

RESOLUTION NUMBER R- 311870

DATE OF FINAL PASSAGE JUL 10 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT PUBLIC RIGHT-OF-WAY VACATION NO. 2147757, VACATING A PEDESTRIAN/NON-VEHICULAR RIGHT-OF-WAY ON A PORTION OF LOT 63 OF MAP 14253 - SOUTHCREST PARK ESTATE II (PROJECT NO. 551341), IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTIONS 15305 AND 15312 OF THE CEQA GUIDELINES.

WHEREAS, the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) section 15305 provides that CEQA does not apply to minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density; and

WHEREAS, CEQA Guidelines section 15312 provides that CEQA does not apply to sales of surplus government property, except for parcels of land located in an area of statewide, regional, or area-wide concern identified in section 15206(b)(4) of the CEQA Guidelines; and

WHEREAS, the City of San Diego desires to vacate 2,569 square feet of excess pedestrian and non-vehicular right-of-way on City-owned land located on Lot 63 of Map 14253 of Southcrest Part Estate II (Public Right-of-Way Vacation No. 2147757); and

WHEREAS, on May 14, 2018, the Planning Department issued a Notice of Exemption establishing that Public Right-of-Way No. 2147757 and the future sale of related City-owned property are exempt from CEQA pursuant to CEQA Guidelines sections 15305 and 15312, and that no exceptions to the exemptions, as set forth in CEQA Guidelines section 15300.2, apply to the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects and considerations of Public Right-of-Way Vacation No. 2147757; and

WHEREAS, on July 10, 2018, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

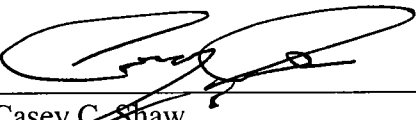
WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City 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, that the Council of the City of San Diego, using its independent judgment, has considered the written record and public comment for the requested authorization, and determines that the Public Right-of-Way Vacation No. 2147757 is exempt from CEQA pursuant to CEQA Guidelines sections 15305 and 15312.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that no exceptions to the exemptions, as set forth in CEQA Guidelines section 15300.2, apply under the circumstances.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Casey C. Shaw
Deputy City Attorney

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06/15/2018
07/10/2018 Cor. Copy
07/10/2018 Cor. Copy 2
Or.Dept:DSD
Doc. No.: 1770458_3

Passed by the Council of The City of San Diego on JUL 10 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 checked="" type="checkbox"/>	<input 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 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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 10 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:

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 *Hy Ruedy*, Deputy

Office of the City Clerk, San Diego, California

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