

RESOLUTION NUMBER R- 308029

DATE OF FINAL PASSAGE MAR 11 2013

A RESOLUTION DENYING AN APPEAL AND UPHOLDING
THE ENVIRONMENTAL DETERMINATION FOR THE
WESTFIELD UTC COMPREHENSIVE SIGN PLAN PROJECT
(PROJECT NO. 289311)

WHEREAS, Westfield UTC submitted an application for a Neighborhood Use Permit for a comprehensive sign plan for the Westfield UTC shopping center (project); and

WHEREAS, on November 20, 2012, the City of San Diego (City) determined the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 (Existing Facilities) and a Notice of Right to Appeal Environmental Determination was posted; and

WHEREAS, on December 5, 2012, Linda Colley filed an Environmental Determination Appeal Application (Appeal) with the City's Development Services Department stating that the project is not an existing facility, is not a minor alteration, and does not involve a negligible expansion of use, and would result in aesthetic and lighting impacts; and

WHEREAS, the Appeal was heard before the City Council on March 11, 2013; and

WHEREAS, the project would not result in any additional use of the shopping center;
and

WHEREAS, the project involves new copy on existing on and off-premise signs; and

WHEREAS, the project would involve a reallocation of square footage, and would not increase the maximum allowable sign copy area at the shopping center; and

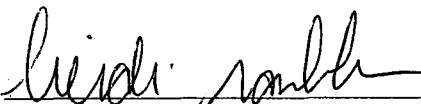
WHEREAS, approval of the project would not result in a significant effect on the environment; and

WHEREAS, the project meets the criteria set forth in CEQA Guidelines Sections 15301;
and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Appeal is hereby denied and the environmental determination is upheld.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

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03/27/13
04/05/13 Rev.Copy
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Doc. No. 538117