



City of San Diego
Development Services
 1222 First Ave. 3rd Floor
 San Diego, CA 92101
 (619) 446-5210

THE CITY OF SAN DIEGO

Development Permit/ Environmental Determination Appeal Application

**FORM
 DS-3031**
 MARCH 2007

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- | | |
|--|--|
| <input type="checkbox"/> Process Two Decision - Appeal to Planning Commission | <input type="checkbox"/> Environmental Determination - Appeal to City Council |
| <input checked="" type="checkbox"/> Process Three Decision - Appeal to Planning Commission | <input type="checkbox"/> Appeal of a Hearing Officer Decision to revoke a permit |
| <input type="checkbox"/> Process Four Decision - Appeal to City Council | |

2. Appellant *Please check one* Applicant Officially recognized Planning Committee "Interested Person" ([Per M.C. Sec. 113.0103](#))

Name
 La Jolla Community Planning Association

Address	City	State	Zip Code	Telephone
P. O. Box 889	La Jolla	CA	92037	858.488.0160 (direct)

3. Applicant Name *(As shown on the Permit/Approval being appealed). Complete if different from appellant.*

City of San Diego, Department of Park & Recreation

4. Project Information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
ChildrensPoolRope/PN213317/CDP-SDP-CEQA Exemp.	September 15, 2010	Morris Dye

Decision (describe the permit/approval decision):

Hearing Officer approved the Amendment to CDP and SDP, took no action on the appeal of the CEQA Exemption

5. Grounds for Appeal *(Please check all that apply)*

- | | |
|--|--|
| <input checked="" type="checkbox"/> Factual Error (Process Three and Four decisions only) | <input type="checkbox"/> New Information (Process Three and Four decisions only) |
| <input type="checkbox"/> Conflict with other matters (Process Three and Four decisions only) | <input type="checkbox"/> City-wide Significance (Process Four decisions only) |
| <input checked="" type="checkbox"/> Findings Not Supported (Process Three and Four decisions only) | |

Description of Grounds for Appeal *(Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)*

1. The community planning group voted 10-1-2 to recommend denial of the amendment & 11-0-2 to oppose the CEQA Exemption.
2. Amendment is in conflict with several sections of the Local Coastal Plan dealing with lateral and vertical access to the shoreline.
3. Can not make finding: "The proposed coastal development is in conformity with the certified Local Coastal Program land use plan."
4. Hearing Officer repeated several times that it will be a "...hinderance to people using the beach..."
5. Can not making finding: "The proposed...will not encroach upon any exist physical accessway that is legally used by the public..."
6. Failed to adequately consider the Ranger Program & other options that will meet the stated needs and comply with the LCP.
7. Amendment does not qualify for a CEQA Exemption.
- 7.a. §15304 and §15333 do not apply because those list narrow applications and the project has broader implications.
- 7.b. The project is conflict with the Local Coastal Plan and affects public access to coastal resources.
8. CEQA appeal period not valid since there was no way for the public to know that a Notice had been filed.
9. Other issues that may be raised at hearing.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Joseph LaCava, President, La Jolla CPA Date: 24 September 2010

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.