



Date of Notice: April 20, 2020

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

## PLANNING DEPARTMENT

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**PROJECT NAME:** San Diego Association of Governments (SANDAG), Right of Entry - Pershing Bikeway

**COMMUNITY PLAN AREA:** Balboa Park

**COUNCIL DISTRICT:** District 3

**LOCATION:** City-owned real property along Pershing Drive in Balboa Park. See Attachment A, Project Location.

**PROJECT DESCRIPTION:** The Project will provide approximately three miles of dedicated bikeway and pedestrian facilities in the City of San Diego communities of North Park, Golden Hill, Downtown, and in Balboa Park. The proposed project would connect with other planned bikeways, including the Landis segment of the North Park to Mid-City Bikeway, the Imperial Avenue Bikeway, and segments of the City of San Diego's Downtown Mobility Plan. The bicycle and pedestrian facilities consist of bike parking, street lighting at priority locations, repaving the roadway surface, pedestrian refuge islands, pedestrian crossing signals, new signage, new painted or raised crosswalks, mid-block crossing, paved sidewalks, buffered and separated bike lanes, relocating on-street parking stalls and pavement restriping. All work would occur within the public right-of-way (paved streets) or previously disturbed, and non-sensitive areas only. No sensitive vegetation would be impacted or removed. Storm Water Best Management Practices (BMPs) for erosion control preventing discharge, as well as Traffic Control Plan (TCP) would be implemented throughout construction.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301(c) and 15304(h) and Public Resources Code Section 21080.20.5 Restriping for Bicycle Lanes in Urbanized Areas.

**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, 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 consists of 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; and where 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.

In addition, Public Resource Code Section 21080.20.5 Restriping for Bicycle Lanes in Urbanized Areas exempts a project that consists of the restriping of streets and highways for bicycle lanes in an urbanized area that is consistent with a bicycle transportation plan prepared pursuant to Section 891.2 of the Streets and Highways Code. The proposed project is consistent with the City of San Diego's Bicycle Master Plan ("City's Bike Plan") (City of San Diego 2013), which meets the requirements of a bicycle transportation plan set forth in Section 891.2 of the Streets and Highways Code. The proposed project would provide a separated bikeway and a buffered bike lane along Pershing Drive from B Street to Upas Street, and along Upas Street from Pershing Drive to Upas Street. Along Utah Street from Upas Street to Landis Street, the proposed project would install painted buffers along the existing Class II bike lanes. These improvements are consistent with and enhance the existing and proposed Class II bike facility classifications in the City's Bike Plan. While some of the facility types and alignments proposed by the project are not identical to those identified in the City's Bike Plan, the proposed project is consistent because it proposes bikeways that provide equal or enhanced levels of perceived and actual safety, comfort, connectivity, and attractiveness to people on bikes than the facility types and alignments identified in the City's Bike Plan. In addition, Section 6.1.2 of the City's Bike Plan (page 94) explains that its proposed bikeway classifications are expected to be used as a guide and may change at project implementation.

**CITY CONTACT:** Mario Llanos

**MAILING ADDRESS:** 2125 Park Blvd, San Diego, CA 92101

**PHONE NUMBER:** 619-235-1124

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On April 20, 2020, 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 Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within 10 business days from the date of the posting of this Notice (**May 4, 2020**). 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 Email:** Send the appeal by email to [Hearings1@sandiego.gov](mailto: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, 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 via US Mail:** Send the appeal by US Mail to **City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101**. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. 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, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

If you have any questions regarding the procedures to file the appeal, please contact **Tara Ash-Reynolds** at [tashreynolds@sandiego.gov](mailto:tashreynolds@sandiego.gov).

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

**POSTED IN THE OFFICE OF DSD**

**POSTED: 4/20/2020**

**REMOVED: \_\_\_\_\_**

**POSTED: T. Ash-Reynolds**

Attachment A: Project Location

