

1 [General Plan Amendments - Housing Element 2022 Update]

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3 **Ordinance amending the San Francisco General Plan by adopting the Housing Element**
4 **2022 Update as the Housing Element of the General Plan, and making conforming**
5 **amendments to the Air Quality, Commerce & Industry, Environmental Protection, and**
6 **Urban Design Elements of the General Plan; and making environmental findings,**
7 **findings of consistency with the General Plan, and the eight priority policies of**
8 **Planning Code, Section 101.1, and findings of public convenience, necessity, and**
9 **general welfare under Planning Code, Section 340.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

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19 Section 1. Findings.

20 (a) Section 4.105 of the Charter provides that the Planning Commission shall
21 periodically recommend to the Board of Supervisors, for approval or rejection, proposed
22 amendments to the San Francisco General Plan (“General Plan”).

23 (b) On December 16, 2022, the Board of Supervisors received from the Planning
24 Department the proposed Housing Element 2022 Update which updates the Housing Element
25 of the General Plan as well as conforming amendments to the Air Quality, Commerce &
Industry, Environmental Protection, and Urban Design Elements of the General Plan.

1 (c) Section 4.105 of the Charter further provides that if the Board of Supervisors fails to
2 act within 90 days of receipt of the proposed General Plan amendments, then the proposed
3 amendments shall be deemed approved.

4 (d) Planning Code Section 340 provides that the Planning Commission may initiate
5 amendments to the General Plan by a resolution of intention, which refers to, and
6 incorporates by reference, the proposed General Plan amendments. Section 340 further
7 provides that the Planning Commission shall adopt the proposed General Plan amendments
8 after a public hearing if it finds from the facts presented that the public necessity,
9 convenience, and general welfare require the proposed amendments or any part thereof. If
10 adopted by the Commission in whole or in part, the proposed amendments shall be presented
11 to the Board of Supervisors, which may approve or reject the amendments by a majority vote.

12 (e) On November 17, 2022, at a duly noticed public hearing, the Planning Commission
13 initiated the adoption of the proposed Housing Element 2022 Update and conforming
14 amendments to the Air Quality, Commerce & Industry, Environmental Protection, and Urban
15 Design Elements.

16 (f) On November 17, 2022, at a duly noticed public hearing, the Planning Commission
17 certified the Final Environmental Impact Report (EIR) for the proposed Housing Element 2022
18 Update, which analyzed the impacts of the proposed Housing Element 2022 Update and
19 conforming amendments (the "Project"), by Motion No. M-21206, finding the Final EIR reflects
20 the independent judgment and analysis of the City and County of San Francisco, is adequate,
21 accurate, and objective, contains no significant revisions to the Draft EIR, published on April
22 20, 2022, and the content of the report and the procedures through which the Final EIR was
23 prepared, publicized, and reviewed comply with the provisions of the California Environmental
24 Quality Act (California Public Resources Code Sections 21000 et seq.), the CEQA Guidelines
25 (14 Cal. Code Regs. Section 15000 et seq.), and Chapter 31 of the San Francisco

1 Administrative Code. Copies of the Planning Commission Motion and Final EIR are on file
2 with the Clerk of the Board of Supervisors in File No. 230001.

3 (g) On December 15, 2022, at a duly noticed public hearing, the Planning Commission
4 adopted findings under CEQA regarding the Project's environmental impacts, the disposition
5 of mitigation measures, and project alternatives, as well as a statement of overriding
6 considerations (CEQA Findings) and adopted a mitigation monitoring reporting program
7 (MMRP), by Resolution No. 21220.

8 (h) The Planning Commission then adopted the proposed Housing Element 2022
9 Update and conforming amendments by Resolution No. 21221, finding in accordance with
10 Planning Code Section 340 that the public necessity, convenience, and general welfare
11 required the proposed amendments.

12 (i) The Planning Commission found that the Housing Element 2022 Update and
13 conforming amendments comply with state law, including but not limited to the requirements
14 of California Government Code Section 65583 regarding the contents of a Housing Element,
15 for the reasons set forth in Resolution No. 21221.

16 (j) The letter from the Planning Department transmitting the proposed Housing
17 Element 2022 Update and conforming amendments to the Board of Supervisors, the Final
18 EIR, the CEQA Findings, the MMRP, and the Planning Commission's Resolution approving
19 the proposed 2022 Housing Element and conforming amendments are on file with the Clerk of
20 the Board of Supervisors in File No. 230001. These and any and all other documents
21 referenced in this ordinance have been made available to the Board of Supervisors and may
22 be found in both the files of the Planning Department, as the custodian of records, at 49 South
23 Van Ness Avenue, San Francisco, or in File No. 230001 with the Clerk of the Board of
24 Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco, and are incorporated herein by
25 reference.

1 (k) The Board of Supervisors has reviewed and considered the Final EIR and the
2 environmental documents on file and referred to herein. The Board of Supervisors has
3 reviewed and considered the CEQA Findings adopted by the Planning Commission in support
4 of the approval of the proposed Housing Element 2022 Update and conforming amendments,
5 including the MMRP and the statement of overriding considerations, and hereby adopts them
6 as its own.

7 (l) The Board of Supervisors adopts the MMRP identified in the Planning
8 Commission's CEQA Findings.

9 (m) The Board of Supervisors finds that no substantial changes have occurred in the
10 Housing Element 2022 Update or conforming amendments proposed for approval under this
11 ordinance that would require revisions in the Final EIR due to the involvement of new
12 significant environmental effects or a substantial increase in the severity of previously
13 identified significant effects; that no substantial changes have occurred with respect to the
14 circumstances under which the Housing Element 2022 Update or conforming amendments
15 proposed for approval under this Ordinance is to be undertaken that would require major
16 revisions to the Final EIR due to the involvement of new environmental effects or a substantial
17 increase in the severity of effects identified in the Final EIR; and that no new information of
18 substantial importance to the Housing Element 2022 Update or conforming amendments
19 proposed for approval under this ordinance has become available which indicates that (1) the
20 Project will have significant effects not discussed in the Final EIR, (2) significant
21 environmental effects will be substantially more severe, (3) mitigation measure or alternatives
22 found not feasible that would reduce one or more significant effects have become feasible, or
23 (4) mitigation measures or alternatives that are considerably different from those in the Final
24 EIR would substantially reduce one or more significant effects on the environment.
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1 (n) The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
2 proposed Housing Element 2022 Update and the conforming amendments will serve the
3 public necessity, convenience and general welfare for the reasons set forth in Planning
4 Commission Resolution No. 21221 and incorporates those reasons herein by reference.

5 (o) The Board of Supervisors finds that the proposed Housing Element 2022 Update
6 and conforming amendments as set forth in the documents on file with the Clerk of the Board
7 in Board File No. 230001, are, on balance, consistent with the General Plan, as amended,
8 and the eight priority policies of Planning Code Section 101.1 for the reasons set forth in
9 Planning Commission Resolution No. 21220 The Board hereby adopts the findings set forth in
10 Planning Commission Resolution No. 21220 and incorporates those findings herein by
11 reference.

12 (p) The Board of Supervisors finds that the Housing Element 2022 Update and
13 conforming amendments comply with state law, including but not limited to the requirements
14 California Government Code Section 65583 regarding the contents of a Housing Element, for
15 the reasons set forth in Planning Commission Resolution No. 21221. The Board hereby
16 adopts the findings set forth in Planning Commission Resolution No. 21221 and incorporates
17 those findings herein by reference.

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19 Section 2. Amendments of the General Plan.

20 The Board of Supervisors hereby amends the San Francisco General Plan by:

21 (a) Repealing the 2014 Housing Element in its entirety and adopting the Housing
22 Element 2022 Update, as recommended to the Board of Supervisors by the Planning
23 Commission on December 15, 2022, and referred to above. The Housing Element 2022
24 Update is designated as Appendix A, on file with the Clerk of the Board of Supervisors in File
25 No. 230001, and is incorporated by reference as if fully set forth herein.

1 (b) Revising the Air Quality, Commerce & Industry, Environmental Protection, and
2 Urban Design Elements to conform to the adoption of the Housing Element 2022 Update.
3 The conforming amendments to the Air Quality, Commerce & Industry, Environmental
4 Protection, and Urban Design Elements are designated as Appendix B, on file with the Clerk
5 of the Board of Supervisors in File No. 230001, and are incorporated by reference as if fully
6 set forth herein.

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8 Section 3. Effective Date. This ordinance shall become effective 30 days after
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
11 of Supervisors overrides the Mayor's veto of the ordinance.

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1 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to repeal the 2014 Housing Element in its entirety and adopt the Housing Element
3 2022 Update, as shown in Appendix A. As to the conforming amendments to the Air Quality,
4 Commerce & Industry, Environmental Protection, and Urban Design Elements, shown in
5 Appendix B, the Board of Supervisors intends to amend only those words, phrases,
6 paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or
7 any other constituent parts of the General Plan that are explicitly shown in Appendix B as
8 additions or deletions in accordance with the "Note" that appears under the title of
9 Appendix B.

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11 APPROVED AS TO FORM:
12 DAVID CHIU, City Attorney

13 By: /s/ Audrey W. Pearson
14 AUDREY W. PEARSON
15 Deputy City Attorney

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