



**Date of Notice:** January 8, 2024

# **NOTICE OF RIGHT TO APPEAL**

## **ENVIRONMENTAL DETERMINATION**

### **PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** Right of Entry Permit between the City of San Diego and the San Diego Parks Foundation for the resurfacing of tennis courts and the striping of pickleball courts.

**COMMUNITY PLAN AREA:** Linda Vista

**COUNCIL DISTRICT:** 7

**LOCATION:** Linda Vista Community Park  
7064 Levant St, San Diego, CA 92111

**PROJECT DESCRIPTION:** Right of Entry (ROE) Permit between the City of San Diego (City) and the San Diego Parks Foundation for the resurfacing of tennis courts and the striping of pickleball courts. Work to include:

- 1) Water blast with a pressure washer to remove loose dirt and flaking paint
- 2) Patch cracks with court patch binder
- 3) Apply 2 coats of acrylic color
- 4) Paint net pots
- 5) Stripe per USTA
- 6) Painting 2 pickleball courts in the handball courts

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego

**ENVIRONMENTAL DETERMINATION:** This activity is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15323 (Normal Operation of Facilities for Public Gatherings).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Mayor-Appointed Designee.

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:**

The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment pursuant to State CEQA Guidelines 15301 (Existing Facilities), which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.; and Section 15323 (Normal Operations of Facilities for Public Gatherings) consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the

facility being used for the same or similar kind of purpose. For the purposes of this section, “past history” shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. The exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; no historical resources would be affected by the action; and there are locations listed on GeoTracker within 1,000 feet of the address in question. While these locations are listed, the proposed projects would not involve ground disturbance which would expose potentially hazardous materials, and as such, would not preclude the use of a CEQA exemption pursuant to Section 65962.5 of the Government Code.

**CITY CONTACT:** Jerry Abbott

**MAILING ADDRESS:** 2125 Park Blvd. 4<sup>th</sup> Floor, San Diego, CA 92101

**PHONE NUMBER/E-MAIL:** (619) 235-1130 / JAbbott@sandiego.gov

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On January 8, 2024, the City of San Diego made the above-referenced environmental determination pursuant to CEQA. This determination is appealable to the City Council. If you have any questions about this determination, contact the City Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within 5 business days from the date of the posting of this Notice (**January 16, 2024**). Appeals to the City Clerk must be filed via e-mail or in-person as follows:

1. **Appeals filed via Email:** The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto: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.
2. **Appeals filed In-Person:** The Environmental Determination Appeal Application Form [DS-3031](#) 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](#) (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.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

**POSTED ON THE CITY'S CEQA WEBSITE**

**POSTED:** 1/8/24

**REMOVED:** \_\_\_\_\_

**POSTED:** G. Johansen