



THE CITY OF SAN DIEGO

DATE OF NOTICE: August 6, 2026

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24010549

PROJECT NAME / NUMBER: 8863 Balboa Av / PRJ-1154119

COMMUNITY PLAN AREA: Kearny Mesa

COUNCIL DISTRICT: 7

LOCATION: 8863 Balboa Avenue, San Diego, CA 92123

PROJECT DESCRIPTION: The project is a Conditional Use Permit (CUP) Amendment to a previously approved CUP (No. 2416173) for the continued sales of cannabis and cannabis products at an existing 999-square-foot facility. The site is 2.51 acres and is in the IL-3-1 Zone within the Kearny Mesa Community Plan area. The CUP Amendment will be conditioned on site improvements, including the reconstruction of an existing driveway. No expansion of the existing building is proposed. **LEGAL DESCRIPTION:** APN 369-150-13-23.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301, Existing Facilities.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301, Existing Facilities; and where the exceptions listed in Section 15300.2 would not apply. The existing facility is not located in a sensitive area, it is not a new successive project that would cause a cumulative impact, the continued operation of a existing facility is not an unusual circumstance, it is not located on a scenic highway, hazardous waste site, or contain historic resources. Section 15301 applies to operation, repair, maintenance, permitting, leasing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Examples include: (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety. Since the project involves a CUP amendment for

continued operation of an existing cannabis facility and the only construction is associated site improvements, including reconstruction of an existing driveway the exemption is appropriate. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

DEVELOPMENT PROJECT MANAGER: Jose Cadena
MAILING ADDRESS: 7650 Mission Valley Road, MS DSD-1A, San Diego, CA 92108
PHONE NUMBER / EMAIL: (619) 446-5077 / jcadena@sandiego.gov

On August 6, 2026 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 ten (10) business days from the date of the posting of this Notice (August 20, 2026). 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](#) 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](#) 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.

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

POSTED ON THE CITY'S CEQA WEBSITE

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REMOVED: _____

POSTED BY: *Leilani Phillips*