

RESOLUTION NO. 2025-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, CERTIFYING A NEGATIVE DECLARATION, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), BY MAKING A FINDING OF NO SIGNIFICANT ENVIRONMENTAL EFFECT AND APPROVING A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM LOW-MEDIUM DENSITY RESIDENTIAL TO LOW MIXED-USE FOR PROPERTIES LOCATED AT 3040, 3042-3046, 3102-3104 & 3106-3108 EAST 16TH STREET AND 1540 SOUTH HARBISON AVENUE.

WHEREAS, the City Council of the City of National City considered a General Plan Amendment and Zone Change for the rezoning of properties located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue (APNS: 558-162-18, 558-220-06, 558-220-07, 558-220-35, 558-220-42, 558-220-11), from Small Lot Residential (RS-2) to Minor Mixed-Use Corridor (MXC-1), which included changing the General Plan Land Use Designation from Low-Medium Density Residential to Low Mixed-Use, at a duly advertised public hearing held on October 7, 2025, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing the City Council considered the staff report contained in Case File No. 2025-02 GPA, ZC, IS maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and

WHEREAS, the Planning Commission of the City of National City initiated said applications at a duly advertised public hearing held on November 18, 2024, at which time the Commission considered oral and documentary evidence; and

WHEREAS, the Planning Commission of the City of National City considered the proposed Negative Declaration No. 2025-02 IS, together with any comments received during the public review process, and found 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 Negative Declaration reflects the City's independent judgment and analysis; and

WHEREAS, the Planning Commission of the City of National City considered said applications at a duly advertised public hearing held on August 18, 2025, at which time the Commission recommended approval of the General Plan Amendment and Zone Change; 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 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 16, 2025, support the following findings:

FINDINGS FOR CERTIFICATION OF THE NEGATIVE DECLARATION

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 the properties are mostly developed and/or disturbed and there is no sensitive habitat on site. The vacant lot is currently devoid of permanent vegetation, save for a handful of mature invasive pepper trees.
2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project includes both existing development that would have been evaluated for impacts at the time of development and an infill development site on a historically disturbed property. The area is surrounded by urban development. The existing improvements and development pattern can accommodate the project without causing any impacts to the environment or to existing services.
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 includes both existing development and a proposed medium-density residential development comprised of only five units. Should the subject properties be fully redeveloped, the properties would generate less traffic than what exists currently. Therefore, there would be no impact on air quality either short- or long-term.
4. That the proposed project has been reviewed in compliance with CEQA for which a Negative Declaration (ND) has been prepared. The ND has determined that, the proposed project would not have a significant effect on the environment and that no mitigation is required.

FINDING FOR APPROVAL OF THE GENERAL PLAN AMENDMENT

1. That the proposal is consistent with General Plan Policies H-1.1, H-2.1, LU-2.1 and LU-3.1 because the proposed General Plan Amendment and associated Zone Change would allow for an undeveloped and underutilized site to be developed with a residential infill project. The change would also promote the viability of the expanded MXC-1 zoning district.

Section 2: That the application for a General Plan Amendment of the aforementioned properties from Small Lot Residential (RS-2) to Minor Mixed-Use Corridor (MXC-1), subject to the following conditions:

General

1. Within four (4) days of approval of this General Plan Amendment and Zone Change, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.

Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

Section 3: That the City Council hereby certifies the Negative Declaration and approves the General Plan Amendment for the properties located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue from small lot residential (RS-2) to minor mixed-use corridor (MXC-1), supported by the findings identified above.

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 7th day of October, 2025.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz.
City Attorney