

RESOLUTION 2019-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING A SECOND ADDENDUM TO THE SAN JUAN BAUTISTA 2019-2023 HOUSING ELEMENT MITIGATED NEGATIVE DECLARATION

WHEREAS, the City of San Juan Bautista adopted a Mitigated Negative Declaration on (October 8, 2019) in support of its adoption of the *City of San Juan Bautista 2015-2019 Housing Element* and various implementing actions; and

WHEREAS, the City of San Juan Bautista is now considering the approval of its second housing element update, entitled: *City of San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*; and

WHEREAS, under CEQA Guidelines, Section 15164, a Lead Agency shall prepare an addendum to an adopted mitigated negative declaration if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a Subsequent Negative Declaration have occurred; and

WHEREAS, under CEQA Guidelines Section 15162, when a mitigated negative declaration has been adopted for a project, no subsequent mitigated negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- A. Substantial changes are proposed in the project which will require major revisions to the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- B. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- C. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous negative declaration was adopted shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous negative declaration;

2. Significant effects previously examined will be substantially more severe than shown in the previous [mitigated negative declaration];
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous [mitigated negative declaration] would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative; and

WHEREAS, an addendum need not be circulated for public review but can be included in, or attached to, the originally adopted negative declaration (CEQA Guidelines, Section 15164 [c]); and

WHEREAS, the Planning Commission recommended adoption of the “2nd Addendum San Juan Bautista 2019-2023 Housing Element Mitigated Negative Declaration” at its December 3, 2019 meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista adopts the “2nd Addendum San Juan Bautista 2019-2023 Housing Element Mitigated Negative Declaration”, and makes the following findings:

- A. Only minor technical changes or additions to the adopted Mitigated Negative Declaration are necessary to consider the project, and none of the conditions described in Section 15162 calling for the preparation of a subsequent Negative Declaration have occurred;
- B. The Addendum was completed in compliance with CEQA;
- C. The City Council reviewed and considered the information contained in the 2nd Addendum, along with the original adopted Mitigation Negative Declaration adopted on October 8, 2019, and found it adequate and complete based on the City’s independent judgment and analysis;
- D. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment; and
- E. Documents and other materials constituting the record of the proceedings upon which the City’s decision and its findings are based are located at the Office of the City Clerk of the City of San Juan Bautista, 311 2nd Street, San Juan Bautista, CA 95045.


THE FOREGOING RESOLUTION was approved by the San Juan Bautista City Council at its regular meeting held on the 17th day of December, 2019, by the following vote:

AYES: Edge, Freeman, DeVries, Jordan, Flores

NOES: None

ABSENT: None

ABSTAIN: None



Mayor, Mary V. Edge

ATTEST:



Trish Paetz, Deputy City Clerk