



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Review and Comment on Zoning Map Amendment

HEARING DATE: FEBRUARY 6, 2013

Project Name: 909 Tennessee Street
Case Number: 2012.0724Z
Initiated by: John Kevlin, Reuben, Junius & Rose
One Bush Street, Ste. 600
San Francisco, CA 94104
Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108
Reviewed by: Tim Frye, Preservation Coordinator
tim.frye@sfgov.org, 415-575-6822

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The action before the Commission is review and comment on the proposed amendment to the Zoning Map, as described below.

On January 31, 2013, the Planning Commission initiated the zoning map amendment to rezone the subject property from P (Public) Zoning District to UMU (Urban Mixed Use Zoning District). As a former firehouse, the subject parcel was located within the P (Public) Zoning District, which is applied to land owned by a governmental agency. Since the subject parcel was recently purchased by a private individual, the Project Sponsor applied for a zoning map amendment to bring the subject parcel into conformance with the surrounding zoning districts.

SITE DESCRIPTION AND PRESENT USE

909 Tennessee Street is located on the east side of Tennessee Street, between 20th and 22nd Street, on Block 4108, Lot 036. The subject property is located on a rectangular lot that measures 50-ft by 100-ft. 909 Tennessee Street is a contributing resource to the Dogpatch Landmark District, which is designated in Article 10 of the San Francisco Planning Code. The subject property is currently located within the P (Public) Zoning District and a 40-X Height and Bulk District.

909 Tennessee Street is developed with a two-story brick masonry firehouse constructed in 1925. Formerly known as San Francisco Fire Department Fire Engine House No. 16, 909 Tennessee Street was designed by City Architect, John Reid, Jr., in an American Renaissance Revival architectural style. The subject property contains a small one-story entry wing marked by an arched terracotta surround. Other notable features of the subject property included the decorative terracotta ornamentation, hinged wood panel doors, decorative cornice, and decorative brickwork.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The surrounding area has a mixed use character with a mix of residential and light industrial properties. The subject property is located within close proximity to 3rd Street, and is within one block of the commercial properties along 22nd Street. On the east side of Tennessee Street, nearby properties include a one-story light industrial property at the corner, a three-story industrial property and four-story multi-family residence. On the west side of Tennessee Street, nearby properties include a two-story industrial warehouse and several smaller two-story, single-family residences. The surrounding area consists of properties within the UMU (Urban Mixed Use) Zoning District and one property (former Potrero Police Station) within the P (Public Zoning District). Other nearby zoning districts include NCT-2 (Small-Scale Neighborhood Commercial Transit), RH-3 (Residential House, Three-Family), and PDR-1-G (Production, Distribution and Repair-General).

ENVIRONMENTAL REVIEW

The Proposed Zoning Map Amendment is exempt from environmental review as a General Rule Exclusion under Section 15061(b)(3) of the CEQA Guidelines.

PUBLIC COMMENT

As of the date of this report, the Planning Department has one phone call inquiring about the proposed zoning map amendment.

ISSUES AND OTHER CONSIDERATIONS

The Department has no issues with the proposed zoning map amendment to rezone the subject property from P (Public) to UMU (Urban Mixed Use) Zoning District. Should any future exterior alterations occur to the historic firehouse, the Project Sponsor would be subject to review and approval by the Historic Preservation Commission through a Certificate of Appropriateness.

The Property Owner recently purchased the subject property from the City and County of San Francisco. The subject property is currently zoned for public use, and was formerly used as a firehouse. In order for the property owner to develop the subject property, a zoning map amendment needs to rezone the subject lot from P (Public) to UMU (Urban Mixed Use), as is consistent with the surrounding neighborhood. Included as an attachment is Planning Code Section 843, which describes the uses permitted within the UMU Zoning District.

REQUIRED COMMISSION ACTION

The Department recommends that the Commission recommend *approval* of the amendment to the Zoning Map and adopt the attached Draft Resolution, which will be forwarded to the Planning Commission and Board of Supervisors for their consideration.

BASIS FOR RECOMMENDATION

- The subject property is surrounded by the UMU Zoning District to the north, west and south, and the integration of this lot into the surrounding UMU Zoning District will not have a negative effect on the mixed use character of the neighborhood, as it already contains a mix of residential, commercial, and light industrial uses; and
- The historic firehouse on the subject lot is currently vacant, and there is no project proposed to date; and
- The proposed zoning map amendment will not impact the subject property's status as a contributor to the Dogpatch Landmark District.

RECOMMENDATION OF ZONING MAP AMENDMENT: Recommendation of Approval

Attachments:

Draft Commission Resolution
Draft Ordinance
Block Book Map
Sanborn Map
Aerial Photographs
Planning Code Section 843
Environmental Determination



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Draft Resolution

HEARING DATE: February 6, 2013

Date: January 31, 2013
Case No.: **2012.0724Z**
Project Address: **909 Tennessee Street**
Existing Zoning: P (Public) Zoning District
Dogpatch Historic District
40-X Height and Bulk District
Block/Lot: 4108/036
Project Sponsor: John Kevlin, Reuben, Junius & Rose
One Bush Street, Ste. 600
San Francisco, CA 94104
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Reviewed By: Tim Frye, Preservation Coordinator
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ADOPTING FINDINGS RELATED TO THE ZONING MAP AMENDMENT TO REZONE BLOCK 4108 LOT 036 (909 TENNESSEE STREET) FROM P (PUBLIC) ZONING DISTRICT TO UMU (URBAN MIXED USE) ZONING DISTRICT.

PREAMBLE

1. WHEREAS, on June 7, 2013, John Kevlin of Rueben, Junius & Rose on behalf of Wayne De Geere III (Property Owner) filed an application with the San Francisco Planning Department for a Zoning Map Amendment, as detailed in Case Number 2012.0724Z; and
2. WHEREAS, the Zoning Map Amendment would amend San Francisco Zoning Map Sheet No. ZN08 to rezone Block 4108, Lot 036 from P (Public) to UMU (Urban Mixed Use) Zoning District; and
3. WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to initiate the proposed Ordinance on January 31, 2013; and
4. WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15061(b)(3); and

THEREFORE BE IT RESOLVED that the Historic Preservation Commission has reviewed the Zoning Map Amendment and Ordinance for 909 Tennessee Street, on Lot 036 in Assessor's Block 4108, and this Commission finds the Zoning Map Amendment would not affect the Dogpatch Landmark District, which

is designated in Article 10 of the San Francisco Planning Code, or the contributing building at 909 Tennessee Street, and has provided the following comments:

■

BE IT FURTHER RESOLVED that the Historic Preservation Commission hereby directs its Recording Secretary to transmit this Resolution, and other pertinent materials in the Case File No. 2012.0724Z to the Planning Commission and Board of Supervisors.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission at its regularly scheduled meeting on February 6, 2013.

Jonas P. Ionin
Acting Commission Secretary

PRESENT:

ABSENT:

ADOPTED: February 6, 2013

FILE NO.

ORDINANCE NO.

[Zoning Map – Rezoning of 909 Tennessee Street]

Ordinance amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Block No. 4108, Lot No. 036 (909 Tennessee Street) from P to UMU; and 2) making environmental findings, tPlanning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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

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

Section 1. Findings. The Board of Supervisors makes the following findings:

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

(b) Pursuant to Planning Code Section 302, this Board finds that the actions contemplated in this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____ and the Board incorporates such reasons herein by reference. A copy of the Planning Commission Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____.

(c) This Board finds that the actions contemplated in this ordinance are consistent with the General Plan and with the Priority Policies of Planning Code Section 101.1 for the

1 reasons set forth in Planning Commission Resolution No. _____ and the Board
2 hereby incorporates such reasons herein by reference.

3 Section 2. Sheet ZN08 of the Zoning Map of the City and County of San Francisco is
4 hereby amended, as follows:

5

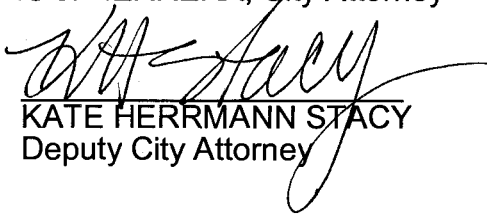
	<u>Use District</u>	<u>Use District</u>
<u>Description of Property</u>	<u>to be Superseded</u>	<u>Hereby Approved</u>
8 Block 4108, Lot 036	P	UMU

9

10 Section 3. Effective Date. This ordinance shall become effective 30 days from the
11 date of passage.

12

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

15 By: 
16 KATE HERRMANN STACY
17 Deputy City Attorney

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Parcel Map

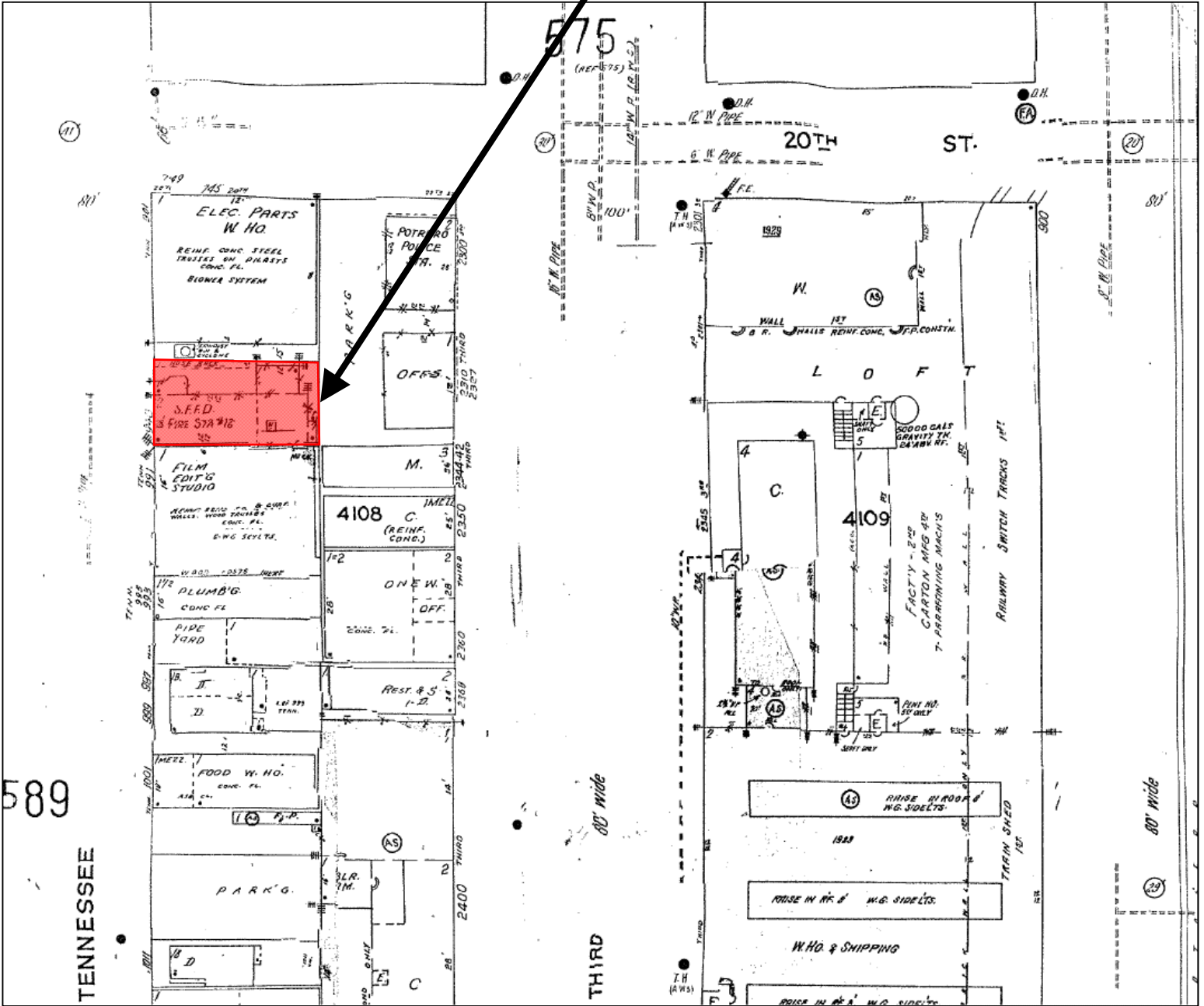
SUBJECT PROPERTY



Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

Sanborn Map*

PROJECT SITE

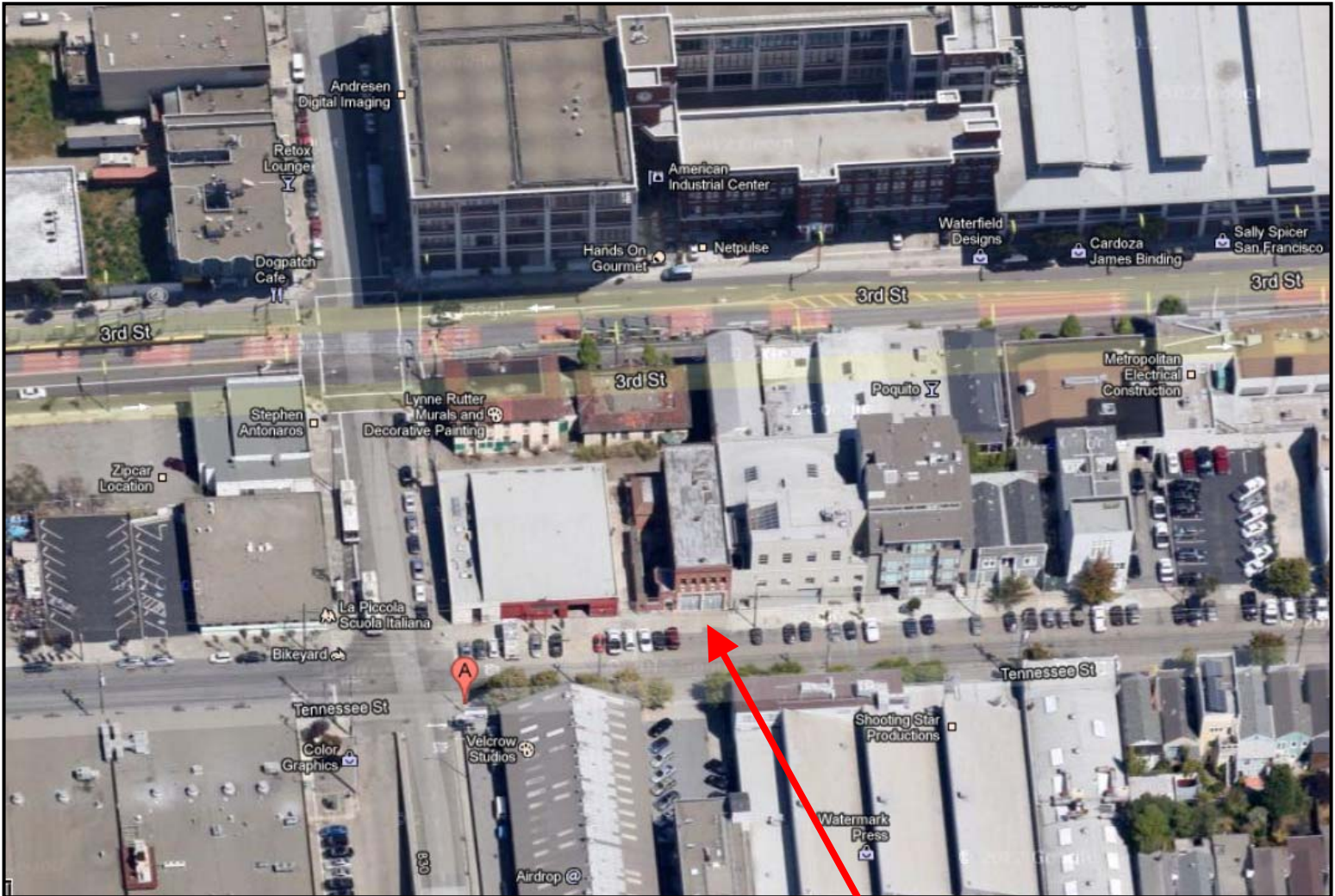


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map Amendment
 Case Number 2012.0724Z
 909 Tennessee Street

Aerial Photo

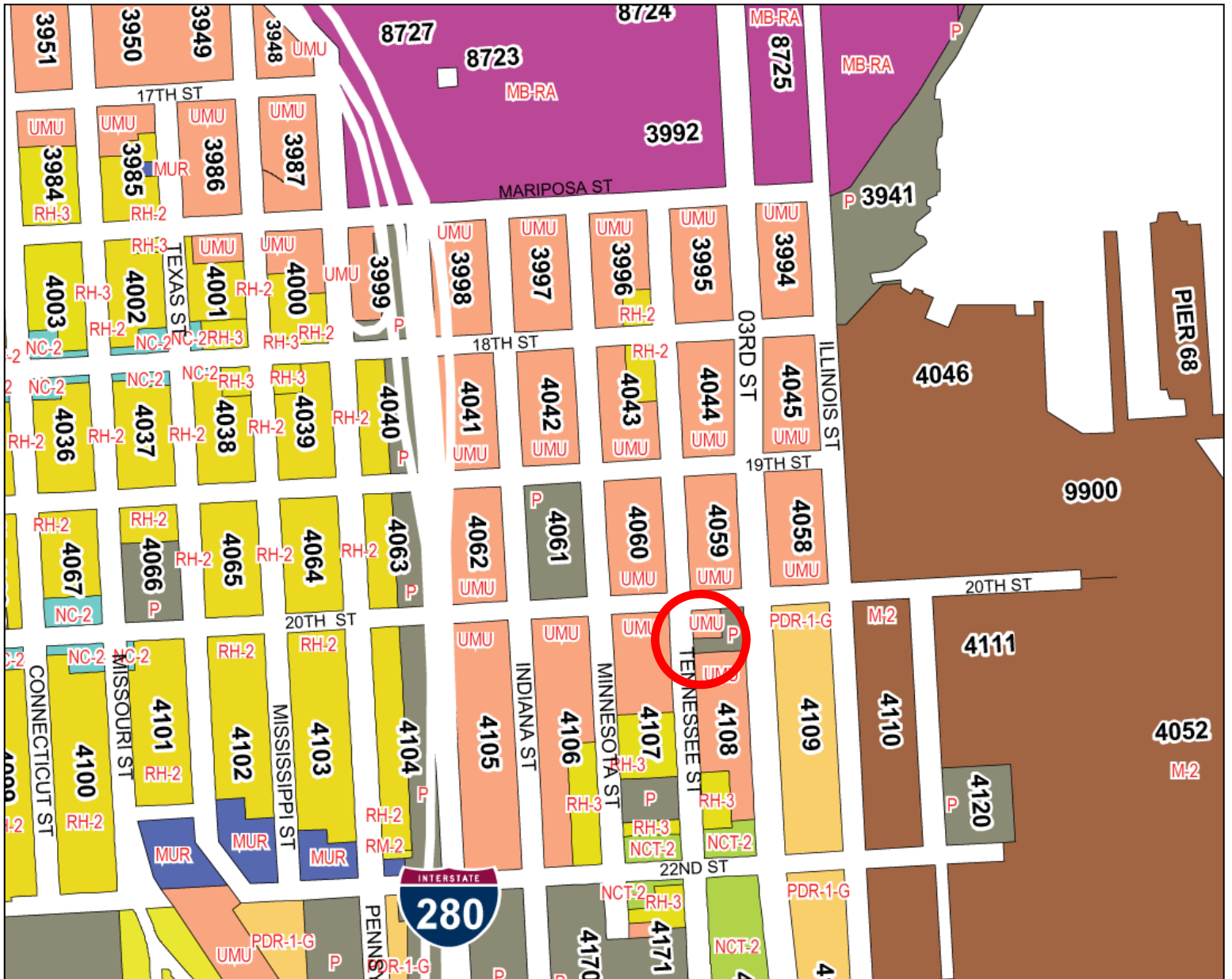


PROJECT SITE



Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

Zoning Map



Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

Site Photo

PROJECT SITE



909 Tennessee Street

Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

San Francisco Planning Code

SEC. 843. UMU – URBAN MIXED USE DISTRICT.

The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. Within the UMU, office uses are restricted to the upper floors of multiple story buildings. In considering any new land use not contemplated in this District, the Zoning Administrator shall take into account the intent of this District as expressed in this Section and in the General Plan.

Table 843
UMU – URBAN MIXED USE DISTRICT
ZONING CONTROL TABLE

			<i>Urban Mixed Use District</i>
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
Building and Siting Standards			
843.01	Height Limit	See Zoning Map, §§ 260-261.1, 263.20	As shown on Sectional Maps 1 and 7 of the Zoning Map Height sculpting required on narrow streets, § 261.1 Non-habitable vertical projections permitted, § 263.20
843.02	Bulk Limit	See Zoning Map, §§ 270, 270.1, 270.2	As shown on Sectional Maps 1 and 7 of the Zoning Map Horizontal mass reduction required, § 270.1 Mid-block alleys required, §270.2
843.03	Non-residential density limit	§§ 102.9, 123, 124, 127	Generally contingent upon permitted height, per Section 124

843.04	Setbacks	§§ 134, 136, 136.2, 144, 145.1	Generally required
843.05	Awnings and Canopies	§§ 136, 136.1, 136.2	P
843.06	Parking and Loading Access: Prohibition	§ 155(r)	None
843.07	Parking and Loading Access: Siting and Dimensions	§§ 145.1, 151.1, 152.1, 155	Requirements apply
843.08	Off-Street Parking, Residential	§ 151.1	None required. Limits set forth in Section 151.1
843.09	Residential to non-residential ratio	§ 803.8(e)	None
843.10	Off-Street Parking, Non-Residential	§§ 150, 151, 151.1, 153-157, 204.5	None required. Limits set forth in Section 151.1
843.11	Usable Open Space for Dwelling Units and Group Housing	§ 135	80 sq.ft. per unit; 54 sq.ft. per unit if publicly accessible
843.12	Usable Open Space for Non-Residential	§ 135.3	Required; amount varies based on use; may also pay in-lieu fee
843.13	Outdoor Activity Area	§ 890.71	P
843.14	General Advertising Sign	§§ 607.2(b) & (e) and 611	NP
Residential Uses			
843.20	Dwelling Units	§ 102.7	P
843.21	Group Housing	§ 890.88(b)	P
843.22	SRO Units	§ 890.88(c)	NP
843.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit
843.25	Dwelling Unit Mix	§ 207.6	At least 40% of all dwelling units must

			contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.
843.26	Affordability Requirements	§ 319	Varies- see Section 319
843.27	Residential Demolition or Conversion	§ 317	Restrictions apply; see criteria of Section 317
Institutions			
843.30	Hospital, Medical Centers	§ 890.44	NP
843.31	Residential Care	§ 890.50(e)	C
843.32	Educational Services	§ 890.50(c)	C for post-secondary institutions; P for all other
843.33	Religious Facility	§ 890.50(d)	P
843.34	Assembly and Social Service	§ 890.50(a)	P
843.35	Child Care	§ 890.50(b)	P
843.36	Medical Cannabis Dispensary	§ 890.133	NP
Vehicle Parking			
843.40	Automobile Parking Lot	§§ 890.7, 890.9, 890.11	NP
843.41	Automobile Parking Garage	§§ 890.8, 890.10, 890.12, 157.1	C; subject to criteria of Sec. 157.1.
Retail Sales and Services			
843.45	All Retail Sales and Services which are not listed below	§§ 890.104, 890.116, 803.9(i), 121.6	P up to 25,000 gross sq.ft. per lot; above 25,000 gross sq.ft. per lot permitted only if the ratio of other permitted uses to retail is at least 3:1. P up to 3,999 gross sq.ft. per

			use; C over 4,000 gross sq.ft. per use.
843.46	Formula Retail	§§ 803.6, 843.45	C. If approved, subject to size controls in Section 843.45.
843.47	Ambulance Service	§ 890.2	C
843.48	Self-Storage	§ 890.54(d)	NP
843.49	Tourist Hotel	§ 890.46	NP
843.51	Gyms	§§ 218(d), 803.9(i)	P up to 3,999 gross sq.ft. per use; C over 4,000 gross sq.ft. per use. Not subject to 3:1 ratio, per Sec. 803.9(i).
Assembly, Recreation, Arts and Entertainment			
843.55	Arts Activity	§ 102.2	P
843.56	Nighttime Entertainment	§§ 102.17, 181(f), 803.5 (b)	P
843.57	Adult Entertainment	§ 890.36	C
843.58	Amusement Arcade	§ 890.4	P
843.59	Massage Establishment	§ 890.60	NP
843.60	Movie Theater	§ 890.64	P, up to three screens
843.61	Pool Hall not falling within Category 890.50(a)	§ 221(f)	P
843.62	Recreation Building, not falling within Category 843.34	§ 221(e)	P
Office			
843.65	Office Uses in Landmark Buildings	§§ 890.70, 803.9(c)	P

843.65A	Services, Professional; Services Financial; Services Medical	§§ 890.108, 890.110, 890.114	Subject to vertical control of Sec. 803.9(h). P on the ground floor when primarily open to the general public on a client-oriented basis.
843.66	All Other Office Uses	§§ 803.9(h), 890.70, 890.118	Subject to vertical control of Sec. 803.9(h)
843.67	Live/Work Units	§ 233	NP
Motor Vehicle Services			
843.70	Vehicle Storage - Open Lot	§ 890.131	NP
843.71	Vehicle Storage - Enclosed Lot or Structure	§ 890.132, 157.1	C; subject to criteria of Sec. 157.1.
843.72	Motor Vehicle Service Station	§ 890.18	P
843.73	Motor Vehicle Repair	§ 890.15	P
843.74	Automobile Tow Service	§ 890.19	C
843.75	Non-Auto Vehicle Sales or Rental	§ 890.69	P
843.76	Automobile Sale or Rental	§ 890.13	P; subject to size controls in Section 843.45.
843.77	Automotive Wash	§ 890.20	C
Industrial, Home, and Business Service			
843.78	Wholesale Sales	§ 890.54(b)	P
843.79	Light Manufacturing	§ 890.54(a)	P
843.80	Trade Shop	§ 890.124	P
843.81	Catering Service	§ 890.25	P
843.82	Business Goods and	§ 890.23	P

	Equipment Repair Service		
843.83	Business Service	§ 890.111	P
843.84	Commercial Storage	§ 890.54(c)	P
843.85	Laboratory, life science	§ 890.53	NP
843.86	Laboratory, not including life science laboratory	§§ 890.52, 890.53	P
843.87	Non-Retail Greenhouse or Plant Nursery	§ 227(a)	P
843.88	Integrated PDR	§ 890.49	P in applicable buildings
Other Uses			
843.90	Mortuary Establishment	§ 227(c)	NP
843.91	Animal Services	§ 224	P
843.92	Public Use, except Public Transportation Facility, Internet Service Exchange, and Commercial Wireless Transmitting, Receiving or Relay Facility	§§ 890.80, 209.6(c), 227 (h)	P
843.93	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C
843.94	Internet Services Exchange	209.6(c)	NP
843.95	Public Transportation Facilities	§ 890.80	P
843.96	Open Air Sales	§§ 803.9(c), 890.38	P
843.97A	Open Recreation	§ 209.5	P
843.97B	Neighborhood Agriculture	§ 102.35(a)	P

843.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
843.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, 803.9(b)	P

(Added by Ord. 298-08, File No. 081153, App. 12/19/2008; amended by Ord. [66-11](#), File No. 101537, App. 4/20/2011, Eff. 5/20/2011; Ord. [196-11](#), File No. 110786, App. 10/4/2011, Eff. 11/3/2011; Ord. [188-12](#), File No. 111374, App. 9/11/2012, Eff. 10/11/2012)

AMENDMENT HISTORY

Former Zoning Category 843.97 redesignated as 843.97A and amended; Zoning Categories 843.97B and 843.97C added; Ord. [66-11](#), Eff. 5/20/2011. Zoning Categories 843.04 and 843.45 amended; former Zoning Category 843.50 deleted; Zoning Categories 843.62 and 843.65 amended; Zoning Category 843.65A added; Zoning Categories 843.85 and 843.86 amended; Ord. [196-11](#), Eff. 11/3/2011. Former Zoning Category 843.23 deleted; Ord. [188-12](#), Eff. 10/11/2012.

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SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.0724E
Project Address: 909 Tennessee
Block/Lot: 4108/036
Current Zoning: P (Public)
40-X Height and Bulk District
Proposed Zoning: UMU (Urban Mixed Use)
Project Sponsor: Reuben & Junius LLP
Staff Contact: Laura Lynch – (415) 575-9045
Laura.Lynch@sfgov.org

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PROJECT DESCRIPTION:

The project site is occupied by a firehouse, which is no longer in use and has been sold to a private entity. The project site is located within the Historic Dogpatch district in the Potrero Hill neighborhood, on the east side of Tennessee Street, between 20th and 22nd Street. The project site is zoned P (Public) in accordance with its former use. The Planning Department is proposing to apply the UMU (Urban Mixed Use) zoning district to the site because P zoning is intended only for property in public use. No new use is proposed for the project site at this time. Any future project on this site will be subject to the applicable application and review procedures as appropriate to the use and changes proposed.

EXEMPT STATUS:

General Rule Exclusion [State CEQA Guidelines Section 15061(b)(3)]

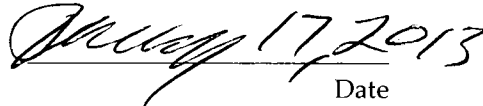
REMARKS:

Please see next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


BILL WYCKO
Environmental Review Officer


Date

cc: Reuben & Junius, Project Sponsor
Malia Cohen, Supervisor, District 10

Richard Sucre, SE Quadrant
Virna Byrd, M.D.F

REMARKS

The existing site is currently zoned P for general public use. The proposed zoning change would rezone the site to Urban Mixed Use (UMU). UMU zoning is intended for formerly industrial areas within Eastern Neighborhoods. The intention of UMU zoning is to "promote a vibrant mix of uses" including office, light manufacturing, retail, educational facilities; etc. Residential is also permitted with higher affordability requirements. UMU is also used as a "buffer" between residential and PDR zoned areas.

Abutting to the rear of the property is a vacant police station, zoned P. Aside from this parcel, the land immediately surrounding the site is zoned UMU. Within the greater neighborhood of the site, PDR, RH-3, and NCT-2 are found.

The Planning Department records show that the existing building was constructed in 1900. The year 1900 is a default year for the Planning Department and used when building records have been lost. The project sponsor believes the existing building was constructed in 1925. The property was classified within the Dogpatch Survey as a known historic resource by the Planning Department. The approximate building height to the top of the parapet of the existing 6,270 sqft building is 31 feet and five and one half inches. The building occupies approximately 3,123 sqft of the 5,007 sqft parcel. There is no proposed change to the existing height/bulk district of 40X. Future projects proposed on the site will require further environmental and historical review.

Public Notice and Comment:

A "Notification of Project Receiving Environmental Review" for the proposed rezoning at 909 Tennessee Street was mailed on November 8, 2012 to addresses within a 300-foot radius of the project site and to potentially interested parties. One response was received regarding concern for density, height and development on the property as well as the importance of the historic context. The existing height and bulk district (40X) of the property will remain as is. No physical project is proposed at this time and further environmental and historic review will be conducted once a project is proposed.

CEQA State Guidelines Section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant impact on the environment. The proposed rezoning of 909 Tennessee Street from P to UMU would have no physical effects on the environment and based on the above information and analysis it can be seen with certainty that there would be no significant effects related to the environment. Therefore, the project is excluded from further environmental review under the "General Rule" found in CEQA Guidelines Section 15061(b)(3).

CONCLUSION

The California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) establishes the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.