



THE CITY OF SAN DIEGO

DATE OF NOTICE: June 24, 2024

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 11004543

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**PROJECT NAME / NUMBER:** 3043 Nichols Street CDP/ PRJ-1058754

**COMMUNITY PLAN AREA:** Peninsula Community Plan

**COUNCIL DISTRICT:** 2

**LOCATION:** 3043 Nichols Street, San Diego, California 92106

**PROJECT DESCRIPTION** The project proposes a Coastal Development Permit (CDP) to demolish an existing 1,283 square-foot (sf) single-story family residence and 538 sf detached single-story garage, shed and playhouse and the construction of a new two-story, 4,724 sf single family dwelling unit with attached garage, decks and a detached 520 sf accessory dwelling unit, on a 0.34-acre site. The site is in the RS-1-4 (Residential Single Unit) Zone within the Peninsula Community Plan area, Coastal Overlay Zone (Non Appealable), Coastal Height Limitation Overlay Zone, Transit Priority Area, Parking Impact Overlay Zone (Coastal Impact), Airport Land Use Compatibility Overlay Zone, Airport Influence Area (San Diego International Airport (SDIA) and NAS North Island, Review Area 2), and the Federal Aviation Administration (FAA) Part 77 Notification area (SDIA). **LEGAL DESCRIPTION:** APN 532-451-01. The community plan designates the site as single-family development, 4 dwelling units per acre.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Development Services Department

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301(l)(1) and (4) (Existing Facilities) and 15303(a) (New Construction or Conversion of Small Structures).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego conducted an environmental review that determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301(l) Demolition and removal of individual small structures listed in the subdivision: (1) one single family residence. In urbanized areas, up to three single family residences may be

demolished under this exemption and (4) accessory (appurtenant) structures including garages. This project meets this criterion of this exemption since it proposes demolition of a single-family residence, garage, shed and a playhouse. Since the project also proposes the construction of a single-family dwelling unit and an ADU in a residential zone, it also meets the criteria set forth in CEQA Section 15303 which consists of construction and location of limited numbers of new, small facilities or structures. This exemption includes but is not limited to one single family residence, or a second dwelling unit in a residential zone. In addition, the exceptions listed in CEQA Section 15300.2 would not apply. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

**DEVELOPMENT PROJECT MANAGER:** Ollie Shepherd  
**MAILING ADDRESS:** 1222 First Avenue, MS 501, San Diego, CA 92101-4153  
**PHONE NUMBER / EMAIL:** (619) 446-5412 / [OShepherd@sandiego.gov](mailto:OShepherd@sandiego.gov)

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On June 24, 2024, the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00 pm within ten (10) business days from the date of the posting of this Notice (July 9, 2024). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

This information will be made available in alternative formats upon request.