

Tues Feb 23, 2016

(R-2016-394) Item

107

Subitem B

RESOLUTION NUMBER R- 310267

DATE OF FINAL PASSAGE MAR 02 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO TO PROHIBIT PARKING OF VEHICLES FOR SALE ON MARLBOROUGH AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUAN 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 an additional location where the parking of vehicles for sale will be prohibited on Marlborough Avenue between El Cajon Boulevard and Meade Avenue; 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 the authority, CEQA Guidelines sections 15300-15333 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 FEB 23 2016 the City Council held a duly noticed public meeting and considered the written record for the project as well as public comment; and

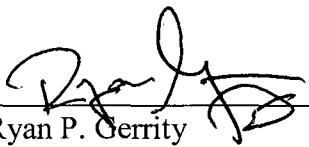
WHEREAS, the City Council, using its independent judgment, has determined that the project will not have a significant effect on the environment because there is a negligible or no expansion of use in the operation of the existing street; NOW, THEREFORE,

BE IT RESOLVED, that the prohibition of parking vehicles for sale on Marlborough Avenue between El Cajon Boulevard and Meade 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:jl
February 2, 2016
Or.Dept:Transportation & Storm Water
Doc. No.: 1213494

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 23 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3/2/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on FEB 23 2016, 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"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 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 MAR 02 2016.

(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 Mary Fernandez, Deputy

Office of the City Clerk, San Diego, California

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