



Date of Notice: June 14, 2019

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Park Use Permit – Warner Bros. Activation

COMMUNITY PLAN AREA: Downtown

COUNCIL DISTRICT: 3

LOCATION: MLK Promenade

PROJECT DESCRIPTION: Park Use Permit for an activation event for a video series show-themed activation event associated with Comic Con that would include interactive zones in temporary structures, and the temporary use accessory structures that would occur at MLK Promenade, Omni Grounds West, from 10 AM until 8 PM on July 18-21, 2019. Noise associated with the event activities and set-up/dismantling would occur from 9 AM on July 12, 2019, until 11:59 PM on July 22, 2019. On July 12-17, 2019, set up would occur from 9 AM until 11:59 PM. On July 18-21, 2019 set-up would occur from 8 AM until 10 AM, the event would occur from 10 AM until 8 PM, and clean-up would occur from 8 PM until 9 PM. On July 21, 2019, set-up would occur from 8 AM until 10 AM, the event would occur from 10 AM until 5 PM, and dismantling would occur from 5 PM until 11:59 PM. On July 22, 2019, dismantling would occur from 9 AM until 11:59 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); §Section 15323 (Normal Operations of Facilities for Public Gatherings).

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; §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; §Section 15323 (Normal Operations of Facilities for Public Gatherings)

which allows for the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the project would not represent a change in the operation of the facility.

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.

SPECIAL EVENTS SENIOR PLANNER: Theresa Millette
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On June 14, 2019, 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 made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (**June 28, 2019**). The appeal application can 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 IN THE OFFICE OF DSD

POSTED: 06/13/19

Name: T Millette