



Date of Notice: March 28, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Use and Occupancy Permit for EV Charging Station at 9370 Chesapeake Drive

COMMUNITY PLAN AREA: Kearny Mesa

COUNCIL DISTRICT: District 6

LOCATION: 9370 Chesapeake Dr, San Diego, CA 92123

PROJECT DESCRIPTION: Use and Occupancy Permit between the City of San Diego and Ruffin-SD, LLC for the use of a portion of the premises located at 9370 Chesapeake Drive, San Diego, CA 92123 for the installation, operation, and maintenance of one proprietary solar panel and electric vehicle (EV) charging station. This solar panel and EV charging station is transportable, off-grid, and does not require any excavation or other construction related activities.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: This activity is exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15311 (Accessory Structures), and CEQA Statute Section 21080.35.

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 State CEQA Guidelines Section 15301 (Existing Facilities) which consists of 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; Section 15303 (New Construction or Conversion of Small Structures) which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and Section 15311 (Accessory Structures) which consists of the construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities. Furthermore, the proposed project is exempt from CEQA pursuant to CEQA Statute Section 21080.35 which exempts the installation of a solar energy system, including all associated equipment, on the roof of an existing building or at an existing parking lot. 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 site was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

CITY CONTACT: Karen Johnson, Asset Manager

MAILING ADDRESS: Department of Real Estate and Airport Management, 1200 Third Ave, Ste. 1700, San Diego, CA 92101

PHONE NUMBER/E-MAIL: 619-236-619 / KKJohnson@sandiego.gov

On March 28, 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 five (5) business days from the date of the posting of this Notice (**April 5, 2023**). 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 the City Treasurer.

The appeal application can also be obtained from the Office of 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: March 28, 2023

REMOVED: _____

POSTED: E. Ramírez Manríquez