

RESOLUTION NUMBER R- 314707

DATE OF FINAL PASSAGE APR 24 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE CITY'S DEDICATION OF A 3,155-SQUARE FOOT PORTION OF ASSESSOR'S PARCEL NUMBER 645-040-50 FOR PUBLIC STREET PURPOSES IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CEQA GUIDELINES SECTION 15305.

WHEREAS, the City Council of the City of San Diego (Council) will consider authorizing the dedication for street purposes (Street Dedication) of a 3,155-square foot portion of City-owned land (Assessor's Parcel No. 645-040-50) that was inadvertently graded by residential developer Tri Pointe Homes (formerly known as Pardee Homes) and that is now a part of Playa Del Sol Parkway in Otay Mesa; and

WHEREAS, within the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), Public Resources Code section 21084 states that the CEQA Guidelines (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, 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 City's Planning Department has determined that, to the extent that the Street Dedication is a "project" as defined under CEQA, the Street Dedication is categorically exempt from CEQA under CEQA Guidelines section 15305; and

WHEREAS, the Council has considered the potential environmental effects of the Street Dedication; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record for the Street Dedication as well as any public comment; and

WHEREAS, the Council, using its independent judgment, has determined that the Street Dedication is categorically exempt from CEQA under CEQA Guidelines section 15305(a) (Minor Alterations in Land Use Limitations), which exempts 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, including minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel; and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the Street Dedication because no cumulative impacts were identified; no significant effects on the environment were identified; the affected land is not located adjacent to a sensitive location; no historical resources will be affected by the action; and none of the affected land is identified on a list of hazardous waste sites under Government Code section 65962.5; and

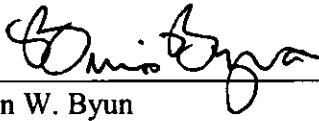
WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The Street Dedication is categorically exempt from CEQA under CEQA Guidelines section 15305.

2. No exceptions to the categorical exemption, as set forth in CEQA Guidelines section 15300.2, apply to the Street Dedication.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Brian W. Byun
Deputy City Attorney


BWB:nja
March 21, 2023
Or.Dept: DREAM
Doc. No. 3241515

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 11 2023

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 4/24/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 11 2023, 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 APR 24 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 Carmie Patterson Deputy

Office of the City Clerk, San Diego, California

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