

RESOLUTION NUMBER R- 309829

DATE OF FINAL PASSAGE JUN 30 2015

RESOLUTION DENYING AN APPEAL AND UPHOLDING  
THE ENVIRONMENTAL DETERMINATION FOR THE  
VERIZON WIRELESS RIDGEWOOD PARK PROJECT  
(PROJECT NO. 379009).

WHEREAS, an application was submitted for a Neighborhood Use Permit and a Site Development Permit for a wireless telecommunication facility located in Ridgewood Park at 12604 La Tortola (Project); and

WHEREAS, on April 15, 2015, the Environmental Analysis Section of the Development Services Department determined the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures) and a Notice of Right to Appeal Environmental Determination was posted; and

WHEREAS, on April 28, 2015, Craig Sherman, representing Don't Cell Our Parks, filed an Environmental Determination Appeal Application (Appeal) with the City's Development Services Department stating that the environmental determination was not supported and was in error for two reasons: (1) a Notice of Exemption was filed in error because the Project was not yet approved; and (2) the Project violates Charter Section 55, which prohibits use of dedicated parkland for any use besides park and recreation purposes without approval by two-thirds of the electors of the City of San Diego; and

WHEREAS, the Appeal was heard before the City Council on June 30, 2015; and

WHEREAS, a Notice of Exemption has not yet been filed for the Project and will only be filed after Project approval; and

WHEREAS, the Project is designed and sited so as not to detract from or interfere with Ridgewood Park or its park and recreation uses; and

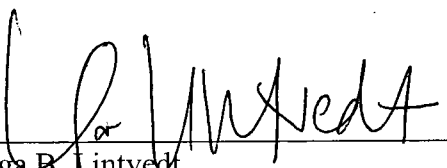
WHEREAS, approval of the Project would not result in a significant effect on the environment; and

WHEREAS, the Project is exempt under CEQA Guidelines Sections 15303; 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 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   
Inga B. Jintvedt  
Deputy City Attorney

IBL: mm  
7/28/2015  
Or.Dept: DSD  
Doc. 1071317

Passed by the Council of The City of San Diego on JUN 30 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lorie Zapf	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 30 2015.

(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 , Deputy

Office of the City Clerk, San Diego, California

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