



# SAN FRANCISCO PLANNING DEPARTMENT

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## Historic Preservation Commission Resolution No. 708 Administrative Code Text Change HISTORIC PRESERVATION COMMISSION HEARING DATE: JULY 17, 2013

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*Project Name:* **California Environmental Quality Act Procedures, Appeal of Exempt Project Modification**

*Case Number:* 2013.0911U [Supervisor Kim Proposal Board File No. 13-0464] / [Supervisor Chiu Proposal Board File No. Pending]

*Initiated by:* Supervisor Kim / Supervisor Chiu

*Introduced:* May 14, 2013/pending

*Staff Contact:* AnMarie Rodgers, Manager Legislative Affairs  
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*Reviewed by:* **Sarah Jones, Acting Environmental Review Officer**  
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*Recommendation:* **Approval**

RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE THE PROPOSED ORDINANCE THAT WOULD AMEND THE ADMINISTRATIVE CODE, CHAPTER 31, TO PROVIDE FOR APPEAL TO THE PLANNING COMMISSION OF A PLANNING DEPARTMENT DETERMINATION THAT AN EXEMPT PROJECT MODIFICATION DOES NOT REQUIRE A NEW DECISION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING ENVIRONMENTAL FINDINGS.

### PREAMBLE

Whereas, on May 14, 2013, Supervisor Kim introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 130464 which would amend the Administrative Code, Chapter 31, to provide for appeal to the Planning Commission of a Planning Department determination that an exempt project modification does not require a new decision under the California Environmental Quality Act; and making environmental findings; and

Whereas, on July 9, 2013, Supervisor Chiu sent a letter to the San Francisco Historic Preservation Commission and the San Francisco Planning Commission outlining his interest in legislation that would amend the Administrative Code, Chapter 31, to provide for appeal to the Environmental Review Officer of a Planning Department determination that an exempt project modification does not require a new decision under the California Environmental Quality Act; and

Whereas, on July 17, 2013 the San Francisco Historic Preservation Commission (hereinafter "HPC") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

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BF No. 130464 / BF Pending**

Whereas, on July 18, 2013, the San Francisco Planning Commission (hereinafter "PC") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, this proposed Administrative Code amendments has been determined to be categorically exempt from environmental review under the CEQA Section 15060(c)(2); and

Whereas on April 25, 2013, the PC conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas on May 15, 2013, the HPC conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; 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

Therefore be it resolved that, the HPC has reviewed the proposed ordinance from Supervisor Kim, including the amendments she described at the hearing which incorporated the proposal as outlined in Supervisor Chiu's July 9, 2013 letter to revise the Administrative Code; and

Be it further **MOVED, that this Commission recommends the proposal be approved.**

## **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: that the Commission supports the concept of public accountability, oversight, and transparency on all matters.

I hereby certify that the Historic Preservation Commission **ADOPTED** the foregoing Resolution on July 17, 2013.

Jonas P. Ionin  
Acting Commission Secretary

AYES: Commissioners Hasz, Hyland, Johnck, Johns, Matsuda, and Wolfram  
NAYS: Commissioner Pearlman  
ABSENT: None  
ADOPTED: July 17, 2013