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12/5/06

RESOLUTION NUMBER R- 302241

DATE OF FINAL PASSAGE DEC 05 2006

A RESOLUTION CERTIFYING THE ADDENDUM TO ENVIRONMENTAL IMPACT REPORT NO. 40-1027 DEVELOPED FOR THE DRAFT 2005-2010 CITY OF SAN DIEGO GENERAL PLAN HOUSING ELEMENT.

WHEREAS, the City of San Diego has prepared the Draft 2005-2010 General Plan Housing Element for consideration; 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 City certified Environmental Impact Report No. 40-1027, regarding the City of Villages Growth Strategy – Strategic Framework Element, dated on June 14, 2002; and

WHEREAS, EIR No. 40-1027 concluded that the Strategic Framework Element would result in significant and unmitigated impacts to Transportation, Solid Waste Disposal and Air Quality; and

WHEREAS, the EIR found that some of these impacts, as well as significant impacts to Paleontological Resources, Noise, Historical Resources, Solid Waste Disposal, Public Health and Safety, Recreation Facilities and Geologic Hazards could be mitigated during future site-specific CEQA review; and

WHEREAS, the City prepared an Addendum to Environmental Impact Report No. 40-1027 in conjunction with the General Plan Housing Element Update, Fiscal Years 2005-2010; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

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WHEREAS, the issue was heard by the City Council on _____; and

WHEREAS, the City Council considered the environmental issues discussed in the Addendum to Environmental Impact Report No. 40-1027, developed for the Housing Element Update, Fiscal Years 2005-2010; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that the Addendum to Environmental Impact Report No. 40-1027, 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 report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the adoption of the Draft 2005-2010 General Plan Housing Element.

BE IT FURTHER RESOLVED, that the City Council has determined that there are no significant environmental impacts identified in the General Plan Housing Element and detailed in the EIR Addendum that were not previously considered in EIR No. 40-1027.

BE IT FURTHER RESOLVED, that no substantial changes have occurred with respect to the circumstances under which this project is undertaken since the certification of EIR No. 40-1027 on June 14, 2002.

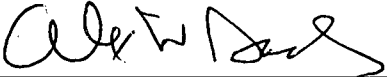
BE IT FURTHER RESOLVED, that the Council finds that there is no new information of substantial importance to the project to be considered with its certification of this Addendum to EIR No. 40-1027.

BE IT FURTHER RESOLVED, that, because there are significant unmitigated impacts associated with the original project subject to EIR No. 40-1027, and because those unmitigated impacts remain, the City Council does hereby make specific and substantiated findings that:

1. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, and
2. These impacts have been found acceptable because of specific overriding considerations. No new CEQA findings are required with this project.

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: MICHAEL J. AGUIRRE, City Attorney

By 
Alex W. Sachs
Deputy City Attorney

AWS:pev
11/17/06
Or.Dept:Planning
R-2007-592
MMS #4075

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Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Date of final passage _____

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California:

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

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