

1 [General Plan - Amendments Related to the 2014 Update of the Recreation and Open Space
2 Element]

3 **Ordinance amending the General Plan by updating the Recreational and Open Space**
4 **Element of the General Plan; and making findings, including environmental findings,**
5 **and findings of consistency with the General Plan, and the eight priority policies of**
6 **Planning Code, Section 101.1.**

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

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

11 Section 1. Findings.

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

15 B. On April 23, 2014, the Board of Supervisors received from the Planning
16 Department a proposed General Plan amendment which updates the Recreational and Open
17 Space Element (“ROSE”) of the San Francisco General Plan.

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

21 D. San Francisco Planning Code Section 340 provides that an amendment to the
22 General Plan may be initiated by a resolution of intention by the Planning Commission, which
23 refers to, and incorporates by reference, the proposed General Plan amendment. Section
24 340 further provides that Planning Commission shall adopt the proposed General Plan
25

1 amendment after a public hearing if it finds from the facts presented that the public necessity,
2 convenience and general welfare require the proposed amendment or any part thereof. If
3 adopted by the Commission in whole or in part, the proposed amendment shall be presented
4 to the Board of Supervisors, which may approve or reject the amendment by a majority vote.

5 E. On January 9, 2014, the Planning Commission initiated the adoption of the
6 ROSE update, as an amendment to the General Plan, at a duly noticed public hearing.

7 F. On April 3, 2014, at a duly noticed public meeting, the Planning Commission
8 reviewed and considered the Final Negative Declaration (FND) prepared for the ROSE
9 update, and found that the contents of said FND and the procedures through which the FND
10 was prepared, publicized, and reviewed complied with the California Environmental Quality
11 Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of
12 Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San
13 Francisco Administrative Code ("Chapter 31"). A copy of the FND is on file with the Clerk of
14 the Board in File No. 140413.

15 G. The project evaluated in the FND is the ROSE update. The ROSE update is an
16 action proposed by the Planning Department that is within the scope of the project evaluated
17 in the FND.

18 H. At the same hearing during which the Planning Commission reviewed,
19 considered and adopted the FND, the Planning Commission adopted CEQA Findings with
20 respect to the approval of the proposed ROSE update, in Resolution 19114, finding that the
21 public necessity, convenience and general welfare required the proposed amendment. The
22 letter from the Planning Department transmitting the proposed ROSE update to the Board of
23 Supervisors, the FND, the CEQA Findings adopted by the Planning Commission with respect
24 to the approval of the ROSE update, the ROSE update and the Resolution approving the
25 ROSE update are on file with the Clerk of the Board in File No 140413. These and any and

1 all other documents referenced in this Ordinance have been made available to, and have
2 been reviewed by, the Board of Supervisors, and may be found in either the files of the City
3 Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco, or
4 in Board File No. 140413 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B.
5 Goodlett Place, San Francisco and incorporated herein by reference.

6 I. The Board of Supervisors has reviewed and considered the FND and the
7 environmental documents on file referred to herein. The Board of Supervisors has reviewed
8 and considered the CEQA Findings adopted by the Planning Commission in support of the
9 approval of the ROSE update, and hereby adopts as its own and incorporates the CEQA
10 Findings contained in Planning Commission Resolution 19114 by reference as though such
11 findings were fully set forth in this Ordinance.

12 J. The Board of Supervisors finds that since the FND was finalized, there have
13 been no substantial project changes and no substantial changes in project circumstances that
14 would require major revisions to the FND due to the involvement of new significant
15 environmental effects or an increase in the severity of previously identified significant impacts,
16 and there is no new information of substantial importance that would change the conclusions
17 set forth in the FND.

18 K. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
19 ROSE update set forth in the documents on file with the Clerk of the Board in File No.140413
20 will serve the public necessity, convenience and general welfare for the reasons set forth in
21 Planning Commission Resolution No. 19114 and incorporates those reasons herein by
22 reference.

23 L. The Board of Supervisors finds that the ROSE update as set forth in the
24 documents on file with the Clerk of the Board in Board File No. 140413, is in conformity with
25 the General Plan and the eight priority policies of Planning Code Section 101.1 for the

1 reasons set forth in Planning Commission Resolution No. 19114. The Board hereby adopts
2 the findings set forth in Planning Commission Resolution No. 19114 and incorporates those
3 findings herein by reference.

4 M. Nothing in this Recreation and Open Space Element shall constitute approval of
5 any particular project. Each project will need to go through the normal approval process. The
6 Board of Supervisors restates its policy that open space management and development shall
7 take into account the needs for all types of recreation, access by the public to diverse open
8 spaces, and biodiversity.

9 Section 2. The Board of Supervisors hereby amends the San Francisco General Plan
10 by adopting the 2014 ROSE update, as recommended to the Board of Supervisors by the
11 Planning Commission on April 3, 2014, and referred to above.

12
13
14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: _____
17 Andrea Ruiz-Esqvide
18 Deputy City Attorney

19 n:\land\as2013\1100080\00934961.doc
20
21
22
23
24
25