



**CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL**

Project: Temporary Advertising Signage on the San Diego Marriott Marquis during Comic-Con Special Edition
Location: 333 W. Harbor Drive, San Diego, CA 92101
Parcel No.: 019-003
Project No.: 2021-137
Applicant: Karlee Hartman, Director of Event Planning, San Diego Marriott Marquis, 333 W. Harbor Drive, San Diego, CA 92101
Date Approved: Nov 5, 2021

PROJECT DESCRIPTION

The proposed project would consist of installation of temporary signage during the San Diego Comic-Con (Comic-Con) Special Edition by San Diego Marriott Marquis (Applicant) in the City of San Diego, California. Comic-Con is a national event centered at the San Diego Convention Center (Convention Center), which also includes activities throughout Tidelands and the City of San Diego, activating the region with a one-of-a-kind event and bringing hundreds of additional visitors to the area. Events and displays are held, without limitation, at the park adjacent to the Hilton San Diego Bayfront and Convention Center, the Gaslamp Quarter, and many of the surrounding hotels. The Applicant has historically erected temporary signage during Comic-Con.

The proposed signage would be displayed solely during Comic-Con Special Edition, for a total period of no more than 10 days, with the option to change sign content up to one time during the one-month display period. No signage would be directed west toward the Bay and no illumination of the signage would occur. It is anticipated that the displays on the signage would include products sold and events held at Comic-Con Special Edition or by the sponsors of the event. In this sense, the signage may be considered onsite signage as it would be advertising goods or services available at Comic-Con Special Edition or by one of its sponsors. The proposed signage would be placed on the south-east wall of the south tower facing the Convention Center, measuring approximately 7,500 square feet (sf) (75-feet (ft)-wide by 150-ft-high).

The following items are prohibited pursuant to the District's standard approval and agreement for signage during Comic-Con Special Edition and are not proposed as part of the project: (a) light shows, (b) electrical improvements to the signage, walls, or premises, and/or (c) illumination, including but not limited to, electronic, digital, or similarly illuminated components, of the signage, premises, or walls.

The signage features, the temporary nature of the signage, the corresponding high-volume activation of the events and the urban nature of the surrounding area (i.e., the Convention Center, Petco Park and downtown San Diego) would ensure that the signage would not create visual or aesthetic impacts.

Installation, display, and removal of the signage shall be limited to no more than 10 days and solely within the period from November 20 to November 30, closely corresponding with the time of the Comic-Con Special Edition event. Inspection of the premises to ensure that the signage taken down and the facility is in the same condition as it was prior to installation of the signage would be completed no later than November 29 of the same year it is installed. Both installation and removal would require use of a boom lift.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The advertising signage has occurred for eight of the past nine years on the Applicant's facility during Comic-Con, and is considered part of the environmental baseline, which would not require further CEQA review. Nonetheless, based upon the above description, the project is also determined to be Categorically Exempt as set out below.

CATEGORICAL DETERMINATION

Categorical Exemption: SG §15311, Class 11/Section 3.i: Accessory Structures

3.i. Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor

structures accessory to (appurtenant to) existing facilities, including:

- (3) On-premise signs.
- (5) Placement of temporary use items.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it would consist of temporary advertising signage that would be accessory to an existing facility. The proposed signage is on-premise signage because it is anticipated to display products sold and events held at Comic-Con Special Edition or by the sponsors of the event.

The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

15300.2 (a): The location is appropriate for the project. The site is surrounded by a highly urbanized environment and the proposed signage would not directly face the San Diego Bay. There are no sensitive environmental resources located on the site and during Comic-Con Special Edition, the site and surrounding area is predominantly occupied by Comic-Con Special Edition related events, including, but not limited to, large tents, games, displays, activities, and crowds. Hence, the signage would blend in with the characteristics of the seasonal event.

15300.2 (b): The project does not present a cumulative impact. Due to the limited area of signage display in/around the Convention Center, there are no anticipated successive projects of the same type in the same place over time that would result in a cumulative impact. Comic-Con Special Edition is a temporary event. If additional signage is displayed during the event, due to the nature of the event and its urban location, cumulative impacts would not occur due to limitations on signage location, sizing, and duration not to extend beyond November 20 to 30.

15300.2 (c): There is also not a reasonable probability that the proposed project would have a significant effect on the environment due to unusual circumstances. The project site is in an urbanized area and the proposed signage would be placed during a limited time, in the month when Comic-Con Special Edition occurs and would fit with the nature and characteristics of the surrounding area and activities. Moreover, similar advertising signage has occurred for the last eight years on the Applicant's facility during past Comic-Con seasons.

15300.2 (d): No damage to scenic resources would occur. There are no trees, rocks, or outcroppings on the project site. The nearest designated scenic highway is the Coronado bridge, located approximately 1.25 miles to the south of the project site.

15300.2 (e): The project site is not listed pursuant to Section 65962.5 of the California Government Code.

15300.2 (f): The project would not impact historic resources. The structures are not registered on the California Register of Historical Resources and are less than 50 years old and therefore not considered potential historical resources subject to CEQA Guidelines Section 15064.5. Additionally, the installations would be temporary and would not result in a substantial adverse change to the structures.

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan (PMP) because it would consist of temporary advertising signage, consistent with the existing certified Land use designation. Additionally, the signage in context of Comic-Con Special Edition is considered public art consistent with the character of the event. The PMP also states: "permitted uses for all Port District tidelands are identified in terms of the land and water use designations, which are defined in this Master Plan document. Although specific uses have been listed, the intent is to indicate compatible use groups. Specific uses that are currently

not listed may be included in a use group if similar in character and compatible." The PMP does not list signage as a use, whether on-site or off-site, and the proposed signage, which is seasonal, lasting 10 days or less during a national, regional, and local event that brings in tens of thousands of visitors, includes adjacent events and structures, is consistent with the uses and the policies of Planning District 3, Centre City Embarcadero.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.c: New Construction or Conversion of Small Structures

8.c. New Construction or Conversion of Small Structures: Construction and location of limited numbers of new, small facilities or structures and installation of small, new equipment and facilities, involving negligible or no change of existing use of the property, including but not limited to:

- (3) Accessory structures, including, but not limited to, on-premise signs, small parking lots, fences, walkways, swimming pools, miscellaneous work buildings, temporary trailers, small accessory piers, minor mooring facilities, buoys, floats, pilings, or similar structures; and seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures.

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would consist of temporary advertising signage that would involve no change of existing use of the property. Additionally, the Categorical Exclusion listed above includes a non-exclusive list of structures, including on-premise signs and seasonal or temporary use items, such as the proposed temporary advertising signage. Furthermore, the project features including size, placement and duration; restrictions on signage lighting and digital displays; the nature of the site and location in proximity to the Convention Center, and corresponding events in the surrounding area associated with Comic-Con Special Edition during the month of November ensure the visual resource policies of the Coastal Act are met.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

CALIFORNIA PUBLIC TRUST DOCTRINE

The proposed project complies with Section 87.(a)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

JOE STUYVESANT
President/CEO

Determination by:
Cameron McLeod
Associate Planner
Development Services

Signature: Cameron McLeod
Date Nov 5, 2021

Deputy General Counsel

Signature: Christopher Burt
Date Nov 5, 2021