



Date of Notice: February 22, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME: Balboa Drive Slurry Seal and Restriping

COMMUNITY PLAN AREA: Balboa Park

COUNCIL DISTRICT: District 3

LOCATION: Balboa Drive (between Upas Street and 8th Avenue)

PROJECT DESCRIPTION: This project will repurpose the existing public right-of-way on Balboa Drive between Upas Street and 8th Avenue in the City of San Diego to implement bicycle and parking improvements. The proposed improvements include slurry seal and restriping which involves mill and pave along portions of the roadway and asphalt slurry overlay for the majority of the roadway and restriping the southbound vehicular travel lanes to accommodate angle parking along the west side of the roadway and to designate this roadway as a class III bike facility in the southbound direction. Parallel parking on the east side is retained.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: This activity is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301(c) (Existing Facilities) and 15304(h) (Minor Alterations to Land).

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 Section 15301(c) (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, including existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes; and Section 15304(h) (Minor Alterations to Land) which exempts 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, including the creation of bicycle lanes on existing rights-of-way.

The project qualifies for the Class 1 and Class 4 exemptions because it is located in an existing public right-of-way, it does not involve the removal of any trees, and the repurposing of the existing street to include angled parking and improved bicycle facilities would not expand the existing use of the road such that it would cause a physical direct and/or indirect impact on the environment, or an expansion of its existing use. 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: Everett Hauser, Program Manager

MAILING ADDRESS: City of San Diego Transportation Department,
8575 Gibbs Drive, Suite 202, San Diego, CA 92123

PHONE NUMBER/E-MAIL: 619-533-3012/ ERHauser@sandiego.gov

On February 22, 2023, 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 5 business days from the date of the posting of this Notice (**March 1, 2023**). Per the revised Public Notice issued by the Office of the City Clerk on September 28, 2021, appeals to the City Clerk must be filed via e-mail or in-person as follows:

1. Appeals filed via Email: Send the appeal by email to Hearings1@sandiego.gov; your email appeal will be acknowledged within 24 hours. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Tara Ash-Reynolds, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed In-Person: The appeal application can be obtained in the Lobby of the City Administration Building located at 202 'C' Street, San Diego, CA 92101. The completed appeal package must include the required appeal fee in the form of a check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Tara Ash-Reynolds, 9485 Aero Drive, MS 413, San Diego, CA 92123**.

If you have any questions regarding the procedures to file the appeal, please contact **Tara Ash-Reynolds** at tashreynolds@sandiego.gov. The revised Public Notice can be found here:

https://www.sandiego.gov/sites/default/files/office_of_the_city_clerk_public_notice_rev09252020_v2.pdf.

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

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 2/22/23

REMOVED: _____

POSTED: T. Ash-Reynolds