



THE CITY OF SAN DIEGO

Date of Notice: September 17, 2021

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 11004500

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**PROJECT NAME / NUMBER:** Newton MW / 622389

**COMMUNITY PLAN AREA:** Southeastern San Diego

**COUNCIL DISTRICT:** 8

**LOCATION:** 3144-3148 Newton Avenue, San Diego, California 92113

**PROJECT DESCRIPTION:** A request for a TENTATIVE MAP WAIVER for the conversion of three existing detached single dwelling units into three condominium units. No development is proposed with this project. The project site is located at 3144-3148 Newton Avenue. The 0.10-acre project site is designated Residential and zoned RM-1-1 within the Southeastern Community Plan area. Additionally, the project site is within the Airport Influence Area (San Diego International Airport- Review Area 2), the FAA Part 77 Noticing Area (San Diego International Airport), the Parking Standards Transit Priority Area, the Promise Zone, and the Transit Priority Area. (LEGAL DESCRIPTION: The easterly 15 of Lot 32, all of Lot 33 and the westerly 20 feet of Lot 34 in the block 40 of H.P. Whitney's Addition, According to Map thereof No. 168.)

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (Existing Facilities) and 15304 (Minor Alterations to Land).

**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 CEQA Section 15301 (Existing Facilities) which allows for 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. Additionally, the project would qualify to be categorically exempt from CEQA pursuant to CEQA Section 15304 (Minor Alterations to Land) which allows for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

**DEVELOPMENT PROJECT MANAGER:** Bryan Hudson  
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On September 17, 2021, the City of San Diego 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 determinations to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (October 1, 2021). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

- 1) Appeals filed via E-mail: The Development Permit/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 5:00pm. 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. Please include the project number on the memo line of the check.

- 2) Appeals filed in person: The Development Permit/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>.

Deposit the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) in a sealed envelope, into the Drop-Off Box located under the Public Notice Kiosk to the left of the public entrance to the City Administration Building, 202 "C" Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The Drop-Off Box is available from 8:00am to 5:00pm Monday through Friday (excluding City-approved holidays). The completed appeal package must include the required appeal fee per this bulletin in the form of a check or money order payable to the "City Treasurer." Please include the project number on the memo line of the check/money order. This Drop-Off Box is checked daily, and payments are processed the following business day.

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