

1 Preparation of findings related to the timeliness of the negative declaration appeal for 701
2 Lombard Street.]

3 **Motion directing the Clerk of the Board to prepare findings related to the timeliness of**
4 **the negative declaration appeal for 701 Lombard Street.**

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

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

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

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

21 WHEREAS, The Board of Supervisor's held a duly noticed public hearing on November
22 25, 2003, to consider whether the appeal filed by Appellant was timely. Following the
23 conclusion of the public hearing the Board rendered a decision on the timeliness of the
24 negative declaration appeal based on the written record before the Board in File No.
25 which is hereby declared to be a part of this motion as if set forth fully herein, as well as all of

1 the testimony at the public hearing in support of and opposed to the hearing of the appeal;
2 and

3 WHEREAS, In regard to said decision, this Board made certain findings specifying the
4 basis for its decision; now therefore, be it

5 MOVED, That this Board directs the Clerk of the Board to prepare the findings
6 specifying the basis for its decision on the timeliness of the negative declaration appeal for
7 701 Lombard Street.

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City and County of San Francisco

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

Tails Motion

File Number: 031860

Date Passed: December 16, 2003

Motion directing the Clerk of the Board to prepare findings related to the timeliness of the negative declaration appeal for 701 Lombard Street.

December 16, 2003 Board of Supervisors — APPROVED

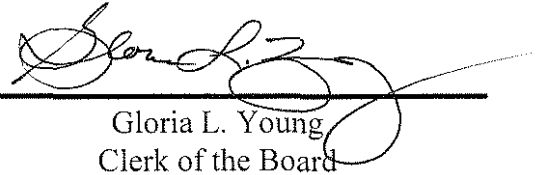
Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval

Noes: 4 - Dufty, Hall, Ma, Maxwell

Excused: 1 - Newsom

File No. 031860

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