

RESOLUTION NUMBER R- 312588

DATE OF FINAL PASSAGE AUG 05 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE AMENDMENTS TO THE SAN DIEGO MUNICIPAL CODE RELATING TO THE ADDITION OF SIX NEW MIXED-USE ZONES ARE NOT A PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Council for the City of San Diego (City Council) is considering an ordinance to amend the San Diego Municipal Code for the addition of six mixed-use zones with development regulations and comprise the Project; and

WHEREAS, the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000, *et seq.*), section 21065, states that “Project” means an activity which may cause either a direct physical change in the environment, or reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the CEQA Guidelines section 15378 defines “Project” in part as “the whole of an action, which has a potential for resulting in either a direct or indirect physical change in the environment, or a reasonably foreseeable indirect change in the environment, and that is any of the following: (1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances and the adoption and amendment of General Plans or elements thereof pursuant to Government Code Sections 65100-65700; and

WHEREAS, the Planning Department has established that the Project is not a project as defined by CEQA pursuant to Public Resources Code section 21065 and CEQA Guidelines 15378 and therefore is not subject to CEQA pursuant to Guidelines section 15060(b)(3); and

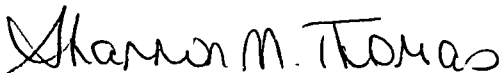
WHEREAS, the Planning Department has determined, pursuant to CEQA Guidelines Section 15004, that adoption of the new zones is not the appropriate time to conduct environmental review as this ordinance does not involve the application to any new land; and

WHEREAS, this ordinance would not foreclose review of alternatives or mitigation measures as part of the CEQA process when the zones are applied to any land within the City; and

WHEREAS, on July 29, 2019, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment and, using its independent judgment, has determined that the Project will not have a significant effect on the environment; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, has determined that the Project is not a project pursuant to Public Resources Code section 20165 and CEQA Guidelines 15378, is therefore not subject to CEQA pursuant to section 15060(b)(3), and, pursuant to CEQA Guidelines Section 15004, adoption of the new zones is not the appropriate time to conduct environmental review.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
07/08/2019
Or.Dept: Planning Dept.
Doc. No.: 2046528

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 29 2019.

ELIZABETH S. MALAND
City Clerk

By *Linda Brwin*
Deputy City Clerk

Approved: 8/5/19
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 29 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input 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"/>

Date of final passage AUG 05 2019.

(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 Linda Krwin, Deputy



Office of the City Clerk, San Diego, California

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