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RESOLUTION NUMBER R-304353

DATE OF FINAL PASSAGE NOVEMBER 10, 2008

RESOLUTION BY THE COUNCIL OF THE CITY OF SAN
DIEGO APPROVING AMENDMENTS TO THE EAST ELLIOT
COMMUNITY PLAN AND GENERAL PLAN IN
CONNECTION WITH THE SYCAMORE LANDFILL MASTER
PLAN PROJECT NO. 5617.

WHEREAS, Sycamore Landfill, Inc., requested an amendment to the General Plan and the East Elliot Community Plan to expand the capacity, footprint, and height of the existing Sycamore Landfill; add or modify ancillary facilities including sedimentation basins, an equipment maintenance facility, perimeter access road, scales and recycling area, and administrative offices; relocate an SDG&E transmission line; continue processing green/wood materials for alternative daily cover and/or beneficial reuse; process construction and demolition (C&D) debris; continue excavation and processing of aggregate materials and change the landfill hours of operation located 8514 Mast Boulevard, from portions including Open Space and Commercial to Landfill, and

WHEREAS, the site is legally described as Portions of Lots 3, 4, 9 and 10 of the re-subdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and all that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents excepting Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-

0129708 of Official Documents, City of San Diego, County of San Diego, State of California;
and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, on October 23, 2008, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and East Elliot Community Plan; and

WHEREAS, the Planning Commission of the City of San Diego recommended denial of the proposed General Plan and East Elliot Community Plan amendments; 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;

WHEREAS, on November 10, 2008, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the East Elliot Community Plan; and

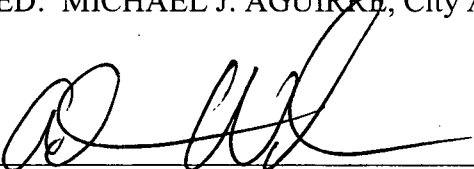
WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the East Elliot Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-304353.

BE IT FURTHER RESOLVED, that the Council adopts an amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By:



Adam Wander
Deputy City Attorney

ARW:mm:cw
11/21/08
Or.Dept:DSD
R-2009-492
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