

1 [General Plan Amendments - 2009 Housing Element Update]

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3 **Ordinance amending the San Francisco General Plan by adopting the 2009 Housing**
4 **Element as the Housing Element of the San Francisco General Plan; making findings,**
5 **including environmental findings and findings of consistency with the General Plan**
6 **and the eight priority policies of the Planning Code Section 101.1.**

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8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strikethrough italics Times New Roman*~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~.

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

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Section 1. Findings.

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

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B. On _____, the Board of Supervisors received from the
17 Planning Department the proposed General Plan amendment which adopts the 2009 Housing
18 Element (“the Housing Element Update Amendment”) as the Housing Element of the San
19 Francisco General Plan.

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C. Section 4.105 of the City Charter further provides that if the Board of
21 Supervisors fails to Act within 90 days of receipt of the proposed Housing Element Update
22 Amendment, then the proposed amendment shall be deemed approved.

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D. San Francisco Planning Code Section 340 provides that an amendment to the
24 General Plan may be initiated by a resolution of intention by the Planning Commission, which

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1 refers to, and incorporates by reference, the proposed General Plan amendment. Section
2 340 further provides that Planning Commission shall adopt the proposed General Plan
3 amendment after a public hearing if it finds from the facts presented that the public necessity,
4 convenience and general welfare require the proposed amendment or any part thereof. If
5 adopted by the Commission in whole or in part, the proposed amendment shall be presented
6 to the Board of Supervisors, which may approve or reject the amendment by a majority vote.

7 E. On February 24, 2011, the Planning Commission initiated the adoption of the
8 Housing Element Update, as an amendment to the General Plan, at a duly noticed public
9 hearing.

10 F. On _____, at a duly noticed public meeting, the Planning
11 Commission certified the San Francisco 2004 and 2009 Housing Element Final Environmental
12 Impact Report ("EIR") by Motion No. _____ finding the Final EIR reflected the
13 independent judgment and analysis of the City and County of San Francisco, is adequate,
14 accurate and objective, contains no significant revisions to the Draft EIR, and the content of
15 the report and the procedures through which the Final EIR was prepared, publicized and
16 reviewed comply with the provisions of the California Environmental Quality Act ("CEQA")
17 (California Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal.
18 Code Regs. Section 15000 et seq.) and Chapter 31 of the San Francisco Administrative
19 Code. A copy of the Final EIR is on file with the Clerk of the Board in File No. _____.

20 G. The project evaluated in the Final EIR includes the adoption of the 2009
21 Housing Element Update as the Housing Element of the San Francisco General Plan. The
22 Housing Element Update Amendment is an action proposed by the Planning Department that
23 is within the scope of the Project evaluated in the Final EIR.

24 H. At the same hearing during which the Planning Commission certified the Final
25 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the

1 proposed Housing Element Update Amendment in Motion No. _____ and adopted the
2 Housing Element Update Amendment in Resolution No. _____, finding that the
3 public necessity, convenience and general welfare required the proposed amendment. The
4 letter from the Planning Department transmitting the proposed Housing Element Update
5 Amendment to the Board of Supervisors, the Final EIR, the CEQA Findings adopted by the
6 Planning Commission with respect to the approval of the Housing Element Update
7 Amendment, including a mitigation monitoring and reporting program and a statement of
8 overriding considerations, the Housing Element Update Amendment and the Resolution
9 approving the Housing Element Update Amendment are on file with the Clerk of the Board in
10 File No. _____. These and any and all other documents referenced in this Ordinance
11 have been made available to, and have been reviewed by, the Board of Supervisors, and may
12 be found in either the files of the City Planning Department, as the custodian of records, at
13 1650 Mission Street in San Francisco, or in Board File No. _____ with the Clerk of
14 the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco and incorporated
15 herein by reference.

16 I. The Board of Supervisors has reviewed and considered the Final EIR and the
17 environmental documents on file referred to herein. The Board of Supervisors has reviewed
18 and considered the CEQA Findings adopted by the Planning Commission in support of the
19 approval of the Housing Element Update Amendment, including the mitigation monitoring and
20 reporting program and the statement of overriding considerations, and hereby adopts as its
21 own and incorporates the CEQA Findings contained in Planning Commission Motion No.
22 _____ by reference as though such findings were fully set forth in this Ordinance.

23 J. The Board of Supervisors endorses the implementation of the mitigation
24 measures identified in the Planning Commission's CEQA Findings.

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1 K. The Board of Supervisors finds that no substantial changes have occurred in the
2 Housing Element Update Amendment proposed for approval under this Ordinance that will
3 require revisions in the Final EIR due to the involvement of new significant environmental
4 effects or a substantial increase in the severity of previously identified significant effects, no
5 substantial changes have occurred with respect to the circumstances under which the
6 Housing Element Update Amendment proposed for approval under the Ordinance are
7 undertaken which will require major revisions to the Final EIR due to the involvement of new
8 environmental effects or a substantial increase in the severity of effects identified in the Final
9 EIR and no new information of substantial importance to the Housing Element Update
10 Amendment as proposed for approval in the Ordinance has become available which indicates
11 that (1) the Housing Element Update Amendment will have significant effects not discussed in
12 the Final EIR, (2) significant environmental effects will be substantially more severe, (3)
13 mitigation measure or alternatives found not feasible which would reduce one or more
14 significant effects have become feasible or (4) mitigation measures or alternatives which are
15 considerably different from those in the Final EIR would substantially reduce one or more
16 significant effects on the environment.

17 M. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
18 Housing Element Update Amendment set forth in the documents on file with the Clerk of the
19 Board in File No. _____ will serve the public necessity, convenience and general
20 welfare for the reasons set forth in Planning Commission Resolution No. _____ and
21 incorporates those reasons herein by reference.

22 N. The Board of Supervisors finds that the Housing Element Update Amendment
23 as set forth in the documents on file with the Clerk of the Board in Board File No. _____,
24 is in conformity with the General Plan and the eight priority policies of Planning Code Section
25 101.1 for the reasons set forth in Planning Commission Resolution No. _____. The

1 Board hereby adopts the findings set forth in Planning Commission Resolution No.

2 _____ and incorporates those findings herein by reference.

3 Section 2. The Board of Supervisors hereby amends the San Francisco General Plan

4 by adopting the 2009 Housing Element, as the Housing Element of the San Francisco

5 General Plan, as recommended to the Board of Supervisors by the Planning Commission on

6 _____, and referred to above.

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9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

11 By: _____
12 Susan Cleveland-Knowles
13 Deputy City Attorney

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