

1 [Affirming the Exemption Determination - 4216 California Street]

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3 **Motion affirming the determination by the Planning Department that a project located at**
4 **4216 California Street is exempt from environmental review.**

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6 WHEREAS, The Planning Department has determined that a project located at 4216
7 California Street is exempt from environmental review under the California Environmental
8 Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter
9 31. The proposed project would remove an existing micro wireless telecommunication
10 services (WTS) facility consisting of one "whip" antenna and install a macro WTS facility
11 consisting of up to nine panel antennas on the roof. The facility is proposed to be installed on
12 the roof of the existing building at 4216 California Street behind new radio-frequency
13 transparent screen walls with equipment located within a ground floor storage area. By letter
14 to the Clerk of the Board, Wendy Aragon on behalf of the Richmond District Democratic Club
15 (Appellants), received by the Clerk's Office on July 8, 2013, appealed the exemption
16 determination. The Appellants provided a copy of the Planning Commission's Conditional Use
17 Authorization Motion No. 18898, dated June 6, 2013, which stated that the Planning
18 Department had determined that the project was exempt under Class 3 of the CEQA
19 Guidelines (14 Cal. Code Reg. §15303 et seq.) and that the Commission concurred with such
20 determination; and

21 WHEREAS, On July 30, 2013, this Board held a duly noticed public hearing to consider
22 the appeal of the exemption determination filed by Appellants, and following the public hearing
23 affirmed the exemption determination; and

24 WHEREAS, In reviewing the appeal of the exemption determination, this Board
25 reviewed and considered the exemption determination, the appeal letters, the responses to

1 concerns document that the Planning Department prepared, the other written records before
2 the Board of Supervisors and all of the public testimony made in support of and opposed to
3 the exemption determination appeal. Following the conclusion of the public hearing, the Board
4 of Supervisors affirmed the exemption determination for the project based on the written
5 record before the Board of Supervisors as well as all of the testimony at the public hearing in
6 support of and opposed to the appeal. The written record and oral testimony in support of and
7 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
8 before the Board of Supervisors by all parties and the public in support of and opposed to the
9 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
10 130721 and is incorporated in this motion as though set forth in its entirety; now therefore be it

11 MOVED, That the Board of Supervisors of the City and County of San Francisco
12 hereby adopts as its own and incorporates by reference in this motion, as though fully set
13 forth, the exemption determination; and be it

14 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
15 record before it there are no substantial project changes, no substantial changes in project
16 circumstances, and no new information of substantial importance that would change the
17 conclusions set forth in the exemption determination by the Planning Department that the
18 proposed project is exempt from environmental review; and be it

19 FURTHER MOVED, That after carefully considering the appeal of the exemption
20 determination, including the written information submitted to the Board of Supervisors and the
21 public testimony presented to the Board of Supervisors at the hearing on the exemption
22 determination, this Board concludes that the project qualifies for a exemption determination
23 under CEQA.

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