

RESOLUTION NUMBER R- 311818

DATE OF FINAL PASSAGE JUN 18 2018

ITEM # 204A
6/18/18

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN ADDENDUM TO NEGATIVE DECLARATION NO. 82-0331 (ADDENDUM NO. 527802) FOR 10715 SORRENTO VALLEY – PROJECT NO. 527802.

WHEREAS, on January 9, 2017, Belinda Jane Appleyard submitted an application to Development Services Department for a Conditional Use Permit for a Medical Marijuana Consumer Cooperative located at 10715 Sorrento Valley; and

WHEREAS, on September 12, 2017, the City Council of the City of San Diego approved Resolution No. R-311318 granting an appeal of the Environmental Determination of Exemption from the California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to San Diego Municipal Code section 112.0520(e), the City Council of the City of San Diego retains jurisdiction to act on the environmental determination and associated project at a subsequent hearing; and

WHEREAS, the matter was set for public hearing on December 4, 2017, and at said hearing the applicant elected to change the scope of the project from a Medical Marijuana Consumer Cooperative to a Marijuana Outlet and requested a continuance to the public hearing of January 9, 2018; and

WHEREAS, on January 9, 2018 the City Council of the City of San Diego returned the matter to the Development Services Department to complete the review of the project as a Marijuana Outlet (Project); and

WHEREAS, on November 4, 1982, the City Council adopted Resolution No. 257536 (Alley Vacation), adopting Negative Declaration No. 82-0331, a copy of which is on file in the City Clerk in accordance with the California Environmental Quality Act of 1970 (CEQA)

(Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an Addendum to a final Negative Declaration if such Addendum meets the requirements of CEQA; and

WHEREAS, an Addendum to final Negative Declaration No. 82-0331 (Addendum No. 527802) has been prepared in accordance with CEQA; 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, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

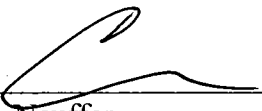
1. BE IT RESOLVED, by the City Council of the City of San Diego as follows:
That the information contained in the final Negative Declaration No. 82-0331 along with the Addendum thereto, including any comments received during the public review process, has been reviewed and considered by this City Council prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Negative Declaration for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Negative Declaration or that any significant effects previously examined will be substantially more severe than shown in the Negative Declaration.

4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.

5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the City Council adopts Addendum to Negative Declaration No. 82-0331 with respect to the Project, a copy of which is on file in the office of the City Clerk.

6. That City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Corrine L. Neuffer
Deputy City Attorney

CLN:als
03/26/2018
05/29/2018 Cor. Copy
Or.Dept:DSD
Doc. No.: 1716531_2

Passed by the Council of The City of San Diego on JUN 18 2018, by the following vote:

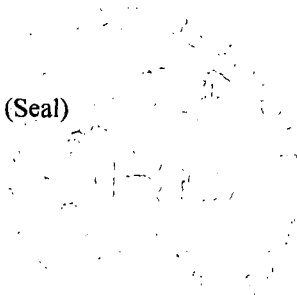
Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 18 2018.

(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:

(Seal)



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

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California

311818

Resolution Number R-_____