



Date of Notice: February 9, 2021

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Special Event Permit – First Thursday Art Night

COMMUNITY PLAN AREA: North Park

COUNCIL DISTRICT: 3

LOCATION: Alley between 4th and 5th Avenues and between University and Robinson Avenues

PROJECT DESCRIPTION: Special Event Permit for a monthly, year-round art market that would include the temporary use of vendors, a beer garden, entertainment, canopies, tables, and chairs that would occur in the alley between 4th and 5th Avenues and between University and Robinson Avenues on Thursdays in 2021. The dates for 2021 would include: April 1, May 6, June 3, July 1, August 5, September 2, October 7, November 4, and December 2, 2021. Noise associated with the event activities and set-up/dismantling would occur from 4 PM until 11 PM on each Thursday. An alley closure associated with the event would include the alley between 4th and 5th Avenues and between University and Robinson Avenues and would occur every Thursday from 4 PM until 11 PM. There would be a DJ for entertainment, and sound amplification would occur from 5:30 PM until 10 PM. For each 2021 Thursday date listed above, set-up would occur from 4 PM until 6 PM, the market would occur from 6 PM until 10 PM, and clean-up/dismantling would occur from 10 PM to 11 PM.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Mayor-Appointed Designee

ENVIRONMENTAL DETERMINATION: CEQA exemptions §Section 15301 (Existing Facilities); §Section 15304(e) (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 and determined the project meets the categorical exemption criteria set forth in the CEQA State Guidelines: §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(e) (Minor Alterations to Land) which allows for minor, temporary use of land that has negligible or no permanent effects on the environment; and §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.

In addition, the exceptions set forth in the CEQA State Guidelines §15300.2 do not apply to this project wherein: a) the project would not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies; b) no cumulative impacts of successive projects of the same type in the same place were identified; c) there is no reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances; d) the project would not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway; e) the project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; and f) the project would not cause a substantial adverse change in the significance of a historical resource.

CITY CONTACT:

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On February 9, 2021, 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 Development Project Manager listed above.

Applications to appeal CEQA determination to the City Council must be filed with the Office of the Clerk within 10 business days from the date of the posting of this Notice (**February 24, 2021**). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2021, appeals to the City Clerk must be filed by email or US Mail as follows:

1. Appeals filed via E-mail: Send the appeal by email to Hearings1@sandiego.gov; your email appeal will be acknowledged within 24 hours. The [appeal application can be obtained here](#). 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 postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed via US Mail: Send the appeal by US Mail to City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. The [appeal application can be obtained here](#). You must separately mail the required 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 postmarked within 5 business days of the date the appeal is filed.

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

POSTED ON THE CITY CLERK'S WEBSITE

POSTED: 02/09/21

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