

Tues 6/14/16
(R-2016-627) Item 58
Subitem C

RESOLUTION NUMBER R- 310517

DATE OF FINAL PASSAGE JUN 22 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT ESTABLISHING A TOW-AWAY ZONE ON 5TH AVENUE BETWEEN HARBOR DRIVE AND BROADWAY IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINE SECTION 15301(C).

WHEREAS, the “No Park 5th/Active Loading Zone” Pilot Project seeks to remove parked vehicles along 5th Avenue between Broadway and Harbor Drive on Friday and Saturday nights to ease the flow of pedestrian traffic and improve public safety; and

WHEREAS, in order for the Project to be successful, City staff has determined that parking along that section of 5th Avenue should be converted to a tow-away zone during the hours of 8 p.m. to 3 a.m.; 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 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 has considered the potential environmental effects of the creation of a tow-away zone along 5th Avenue between Broadway and Harbor Drive; and

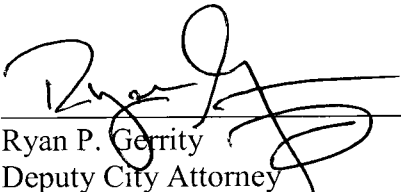
WHEREAS, on MAY 17 2016, the City Council held a duly noticed public meeting and considered the written record for the project as well as public comment; and

WHEREAS, the City Council, using its independent judgment, has determined that the project will not have a significant effect on the environment because it involves a minor alteration to an existing public street with negligible or no expansion of use; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the creation of a tow-away zone along 5th Avenue between Broadway and Harbor Drive is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301(c).

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
April 28, 2016
Or.Dept: Economic Development
Doc. No.: 1278209

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 14 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6/22/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 14 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 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"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 22 2016.

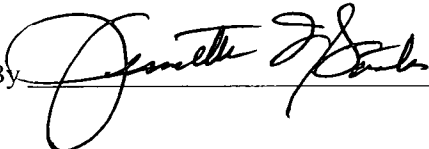
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310517