



Date of Notice: February 7, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

SPECIAL EVENTS DEPARTMENT

PROJECT NAME: Special Event Permit - Balboa Theatre 100th Anniversary

COMMUNITY PLAN AREA: Downtown

COUNCIL DISTRICT: 3

LOCATION: 4th Avenue between E Street and F Street

PROJECT DESCRIPTION: Special Event Permit for VIP ceremony that would include alcohol, sound amplification, a generator, fencing and/or barriers, a canopies/tent, trash and recycling containers, tables, and chairs that would occur along 4th Avenue between E Street and F Street on March 28, 2024. Noise associated with the event activities and set-up/dismantling would occur between 8 AM on until 9 PM on March 28, 2024. Set-up would occur on from 8 AM until 4:30 PM. The event would occur from 4:30 PM until 7 PM. The dismantling would occur from 7 PM until 9 PM. The alcohol would be served at 4:30 PM until 6:30 PM on the day of the event.

There would be road and street parking closures associated with this event from 8 AM until 9 PM on March 28, 2024, and would include 4th Avenue between E Street and F Street. Street parking would be affected on West side of 4th from The Balboa Theatre to the Horton Plaza Tunnel and on the East side from E Street to F Street.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities); Section 15304 (Minor Alterations to Land); Section 15311 (Accessory Structures).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Mayor-Appointed Designee

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 pursuant to State CEQA Guidelines Section(s): Section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing or minor alterations of existing public or private structures or facilities involving negligible or no expansion of use; Section 15304 (Minor Alterations to Land) which allows for minor, temporary use of land that has negligible or no permanent effects on the environment; Section 15311 (Accessory Structures) which allows for construction, or placement of minor structures accessory to existing

commercial, industrial, or institutional facilities, including, but not limited to, temporary use items in publicly owned facilities or other facilities designated for public use; and where the exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; no historical resources would be affected by the action; and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

CITY CONTACT:

McKinna Dartez Chrismer

MAILING ADDRESS:

1200 Third Avenue, Suite 1326, MS 56A
San Diego, CA 92101

EMAIL ADDRESS:

mdartez@san Diego.gov

On February 7, 2024, the City of San Diego 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 Contact listed above.

Applications to appeal CEQA determination to the City Council must be filed with the Office of the Clerk within 5 business days from the date of the posting of this Notice (**February 14, 2024**). Appeals to the City Clerk must be filed via 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/developmentservices/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@san Diego.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.
2. Appeals filed In-Person: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at:
<https://www.sandiego.gov/sites/default/files/legacy/developmentservices/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.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, 1st Floor Lobby, San Diego, CA 92101. This information will be made available in alternative formats upon request.

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: February 7, 2024

REMOVED: _____

POSTED: McKinna Dartez Chrismer