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RESOLUTION NO. R-33-21

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF COLTON, CALIFORNIA,
RECOMMENDING CITY COUNCIL APPROVAL OF
GENERAL PLAN AMENDMENT (2021 – 2029 HOUSING ELEMENT UPDATE)
(FILE INDEX NO. DAP-001-720)**

WHEREAS, the City of Colton is proposing a comprehensive update to the City's General Plan Housing Element, as required by State law, for the 2021-2029 planning period;

WHEREAS, as provided in Government Code Sections 65352-65352.5 the City provided notice by certified mail on August 10, 2021 to those California Native American tribes provided by the Native American Heritage Commission, and one request for consultation was received from the Kihz Nation, which was conducted on October 28, 2021;

WHEREAS, California Government Code Section 65583 requires that the Housing Element Update contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element Update;

WHEREAS, the City's share of the regional housing need was established at 5,434 units in the Regional Housing Needs Assessment (RHNA) Plan prepared and adopted by the Southern California Association of Governments (SCAG) on March 4, 2021. The allocation establishes the number of new units needed, by income category, to accommodate Colton's assigned housing needs during the 2021-2029 planning period;

1 **WHEREAS**, Housing Element Law requires the Housing Element to identify adequate
2 sites to accommodate the City's Regional Housing Needs Allocation (RHNA) for all income
3 categories, and the Housing Element Update identifies sites that can accommodate additional
4 housing based on current zoning as well as candidate sites to be considered for rezoning such that
5 the City will fully accommodate its need for additional housing as assigned in the RHNA;

6 **WHEREAS**, The Housing Element Update was prepared in accordance with Government
7 Code Sections 65580 through 65589;

8
9 The Planning Commission and City Council held a public meeting on July 14, 2021 to receive
10 public testimony on the Draft Housing Element Update;

11 **WHEREAS**, on August 5, 2021 the City submitted the Draft Housing Element Update to
12 the California Department of Housing and Community Development (HCD) for review and
13 comment, in accordance with State housing law (Government Code Section 65585);

14
15 **WHEREAS**, on October 4, 2021 HCD provided written correspondence indicating that
16 draft element addressed many statutory requirements; however, revisions will be necessary to
17 comply with State Housing Element Law (Article 10.6 of the Government Code);

18 **WHEREAS**, the Draft Housing Element has been revised to address HCD's comments of
19 October 4, 2021 as described in the Planning Commission staff report dated October 26, 2021, in
20 compliance with State law;

21
22 **WHEREAS**, a public notice of the October 26, 2021 Planning Commission hearing to
23 consider the proposed Housing Element Update was published in the San Bernardino Sun, posted
24 on the City's website, posted at City Hall, and sent to all parties who have demonstrated an interest
25 in the project, describing the project, date, time, and location of the hearing;

26 **WHEREAS**, on October 26, 2021, the Planning Commission held the duly advertised
27 public hearing to receive and consider testimony on the proposed project;

1 **WHEREAS**, the Planning Commission has determined that the proposed 2021-2029
2 Housing Element update is internally consistent with the goals and objectives, and policies of the
3 General Plan, particularly the Land Use Element. The Housing Element Update identifies adequate
4 sites, including candidate sites for rezoning, to accommodate the Regional Housing Needs
5 Assessment;

6 **WHEREAS**, the 2021-2029 Housing Element update is covered by the common sense
7 CEQA exemption (CEQA Guidelines Sec. 15061[b][3]) which provides that CEQA applies only
8 to projects which have the potential for causing a significant effect on the environment. Since no
9 development project or other physical change to the environment would be approved by the
10 adoption of the Housing Element, it can be seen with certainty that there is no possibility that
11 Housing Element adoption may have a significant effect on the environment, and therefore is not
12 subject to CEQA. Any proposed future amendments to City zoning regulations and the General
13 Plan Land Use Element pursuant to State housing law, as well as future housing development
14 projects, will be subject to additional review and appropriate documentation pursuant to CEQA;

15 **WHEREAS**, the Planning Commission is an advisory body to the City Council with regard
16 to the approval of General Plan Amendments.

17 **WHEREAS**, all other prerequisites to the adoption of this resolution have been completed.
18

19 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
20 **COLTON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS**
21 **FOLLOWS:**

22 **SECTION 1.** Based on the entire record before the Planning Commission and all written
23 and oral evidence presented, including the staff report, the Planning Commission makes the
24 following findings:

- 25 1. The Housing Element Update is integrated and compatible with all other Elements of the
26 General Plan, including the Land Use, Mobility, Noise, Open Space & Conservation,
27 Safety, Air Quality, and Cultural Resources Preservation Elements in that it will not conflict
28 with, nor affect the implementation of, existing policies and programs therein.

- 1 2. The Housing Element Update is reasonably related to the public health, safety and welfare
2 because it guides and accommodates land uses and housing in accordance with regional and
3 local population growth projections and the housing needs of all economic segments of the
4 community.
- 5 3. Based on the entire record before the Planning Commission of the City of Colton, all written
6 and oral evidence presented has been considered and reviewed, and the Commission finds
7 that the Housing Element Update is consistent with state law and General Plan Guidelines,
8 will promote the public health, safety, and welfare, and will leave the General Plan an
9 integrated and internally consistent statement of policies.

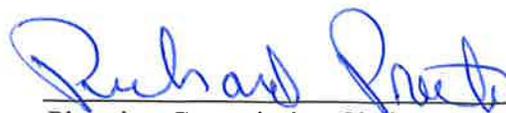
10 **SECTION 2.** The Planning Commission of the City of Colton, in accordance with the
11 California Environmental Quality Act (CEQA), has found the 2021-2029 Housing Element update
12 is covered by the common sense CEQA exemption (CEQA Guidelines Sec. 15061[b][3]) which
13 provides that CEQA applies only to projects which have the potential for causing a significant
14 effect on the environment. Since no development project or other physical change to the
15 environment would be approved by the adoption of the Housing Element, it can be seen with
16 certainty that there is no possibility that Housing Element adoption may have a significant effect
17 on the environment, and therefore is not subject to CEQA. Any proposed future amendments to
18 City zoning regulations and the General Plan Land Use Element pursuant to State housing law, as
19 well as future housing development projects, will be subject to additional review and appropriate
20 documentation pursuant to CEQA.

21 **SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the
22 Planning Commission hereby recommends that the City Council approve General Plan Amendment
23 (File Index No. DAP-001-720), replacing the 2013-2021 General Plan Housing Element in its
24 entirety, as shown in Exhibit “A” attached hereto;

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

26 PASSED, APPROVED, AND ADOPTED this 26th day of October, 2021.

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Planning Commission Chairperson
Richard Prieto

ATTEST:



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 October 26, 2021, by the following vote of the Planning Commission:

AYES: Baden, Payne, Raymond, Grossich, Delgado, Prieto

NOES:

ABSENT: Cervantes

ABSTAIN:



Planning Commission Secretary
Mark R. Tomich, AICP

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EXHIBIT "A"

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA,
APPROVING GENERAL PLAN AMENDMENT (2021 – 2029 HOUSING ELEMENT
UPDATE) (FILE INDEX NO. DAP-001-720)**

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RESOLUTION NO. R-XX-21

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF COLTON, CALIFORNIA,
APPROVING GENERAL PLAN AMENDMENT (2021 – 2029 HOUSING ELEMENT
UPDATE) (FILE INDEX NO. DAP-001-720)**

WHEREAS, the City of Colton is proposing a comprehensive update to the City’s General Plan Housing Element, as required by State law, for the 2021-2029 planning period;

WHEREAS, as provided in Government Code Sections 65352-65352. 5 the City provided notice by certified mail on August 10, 2021 to those California Native American tribes provided by the Native American Heritage Commission, and one request for consultation was received from the Kihz Nation, which was conducted on October 28, 2021;

WHEREAS, California Government Code Section 65583 requires that the Housing Element Update contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community' s goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element Update;

WHEREAS, the City's share of the regional housing need was established at 5,434 units in the Regional Housing Needs Assessment (RHNA) Plan prepared and adopted by the Southern California Association of Governments (SCAG) on March 4, 2021. The allocation establishes the number of new units needed, by income category, to accommodate Colton’s assigned housing needs during the 2021-2029 planning period;

WHEREAS, Housing Element Law requires the Housing Element to identify adequate sites to accommodate the City's Regional Housing Needs Allocation (RHNA) for all income

1 categories, and the Housing Element Update identifies sites that can accommodate additional
2 housing based on current zoning as well as candidate sites to be considered for rezoning such that
3 the City will fully accommodate its need for additional housing as assigned in the RHNA;

4
5 **WHEREAS**, The Housing Element Update was prepared in accordance with Government
6 Code Sections 65580 through 65589;

7 **WHEREAS**, The Planning Commission and City Council held a public meeting on October
8 26, 2021 to receive public testimony on the Draft Housing Element Update;

9
10 **WHEREAS**, on August 5, 2021 the City submitted the Draft Housing Element Update to
11 the California Department of Housing and Community Development (HCD) for review and
12 comment, in accordance with State housing law (Government Code Section 65585);

13 **WHEREAS**, on October 4, 2021 HCD provided written correspondence indicating that
14 draft element addressed many statutory requirements; however, revisions will be necessary to
15 comply with State Housing Element Law (Article 10.6 of the Government Code);

16
17 **WHEREAS**, the Draft Housing Element has been revised to address HCD's comments of
18 October 4, 2021 as described in the City Council staff report dated _____, 2021, in
19 compliance with State law;

20 **WHEREAS**, a public notice of the _____, 2021 City Council hearing to consider
21 the proposed Housing Element Update was published in the San Bernardino Sun, posted on the
22 City's website, posted at City Hall, and sent to all parties who have demonstrated an interest in the
23 project, describing the project, date, time, and location of the hearing;

24 **WHEREAS**, on _____, 2021, the City Council held the duly advertised public
25 hearing to receive and consider testimony on the proposed project;

26
27 **WHEREAS**, the City Council has determined that the proposed 2021-2029 Housing
28 Element update is internally consistent with the goals and objectives, and policies of the General

1 Plan, particularly the Land Use Element. The Housing Element Update identifies adequate sites,
2 including candidate sites for rezoning, to accommodate the Regional Housing Needs Assessment;

3
4 **WHEREAS**, the 2021-2029 Housing Element update is covered by the common sense
5 CEQA exemption (CEQA Guidelines Sec. 15061[b][3]) which provides that CEQA applies only
6 to projects which have the potential for causing a significant effect on the environment. Since no
7 development project or other physical change to the environment would be approved by the
8 adoption of the Housing Element, it can be seen with certainty that there is no possibility that
9 Housing Element adoption may have a significant effect on the environment, and therefore is not
10 subject to CEQA. Any proposed future amendments to City zoning regulations and the General
11 Plan Land Use Element pursuant to State housing law, as well as future housing development
12 projects, will be subject to additional review and appropriate documentation pursuant to CEQA;

13
14 **WHEREAS**, all other prerequisites to the adoption of this resolution have been completed.

15 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON,**
16 **CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS**
17 **FOLLOWS:**

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

- 20 4. The Housing Element Update is integrated and compatible with all other Elements of the
21 General Plan, including the Land Use, Mobility, Noise, Open Space & Conservation,
22 Safety, Air Quality, and Cultural Resources Preservation Elements in that it will not conflict
23 with, nor affect the implementation of, existing policies and programs therein.
- 24 5. The Housing Element Update is reasonably related to the public health, safety and welfare
25 because it guides and accommodates land uses and housing in accordance with regional and
26 local population growth projections and the housing needs of all economic segments of the
27 community.
- 28 6. Based on the entire record before the City Council of the City of Colton, all written and oral
evidence presented has been considered and reviewed, and the Commission finds that the
Housing Element Update is consistent with state law and General Plan Guidelines, will

1 promote the public health, safety, and welfare, and will leave the General Plan an integrated
2 and internally consistent statement of policies.

3
4 **SECTION 2.** The City Council of the City of Colton, in accordance with the California
5 Environmental Quality Act (CEQA), has found the 2021-2029 Housing Element update is covered
6 by the common sense CEQA exemption (CEQA Guidelines Sec. 15061[b][3]) which provides that
7 CEQA applies only to projects which have the potential for causing a significant effect on the
8 environment. Since no development project or other physical change to the environment would be
9 approved by the adoption of the Housing Element, it can be seen with certainty that there is no
10 possibility that Housing Element adoption may have a significant effect on the environment, and
11 therefore is not subject to CEQA. Any proposed future amendments to City zoning regulations and
12 the General Plan Land Use Element pursuant to State housing law, as well as future housing
13 development projects, will be subject to additional review and appropriate documentation pursuant
14 to CEQA.

15 **SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the
16 City Council hereby approves General Plan Amendment (File Index No. DAP-001-720), replacing
17 the 2013-2021 General Plan Housing Element in its entirety, as shown in Exhibit "A" attached
18 hereto. The City Manager shall transmit the adopted Housing Element Update to the California
19 Department of Housing and Community Development ("HCD") for review pursuant to government
20 code § 65585 (g). The City Manager, in consultation with the City Attorney, is further directed to
21 make any clerical or technical changes to the adopted element as necessary to obtain a finding of
22 substantial compliance with HCD.

23 **SECTION 4. Certification/Publication.** The City Clerk shall certify to the passage of the
24 Ordinance and cause the same or a summary thereof to be published within fifteen (15) days
25 after adoption in a newspaper of general circulation published and circulated in the City of
26 Colton.

27 **SECTION 5.** The City Clerk shall certify the adoption of this Resolution.
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PASSED, APPROVED AND ADOPTED this ____ day of _____, 2022.

City of Colton

Frank J. Navarro, Mayor

ATTEST:

Carolina R. Padilla, City Clerk

APPROVED AS TO FORM:

Best Best & Krieger LLP
City Attorney

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**2021-2029 HOUSING ELEMENT UPDATE DOCUMENT
ATTACHED HERETO**