



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

Project: Operating Agreement with ABM Parking Services at B Street Pier Public Parking Lot
Location: 1140 N Harbor Drive, San Diego, CA 92101
Parcel No.: 018-148
Project No.: 2025-062
Applicant: Liza Anderson, Asset Manager, Guest Experiences, San Diego Unified Port District,
 3165 Pacific Highway, San Diego, CA 92101; (619) 686-6433
Date Approved: 6/4/2025

PROJECT DESCRIPTION

The proposed project would consist of an Operating Agreement (Agreement) with ABM Industry Groups, LLC dba ABM Parking Services (Operator) for the continued operation of public parking spaces located at the B Street Pier (Pier) in San Diego, CA. The Agreement would be for the continued use of approximately 87,700 square feet of existing parking area located within the Pier referred to as the Interior Parking Lot and approximately 18,700 square feet of existing parking area located in the frontage area at the eastern end of the Pier outside of the security fence referred to as the Exterior Parking Lot, for the purpose of an automobile parking lot to serve the general public. Operator may also be allowed use of optional areas located at the west end of B Street Pier, and other available locations for additional daily parking provided such use does not interfere with scheduled District events, cruise and terminal operations. The Agreement identifies the parking fees, charges, and rates to be charged shall be those fees currently in effect at the Pier Public Parking Lot, which are in conformance with the parking rate schedule that was adopted by the District on May 9, 2023 (Ordinance No. 3090). The Agreement would not directly increase the number of vehicles or capacity at the existing parking lot.

The proposed Agreement would include Operator's replacement of two existing (2) solar-powered pay stations in the Exterior Parking Lot and installation of one (1) new solar-powered pay station in the Interior Parking Lot. The new pay station would be approximately 6 ft tall and 1.5 ft wide mounted on a 2 ft by 2 ft concrete pad, with accompanying associated contractual signage measuring approximately 10 ft tall and 2 ft wide. Operator would install an illuminated parking entrance sign with an LED digital display measuring approximately 2 ft tall by 4 ft wide to replace an existing entrance sign to the Pier Parking Lot. The illuminated display would consist of information regarding parking and cruise ship operations and shall not be used for any other purpose, including but not limited to advertising. Additionally, the illuminated display would be street facing at eastern end of the pier and would not exceed 2700 Kelvins. Additionally, appropriate parking signage would be installed throughout the parking area to replace existing signage subject to review and approval by the District.

The Operating Agreement shall be used only and exclusively for the continued operation of an attended automobile parking lot and for no other purpose whatsoever. Operator shall make no changes or alterations in the Interior and/or Exterior Parking Lot, nor make, erect, or install any buildings, structures, signs, machines, or other improvements therein without the prior express written consent of the District. The Executive Director of District or their duly authorized representative have authority to determine adequate hours and days of operations necessary for the operation to best serve the needs of the District.

It is anticipated that the Agreement would have a total term of five (5) years. The Agreements may be terminated by the District giving ninety (90) days' notice in writing to the Operator.

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: Class 1 - Existing Facilities (CEQA Guidelines § 15301; District Guidelines §

3.a.) and Class 2 - Replacement or Reconstruction (CEQA Guidelines § 15302; District Guidelines § 3.b.) and CEQA Guidelines Section 15311 (Class 11)/District Guidelines for Compliance with CEQA Section 3.i: Accessory Structures

Class 1 - Existing Facilities (CEQA Guidelines § 15301; District Guidelines § 3.a.): 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.

AND/OR

Class 2 – Replacement or Reconstruction (CEQA Guidelines § 15302; District Guidelines § 3.b.): Includes replacement or reconstruction if 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. This exemption includes, but is not limited to:

- (2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

AND/OR

Class 11 – Accessory Structures (CEQA Guidelines § 15311; District Guidelines § 3.i.): 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 Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above because the project would consist of an Operating Agreement for an existing parking area 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 project would also consist of the replacement of an existing structure, be located on the same site as the structure replaced and have substantially the same purpose and capacity and result in no permanent effects on the environment. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines § 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: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designations: Marine Terminal and Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve an Operating Agreement for an existing parking area 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 Exclusions: Section 8.a: Existing Facilities; Section 8.b: Replacement or Reconstruction and Section 8.c: New Construction or Conversion of Small Structures

Existing Facilities (District Coastal Development Permit Guidelines § 8.a.): 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, including but not limited to:

AND/OR

Replacement or Reconstruction (District Coastal Development Permit Guidelines § 8.b.): 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, including but not limited to:

AND/OR

New Construction or Conversion of Small Structures (District Coastal Development Permit Guidelines § 8.c.): Construction and location of limited numbers of new, small facilities or structures and installation of small, new equipment and facilities, involving negligible or no change of existing use of the property, including but not limited to:

- (3) Accessory structures, including, but not limited to, on-premise signs, small parking lots, fences, walkways, swimming pools, miscellaneous work buildings, temporary trailers, small accessory piers, minor mooring facilities, buoys, floats, pilings, or similar structures; and seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above because the project would consist of an Operating Agreement for an existing parking area that would involve negligible or no expansion of use beyond that previously existing, be located essentially on the same site as the structure replaced, have substantially the same purpose and capacity as the structure replaced, and involve no change of existing use of the property.

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.

SCOTT CHADWICK
President/CEO

Determination by:
Betsy Viramontes
Assistant Planner
Development Services

Signature: Betsy Viramontes
Date: 6/4/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 6/4/2025