

1 [Adopting findings related to affirming the CEQA exemption determination issued for a
2 proposed ordinance regulating off-street parking in C-3 zoning districts.]

3 **Motion adopting findings affirming the determination by the Planning Department that**
4 **the proposed ordinance regulating off-street parking in C-3 zoning districts is exempt**
5 **from environmental review under the California Environmental Quality Act.**
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8 The Environmental Review Office of the San Francisco Planning Department issued a
9 determination of exemption/exclusion from environmental review for an ordinance regulating
10 off-street parking in C-3 Zoning Districts (the "Project") on September 23, 2005 (the
11 "determination). A copy of said document is on file with the Clerk of the Board of Supervisors
12 in File No.051996, and is incorporated by reference herein.

13 By letter to the Clerk of the Board of Supervisors dated December 5, 2005, Wade
14 Randlett on behalf of SFSOS filed an appeal of the determination to the Board of Supervisors,
15 which the Clerk of the Board of Supervisors received on or around December 5, 2005.

16 By letter to the Clerk of the Board of Supervisors dated December 14, 2005, Katherine
17 Mattes, President, Building Owners and Managers Association (BOMA-SF) and J. Timothy
18 Falvey, President, Union Square Association, filed a separate appeal of the determination to
19 the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around
20 December 14, 2005.

21 On January 10, 2006, this Board held a duly noticed public hearing to consider the
22 appeals of the determination and following the public hearing affirmed the determination of the
23 Planning Department that the Project is exempt from CEQA under the general rule exclusion.
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1 In reviewing the appeals of the exemption determination, this Board reviewed and
2 considered the written record before the Board and all of the public comments made in
3 support of and opposed to the appeals.

4 NOW, THEREFORE BE IT MOVED, That the Board of Supervisors of the City and
5 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
6 though fully set forth, the determination made by the Planning Department on September 23,
7 2005.

8 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
9 record before it there are no substantial Project changes, no substantial changes in Project
10 circumstances, and no new information of substantial importance that would change the
11 conclusions set forth in the determination by the Planning Department that the proposed
12 Project is exempt/excluded from environmental review.

13 FURTHER MOVED, That after carefully considering the appeals of the general rule
14 exclusion determination, including the written information submitted to the Board and the
15 public testimony presented to the Board at the hearing on January 10, 2006, this Board
16 concludes that the Project qualifies for a general rule exclusion as set forth in the Planning
17 Department's September 23, 2005 determination and in the subsequent materials presented
18 to the Board by the Planning Department and others in support of the Project.

19 FURTHER MOVED, That the Board finds that in written correspondence to the Board,
20 the appellants have informed the Board that they wish to withdraw their appeals, which
21 correspondence is contained in File No. 051996.

22 FURTHER MOVED, That the Board finds that the Planning Department, in its written
23 materials presented to the Board in response to the appeals, as well as through the
24 determination, has demonstrated with certainty that none of the objections raised by the
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1 appellants to the general rule exclusion determination and the Project, will result in any
2 significant impacts to the environment for the reasons set forth in the record before the Board.

3 FURTHER MOVED, That the Board finds that none of the materials submitted to the
4 Board by appellants on or after the date of the Planning Department's response to the
5 appeals raise any new reasons why the C-3 Parking Ordinance could cause any significant
6 environmental impacts, and, therefore, the response by the Planning Department to the
7 appeals along with all of the other information submitted by the Planning Department and
8 others in opposition to the appeals, establish to a certainty, that the Project will not result in
9 any significant environmental impacts and that the Project does not require further
10 environmental review under the California Environmental Quality Act and CEQA Guidelines.

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