

FILE NO. 070546

ORDINANCE NO. 19-09

1 [Zoning Map Amendment – Northwest corner of Divisadero and O'Farrell Streets, Block 1098,
2 Lot 9.]

3
4 **Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of**
5 **the Zoning Map of the City and County of San Francisco to change the use**
6 **classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and**
7 **O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to**
8 **Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including**
9 **environmental findings and findings of consistency the General Plan and the Priority**
10 **Policies of Planning Code Section 101.1.**

11 Note: Additions are single-underline italics Times New Roman;
12 deletions are ~~strikethrough-italics Times New Roman~~.
13 Board amendment additions are double underlined.
14 Board amendment deletions are ~~strikethrough-normal~~.

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

16 Section 1. Findings.

17 A. On May 15, 2008 at a duly noticed public hearing, the Planning
18 Commission in Motion No. 17594 found that the proposed zoning reclassification and map
19 amendment were consistent with the City's General Plan and with Planning Code Section
20 101.1(b). In addition, the Planning Commission, in Resolution No. 17593, recommended that
21 the Board of Supervisors adopt the zoning map amendment. Copies of said Resolution and
22 Motion are on file with the Clerk of the Board of Supervisors in File No. 070546 and
23 are incorporated herein by reference. The Board finds that the proposed zoning
24 reclassification and map amendment are consistent with the City's General Plan and with
25 Planning Code Section 101.1(b) for the reasons set forth in said Resolution and Motion.

1 B. Pursuant to Planning Code Section 302, the Board finds that the proposed
2 zoning reclassification and map amendment will serve the public necessity, convenience and
3 welfare for the reasons set forth in Planning Commission Resolution Motion No. 17594, which
4 reasons are incorporated herein by reference as though fully set forth.

5 C. Environmental Findings. ~~The Planning Department has determined that the~~
6 ~~actions contemplated in this Ordinance are in compliance with the California Environmental~~
7 ~~Quality Act (California Public Resources Code section 21000 et seq.). Said determination is~~
8 ~~on file with the Clerk of the Board of Supervisors in File No. _____ and is~~
9 ~~incorporated herein by reference. On April 10, 1997, the Planning Commission certified a~~
10 ~~Final Environmental Impact Report (FEIR) for a project entitled the San Francisco Kaiser~~
11 ~~Medical Center Geary Campus Development Project, which included reclassification of the~~
12 ~~subject property. On May 1, 2008, the Planning Department published an Addendum to the~~
13 ~~1997 FEIR, which determined that the revised project would not cause new significant~~
14 ~~environmental impacts not previously identified in the FEIR nor would it substantially increase~~
15 ~~the severity of impact previously identified in the FEIR. The Planning Commission, by Motion~~
16 ~~No. 17594 and Resolution No. 17593, made findings under the California Environmental~~
17 ~~Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), which findings are~~
18 ~~incorporated herein by reference as though fully set forth. The Board has reviewed and~~
19 ~~considered the 1997 FEIR and the 2008 Addendum and, in light of the whole record before it,~~
20 ~~makes the following additional findings:~~

21 1. The proposed project, including this rezoning, is consistent with and within the
22 scope of the Project analyzed in the 1997 FEIR and the 2008 Addendum and would not result
23 in any new significant impacts compared to those determined for the 1997 EIR project. The
24
25

1 Addendum was prepared in accordance with the requirements of Section 15164 of the
2 Guidelines.

3 2. Under Section 15162 of the CEQA Guidelines, a subsequent EIR is not required. In
4 light of the whole record before the Board, the Board finds on the basis of substantial
5 evidence in the record that: (a) no substantial changes have occurred in the Project
6 proposed for approval that will require revisions in the FEIR due to the involvement of new
7 significant environmental effects or a substantial increase in the severity of previously
8 identified significant effects, no substantial changes have occurred with respect to the
9 circumstances under which the proposed project, including the rezoning, are undertaken that
10 will require major revisions to the FEIR due to the involvement of new environmental effects or
11 a substantial increase in the severity of effects identified in the FEIR and no new information
12 of substantial importance has become available which indicates that (1) the proposed project,
13 including the rezoning, will have significant effects not discussed in the FEIR, (2) significant
14 environmental effects will be substantially more severe, (3) mitigation measure or alternatives
15 found not feasible that would reduce one or more significant effects have become feasible or
16 (4) mitigation measures or alternatives which are considerably different from those in the FEIR
17 would substantially reduce one or more significant effects on the environment.

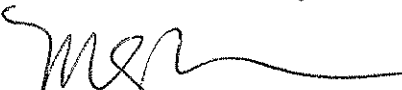
18 3. In the conditions of approval attached as Exhibit C to Planning Commission
19 Motion No. 17594, the Project Sponsor has agreed to comply with the measures set forth in
20 the Mitigation Monitoring and Reporting Program (MMRP). The Board hereby adopts the
21 MMRP (Exhibit C to Planning Commission Motion No. 17594), which is on file with the Clerk
22 of the Board of Supervisors in File No. 070546 and is incorporated herein by
23 reference.

1 4. The Board further makes and adopts the findings set forth in Attachment A to
2 this Ordinance, "California Environmental Quality Act Findings for the Ordinance Entitled
3 'Zoning Map Amendment – Northwest corner of Divisadero and O'Farrell Streets, Block 1098,
4 Lot 9', which findings are hereby adopted and incorporated by reference as though fully set
5 forth herein.

6 Section 2. In accordance with Planning Code Sections 106 and 302, the following
7 changes are hereby adopted as amendments to Sectional Map 2 of the Zoning Map of the
8 City and County of San Francisco:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block No. 1098, Lot 9	NC-2	NC-3

12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: 
15 MARLENA G. BYRNE
16 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: 070546

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

January 6, 2009 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin

January 13, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar,
Maxwell, Mirkarimi

File No. 070546

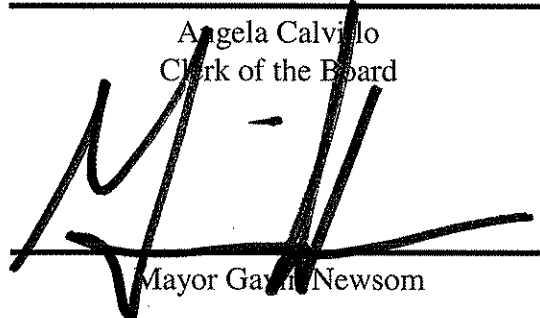
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on January 13, 2009
by the Board of Supervisors of the City and
County of San Francisco.

1/21/09

Date Approved



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom