

**APPENDIX E**

**PLANNING COMMISSION RESOLUTION**

PLANNING COMMISSION RESOLUTION NO. 2011-01

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
COLUSA MAKING ITS REPORT AND RECOMMENDATION ON  
ADOPTION OF THE PROPOSED REDEVELOPMENT PLAN FOR  
THE COLUSA REDEVELOPMENT PROJECT

WHEREAS, the Colusa Redevelopment Agency (the "Agency") submitted to the Planning Commission of the City of Colusa (the "Planning Commission") the proposed Redevelopment Plan (the "Redevelopment Plan") for the Colusa Redevelopment Project (the "Project"); and

WHEREAS, by Resolution No. 2010-05 adopted on October 27, 2010, the Planning Commission formulated and adopted the Preliminary Plan for the Project; and

WHEREAS, the proposed Redevelopment Plan authorizes the Agency to acquire land for, and install or construct (or cause the installation or construction of), certain designated public improvements and public utilities either within or without the Project Area subject to the limitations contained in said Redevelopment Plan; and

WHEREAS, Section 33346 of the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) provides that the Planning Commission is to review the proposed Redevelopment Plan and make its report and recommendation concerning the Redevelopment Plan and its conformity to the General Plan of the City of Colusa to the Agency and the City Council, and may submit its recommendation for or against approval of the Redevelopment Plan; and

WHEREAS, the General Plan of the City of Colusa has been prepared and adopted in compliance with Planning and Zoning Law (Government Code Section 65300 et seq.); and

WHEREAS, Section 65402 of the Government Code provides, in part:

- "(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof ....
- "(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general

plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof ...."

and

WHEREAS, the above-required reports and recommendations, including matters referred to in Section 33346 of the Health and Safety Code and Section 65402 of the Government Code, are to be made to the Agency and the City Council for their consideration in acting on the adoption of the proposed Redevelopment Plan; and

WHEREAS, the Planning Commission has considered the proposed Redevelopment Plan and the reports prepared in connection therewith, including the Draft Environmental Impact Report, the General Plan of the City, and other pertinent reports;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COLUSA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Findings. The Planning Commission hereby finds and determines that:

(a) Pursuant to Section 33346 of the Community Redevelopment Law, the proposed Redevelopment Plan for the Colusa Redevelopment Project conforms to the General Plan of the City of Colusa.

(b) Pursuant to Section 65402 of the Government Code, with respect to activities which may be undertaken within the Project Area pursuant to the proposed Redevelopment Plan and that are referred to in said section, such activities and undertakings conform to the General Plan of the City of Colusa.

Section 2. Reports and Recommendations.

(a) The Planning Commission hereby reports to the Colusa Redevelopment Agency and the City Council of the City of Colusa the findings referred to in Section 1 hereof.

(b) The Planning Commission hereby recommends the approval and adoption of the Redevelopment Plan with the following modifications:

Page 6 – Section 304.1: delete second paragraph in its entirety and add to the end of the first paragraph “: However, the Agency shall not have the authority to acquire any real property using eminent domain”.

Page 7 – Section 304.2: delete “including eminent domain” from the end of the first paragraph and ad “However, the Agency shall not have the authority to acquire any personal property using eminent domain”.

Page 16 – Section 405: add to the end of the first sentence in the first paragraph and the last sentence of the last paragraph “and applicable city codes and ordinances”.

Section 3. Transmittal. The Secretary of the Planning Commission shall transmit a certified copy of this resolution to the Colusa Redevelopment Agency and the City Council of the City of Colusa for consideration as part of the Agency's Report to the City Council pursuant to Section 33352 of the Community Redevelopment Law, and this resolution shall be deemed the report and recommendations of the Planning Commission concerning the proposed Redevelopment Plan and contemplated public projects and activities thereunder as required by applicable provisions of law.

PASSED AND ADOPTED this 26<sup>th</sup> day of January, 2011, by the following vote:

AYES: Flagor, Herrick, White, Settlemire

NOES: Selover

ABSENT:

ABSTAIN:

  
Chairman

ATTEST:

  
Secretary