comply with the requirements of the City of Colton **Code Enforcement/Police**, including the following:

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- a. **Landscaping:** Property manager or tenant will maintain all approved landscaping in good condition, including but not limited to adequate irrigation, mowing of grass, and replacing dead trees and shrubs. Above ground landscaping controls or backflow valves will be secured in a locked metal cage to prevent theft or vandalism.
- b. **Loitering:** Loitering is prohibited on or about the premises. No exterior fixtures or furnishings at or adjacent to the location that encourage loitering and nuisance behavior. No exterior pay telephones.
- c. **Litter/Graffiti:** The exterior of the business and areas adjacent to the business over which they have control, including all signs and accessory buildings and structures, shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter and debris from the premises and on all abutting sidewalks and parking lots within twenty (20) feet of the premises. Graffiti shall be completely removed or covered with a color-matching paint within forty-eight (48) hours. The expectation for graffiti cover up is to produce an appearance the graffiti never existed.
- d. The applicant shall grant “right of access” by the City or agent to remove graffiti.
- e. **Exterior Lighting:** All lightning will be maintained in good working order. All lighting shall be shown on the required plot plans. Lighting shall be designed and installed in such a manner that provides adequate illumination to all parking spaces, stalls, walkways, corridors, and stairways, insuring there are no dim, dark, or shadowed areas (other than shadows naturally cast beneath the actual vehicles.) Lighting level will be a minimum of 1 footcandle and average of 2 footcandle. Lighting fixtures shall be such that the angle of projected light does not interfere or hinder the vision of police officers or security personnel patrolling the areas. All lighting will be properly shielded so as to not trespass or disturb neighboring residences, adjacent businesses, or persons while driving vehicles upon the roadway. In the event a lighting fixture becomes inoperable, property management will have the lighting repaired within 72 hours.
- f. **General Parking:** Parking lot shall be maintained in accordance with Title 18 of the Colton Municipal Code, zoning ordinance requirements for paving and striping.
- g. **Storage:** Parking and trash areas will not be used for storage of hazardous materials, including but not limited to tires, waste oil, and inoperable or unregistered vehicles. Property manager or tenant shall promptly abate hazardous materials or inoperable vehicles. General exterior storage areas will be screened from public view.
- h. **Advertisements:** Handbills or advertisements may be distributed in public places person-to-person but will not be placed or left upon unoccupied vehicles or otherwise left unattended in public places.
- i. **Special Events:** Per Colton Municipal Code Section 5.44, applicant shall not conduct, operate, maintain, organize, advertise, or sell or furnish tickets for a special event or

1 permit the subject property to be used for any special event without first obtaining a  
2 special event permit. Special events include, but are not limited to, sales events where  
3 merchandise, goods, or vehicles are displayed for sale on the property, political  
4 functions, fundraising events by non-profit entities, and events featuring motivational  
or educational speakers. The Special Event Committee may expressly grant a minor  
variance of conditions specific to individual special events.

5 j. **Surveillance Monitoring:** The permittee shall install a video surveillance monitoring  
6 system, the video system shall be capable of recording a clear view of all areas of the  
7 subject property including, but not limited to, parking lots, walkways, corridors, all  
8 sides of buildings, the perimeter landscape and grass areas. Recordings shall be  
retained for a minimum of 30 days. Copies of recordings will be provided to the  
Colton Police Department upon request.

9 k. **Written Security Policy:** The owner or manager of the licensed premises shall  
10 maintain on the premises a written security policy and procedures manual, that has  
11 been approved by the police department, addressing at a minimum the following  
12 items: handling obviously intoxicated persons; establishing a reasonable ratio of  
13 employees to patrons, based upon activity level, in order to monitor beverage sales and  
14 patron behavior; handling patrons involved in fighting, arguing or loitering about the  
15 building and in the immediate adjacent area that is owned, leased, rented or used under  
agreement by the Licensee(s); verifying age/checking identification of patrons;  
warning patrons of reaching their drinking limit/potential intoxication and refusing to  
serve; calling the police regarding observed or reported criminal activity and the  
management of queuing lines.

16 l. **Right of Access:** Permittee shall grant “right of access” to the City of Colton and its  
17 employees or agents for the purposes of monitoring compliance with these conditions,  
18 patrolling, investigating crimes, and enforcing laws and ordinances on the subject  
19 property. Permittee shall grant “right of access” to the City of Colton and its  
employees or agents to remove graffiti and to determine if the applicant is in  
compliance with these conditions.

20 m. **Exterior collection bins**, donation receptacles, or storage containers are not permitted  
21 except by express approval of Development Services Director.

22 n. **Alcohol Sales/Service:** Permittee shall observe all laws relative to sales and service of  
23 alcohol. Permittee will comply with alcoholic beverage license conditions and  
24 maintain an alcoholic beverage license in good standing with the Department of  
Alcohol and Beverage Control. Employees shall refuse sales to intoxicated or  
belligerent persons.

25 o. **Verification of Age:** The ABC licensee, permittee, employees and security guards  
26 are each responsible to verify age of persons purchasing alcohol. ABC licensee shall  
27 have at least one (1) employee assigned to check each person’s identification prior to  
28 alcohol sales. Persons who cannot produce identification showing that they are over  
21 years of age shall not be allowed to purchase alcoholic beverages. Identification is  
defined as a physical document issued by a government entity or political subdivision

1 of the United States of America, such as a California Driver's license or California  
2 identification card. Foreign identification is not acceptable, except for a legitimate  
3 passport.

4 p. **Compliance with Applicable Laws.** The permittee shall comply with all federal,  
5 state and local laws, including the Alcohol Beverage Control (ABC) Act. Any  
6 material violations of such laws in connection with the authorized use shall be grounds  
7 for revocation of this conditional use permit.

8 q. **Security Guards:** If security guards are used, they must be in possession of a BSIS  
9 issued guard card, and a California identification card or driver's license. Guards must  
10 be employed by and operating under the direction of a licensed State of California  
11 Consumer Affairs Bureau of Security and Investigative Services Private Patrol  
12 Operator (PPO) which has registered with the City of Colton as required by Colton  
13 Municipal Code section 5.50. Security guards are to be unarmed. Guards may not  
14 carry baton or firearm, but may carry a chemical agent if issued a BSIS approved  
15 training certificate for the use of the chemical agent.

16 r. The permittee and/or licensee shall ensure that any security guard company, if used,  
17 initiates registration with the Colton Police Department at least 30 days in advance of  
18 security services being performed in the City of Colton in order to facilitate City  
19 licensing per Colton Municipal Code section 5.50.

20 s. **Interior Lighting:** All interior areas of the premises will be illuminated in a manner  
21 that provides lighting sufficient to illuminate and make easily discernable the  
22 appearance of all persons on or about the premises.

23 t. **After hours Contact Information:** Permittee will ensure after hours contact person  
24 information is kept current and on file with police department dispatch center. Ideally  
25 there should be several persons available; each should be a key holder with knowledge  
26 of alarm reset codes, available to respond within 20-30 minutes, and of sufficient  
27 authority to facilitate a board up or other emergency repair measures.

28 u. **Complaints.** Three (3) or more verified complaints or occurrences within a one (1)  
month period, or six (6) or more verified complaints or occurrences within a three (3)  
month period, or twelve (12) or more verified complaints or occurrences within a one  
(1) year period regarding disturbances or criminal activity caused by patrons, staff or  
other persons at or near or leaving from the business facility on the subject property,  
shall be grounds for revocation of this conditional use permit. For purposes of this  
condition, verified complaints shall be defined as complaints received by the City of  
Colton, Colton Police Department, or any other law enforcement agency or any  
governing agencies regarding the violations of federal, state, or local laws.  
Occurrences shall be defined as any violation of federal, state, or local laws, including  
but not limited to the Alcohol Beverage Control (ABC) Act, for which patrons, staff or  
other persons frequenting the location are cited or arrested at, near or leaving from the  
subject property. These grounds for revocation are not exclusive.

- 1 v. **Revocation or Modification:** Should the Chief of Police, in his sole and subjective  
2 discretion, deem the number of calls for police service attributable to the location to be  
3 excessive, or pose a burden to the time and resources of the Colton Police Department,  
4 or a nuisance to the City of Colton or surrounding neighborhood, the conditional use  
5 permit will be subject to review and potential revocation or modification. The  
6 permittee acknowledges that any violations of these conditions of approval or  
7 violations of federal, state or local laws and ordinances shall constitute good cause and  
8 subject the conditional use permit to revocation or modification proceedings

6 **FIRE DEPARTMENT**

- 7 32. Premise identification shall be provided in accordance with the City's' Security Ordinance  
8 #0-13-89, Section XIV (residential), Section XV (commercial).
- 9 33. Portable fire extinguishers shall be required for this project. Size, type, and locations shall  
10 be determined by the fire department's field inspector.
- 11 34. The proposed facility's use and/or operations shall be designed and maintained in  
12 accordance with the 2012/2013 editions of the International Fire and Building Codes /  
13 California Fire and Building Codes (Title 24).
- 14 35. The applicant shall comply with all Fire Department requirements as noted during the  
15 business occupancy process. (B.O.P.)

15 **ELECTRIC UTILITY DEPARTMENT**

- 16 36. The project developer/applicant shall comply with all customer service policies of the City  
17 of Colton Electric Utility Department. The developer shall provide the Electric Utility  
18 with all information necessary to determine the project's electric service requirements;  
19 and if necessary and at their own expense, install all conduit and vault systems associated  
20 with underground primary/service line extensions and street-lighting as per the Electric  
21 Utility's approved design. The developer shall pay all charges associated with the Electric  
22 Utility's cost to construct underground and overhead line extensions and street-lighting.

21 **BUILDING AND SAFETY DIVISION**

- 22 37. The above project shall comply with the current California Codes (CBC, CEC, CMC and  
23 the CPC) as well as city ordinances. Plans shall be submitted to the Building & Safety  
24 Division as a separate submittal. The 2013 edition of the California Codes became  
25 effective for all permit applications submitted after January 1, 2014.
- 26 38. Site development shall be designed to provide access to all entrances and exterior ground  
27 floor exits and access to normal paths of travel, and where necessary to provide access,  
28 Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and  
sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warnings, signage,  
gates, lifts and walking surface material. The accessible route(s) of travel shall be the most  
practical direct route between accessible building entrances, site facilities, accessible

- 1 parking, public sidewalks, and the accessible entrance(s) to the site. Commercial buildings  
2 on the site shall be accessible per California Building Code (CBC) 11B.
- 3 a. City of Colton enforces the State of California provisions of the California  
4 Building Code disabled access requirements. The Federal ADA standards differ in  
5 some cases from the California State requirements. It is the building owner's  
6 responsibility to be aware of those differences and comply accordingly.
- 7 b. Disabled access parking shall be located on the shortest accessible route. Relocate  
8 parking spaces accordingly.
- 9 39. Site Facilities such as parking (open and covered), recreation facilities, and trash  
10 dumpsters, shall be accessible per California Building Code (CBC) 11B.
- 11 40. Prior to final inspection, all plans will be placed on a CD Rom for reference and  
12 verification. Plans will include "as built" plans, revisions and changes. The CD will also  
13 include Title 24 energy calculations, structural calculations and all other pertinent  
14 information. It will be the responsibility of the developer and or the building or property  
15 owner(s) to bear all costs required for this process. The CD will be presented to the  
16 Building & Safety Division for review prior to final inspection and building occupancy.  
17 The CD will become the property of the Colton Building & Safety Division at that time.  
18 In addition, a site plan showing the path of travel from public right of way and building to  
19 building access with elevations will be required.
- 20 41. Prior to the issuance of a building permit, the applicant shall submit a properly completed  
21 "Waste Management Plan" (WMP), as required, to the Compliance Official (Building  
22 Official) as a portion of the building or demolition permit process.
- 23 42. Prior to the issuance of a building permit, show on the plans that no gutter, drainage  
24 feature, swale or other deviation in the flat level surface at the accessible parking spaces  
25 exists within and for a minimum four foot extension beyond the outer dimensions of the  
26 parking space, loading zone and path of travel.
- 27 43. Separate submittals and permits are required for all accessory structures such as but not  
28 limited to, trash enclosures, patios, block walls and signage.
44. Pursuant to California Business and Professions Code Section 6737, this project is  
required to be designed by a California licensed architect or engineer. Based on change of  
use and potential exiting and fire life safety improvements, plans shall be prepared,  
stamped and signed by a licensed Architect or Registered Civil Engineer for submission  
for plan check review.
45. Plumbing plans shall be prepared, including isometrics, for required plumbing fixtures  
based on California Plumbing Code, Chapter 4 and Table 4-1.

DRC Sign-In Sheets  
ATTACHMENT 5



# DRC Member Attendance Sheet

CITY OF COLTON  
Design Review Committee

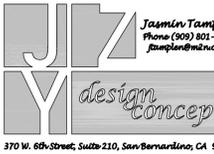
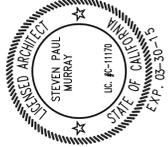
MEETING DATE: March 17, 2014

	<u>Name</u>	<u>Title</u>	<u>Department</u>
1.	Alan Soek	FIRE MARSHAL	FIRE
2.	KEVIN TOWN	REC. ENG.	P.W.
3.	MARK BERT	BUILDING OFFICIAL	BOS
4.	STEVE GONZALEZ	ASSOCIATE PLANNER	PLANNING
5.	Mark Tomich	Director	Dev. Svcs.
6.	R		
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Plans  
ATTACHMENT 6

STAMP:



370 W. 6th Street, Suite 210, San Bernardino, CA 92401

FOR :

C.U.P. Submittal

3 Iron Brew Co.

898 Via Lata  
Colton, CA 92324

REVISIONS

CONSTR.

BID

PLAN CHECK 01-27-13

DRAWN . JT

JOB NO. 13-061

SHEET NAME

**SITE PLAN**

SHEET NO.

**S**

SHEET 1 OF 2

**CONTACT INFO.**

TENANTS: 3 IRON BREW CO.  
RICHARD MORALES, JR.  
DAVID DE LA TORRE  
898 VIA LATA, SUITE A  
COLTON, CA 92324

ARCHITECT: SPM ARCHITECT & ASSOCIATES  
370 W. 6TH STREET, SUITE 210  
SAN BERNARDINO, CA 92401  
PHONE (909) 884-7660  
FAX (909) 383-2354  
CONTACT: STEVEN PAUL MURRAY

**PROJECT DATA**

PROJECT ADDRESS: 898 VIA LATA  
COLTON, CA 92324

A.P.N.: 0276-014-19

OCCUPANCY TYPE: F-2

TYPE OF CONSTRUCTION: V - B

FIRE SPRINKLERS: NO

NO. OF STORIES: 1

BUILDING AREA: 19,600 SQ. FT. (EXISTING) SUITE A 1,400 SQ. FT.

LOT SIZE: 1.4 ACRES (60,984 SQ. FT.)

LOT COVERAGE: 19,600 / 60,984 (LOT) = 32.1% (EXISTING, NO CHANGE)

PARKING REQUIRED: EXISTING BUILDING DESIGNED FOR EACH SUITE TO BE APPROX. 50% WAREHOUSE, 50% OFFICE SPACE.  
9,800 SQ. FT. WAREHOUSE / 1,000 = 9.8 PARKING  
9,800 SQ. FT. OFFICE / 250 = 39.2 PARKING  
**TOTAL PARKING STALLS REQUIRED = 49**

PARKING PROVIDED: 46 PARKING STALLS  
3 ACCESSIBLE PARKING STALLS  
**49 PARKING STALLS TOTAL**

**SCOPE OF WORK**

PROPOSED MICROBREWERY TENANT IMPROVEMENT. EXISTING TENANT SPACE INTERIOR PARTITION WALLS TO BE DEMOLISHED. CONSTRUCT NEW WAITING/TASTING AREA, NEW ADA COMPLIANT RESTROOM, INSTALL NEW BAR AND BREWERY EQUIPMENT.

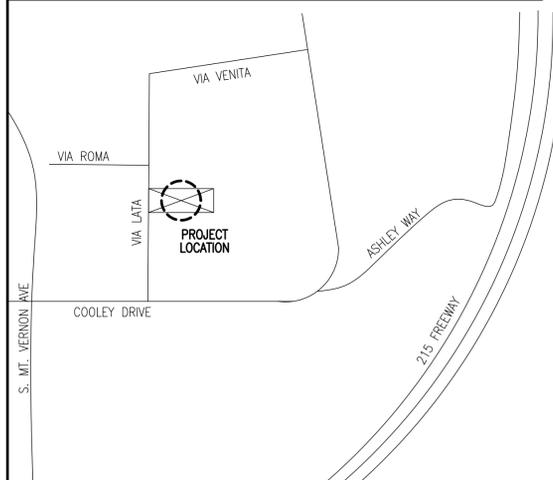
**KEY NOTES**

- NOTE: ALL IS EXISTING UNLESS NOTED OTHERWISE
- 1 NEW ACCESSIBLE PATH OF TRAVEL
  - 2 NEW ACCESSIBLE "VAN ACCESSIBLE" PARKING STALL
  - 3 NEW ACCESSIBLE PARKING STALL
  - 4 A/C PAVING
  - 5 NEW SIDEWALK 4.9% MAX. SLOPE, 2% MAX. CROSS SLOPE

**CODE ANALYSIS**

**EGRESS ANALYSIS**

ROOM DESCRIPTION	AREA (S.F.)	EGRESS OCC. LOAD	NO. OF OCC.
TASTING ROOM AREA	240	1/100	2.4
MICROBREWERY	1,105	1/100	11.1
RESTROOM	55	1/100	0.5
OCCUPANCY TOTAL			15
EXITS REQUIRED			1

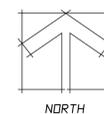
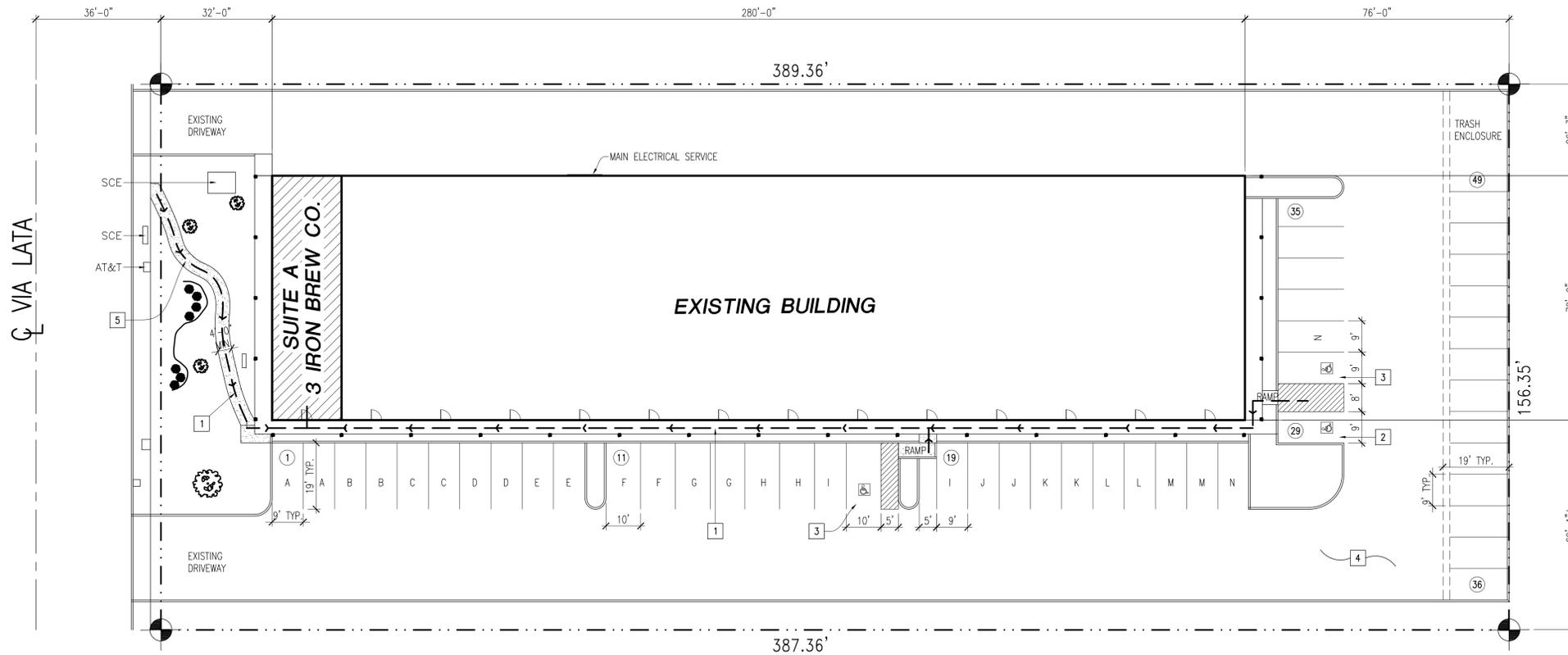


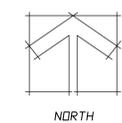
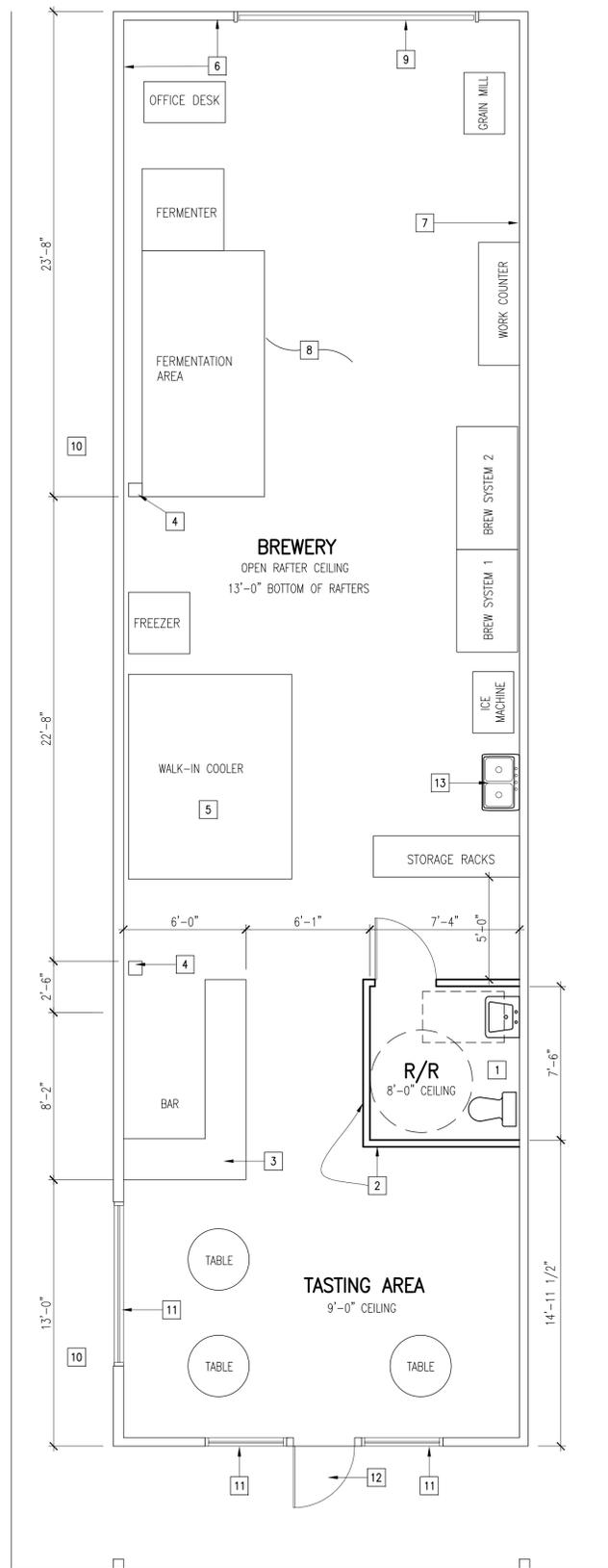
**SITE PLAN**

SCALE: 1"=10.00'

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**VICINITY MAP**





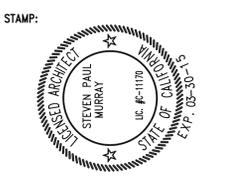
**FLOOR PLAN** SCALE: 1/4"=1'-0" 1

**FLOOR KEY NOTES**

- 1 NEW ADA COMPLIANT RESTROOM
- 2 NEW PARTITION WALL
- 3 NEW COUNTER/BAR AREA
- 4 EXISTING COLUMNS
- 5 NEW 10'-0" X 8'-0" WALK-IN COOLER
- 6 EXISTING EXTERIOR WALLS
- 7 EXISTING DEMISING WALL
- 8 EXISTING LIGHTING/ELECTRICAL NOT SHOWN FOR CLARITY
- 9 EXISTING ROLL-UP DOOR
- 10 EXISTING SIDEWALK
- 11 EXISTING STOREFRONT WINDOW
- 12 EXISTING 3'-0" EXIT DOOR
- 13 NEW STAINLESS 2 TUB SINK



STEVEN PAUL MURRAY  
 ARCHITECT & ASSOCIATES  
 370 W. 6th Street, Suite 210  
 San Bernardino, Ca 92401  
 Phone (909) 884-7660  
 Fax (909) 383-2354



FOR :

C.U.P. Submittal  
 3 Iron Brew Co.  
 898 Via Lata  
 Colton, CA 92324

REVISIONS
CONSTR.
BID
PLAN CHECK 01-31-14
DRAWN . JT
JOB NO. 13-061
SHEET NAME

**FLOOR PLAN**  
 SHEET NO. 1.0  
 SHEET 2 OF 2

**Attachment 5**  
**ABC Query Results**



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### License Query System - Map Query

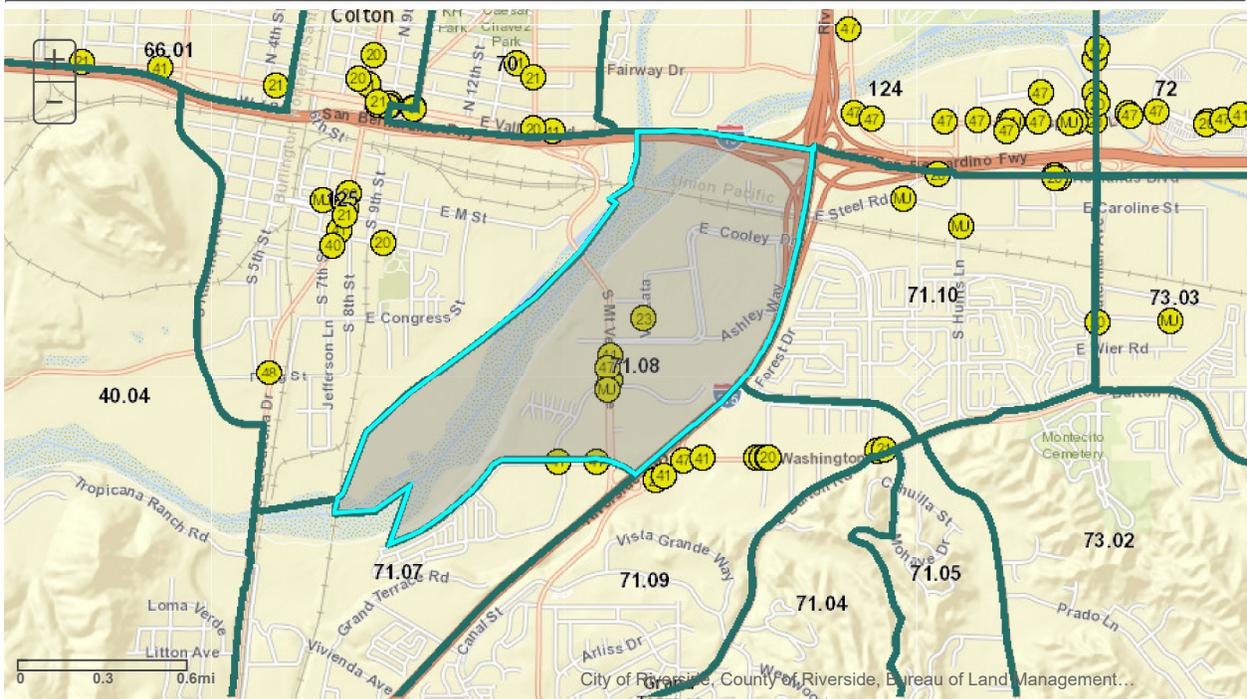
Search for a specific

License Number:

Or, locate a general area by entering:

Address:

Census Tract:  City:



Licenses on the map display the **license type** that is currently issued for it. In the event there is more than one **license type** issued, the code MU is displayed.

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 Office of Governor | BCSH Agency | ABC Executive Staff |

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**California Department of Alcoholic Beverage  
Control  
For the County of SAN BERNARDINO - (Retail  
Licenses)  
and Census Tract = 71.08**

Report as of 8/16/2016

License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) <a href="#">305143</a>	ACTIVE	41	10/23/1997	7/31/2017	KELLY, RAMESH P 1091 S MOUNT VERNON AVE, STE G COLTON, CA 92324  Census Tract: 0071.08	RAVIS INDIA CUISINE		3603
2) <a href="#">413606</a>	ACTIVE	41	8/13/2004	7/31/2016	DANGPOTICHAR, WORALAK 1091 S MOUNT VERNON AVE, STE J & K COLTON, CA 92324  Census Tract: 0071.08	SUPANBURI THAI RESTAURANT	7759 HYSSOP DR RANCHO CUCAMONGA, CA 91739	3603
3) <a href="#">463066</a>	ACTIVE	41	9/8/2008	1/31/2017	LOPEZ, ALBERTO OCAMPO 1035 S MOUNT VERNON AVE, STE B & C COLTON, CA 92324-4252  Census Tract: 0071.08	PLAYA PAPAGAYOS RESTAURANT		3603
4) <a href="#">468071</a>	ACTIVE	47	9/12/2008	8/31/2016	LIAMS IRISH PUB LLC 1087 S MOUNT VERNON AVE, STE A COLTON, CA 92324-4202  Census Tract: 0071.08	LIAMS IRISH PUB	1087 S MT VERNON AVE COLTON, CA 92324	3603
5) <a href="#">514837</a>	ACTIVE	86	5/6/2013 4:22:29 PM	6/30/2017	WAL MART STORES INC 1120 S MOUNT VERNON AVE COLTON, CA 92324-4220  Census Tract: 0071.08	WALMART 1692	702 SW 8TH ST, DEPT 8916 ATTN: TIM FARRAR BENTONVILLE, AR 72716-6209	3603
6) <a href="#">514837</a>	ACTIVE	21	5/6/2013 4:22:29 PM	6/30/2017	WAL MART STORES INC 1120 S MOUNT VERNON AVE COLTON, CA 92324-4220  Census Tract: 0071.08	WALMART 1692	702 SW 8TH ST, DEPT 8916 ATTN: TIM FARRAR BENTONVILLE, AR 72716-6209	3603
7) <a href="#">524790</a>	ACTIVE	20	10/22/2012 1:44:14 PM	6/30/2017	7 ELEVEN INC 1035 S MOUNT VERNON AVE, STE J & K COLTON, CA 92324-4252  Census Tract: 0071.08	7 ELEVEN STORE 39632A	PO BOX 219088, ATT: 7 ELEVEN LICENSING DALLAS, TX 75221-9088	3603
8) <a href="#">537479</a>	ACTIVE	47	11/26/2013 7:47:36 AM	12/31/2016	TONYMARSHA INC 1060 S MOUNT VERNON AVE COLTON, CA 92324-4205  Census Tract: 0071.08	SAYAKA JAPANESE RESTAURANT		3603

--- End of Report ---

For a definition of codes, view our [glossary](#).



**California Department of Alcoholic Beverage  
Control**  
**For the County of SAN BERNARDINO - (Non-Retail  
Licenses)  
and Census Tract = 71.08**

Report as of 8/16/2016

License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) <a href="#">546537</a>	ACTIVE	23	2/27/2015 9:29:16 AM	1/31/2017	3 IRON BREWING COMPANY 898 VIA LATA, STE A COLTON, CA 92324-3920 Census Tract: 0071.08	3 IRON BREWING CO	27999 PACIFIC ST HIGHLAND, CA 92346-2760	3603

--- End of Report ---

For a definition of codes, view our [glossary](#).

**ATTACHMENT 6**  
**PC Resolution No. R-30-16**



1 greater variety of manufacturing uses within the M-1 zone and is compatible with  
2 surrounding uses at this specific location.

3 2. ***That the proposed Use, together with the conditions applicable thereto will not be***  
4 ***detrimental to the public health, safety or welfare, or materially injurious to properties or***  
5 ***improvements in the vicinity;*** The proposed micro brewery with Type 23 ABC License will  
6 not be detrimental to the public health, safety or welfare or materially injurious to properties  
7 or improvements in the vicinity for the following reasons:

8 A. The proposed use hours of operation are acceptable for the commercial location of the  
9 subject site and the surrounding properties.

10 B. The proposed business is located in an area of the City consisting of industrial uses,  
11 office uses and other manufacturing uses.

12 C. Conditions have been placed on the alcoholic beverage control license which will  
13 mitigate any potential impacts created by the use and ensure that the use will not  
14 negatively affect the surrounding community.

15 D. All exterior lighting is subject to conformance with the lighting standards of the City  
16 (i.e., non-flashing and directed away so as to eliminate objectionable glare) in  
17 conformance with Chapters 18.40 and 18.42 of the Colton Municipal Code.

18 3. ***That the proposed Use complies with each of the applicable provisions of this title;*** *The*  
19 *use conforms with the requirements of the Colton Zoning Code, as conditioned. The*  
20 *subject property is zoned M-1 (Light Industrial) which permits on- and off-sale alcohol*  
21 *uses, subject to Conditional Use Permit. The M-1 (Light Industrial) Zone is intended to*  
22 *provide areas for the development of industrial uses to serve the community and to*  
23 *establish those standards of development necessary to insure that such commercial areas*  
24 *will be compatible with adjoining land uses.*

25 **SECTION 2.** The Planning Commission of the City of Colton, in accordance with the  
26 California Environmental Quality Act, has found that the project will not have a significant impact  
27 on the environment and is Categorically Exempt from CEQA under Article 19, Section 15301  
28 (Existing Facilities), Class 1 of the CEQA Guidelines. This section pertains to existing facilities  
that involve negligible or no expansion beyond what currently exists at the time of environmental  
determination.

**SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the  
Planning Commission hereby finds that public convenience or necessity would be served by the  
issuance of the license associated with this Conditional Use Permit and directs the Development  
Services Director to forward necessary documentation to the State Department of Alcoholic  
Beverage Control (ABC).

**SECTION 4.** This action by the Planning Commission shall be final unless an appeal of  
the action is filed with the City Clerk's office in writing, pursuant to Section 18.58.100 of the Colton  
Municipal Code.

1           **SECTION 5.** This land use entitlement shall become null and void if not exercised within  
2 one (1) year of this approval and the applicant has not been granted an extension of time by the  
3 Planning Commission, pursuant to Section 18.58.070 of the Colton Municipal Code.

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

5           PASSED, APPROVED, AND ADOPTED this 23<sup>rd</sup> day of August 2016.

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Planning Commission Chairperson  
Richard Prieto

ATTEST:

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Planning Commission Secretary  
Mark R. Tomich, AICP

I hereby certify that the foregoing is a true copy of a Resolution adopted by the  
Planning Commission of the City of Colton at a meeting held on August 23, 2016, by the following  
vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Planning Commission Secretary  
Mark R. Tomich, AICP



- 1        b.    The site shall be developed and maintained consistent with the approved plans and the  
2            conditions of approval.
- 3        c.    The premises shall be kept clean and the operator of the establishment shall ensure that  
4            no trash or litter originating from the site is deposited onto the neighboring properties or  
5            onto the public right-of-way.
- 6        9.    Separate submittals and permits are required for all accessory structures such as but not limited  
7            to, trash enclosures, patios, light standards, and storage buildings.
- 8        10.   The applicant shall post the maximum occupancy loads per Building Code and Fire Code  
9            requirements.
- 10       11.   The approval of this Conditional Use Permit (File Index No. DAP-001-138) must not be  
11           construed as the approval of a bar or cocktail lounge, nor as a nightclub or cabaret with  
12           entertainment and/or dancing and this establishment must not operate as such.
- 13       12.   There will be no gatherings or parties at this location other than a Grand Opening event and on  
14           occasion Special Events related to tours and beer tasting only.
- 15       13.   The storage of delivery vehicles is not allowed at this location.
- 16       14.   This establishment must comply with the City of Colton Municipal Code Section Performance  
17           Standards Title 18 (Zoning Code), Chapter 18.42 includes: Fire and explosion hazards;  
18           electrical interference; noise; vibration; smoke; odors; air quality; light; glare; liquid; and solid  
19           waste.
- 20       15.   The sales, service, and consumption of alcoholic beverages shall be permitted only between the  
21           hours of 4:00 pm to 9:00 pm - Monday – Friday; 11:00 am to 9:00 pm – Saturdays and Sundays,  
22           unless otherwise amended by the granting of a modification of this Development Permit  
23           Application for the Conditional Use Permit (File Index No. DAP-001-340) by the Planning  
24           Commission of the City of Colton.
- 25       16.   No minors under the age of 21-years old is permitted on premises under any circumstances.  
26           Violation of this requirement is grounds for scheduling a revocation hearing with the Planning  
27           Commission of this Conditional Use Permit approval.
- 28       17.   No other brands of beer may be sold at this location other than that manufactured by this facility.
18.   It shall be the applicant’s responsibility to ensure that no alcoholic beverages, sold on the  
          premises, are consumed on any property adjacent to the licensed premises under the control of  
          the applicant.
19.   The applicant or an employee of the licensee must be present to monitor all areas of the  
          establishment during all times that alcoholic beverages are being served or consumed.
20.   All employees serving alcoholic beverages must complete Responsible Beverage Service  
          Training, or an equivalent approved by the State Department of Alcoholic Beverage Control,  
          prior to being able to serve alcoholic beverages to patrons. Evidence of the completion of such

1 training must be maintained on the premises and available for inspection upon request by the  
2 City.

3 21. Queuing lines shall be managed in an orderly manner and all disruptive and/or intoxicated  
4 patrons shall be denied entry. The business owner, or his designee, shall be responsible for  
5 monitoring the queuing lines at all times.

6 22. Any outdoor queuing line shall not block public walkways or obstruct the entry or exit doors of  
7 adjacent businesses. Stanchions or barriers must be used to maintain order at all times the queue  
8 exceeds 10 patrons.

9 23. Employees and contract security personnel shall not consume any alcoholic beverages during  
10 their work shift, except for product sampling for purposes of quality control.

11 24. There shall be no exterior advertising of any kind or type, including window signs or other signs  
12 visible from outside, that promote or indicate the availability of alcoholic beverages on the  
13 premises. Interior displays of alcoholic beverages or signs, which are clearly visible to the  
14 exterior, shall constitute a violation of this condition. Permissible window displays must be  
15 kept to a minimum for maximum visibility and shall not exceed 30 percent of the window  
16 coverage. Floor displays shall not exceed three feet in height.

17 25. No amusement machines or video games shall be maintained on the premises at any time.

18 26. No entertainment, including but not limited to, amplified music, karaoke, performers and  
19 dancing, shall be held at this location for promotional purposes, except in-house sound system  
20 is permitted.

21 27. The Applicant and/or Property Owner shall comply with all requirements of all reviewing  
22 agencies and shall comply with all applicable local, state, and federal rules, laws and  
23 regulations.

24 28. The Applicant and/or Property Owner shall, at all times, maintain the property so as not to  
25 constitute a nuisance in the community.

26 29. This action by the Planning Commission shall be final unless an appeal of the action is filed  
27 with the City Clerk's office in writing, pursuant to Section 18.58.100 of the Colton Municipal  
28 Code.

30. This land use entitlement shall become null and void if not exercised within one (1) year of this  
approval.

#### **POLICE – CODE ENFORCEMENT DIVISION**

31. Comply with the requirements of the City of Colton **Code Enforcement/Police**, including  
the following:

- a. **Landscaping:** Property manager or tenant will maintain all approved landscaping in  
good condition, including but not limited to adequate irrigation, mowing of grass, and

1 replacing dead trees and shrubs. Above ground landscaping controls or backflow valves  
2 will be secured in a locked metal cage to prevent theft or vandalism.

3 b. **Loitering:** Loitering is prohibited on or about the premises. No exterior fixtures or  
4 furnishings at or adjacent to the location that encourage loitering and nuisance  
behavior. No exterior pay telephones.

5 c. **Litter/Graffiti:** The exterior of the business and areas adjacent to the business over  
6 which they have control, including all signs and accessory buildings and structures, shall  
7 be maintained free of litter and graffiti at all times. The owner or operator shall provide  
8 for daily removal of trash, litter and debris from the premises and on all abutting  
9 sidewalks and parking lots within twenty (20) feet of the premises. Graffiti shall be  
completely removed or covered with a color-matching paint within forty-eight (48)  
hours. The expectation for graffiti cover up is to produce an appearance the graffiti  
never existed.

10 d. The applicant shall grant “right of access” by the City or agent to remove graffiti.

11 e. **Exterior Lighting:** All lightning will be maintained in good working order. All lighting  
12 shall be shown on the required plot plans. Lighting shall be designed and installed in  
13 such a manner that provides adequate illumination to all parking spaces, stalls,  
14 walkways, corridors, and stairways, insuring there are no dim, dark, or shadowed areas  
15 (other than shadows naturally cast beneath the actual vehicles.) Lighting level will be  
16 a minimum of 1 footcandle and average of 2 footcandle. Lighting fixtures shall be such  
17 that the angle of projected light does not interfere or hinder the vision of police officers  
or security personnel patrolling the areas. All lighting will be properly shielded so as to  
not trespass or disturb neighboring residences, adjacent businesses, or persons while  
driving vehicles upon the roadway. In the event a lighting fixture becomes inoperable,  
property management will have the lighting repaired within 72 hours.

18 f. **General Parking:** Parking lot shall be maintained in accordance with Title 18 of the  
19 Colton Municipal Code, zoning ordinance requirements for paving and striping.

20 g. **Storage:** Parking and trash areas will not be used for storage of hazardous materials,  
21 including but not limited to tires, waste oil, and inoperable or unregistered  
22 vehicles. Property manager or tenant shall promptly abate hazardous materials or  
inoperable vehicles. General exterior storage areas will be screened from public view.

23 h. **Advertisements:** Handbills or advertisements may be distributed in public places  
24 person-to-person but will not be placed or left upon unoccupied vehicles or otherwise  
left unattended in public places.

25 i. **Special Events:** Per Colton Municipal Code Section 5.44, applicant shall not conduct,  
26 operate, maintain, organize, advertise, or sell or furnish tickets for a special event or  
27 permit the subject property to be used for any special event without first obtaining a  
28 special event permit. Special events include, but are not limited to, sales events where  
merchandise, goods, or vehicles are displayed for sale on the property, political  
functions, fundraising events by non-profit entities, and events featuring motivational

1 or educational speakers. The Special Event Committee may expressly grant a minor  
2 variance of conditions specific to individual special events.

3 j. **Surveillance Monitoring:** The permittee shall install a video surveillance monitoring  
4 system, the video system shall be capable of recording a clear view of all areas of the  
5 subject property including, but not limited to, parking lots, walkways, corridors, all sides  
6 of buildings, the perimeter landscape and grass areas. Recordings shall be retained for  
7 a minimum of 30 days. Copies of recordings will be provided to the Colton Police  
8 Department upon request. The final location of the security cameras shall be reviewed  
9 and approved by the City of Colton Police Chief.

10 k. **Written Security Policy:** The owner or manager of the licensed premises shall maintain  
11 on the premises a written security policy and procedures manual, that has been approved  
12 by the police department, addressing at a minimum the following items: handling  
13 obviously intoxicated persons; establishing a reasonable ratio of employees to patrons,  
14 based upon activity level, in order to monitor beverage sales and patron behavior;  
15 handling patrons involved in fighting, arguing or loitering about the building and in the  
16 immediate adjacent area that is owned, leased, rented or used under agreement by the  
17 Licensee(s); verifying age/checking identification of patrons; warning patrons of  
18 reaching their drinking limit/potential intoxication and refusing to serve; calling the  
19 police regarding observed or reported criminal activity and the management of queuing  
20 lines.

21 l. **Right of Access:** Permittee shall grant “right of access” to the City of Colton and its  
22 employees or agents for the purposes of monitoring compliance with these conditions,  
23 patrolling, investigating crimes, and enforcing laws and ordinances on the subject  
24 property. Permittee shall grant “right of access” to the City of Colton and its employees  
25 or agents to remove graffiti and to determine if the applicant is in compliance with these  
26 conditions.

27 m. **Exterior collection bins**, donation receptacles, or storage containers are not permitted  
28 except by express approval of Development Services Director.

n. **Alcohol Sales/Service:** Permittee shall observe all laws relative to sales and service of  
alcohol. Permittee will comply with alcoholic beverage license conditions and maintain  
an alcoholic beverage license in good standing with the Department of Alcohol and  
Beverage Control. Employees shall refuse sales to intoxicated or belligerent persons.

o. **Verification of Age:** The ABC licensee, permittee, employees and security guards are  
each responsible to verify age of persons purchasing alcohol. ABC licensee shall have  
at least one (1) employee assigned to check each person’s identification prior to alcohol  
sales. Persons who cannot produce identification showing that they are over 21 years  
of age shall not be allowed to purchase alcoholic beverages. Identification is defined as  
a physical document issued by a government entity or political subdivision of the United  
States of America, such as a California Driver’s license or California identification  
card. Foreign identification is not acceptable, except for a legitimate passport.

- 1           p. **Compliance with Applicable Laws.** The permittee shall comply with all federal, state  
2           and local laws, including the Alcohol Beverage Control (ABC) Act. Any material  
3           violations of such laws in connection with the authorized use shall be grounds for  
4           revocation of this conditional use permit.
- 5           q. **Security Guards:** If security guards are used, they must be in possession of a BSIS  
6           issued guard card, and a California identification card or driver’s license. Guards must  
7           be employed by and operating under the direction of a licensed State of California  
8           Consumer Affairs Bureau of Security and Investigative Services Private Patrol Operator  
9           (PPO) which has registered with the City of Colton as required by Colton Municipal  
10          Code section 5.50. Security guards are to be unarmed. Guards may not carry baton or  
11          firearm, but may carry a chemical agent if issued a BSIS approved training certificate  
12          for the use of the chemical agent.
- 13          r. The permittee and/or licensee shall ensure that any security guard company, if used,  
14          initiates registration with the Colton Police Department at least 30 days in advance of  
15          security services being performed in the City of Colton in order to facilitate City  
16          licensing per Colton Municipal Code section 5.50.
- 17          s. **Interior Lighting:** All interior areas of the premises will be illuminated in a manner  
18          that provides lighting sufficient to illuminate and make easily discernable the  
19          appearance of all persons on or about the premises.
- 20          t. **After hours Contact Information:** Permittee will ensure after hours contact person  
21          information is kept current and on file with police department dispatch center. Ideally  
22          there should be several persons available; each should be a key holder with knowledge  
23          of alarm reset codes, available to respond within 20-30 minutes, and of sufficient  
24          authority to facilitate a board up or other emergency repair measures.
- 25          u. **Complaints.** Three (3) or more verified complaints or occurrences within a one (1)  
26          month period, or six (6) or more verified complaints or occurrences within a three (3)  
27          month period, or twelve (12) or more verified complaints or occurrences within a one  
28          (1) year period regarding disturbances or criminal activity caused by patrons, staff or  
                other persons at or near or leaving from the business facility on the subject property,  
                shall be grounds for revocation of this conditional use permit. For purposes of this  
                condition, verified complaints shall be defined as complaints received by the City of  
                Colton, Colton Police Department, or any other law enforcement agency or any  
                governing agencies regarding the violations of federal, state, or local laws. Occurrences  
                shall be defined as any violation of federal, state, or local laws, including but not limited  
                to the Alcohol Beverage Control (ABC) Act, for which patrons, staff or other persons  
                frequenting the location are cited or arrested at, near or leaving from the subject  
                property. These grounds for revocation are not exclusive.
- v. **Revocation or Modification:** Should the Chief of Police, in his sole and subjective  
                discretion, deem the number of calls for police service attributable to the location to be  
                excessive, or pose a burden to the time and resources of the Colton Police Department,  
                or a nuisance to the City of Colton or surrounding neighborhood, the conditional use  
                permit will be subject to review and potential revocation or modification. The permittee

1 acknowledges that any violations of these conditions of approval or violations of  
2 federal, state or local laws and ordinances shall constitute good cause and subject the  
conditional use permit to revocation or modification proceedings

3 **FIRE DEPARTMENT**

4 32. Premise identification shall be provided in accordance with the City's' Security Ordinance #0-  
5 13-89, Section XIV (residential), Section XV (commercial).

6 33. Where access to or within a structure is restricted due to secured openings, a "Knox" rapid entry  
7 key system will be required. The key box or switch shall be located in an accessible location,  
as determined by the Fire Department.

8 34. A Fire Department Permit will be required for your operations in accordance with Section 105  
9 of the International Fire Code. The fire permit shall be obtained from the Fire Safety Division  
of the Fire Department.

10 35. Portable fire extinguishers shall be required for this project. Size, type, and locations shall be  
11 determined by the fire department's field inspector.

12 36. The proposed facility's use and/or operations shall be designed and maintained in accordance  
13 with the 2012/2013 editions of the International Fire and Building Codes / California Fire and  
Building Codes (Title 24).

14 37. The applicant shall comply with all Fire Department requirements as noted during the  
15 business occupancy process. (B.O.P.)

16 **ELECTRIC UTILITY DEPARTMENT**

17 38. It has been determined that the project is within the City of Colton. The City of Colton will  
18 provide service to this project. The developer shall meet all City of Colton Electric Utility  
19 service requirements and pay all applicable fees.

20 39. The project developer/applicant shall comply with all customer service policies of the City of  
21 Colton Electric Utility Department. The developer shall provide the Electric Utility with all  
22 information necessary to determine the project's electric service requirements; and if necessary  
23 and at their own expense, install all conduit and vault systems associated with underground  
primary/service line extensions and street-lighting as per the Electric Utility's approved design.  
The developer shall pay all charges associated with the Electric Utility's cost to construct  
underground and overhead line extensions and street-lighting.

24 **BUILDING AND SAFETY DIVISION**

25 40. Shall comply with the latest adopted edition of the following codes:

- 26
- Building Code and its appendices and standards
  - Plumbing Code and its appendices and standards
  - 27 • Mechanical Code and its appendices and standards
  - 28 • Building Security Code

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- Electrical Code
- California Building Standards Code (Title 24, California Code of Regulations)
- Fire Code and its appendices and standards

41. Applicant shall submit improvement plans for review and approval prior to construction and occupancy.

42. The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

43. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code and Regulations.

44. All signs shall be Underwriters Laboratories, or equal, approved.

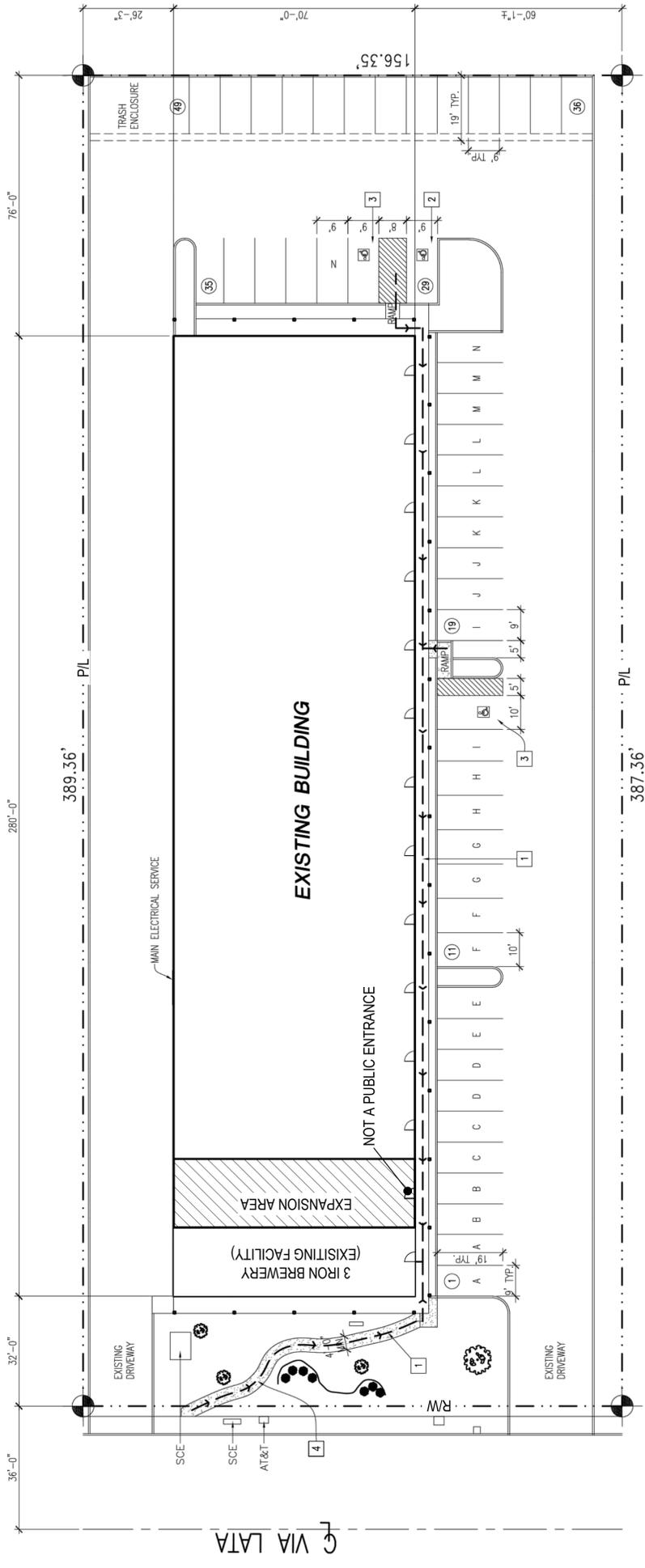
45. In addition to approval from the Building & Safety Division, approval is required from both the County of San Bernardino, Department of Public Health.

46. Applicant shall submit tenant improvement plans for review and approval prior to construction and occupancy.

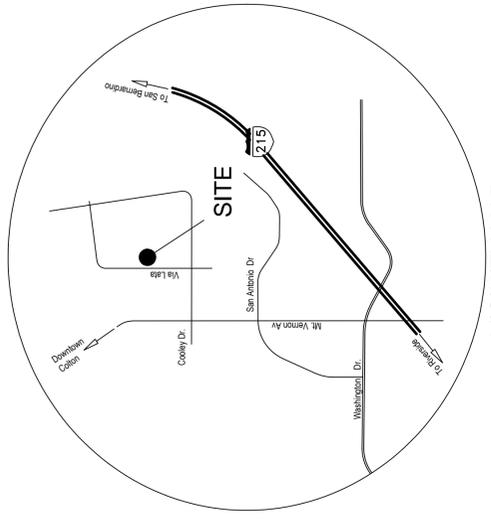
47. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to the Building & Safety Division. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the

# **ATTACHMENT 7**

## **Plans**



- NOTES:**
- 1 EXISTING ADA PATH OF TRAVEL
  - 2 EXISTING "VAN ACCESSIBLE PARKING"
  - 3 EXISTING ADA PARKING
  - 4 EXISTING ADA COMPLIANT SIDE WALK



VICINITY MAP

**SITE**

ADDRESS: 888 VIA LATA  
COLTON, CA 92324

APN: 0278-014-19

OCCUPANCY: F-2

NO FIRE SPRINKLERS

SINGLE STORY UNIT

TOTAL BUILDING AREA: 19,600

AREA THIS UNIT (SUITE B): 1,400 S.F.

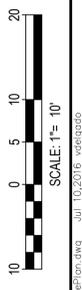
LOT COVERAGE: 19,600 / 60,884 (LOT) = 32.1% (EXISTING, NO CHANGE)

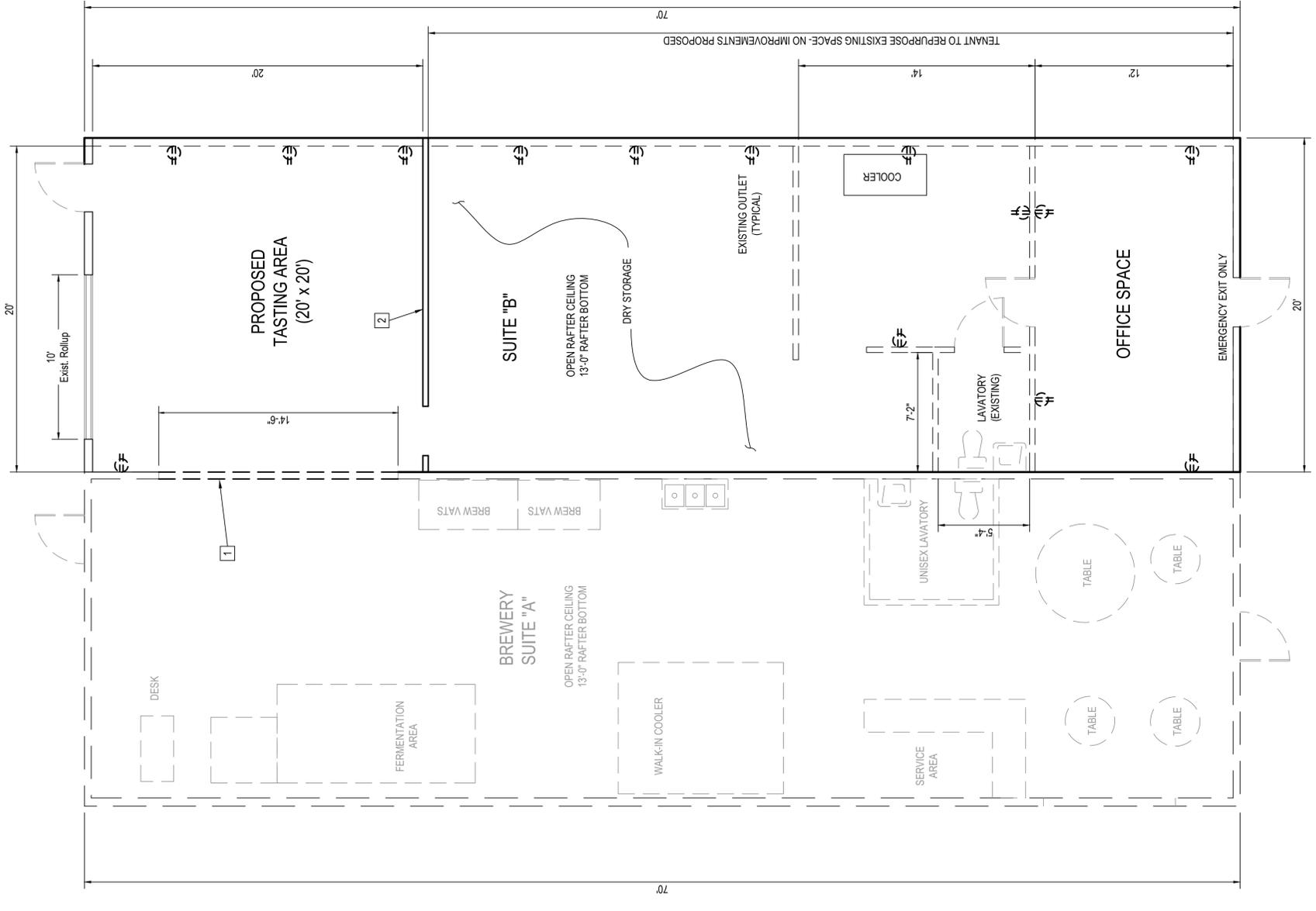
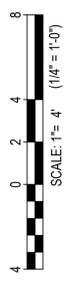
**PARKING REQUIRED:**

EXISTING CONDITIONS	STALLS
60% WAREHOUSE, 50% OFFICE	9.8
9,800 S.F. WAREHOUSE / 1000	39.2
9,800 S.F. OFFICE / 250	49
<b>TOTAL</b>	<b>49</b>
<b>PARKING PROVIDED:</b>	<b>STANDARD 46</b>
	<b>ADA ACCESSIBLE 3</b>
	<b>TOTAL 49</b>

**PROPOSED TENANT IMPROVEMENTS**

PROPOSED MICROBREWERY EXPANSION. EXISTING TENANT SPACE. TENANT PROPOSES PARTIAL REMOVAL OF COMMON WALL BETWEEN UNITS FOR AN ADDITIONAL TASTING AREA. NO OTHER PERMANENT IMPROVEMENTS ARE PROPOSED.





**IMPROVEMENTS**

- 1 REMOVE PORTION OF EXISTING COMMON WALL. HEIGHT OF REMOVAL EQUALS 8 FEET.
- 2 PORTABLE CUBICLE SEPARATOR

**PROPOSED TENANT IMPROVEMENTS**

PROPOSED MICROBREWERY EXPANSION. TENANT PROPOSES PARTIAL REMOVAL OF COMMON WALL BETWEEN UNITS TO EXPAND TASTING AREA. NO OTHER PERMANENT IMPROVEMENTS ARE PROPOSED.

CUP PERMIT No. xxx.xx  
CITY OF COLTON

SHEET 2 SHEETS 2



**FLOOR PLAN**  
3 IRON BREWERY  
888 VIA LATA, SUITE A  
COLTON, CA 92324