

1 [Disapprove certification of Market and Octavia Area Plan FEIR]

2 **Motion disapproving the certification by the Planning Commission of the Final**
3 **Environmental Impact Report for Market and Octavia Area Plan.**
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5 WHEREAS, The San Francisco Planning Commission (the "Commission") is proposing
6 to adopt the Market and Octavia Area Plan through amendments to the General Plan,
7 Planning Code, Zoning Map and Western Addition A-2 Redevelopment Plan and adoption of
8 urban design guidelines for an area generally located to the west of the City's downtown area
9 and including portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner
10 Mission, The Castro, Duboce Triangle, Eureka Valley and Upper Market neighborhoods of
11 San Francisco (the "Project"); and

12 WHEREAS, the San Francisco Planning Department (the "Department") initiated
13 environmental review by filing an environmental evaluation application on March 26, 2003
14 (City Planning File No. 2003.0347E); and

15 WHEREAS, The Department determined that an Environmental Impact Report ("EIR")
16 was required and provided public notice of that determination by publication in a newspaper of
17 general circulation on January 23, 2004; and

18 WHEREAS, On June 25, 2005, the Department published the Draft Environmental
19 Impact Report ("DEIR") for the Project; and

20 WHEREAS, On July 28, 2005, the Commission held a duly noticed public hearing on
21 the DEIR, at which time the Commission provided an opportunity for and received public
22 comments, and the Commission received written comments through August 23, 2005; and

23 WHEREAS, The Department prepared responses to comments received at the public
24 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text
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1 of the DEIR and published a Draft Summary of Comments and Responses on September 26,
2 2006; and

3 WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was
4 prepared by the Department, consisting of the DEIR, any consultations and comments
5 received during the review process, any additional information that became available and the
6 Draft Summary of Comments and Responses, all as required by law; and

7 WHEREAS, On April 5, 2007, the Commission reviewed and considered the FEIR and,
8 by Motion No. 17406, found that the contents of said report and the procedures through which
9 the FEIR was prepared, publicized and reviewed complied with the provisions of the California
10 Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San
11 Francisco Administrative Code; and

12 WHEREAS, By Motion No. 17406, the Commission found the FEIR to be adequate,
13 accurate and objective, reflected the independent judgment and analysis of the Department
14 and the Commission and that the Summary of Comments and Responses contained no
15 significant revisions to the DEIR, adopted findings relating to significant impacts associated
16 with the Project and certified the completion of the FEIR in compliance with CEQA and the
17 State CEQA Guidelines; and

18 WHEREAS, On April 5, 2007, by Motion No. 17407 and Resolutions 17408, 17409 and
19 17410, the Commission adopted CEQA Findings, including a statement of overriding
20 considerations and mitigation measures and a Mitigation Monitoring and Reporting Program,
21 and approved and recommended to the Board of Supervisors amendments to the General
22 Plan, Planning Code and Zoning Map required to implement the Market and Octavia Area
23 Plan; and

24 WHEREAS, On April 25, 2007, Martin Hamilton, on behalf of New College of California,
25 F. Joseph Butler, on behalf of the San Francisco Preservation Consortium and Mary Miles, on

1 behalf of the Coalition for Adequate Review, filed an appeal of the FEIR with the Clerk of the
2 Board of Supervisors; and

3 WHEREAS, The Board of Supervisors held a public hearing on May 22, 2007, to
4 review the decision by the Commission to certify the FEIR; and

5 WHEREAS, the FEIR files and all correspondence and other documents have been
6 made available for review by the Board of Supervisors, the Commission and the public; these
7 files are available for public review by appointment at the Department offices at 1650 Mission
8 Street, and are part of the record before the Board of Supervisors; and

9 WHEREAS, this Board has reviewed and considered the FEIR and heard testimony
10 and received public comment regarding the adequacy of the FEIR; now, therefore, be it

11 MOVED, That this Board of Supervisors disapproves the certification of the FEIR by
12 the Commission.

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