

RESOLUTION 2-2012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NATIONAL CITY, CALIFORNIA, RESCINDING PLANNING COMMISSION RESOLUTION 14-2011 AND RECOMMENDING THAT THE CITY COUNCIL: CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM, ADOPT A GENERAL PLAN UPDATE INCLUDING A GENERAL PLAN LAND USE MAP AMENDMENT, ADOPT A LAND USE CODE (ZONING) AMENDMENT AND OFFICIAL ZONING MAP AMENDMENT, ADOPT A DOWNTOWN SPECIFIC PLAN AMENDMENT AND SPECIFIC PLAN MAP AMENDMENT, ADOPT A CLIMATE ACTION PLAN, AND APPROVE, IN CONCEPT ONLY, FIVE DEVELOPMENT PROPOSALS, INCLUDING STREET CONVERSIONS/COMMUNITY CORRIDORS, SENIOR VILLAGE EXPANSION, LAS PALMAS PARK AND FACILITIES VISION CONCEPT PLAN, KIMBALL PARK MASTER PLAN, AND EL TOYON PARK MASTER PLAN  
CASE FILE NO. 2011-17 GPA, ZC, SPA, IS.

WHEREAS, the City has held a total of 23 community workshops/meeting regarding the Comprehensive Land Use Update (“CLUU”) since 2009.

WHEREAS, on May 16, 2011, the Planning Commission previously adopted Resolution No. 14-2011 recommending that the City Council approve the Comprehensive Land Use Update.

WHEREAS, litigation challenging the validity of the Planning Commission’s recommendations in Resolution 14-2011 on May 16, 2011 has been filed, and the City now desires to take further action to eliminate any uncertainty over the validity of the Planning Commission’s resolution and the City Council’s subsequent approvals concerning the Comprehensive Land Use Update, to avoid costs and further litigation, and to further provide maximum opportunities for public review and public participation in City actions concerning the Comprehensive Land Use Update. WHEREAS, the Planning Commission of the City of National City again reviewed and considered a Final Environmental Impact Report, Findings, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations prepared to assess and mitigate the project impacts from the proposed adoption of components of the Comprehensive Land Use Update, at a duly advertised public hearing held on January 9, 2012, at which time, oral and documentary evidence was presented; and

WHEREAS, the Comprehensive Land Use Update includes a General Plan Update, a Land Use Code Amendment, a Downtown Specific Plan Amendment, a Climate Action Plan, and five conceptual development proposals, namely, Street Conversions/Community Corridors, Senior Village Expansion, Las Palmas park and Facilities Vision Concept Plan, Kimball Park Master Plan, and El Toyon Park Master Plan; and

WHEREAS, the General Plan is the City’s principal policy document to guide growth, development, and conservation, and is the foundation for all planning decisions; and

WHEREAS, the Land Use Code implements the broad policies of the General Plan by specifying the uses permitted on each parcel of land, the intensity of development, and standards for development; and

WHEREAS, the Downtown Specific Plan regulates the use and development of land within the downtown area of the City; and

WHEREAS, the Climate Action Plan establishes a strategy to reduce greenhouse gas emissions that contribute to climate change; and

WHEREAS, at the January 9, 2012 public hearing the Planning Commission considered the staff report contained in Case File No. 2011-17 GPA, ZC, SPA, IS, which is maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and

WHEREAS at the January 9, 2012 public hearing, the Planning Commission reviewed and considered components of the proposed Comprehensive Land Use Update, along with all evidence and testimony presented at said hearing, and along with the Environmental Impact Report to assess project impacts of approving the Comprehensive Land Use Update, together with any comments received; and

WHEREAS, prior to said hearing, the City sought out and incorporated public input throughout the two-year preparation of the Comprehensive Land Use Update. As part of the public outreach and participation efforts, the City held a total of 23 public workshops, community meetings, and other public engagement events at different locations throughout the City in addition to public hearings before the Planning Commission and City Council; and

WHEREAS, the Planning Commission recognizes the need and desirability to conduct reviews of, and consider amendments to, the General Plan to accommodate the changing needs of the community; and

WHEREAS, the Planning Commission recognizes the need and desirability to conduct reviews of, and consider amendments to the Land Use Code (Title 18 of the National City Municipal Code) to accommodate the changing needs of the community; and

WHEREAS, the Planning Commission recognizes the need and desirability to consider amendments to the Downtown Specific Plan to be consistent with and implement the General Plan Update; and

WHEREAS, the Planning Commission recognizes the need and desirability to consider the policies and programs of the Climate Action Plan to be consistent with and implement the General Plan Update and to comply with State law; and

WHEREAS, the Planning Commission recognizes the need and desirability to consider the five development proposals that are a part of the Comprehensive Land Use Update to be consistent with and implement the General Plan Update; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the above recitals are true and correct and are incorporated herein by reference as if set forth in full.

BE IT FURTHER RESOLVED that the testimony and evidence presented to the Planning Commission at the public hearing held on January 9, 2012, support the Findings of Fact and the Statement of Overriding Considerations, attached hereto as Exhibit E-1 and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED that the Planning Commission hereby rescinds Planning Commission Resolution 14-2011.

BE IT FURTHER RESOLVED that the Planning Commission has reviewed and considered the information contained in the Final Environmental Impact Report (Exhibits E-2, E-3, E-4) and hereby recommends that the City Council certify said Final Environmental Impact Report, and adopt the Statement of Overriding Considerations (Exhibit E-1) and the Mitigation Monitoring and Reporting Program (Exhibit G) based on the Findings of Fact and Statement of Overriding Considerations.

BE IT FURTHER RESOLVED that the Planning Commission has reviewed and considered the information in the agenda packet (including, but not limited to the Final EIR, the "proposed project" and the alternatives in the Final EIR, the proposed General Plan, the proposed Land Use Code, the proposed Downtown Specific Plan, the proposed Climate Action Plan), and hereby recommends City Council: adopt the proposed General Plan (Exhibit A) and Land Use Map (Exhibit A, Figure LU-4-A and Figure LU-4-B in compliance with Government Code § 65354, adopt the proposed Land Use Code (Zoning) Amendment (Exhibit B-1) and Official Zoning Map Amendment (Exhibit B-3) in compliance with Government Code § 65854, adopt the proposed Downtown Specific Plan Amendment (Exhibit C-1) and Downtown Specific Plan Map Amendment (Exhibit C-4) in compliance with Government Code § 65453, and adopt the Climate Action Plan (Exhibit D). The Planning Commission further recommends City Council adopt, in concept only, the five development proposals described in the EIR (SCH# 2010051009), including Street Conversions/Community Corridors, Senior Village Expansion, Las Palmas Park and Facilities Vision Concept Plan, Kimball Park Master Plan, and El Toyon Park Master Plan (collectively titled "Development Proposals"). These recommendations are based upon the following findings:

**FINDINGS FOR RECOMMENDATION OF ADOPTION OF  
COMPONENTS OF THE NATIONAL CITY COMPREHENSIVE LAND  
USE UPDATE**

1. The proposed amended General Plan, Land Use Code, Downtown Specific Plan, Climate Action Plan, and the Development Proposals reflect the desired future vision of the City that was expressed by the community through the public participation process over the course of more than two years of development of the Update.
2. The proposed amended General Plan, Land Use Code, Downtown Specific Plan, Climate Action Plan, and the Development Proposals are in the public interest since the General Plan has not been updated since 1996, and the Update would meet the current needs of the community by providing for the types of land uses that are necessary and desirable to the community.

3. The proposed amended General Plan, Land Use Code, Downtown Specific Plan, Climate Action Plan, and the Development Proposals would ensure consistency between the General Plan, the Land Use Code, the Climate Action Plan, the Downtown Specific Plan Amendment, and the five development projects that would implement the Comprehensive Land Use Update.
4. The proposed amended General Plan, Land Use Code, Downtown Specific Plan, Climate Action Plan, and the Development Proposals are deemed essential and desirable to the public health, safety, and general welfare of the community since these items comprehensively addresses community issues identified through the public participation process and during the development of the Update.

BE IT FURTHER RESOLVED that this Resolution may be appealed to the City Council by filing a written request for a hearing with the City Clerk within five days after adoption of this resolution.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the City Council.

**CERTIFICATION:**

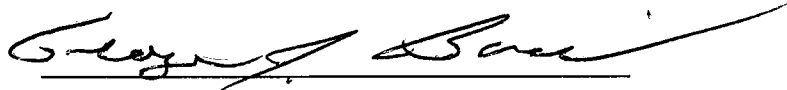
This certifies that the Resolution was adopted by the Planning Commission at their meeting of January 9, 2012, by the following vote:

**AYES: Farias, Baca, Pruitt, Alvarado, Flores.**

**NAYS:**

**ABSENT: DeLaPaz, Reynolds.**

**ABSTAIN:**



**CHAIRMAN**