

RESOLUTION NUMBER R- 295652

ADOPTED ON OCT 30 2001

WHEREAS, on August 1, 2000, CalSun Development Company submitted an application to the City of San Diego for a Tentative Map and Street Vacation, Rezone, and Planned Development Permit/Site Development Permit for the Scripps Pomerado project; and

WHEREAS, the matter 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 City Council on October 30, 2001; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration, LDR No. 40-0789; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration No. 40-0789, 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 land use actions for the Scripps Pomerado project.

BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study

and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council 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.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By



Richard A. Duvernay  
Deputy City Attorney

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10/12/01  
Or.Dept:Dev.Svcs.  
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## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM

#### SCRIPPS POMERADO

TENTATIVE MAP NO. 40-0789 and REZONE/ STREET VACATION/PLANNED  
DEVELOPMENT PERMIT/SITE DEVELOPMENT PERMIT NO. 40-0789  
LDR NO. 40-0789

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 40-0789) shall be made conditions of TENTATIVE MAP No. 40-0789 and REZONE/ STREET VACATION/PLANNED DEVELOPMENT PERMIT/SITE DEVELOPMENT PERMIT No. 40-0789 as may be further described below.

#### Biological Resources

1. Prior to the issuance of any grading permit and/or recordation of the final map, the City Manager shall ensure that the applicant has either contributed \$34,155 to the City of San Diego's Habitat Acquisition Fund (Fund No. 10571) or preserved 2.07 acres off-site of Tier I-III habitat within the MHPA or as appropriate outside the MHPA in accordance with the City of San Diego *Land Development Code Biology Guidelines* (June 6, 2000).

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