



Date of Notice: April 17, 2024

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Right of Entry Permit between the City of San Diego and the Solana Beach School District and Beatty Balfour Construction LLC

COMMUNITY PLAN AREA: Carmel Valley

COUNCIL DISTRICT: 1

LOCATION: Carmel Creek Neighborhood Park, 4260 Carmel Center Road, San Diego, CA 92130

PROJECT DESCRIPTION: Right of Entry (ROE) Permit between the City of San Diego (City), the Solana Beach School District (Permittee) and Beatty Balfour Construction LLC for the construction of improvements to the Carmel Creek Neighborhood Park Joint Use Facility. The Permittee will modify an existing pedestrian gate and will also construct a new gate on a portion of the site. The scope of work includes site demolition, construction of concrete paving, fencing, landscaping, irrigation, site drainage and accessibility improvements on a portion of the Carmel Creek Neighborhood Park Joint Use Facility. The Permittee will use an existing asphalt playcourt area for the overnight storage of construction materials or vehicles required for the project and also as a fenced construction staging area. The Permittee will be responsible for any maintenance, repair, or replacement of fencing, turf and hardscape areas due to damage or theft, and will also be allowed to maintain, repair, and/or replace fencing post and/or panels when requested by the City. The Permittee will install adequate safety fencing around the entire permit area during all digging and surface disruption. Additionally, open trenches will be properly covered at all times and appropriate signage will be displayed around the permit area.

All work done will comply with the City's design guidelines, regulations, California Building Code Title 24, Americans with Disability Act standards, and the latest edition of the Park and Recreation Department's Consultant's Guide to Park Design and Development, the San Diego Standard Drawings for Public Works Construction the Standard Specifications for Public Works Construction (Greenbook), the City of San Diego "Whitebook" supplement to the Greenbook, and other local agencies regulations.

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), 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion), 15304 (Minor Alterations to Land), and 15311 (Accessory Structures).

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 CEQA Guidelines Sections 15301 (Existing Facilities) which exempts 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; 15302 (Replacement or Reconstruction) which exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; 15303 (New Construction or Conversion) which exempts the construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; 15304 (Minor Alterations to Land) which exempts minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes; and 15311 (Accessory Structures) which exempts the construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities. 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 the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

CITY CONTACT: Angelina Black, District Manager

MAILING ADDRESS: City of San Diego Parks & Recreation Department, 2125 Park Blvd. 4th Floor, San Diego, CA 92101

PHONE NUMBER/E-MAIL: (619) 235-1133 / ABlack@sandiego.gov

On April 17, 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 five (5) business days from the date of the posting of this Notice (**April 24, 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 by 5:00pm 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: 4/17/2024

REMOVED: _____

POSTED: E. Pascual