

[Affirming the Categorical Exemption Determination - Proposed 350 Amber Drive Project]

Motion affirming the determination by the Planning Department that the proposed project at 350 Amber Drive is categorically exempt from environmental review.

WHEREAS, On May 29, 2025, the Planning Department determined that the proposed project at 350 Amber Drive (the Project) is categorically exempt from the California Environmental Quality Act (CEQA) under the Class 3 (New Construction or Conversion of Small Structures) categorical exemption - section 15303 of the CEQA Guidelines; and

WHEREAS, The project site is located at 350 Amber Drive (Assessor’s Block No. 7521, Lot No. 005), with frontage along Amber Drive to the northwest, Turquoise Way to the west and Duncan Street to the north; and

WHEREAS, The property is owned by the City and County of San Francisco and under the jurisdiction of the San Francisco Police Department (SFPD), with a lot area of approximately 195,113 square feet (about 4.5 acres); and

WHEREAS, The project site contains three existing, one-to-two-story buildings, currently occupied and used by the SFPD as its police academy; the buildings are surrounded by paved surface parking; and

WHEREAS, The proposed Project would construct a new AT&T Macro Wireless Telecommunication Facility on a new approximately 104-foot-tall monopole located at the rear of the San Francisco Police Academy, over a paved parking area with a footprint of approximately 550 square feet; the new facility would consist of twelve antennas, nine remote radio units, three tower-mounted surge suppressors, one global positioning system unit mounted on a proposed outdoor equipment cabinet, one walk-up cabinet, and one 30-kilowatt

1 direct current backup generator with a 190-gallon diesel fuel tank on a concrete pad, with the
2 ancillary equipment to be surrounded by an eight-foot-tall chain link fence; and

3 WHEREAS, CEQA Guidelines, Sections 15301 through 15333, list the categorical
4 exemptions for classes of projects that have been determined not to have a significant effect
5 on the environment and that are exempt from further environmental review; and

6 WHEREAS, CEQA Guidelines, Section 15303 (New Construction or Conversion of
7 Small Structures), or Class 3, applies to projects that include construction and location of
8 limited numbers of new, small facilities or structures, installation of small new equipment and
9 facilities in small structures, and the conversion of existing small structures from one use to
10 another where only minor modifications are made in the exterior of the structure; and

11 WHEREAS, The Planning Department determined that the Project is exempt under the
12 Class 3 categorical exemption because it meets the criteria for applicability of the exemption,
13 and none of the exceptions that would preclude application of the exemption listed under
14 CEQA Guidelines, Section 15300.2, are present; and

15 WHEREAS, On September 25, 2025, the Planning Commission conducted a duly
16 noticed public hearing at a regularly scheduled meeting to consider conditional use application
17 2024-004318CUA, after which it approved the proposed project by granting a conditional use
18 authorization and required conditions of approval through Motion No. 21825; and

19 WHEREAS, On October 27, 2025, Mitchell M. Tsai of Mitchell M. Tsai Law Firm, on
20 behalf of the Diamond Heights Community Association (appellant) filed an appeal of the
21 categorical exemption determination; and

22 WHEREAS, By memorandum to the Clerk of the Board dated November 3, 2025, the
23 Planning Department's Environmental Review Officer determined that the appeal was timely
24 filed; and

1 WHEREAS, On February 10, 2026, this Board held a duly noticed public hearing to
2 consider the appeal filed by Appellant; and

3 WHEREAS, In reviewing the appeal, this Board reviewed and considered the
4 categorical exemption determination, the appeal letter, the responses to the appeal
5 documents that the Planning Department and the Project Sponsor prepared, the other written
6 records before the Board of Supervisors and all of the public testimony made in support of
7 and opposed to the appeal; and

8 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
9 affirmed the categorical exemption determination, based on the written record before the
10 Board of Supervisors as well as all of the testimony at the public hearing in support of and
11 opposed to the appeal; and

12 WHEREAS, The written record and oral testimony in support of and opposed to the
13 appeal and the oral and written testimony at the public hearing before the Board of
14 Supervisors by all parties and the public in support of and opposed to the appeal, including
15 the deliberations by the members of the Board, is in the Clerk of the Board of Supervisors File
16 No. 251094, and is incorporated in this motion as though set forth in its entirety; now,
17 therefore, be it

18 MOVED, That the Board of Supervisors hereby adopts as its own and incorporates by
19 reference in this motion, as though fully set forth, the categorical exemption determination;
20 and, be it

21 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
22 record before it there are no substantial Project changes, no substantial changes in Project
23 circumstances, and no new information of substantial importance that would change the
24 conclusions set forth in Planning Department's determination that the Project is categorically
25 exempt from further environmental review; and, be it

1 FURTHER MOVED, That after carefully considering the appeal of the categorical
2 exemption determination, including the written information submitted to the Board of
3 Supervisors and the public testimony presented to the Board of Supervisors at the hearing on
4 the categorical exemption determination, this Board concludes that the Project qualifies for a
5 categorical exemption determination under CEQA.

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