

File No. 171302

Committee Item No. _____

Board Item No. 24

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: January 9, 2018

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: Brent Jalipa

Date: January 4, 2018

Prepared by: _____

Date: _____

1 [Conditionally Reversing the Categorical Exemption Determination - 401 Main Street]

2

3 **Motion conditionally reversing the determination by the Planning Department that the**
4 **proposed project at 401 Main Street is categorically exempt from further environmental**
5 **review, subject to the adoption of written findings of the Board in support of this**
6 **determination.**

7

8 WHEREAS, On September 28, 2017, the Planning Department issued a CEQA
9 Categorical Exemption Determination for 61 cell sites on utility poles in the public right-of-way
10 in the Downtown and South of Market neighborhoods, including the proposed cell site near
11 401 Main Street ("Project") under the California Environmental Quality Act ("CEQA"), the
12 CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and

13 WHEREAS, The proposed Project involves installation of wireless service facilities on
14 an existing Joint Pole Association-owned wooden pole at the approximate address of 401
15 Main Street; and

16 WHEREAS, On September 28, 2017, pursuant to Title 14 of the CEQA Guidelines
17 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15387), the
18 Planning Department determined that the Project is exempt from environmental review under
19 Class 3 of the CEQA Guidelines (14 Cal. Code Reg. Section 15303), which includes an
20 exemption for Construction and location of limited numbers of new, small facilities or
21 structures and installation of small new equipment and facilities in small structures; and

22 WHEREAS, On November 30, 2017, an appeal of the categorical exemption was filed
23 by Stephen Williams on behalf of the Portside Homeowners Association ("Appellant"); and

24

25

1 WHEREAS, By memorandum to the Clerk of the Board dated December 11, 2017, the
2 Planning Department's Environmental Review Officer determined that the appeal was timely
3 filed; and

4 WHEREAS, On January 9, 2018, this Board held a duly noticed public hearing to
5 consider the appeal of the exemption determination filed by Appellant and, following the public
6 hearing, affirmed the exemption determination; and

7 WHEREAS, In reviewing the appeal of the exemption determination, this Board
8 reviewed and considered the exemption determination, the appeal letter, the responses to the
9 appeal documents that the Planning Department prepared, the other written records before
10 the Board of Supervisors and all of the public testimony made in support of and opposed to
11 the exemption determination appeal; and

12 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
13 conditionally reversed the exemption determination for the Project subject to the adoption of
14 written findings of the Board in support of such determination based on the written record
15 before the Board of Supervisors as well as all of the testimony at the public hearing in support
16 of and opposed to the appeal; and

17 WHEREAS, The written record and oral testimony in support of and opposed to the
18 appeal and deliberation of the oral and written testimony at the public hearing before the
19 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
20 the exemption determination is in the Clerk of the Board of Supervisors File No. 171299, and
21 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

22 MOVED, That this Board of Supervisors conditionally reverses the determination by the
23 Planning Department that the Project is exempt from environmental review, subject to the
24 adoption of written findings of the Board in support of this determination.

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Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Conditionally Reversing the Categorical Exemption Determination - 401 Main Street

The text is listed:

Motion conditionally reversing the determination by the Planning Department that the proposed project at 401 Main Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor: *Allisa [Signature]*

for 171302

For Clerk's Use Only