



Date of Notice: August 1, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME/NUMBER: City of San Diego Safe Sleeping Program License Agreement
COMMUNITY PLAN AREA: Kearny Mesa, Mission Valley
COUNCIL DISTRICT: 7
LOCATION: 9882 Aero Drive, San Diego, CA 92123 and 2250 Mission Village Drive, San Diego, CA 92108

PROJECT DESCRIPTION: License agreement between Jewish Family Services and the City of San Diego to use two City owned parking lots for the safe sleeping program. On June 22, 2022, the City approved a non-profit certification for safe parking program services ("Safe Parking Program"), resulting in that certain Expanded Safe Parking Program Services Agreement (effective August 1, 2022, Document No. RR-314195) between City and Licensee. Under the Services Agreement, Jewish Family Services is authorized to operate and maintain three (3) safe parking lot sites (each a "Safe Parking Site" and together, the "Safe Parking Sites") – two of which are located on City-owned property, one of which is located on private property with permission from the owner. The two City owned Safe Parking Sites (together, "City Safe Parking Sites") are the subject of this Agreement. The two City owned lots require new agreements.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: This activity is not subject to CEQA pursuant to Government Code Section 8698.4(a)(4) and is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities).

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 and determined the project is not subject to CEQA pursuant to Government Code Section 8698.4(a)(4) which states that during a declaration of a shelter crisis by a city, county, or city and county, CEQA does not apply to actions taken by the respective state agency or a city, county, or city and county, to lease, convey, or encumber land owned by a city, county, or city and county, or to facilitate the lease, conveyance, or encumbrance of land owned by the local government for, or to provide financial assistance to, a homeless shelter constructed or allowed by this section.

Additionally, even if this action is determined to be subject to CEQA, this activity is exempt from CEQA pursuant to CEQA Guidelines Section 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. This site is a City (public) facility which was previously used by the City to provide shelter to individuals experiencing homelessness. The proposed use of this facility to operate a homeless shelter would not be considered an expansion of the existing or former use of the site, and thus meets the criteria for an exemption pursuant to CEQA Guidelines Section 15301. 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 as to the exception for hazardous materials, there are locations listed on EnviroStor and GeoTracker within 1,000 feet of the project area. While these locations are listed, the proposed projects would not involve ground disturbance which would expose potential 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: Koy Nichols, Program Coordinator, Economic Development Department

MAILING ADDRESS: 1200 3rd Street, San Diego, CA 92101

PHONE NUMBER/E-MAIL: (619) 530-8606 / knichols@sandiego.gov

On August 1, 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 (**August 8, 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 5:00p.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: 8/1/2024

REMOVED: _____

POSTED: v. Sandoval