

RESOLUTION NUMBER R- 312152

DATE OF FINAL PASSAGE DEC 11 2018

ITEM # 336
12/11/18

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND APPROVING THE ENVIRONMENTAL DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO GUIDELINES SECTION 15305 (MINOR ALTERATIONS IN LAND USE LIMITATIONS) FOR LA AMATISTA STREET AND ALLEY VACATION – PROJECT NO. 550469.

WHEREAS, on July 5, 2018, a Notice of Right to Appeal (NORA) was prepared and posted pursuant to San Diego Municipal Code Section 112.0310; and

WHEREAS, on July 13, 2018, an environmental appeal was filed by Dennis Ridz, on behalf of the Torrey Pines Planning Board; and

WHEREAS, the Environmental Analysis Section of the Development Services Department (DSD) determined the subject project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and determined that the exceptions to the exemption do not apply; and

WHEREAS, on December 4, 2018, the City staff prepared a memorandum responding to the issues raised in the appeal for the City Council's consideration; and

WHEREAS, the project is consistent with the General Plan, the Torrey Pines Community Plan land use designation, and all the applicable policies; and

WHEREAS, the project complies with the use and development regulations of the underlying zone; and

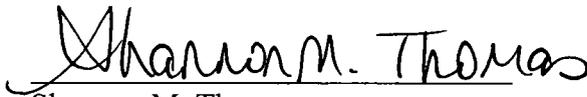
WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body

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, by the City Council of the City of San Diego, that the appeal of the Project is denied, based upon the substantial evidence provided in the record to support the exemption and the determination that no substantial evidence has been provided to support a fair argument that one of the exceptions to the categorical exemption applies.

BE IT FURTHER RESOLVED, that the Environmental Exemption No. 550469 for the Project is approved and the Project is exempt from CEQA, pursuant to Guidelines Section 15305.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
12/12/2018
Or.Dept:DSD
Doc. No.: 1891883

Passed by the Council of The City of San Diego on DEC 11 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 11 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 , Deputy

Office of the City Clerk, San Diego, California

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