

RESOLUTION NUMBER R- 313419

DATE OF FINAL PASSAGE MAR 02 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE VISTA AT RANCHO BERNARDO MAP NO. 15736 LOCATED AT 16945 VIA DEL CAMPO EASEMENT VACATIONS ARE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15305.

WHEREAS, the project proposes a Public Pedestrian Access Easement Vacation and a Public Water Easement Vacation (Project) within Lots 2, 3, 4, and 5 of the Vista at Rancho Bernardo Map No. 15736 located at 16945 Via Del Campo; and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) Section 21084 states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) 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 and adopted by the Secretary of the California Natural Resources Agency for those classes of projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305 and that no exception to the exemption, as set forth in CEQA Guidelines Section 15300.2, applies to the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Project, and

WHEREAS, on March 2, 2021, 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, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment due to the Project proposing an easement vacation with no physical development proposed; and

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305 and that an exception to the exemption does not apply.

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 /s/ Shannon C. Eckmeyer _____
Shannon C. Eckmeyer
Deputy City Attorney

SCE:sc
02/02/2021
02/19/2021 COR. COPY
Or.Dept:DSD
Doc. No.: 2578720_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 03/02/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Matthew R. Hilario
Deputy City Clerk

Passed by the Council of The City of San Diego on MAR 02 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 02 2021.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 313449