

1 [Adopting findings related to affirming the categorical exemption issued for 800-808 Lyon  
2 Street/1980-1988 Golden Gate Avenue.]

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4 **Motion adopting findings related to affirming the determination by the Planning**  
5 **Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is**  
6 **categorically exempt from environmental review under the California Environmental**  
7 **Quality Act.**

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9 The Planning Department determined that a proposal to remove wooden stairs located  
10 at the back of the building and add a metal fire escape to the front of the building located at  
11 800-808 Lyon Street/1980-1988 Golden Gate Avenue (the "Project") was categorically exempt  
12 from the California Environmental Quality Act ("CEQA") on or around September 2, 2008  
13 ("determination"). By letter to the Clerk of the Board of Supervisors dated September 3, 2008,  
14 Raquel Fox, on behalf of the Tenderloin Housing Clinic, Inc. ("Appellant") filed an appeal on  
15 September 3, 2008, with the Clerk of the Board of Supervisors of the determination by the  
16 Planning Department.

17 On October 7, 2008, this Board held a duly noticed public hearing to consider the  
18 appeal of the determination and following the public hearing affirmed the determination of the  
19 Planning Department that the Project is categorically exempt from CEQA.

20 In reviewing the appeal of the categorical exemption determination, this Board  
21 reviewed and considered the written record before the Board and all of the public comments  
22 made in support of and opposed to the appeal. Following the conclusion of the public  
23 hearing, the Board affirmed the Planning Department's categorical exemption determination  
24 for the Project based on the written record before the Board as well as all of the testimony at  
25 the public hearing in support of and opposed to the appeal. Said Motion and written record is

1 in the Clerk of the Board of Supervisors File No. 081171 and is incorporated herein as though  
2 set forth in its entirety.

3 In regard to said decision, this Board made certain findings specifying the basis for its  
4 decision to affirm the Planning Department's approval of the determination for the Project  
5 based on the whole record before the Board including the written record in File No. 081171,  
6 which is hereby declared to be a part of this motion as if set forth fully herein; the written  
7 submissions to and official written records of the Planning Department determination related  
8 to the Project; the official written and oral testimony at and audio and video records of the  
9 public hearing in support of and opposed to the appeal and deliberation of the oral and written  
10 testimony at the public hearing before the Board of Supervisors by all parties and the public in  
11 support of and opposed to the appeal of the categorical exemption.

12 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and  
13 County of San Francisco hereby adopts as its own and incorporates by reference herein, as  
14 though fully set forth, the determination made by the Planning Department on September 2,  
15 2008.

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

21 FURTHER MOVED, That after carefully considering the appeal of the categorical  
22 exemption, including the written information submitted to the Board and the public testimony  
23 presented to the Board at the hearing on October 7, 2008, this Board concludes that the  
24 Project qualifies for a Class 1 categorical exemption under CEQA Guidelines Section  
25 15301(a).

1           FURTHER MOVED, that the Board finds that the record as a whole supports the  
2           Planning Department's determination that the Project will not cause an adverse change in an  
3           historic resources and that none of the other special circumstances set forth in CEQA  
4           Guidelines Section 15300.2 that would require the preparation of a negative declaration or an  
5           environmental impact report for the Project under the California Environmental Quality Act are  
6           present in this case.

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