

RESOLUTION NUMBER R- 315290DATE OF FINAL PASSAGE DEC 22 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE HOUSING ACTION PACKAGE 2.0 AMENDMENTS TO THE CITY OF SAN DIEGO'S ACCESSORY DWELLING UNIT HOME DENSITY BONUS PROGRAM IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15282(H).

WHEREAS, the Housing Action Package 2.0 includes amending San Diego Municipal Code Chapter 14, Article 1, Division 3, Section 2 (Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units) to modify the "ADU Bonus for Affordable ADUs" program to include "ADU Bonus for Accessible ADUs" to incentivize the development of accessible ADUs by allowing one additional accessible ADU to be permitted on a premises if a development includes: (1) at least two ADUs set aside as affordable to very low, low, or moderate income households; (2) the accessible ADU complies with the accessibility requirements in Chapter 11A of the California Building Code; (3) the accessible ADU includes at least one accessible bathroom, at least one accessible kitchen, at least one accessible bedroom; and (4) the accessible ADU is located on an accessible route, as defined by the California Building Code (Project); and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA), California Public Resources Code sections 21000-21189.70.10, has determined that CEQA does not apply to various types of projects listed therein; and

WHEREAS, California Public Resources Code section 21084 states that the CEQA Guidelines (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 15260-15285 list the statutory exemptions granted by the State Legislature; and

WHEREAS, the City Planning Department has established that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15282(h); and

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

WHEREAS, on December 12, 2023, 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 City Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment as section 15282(h) exempts the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the California Government Code as set forth in Section 21080.17 of the Public Resources Code; and

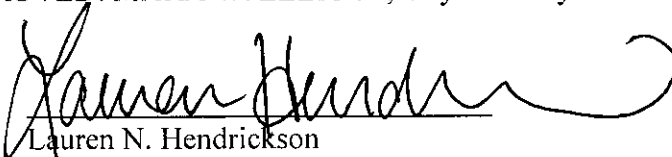
WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1 The City Council has determined that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15282(h).

2. 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   
Lauren N. Hendrickson  
Deputy City Attorney

LNH:cm  
November 16, 2023  
Or.Dept: Planning  
Doc. No. 3476047

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 12 2023.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 12/22/23  
(date)

  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on DEC 12 2023, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input 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 DEC 22 2023

**(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 *Kristen Medina*, Deputy

Office of the City Clerk, San Diego, California

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