



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 697 Administrative Code Text Change HEARING DATE: DECEMBER 5, 2012

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: California Environmental Quality Act Procedures
Case Number: 2012.1329U [Board File No. 12-1019]
Initiated by: Supervisor Wiener
Introduced: October 16, 2012
Staff Contact: AnMarie Rodgers, Manager Legislative Affairs
anmarie.rodgers@sfgov.org, 415-558-6395
Reviewed by: **Bill Wycko, Environmental Review Officer**
Bill.Wycko@sfgov.org, 415-575-9048

THE HISTORIC PRESERVATION COMMISSION HEREBY PASSES THIS RESOLUTION:

- I. SUPPORTING THE PLANNING COMMISSION RESOLUTION WHICH STATED THE FOLLOWING
"RECOMMENDING THAT SUPERVISOR WIENER 1) ENGAGE THE PUBLIC; 2) CONSIDER THIS COMMISSION'S RECOMMENDATIONS, INCLUDING: (A) TO CLARIFY THE FIRST DISCRETIONARY ACTION, (B) TO CONSIDER EXTENDING APPEAL PERIOD, AND (C) TO DEFAULT TO A LONGER APPEAL PERIOD FOR ACTIONS THAT ARE NOT NOTICED; AND THEN 3) BRING A REVISED VERSION OF THE ORDINANCE WHICH TAKES THIS INPUT INTO ACCOUNT BACK TO THE PLANNING COMMISSION FOR CONSIDERATION."
- II. URGING OUTREACH TO THE PUBLIC, PARTICULARLY THE HISTORIC PRESEVATION COMMUNITY.
- III. REQUESTING THAT A REVISED ORDINANCE RETURN TO THE HISTORIC PRESERVATION COMMISSION FOR CONSIDERATION PRIOR TO RETURNING TO THE PLANNING COMMISSION.

PREAMBLE

Whereas, on October 16, 2012, Supervisor Wiener introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 12-1019 which would to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including appeals to the Board of Supervisors of environmental decisions and determinations under the California Environmental Quality Act, and amending the provisions for public notice of such decisions and determinations.

Whereas, on November 7, and December 5 the Historic Preservation Commission (hereinafter "HPC") conducted duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinance.

Whereas, at the November 7 hearing the HPC passed Resolution No. 694 which "request[ed] additional time. If no additional time is provided recommend approval with modifications".

Whereas, the Board of Supervisors has not yet scheduled a public hearing to consider this proposed Ordinance.

Whereas, on November 29, 2012, the Planning Commission (hereinafter "PC") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance;

Whereas at this hearing, the PC passed Resolution Number 18754 which made the following recommendation ""recommending that Supervisor Wiener 1) engage the public; 2) consider this commission's recommendations, including: (a) to clarify the first discretionary action, (b) to consider extending appeal period, and (c) to default to a longer appeal period for actions that are not noticed; and then 3) bring a revised version of the ordinance which takes this input into account back to the planning commission for consideration."

Whereas, the proposed Administrative Code amendment has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2); and

Whereas, the HPC has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the legislative sponsor, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the PC has reviewed the proposed Ordinance; and **MOVED, that the Historic Preservation Commission hereby passes this resolution:**

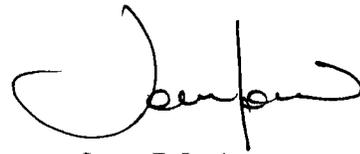
- I. **Supporting the Planning Commission resolution which stated the following**
"recommending that Supervisor Wiener 1) engage the public; 2) consider this commission's recommendations, including: (a) to clarify the first discretionary action, (b) to consider extending appeal period, and (c) to default to a longer appeal period for actions that are not noticed; and then 3) bring a revised version of the ordinance which takes this input into account back to the planning commission for consideration."
- II. **Urging outreach to the public, particularly the historic preservation community.**
- III. **Requesting that a revised ordinance return to the historic preservation commission for consideration prior to returning to the planning commission.**

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. In 2006, the Planning Commission considered a similar Ordinance. At that time, the Planning Commission recommended approval with modification in Resolution Number 17335;
2. In 2010, the Planning Commission and the Historic Preservation Commission considered another Ordinance that incorporated the changes recommended by the Planning Commission in 2006 and would also establish procedures for certain CEQA appeals. In 2010, both the PC, with Resolution 18116, and the HPC, with Motion 649, recommended approval of the proposed Ordinance with modifications.

I hereby certify that the Historic Preservation Commission ADOPTED the foregoing Resolution on December 05, 2012.



Jonas P. Ionin
Acting Commission Secretary

AYES: Chase, Damkroger, Hasz, Jones, Martinez, and Wolfram

NAYS: None

ABSENT: Matsuda

ADOPTED: December 5, 2012