

RESOLUTION NUMBER R-305807

DATE OF FINAL PASSAGE April 27, 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT PROJECT NO. 2000067/SCH. NO. 96081056 FOR PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE FOR THE VOLUNTARY ACCESSIBILITY PROGRAM HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the City seeks to promote the development of additional accessible housing to help meet the immediate and future needs of the City's aging population in accordance with General Plan policies to promote balanced communities; and

WHEREAS, it has been determined that the proposed amendments to the Land Development Code for the Voluntary Accessibility Program [Program] and the development that may result from the proposed code amendments may result in significant effects not discussed in the Environmental Impact Report No. 96-0333 previously prepared and certified by the City of San Diego for revisions to the Land Development Code; and

WHEREAS, it was determined that preparation of a Supplement to the EIR for the Program would be appropriate under CEQA Guidelines sections 15162 and 15163; 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

WHEREAS, the issue was heard by the City Council on APR 27 2010 ; NOW,  
THEREFORE,

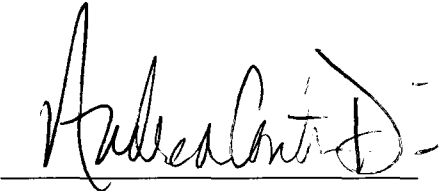
BE IT RESOLVED, by the Council of the City of San Diego, and it is hereby certified that Supplemental EIR Project No. 2000067/SCH. No. 96081056, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that this declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, any attachments and other documents submitted, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the amendments to the Land Development Code for the Voluntary Accessibility Program; and

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and Administrative Code section 15091, the City Council hereby adopts the Findings made with respect to the project, a copy of which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that pursuant to California Administrative Code section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is on file in the office of the City Clerk and incorporated herein by reference, with respect to the project; and

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: JAN I. GOLDSMITH, City Attorney

By: 

Andrea Contreras Dixon  
Deputy City Attorney

ACD:cw  
04/12/10  
04/28/10 REV.  
04/30/10 REV2.  
Or.Dept:DSD  
R-2010-744  
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