

RESOLUTION NUMBER R- 308890

DATE OF FINAL PASSAGE APR 30 2014

ITEM #102  
SWB-B  
4/22/14

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE LEASE AGREEMENT WITH BIG TREES NURSERY, INC., FOR THE LEASE OF PROPERTY LOCATED IN SAN PASQUAL VALLEY FOR THE PURPOSE OF OPERATING A TREE AND NATIVE PLANT NURSERY, IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

WHEREAS, the City of San Diego (City) is considering a lease agreement, on file in the Office of the City Clerk as Document No. ~~RR-308890~~ (Lease), with Big Trees Nursery, Inc., a California corporation (Big Trees), for a tree, shrub, and native plant nursery and sales center at that certain City-owned real property located in San Pasqual Valley, near the intersection of Highland Valley Road and Pomerado Road in San Diego, California (Property); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) 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 sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the Lease is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and that no

exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Lease; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Lease, and

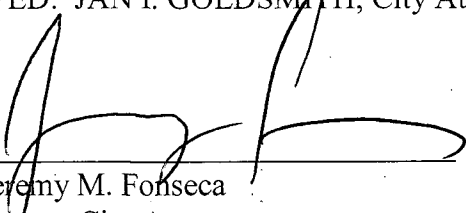
WHEREAS, the City Council held a duly-noticed public meeting and considered the written record for the Lease as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Lease will not have a significant effect on the environment because the foreseeable uses of the Property by Big Trees pursuant to the Lease will involve negligible and no expansion of the existing uses of the Property; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the lease agreement on file in the Office of the City Clerk as Document No. ~~12-308890~~, between the City and Big Trees Nursery, Inc., a California corporation, for the continued operation of a tree, shrub, and native plant nursery and sales center on the City-owned real property located in San Pasqual Valley, near the intersection of Highland Valley Road and Pomerado Road in San Diego, California, is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and that an exception to the exemption does not apply under CEQA Guidelines section 15300.2.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
Jeremy M. Fonseca  
Deputy City Attorney

JMF:als  
04/02/14  
Or.Dept: READ  
Doc. No. 758255

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 22 2014.

ELIZABETH S. MALAND  
City Clerk

By Kam Osl  
Deputy City Clerk

Approved: 4/29/14  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 22 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 30 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By Karen Ows, Deputy

Office of the City Clerk, San Diego, California

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