

200A 2-3-25

(R-2025-343)

RESOLUTION NUMBER R- 316014

DATE OF FINAL PASSAGE FEB 11 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT AMENDING CHAPTER 9, ARTICLE 8 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING NEW DIVISION 10, SECTIONS 98.1001, 98.1002, 98.1003, 98.1004, 98.1005, 98.1006, 98.1007, AND 98.1008 RELATING TO AFFORDABLE HOUSING PRESERVATION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3).

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The Council will consider amending Chapter 9, Article 8 of the San Diego Municipal Code by adding new Division 10, sections 98.1001, 98.1002, 98.1003, 98.1004, 98.1005, 98.1006, 98.1007, and 98.1008 relating to affordable housing preservation (Project).

B. The California Environmental Quality Act (CEQA), California Public Resources Code (Code) sections 21000-21189.3, provides in Code section 21083 that the California Office of Planning and Research will promulgate, and the Secretary of the California Natural Resources Agency will adopt, guidelines for implementation of CEQA. The California Office of Planning and Research promulgated, and the Secretary of the California Natural Resources Agency adopted, the guidelines for implementation of CEQA set forth in Title 14 California Code of Regulations sections 15000 through 15387 (CEQA Guidelines).

C. CEQA section 21065 states a "project" is "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" A project is exempt from CEQA if the project is: (1) exempt by statute; (2) exempt pursuant to a categorical exemption and the application of that categorical exemption

is not barred by an exception set forth in CEQA Guidelines section 15300.2; or (3) the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

D. The common sense exemption is applicable where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

E. The noticing requirements for owners of certain deed-restricted affordable housing and rights of offer to purchase and first refusal provided to qualified entities by this Project can be seen with certainty to have no possibility of having a significant effect on the environment.

F. The Council has considered the written record related to the Project and all public comments about the potential environmental effects of the Project. The Council, using its independent judgment, determines that the Project is exempt from CEQA, pursuant to CEQA Guidelines section 15061(b)(3), under the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

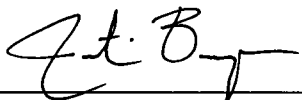
G. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Project is exempt from the provisions of CEQA under CEQA Guidelines section 15061(b)(3) (common sense exemption).

APPROVED: HEATHER FERBERT, City Attorney

By 
 Justin R. Bargar
 Deputy City Attorney

JRB:cw
 1/13/2025
 Or. Dept: SDHC
 Doc. No.: 3930257

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
FEB 03 2025

DIANA J.S. FUENTES
 City Clerk

By 
 Deputy City Clerk

Approved: 2/11/25
 (date)


 TODD GLORIA, Mayor

Vetoed: _____
 (date)

 TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 03 2025, 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"/>
Henry Foster, III	<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 FEB 11 2025.

(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 Linda Irwin, Deputy
For Krystell Medina

Office of the City Clerk, San Diego, California

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