

RESOLUTION 2014-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING THE INITIAL STUDY, MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE RANCHO VISTA SUBDIVISION PROJECT CONSISTING OF 28.35 ACRES AT THE NORTH END OF THE CITY ON THE WEST SIDE OF THE SAN JUAN HIGHWAY, IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 002-220-006

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WHEREAS, Bob Fulton, RL Fulton Holding Company, LLC (sometimes herein referred to as “Applicant”), has made application to City for a tentative map, general plan amendment, rezoning, and amendment to the Urban Growth Boundary, to construct 85 single-family homes on land presently designated and zoned as agricultural, which would be designated and zoned low density residential upon approval of Applicant’s general plan, zoning and UGB amendment applications, all as more particularly described in “Draft Initial Study and Mitigated Negative Declaration [sometimes herein referred to as IS/MND] for the Rancho Vista Subdivision Project [sometimes herein referred to as Project]”; and

WHEREAS, the Planning Commission, at a hearing held on December 4, 2014, considered the IS/MND, and has recommended that this Council approve and adopt the IS/MND, said recommendation set out in staff’s report to this Council for the regular meeting of December 16, 2014; and

WHEREAS, the initial study and mitigated negative declaration prepared for the Project have been prepared, noticed, and made available for review according to law; and

WHEREAS, at the hearing regarding the IS/MND on December 16, 2014, this Council, having reviewed all materials included with the agenda packet regarding the appeal, heard and considered all comments and materials made and submitted by Applicant, staff, and other interested parties; and

WHEREAS, the IS/MND concluded that the implementation and construction of the Project could result in a number of significant effects on the environment and identified mitigation measures that reduce the significant effects to a less than significant level, and

WHEREAS, the IS/MND and Mitigation Monitoring Program are by this reference incorporated into this Resolution as if fully set forth herein, and

WHEREAS, in connection with project approval involving an initial study/mitigation negative declaration that identifies one or more significant

environmental effects, CEQA requires the decision making body to incorporate feasible mitigation measures that reduce the significant effects, to a less than significant level, and

WHEREAS, approval of a project requiring implementation of mitigation measures to mitigate or avoid significant effects on the environment also requires adoption of a Mitigation Monitoring or Reporting Program to ensure compliance with mitigation measures during project implementation , and

WHEREAS, the City of San Juan Bautista is the lead agency on the Project, and therefore this Council is the decision making body for the Project, and

WHEREAS, the City Council has reviewed and considered the IS/MND and intends to take action on the Project in compliance with CEQA and state Guidelines implementing CEQA, and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Fish and Wildlife Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA, HEREBY RESOLVES AS FOLLOWS;

Section 1. This Council makes the following findings:

- A. This Council has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record prior to proceeding to consider action on the Project.
- B. The Initial Study/Mitigated Negative declaration prepared for the Project has been completed in compliance with CEQA and is consistent with State Guidelines of the California Environmental Quality Act.
- C. The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project.
- D. The City Manager, with offices in City Hall, City of San Juan Bautista, is designated as the custodian of documents and records of proceedings on which action taken by this Resolution are based.
- E. The Initial Study/Mitigated Negative Declaration, with the mitigation measures, mitigation monitoring program and conditions of approval for Project, shows that there is not substantial evidence in light of the whole record that the project as revised by the mitigation measures and conditions of approval may have a significant effect on the environment.
- F. This amendment to the General Plan complies with Government Code Section 65358(b) and as a minor and non-substantial amendment to the General Plan, was properly noticed and no further referrals to public agencies were required by Government Code Section 65352.

Section 2. The Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Program hereby are approved.

Section 3. Consideration of Project approvals shall follow passage and adoption of this Resolution at both the regular meeting of December 16, 2014, and subsequent duly noticed meetings of this Council. If the Project is approved, this Council shall require mitigation monitoring, herein identified and approved, in compliance with CEQA.

PASSED AND ADOPTED, at a duly noticed meeting of the City Council of the City of San Juan Bautista held on the 16th day of December, 2014, by the following vote:

AYES: West, Boch, Martorana, Edge, Lund

NOES: None

ABSENT: None

ABSTAIN: None

Mayor Robert Lund

ATTEST:

Connie Schobert, City Clerk