

1 [Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable
2 Housing Special Use District.]

3 **Ordinance amending Zoning Map Section 10 of the City and County of San Francisco**
4 **for the property at 4800 Third Street (Lot 45, Assessor’s Block 5322), located at the**
5 **southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou**
6 **Avenue, and Newhall Street,; adopting findings under the California Environmental**
7 **Quality Act; and making findings of consistency with the General Plan and the priority**
8 **policies of Planning Code Section 101.1.**

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 published a Preliminary Mitigated Negative
13 Declaration on April 24, 2004, analyzing the Third Street and Oakdale Avenue Affordable
14 Housing Special Use District, the companion amendment to Map 10, and related actions,
15 (collectively, the “Project”), by Motion No. _____, on file with the Department (File No.
16 2003.1048CKTVZ) the Planning Commission made findings and adopted the Mitigated
17 Negative Declaration in compliance with the California Environmental Quality Act ("CEQA")
18 (California Public Resources Code sections 21000 et seq.), the State CEQA Guidelines
19 (California Code of Regulations Title 14 sections 15000 et seq.), and Chapter 31 of the San
20 Francisco Administrative Code (“Chapter 31”). The Board adopts the findings and conclusion
21 of Planning Commission Motion No. _____, a copy of which is on file with the Clerk of the
22 Board of Supervisors in File No. _____, and that Motion is incorporated by reference
23 herein.
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1 (b) On May 27, 2004, at the same public hearing the Planning Commission in
2 Resolution No. _____ approved and recommended for adoption by the Board, the Third
3 Street and Oakdale Avenue Affordable Housing Special Use District, and the Zoning Map
4 amendment to re-designate the current Height and Bulk classification of the Property from 40
5 feet to 50 feet and to establish a Special Use District. Planning Commission Resolution No.
6 _____, a copy of which is on file with the Clerk of the Board of Supervisors in File No.
7 _____, is incorporated by reference herein.

8 (c) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
9 Zoning Map Amendment will serve the public necessity, convenience and welfare for the
10 reasons set forth in Planning Commission Resolution No. _____, approving and
11 recommending the Zoning Map Amendment for adoption by the Board, and incorporates such
12 reasons by reference herein.

13 (d) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that
14 this Zoning Map Amendment is consistent with the priority policies of Section 101.1(b) of the
15 Planning Code and the General Plan as proposed to be amended, and hereby adopts the
16 findings of the Planning Commission, as set forth in Planning Commission Motion No.
17 _____, approving and recommending the Zoning Map Amendment for adoption by the
18 Board, and incorporates said findings by reference herein.

19 (e) This Zoning Map Amendment, the Third Street and Oakdale Avenue Affordable
20 Housing SUD, and all discretionary authorizations by the Planning Commission related to the
21 Project have been thoroughly analyzed in the Mitigated Negative Declaration and, since the
22 publication of the Preliminary Mitigated Negative Declaration, and the Planning Commission's
23 adoption of the Revised Mitigated Negative Declaration on _____ 2004, there are no
24 changed circumstances or other factors present that would trigger the need or requirement for
25 additional environmental review under CEQA, the CEQA Guidelines, or Chapter 31.

1 Specifically, the Board finds that under CEQA Guidelines Section 15162, and based upon the
2 Board of Supervisor’s review of the Revised Mitigated Negative Declaration, the Board finds
3 that: (1) there are no substantial modifications in the Project that would require additional
4 important revisions to the Mitigated Negative Declaration due to the involvement of new
5 significant environmental effects or a substantial increase in the severity of previously
6 identified significant effects; (2) no substantial changes have occurred with respect to the
7 circumstances under which the Project is to be undertaken that would require major revisions
8 to the Mitigated Negative Declaration due to the involvement of significant effects or a
9 substantial increase in the severity of effects identified in the Mitigated Negative Declaration;
10 and (3) no new information of substantial importance to the Project has become available that
11 would indicate (a) the Project or the actions will have significant effects not discussed in the
12 Mitigated Negative Declaration, (b) significant environmental effects would be substantially
13 more severe, (c) mitigation measures or alternatives found not feasible that would reduce one
14 or more significant effects have become feasible, or (d) mitigation measures or alternatives
15 which are considerably different from those in the Mitigated Negative Declaration would
16 substantially reduce one or more significant effects on the environment.

17 Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following
18 change in height and bulk classification, duly approved by resolution of the Planning
19 Commission, is hereby adopted as an amendment to the Zoning Map of the City and County
20 of San Francisco, Section 10 as follows:

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<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>

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1 Assessor's Block 5322, 40-X 50-X
2 Lot 45, 4800 Third Street,
3 At southwest corner of the block
4 bounded by Oakdale Avenue,
5 Third Street, Palou Avenue,
6 and Newhall Street.
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8 Section 3. Amendment of Map 10SU of the Zoning Map. The Zoning Map of the City
9 and County of San Francisco, Map 10SU shall designate the following as the Third Street and
10 Oakdale Avenue Special Use District: Assessor's Block 5322, Lot 45, 4800 Third Street,
11 At southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue,
12 and Newhall Street.
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14 APPROVED AS TO FORM:

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16 DENNIS J. HERRERA
17 City Attorney
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19 By: _____
20 Susan Cleveland-Knowles
21 Deputy City Attorney
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