

RESOLUTION NUMBER R- 314628DATE OF FINAL PASSAGE FEB 28 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE ECB GEORGIA VACATION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15305.

WHEREAS, the ECB Georgia Vacation Project (Project) proposes a public right-of-way vacation to vacate an existing unnamed alley west of Georgia Street and north of 1844 El Cajon Boulevard; 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 February 28, 2023, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the project meets the criteria set forth in CEQA Section 15305 (Minor Alterations in Land Use Limitations); and

WHEREAS, 15305 (Minor Alterations in Land Use Limitations) allows for projects that consist of 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. Since the project is located on a parcel that does not exceed an average of a 20 percent grade and lacks sensitive resources and does not change land use density the exemption is appropriate; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; and

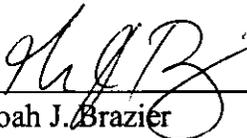
WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and 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 Council determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15305.

BE IT FURTHER RESOLVED, that the that the Council has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 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 
Noah J. Brazier
Deputy City Attorney

NJB:nja
02/07/2023
02/28/2023 Cor. Copy
Or. Dept: DSD
Doc. No. 3214216

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

FEB 28 2023

Passed by the Council of The City of San Diego on _____, 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"/>
Kent Lee	<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 FEB 28 2023.

(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) DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Crystal Medina*, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p style="text-align: right;">314628</p> <p>Resolution Number R-_____</p>
