



**Date of Notice:** March 23, 2021

# **REVISED NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION**

**PLANNING DEPARTMENT**

---

**PROJECT NAME/NUMBER:** Special Event Permit – Patio Alleyway Seating

**COMMUNITY PLAN AREA:** Uptown

**COUNCIL DISTRICT:** 3

**LOCATION:** Alleyway between 4<sup>th</sup> and 5<sup>th</sup> Avenues and between University and Robinson Avenues

**PROJECT DESCRIPTION:** Special Event Permit for a patio alleyway restaurant seating event that would include the temporary use of tables and chairs that would occur in the alleyway between 4<sup>th</sup> and 5<sup>th</sup> Avenues and between University and Robinson Avenues on the following dates: April 1, May 6, June 3, and July 1, 2021. Noise associated with the event activities and set-up/dismantling would occur from 3 PM until 11:55 PM on each Thursday. An alleyway closure would be associated with the event and would include the alleyway between 4<sup>th</sup> and 5<sup>th</sup> Avenues and between University and Robinson Avenues from 3 PM until 11:55 PM for each date listed above. On April 1, May 6, June 3, and July 1, 2021, set-up would occur from 3 PM until 5 PM, the patio dining would occur from 5 PM until 11 PM, and clean-up/dismantling would occur from 11 PM until 11:55 PM.

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

**ENVIRONMENTAL DETERMINATION:** CEQA exemptions §15269(c), Emergency Project, and §15359, Emergency.

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

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** This action is exempt pursuant to CEQA Guidelines sections 15269(c), Emergency Project, and 15359, Emergency. This action is necessary to prevent or mitigate an emergency, and is also necessary to address a sudden and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services related to the COVID-19 pandemic. This permit will allow the City to implement actions needed to prevent or mitigate the adverse effects to public health, safety, and welfare related to the spread of COVID-19 by allowing the use of public spaces for COVID-19 safety and economic recovery. Specifically, the use of these public spaces is immediately necessary to ensure that restaurant and retail uses, which are critical to the City's economy, and therefore, have the ability to provide essential services, and have sufficient physical areas to ensure social distancing to prevent or mitigate the spread of COVID-19. If

additional spaces cannot be made available for these uses, social distancing would be physically constrained, and could therefore, could result in the spread of COVID-19.

**CITY CONTACT:**

Theresa Millette

**MAILING ADDRESS:**

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

**PHONE NUMBER:**

(619) 685-1336

---

On March 23, 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 (**April 7, 2021**). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, 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](mailto: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: 03/23/21**

**Name: T Millette**