

RESOLUTION NO. 2023-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ANNEXATION OF TWO PROPERTIES LOCATED AT 3410 VALLEY ROAD (BONITA) AND THE TENTATIVE SUBDIVISION MAP FOR A 10-LOT RESIDENTIAL DEVELOPMENT AND AUTHORIZING THE FILING OF A NOTICE OF DETERMINATION.

WHEREAS, the Planning Commission conducted a duly noticed public hearing on August 7, 2023, and considered the staff report, written public comments, and oral public testimony and recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council of the City of National City, California, considered said recommendation at a duly advertised public hearing held on September 5, 2023, at which time the City Council considered evidence; and

WHEREAS, at said public hearing the City Council considered the staff report provided for Case File No. 2022-13 IS, which is maintained by the City and incorporated herein by reference; along with any other evidence presented at said hearing; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the evidence presented to the City Council at the public hearing held on September 5, 2023, support the following findings:

1. That the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, because mitigation measures identify remedies for potential biological and cultural impacts that may be identified during and after construction that will mitigate potential impacts to a less-than-significant level.
2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project is an infill development on a partially-disturbed property and is mostly surrounded by urban development. Existing improvements in the

area and the existing development pattern can accommodate the project without causing any impacts to the environment or to existing services. In addition, mitigation measures identify remedies for potential biological and cultural impacts that may be identified during and after construction that will mitigate potential impacts to a less-than-significant level.

3. That the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because the project is a low-intensity residential development. As determined by the Initial Study for the project, both short and long term activities will have a less than significant impact on air quality.
4. The proposed project has been reviewed in compliance with CEQA for which a Mitigated Negative Declaration (MND) has been prepared and, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in the Mitigation Monitoring and Reporting Program have been added to the project as conditions of approval.

Section 2: That the City Council has considered the proposed Negative Declaration No. 2022-13 IS, together with any comments received during the public review process, and finds on the basis of the whole record (including the Initial Study and any comments received) that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

Section 3: The City Council hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, as attached as Exhibit 7 of the staff report, and authorizes the filing of a Notice of Determination.

Section 4: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 5th day of September, 2023.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney