

RESOLUTION NUMBER R- **316223**DATE OF FINAL PASSAGE **MAY 20 2025**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DETERMINING THAT THE APPROVAL OF THE
DEL SUR TOWN CENTER PUBLIC RIGHT-OF-WAY
VACATION PROJECT NO. PRJ-0570368 IS
CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT UNDER CEQA
GUIDELINES SECTION 15305.

RECITALS

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

A. The Council will consider approval of the Del Sur Town Center Right of Way Vacation project (Project). The Project proposes vacation of an Irrevocable Offer to Dedicate public right-of-way previously granted to the City of San Diego for 1.03 acres located along Templeton Street at 17170 Camino Del Sur between Paseo Del Sur and Garretson Street within the Del Sur Retail Center in the Black Mountain Ranch Community Plan area.

B. The California Environmental Quality Act (CEQA), California Public Resources Code (Code) section 21000 through 21189.91, 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, the 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. Code section 21084 requires the CEQA Guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA. CEQA Guidelines sections 15300 through 15333 list

classes of projects that have been determined not to have a significant effect on the environment and declared to be exempt from preparation of environmental documents under CEQA.

D. 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, has determined that the Project is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15305 (titled “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 on the basis that the Project would only allow the vacation of a right-of-way on a site with less than 20 percent slope and the Project proposes no land use or density changes.

E. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Project.

F. 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.

G. Under San Diego Charter section 280(a)(2) this Resolution is not subject to veto by the Mayor because this matter requires the Council to act as a quasi-judicial body where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented.

ACTION ITEMS


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

1 The Project is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15305.

2. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Project.

3. The City Clerk, or designee, is directed to file a CEQA Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Land Use and Climate Innovation.

APPROVED: HEATHER FERBERT, City Attorney

By 
Jeanne L. MacKinnon
Deputy City Attorney

JLM:amt
May 1, 2025
Or.Dept: DSD
Doc. No. 4034765

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
MAY 20 2025.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Passed by the Council of The City of San Diego on MAY 20 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. 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 MAY 20 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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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