



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER: 37-08/01/2022-0529
STATE CLEARING HOUSE NUMBER (if applicable) 2022030324

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO PLANNING DEPARTMENT	LEAD AGENCY EMAIL	DATE 08/01/2022
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 2022-NOD-0090	

PROJECT TITLE
REMOVAL OF THE MIDWAY-PACIFIC HIGHWAY COMMUNITY PLANNING AREA FROM THE COASTAL HEIGHT LIMIT

PROJECT APPLICANT NAME CITY OF SAN DIEGO OF COUNCIL DISTRICT 6, CITY ADMINISTRATION BUILDING	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-236-6616
PROJECT APPLICANT ADDRESS 202 C STREET 10TH FLOOR	CITY SAN DIEGO	STATE CA
		ZIP CODE 92101

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,548.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	0.00


- Exempt from fee
- Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD

Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, JESSADITH EDORA, Deputy
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Payment Reference #: 000190039/ NO EFFECT DETERMINATION



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED
Aug 01, 2022 04:21 PM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2022-000600
State Receipt # 37080120220529
Document # 2022-NOD-90

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

REMOVAL OF THE MIDWAY-PACIFIC HIGHWAY COMMUNITY PLANNING AREA
FROM THE COASTAL HEIGHT LIMIT

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** August 1, 2022
Posted August 1, 2022 **Removed** _____
Returned to agency on _____
DEPUTY _____

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

NOTICE OF DETERMINATION

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Planning Department
9485 Aero Drive, MS 413
San Diego, CA 92123

 X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

PROJECT NUMBER: N/A

STATE CLEARINGHOUSE NUMBER: 2022030324

PROJECT TITLE: Removal of the Midway-Pacific Highway Community Planning Area from the Coastal Height Limit

PROJECT LOCATION: The Midway-Pacific Highway Community Planning Area encompasses approximately 1,324 acres of relatively flat area and is located in west-central San Diego, to the north of the San Diego International Airport, south of Mission Bay Park, between the north end of the Peninsula Community Planning Area to the west, and the Old Town San Diego Community Planning Area to the east. The Midway-Pacific Highway Community Planning Area is comprised of three areas: the Midway area, which consists mainly of an urbanized commercial core; the narrow Pacific Highway corridor, which runs along Interstate 5 from the southern end of the Midway area south to Laurel Street; and the Marine Corps Recruit Depot. A portion of the Pacific Highway Corridor is within the Coastal Zone and subject to the California Coastal Act as implemented by the Midway-Pacific Highway Local Coastal Program and zoning regulations. The Midway-Pacific Highway Community Planning Area is located in Council District 2 in the City of San Diego. See Figure 1, Project Location.

DESCRIPTION OF ACTION: City Council approval and adoption of a ballot measure that would amend the San Diego Municipal Code (Municipal Code) to remove the Midway-Pacific Highway Community Planning Area from the existing 30-foot height limit on buildings constructed in the Coastal Height Limit Overlay Zone (project). The project does not approve any specific development, and any proposed future development must comply with all governing laws. Building height would still be regulated by other zoning laws in the Municipal Code. Implementation requires City Council certification of the Supplemental Environmental Impact Report prepared for the project.

Voters in the City of San Diego (City) approved a citizens' initiative measure in 1972 that limited the height of buildings in the City to 30 feet in the Coastal Zone. Voters adopted the original language and are thus asked in this measure to consider an amendment to the law to remove the Midway-Pacific Highway Community Planning Area from the height limitation.

As defined in the 1972 ballot measure, and now as part of the Municipal Code, the geographic boundaries of the Coastal Zone include the City's land and water area from the northern City limits, south to the border of Mexico, extending seaward to the outer limit of the City's jurisdiction and inland to Interstate 5.

The Midway-Pacific Highway Community Planning Area contains approximately 1,324 acres of land. The approximate boundaries of the Midway-Pacific Highway Community Planning Area are Interstate 8 on the north, the San Diego International Airport on the south, Interstate 5 on the east,

and Lytton Drive on the west. The Midway-Pacific Highway Community Planning Area includes the land surrounding Midway Drive and Sports Arena Boulevard, including the Pechanga Arena San Diego.

If approved by a majority vote of those qualified voters who vote on the ballot measure, the ballot measure would amend the law in the Municipal Code to change the height limit in the area defined as the Midway-Pacific Highway Community Planning Area. The amendments would take effect after the results of the election are certified in a resolution of the City Council.

PROJECT APPLICANT: City of San Diego Office of Council District 6, City Administration Building, 202 C Street, 10th Floor, San Diego, California 92101. Contact: Anthony George, Council Representative. E-mail: GeorgeAP@sandiego.gov. Phone: (619) 236-6616.

This is to advise that the City of San Diego City Council on July 25, 2022 approved the above described project and made the following determinations: R-314246

1. The project in its approved form X will ___ will not have a significant effect on the environment.
2. A Supplemental Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project and a Mitigation, Monitoring and Reporting Program was adopted for the project.
4. Findings were made pursuant to CEQA Guidelines Section 15091.
5. A Statement of Overriding Considerations was adopted for this project.
6. A record of project approval may be examined at the address below.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Planning Department, 9485 Aero Drive, MS 413, San Diego, CA 92123.

Analyst: Elena Pascual, Senior Planner
City of San Diego Planning Department
9485 Aero Drive, MS 413
San Diego, CA 92123

Telephone: (619) 533-5928

Filed by:

Connie Patterson
Signature

legislative Recorder II
Title

Reference: California Public Resources Code, Sections 21108 and 21152.



Harris & Associates



Figure 1

Project Location

Removal of the Midway-Pacific Highway Community Planning Area from the Coastal Height Limit

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State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

Elena Pascual
 9485 Aero Drive, MS 413
 San Diego, CA 92123
epascual@sandiego.gov

CEQA Lead Agency: City of San Diego

Project Title: Removal of the Midway-Pacific Highway CPA from the Coastal Height Limit

CEQA Document Type: Environmental Impact Report

State Clearinghouse Number/local agency ID number: N/A

Project Location: The Midway-Pacific Highway Community Planning Area is an urbanized community that encompasses approximately 1,324 acres of relatively flat area and is located in the west-central portion of the City of San Diego within San Diego County. The Midway-Pacific Highway Community Planning Area is located to the north of the San Diego International Airport, south of Mission Bay Park, between the north end of the Peninsula Community Planning Area to the west, and the Old Town San Diego Community Planning Area to the east. The Midway-Pacific Highway Community Planning Area is comprised of three sub-areas: the Midway area, which consists mainly of an urbanized commercial core; the narrow Pacific Highway corridor, which runs along Interstate 5 from the southern end of the Midway area south to Laurel Street; and the Marine Corps Recruit Depot. Cross streets in the Midway-Pacific Highway Community Planning area include Midway Drive, Sports Arena Boulevard, Rosecrans Street, Pacific Highway, Barnett Avenue, Laurel Street, and Lytton Street. The project area is within two miles of Interstates 5 and 8. See Figures 2-1 and 2-2 in the Draft SEIR.

Brief Project Description: The project is a proposed ballot measure that would amend the San Diego Municipal Code (SDMC) to remove the Midway-Pacific Highway Community Planning Area (CPA) from the existing 30-foot height limit on buildings constructed in the Coastal Height Limit Overlay Zone. The majority of the Midway-Pacific Highway CPA is mapped as Urban/Developed Land and does not support any sensitive vegetation communities, wetland habitats, wildlife corridors, or Multi-Habitat Planning Area (MHPA) lands (see Section 2.1.3, Biological Resources, in Appendix B: Initial Study). As stated in Section 2.1.3, Biological Resources, of the Initial Study, there is no potential for sensitive terrestrial wildlife or sensitive plant species to occur in the proposed development areas. The project would be limited to the Midway-Pacific Highway CPA footprint, and would not approve any specific development. Future development would be required to comply with all governing laws, and building height would still be regulated by other zoning laws in the SDMC. Furthermore, future projects adjacent to the MHPA would be subject to the City's MHPA Land Use Adjacency Guidelines and would be required to incorporate features into the project and/or permit conditions that demonstrate compliance with the MHPA Land Use Adjacency Guidelines to minimize indirect effects.

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Elena Pascual
City of San Diego
July 11, 2022
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Section 7.2, Effects Found Not to Be Significant or Adequately Examined in the 2018 PEIR, of the Draft Supplemental Environmental Impact Report found that implementation of the project would not result in any significant impacts to biological resources. Therefore:

The project would not result in or have the potential to result in harm, harassment, or take of any fish and/or wildlife species;

The project would not result in or have the potential to result in direct or indirect destruction, ground disturbance, or other modification of any habitat that may support fish and/or wildlife species;

The project would not result in or have the potential to result in the removal of vegetation with potential to support wildlife;

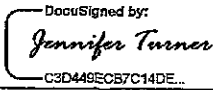
The project would not result in or have the potential to result in noise, vibration, dust, light, pollution, or an alteration in water quality that may affect fish and/or wildlife directly or from a distance; and

The project would not result in or have the potential to result in any interference with the movement of any fish and/or wildlife species.

Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved by: _____ Date: 7/11/2022

Signature
Jennifer Turner, Senior Environmental Scientist
(Supervisory)
Name, Title

FOR COUNTY CLERK USE ONLY

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Elena Pascual
City of San Diego
July 11, 2022
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Stamp or initial inside the box
to indicate acceptance of this
signed No Effect Determination
in lieu of a CEQA Document
Filing Fee.

County Clerk Stamp or Initial

San Diego County



Transaction #: 6606838
 Receipt #: 2022347282

Ernest J. Dronenburg, Jr.
 Assessor/Recorder/County Clerk
 1600 Pacific Highway Suite 260
 P. O. Box 121750, San Diego, CA 92112-1750
 Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 08/01/2022
 Cashier Location: SD

Print Date: 08/01/2022 4:21 pm

Payment Summary

Total Fees	\$50.00
Total Payments	\$50.00
Balance:	\$0.00

Payment

CHECK PAYMENT #0001900939 \$50.00

Total Payments \$50.00

Filing

CEQA - NOD FILE #: 2022-000600 Date: 08/01/2022 4:21PM Pages: 7
State Receipt # 37-08/01/2022-0529
 Fees: Fish & Wildlife County Administrative Fee \$50.00
 Total Fees Due: \$50.00

Grand Total - All Documents: \$50.00

REMOVE DOCUMENT ALONG THIS PERFORATION

REFERENCE NO. / PAYMENT INFO / CITY DOC NO.	AMOUNT	DISCOUNT	FED WITHHOLDING	AMOUNT PAID
N0DBBSDI07062022 / 1900307374	50.00	0.00	0.00	50.00
			Total Amount Paid:	50.00

If you have any questions regarding this payment, contact your City Department liaison. For Workers' Compensation inquiries, contact Risk Management at (619) 236-6395. For all other general Accounts Payable inquiries, contact the Department of Finance at (619) 236-6310 or DOF_AP_Helpdesk@san Diego.gov and reference the check number.

VENDOR NO.
90007561

THE CITY OF SAN DIEGO

DATE 07/22/2022 WARRANT-CHECK NO. 0001900939