



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

Project: Cays Resort Dry Boat Storage Facility at Silver Strand South
Location: 30 North Caribe Cay Boulevard, Coronado, CA 92118
Parcel No.: 046-001
Project No.: 2020-073
Applicant: Keith Mishkin, Cambridge Properties, Broker, 14602 North Tatum Boulevard, Phoenix, AZ 85032
Date Approved: August 3, 2020

PROJECT DESCRIPTION

The proposed project is the renewal of a temporary existing use and minor improvements for operation and maintenance of a boat storage facility on two properties by Coronado Cays Resort, LLC, (Tenant) in the City of Coronado, California. The existing boat storage site development project and short term use and operation of facilities were originally approved in accordance with the Project Review and Conditional Approval letter issued by the District to Cays Resort LLC on June 11, 2015, (Project Number 046-001-3260) and Categorical Determination 2015-76, which was valid for five (5) years and expired on June 11, 2020.

The project initially included development of 2 separate lots:

- BOAT and STORAGE EAST is a 3.18-acre (138,551 square feet [sq. ft.]) site east of North Caribe Cay Boulevard developed to provide dry storage for 127 boats, driveways, turn arounds, storage lockers and enclosed storage areas.
- BOAT and STORAGE WEST is a 0.6-acre (26,136 sq. ft) site west of North Caribe Cay Boulevard developed for dry storage of 21 boats, two-way driveway, turn around, storage lockers and enclosed storage areas.

The proposed project would renew an existing use for a short-term storage facility to the Tenant to serve the needs of both local boat owners and visitors. The use would be for a term of five years and a re-evaluation of the use by the District will occur prior to the end of the new five-year period. All the conditions stipulated in the June 11, 2015 approval letter shall apply and be in effect for the entire lease or occupancy extension period. Additionally, the Tenant shall continue to prohibit boat maintenance activities at the facilities. Project improvements in addition to the proposed continued use include the following:

- (1) Tenant will post signs at the facility reminding boatowners not to conduct boat maintenance activities at the facility, and will add "no hazardous materials" and "no boat maintenance" language to its standard rental agreement.
- (2) Tenant will continue to comply with the landscaping requirements of the original approval.
- (3) Tenant will add screening to a height of 10' 6" tall to block views of the existing toll booth and plant new vines. Tenant may also provide an allowance for the CCHOA to provide the plants they want that are consistent with the approved landscape plan.
- (4) Tenant will add new landscaping consistent with the approved landscape plan or mesh screening to better screen the dumpster from view outside of the facility.

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, significant 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; and SG §15304, Class 4/Section 3.d: Minor Alterations 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, 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.
 - (11) Existing on and off-premise signs.
 - (12) Maintenance of existing landscaping, native growth, and water supply reservoirs.

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.

The proposed project is determined to be Categorically 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 consists of renewal of a temporary use for operation and maintenance of boat storage and installation of screening and signage, would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, would result in no permanent effects on the environment, 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: 8 - Silver Strand South (Precise Plan Figure 21)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it consists of renewal of a temporary use for operation and maintenance of boat storage and installation of screening and signage, 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 use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; 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.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.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it consists of renewal of a temporary use for operation and maintenance of boat storage and installation of screening and signage, would involve no expansion of use beyond that previously existing, 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)(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

Signature: Michael Paul
Date: Aug 3, 2020

Deputy General Counsel

Signature: Rebecca Harrington
Date: Aug 3, 2020