

(R-94-260)

RESOLUTION NUMBER R-282510

ADOPTED ON AUGUST 10, 1993

WHEREAS, Halifax Partners, owner/permittee, submitted an application to the Planning Department for a planned infill residential permit, a resource protection ordinance permit and a tentative map; and

WHEREAS, the permit was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on August 10, 1993; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 91-0626; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 91-0626, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Halifax Estates.

BE IT FURTHER RESOLVED, that the Council finds that project

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revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By



Janis Sammartino
Senior Chief Deputy City Attorney

JS:pev
08/24/93
Or:Dept:Clerk
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City of San Diego
Planning Department



Development and Environmental
Planning Division
236-6460

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Mitigated Negative Declaration

DEP No. 91-0626

SUBJECT: Halifax Estates. TENTATIVE SUBDIVISION MAP, RESOURCE PROTECTION ORDINANCE PERMIT and PLANNED INFILL RESIDENTIAL DEVELOPMENT PERMIT, to allow the development of a 25-unit single-family residential project on a steeply-sloping 5.64-acre site. Located at the north end of Halifax Street in the Navajo community. R1-5000 Zone (single-family residential, 5,000-square-foot minimum lot size). (Lots 2615 and 2616, Allied Gardens Unit No. 13, Map No. 3544). Applicant: Halifax Partners

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

The project as proposed could have an adverse impact on biological resources, specifically 0.65 acre of Diegan sage scrub containing specimens of San Diego Viguiera. Implementation of the measures contained in the Mitigation, Monitoring and Reporting Program (Section V) would mitigate direct impacts to biological resources to below a level of significance and would substantially mitigate cumulative impacts.

During public review (March 25, 1993), the Secretary of the Interior listed the California gnatcatcher as a threatened species under the Endangered Species Act. The ruling prohibits any interim "take" (harm or disturbance) to the gnatcatcher or its coastal sage scrub habitat at this time. The proposed project site contains 0.65-acre of remnant coastal sage scrub habitat along Halifax Street within which no gnatcatchers were observed. In addition, the habitat is small in size and isolated from any connection to a large wildlife corridor. Therefore, the project proposes development in the area; and mitigation in the form of a monetary contribution to the Habitat Preservation Fund is proposed. This mitigation measure has not been approved by any Federal or State wildlife agencies and may not be found to be in compliance with Federal or State laws. Any permits issued for future development of the property do not authorize the applicant for said project to violate any Federal, State, or City

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laws, ordinances, regulations or policies including, but not limited to the Federal Endangered Species Act of 1973 and any amendments thereto.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

The following measures have been incorporated as conditions of the Tentative Map to mitigate the identified impacts to biological resources:

1. The applicant shall pay the sum of \$13,706 (by means of a cashier's check payable to the City Treasurer) to the City's Habitat Preservation Fund, to compensate for the loss of 0.65-acre of Diegan sage scrub habitat from the project site. This payment shall be made before the issuance of grading permits.
2. The Mitigation, Monitoring and Reporting Program shall be noted on grading plans. The plans shall be reviewed by EAS to ensure that the required mitigation measure is provided.

The above Mitigation, Monitoring and Reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

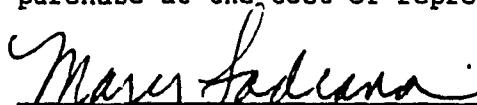
Navajo Community Planners
Alamo Gardens Community Council
Barbara Massey
City of San Diego
Planning Department
Engineering and Development Department
Water Utilities Department
Councilmember McCarty, District 7

VII. RESULTS OF PUBLIC REVIEW:

() No comments were received during the public input period.

- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Monitoring and Reporting Program and any Initial Study material are available in the office of the Development and Environmental Planning Division for review, or for purchase at the cost of reproduction.


Mary Ladiana, Senior Planner
City Planning Department

March 15, 1993
Date of Draft Report

April 15, 1993
Date of Final Report

Analyst: McHenry

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331A

Passed and adopted by the Council of The City of San Diego on AUG 10 1993
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, California.

(Seal)

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

By B. B. Bannard Deputy.

Office of the City Clerk, San Diego, California

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Number Adopted