

San Diego Unified Port District

CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: Maintenance of the Exterior of Existing Buildings at Driscoll's Wharf
Location(s): 4918 N. Harbor Drive, San Diego, CA 92106
4922 N. Harbor Drive, San Diego, CA 92106
Parcel No.(s): 003-060
Project No.: 2018-045
Applicant: Max Maher, Driscoll Marina Ltd. dba Driscoll's Wharf, 4918-4922 N. Harbor Drive, San Diego, CA 92106
Date Approved: March 7, 2018

Project Description:

The proposed project involves exterior maintenance of existing buildings in the city of San Diego, California. The proposed project would involve maintenance of portions of the existing buildings' exterior to improve their usability, longevity, and appearance. No increase in the buildings' size or change in use would result from implementation of the proposed project. Work to specifically complete the proposed project would include the following:

- Removal of all existing exterior wall sidings and trims;
- Replacement of siding and trim with LP SmartSide impact resistant engineered wood, consistent with the existing material; and
- Exterior painting of all exterior sidings, railings, guardrails, doors and frames, fascias, downspouts and gutters, exposed conduits, metal flashings, and other exterior components. The existing exterior colors of the buildings are white, light gray and red brown at the mansards. The proposed color scheme is adding 4 new colors to match the existing combination of 6 colors of another building within the leasehold. The six proposed colors are Center Stage (light yellow green), Dover White, Red Bay (reddish brown), Commodore (dark blue), Peppercorn (dark gray) and Brittlebrush (yellow orange).

It is anticipated that construction of the proposed project would begin early 2018 and would have a total construction period of approximately four weeks. Due to its nature and limited scope, construction of the proposed project would generate approximately two vehicle trips per day associated with deliveries, transport of works, and hauling of construction demolition debris. Furthermore, the proposed project would require limited use of construction equipment. Therefore, no impacts are anticipated. Furthermore, the applicant is responsible for complying with all applicable federal, state, and local laws regulating construction demolition debris, hazards and hazardous materials, noise, and stormwater.

The following categorical determinations are based on the applicant's project submittal and all project information known to the District as of the date of this determination.

CEQA DETERMINATION

Based upon the above description, the proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 3.a. of the District's *Guidelines for Compliance with CEQA* because it is the maintenance of the exterior of existing buildings that would involve no expansion of use beyond that previously existing and would not have any permanent effects on the environment. Section 3.a. of the District's CEQA Guidelines is as follows:

- 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 Categorical Exemption listed above is appropriate for the proposed project because it is the maintenance of the exterior of existing buildings that would not involve an expansion of use beyond that previously existing and would not have any 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 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.

The proposed project complies with Section 87 of the Port Act, which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN

The proposed project is located in Planning District 1, Shelter Island/La Playa, which is delineated on Precise Plan Map Figure 4 of the certified Port Master Plan. The Port Master Plan land use designations within the limits of the proposed project are Commercial Fishing and Promenade. The proposed project conforms to the certified Port Master Plan because it proposes the maintenance of the exterior of existing buildings 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 use of the site.

CATEGORICAL DETERMINATION

The above project proposes the maintenance of the exterior of existing buildings that would involve no expansion of use beyond that previously existing. This proposed project is consistent with the existing certified land use designations and is Categorically Excluded under Section 8.a. of the District's *Coastal Development Permit Regulations* as follows:


- 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.

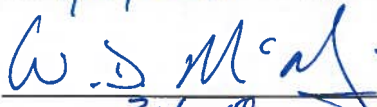
Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Assistant Planner
Development Services

Deputy General Counsel

Signature: 
Date: 3/7/2018

Signature: 
Date: 3-6-18