

RESOLUTION NUMBER R- 314762DATE OF FINAL PASSAGE MAY 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE SALE OF CITY-OWNED REAL PROPERTY LOCATED AT 333 G STREET, SAN DIEGO, CALIFORNIA, DESIGNATED AS EXEMPT SURPLUS LAND, IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CEQA GUIDELINES SECTIONS 15061(b)(3) AND 15312.

WHEREAS, the City of San Diego (City) is considering declaring the real property located at 333 G Street in downtown San Diego, which is commonly known as Horton House (Property), exempt surplus land under the Surplus Land Act (California Government Code sections 54220 through 54234), and approving an agreement for the sale of the Property for affordable housing purposes (Project); 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.*) adopted by the California Office of Planning and Research under Public Resources Code section 21083 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 that have been determined not to have a significant effect on the environment; and

WHEREAS, CEQA Guidelines section 15312 sets forth a categorical exemption for “sales of surplus government property except for parcels of land located in an area of statewide, regional, or areawide concern identified in [CEQA Guidelines section 15206(b)(4)]”; and

WHEREAS, the City Planning Department determined that the Project is categorically exempt from CEQA under CEQA Guidelines section 15312 because this activity involves the sale of surplus government property, the Property is 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; and

WHEREAS, the City Planning Department further determined that the Project is exempt from CEQA under the common sense exemption in CEQA Guidelines section 15061(b)(3) that CEQA only applies to actions having the potential to cause a significant effect on the environment; and

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

WHEREAS, the Council held a duly noticed public meeting and considered the written record and related public comment about the Project; and

WHEREAS, the Council, exercising its independent judgment, determined that the Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15312 (Surplus Government Property Sales) and is also exempt from CEQA under the common sense exemption in CEQA Guidelines section 15061(b)(3) 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 the Property is not 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 the Project 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 under California 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, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

1. The Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15312 (Surplus Government Property Sales) and is also exempt from CEQA under the common sense exemption in CEQA Guidelines section 15061(b)(3) that CEQA only applies to actions having the potential to cause a significant effect on the environment.
2. The Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4).

3. No exception set forth in CEQA Guidelines section 15300.2 applies to the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By Marguerite E. Middaugh
Marguerite E. Middaugh
Deputy City Attorney

MEM:jdf
04/11/2023
Or. Dept: Economic Devt.
Doc. No.: 3275009

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 24 2023.

DIANA J.S. FUENTES
City Clerk

By Krystell Medina
Deputy City Clerk

Approved: 5/1/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

APR 24 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 MAY 01 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 *Kristell Medina*, Deputy

Office of the City Clerk, San Diego, California

314762

Resolution Number R-_____