

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION ADOPTING A GENERAL PLAN AMENDMENT TO COMPLY WITH STATE REGULATIONS RELATED TO DISADVANTAGED UNINCORPORATED COMMUNITIES AND FLOOD RISK AND LAND USE PLANNING

California Government Code sections 56430 and 65302.10 require that the City amend its General Plan to address disadvantaged unincorporated communities and flood risk and land use planning, including and analysis of utility and fire infrastructure deficiencies for disadvantaged unincorporated communities within its Sphere of Influence; and

California Government Code section 65302 requires that the City amend its General Plan to incorporate flood risk information for making decisions related to the location of new development; and

The Stockton 2035 General Plan Goals and Policies Report and Background Report were adopted on December 11, 2007; the Goals and Policies Report identifies the goals, policies and implementation measures to guide future land use, development and environmental protection decisions; the Background Report provides a detailed description of the conditions and trends that existed within the Study Area during development of the General Plan and reflects conditions within the Planning Area as of 2005 when the General Plan was studied; and

Chapter 3 (Land Use/Urban Growth Strategy), Section 3.2 in the Background Report contains Land Use Planning History, Chapter 10. Recreation and Waterways, Section 10.5 contains Waterways, and Chapter 11. Public Health and Safety, Section 11.6 contains Flood Hazards; and

In order to comply with California Government Code sections 56430, 65302.10, and 65302, staff reviewed the Stockton General Plan 2035 and determined that an amendment is necessary; and

On April 13, 2017, the Planning Commission adopted a Resolution forwarding a recommendation to the City Council to adopt a General Plan Amendment to include analysis of utility and fire infrastructure deficiencies for disadvantaged unincorporated communities within its Sphere of Influence; and to incorporate flood risk information for making decisions related to the location of new development in compliance with California Government Code sections 56430, 65302.10, and 65302; now, therefore,

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BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF STOCKTON, AS
FOLLOWS:

The City Council hereby approves a General Plan Amendment as set forth in the attached Exhibit 1, attached hereto and incorporated by this reference, based on the following findings:

- a. The proposed General Plan Amendment ensures and maintains internal consistency with general land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance and would not create any inconsistencies with the Development Code because it makes no changes to the existing land uses, objectives, policies, programs and actions, but rather incorporates new information, tables and figures into Chapters 3, 10, and 11 of the General Plan Background Report related to analysis of utility and fire infrastructure deficiencies for disadvantaged unincorporated communities and flood risk associated with land use planning. This amendment is being proposed to comply with State law, specifically California Government Code sections 56430, 65302.10, and 65302.
- b. The proposed General Plan Amendment will incorporate new information related to analysis of utility and fire infrastructure deficiencies for disadvantaged unincorporated communities within the Sphere of Influence. Additionally, the Amendment will incorporate new information related to flood risk to strengthen the relationship between land use planning decisions and consideration of potential floodplain hazards. Therefore, because this amendment provides information to strengthen public health, safety and general welfare relating to disadvantaged unincorporated communities and flood safety, it will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City.

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- c. The proposed action complies with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The General Plan Amendment is exempt from CEQA under the "general rule" that CEQA applies only to projects that have the potential for cause significant effects, as specified in Section 15061(b)(3). All future requests for any discretionary approval relating to a project will be required to comply with the General Plan and is subject to compliance with CEQA based on its own merit.

PASSED, APPROVED, and ADOPTED July 25, 2017.

MICHAEL D. TUBBS, Mayor
of the City of Stockton

ATTEST:

BRET HUNTER, CMC
Interim City Clerk of the City of Stockton