

#1057A
6/29/2021

(R-2021-515)

RESOLUTION NUMBER R- 313626

DATE OF FINAL PASSAGE JUL 16 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT DECLARING MULTIPLE PARCELS OF CITY-OWNED REAL PROPERTY LOCATED THROUGHOUT THE CITY OF SAN DIEGO SURPLUS LAND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 54220 – 54234 IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15061(b)(2) AND (3) AND 15312.

WHEREAS, the City of San Diego (City) is considering declaring the following described parcels of real property (collectively, the Properties), as further described in Exhibit A attached to the staff report submitted in support of this Resolution, surplus land and not necessary for City municipal use pursuant to California Government Code sections 54220 - 54234:

<u>No.</u>	<u>Assessor's Parcel Number</u>	<u>General Location</u>
1.	436-601-10	FRIARS RD & COLUSA ST
2.	436-030- 30	WEST MORENA BLVD WLY VEGA ST
3.	544-073-32	EIDER ST ELY WYNNETT
4.	340-090-27	LUSK BLVD
5.	462-121-03	5680 GENOA DRIVE
6.	638-161-38 (portion)	123 SEAWARD AVE. (portion)
7.	535-532-15 and 16	LANGLEY STREET

- | | | |
|----|---------------------------|-----------------------------------|
| 8. | 630-060-24 and 630-160-62 | LAURISTON DR
SLY/ELY ELROSE DR |
| 9. | 476-291-31 | FAIRMONT AV SELY
REDWOOD ST |

; and

WHEREAS, California Environmental Quality Act (CEQA) (Public Resources Code section 21000, *et seq.*) section 21084 states that the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000, *et seq.*) adopted by the California Office of Planning and Research pursuant to CEQA section 21083 shall list those classes of projects determined not to have a significant effect on the environment and exempt from CEQA; and

WHEREAS, 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 determined not to have a significant effect on the environment; and

WHEREAS, the City Planning Department determined that declaring the Properties surplus land and not necessary for City municipal use is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(2) and (3) and 15312, the Properties are not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines Section 15206(b)(4), and no exception set forth in CEQA Guidelines section 15300.2 applies to the surplus land declaration; and

WHEREAS, the Council of the City of San Diego (Council) considered the potential environmental effects of declaring the Properties surplus land and not necessary for City municipal use; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record and related public comment about declaring the Properties surplus land and not necessary for City municipal use; and

WHEREAS, the Council, exercising its independent judgment, determined that declaring the Properties surplus land and not necessary for City municipal use in accordance with California Government Code sections 54220 – 54234 will not result in a significant effect on the environment and is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(2) and (3) because the sale of property declared surplus land is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312 (Surplus Government Property Sales) and declaring the Properties surplus land and not necessary for City municipal use is also exempt from CEQA under the common sense exemption that CEQA only applies to actions having the potential to cause a significant effect on the environment; and

WHEREAS, the Council, exercising its independent judgment, determined that none of the Properties are located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines Section 15206(b)(4); and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to declaring the Properties surplus land and not necessary for City municipal use because no cumulative impacts were identified; no significant effects on the environment were identified; none of the land is adjacent to a scenic highway; no historical resources will be affected by the action; and none of the land is identified on a list of hazardous waste sites pursuant to California Government Code section 65962.5; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, in its independent judgment, as follows:

1. Declaring the Properties surplus land and not necessary for City municipal use in accordance with California Government Code sections 54220 – 54234 will not result in a significant effect on the environment and is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(2) and (3) because the sale of property declared surplus land is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15312 (Surplus Government Property Sales) and declaring the Properties surplus land and not necessary for City municipal use is also exempt from CEQA under the common sense exemption that CEQA only applies to actions having the potential to cause a significant effect on the environment; and

2. None of the Properties are located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines Section 15206(b)(4); and

3. No exception set forth in CEQA Guidelines Section 15300.2 applies to declaring the Properties surplus land and not necessary for City municipal use because no cumulative impacts were identified; no significant effects on the environment were identified; none of the land is adjacent to a scenic highway; no historical resources would be affected by the action; and none of the land is identified on a list of hazardous waste sites pursuant to California Government Code section 65962.5.

APPROVED: MARA W. ELLIOTT, City Attorney

By: /s/ Delmar G. Williams
Delmar G. Williams
Deputy City Attorney

DGW:jep
06/15/2021
Or. Dept: READ
Doc. No.: 2690332

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 06/29/2021

ELIZABETH S. MALAND
City Clerk

By: /s/Linda Irvin
Deputy City Clerk

Approved: 7/16/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 29 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 JUL 16 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 Linda Bruen, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 313626