

1 [Zoning Map Amendment in connection with Seawall Lot 330]

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3 **Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for**
4 **property located on a portion of Seawall Lot 330, Assessor's Block 3771 to change the**
5 **height and bulk district classification from 105-F to 220-G; adopting findings pursuant**
6 **to the California Environmental Quality Act; and making findings of consistency with**
7 **the General Plan and the priority policies of Planning Code Section 101.1.**

8 Note: This entire section is new.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
11 hereby finds and determines that:

12 (a) The Planning Department prepared the Final Supplemental Environmental Impact
13 Report for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf
14 Project ("FSEIR") , and by Motion No. 16480, on file with the Department (File No.
15 2000.1229E) the Planning Commission made findings and certified completion of the FSEIR
16 in compliance with the California Environmental Quality Act ("CEQA") (California Public
17 Resources Code sections 21000 et seq.), the State CEQA Guidelines (California Code of
18 Regulations Title 14 sections 15000 et seq.), and Chapter 31 of the San Francisco
19 Administrative Code ("Chapter 31"). The Board of Supervisors upheld the Commission's
20 certification of the FSEIR on appeal by Motion No. M03-8, on file with the Clerk of the Board in
21 File No. 022021; and

22 (b) On July 15, 2003 the Board adopted in Resolution No. 461-03 and 460-03, and
23 on July 31, 2003, the Planning Commission adopted, in Motion No. 16625, San Francisco
24 Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project CEQA Findings, as
25 required under CEQA, CEQA Guidelines, and Chapter 31, regarding the alternatives,

1 mitigation measures and significant environmental impacts analyzed in the FSEIR, a
2 statement of overriding considerations, and a proposed mitigation monitoring and reporting
3 program, which motion, attachment and exhibits are incorporated herein by reference; and

4 (c) On July 31, 2003, the Planning Commission held a duly noticed public hearing and
5 in Resolution No.16626, the Planning Commission approved and recommended for adoption
6 by the Board, an amendment to the Zoning Map of the City and County of San Francisco to
7 change the Height and Bulk classification for an approximately 22,600 square foot portion to
8 be created on Seawall Lot 330 from 105-F to 220-G. A description of said portion of Seawall
9 Lot 330 is attached to the Planning Commission Resolution No. 16626. Planning Commission
10 Resolution No.16626, a copy of which is on file with the Clerk of the Board of Supervisors in
11 File No. 031368, is incorporated by reference herein.

12 (d) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
13 Zoning Map Amendment will serve the public necessity, convenience and welfare for the
14 reasons set forth in Planning Commission Motion No. 16628 and Resolution No. 16626,
15 approving the conditional use application and recommending this Zoning Map amendment
16 respectively, and incorporates such reasons by reference herein.

17 (e) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this
18 Zoning Map Amendment is consistent with the priority policies of Section 101.1(b) of the
19 Planning Code and the General Plan as proposed to be amended, and hereby adopts the
20 findings of the Planning Commission, as set forth in Planning Commission Resolution No.
21 and 16626 and Motion No. 16628, and incorporates said findings by reference herein. A copy
22 of said Resolution and Motion are on file with the Clerk of the Board of Supervisors in File No.
23 031368.

24 (f) The Preferred Alternative and Brannan Street Wharf Project, including the
25 Bryant Street Residential Tower, General Plan Amendment, and the Zoning Map Amendment

1 approved by adoption of this ordinance, have been thoroughly analyzed in the Revised FSEIR
2 and, since the Planning Commission's approval actions on July 31, 2003 there are no
3 changed circumstances or other factors present that would trigger the need or requirement for
4 additional environmental review under CEQA, the CEQA Guidelines, or Chapter 31.
5 Specifically, the Board finds that (1) any modifications incorporated into the Bryant Street
6 Residential Tower will not require major revisions to the FSEIR due to the involvement of new
7 significant environmental effects or a substantial increase in the severity of previously
8 identified significant effects; (2) no substantial changes have occurred with respect to the
9 circumstances under which the Bryant Street Residential Tower is undertaken which would
10 require major revisions to the FSEIR due to the involvement of new significant environmental
11 effects, or a substantial increase in the severity of effects identified in the FSEIR; and (3) no
12 new information of substantial importance has become available which would indicate (a) the
13 Bryant Street Residential Tower will have significant effects not discussed in the FSEIR, (b)
14 significant environmental effects will be substantially more severe, (c) mitigation measures or
15 alternatives found not feasible which would substantially reduce one or more significant
16 effects have become feasible but the Project Sponsors decline to adopt the measure or
17 alternative, or (d) mitigation measures or alternatives which are considerably different from
18 those in the FSEIR would substantially reduce one or more significant effects on the
19 environment but the Project Sponsors decline to adopt the measure or alternative.

20 Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following
21 change in height and bulk classification, duly approved by resolution of the Planning
22 Commission, is hereby adopted as an amendment to Zoning Map Sheet 1H of the City and
23 County of San Francisco.

24 Section 3. Amendment of Sheet 1H of the Zoning Map. The following change in height
25 and bulk district, as shown and legally delineated in Planning Commission Resolution No.

1 16626, is hereby adopted as an amendment to Zoning Map Sheet 1H of the City and County
2 of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk</u>	<u>Height and Bulk</u>
	<u>Districts to be</u>	<u>District to be</u>
	<u>Superseded</u>	<u>Approved</u>
7 Assessor's Block 3771 8 approximately 22,600 9 square foot portion of Seawall Lot 330, 10 as shown in Planning Commission 11 Resolution No. 16626	105-F	220-G

15 APPROVED AS TO FORM:

17 DENNIS J. HERRERA
18 City Attorney

19
20 By: 
21 Susan Cleveland-Knowles
22 Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 031368

Date Passed:

Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located on a portion of Seawall Lot 330, Assessor's Block 3771 to change the height and bulk district classification from 105-F to 220-G; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

October 7, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

October 21, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Newsom

File No. 031368

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on **October 21, 2003**
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

October 22, 2003

Date Approved



Mayor Willie L. Brown Jr.

Acting Mayor