

RESOLUTION No. R-253768

(R81-1549)

Adopted on MAR 10 1981

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be, and it is hereby certified, that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 80-06-57, as amended, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Report has been reviewed and considered by this Council.

BE IT FURTHER RESOLVED, that the statement of findings and overriding considerations appended to this resolution as Attachment A, are hereby adopted pursuant to California Public Resources Code, Sections 21081 and 21083.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

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ATTACHMENT A

STATEMENT OF FINDINGS AND OVERRIDING CONSIDERATIONS

Environmental Impact Report No. 80-06-57 prepared to review the potential environmental effects of a proposed Affordable Housing Density Bonus ordinance determined that implementation of the project could have the following significant impacts:

1. Water consumption within an area could increase.
2. Public facilities and services such as police, fire, library, schools, water, sewer, solid waste disposal and private utilities could be subject to demand in excess of current capacities leading to congestion, or requiring development of new or expanded services and facilities.
3. The extent to which the project induces additional population growth would result in a significantly cumulative impact on air quality.
4. Energy consumption within an area may increase.
5. Individual effects not considered significant may cumulatively result in significant impacts.

Environmental Impact Report No. 80-06-57 described mitigation measures which, if implemented, might avoid or reduce the identified impacts to insignificant levels. Some of these mitigation measures are being implemented independently of this project (e.g. use of water and energy conservation devices and techniques). Other described ameliorative effects are inherent in the application of the proposed new Density Bonus, (e.g. increased density reducing the rate at which resources are consumed). A few suggested mitigation measures are beyond the scope of the present project, but are being actively reviewed by The City of San Diego (e.g. urban design review). Amendment of the proposed project, the Affordable Housing Density Bonus, to require the inclusion of the described mitigation measures would require increased administrative review to determine compliance and would add to the ultimate cost of producing housing. These results are antithetical to the purpose and intent of the proposed project.

Environmental Impact Report No. 80-06-57 described one alternative to the project, that of no action. This alternative would avoid all of the potentially significant effects of the project, but would fail to accomplish the purpose and intent of the Affordable Housing Density Bonus. Amendment of the Affordable Housing Density Bonus proposal to require the described mitigation measures while not requiring these same

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impact reducing measures for all housing projects is infeasible because it would violate California Government Code Section 65008 (as amended by Chapter 477, Statutes of 1980). Adoption of the No Project alternative described is infeasible because it would be an affirmative failure to implement the legislatively mandated provisions of California Government Code, Title 7, Division 1, Chapter 4.3 (as added by Chapter 1207, Statutes of 1979).

Environmental Impact Report No. 80-06-57 identifies several potentially beneficial effects which would result from utilization of the proposed Affordable Housing Density Bonus.

1. Persons and families of low or moderate income, presently excluded from the housing market, would be able to acquire affordable homes.
2. Housing projects which utilize the Affordable Housing Density Bonus would consume land, water, energy, and other natural and man-made resources at a rate lower than comparable projects of lesser densities.
3. Housing projects which utilize the Affordable Housing Density Bonus providing new home ownership opportunities, will result in reduced demand for rentals, easing the severe effects of very low rental vacancy rates.

The benefits which would accrue from utilization of the Affordable Housing Density Bonus override the risk of significant environmental impacts.

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Passed and adopted by the Council of The City of San Diego on MAR 10 1981,
 by the following vote:

| Councilmen | Yeas | Nays | Not Present | Ineligible |
|-------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Bill Mitchell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bill Cleator | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Susan Golding | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fred Schnaubelt | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Dick Murphy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lucy Killea | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

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