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**ORDINANCE NO. O-10-12**

**AN ORDINANCE OF COUNCIL OF THE CITY OF COLTON APPROVING A ZONE CHANGE AMENDING THE CITY ZONING MAP FOR RECLASSIFICATION OF TWO PROPERTIES LOCATED AT 501 NORTH 9<sup>TH</sup> STREET AND 552 NORTH LA CADENA DRIVE FROM THE P-F, PUBLIC FACILITIES, AND C-2, GENERAL COMMERCIAL, ZONES, RESPECTIVELY, TO THE R-3, MULTIPLE-FAMILY RESIDENTIAL ZONE. (FILE INDEX NO: DAP-001-042C).**

**WHEREAS**, an application (File Index No. DAP 001-042C) was filed by Michael Ackerman, Transtech Engineering, representing Eagle Colton 55, L.P. (hereinafter "Developer") representing Colton Housing Authority (hereinafter "Applicant" and "Owner") for a **Zone Change** (hereinafter "Project") for an amendment to the City Zoning Map for reclassification of two properties located at 501 North 9<sup>th</sup> Street (also known as 510 North La Cadena Drive), Assessor's Parcel Number: 016205220; and 552 North La Cadena Drive, Assessor's Parcel Number: 016205206; (hereinafter "Subject Site") from the P-F, Public Facilities, and C-2, General Commercial zones, respectively, to the R-3, Multiple-Family Residential zone.

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

**WHEREAS**, on October 23, 2012, the Planning Commission of the City of Colton 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 fully examined and recommended approval of the application (Planning Commission Resolution No. R-25-12); and

**WHEREAS**, on December 18, 2012, 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 adoption of the application were heard and the application was comprehensively reviewed; 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 if mitigation measures are implemented reducing potential impacts to levels less than significant and a Mitigated Negative Declaration (MND) has been prepared.

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

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

**SECTION 1. Incorporation of Recitals.** The City Council hereby adopts the recitals set forth above in connection with this Sign Ordinance.

**SECTION 2.** The City Council of the City of Colton, in accordance with the California Environmental Quality Act (CEQA), has found, based on the basis of an Initial Study prepared to assess environmental impacts of the project that determined that the project would not create any significant adverse impacts on the environment if mitigation measures are implemented reducing

1 potential impacts to levels less than significant, that a Mitigated Negative Declaration (MND)  
2 may be prepared to meet CEQA requirements.

3 **SECTION 3.** Based on the entire record before the City Council and all written and oral  
4 evidence presented, including the staff report, the City Council makes the following findings in  
accordance with the Colton Municipal Code:

- 5 1. The proposed change of zone will be in conformity with the general plan, subject to  
6 adoption of the concurrent general plan amendment requested. The establishment of  
7 the R-3 zone at this particular location, along the commercial/institutional corridor  
8 along La Cadena Drive which includes the Civic Center, a public park, and  
9 commercial uses including residential structures that have been reused for office uses,  
10 is consistent with the Principles for Residential Land Uses, which states: "*Principle 4.*  
*Medium- and high-density residential developments next to large open spaces...major*  
*activities, such as shopping and employment centers, is critical to an efficient*  
*neighborhood design and long-term integrity of the residential environment."*
- 11 2. The proposed change of zone is necessary due to the need in the community for more  
12 of the types of uses permitted by the proposed R-3 zone, such as residential  
13 development in general but particularly senior housing, as proposed by the project,  
14 due to the demolition of the previous senior housing project within the site and lack of  
units to replace and fulfill the need for housing created by the removal of these units  
from available housing inventory.
- 15 3. The proposed change of zone will not adversely affect the surrounding area or the  
16 community in general since the site is located within a transitional area between  
17 properties either zoned for or development as single-family and multiple-family  
18 residential uses and the commercial/institutional corridor along La Cadena Drive  
19 which includes the Civic Center, a public park, and commercial uses including  
20 residential structures that have been reused for office uses. As such, residential  
development in general and the senior housing project proposed, in particular, allowed  
by the proposed R-3 zone, would be appropriate at the location and would not create  
adverse impacts to the surrounding area or the community at large.

21 **SECTION 4.** Based upon the findings set forth herein the City Council hereby adopts a  
22 Zone Change amending the City Zoning Map, as depicted on Exhibit "A" attached hereto, for (1)  
23 reclassification of a 2.3-acre property located at 501 North 9<sup>th</sup> Street (also known as 510 North La  
24 Cadena Drive and also bounded by E Street and F Street); Assessor's Parcel Number: 016205220;  
25 from the P-F, Public Facilities, zone to the R-3, Multiple-Family Residential zone and (2)  
reclassification of a 0.17-acre property located at 552 North La Cadena Drive; Assessor's Parcel  
Number: 016205206; from the C-2, General Commercial zone to the R-3, Multiple-Family  
Residential zone and adoption of the draft Mitigated Negative Declaration (MND).

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



EXHIBIT "A"

# Zone Change

- Zoning Classifications  
R-3, Multiple-Family Residential  
C-2, General Commercial  
P-F, Public Facilities

