

**CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL**



Project: Parking Lot Resurfacing by Humphrey's Half Moon Inn at Shelter Island
Location: 2303 Shelter Island Drive, San Diego, CA 92106
Parcel No.: 003-010
Project No.: 2018-202
Applicant: Richard Bartell, Bartell Hotels, 4875 N. Harbor Drive, 5th Floor, San Diego, CA 92106
Date Approved: December 4, 2018

PROJECT DESCRIPTION

The proposed project would involve parking lot improvements by Bartell Hotels (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would occur in two areas as follows:

- AREA 1 – (58,566 sq. ft. parking lot section located in front of Buildings A, B, C, and D).
- Top grind the existing asphalt concrete paving, remove dust and debris, clean up, apply tack oil over, pave back with new asphalt overlay and seal.
 - Restripe to match existing pavement markings to include parking stalls, accessible stencils, hatched areas, arrows, and red fire lane curbs.
 - Pull up and re-install the existing parking blocks prior to and after the asphalt overlay.
 - Re-install three (3) gate entrance loops.
- AREA 2 – (19,927 sq. ft. parking lot section in front of Buildings F, J, K, L, and M)
- Clean off the parking lot section and apply a thick coat of latex sealant.
 - Restripe all existing pavement markings to include parking stalls, accessible stencils, hatch areas, arrows, and red fire lane curbs.

Construction of the proposed project is anticipated to occur in late 2018 and would take approximately one (1) month to complete.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Tenant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; SG §15302, Class 2/Section 3.b: Replacement or Reconstruction; and SG §15304, Class 4/Section 3.d: Minor Alternations to Land.

- 3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

AND/OR

- 3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being

replaced.

AND/OR

- 3.d. **Minor Alterations to Land (SG § 15304) (Class 4):** Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

(7) Minor trenching and backfilling where the surface is restored.

The proposed project is determined to be Categorical Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it would involve renovation of an existing hotel parking lot that would involve no expansion of use beyond that previously existing, would be located on the same site and have substantially the same purpose and capacity as the structure being replaced, and would not involve the removal of mature, scenic trees. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 1 - Shelter Island/La Playa (Precise Plan Figure 4).

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve renovation of an existing hotel parking lot, which is consistent with the existing certified Land use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; Section 8.b: Replacement or Reconstruction; and Section 8.d: Minor Alterations to Land

- 8.a. **Existing Facilities:** The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

AND/OR

- 8.b. **Replacement or Reconstruction:** Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

AND/OR

- 8.d. **Minor Alterations to Land:** Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees, including but not limited to:

(6) Minor trenching or backfilling where the surface is restored.

The proposed project is determined to be Categorical Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because the project would involve renovation of an existing hotel parking lot that would involve no expansion of use beyond that previously existing, would be located on the same site and

have substantially the same purpose and capacity as the structure being replaced, and would not involve the removal of mature, scenic trees.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

CALIFORNIA PUBLIC TRUST DOCTRINE

The proposed project complies with Section 87.(a)(4) of the Port Act, which allows for construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Assistant Planner
Development Services

Deputy General Counsel

Signature: K. Geronzi for
Date: 12/4/18

Signature: W. J. McLeod
Date: 12-3-18