



Date of Notice: May 12, 2025

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Special Use Permit (SUP) for Fern Street Community Arts, Inc.

COMMUNITY PLAN AREA: City Heights

COUNCIL DISTRICT: 9

LOCATION: 4105 Polk Ave, San Diego, CA 92105

PROJECT DESCRIPTION: Special Use Permit (SUP) between the City of San Diego (City) and Fern Street Community Arts, Inc., a nonprofit 501(c)(3) corporation (Permittee), for the non-exclusive use of the City-owned property located at 4105 Polk Avenue, San Diego, CA 92105 (Premises, Figure 1). The Permittee will utilize the Premises to provide performing circus arts training, performances, showcases, educational workshops, and performing arts equipment storage. Temporary specialty apparatuses will be installed including tightwires and aerial rigging. The Permittee must, at Permittee's sole cost and expense and to the City's satisfaction, maintain the Premises in good order and repair and in a safe, healthy, and sanitary condition at all times during the term of the SUP. As-needed stormwater construction Best Management Practices (BMPs) to prevent non-stormwater discharges from entering the City's stormwater conveyance system will be implemented pursuant to San Diego Municipal Code (SDMC) Section 43.0307.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15304(e) (Minor Alterations to Land).

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 15301 (Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; Section 15303 (New Construction or Conversion of Small Structures) which exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and Section 15304(e) (Minor Alterations to Land), which exempts minor public or private alterations in the condition of land, water, and/or

vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes, including minor temporary use of land having negligible or no permanent effects on the environment. 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: Raul Contreras, Area Manager II, Parks and Recreation Department

MAILING ADDRESS: 4380 Landis Street, M.S. 804C, San Diego, CA 92105

PHONE NUMBER/E-MAIL: (619) 641-6104 / RContreras@sandiego.gov

On May 12, 2025, the City of San Diego made the above-referenced environmental determination pursuant to 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 the CEQA determination to the City Council must be filed with the Office of the City Clerk within five (5) business days from the date of the posting of this Notice (**May 19, 2025**). Appeals to the City Clerk must be filed via e-mail or in-person as follows:

1. Appeals filed via Email: 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.pdf>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00 p.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/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 8:00 a.m. to 5:00 p.m. Monday through Friday excluding City approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00 p.m. 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, Second Floor, San Diego, CA 92101.

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

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 5/12/2025

REMOVED: _____

POSTED: E. Ramírez Manríquez

EXHIBIT B:
Lay Out of Proposed Circus Community Center at 4105 Polk Avenue



Figure 1