

RESOLUTION NUMBER R- **315668**

DATE OF FINAL PASSAGE **JUL 02 2024**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE 10801 SORRENTO VALLEY ROAD VACATION – RIGHT-OF-WAY VACATION, COASTAL DEVELOPMENT PERMIT AND SITE DEVELOPMENT PERMIT (PROJECT NUMBER PRJ-0651255) – IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3), COMMON SENSE EXEMPTION.

WHEREAS, on February 26, 2020, Velmatt L.P., a California Limited Partnership, submitted an application to Development Services Department for a Right-of-Way Vacation, Coastal Development Permit, and Site Development Permit for the 10801 Sorrento Valley Road Vacation (Project); and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA), California Public Resources Code sections 21000-21177, has determined that CEQA does not apply to various types of projects listed therein; and

WHEREAS, CEQA section 21084 states that the CEQA Guidelines 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 15260-15285 list the statutory exemptions promulgated by the California State Legislature; and

WHEREAS, the Development Services Department has established that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), Common Sense Exemption; and

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

WHEREAS, on July 2, 2024, the City Council held a duly noticed public meeting and considered the written record for the Project as well as any public comment; and

WHEREAS, the City Council, using its independent judgment, has determined that the Project meets the criteria set forth in CEQA Guidelines section 15061(b)(3); and

WHEREAS, pursuant to CEQA Guidelines section 15061(b)(3), the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The project will not have a significant effect on the environment because the project is a mapping action and physical changes proposed only include limited associated public right of way improvements to replace an existing driveway. Additionally, the site is located in a developed area, surrounded by industrial uses and does not contain any sensitive vegetation. The vacated alley would continue to serve adjacent industrial uses and no new development is proposed; and

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

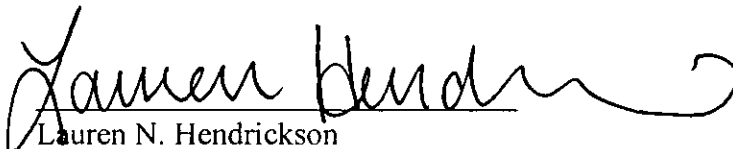
WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and 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 has determined that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3).

BE IT FURTHER RESOLVED, that the City Clerk, or designee, is directed to file a Notice of Exemption in accordance with CEQA with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Planning and Research regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Lauren N. Hendrickson
Deputy City Attorney

LNH:cm

May 28, 2024

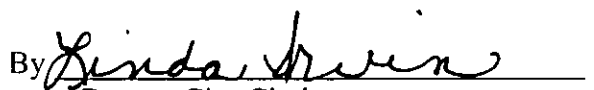
Or.Dept: Development Services Department

Doc. No. 3665167

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 02 2024 .

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk
For Gilbert Sanchez

Passed by the Council of The City of San Diego on JUL 0 2 2024, 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"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 0 2 2024

(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 Linda Arwin, Deputy
For Gilbert Sanchez

Office of the City Clerk, San Diego, California

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