TULS 4-8-14 (R-2014-562) Illem # 106B

RESOLUTION NUMBER R-308868

DATE OF FINAL PASSAGE APR 2 2 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO TO PROHIBIT PARKING OF VEHICLES FOR SALE ON MARMIL WAY AND UNIVERSITY AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO EXEMPTION GUIDELINE 15301.

WHEREAS, San Diego Municipal Code section 86.0138 authorizes the prohibition of parking of vehicles with "For Sale" signs displayed on their vehicle on certain streets within the City of San Diego; and

WHEREAS, the City seeks to add two additional locations where the parking of vehicles for sale will be prohibited; and

WHEREAS, the California Environmental Quality Act (CEQA), Public Resources Code section 21084, states that the CEQA Guidelines shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research for those classes of projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Council of the City of San Diego (City Council) has considered the potential environmental effects of prohibiting the parking of vehicles for sale on these streets; and

WHEREAS, on 8 2014, the City Council held a duly noticed public meeting and considered the written record for the project as well as public comment; and

WHEREAS, the City Council, using its independent judgment, has determined that the project will not have a significant effect on the environment because there is a negligible or no expansion of use in the operation of the existing street; NOW, THEREFORE,

BE IT RESOLVED, that the prohibition of parking vehicles for sale on portions of Marmil Way and University Avenue is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Ryan P. Gerrity

Deputy City Attorney

RPG:jls 3/13/2014

Or.Dept: Transportation & Storm Water Departmen

CC No. 3000006720 Doc. No. 746773 I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of <u>APR 08 2014</u>.

	ELIZABETH S. MALAND City Clerk
	By Karm CryL Deputy City Clerk
Approved: 4/16/14 (date)	KEVIN L. FAULCONER, Mayor
Vetoed:(date)	KEVIN L. FAULCONER, Mayor

Passed by the Council of Th	ne City of San Diego on	APH 8	2014 , by	the following vote:
Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner				
Ed Harris	9			
Todd Gloria				
Myrtle Cole	T			
Mark Kersey	2			
Lorie Zapf				
Scott Sherman				
David Alvarez				
Marti Emerald				
Date of final passage	APR 2 2 2014			
(Please note: When a reso approved resolution was r				nge is the date the
			KEVIN L. FA	
AUTHENTICATED BY:		M	ayor of The City of	San Diego, California.
	·		ELIZABETH	
(Seal)		City	Clerk of The City of	of San Diego, California.
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Office of the City Clerk, San Diego, California

Resolution Number R- 308868

The City of San Diego

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