



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion No. 18211

HEARING DATE: OCTOBER 28, 2010

Date: October 14, 2010
Case No.: 2007.1238EMTRU
Project Address: Citywide
Project Sponsor: Planning Department, other agencies
Staff Contact: Adam Varat – (415) 558-6405
adam.varat@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES RELATED TO THE SAN FRANCISCO BETTER STREETS PLAN AND ASSOCIATED GENERAL PLAN AND MUNICIPAL CODE AMENDMENTS, AND OTHER RELATED ACTIONS.

PREAMBLE

On October 17, 2007, an Environmental Evaluation Application was submitted to the Planning Department (“Department”) for Case No. 2007.1238E: Draft San Francisco Better Streets Plan. A Notification of Project Receiving Environmental Review was sent on October 22, 2008 to potentially interested parties and members of the public.

The Better Streets Plan (the Plan) creates a comprehensive guide to the design and management of the pedestrian realm of our city’s streets, including detailed guidelines for street types, sidewalk widths and zones, overall streetscape layout, and design guidelines for specific streetscape elements, consistent with all applicable state and federal statutes and regulations.

The Better Streets Plan Draft for Public Review was released in June 2008, in conjunction with several public meetings to gather feedback on the Plan. Planning Department staff also received over 100 written comments on the Plan. Since that time, staff has developed plan revisions based on public and agency comment, and conducted environmental review under the California Environmental Quality Act (CEQA). Plan revisions were published in October 2009, and the Better Streets Plan Final Draft was published in July 2010.

The public process to legislate and adopt the Better Streets Plan has already been initiated. At the regularly scheduled Board of Supervisors hearing on September 21, 2010, Mayor Gavin Newsom introduced an ordinance to amend the Administrative Code, Planning Code, Public Works Code, and Subdivision Code, relating to the Better Streets Plan, and an ordinance amending the Urban Design and Transportation Elements of the General Plan relating to the Better Streets Plan. The proposed amendments would require improvements to the public right-of-way to follow the policies and guidelines in the Better Streets Plan, make these codes

consistent with the content of the Plan, and establish requirements to implement street improvements.

On July 28, 2010, the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review. The Draft IS/MND was available for public comment until 5:00 p.m. on August 17, 2010. The Final Mitigated Negative Declaration was published on September 15, 2010.

On October 28, 2010, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2007.1238EMTRU.

On said date, the Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND).

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP) as part of the FMND, shown in Attachment 3, which material was made available to the public and this Commission for this Commission's review, consideration and action.

In a letter dated June 18, 2010, and included as part of Attachment 3, the San Francisco Municipal Transportation Agency indicated its consent to implement Mitigation Measure TR-1 – Provision of New Loading Space.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2007.1238EMTRU, at 1650 Mission Street, Fourth Floor, San Francisco, California.

FINDINGS

The Commission hereby approves the CEQA findings for Case No. 2007.1238EMTRU, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings. Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, on behalf of the applicant, Department staff, and other interested parties, this Commission finds, concludes, and determines as follows:

1. The recitals herein are accurate and constitute findings of this Commission.
2. **Project Description.** The Project comprises a citywide set of guidelines and policies, to govern the design of streetscape and pedestrian features in the public right-of-way, including such features as landscaping, lighting, site furnishing, sidewalk design, and traffic calming features in the public right-of-way.

DECISION

That based upon the Record, the submissions by the Project Sponsor(s), the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby finds that the contents of FMND and the procedures through which the FMND was prepared,

publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA). 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Planning Commission further finds that the FMND is adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft IS/MND, and adopts the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Commission approves CEQA findings for the Better Streets Plan and related actions, subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the IS/MND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

The Planning Commission hereby adopts the MMRP attached hereto as Attachment 3 and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the IS/MND and contained in the MMRP are included as conditions of approval of the Better Street Plan and shall be incorporated into said Plan.

The Planning Commission further finds that since the MND was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the MND.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 28, 2010.

Linda D. Avery
Commission Secretary

AYES: Antonini, Borden, Miguel, Moore, Olague, Sugaya

Motion No. 18211
Hearing Date: October 28, 2010

CASE NO 2007.1238EMTRU
Better Streets Plan

NAYS:

ABSENT:

ADOPTED: October 28, 2010

Exhibit A

Conditions of Approval

Whenever "Project Sponsor" is used in the following conditions, the conditions shall also bind any successor to the Project or other persons having an interest in the Project or underlying property.

Mitigation Measures

1. Mitigation measures described in the MMRP attached as Attachment 3 are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor(s). Their implementation is a condition of project approval, and shall be incorporated into the Better Streets Plan.

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