

1 [Finding the negative declaration appeal for 701 Lombard Street timely.]

2 **Motion finding the appeal of the negative declaration issued on January 15, 2003 for**  
3 **701 Lombard Street timely filed.**

4  
5 WHEREAS, On December 21, 2002, the Environmental Review Officer of the Planning  
6 Department issued a preliminary mitigated negative declaration for 701 Lombard Street in  
7 accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and  
8 San Francisco Administrative Code Chapter 31; and

9  
10 WHEREAS, On January 15, 2003, having received no appeal of the preliminary  
11 negative declaration, the Environmental Review Officer of the Planning Department issued a  
12 final mitigated negative declaration for 701 Lombard Street ("negative declaration") in  
13 accordance with Administrative Code Section 31.11(h); and

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15 WHEREAS, On November 6, 2003, the Clerk of the Board received a facsimile of an  
16 appeal of the negative declaration from the Telegraph Hill Dwellers Association ("Appellant"),  
17 with original correspondence received on November 10, 2003; and,

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19 WHEREAS, The California Public Resources Code Section 21151(c) was amended  
20 effective January 1, 2003, to provide that negative declarations are appealable to the elected  
21 decision-making body, but the Board of Supervisors has not yet adopted specific procedures  
22 or time lines providing for appeals of such negative declarations; and

23  
24 WHEREAS, The Board of Supervisor's held a duly noticed public hearing on November  
25 25, 2003, to consider whether the appeal filed by Appellant was timely; and

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27 WHEREAS, This Board reviewed and considered the written record before the Board  
28 and all of the public comments made in support of and opposed to the question of whether the  
29 appeal was timely; now, therefore, be it

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MOVED, This Board hereby finds that the appeal is timely filed.



**City and County of San Francisco**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Tails  
Motion**

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**File Number:** 031842

**Date Passed:** December 16, 2003

Motion finding the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street timely filed.

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December 16, 2003 Board of Supervisors — APPROVED

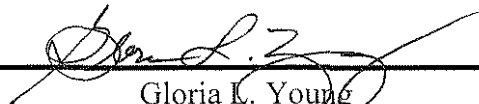
Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 4 - Dufty, Gonzalez, Hall, Ma

Excused: 1 - Newsom

File No. 031842

I hereby certify that the foregoing Motion was APPROVED on December 16, 2003 by the Board of Supervisors of the City and County of San Francisco.

  
Gloria L. Young  
Clerk of the Board

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