

#S400
10/05/26

(R-2027-96)

RESOLUTION NUMBER R- **316965**

DATE OF FINAL PASSAGE **OCT 05 2026**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DENYING AN ENVIRONMENTAL APPEAL OF
THE ENVIRONMENTAL DETERMINATION FOR THE 11370
PAYMOGO COURT PROJECT, PROJECT NO. PRJ-0573108.

RECITALS

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

- A. Applicant submitted an application to the City of San Diego for a Site Development Permit to construct a 2,653-square-foot single dwelling unit over a garage and associated site improvements (Project) located at 11370 Paymogo Court.
- B. The City determined that the Project was exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303 (Environmental Determination) on September 16, 2024.
- C. On September 16, 2024, John Kay (Appellant) appealed the Environmental Determination of the Project to the Council.
- D. On October 5, 2026, the Council heard the environmental appeal of the Project. The Council considered, in light of the whole record, the Environmental Determination, the potential environmental impacts associated with the Project, and the issues raised on appeal and brought up at the hearing through testimony and public participation.
- E. 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.
- F. 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 and 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.

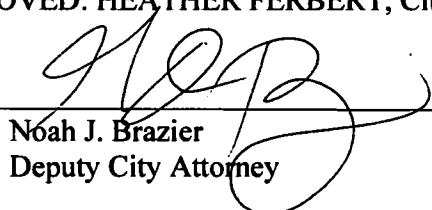
ACTION ITEMS

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

The Council finds, based upon the representations of City staff, public testimony and the whole record before it, that the appeal is denied, and the Environmental Determination made by the City to exempt the Project and its Site Development Permit pursuant to CEQA Guidelines section 15303 is affirmed.

APPROVED: HEATHER FERBERT, City Attorney

By



Noah J. Brazier
Deputy City Attorney

NJB:cc:at
October 7, 2026
Or.Dept: DSD
Doc. No. 4566175

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
OCT 05 2026.

DIANA J.S. FUENTES
City Clerk

By 

Deputy City Clerk

Passed by the Council of The City of San Diego on **OCT 05 2026**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☐	☐	☒	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☐	☐	☒	☐

Date of final passage **OCT 05 2026**.

(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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