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**RESOLUTION NO. R-12-14**

**A RESOLUTION OF THE CITY OF COLTON CITY COUNCIL  
APPROVING A GENERAL PLAN AMENDMENT FOR THE 2013-  
2021 HOUSING ELEMENT UPDATE. (FILE INDEX NO.: DAP-  
001-128).**

**WHEREAS**, local governments are authorized by Government Code section 65350 *et seq.* to prepare, adopt and amend general plans; and

**WHEREAS**, an update to the Housing Element of the City of Colton General Plan for the 2013-2021 planning period (hereinafter "Housing Element Update") has been initiated and prepared by the City of Colton; and

**WHEREAS**, the proposed Housing Element Update leaves the General Plan internally consistent; and

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

**WHEREAS**, the Housing Element Update was reviewed, studied, and found to comply with the California Environmental Quality Act ("CEQA"), as more fully described below; and

**WHEREAS**, on November 26, 2013, the Planning Commission of the City of Colton ("Planning Commission") held a duly noticed public hearing at which time all persons wishing to testify in connection with the Housing Element Update were heard, the Housing Element Update was fully examined, and recommended approval of the amendment (Planning Commission Resolution No. R-23-13); and

**WHEREAS**, on November 22, 2013, the Housing Element Update was submitted to the California Department of Housing and Community Development (HCD) for review pursuant to § 65585(b) of the Government Code; and

**WHEREAS**, on January 21, 2014 HCD issued findings pursuant to § 65585 of the Government Code stating that the draft Housing Element Update addresses the requirements of state law; and

**WHEREAS**, the City Council has considered HCD's findings prior to adoption of the Housing Element Update; and

**WHEREAS**, on February 4, 2014, the City Council of the City of Colton ("City Council") held a duly noticed public hearing at which time all persons wishing to testify in connection with the Housing Element Update were heard and the Housing Element Update was comprehensively reviewed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLTON:**

**SECTION 1.** Based on the entire record before the City Council and all written and oral evidence presented, including the staff report, the City Council makes the following findings:

- 1 2. The Housing Element Update is integrated and compatible with all other Elements of  
2 the General Plan, including the Land Use, Mobility, Noise, Open Space &  
3 Conservation, Safety, Air Quality, and Cultural Resources Preservation Elements in  
4 that it will not conflict with, nor affect the implementation of, existing policies and  
5 programs therein.
- 6 2. The Housing Element Update is reasonably related to the public health, safety and  
7 welfare because it guides and accommodates land uses and housing in accordance  
8 with regional and local population growth projections and the housing needs of all  
9 economic segments of the community.

10 **SECTION 2.** The City Council, in accordance with the California Environmental Quality  
11 Act (CEQA), finds that the Housing Element Update is within the scope of the project analyzed in  
12 the Program Environmental Impact Report (EIR) prepared for the Colton General Plan Update  
13 (State Clearinghouse #2012031037) which was certified by the City Council on August 20, 2013.  
14 The City Council's determination is based on the provisions of Public Resources Code Section  
15 21166 and CEQA Guidelines Section 15162, which state that when an EIR has been certified or a  
16 negative declaration adopted for a project, no subsequent EIR shall be prepared for that project  
17 unless the lead agency determines, on the basis of substantial evidence in light of the whole  
18 record, one or more of the following:

19 (1) Substantial changes are proposed in the project which will require major revisions  
20 of the previous EIR or negative declaration due to the involvement of new significant  
21 environmental effects or a substantial increase in the severity of previously identified  
22 significant effects;

23 (2) Substantial changes occur with respect to the circumstances under which the  
24 project is undertaken which will require major revisions of the previous EIR or Negative  
25 Declaration due to the involvement of new significant environmental effects or a substantial  
26 increase in the severity of previously identified significant effects; or

27 (3) New information of substantial importance, which was not known and could not  
28 have been known with the exercise of reasonable diligence at the time the previous EIR was  
certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous  
EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than  
shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in  
fact be feasible, and would substantially reduce one or more significant effects of the project,  
but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those  
analyzed in the previous EIR would substantially reduce one or more significant effects on the  
environment, but the project proponents decline to adopt the mitigation measure or  
alternative.

Based on all of the information in the record, including the City Council staff report, staff  
comments and public testimony during the public hearing, the City Council, in its independent  
judgment, finds that there is no substantial evidence that any of the conditions requiring a  
subsequent EIR would result from adoption of the Housing Element Update.



1     **STATE OF CALIFORNIA**                     )  
2     **COUNTY OF SAN BERNARDINO**            ) ss  
3     **CITY OF COLTON**                         )

4   **CERTIFICATION**

5             **I, EILEEN C. GOMEZ**, City Clerk of the City of Colton, California, do hereby  
6 certify that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-12-14**,  
7 duly adopted by the City Council of said City, and approved by the Mayor of said City, at  
8 its Regular Meeting of said City Council held on the **4<sup>th</sup> day of February, 2014**, and that  
9 it was adopted by the following vote, to wit:

|    |          |               |                                   |
|----|----------|---------------|-----------------------------------|
| 10 | AYES:    | COUNCILMEMBER | Toro, Gonzales, Navarro, Oliva,   |
| 11 |          |               | Bennett, Suchil, and Mayor Zamora |
| 12 | NOES:    | COUNCILMEMBER | None                              |
| 13 | ABSTAIN: | COUNCILMEMBER | None                              |
| 14 | ABSENT:  | COUNCILMEMBER | None                              |

16             **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official  
17 seal of the City of Colton, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

21 \_\_\_\_\_  
22 EILEEN C. GOMEZ, CMC  
23 City Clerk  
24 City of Colton

25 (SEAL)  
26  
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