



THE CITY OF SAN DIEGO

DATE OF NOTICE: March 20, 2025

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

IO No. 11004500

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**PROJECT NAME / NUMBER:** 5096 Voltaire / PRJ-1070265  
**COMMUNITY PLAN AREA:** Ocean Beach Community Plan  
**COUNCIL DISTRICT:** 2  
**LOCATION:** 5096 Voltaire Street, San Diego, CA 92107

**PROJECT DESCRIPTION:** Neighborhood Use Permit (NUP) for a 106 square feet (SF) addition at the rear of an existing commercial building with a previously conforming use. The project would address code violation, CE-0514346 to allow the construction of the accessible bathroom and unpermitted plumbing and electrical improvements. The 0.23-acre project site is located at 5096 Voltaire Street, zoned RM-2-4 (Residential Multiple-Unit) and designated as Medium Density Residential (15-29 dwelling units per acre) in the Ocean Beach Community Plan. The site is also located within the Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Non-Appealable-2), Ocean Beach Cottage Emerging District, Parking Impact Overlay Zone (Beach and Coastal Impact), Residential Tandem, Transit Priority Area, 60-65 dB CNEL Airport Noise Contour, Airport Land Use Compatibility Overlay Zone (San Diego International Airport ((SDIA) and Naval Air Station (NAS) North Island), Airport Influence Area (SDIA Review Area 1 & NAS Review Area 2), Airport Approach Overlay Zone, and the Federal Aviation Administration Part 77 Noticing Area. **LEGAL DESCRIPTION:** Map 119, Lot 98 Block 14, APN 448-133-31-00.

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

**ENVIRONMENTAL DETERMINATION:** CEQA Exemption 15061 (b) (3) (Review for Exemption)

**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 for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15061 (b) (3). A project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant

effect on the environment. A project is also exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Since the project is an addition to an existing commercial site with previously conforming uses and would be within an existing structure on a developed site the project would not have a significant effect on the environment this exemption is deemed appropriate for this project. **The site is included on list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

**DEVELOPMENT PROJECT MANAGER:** Robin MacCartee  
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**PHONE NUMBER / EMAIL:** (619) 687-5942 / RMacCartee@sandiego.gov

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On March 20, 2025, 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 5:00pm within ten (10) business days from the date of the posting of this Notice (April 4, 2025). 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.

**POSTED ON THE CITY'S CEQA WEBSITE**  
**POSTED:** 3-20-2025  
**REMOVED:** \_\_\_\_\_  
**POSTED BY:** Myra Lee