

RESOLUTION NUMBER R- 313761DATE OF FINAL PASSAGE NOV 01 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE ADOPTION OF THE SPACES AS PLACES MUNICIPAL CODE AMENDMENTS, THE SPACES AS PLACES DESIGN MANUAL, AND THE ASSOCIATED EXCLUSIVE USE AND DEVELOPMENT IMPACT FEE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301(C) (EXISTING FACILITIES), 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES), 15304(H) (MINOR ALTERATIONS TO LAND), AND 15311 (ACCESSORY STRUCTURES); AND THAT NONE OF THE EXCEPTIONS TO THE EXEMPTIONS FOUND IN CEQA GUIDELINES SECTION 15300.2 WOULD APPLY.

WHEREAS, Spaces as Places is the City of San Diego's proposed program to transition temporary outdoor spaces, which were allowed to replace indoor capacity in response to the COVID-19 pandemic which significantly restricted indoor operations, to permanent places that safely bring people together to dine, play and gather. The project includes the adoption of the Spaces as Places municipal code amendments, the Spaces as Places Design Manual, and the associated exclusive use and development impact fees (together the Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) 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, pursuant to 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 pursuant to CEQA Guidelines sections 15301(c) (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304(h) (Minor Alterations to Land), and 15311 (Accessory Structures); and that none of the exceptions to the exemptions found in CEQA Guidelines Section 15300.2 apply to the Project; and

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

WHEREAS, on October 26, 2021, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

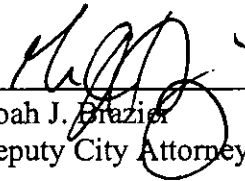
WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment; NOW,

THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301(c) (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304(h) (Minor Alterations to Land), and 15311 (Accessory Structures); and that none of the exceptions to the exemptions found in CEQA Guidelines Section 15300.2 apply.

BE IT FURTHER RESOLVED, that 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.

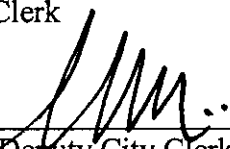
APPROVED: MARA W. ELLIOTT, City Attorney

By  \_\_\_\_\_  
Noah J. Brazier  
Deputy City Attorney

NJB:nja  
10/07/2021  
10/22/2021 COR. COPY  
Or. Dept: Planning  
Doc. No.: 2780344

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 26 2021.

ELIZABETH S. MALAND  
City Clerk

By  \_\_\_\_\_  
Deputy City Clerk

Approved: 10/25/21 \_\_\_\_\_  
(date)

 \_\_\_\_\_  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 26 2021, 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 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"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 NOV 01 2021

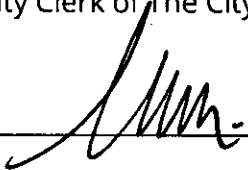
**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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