

Environmental Appeals Draft Code Language February 15, 2013

112.0310 Notice of Right to Appeal Environmental Determination

- (a) A Notice of Right to Appeal Environmental Determination shall be posted for the following:
- (1) A determination made by the City Manager that a project, as defined by State CEQA Guideline section 15378, is exempt from CEQA in accordance with State CEQA Guidelines section 15061(b)(2) or (3); and
 - (2) An *environmental determination* associated with a project, as defined by State CEQA Guidelines section 15378, that the City Manager approves or decides to carry out in accordance with his powers under City of San Diego Charter section 28, or a project to be decided at a Process Two decision making level.
- (b) through (c) [No change in text.]
- (d) The Notice of Right to Appeal Environmental Determination shall be posted at the City of San Diego, Development Services Department at a location easily accessible to the public, and in addition, shall be provided as follows:
- (1) On the City of San Diego's website,
 - (2) To the Council Office for the Council District in which the project is proposed,
 - (3) To the officially recognized community planning group, if any, that represents the area in which the project is proposed, and
 - (4) To any person who has submitted a written request for notification of the proposed *development* to the City staff person named in the Notice of Future Decision.
- (e) The Notice of Right to Appeal Environmental Determination shall remain posted at the Development Services Department for a period of 15 *business days*, and shall be provided by electronic mail (or by U.S. mail if electronic mail is unavailable) to the distribution in Section 112.0310(d) at least 15 *business days* before the date of decision on the project.

112.0520 Environmental Determination Appeals

(a) [No change in text.]

(b) Time for Filing an Appeal

An application to appeal a decision described in Section 112.0520(a) shall be filed in the Office of the City Clerk within 10 *business days* from the date of the posting of the Notice of Right to Appeal Environmental Determination or from the date of a decision made by a Hearing Officer or the Planning Commission to adopt or certify an environmental document.

(c) through (e) [No change in text.]