



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

**Project:** Amendment of San Diego Unified Port District Code Article 8, Section 8.09 – Oversized Vehicles on Tidelands and Section 8.11 – Vehicle Parking Regulated by the San Diego Unified Port District

**Location:** San Diego Unified Port District Tidelands

**Parcel No.:** Various

**Project No.:** 2023-037

**Applicant:** Department of Guest Experience – Parking, San Diego Unified Port District, 3165 Pacific Hwy, San Diego, CA 92101

**Date Approved:** Apr 12, 2023

**PROJECT DESCRIPTION**

The proposed project would involve amending the San Diego Unified Port District Code Article 8, Section 8.09 - Oversized Vehicle Parking Regulations on Tidelands and Section 8.11 - Vehicle Parking Regulated, by the San Diego Unified Port District (Applicant) in the cities of San Diego, National City, Imperial Beach, Chula Vista and Coronado, California. This amendment would broaden Section 8.09 of Port Code beyond its current Shelter Island specific regulations to include parking areas on tidelands in all five member cities. It would also modify, update, and clarify the definition of an Oversized Vehicle and specify what areas around the San Diego Bay have Oversized Vehicle restricted parking. The intent of this amendment would be to accomplish the following:

1. Improve access to parking areas that are impacted by Oversized Vehicles
2. Improve and maintain health, safety, and environmental conditions
3. Open views to the bay that are impacted by Oversized Vehicles
4. Protect the landscaping of District parks
5. Increase the number of passenger vehicle spaces
6. Support tidelands tenants through improved turnover and access to parking

Regulations specific to this amendment will include:

- Reducing the number of current Oversized Vehicle Parking spaces on Shelter Island by removing 17 spaces within Shoreline Park and converting them to standard parking spaces (leaving 10 Oversized Vehicle parking spaces on Shelter Island Drive)
- Increasing the time restrictions on some streets on tidelands to regulate overnight parking
- Regulating parking on tidelands streets and parks
- Clarifying where and when vehicles with boat trailers can park at the three (3) boat launch areas on tidelands
- Clarifying what objects are not to fill or obstruct spaces designated for parking or adjacent driveways and sidewalks

To specify these new regulations, signage, parking space striping and markings would be installed as necessary.

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 Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities and SG §15311, Class 11/Section 3.i: Accessory Structures

- 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.

- (8) Existing highways, streets, sidewalks, bicycle and pedestrian trails, and similar facilities, except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or an historic building.

AND/OR

- 3.i. Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities, including:

- (3) On-premise signs.

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 negligible expansion of use beyond that previously existing and would involve the installation of minor accessory structures. 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 Districts: 1 - Shelter Island/La Playa (Precise Plan Figure 4); 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9); 3 - Centre City Embarcadero (Precise Plan Figure 11); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13); 5 - National City Bayfront (Precise Plan Figure 15); 6 - Coronado Bayfront (Precise Plan Figure 17); 7 - Chula Vista Bayfront (Precise Plan Figure 19); 8 - Silver Strand South (Precise Plan Figure 21); 9 - South Bay Saltlands (Precise Plan Figure 23) and Imperial Beach Oceanfront (Precise Plan Figure 25)

Land Use Designations: Park/Plaza and Streets

The proposed project conforms to the certified Port Master Plan because it would involve amending the San Diego Unified Port District Code Article 8 consistent with the existing certified land use designations. 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 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

- (3) Streets, sidewalks, gutters, bicycle and pedestrian paths, and similar facilities.

The proposed project is determined to be Categorical 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 involve negligible 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)(4) of the Port Act, which allows for the 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.

JOE STUYVESANT  
President/CEO

Determination by:  
Abigail Haynam  
Assistant Planner  
Development Services

Signature: Abigail Haynam  
Date: Apr 12, 2023

Assistant/Deputy General Counsel

Signature: Rebecca Harrington  
Date: Apr 12, 2023