



THE CITY OF SAN DIEGO

DATE OF NOTICE: December 1, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

IO No. 11004500

Project Name / Number: 1028 Buenos Avenue CO Amendment/ 1054413

Community Plan Area: Linda Vista Community Plan

Council District: 7

Location: 1028 Buenos Avenue, San Diego, CA 92110

Project Description: The project requests renewal and amendment of the Conditional Use Permit (CUP) no. 1605038 for an existing 2,452-square-foot (sf) Medical Marijuana Consumer Cooperative converting to a Cannabis Outlet (CO) (no changes to floor areas are proposed); and CUP no. 2202057 for a Cannabis Production Facility (CPF) in an existing 16,452 sf building, on a 0.74-acre site. The project proposes removing the interior vacant space for a total CPF size of 14,090 sf (Previously 9,698 sf Marijuana Production Facility). Project operations include the sale of cannabis products and the hours of operations would be between 7:00 AM and 9:00 PM, seven days a week. The CO is located in Suite A and CPF would be located in Suite B. The project site is in the CC-3-7 (Commercial Community) (formerly IL-3-1) Zone of the Linda Vista Community Plan, Parking Impact Overlay Zone (Campus Impact), Parking Standards Transit Priority Area, Transit Priority Area, Airport Land Use Compatibility Overlay Zone, Airport Influence Area (San Diego International Airport (SDIA), Review Area 2), and the Federal Aviation Administration Part 77 Notification (SDIA) area. **LEGAL DESCRIPTION:** 7 and 8 City; San Diego SUBD; Morena Plaza Unit #1 007418.

Entity Considering Project Approval: City of San Diego Development Services Department

Environmental Determination: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15332, In-Fill Development Projects.

Entity Making Environmental Determination: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15332. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.

The proposed development occurs within city limits on a project site of no more than 5 acres and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects related to air quality, noise, traffic or water quality. The site can be adequately serviced by all required utilities and public services. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

The site is not, included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.

DEVELOPMENT PROJECT MANAGER: Francisco Mendoza
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On December 1, 2023, the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within 10 (10) business days from the date of the posting of this Notice (December 15, 2023). Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/sites/default/files/dsdb505.pdf) (<https://www.sandiego.gov/sites/default/files/dsdb505.pdf>). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

This information will be made available in alternative formats upon request.