PORT of SAN DIEGO
Waterfront of Opportunity

CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project:	Amendment to Article 8, Section 8.14 of the San Diego Unified Port District Code to Modify Days of Operation for Tidelands Public Parking Meters
Location:	Tidelands
Parcel No.:	Various
Project No.:	2019-063
Applicant:	Kristine Love, Parking Department Manager, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved:	April 25, 2019

PROJECT DESCRIPTION

The proposed project would involve amendment to Article 8, Section 8.14 Parking Meters – Time of Operation of the San Diego Unified Port District Code (Port Code) to modify days of operation for parking meters. The District currently observes nine parking meter holidays, on which days the public can park at parking meters and pay stations free of charge. The City of San Diego currently observes ten parking meter holidays. The proposed project would amend the Port Code to align with the City of San Diego's parking meter holiday schedule to provide additional days of free parking and to reduce public confusion. The project is proposed to be implemented in spring.

The amendment to Article 8, Section 8.14 would consist of the addition of President's Day and Cesar Chavez Day and the removal of Columbus Day from the parking meter holiday schedule. Parking would transition from being paid to free of charge on those two days being added to the schedule and would transition from being free of charge to paid on the one day being removed from the schedule. As a result of the proposed amendments, parking at parking meters and pay stations on tidelands would be free of charge a total of one additional day per year.

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 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.

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 would consist of an amendment to the Port Code to modify days of operation of existing parking meters and would involve no expansion of use beyond that previously existing. 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

The proposed project conforms to the certified Port Master Plan because it would involve an amendment to the Port Code to modify the days of operation of existing parking meters. Parking, including paid

parking, is an allowable use in all Port Master Plan land use designations. Thus, the project would not change the use of the sites nor would it interrupt or expand the existing conforming use of the sites.

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 would consist of an amendment to the Port Code to modify days of operation of existing parking meters and would involve no expansion of use beyond that previously existing. Furthermore, the proposed project would not have a significant adverse impact on public access and use of the public parking facilities as it would result in a net gain of one day of free parking.

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)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. 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

Signature: CBMcLeod.
Date: 4/25/19.

Deputy General Counsel

Signature: W. S. McN
Date: 4-17-19