



THE CITY OF SAN DIEGO

DATE OF NOTICE: August 18, 2025

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 11004500

PROJECT NAME / NUMBER: 4058 Hamilton / PRJ-1126395

COMMUNITY PLAN AREA: North Park

COUNCIL DISTRICT: 3

LOCATION: 4058-4072 Hamilton Street, San Diego CA 92104

PROJECT DESCRIPTION: Neighborhood Development Permit (NDP) for an encroachment and site improvements (interior and exterior) around the project site. The project would replace the existing security gates at the entrance and build a new 5-foot, 9-inch fence between the property line and the sidewalk. The project would also replace electrical and plumbing systems and replace damaged concrete walkways and stairs at 4058-4072 Hamilton Street. The 0.32-acre site is zoned Residential-Multiple Unit (RM-3-7) and designated as Residential - Medium High in the North Park Community Plan. The project is also located within the following overlays: Sustainable Development Areas, Complete Communities Housing Solutions, Complete Communities Mobility Choices, Airport Land Use Compatibility Overlay Zone, Transit Area Overlay Zone, Parking Standards Transit Priority Area, Transit Priority Area, Affordable Housing Parking Demand, ALUCP Airport Influence Area, and FAA Part 77 Noticing Area, within Council district 3. **LEGAL DESCRIPTION:** LOTS 39, 40, 41, AND 42 IN BLOCK 170 OF UNIVERSITY HEIGHTS.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 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 would qualify to be categorically exempt from CEQA pursuant to 15303, New Construction or Conversion of Small Structures. Section 15303 allows for 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. 15303(e) allows for the construction of accessory structures including fences. The project is proposing to build a new 5-foot, 9-inch fence between the property line and the sidewalk. This would not exceed the maximum allowable limit of structures on the parcel. The project would also qualify to be categorically exempt from CEQA pursuant to Section 15332, In-Fill Development Projects. Section 15332 allows for the construction of in-fill development within an urbanized area. The project site is an in-fill site as defined by CEQA Statute Section 21061.3., "The site has been previously developed for qualified urban uses." The project is consistent with the applicable General Plan designation and policies as well as applicable zoning designation and regulations. Although the proposed fence would exceed the maximum fence height allowed, which is 3 feet (36 inches), an NDP would allow for this deviation per San Diego Municipal Code Section 126.0402. The 0.32-acre project site occurs within City's jurisdictional limits, is surrounded by urban uses (residential and commercial) and is less than five acres. The project site has no value as a habitat for endangered, rare or threatened species. The project would not result in any significant impacts on traffic, noise, air quality, or water quality. Furthermore, the project can be adequately served by all required utilities and public services as it is located within an urban area with services present. The exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment was identified; the project is not adjacent to a scenic highway; lastly, the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER:	Sarah Hatinen
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On August 18, 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 (September 2, 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

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REMOVED:

POSTED BY: *Myra Lee*