

1 [Approving proposed Housing Element amendment to the City's General Plan.]

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3 **Ordinance approving the proposed Housing Element to the City's General Plan; making**
4 **environmental findings.**

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

7 Section 1. Findings.

8 Section 4.105 of the Charter of the City and County of San Francisco provides that the
9 City Planning Commission shall periodically recommend to the Board of Supervisors, for
10 approval or rejection, proposed amendments to the General Plan.

11 On June 1, 2004, the Board of Supervisors received from the Planning Department a
12 revised and updated Housing Element of the General Plan of the City and County of San
13 Francisco, adopted by the City Planning Commission on May 13, 2004.

14 Section 4.105 of the City Charter further provides that if the Board of Supervisors fails
15 to act within 90 days of receipt of the proposed Housing Element amendment, then the
16 proposed amendment shall be deemed approved.

17 On December 20, 2003, the Planning Department determined that the Update of the
18 Housing Element of the San Francisco General Plan (the "Project") could not have a
19 significant effect on the environment, and published a Preliminary Negative Declaration in
20 compliance with the California Environmental Quality Act ("CEQA"), the State CEQA
21 Guidelines, and Chapter 31 of the San Francisco Administrative Code.

22 On January 30, 2004, several organizations timely appealed the Preliminary Negative
23 Declaration to the Planning Commission, and on May 13, 2004, following a duly noticed public
24 hearing, the Commission approved, by Motion No. 16786 ("Negative Declaration"), the
25 issuance of the Final Negative Declaration, as prepared by the Planning Department in

1 compliance with CEQA, the State CEQA Guidelines, and Chapter 31 of the San Francisco
2 Administrative Code. At the same hearing during which the Planning Commission adopted
3 the Negative Declaration, the Commission also adopted the Project in Resolution No. 16787.

4 Several organizations timely appealed the Planning Commission's decision to affirm
5 the Negative Declaration to the Board of Supervisors.

6 On _____, 2004, the Board of Supervisors conducted a public hearing on the
7 appeal of the Negative Declaration, prior to the consideration or approval of the Project by the
8 Board of Supervisors. The Board of Supervisors reviewed the Negative Declaration and
9 associated attachments, records, public comments and references as the environmental
10 review documents for the Project, and upheld the Planning Commission's decision to affirm
11 the Negative Declaration in Motion No. 16786, on file with the Clerk of the Board in File No.
12 _____.

13 The Board of Supervisors found that the Negative Declaration reflects the City's
14 independent judgment and analysis and, on the basis of the whole record before it, found that
15 the Negative Declaration is adequate and complete, and there is no substantial evidence that
16 the Project would have a significant effect on the environment.

17 The Board of Supervisors found that the Project is consistent with the project as
18 described in the Negative Declaration, and would not result in any significant impacts not
19 identified in the Negative Declaration, nor cause significant effects identified in the Negative
20 Declaration to be substantially more severe.

21 The Board further finds that there have been no substantial Project changes, no
22 substantial changes in Project circumstances, and no new information of substantial
23 importance that would change the conclusions set forth in the Negative Declaration.

24 Any and all documents referenced herein have been made available to, and reviewed
25 by, the Board of Supervisors, and may be found in either the files of the City Planning

1 Department, as the custodian of records, at 1660 Mission Street in San Francisco, or in File
2 No. _____ with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place,
3 San Francisco.

4 The Board of Supervisors hereby certifies that it has reviewed and considered the
5 Negative Declaration and the environmental documents on file herein, as set forth in Planning
6 Commission Motion No. 16786, affirming the Negative Declaration, and in Board of
7 Supervisors Motion No. _____, upholding the Planning Commission's decision to affirm
8 the Negative Declaration, both on file with the Clerk of the Board in File No. _____.

9 Section 2. The Board of Supervisors hereby approves the proposed Housing Element
10 amendment to the General Plan recommended to the Board of Supervisors by the City
11 Planning Commission on May 13, 2004, referred to above.

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

15 By: _____
16 Theodore R. Lakey
17 Deputy City Attorney
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