

RESOLUTION NUMBER R- **315215**

DATE OF FINAL PASSAGE NOV 22 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DETERMINING THAT THE APPROVAL OF THE  
WAIVER OF SIDEWALK REPAIR FEES FOR THE SAFE  
SIDEWALK RIGHT-OF-WAY PERMITS FROM FISCAL  
YEAR 2024 THROUGH FISCAL YEAR 2026 IS  
CATEGORICALLY EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT UNDER CEQA  
GUIDELINES SECTION 15301(c).

WHEREAS, the Council of the City of San Diego (City Council) is considering waiving  
construction permit fees for sidewalk repair projects that the City deems eligible for the Safe  
Sidewalk Right-of-Way Permit Fee Waiver from Fiscal Year 2024 through Fiscal Year 2026  
(Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (California Public  
Resources Code section 21000-21189.70.10), section 21084, states that the CEQA Guidelines  
(California Code of Regulations, Title 14, Chapter 3, sections 15000-15387) 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, under 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 under CEQA Guidelines section 15301(c) (Existing Facilities) and that no

exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

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

WHEREAS, 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 City Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment because the Project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; and will involve existing highways and streets, sidewalks, gutters, and other similar alterations which will not create additional automobile lanes; 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 Council of the City of San Diego, as follows:

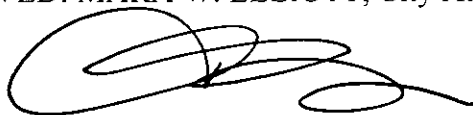
1 The City Council has determined that the Project is categorically exempt from CEQA under CEQA Guidelines section 15301(c) (Existing Facilities).

2. The City Council has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

3. 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



Cassandra E. Mougín  
Deputy City Attorney

CEM:cc:jdf

October 26, 2023

Or.Dept: Transportation

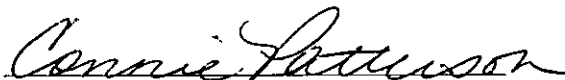
CC No. N/A

Doc. No.: 3456878

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 13 2023.

DIANA J.S. FUENTES  
City Clerk

By



Deputy City Clerk

Approved:

11/21/23

(date)



TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 13 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 22 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 Krystell Medina, Deputy  
for Connie Patterson

Office of the City Clerk, San Diego, California

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