

RESOLUTION NUMBER R- 312261

DATE OF FINAL PASSAGE MAR 18 2019

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 SECTIONS 15301(l)(2) (EXISTING FACILITIES) AND 15303(a) (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES) FOR BONAIR TOWNHOMES TENTATIVE MAP, COASTAL DEVELOPMENT PERMIT, AND SITE DEVELOPMENT PERMIT – PROJECT NO. 579587.

WHEREAS, an application was submitted for a Tentative Map (TM), Coastal Development Permit (CDP), and Site Development Permit (SDP) for a small lot subdivision and demolition of an existing duplex and construction of two new, detached two-story single-family residences for a total of 5,816 square feet located on a 0.14-acre site at 744 Bonair Street (Project), within the La Jolla Community Plan area; and

WHEREAS, on January 7, 2019, the Environmental Analysis Section (EAS) of Development Services (DSD) determined the subject project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines Sections 15301(l)(2) (Existing Facilities) and 15303(a) (New Construction or Conversion of Small Structures) and determined that the exceptions to the exemption do not apply; and

WHEREAS, a Notice to Right to Appeal was prepared and posted pursuant to San Diego Municipal Code Section 112.0310; and

WHEREAS, on January 21, 2019, an environmental determination appeal was filed by Robert Steck; and

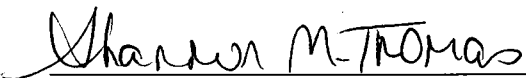
WHEREAS, the appeal was heard by the City Council on March 18, 2019; and

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 environmental determination is denied, based upon the substantial evidence provided in the record to support the categorical exemptions 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. 579587 for the Project is approved and the Project is exempt from CEQA, pursuant to Guidelines Sections 15301(l)(2) (Existing Facilities) and 15303(a) (New Construction or Conversion of Small Structures).

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
03/19/2019
Or.Dept:DSD
Doc. No.: 1960572

Passed by the Council of The City of San Diego on MAR 18 2019, 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 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"/>
Monica Montgomery	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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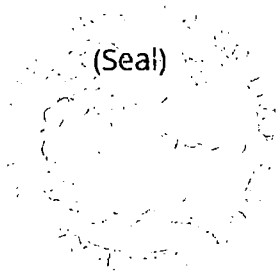
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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.

By Gina Bruin, Deputy



Office of the City Clerk, San Diego, California

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