



THE CITY OF SAN DIEGO

DATE OF NOTICE: July 7, 2025

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

I.O. No. 11004500

PROJECT NAME / NUMBER: 4572 Niagara Avenue / PRJ-1108766

COMMUNITY PLAN AREA: Peninsula

COUNCIL DISTRICT: 2

LOCATION: 4572 Niagara Avenue, San Diego, CA 92107

PROJECT DESCRIPTION: A request for a COASTAL DEVELOPMENT PERMIT and a TENTATIVE MAP WAIVER to convert two existing dwelling units to two residential condominium units. The 0.179-acre project site located at 4572 Niagara Avenue is zoned Residential-Multiple Unit (RM-1-1) and designated Multi-Family Residential in the Peninsula Community Plan. The site is within the Airport Land Use Compatibility Overlay Zone, Coastal Overlay Zone, Coastal Height Limit Overlay Zone, and Transit Priority Area. (LEGAL DESCRIPTION: The east half of Lot 6 all of Lots 7 and 8 in Block Five of Ocean Beach, according to Map thereof No. 279, filed in the Office of the County Recorder of San Diego County, May 28, 1887; excepting from said Lot 8 the southeast 6.25 feet thereof. Assessor's Parcel Number: 448-652-03).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) (Common Sense Exemption), 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15332 (In-fill Development Projects).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project qualifies to be categorically exempt from CEQA pursuant to Section 15061(b)(3) (Common Sense Exemption), 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15332 (In-fill Development Projects). The project would qualify for an exemption pursuant to CEQA Guidelines Section 15061(b)(3) because the project is only proposing a mapping action where no physical changes to the dwelling units or project site are

proposed. Therefore, the project would not be subject to CEQA since it would not have the potential to cause a significant effect on the environment. The project would also qualify for an exemption pursuant to CEQA Guidelines Section 15301 since the physical structures are existing and the project would not result in an expansion of existing or former use. The project would qualify for the CEQA Guidelines Section 15303 exemption, considering the project consists of converting fewer than six multi-family units in an urban area. Lastly, the project meets the criteria set forth in CEQA Guidelines Section 15332, as the project (a) would be consistent with the Residential general plan designation and applicable general plan policies as well as with the RM-1-1 zoning designation and regulations, (b) is within City limits on a site less than five acres (0.179-acre site) substantially surrounded by urban uses, (c) the site has no value as habitat for endangered, rare, or threatened species considering it is an entirely developed, (d) has less than significant effects relating to traffic, noise, air quality, and water quality considering no physical change would occur, and (e) would be served by all required utilities and public services on the site considering it is already serviced. The exceptions listed in CEQA Section 15300.2 would not apply considering the project is not located within a particularly sensitive environment; would not significantly contribute to a cumulative impact; is not adjacent to a scenic highway; is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites; and the project would not cause substantial adverse change in the significance of a historical resource.

DEVELOPMENT PROJECT MANAGER:	Ollie Shepherd
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On July 7, 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 (July 21, 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 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: 07/07/2025

REMOVED:

POSTED BY: *Myra Lee*