

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA, THE CITY OF SAN DIEGO, AND M&A GABAE REGARDING THE PROCESSING OF ENTITLEMENTS FOR THE SALT BAY PROJECT, LOCATED ON PROPERTIES SOUTH OF PALOMAR STREET AND WEST OF I-5

WHEREAS, M&A Gabae is planning to develop a commercial/industrial development located on multiple properties south of Palomar Street and West of I-5; and

WHEREAS, the site is comprised of multiple parcels located within the jurisdictions of Chula Vista and San Diego; and

WHEREAS, M&A Gabae wishes to develop the 44.61 acre site as one project, and as such, will be required to process entitlements for the project through both Chula Vista and San Diego; and

WHEREAS, the City of Chula Vista and City of San Diego wish to cooperate in the planning and development of the site, and each has the power to adopt and enforce land use regulations, and entitlements, and administer and enforce municipal codes within their respective jurisdictions; and

WHEREAS, the Memorandum of Understanding clarifies the roles of each city with regard to discretionary permit processing, environmental review, impact fees, financing of public improvements, and other related topics; and

WHEREAS, The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. In addition, notwithstanding the foregoing, the Director of Development Services has also determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the CEQA State Guidelines. Thus, no environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby approves a Memorandum of Understanding between the City of Chula Vista, the City of San Diego, and M&A Gabae regarding the processing of entitlements for the development of the Salt Bay Project South of Palomar Street and West of I-5, a copy of which shall be kept on file in the office of the City Clerk.

Presented by:

Approved as to form by:

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Kelly Broughton  
Director of Development Services

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Glen R. Googins  
City Attorney