



CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL

Project: Tideland Use and Occupancy Permit to Sun Communities for an RV Park at Chula Vista Bayfront  
Location: 460 Sandpiper Way, Chula Vista, CA 91910  
Parcel No.: 031-019  
Project No.: 2019-018a  
Applicant: Bill Raffoul, Sun Communities Inc., LLC, 27777 Franklin Road, Suite 200, Southfield, MI 48034  
Date Approved: March 12, 2020

**PROJECT DESCRIPTION**

The proposed project is an amendment to an existing Tideland Use and Occupancy Permit (TUOP) to Sun Communities Inc., LLC (Tenant) for their use of approximately 578,929 square feet (sq ft) of land area located in the City of Chula Vista, California. The area proposed for use under this TUOP is currently and proposed to be used only and exclusively for the purpose of a 237 stall recreational vehicle park (Chula Vista RV Resort) and the incidental uses of a snack bar, delicatessen, convenience store, meeting room for the park occupants, game room, laundry room, game room, laundry room, and bicycle and other recreational equipment rentals and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The TUOP would be amended to allow for the San Diego Unified Port District (District), its contractors, consultants, employees, or a third party and its contractors, employees, and consultants, to access the premises. Future activities that may occur as a result of such access rights, including performing investigation, remediation, and/or construction activities associated with (1) the Chula Vista Bayfront Master Plan, (2) development of the resort hotel and convention center, (3) removal or relocation of utilities, improvements, or facilities, or (4) orders of the Regional Water Board or other applicable regulatory bodies with jurisdiction over the premises, would require separate review and approval by the District and CEQA and Coastal Act compliance. The Tenant would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. No new development, construction, or increase in the size of the property is proposed or authorized as part of the TUOP.

The TUOP would have a term of approximately four (4) years. The TUOP may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing sixty (60) days' notice in writing to the other party of such termination.

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.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**CATEGORICAL DETERMINATION**

Categorical Exemption: SG §15301, Class 1/Section 3.a: Existing Facilities

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, including but not limited to:

- (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's Guidelines for Compliance with CEQA as identified above. This is

appropriate for the proposed project because it consists of an amendment to an existing TUOP for access to and use of an existing recreational vehicle park that would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use. 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: 7 - Chula Vista Bayfront (Precise Plan Figure 19)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it consists of an amendment to an existing TUOP for access to and for use of a recreation vehicle park (Chula Vista RV Resort) and the incidental uses of a snack bar, delicatessen, convenience store, meeting room for the park occupants, game room, laundry room, and bicycle and other recreational equipment rentals, including District and third-party access to the site, consistent with the existing certified Land use designation.

### ***CATEGORICAL DETERMINATION***

Categorical Exclusion: Section 8.a: Existing Facilities

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.

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's Coastal Development Permit Regulations as identified above. This is appropriate for the proposed project because it consists of an amendment to an existing TUOP for access to and the use of an existing recreational vehicle park that would involve negligible or no expansion of use beyond that previously existing.

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)(6) of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. 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:  
Michael Paul  
Assistant Planner  
Development Services

Deputy General Counsel

Signature:   
Date: 3/12/20

Signature:   
Date: 3/12/20