

RESOLUTION NO. \_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA ESTABLISHING A SAFETY ELEMENT  
WITHIN THE GENERAL PLAN IN COMPLIANCE WITH  
STATE LAW

WHEREAS, Senate Bill 1035 (“SB 1035”) requires that a local jurisdiction update its Safety Element upon each revision of its Housing Element or Local Hazard Mitigation Plan. The City of Chula Vista updated its Housing Element in October 2022 and is now establishing a Safety Element in compliance with SB 1035; and

WHEREAS, the City’s existing General Plan was approved in 2005 and included six elements: Land Use and Transportation, Economic Development, Housing, Public Facilities and Services, Environmental, and Growth Management; and

WHEREAS, goals and policies related to issues of safety were included within the Public Facilities and Services and Environmental Elements, which covered the following: Flooding and Erosion; Seismic and Geologic Instability; Wildfire; Climate Resiliency; Crime; Health Emergencies; and Hazardous Materials; and

WHEREAS, the Safety Element would consolidate and update those goals and policies into a standalone Safety Element within the General Plan; and

WHEREAS, the Director of Development Services has reviewed the proposed Safety Element for compliance with the California Environmental Quality Act (“CEQA”) and determined that the Safety Element does not require a subsequent EIR or a Negative Declaration for the update to the City’s Safety Element in that substantial changes are not proposed, the circumstances to which the General Plan was adopted have not changed, and no new information of substantial importance has arisen since the prior environmental documents have been certified. Furthermore, it has been determined that the proposed consolidation of safety goals and policies is exempt from the CEQA Guidelines pursuant to Sections 15060(c)(2) and 15061(b)(3) in that the proposed amendments are primarily limited to policy modifications and updates in compliance with Government Code Section 65302(g)1 through 9 and are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment, nor will the proposed changes have the potential for causing a significant effect on the environment; and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 27, 2024 at 6pm on the subject Resolution and voted 6-0-1 to adopt Resolution No. 2024-06 regarding the amendments to the General Plan; and

WHEREAS, the proposed amendment to the General Plan shall become effective upon adoption of this Resolution by the City Council; and

WHEREAS, the City Council set the time and place for a hearing on the subject General Plan amendments and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, at least ten (10) days prior to the hearing; and

WHEREAS, after review and consideration of the Staff Report and related materials for this matter, the hearing was held to consider said amendment to the General Plan at the time and place as advertised in the Council Chambers, 276 Fourth Avenue, before the City Council and the hearing was thereafter closed.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Chula Vista hereby finds and determines as follows:

I. RECITALS INCORPORATED

The City Council finds that the foregoing recitals are true and correct, and incorporates them by this reference.

II. COMPLIANCE WITH CEQA

The City Council finds, based upon the whole record that: (i) pursuant to CEQA Guidelines Section 15060(c)(2) the project will not result in a direct or reasonably foreseeable indirect physical change in the environment, and (ii) pursuant to CEQA Guidelines Section 15061(b)(3) it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

III. GENERAL PLAN INTERNAL CONSISTENCY

The City Council finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

IV. ADOPTION OF GENERAL PLAN AMENDMENTS

In light of the findings above, the General Plan Amendment, specifically the amendments to establish the Safety Element, are hereby approved and adopted in substantially the form presented in Attachments 1-3, attached hereto and incorporated herein and on file in the City Clerk's Office.

V. ADMINISTRATIVE ADJUSTMENTS

The City Council authorizes the City Manager or designee to approve non-substantive adjustments to the General Plan Amendment presented in Attachments 1-3 in order to ensure consistent formatting and defined terms in relation to the entire General Plan.

## VI. SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that the City Council would have adopted this Resolution, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that anyone or more sections, subsections, sub-divisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional, invalid, or ineffective.

Presented by

Approved as to form

\_\_\_\_\_  
Laura C. Black, AICP  
Director of Development Services

By: \_\_\_\_\_  
Marco A. Verdugo  
City Attorney

Attachments:

- 1 – Amendments to General Plan Public Facilities and Services Element
- 2 – Amendments to General Plan Environmental Element
- 3 – Draft Safety Element