



SAN FRANCISCO PLANNING DEPARTMENT

December 3, 2012

Supervisor Wiener and
Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: Transmittal of Planning Case Number 2012.1329U
BF No. 12-1019: California Environmental Quality Act Procedures**

Recommendation to Supervisor Wiener 1) engage the public; 2) consider this Commission's recommendations, including a) clarify what 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.

Dear Supervisor Wiener and Ms. Calvillo,

On November 29, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinance under Board of Supervisors File Number 12-1019.

At the hearing, the Commission voted 6-0 to make advisory recommendations to Supervisor Wiener concerning the proposed Ordinance which would amend the Administrative Code. The Commission appreciates your consideration of this request.

Sincerely,

AnMarie Rodgers
Manager of Legislative Affairs

Cc:
City Attorneys Jon Giver and Elaine Warren

Attachment (one copy of the following):
Planning Commission Resolution No. 18754

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

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415.558.6378

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415.558.6409

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Information:
415.558.6377



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18754 Administrative Code Text Change HEARING DATE: NOVEMBER 29, 2012

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

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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.

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

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 PC 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

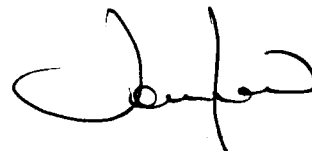
Whereas, the PC has reviewed the proposed Ordinance; and **MOVED**, that the PC hereby recommends that Supervisor Wiener 1) engage the public; 2) consider this Commission's recommendations, including: (a) clarify the first discretionary action, (b) to consider extending appeal period, and (c) to default 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.

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 Planning Commission ADOPTED the foregoing Resolution on November 29, 2012.



Jonas P. Ionin
Acting Commission Secretary

AYES: Fong, Wu, Antonini, Borden, Moore, and Sugaya

NAYS:

ABSENT: Hillis

ADOPTED: November 29, 2012