



PLANNING COMMISSION MOTION NO. 2 1206

HEARING DATE: NOVEMBER 17, 2022

Record No.: 2019-016230ENV
Project Title: Housing Element 2022 Update
Zoning: VAR Use District
VAR Height and Bulk Districts
Block/Lot: VAR
Project Sponsor: San Francisco Planning Commission
(via San Francisco Planning Department's Community Equity Division)
James Pappas- (628) 652-7470
james.pappas@sfgov.org
Staff Contact: Elizabeth White- (628) 652-7557
elizabeth.white@sfgov.org

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HOUSING ELEMENT 2022 UPDATE.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2019-016230ENV, for the Housing Element 2022 Update (hereinafter "Project"), based on the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq., hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - A. The Department determined that an environmental impact report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 16, 2021. The public notice also provided notice of the date and time of a virtual public scoping meeting held on June 29, 2021. The notice was mailed to the Department's list of persons requesting such notice, the State Clearinghouse, local agencies/department/jurisdictions including decisionmakers on June 16, 2021.
 - B. On April 20, 2022, the Department published the draft EIR (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice, individuals who submitted comments on the notice of preparation of an EIR, the State Clearinghouse, and local agencies/departments/jurisdictions including decisionmakers on April 20, 2022. Hard copies of the document were mailed to individuals who requested physical copies.

- C. The notice of availability of the DEIR and of the date and time of the public hearing were provided to San Francisco public libraries and recreation centers for posting on April 20, 2022.
 - D. On April 20, 2022, copies of the DEIR were mailed or otherwise delivered to state government agencies through the State Clearinghouse.
 - E. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on April 20, 2022.
2. The Commission held a duly advertised public hearing on said DEIR on June 9, 2022, at which opportunity for public comment was given and public comment was received on the DEIR. The period for acceptance of written comments ended on July 12, 2022.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 83-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Responses to Comments document, published on November 2, 2022, distributed to the Commission, the San Francisco Board of Supervisors, and all parties who commented on the DEIR, and made available to download from the Department web site as well as to others upon request at the Department.
 4. A final environmental impact report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Responses to Comments document, all as required by law.
 5. The Final EIR consisting of the draft EIR and RTC with appendices and attachments are available for review by the Commission and the public on the San Francisco Planning Department website on the Environmental Documents page. Other project files are available to the public at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103. These project files are part of the administrative record before the commission.
 6. The Commission, in certifying the completion of said FEIR, hereby does find that that none of the factors that would necessitate recirculation of the FEIR under CEQA Guidelines Section 15088.5 are present. The FEIR contains no information revealing (1) any new significant environmental impact that would result from the Project or from a new mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible Project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project, but that was rejected by the Project's proponents, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Commission finds that the Project proposed for approval is within the scope of the Project analyzed in the FEIR, and the FEIR fully analyzed the Project proposed for approval. No new impacts have been identified that were not analyzed in the FEIR.


7. On November 17, 2022, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
8. The Commission hereby does find that the FEIR concerning File No. 2019-016230ENV reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Responses to Comments document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
9. The Commission, in certifying the completion of said FEIR, hereby does find that the Project described in the EIR:
 - A. Would have significant unavoidable impacts on the following:
Project-level Impacts
 - Cultural resources (built-environment historic resources)
 - Transportation and circulation (construction-related transportation, transit delay, and loading)
 - Noise and vibration (construction and operational noise)
 - Air quality (criteria pollutants and exposure of sensitive receptors to substantial levels of fine particulate matter and toxic air contaminants)
 - Wind
 - Shadow
 - Utilities and service systems (water supply and wastewater facilities).

Some of these significant impacts would be reduced with the implementation of mitigation measures but would remain significant and unavoidable with mitigation.

Cumulative Impacts

- Cultural resources (built-environment historic resources)
 - Transportation and circulation (construction-related transportation, transit delay, and loading)
 - Noise and Vibration (construction noise)
 - Air quality (exposure of sensitive receptors to substantial levels of fine particulate matter and toxic air contaminants)
10. The Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 17, 2022.



Jonas P. Ionin | Digitally signed by Jonas P. Ionin
Date: 2022.11.17 15:27:00 -0800

Jonas P. Ionin
Commission Secretary

AYES: Braun, Diamond, Kopple, Imperial, Moore, Tanner
NAYS: None
RECUSED: Ruiz
ADOPTED: November 17, 2022