



# CEQA Categorical Exemption Determination

## Property Information/Project Description

|   |                     |
|---|---------------------|
| <b>Project Address</b>  | <b>Block/Lot(s)</b> |
| 942-944 Fell Street   | 0823/017, 018       |
| <b>Case No.</b>   | <b>Permit No.</b>   |
| 2022004344MLS   |                     |
| <input checked="" type="checkbox"/> <b>Addition Alteration</b> <input type="checkbox"/> <b>Demolition</b> (requires HRE for Category B Building) <input type="checkbox"/> <b>New Construction</b> |                     |
| <b>Project Description</b>  |                     |
| <ul style="list-style-type: none"> <li>• Mills Act Historical Property Contract</li> </ul>  |                     |

## STEP 1: Exemption Class

|  |
|--|
| <input type="checkbox"/> <b>Class 1- Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.  |
| <input type="checkbox"/> <b>Class 3- New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.   |
| <input type="checkbox"/> <b>Class 32- In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: <ol style="list-style-type: none"> <li>The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</li> <li>The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</li> <li>The project site has no value as habitat for endangered rare or threatened species.</li> <li>Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</li> <li>The site can be adequately served by all required utilities and public services.</li> </ol> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p> |
| <input checked="" type="checkbox"/> <b>Class31 –Historical Resource Restoration/Rehabilitation.</b> Projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.   |

**STEP 2: CEQA Impacts**

To Be Completed By Project Planner

**If any box is checked below, an *Environmental Evaluation Application* is required.**

**Air Quality:** Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? *(refer to EP\_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)*

**Hazardous Materials:** If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must enroll in or seek a waiver from the Department of Public Health's (DPH's) Maher program. *Exemptions: do not check box if the applicant presents documentation of enrollment in or waiver from the DPH Maher program or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP\_ArcMap > Maher layer).*

**Transportation :** Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?

**Archeological Resources:** Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in an archeological sensitive area? *(refer to EP\_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)*

**Subdivision/Lot Line Adjustment:** Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 10% or more? *(refer to EP\_ArcMap > CEQA Catex Determination Layers > Topography)*

**Slope = or > 25%** Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 500 cubic yards or more of soil, (3) new construction? *(refer to EP\_ArcMap > CEQA Catex Determination Layers > Topography)* **checked, a geotechnical report is required and Environmental Planning must issue the exemption.**

**Seismic: Landslide Zone:** Does the project involve any of the following: (1) square footage expansion greater than 500sq. ft. outside of the existing building footprint, (2) excavation of 500 cubic yards or more of soil, (3) new construction? *(refer to EP\_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)* **checked, a geotechnical report is required.**

**Seismic: Liquefaction Zone:** Does the project involve any of the following: (1) square footage expansion greater than 500sq. ft. outside of the existing building footprint, (2) excavation of 500 cubic yards or more of soil, (3) new construction? *(refer to EP\_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)* **checked, a geotechnical report will likely be required.**

**Comments and Planner Signature (optional):**

**STEP 3 Property Status - Historic Resource**

To Be Completed By Project Planner

| PROPERTY IS ONE OF THE FOLLOWING (to Parcel Information Map) |  |
|--|--|
| <input checked="" type="checkbox"/>                          | <b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>   |
| <input type="checkbox"/>                                     | <b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>                  |
| <input type="checkbox"/>                                     | <b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b> |

**STEP 4 Proposed Work Checklist**

To Be Completed By Project Planner

| Check all that apply to the project.                          |  |
|---|--|
| <input type="checkbox"/>                                      | <b>1. Change of use and new construction.</b> Tenant improvements not included.  |
| <input checked="" type="checkbox"/>                           | <b>2. Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.  |
| <input type="checkbox"/>                                      | <b>3. Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.   |
| <input type="checkbox"/>                                      | <b>4. Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.  |
| <input type="checkbox"/>                                      | <b>5. Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.   |
| <input type="checkbox"/>                                      | <b>6. Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.   |
| <input type="checkbox"/>                                      | <b>7. Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i>  |
| <input type="checkbox"/>                                      | <b>8. Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. |
| Note: Project Planner must check box below before proceeding. |  |
| <input type="checkbox"/>                                      | Project is not listed. <b>GO TO STEP 5.</b>  |
| <input type="checkbox"/>                                      | Project does not conform to the scopes of work. <b>GO TO STEP 5.</b>   |
| <input type="checkbox"/>                                      | Project involves four or more work descriptions. <b>GO TO STEP 5.</b>  |
| <input type="checkbox"/>                                      | Project involves less than four work descriptions. <b>GO TO STEP 6.</b>  |

**STEP 5 CEQA Impacts - Advanced Historical Review**

To Be Completed By Project Planner

| Check all that apply to the project.  |   |
|---|---|
| <input checked="" type="checkbox"/>   | <b>1. Project involves a known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.                                    |
| <input type="checkbox"/>  | <b>2. Interior alterations to publicly accessible spaces.</b>   |
| <input type="checkbox"/>  | <b>3. Window replacement</b> of original/historic windows that are not “in-kind” but are consistent with existing historic character.   |
| <input checked="" type="checkbox"/>   | <b>4. Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.  |
| <input type="checkbox"/>  | <b>5. Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.   |
| <input checked="" type="checkbox"/>   | <b>6. Restoration</b> based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.                          |
| <input type="checkbox"/>  | <b>7. Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i>       |
| <input checked="" type="checkbox"/>   | <b>8. Other work consistent</b> with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):  |
| <input type="checkbox"/>  | <b>9. Other work</b> that would not materially impair a historic district (specify or add comments):  |
| (Requires approval by Senior Preservation Planner/Preservation Coordinator)   |   |
| <input type="checkbox"/>  | <b>10. Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation  |
| <input type="checkbox"/> Reclassify to Category A<br>a. Per HRER dated<br>b. Other (specify)  | <input type="checkbox"/> Reclassify to Category B<br>(attach HRER)  |
| Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.   |   |
| <input checked="" type="checkbox"/>   | <b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b> |
| <b>Comments (optional):</b>   |   |
| <p>This Categorical Exemption is for the purposes of a Mills Act Historical Property Contract only. Rehabilitation and restoration work required under the Mills Act Contract will require an Administrative Certificate of Appropriateness and separate Categorical Exemption.</p> |   |
| <b>Preservation Planner Signature:</b> <i>Gretel Gunther</i>  |   |

**STEP 6 Categorical Exemption Determination**

To Be Completed By Project Planner

**No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.**

**Project Approval Action:**  
HPC Motion

If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.

**Signature:**  
*Gretel Gunther*

Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.

**STEP 7 Modification of a CEQA Exempt Project**

To Be Completed By Project Planner

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be

| PROPERTY INFORMATION/PROJECT DESCRIPTION       |                              |   |
|--|------------------------------|---|
| Project Address (If different than front page) |                              | Block/Lot(s) (If different than front page) |
| Case No.                                       | Previous Building Permit No. | New Building Permit No.                     |
| Plans Dated                                    | Previous Approval Action     | New Approval Action                         |
| Modified Project Description:                  |                              |   |

| DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION   |
|---|
| Compared to the approved project, would the modified project:   |
| <input type="checkbox"/> Result in expansion of the building envelope, as defined in the Planning Code;   |
| <input type="checkbox"/> Result in the change of use that would require public notice under Planning Code Sections 311 or 312;  |
| <input type="checkbox"/> Result in demolition as defined under Planning Code Section 317 or 19005(f)?   |
| <input type="checkbox"/> Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |
| <b>If at least one of the above boxes is checked, further environmental review is required.</b>   |

| DETERMINATION OF NO SUBSTANTIAL MODIFICATION  |                     |
|---|---------------------|
| <input type="checkbox"/> The proposed modification would not result in any of the above changes.  |                     |
| <b>If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.</b> |                     |
| Planner Name:   | Signature or Stamp: |

