

RESOLUTION NUMBER R- **314916**DATE OF FINAL PASSAGE **MAY 26 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE ADOPTION OF THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO THE SPACES AS PLACES MUNICIPAL CODE AMENDMENTS ARE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301(c) (EXISTING FACILITIES), 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES), 15304(h) (MINOR ALTERATIONS TO LAND), AND 15311 (ACCESSORY STRUCTURES); AND THAT NONE OF THE EXCEPTIONS TO THE EXEMPTIONS FOUND IN CEQA GUIDELINES SECTION 15300.2 WOULD APPLY.

WHEREAS, on November 9, 2021, the City Council adopted Ordinance O-21319, the Spaces As Places amendments to Separately Regulated Use Regulations of the Municipal Code and LCP; and

WHEREAS, on December 14, 2022, the CCC conditionally certified the Spaces as Places amendments with several suggested modifications to the Spaces As Places Regulations and associated CDP requirements (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (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, pursuant to that authority, 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 Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301(c) (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304(h) (Minor Alterations to Land), and 15311 (Accessory Structures); and that none of the exceptions to the exemptions found in CEQA Guidelines Section 15300.2 apply to the Project; and

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

WHEREAS, on May 22, 2023, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment; 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, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301(c) (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304(h) (Minor Alterations to Land), and 15311 (Accessory Structures); and that none of the exceptions to the exemptions found in CEQA Guidelines Section 15300.2 apply.

BE IT FURTHER RESOLVED, that the that the City Clerk is directed to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Noah J. Brazier
Deputy City Attorney

NJB:nja

05/18/2023

Or. Dept: Planning Dept.

Doc. No. 3309101

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 22 2023.

DIANA J.S. FUENTES
City Clerk

By



Deputy City Clerk

Approved:

5/24/23
(date)



TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 22 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 MAY 26 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

Interim City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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