

1 [Reversing Final Environmental Impact Report Certification - 2004 and 2009 Housing  
2 Element]

3 **Motion reversing the certification by the Planning Commission of the Final**  
4 **Environmental Impact Report for the 2004 and 2009 Housing Element (including**  
5 **Revised Alternatives Analysis).**  
6

7 WHEREAS, The proposed project is the City-wide 2004 and 2009 Housing Element  
8 (including Revised Alternatives Analysis), an element of the San Francisco General Plan  
9 (“Project”); and

10 WHEREAS, On March 24<sup>th</sup>, 2011, the San Francisco Planning Commission certified a  
11 Final Environmental Impact Report for the 2004 and 2009 Housing Element. On June 21,  
12 2011 the San Francisco Board of Supervisors adopted the 2009 Housing Element as the  
13 Housing Element of the San Francisco General Plan; and

14 WHEREAS, Pursuant to the San Francisco Superior Court’s direction in *San*  
15 *Franciscans for Livable Neighborhoods v. City and County of San Francisco*, San Francisco  
16 Superior Court Case No. 513-0771, the Planning Department recirculated for public review a  
17 revised Chapter VII Alternatives of the Final EIR (Revised EIR) on December 18, 2013. The  
18 public hearing on the Revised EIR occurred before the San Francisco Planning Commission  
19 on January 23, 2014. The public comment period ran from December 18, 2013 through  
20 February 18, 2014 (the original close of the public comment period was February 3, 2014, but  
21 was extended to February 18, 2014 in response to requests from the public and the Planning  
22 Commissioners). The Responses to Comments document (on the Revised EIR) was issued  
23 on April 10, 2014. These documents together comprise the 2004 and 2009 Housing Element  
24 Final Environmental Impact Report (Final EIR); and  
25

1 WHEREAS, On April 24, 2014, the Planning Commission held a duly noticed hearing to  
2 consider certification of the 2004 and 2009 Housing Element Final EIR; and

3 WHEREAS, By Motion No. 19121 the Commission found the Final EIR to be adequate,  
4 accurate and objective, reflected the independent judgment and analysis of the Department  
5 and the Commission and that the Comments and Responses document contained no  
6 significant revisions to the DEIR, adopted findings relating to significant impacts associated  
7 with the Project and certified the completion of the Final EIR in compliance with CEQA and  
8 the State CEQA Guidelines; and

9 WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 22, 2014,  
10 from Kathryn R. Devincenzi, on behalf of Pacific Heights Residents Association, Cow Hollow  
11 Association, Francisco Heights Civic Association, Greater West Portal Neighborhood  
12 Association, Jordan Park Improvement Association, Lakeshore Acres Improvement Club,  
13 Laurel Heights Improvement Association of San Francisco, Inc., Marina-Cow Hollow  
14 Neighbors & Merchants, Miraloma Park Improvement Club, Presidio Heights Association of  
15 Neighbors, St. Francis Homes Association, Sunset-Parkside Education and Action  
16 Committee, Inc., and Westwood Highlands Association, associated in the unincorporated  
17 organization known as San Franciscans For Livable Neighborhoods (collectively "Appellants"),  
18 filed an appeal of the Final EIR to the Board of Supervisors; and

19 WHEREAS, On June 17, 2014, this Board held a duly noticed public hearing to  
20 consider the appeal of the Final EIR certification filed by Appellants; and

21 WHEREAS, This Board has reviewed and considered the Final EIR, the appeal letters,  
22 the responses to concerns documents that the Planning Department prepared, the other  
23 written records before the Board of Supervisors, and heard testimony and received public  
24 comment regarding the adequacy of the Final EIR; and  
25

1           WHEREAS, The Final EIR files and all correspondence and other documents have  
2   been made available for review by this Board and the public. These files are available for  
3   public review by appointment at the Planning Department offices at 1650 Mission Street, and  
4   are part of the record before this Board by reference in this Motion; now, therefore, be it

5           MOVED, That this Board of Supervisors reverses the certification of the Final EIR by  
6   the Planning Commission.