5506 11-17-26

(R-2027-182)

RESOLUTION NUMBER R- 317057

DATE OF FINAL PASSAGE NOV 17 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ACCEPTING AND ISSUING A REPORT PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858(d) REGARDING MEASURES TAKEN TO ALLEVIATE THE CONDITIONS WHICH LED TO ADOPTION OF SAN DIEGO EMERGENCY ORDINANCE O-22152.

RECITALS

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

A. California Government Code section 65858(a) allows a City, without following the procedures otherwise required prior to adoption of a zoning ordinance, to adopt, as an urgency measure, an interim ordinance prohibiting any uses which may be in conflict with a contemplated general plan, specific plan, or zoning proposal which the legislative body, planning commission or planning department is intending to study within a reasonable time.

B. On October 27, 2026, the Council adopted San Diego Ordinance O-22152 establishing a 45-day, temporary moratorium on data center development, establishment, intensification, and expansion.

C. The Ordinance was adopted pursuant to San Diego Charter section 295(e) and California Government Code section 65858(a) and went into effect immediately upon the Council's approval.

D. California Government Code section 65858(d) requires that at least ten days prior to the expiration of an interim ordinance or any extension, the Council, acting as the City's legislative body, shall issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the ordinance.

E. The City Planning Department is preparing and will present an item to extend the 45-day moratorium for Council's consideration on December 8, 2026, as San Diego Ordinance O-22152 expires on December 11, 2026, unless extended to a later date.

F. Pursuant to California Government Code section 65858(d), the City Planning Department has prepared a report for Council's consideration, acceptance, and issuance dated November 12, 2026, describing measures taken to alleviate the conditions that led to the adoption of San Diego Ordinance O-22152 (Report).

G. Under San Diego Charter section 280(a)(3), this Resolution is not subject to veto by the Mayor because this action is related to an emergency ordinance under San Diego Charter section 295(e).

H. The Office of the City Attorney prepared this Resolution based on the information provided 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:

The Council accepts and issues the Report pursuant to California Government Code section 65858(d) describing measures taken to alleviate the conditions which led to adoption of San Diego Ordinance O-22152, establishing a temporary moratorium on data center

development, establishment, intensification, and expansion within the City of San Diego, a copy of which Report is on file in the Office of the City Clerk as Document RR-317057.

APPROVED: HEATHER FERBERT, City Attorney

By _____
Jeanne L. MacKinnon
Deputy City Attorney

JLM:cc
November 10, 2026
Or.Dept: City Planning
CC No. N/A
Doc. No. 4597663

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on NOV 17 2026.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Passed by the Council of The City of San Diego on November 17, 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 NOV 17 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 _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-317057**