



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

HEARING DATE: APRIL 24, 2014

Date: April 17, 2014
Case No.: 2007.1275EM
Project: **2009 Housing Element Update**
Adoption Hearing
Staff Contact: Menaka Mohan – (415) 575-9141
Menaka.Mohan@sfgov.org
Reviewed by: Sue Exline and Teresa Ojeda

Recommendation: **Adopt the 2009 Housing Element Update**

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PROJECT DESCRIPTION

Background:

The Housing Element is a State law mandated element of the San Francisco General Plan. Many state funds for infrastructure and community development are tied to an adopted Housing Element that has been found in substantial compliance with state law by the California Department of Housing and Community Development (“HCD”). Housing Elements are required to be updated periodically, generally every five years and according to a schedule set forth by HCD, and must include several mandatory components. Among these mandatory components are an identification and analysis of “existing and projected housing needs” at various income levels, and “a statement of goals, policies, quantified objectives, financial resources and scheduled programs” for the preservation, improvement and development of housing. The City’s “existing and projected housing need” – known as its Regional Housing Needs Allocation (RHNA) - is determined by HCD and the Association of Bay Area Governments (ABAG). For the period 2007-2014, the City’s projected need totaled 31,193 new units, 18,880 (or 61%) of which must be affordable to households making 120% of the area median income, or less.

Beginning in 2008, the Planning Department, in cooperation with the Mayor’s Office of Housing and in consultation with other City agencies, developed the 2009 Update of the Housing Element of the General Plan (“the 2009 Housing Element”) through a comprehensive community-based planning effort. The Department worked closely with community leaders, stakeholders, City agencies, and community members. A 15 member Community Advisory Body (CAB) was convened to assist staff on the development and refinement of a draft version of objectives, policies and implementation programs. The Department also hosted fourteen stakeholder sessions focusing on the needs and policy interests of special interest housing groups and organizations, and over 30 workshops, some in each supervisorial district of the City. The Planning Commission hosted several informational hearings on the 2009 Housing Element.

Ultimately, the Department published three drafts of the proposed 2009 Housing Element, each of which was presented to the Commission for comment. Each of the drafts reflected several core housing ideas:

- Prioritization of permanently affordable housing;
- Recognition and preservation of neighborhood character;
- Integration of planning for housing, jobs, transportation and infrastructure; and
- San Francisco's role as sustainable model of development.

The Planning Commission recommended the adoption of the 2009 Housing Element to the Board of Supervisors in March 2011, in Resolution 18309. In addition, the Commission certified an environmental impact report (EIR) prepared on the 2004 and 2009 Housing Element, and adopted findings required by CEQA (in Resolution 18307 and Motion 18308). The Board of Supervisors affirmed the certification of the 2009 Housing Element EIR on May 10, 2011 and adopted the 2009 Housing Element as the City's Housing Element on June 21, 2011. HCD found the 2009 Housing Element in substantial compliance with state Housing Element law on July 29, 2011.

CEQA Challenge:

Subsequent to the adoption of the 2009 Housing Element, an association of neighborhood groups challenged the EIR in San Francisco Superior Court in *San Franciscans for Livable Neighborhoods v. City and County of San Francisco*, San Francisco Superior Court case number 513-077. On December 19, 2013, the trial court found that the EIR complied with CEQA in all respects, except for its analysis regarding alternatives. In addition, the court found the City's findings under CEQA conclusory. On January 15, 2014, the Court ordered the City to set aside and void its certification of the 2004 and 2009 Housing Element EIR, and its approval of the 2009 Housing Element. The Court ordered the City to revise the EIR to address the deficiencies in the alternatives analysis, and remanded the approvals of the EIR and the 2009 Housing Element update to the Planning Commission for reconsideration.

In response to the Court's determination, the Department's Environmental Planning ("EP") division has prepared a Revised Alternative Analysis ("the Revision"), which was circulated for public comment from December 18, 2013 until February 18, 2014. Environmental Planning published a Comments and Responses document on the comments received on the Revision on April 10, 2014, and will present its findings for the certification of the EIR in a separate Commission action.

Current Recommendation:

The Department continues to recommend the adoption of the 2009 Housing Element as the Housing Element for the City's General Plan. The policies and objectives in the 2009 Housing Element Update resulted from significant public outreach and comment. The Department has reviewed the Revised Chapter VII Alternatives, and determined that the various Alternatives analyzed in the Revision and the 2004 Housing Element, do not meet the City's current housing needs or reflect a balanced approach to accommodating the City RHNA at all income levels, while still maintaining the character of the diverse San Francisco neighborhoods.

For example, Alternative A, the No Project Alternative, could have a significant impact on historic resources because it does not contain policies which reflect the City's increased protections for historic resources. Alternative A also does not limit the areas in which housing should be encouraged, which could result in more or denser housing located in areas where it is inappropriate. Alternative A does not contain policies or objectives which actively encourage housing in transit rich areas which could result in housing located away from transit lines. Housing near transit reduces vehicle trips, which in turn reduces greenhouse gas emissions. Alternative A does not encourage the use of alternative modes of travel, such as walking or biking. Alternative A also does not contain policies which promote density or the use of

modified parking requirements as a strategy to reduce the cost of housing, a significant issue facing San Francisco.

Alternative B, which consists of the remaining policies and objectives from the 2004 Housing Element which were not enjoined by the Superior Court in a previous lawsuit, is not a Housing Element which was vetted in a public process, unlike Alternative A, the 2004 or the 2009 Housing Elements or the additional policies found in Alternative C, all of which went through public review and discussion. Alternative B does not encourage density or allow for reduced parking requirements as a strategy to reduce the cost of housing to the same degree as the 2009 Housing Element. The cost of new housing is a significant issue facing San Francisco and a significant component of meeting the City's RHNA at all income levels. In addition, Alternative B would not reduce the significant impact on transit because it encourages housing in mixed use districts and in industrial and commercial districts where locating housing could shift total person-trips to transit lines. Thus, Alternative B would not reduce the significant impact, and would not meet the project's objectives.

At the same time, the additional policies found in Alternative C which aggressively encourages housing near transit lines, and require the building of housing to the allowable building envelopes and allow for easier relief from parking requirements and height, bulk and density requirements, do not reflect an appropriate balance between new housing and the need to maintain existing neighborhood character.

In addition, the Department continues to recommend the 2009 Housing Element Update because it is consistent with the Priority Policies of Planning Code Section 101.1(b), and the other policies and objectives of the General Plan, as set forth in the attached Resolution.

On March 27, 2014, the Planning Department initiated adoption proceedings for the 2009 Housing Element.

PUBLIC COMMENT

As noted above, in developing the 2009 Housing Element, the Department worked closely with community leaders, stakeholders, City agencies, and community members starting in September of 2008 (see Appendix B for complete listing). Highlights of the public outreach included a Community Advisory Board that worked with staff to develop and refine the policies, objectives, and implementation measures. Additionally several stakeholder meetings and nearly 30 public meetings were held with neighborhoods groups and community residents. The Department also held "drop-in" hours with two of the sessions serving as informal sit-downs with the Planning Director.

Citywide has not received any additional public comment specifically on the 2009 Housing Element Update.

The Department acknowledges that EP received numerous comments on the Revised EIR which addressed the merits of the 2009 Housing Element, particularly as the Housing Element relates to RH-1 and RH-2 zoning (72% of all existing land parcels in San Francisco). The Department provided EP with a general response in a memorandum dated March 31, 2014.

The memo notes that contrary to numerous comments on the Revised EIR, the 2009 Housing Element would not eliminate RH-1 and RH-2 zoning. If a community planning process is proposed for a specific

area, the 2009 Housing Element would not require changes to regulations for any residential districts, including RH-1 or RH-2 zoning districts.

Further, the 2009 Housing Element does not call for changes to the density of RH-1 and RH-2 districts, either on a neighborhood or Citywide level. Instead, various policies in the 2009 Housing Element discusses specific planning tools that can be used in future community or area planning efforts to address residential regulations such as those regarding secondary units, density limits, and parking maximums. However, the policies call for changes only with neighborhood support or through a community planning process and other policies advise that changes must be consistent with the existing neighborhood character.

The Department notes that the 2009 Housing Element explicitly references RH-1 and RH-2 districts in the discussion of certain policies (e.g. Policy 1.6 and 11.5), but those discussions relate to the need to respect and maintain existing elements of RH-1 and RH-2 districts, particularly the height and bulk patterns. Although previous drafts of the 2009 Housing Element did reference the *density* in RH-1 and RH-2 districts, the determination to refer instead to height and bulk patterns mirrors similar language in the 1990 Residence Element. The 1990 Residence Element included Policy 12.5 which stated: "Relate land use controls to the appropriate scale for new and existing residential areas." The interpretive text for that policy refers not to density, but to the *zoning envelope*: "In recognition of the special character of single family and two family neighborhoods, *zoning envelopes* should be tailored to the prevailing built pattern to maintain the low density character. In all other new and existing residential areas, the *zoning envelope* should be of an appropriate scale and form to encourage residential development and diversity of housing choice." (Emphasis added). Thus, the 2009 Housing Element's discussion of RH-1 and RH-2 is substantially similar to previous policies in the 1990 Residence Element.

The language eventually recommended (and ultimately adopted) for the 2009 Housing Element's Policies 1.6 and 11.5 were developed in response to multiple community comments. On the one hand, some community members asserted that the Housing Element should not suggest special considerations for any districts, including the RH-1 and RH-2 districts. Other community members, however, asserted that the Housing Element should strongly direct that community planning processes should not consider any changes to RH-1 and RH-2 districts. The Department believed, and continues to believe, that the proposed language in Policy 1.6 and 11.5 melds these two concerns, allowing for changes through the community planning process for all residential districts, but requiring special consideration to the existing building envelope for RH-1 and RH-2 districts.

ENVIRONMENTAL REVIEW

With the Revised EIR and the Responses to Comments thereto, the Planning Department has prepared environmental impact report (EIR) on the 2009 Housing Element update. The 2004 and 2009 Housing Element Final EIR is proposed for certification under separate Commission action.

REQUIRED COMMISSION ACTION

Adopt amendments to the General Plan by adopting the 2009 Housing Element as the Housing Element of the San Francisco General Plan.

BASIS FOR RECOMMENDATION

- The project provides a community based vision for the City's housing future.
- The project is required by State law, with links to infrastructure and housing funds.
- The project supports sustainable growth in the City and the region.

RECOMMENDATION: Adopt amendments General Plan by adopting the 2009 Housing Element.

Attachments:

1. **Comments and Responses to Housing Element Citywide to Environmental Planning Memo**
2. **Draft Resolution to adopt the 2009 Housing Element**
3. **Draft Ordinance for the 2009 Housing Element Update**
 - a. **Draft 2009 Housing Element Part 1, Part 2, and Appendices**
 - b. *please note the Draft Ordinance and Draft Housing Element are unchanged from the version adopted by the Commission and Board in 2011, and reviewed by the Commission at the March 27, 2014 hearing*

The complete 2009 Housing Element was included in the March 27, 2014 Planning Commission Hearing and are available online.

Part 1 and Appendices:

http://www.sf-planning.org/ftp/general_plan/Housing_Element_Part_I_Data_Needs_Assmt_CPC_Adopted.pdf

Part 2: Objectives and Policies:

http://www.sf-planning.org/ftp/general_plan/I1_Housing.html

Implementing Programs: http://www.sf-planning.org/ftp/general_plan/I1_Housing_Implementing_Programs.html

http://www.sf-planning.org/ftp/general_plan/I1_Housing_Implementing_Programs.html



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: March 31, 2014
TO: Sarah Jones, Environmental Review Officer
FROM: Josh Switzky
Acting Director, Citywide Planning Division
RE: Comments and Responses, Housing Element

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Thank you for the opportunity to respond to some of the comments you have received during the public comment period on Chapter VII Alternatives (Revised), specifically comments regarding the proposed 2009 Housing Element and its relationship to, and effect on RH-1 and RH-2 zoning, middle-income housing, and family housing.

As part of the development of the 2009 Housing Element policies, the Department conducted a review of San Francisco's housing stock. Based on that review, the Department, with guidance from the Community Advisory Body and input from City agencies and community members, developed updated Housing Element policies to facilitate opportunities for the City to meet various Citywide housing policy objectives. The identified and articulated housing policy objectives include: maintaining the existing stock (Objective 2 and related policies), meeting affordable housing goals (Objectives 1, 2, 3, 7, 8, & 9 and related policies), and providing equal access to housing opportunities (Objectives 4 & 5 and related policies).

San Francisco has roughly ten¹ residential zoning districts, and 43² districts which allow residential uses. However, approximately 72³ percent of all existing land parcels, and 50⁴ percent of the City's developable acreage (meaning non-open space or land that is not federally owned) is zoned RH-1 or RH-2. Combined, these two districts regulate the vast majority of residential parcels. Although the majority of parcels are within these low-density districts, the purpose of the Housing Element is to provide guidance for residential districts throughout the City, from areas with detached single-family homes to areas with high-rise residential uses, such as in the Downtown.

¹ This includes RH, RM, and RTO – which are classified as residential districts.

² This includes RH, RM, RTO, NC, DTR, Mixed Use, and C districts which all allow residential uses and are projected to absorb future growth during the housing element planning period.

³ As of March 2014 there are 110,720 parcels zoned RH-1 or RH-2; There are 153,827 parcels in the city (this does not include multiple condos mapped to a single parcel). Source: SF Planning Department Zoning Map

⁴ As of March 2014 8113 acres of land is zoned RH-1 or RH-2; Less than 17,000 acres of land in San Francisco has other a zoning designation other than RH-1 or RH-2. Of the 17,000 some smaller parks, public lands, and zoning districts that do not allow housing have been included. For this reason, the ratio is presented as an approximate number to frame the relative ratio of land. Source: SF Planning Department Zoning Map

The City's housing policy is presented in two ways. In addition to the Citywide goals contained in the Housing Element, the City's General Plan includes numerous smaller area plans or specific plans. These area or specific plans are consistent with the overall General Plan's goals and objectives, but provide more detailed objectives and policies tailored to a specific area, including objectives and policies related to housing. Consistent with this approach, the 2004 and 2009 Housing Elements include a framework for including more detailed housing policies and objectives on a community or neighborhood level, where there is an opportunity for greater community input and more detailed analysis of the neighborhood context. The 2004 and 2009 Housing Elements both support community driven policy changes that include neighborhood input, and advise that proposed zoning changes refer to existing zoning regulations and built form.

Numerous comments on the Revised EIR claimed that the 2004 or 2009 Housing Element would eliminate RH-1 and RH-2 zoning. This is incorrect. If a community planning process is proposed for a specific area, neither the 2004 or the 2009 Housing Element would require changes to regulations for any residential districts, including RH-1 or RH-2 zoning districts. For example, recent community plans (Market and Octavia and Eastern Neighborhoods) did not make changes to parcels zoned RH-1 and RH-2 within the applicable study area. Those area plans – and the policy determinations imbedded in them, including the determination to not change RH-1 and RH-2 zoned parcels – were made through a multi-year collaborative planning process, which included community stakeholders in the specific neighborhoods. However, because RH-1 and RH-2 constitutes 72 percent of all parcels and 50 percent of developable acreage in San Francisco, changes to RH-1 and RH-2 are not precluded by the Housing Element.

Neither the 2004 or 2009 Housing Element, or any of the alternatives analyzed in the EIR Revision, call for changes to the density of RH-1 and RH-2 districts, either on a neighborhood or Citywide level. Instead, various policies in the Housing Elements discuss specific planning tools that can be used in future community or area planning efforts to address residential regulations such as those regarding secondary units, density limits, and parking maximums. However, all versions of the Element call for changes only with neighborhood support or through a community planning process, and advise that changes must be consistent with the existing neighborhood character. The Department notes that Policy 11.4 of the 2009 Housing Element requires the City to “continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan” and that zoning amendments should conform generally to the existing zoning districts as noted on Map 6 “Generalized Permitted Housing Densities by Zoning District.” (See Part I Data and Needs Analysis). This policy, table and map are substantially similar to those found in the 1990 Residence Element, particularly with regard to RH-1 and RH-2 zoning.

The Department also notes that the 2004 Housing Element does not specifically reference RH-1 or RH-2 anywhere in the document. The 2009 Housing Element calls out RH-1 and RH-2 districts in the discussion of certain policies (e.g. Policy 1.6 and 11.5), but those discussions relate to the need to respect and maintain existing elements of these districts, particularly the

height and bulk patterns. Although previous drafts of the 2009 Housing Element did reference the density in RH-1 and RH-2 districts, the final draft was amended to instead refer to height and bulk patterns with language that mirrors the 1990 Residence Element. The 1990 Residence Element included a similar Policy 12.5 which stated: “Relate land use controls to the appropriate scale for new and existing residential areas.” The interpretive text for that policy refers not to density, but to the *zoning envelope*: “In recognition of the special character of single family and two family neighborhoods, zoning envelopes should be tailored to the prevailing built pattern to maintain the low density character. In all other new and existing residential areas, the zoning envelope should be of an appropriate scale and form to encourage residential development and diversity of housing choice.”

The nuanced language in 2009 Housing Element Policy 1.6 and 11.5 was developed in response to multiple community comments. On the one hand, some community members asserted that the Housing Element should not suggest special considerations for any districts, including the RH-1 and RH-2 districts. Other community members, however, asserted that the Housing Element should strongly direct that community planning processes should not consider any changes to RH-1 and RH-2 districts. The language in Policy 1.6 and 11.5 melds these two concerns, allowing for changes through the community planning process for all residential districts, but requiring special consideration to the existing building envelope for RH-1 and RH-2.

In sum, Housing Element policies do not eliminate RH-1 or RH-2 zoning districts (or existing single-family, low-density or “middle income” neighborhoods) or preclude the development of single-family or low-density projects in the future. Housing Elements are policy-level documents intended to guide future residential development throughout San Francisco. Adoption of the Housing Element would not directly result in any amendments to development controls that would lead to the changes in RH-1 or RH-2 zoning. Neither the 2004 nor the 2009 Housing Element includes any changes to zoning controls, changes in height limits, or revisions in policies that would directly result in new development. Moreover, any future proposals that may result in changes to development controls would require additional policy review, including environmental review.

Numerous comments were made regarding the need for policies supporting “middle income” housing. The Department shares this concern. Thus, the 2009 Housing Element includes Policy 7.7 “Support housing for middle income households, especially through programs that do not require a direct public subsidy”. That policy notes that “the City should support innovative market-based programs and practices that enable middle income housing opportunities. Creating smaller and less expensive units that are “affordable by design” can assist in providing units” to middle income households.

Similarly, Policy 7.8 also addresses middle income households: “Develop, promote, and improve ownership models which enable households to achieve homeownership within their means, such as down-payment assistance, and limited equity cooperatives.” That policy calls for the City to continue its homeownership assistance programs, including counseling, down payment assistance, silent second mortgages and programs that support teachers.

Numerous comments were made regarding the City's need for "family housing." The Housing Element also addresses "family housing" in Policy 4.1 "Develop new housing, and encourage the remodeling of existing housing for families with children." Policy 2.2: "Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing;" and Policy 11.3 "Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character" which ensures that existing neighborhoods with "family-housing" continue to attract and be suitable for families with children.

Numerous comments appear to equate "middle income housing" with housing found in RH-1 and RH-2 districts. However, the Department's analysis shows that RH-1 and RH-2 neighborhoods are not often affordable for middle income households. The Mayor's Office of Housing considers households (of 4) making \$77,700 to \$145,000 as middle income.⁵ Households in roughly this income bracket can afford (defined as spending roughly 30 percent of household income on housing) housing at \$316,000 to \$600,000 purchase price.⁶ Generally San Francisco's housing market does not deliver multi-bedroom units at this price point; on average there is an affordability gap of \$352,000 to \$68,000 for these households. Furthermore, the average cost of a single family dwelling in RH-1 zoning districts is generally much higher than in the more dense neighborhoods. For example, the 2011 State of the Housing Market found that households earning 80 percent of the AMI could only afford one quarter of the for sale units in only one neighborhood (the Bayview). Households at 120 percent of the AMI could afford to purchase homes in far more districts – however predominantly in the higher density districts. The single family construction type is generally at a premium in San Francisco and does not contribute to meeting the needs of new middle income households.

Finally, other comments appear to equate "family-housing" (meaning, households with children) with RH-1 and RH-2 neighborhoods. Although low-density neighborhoods may be desirable for families with children, the Department's analysis shows that many children also live in denser neighborhoods, such as the Tenderloin or Chinatown neighborhoods. In any event, as noted above, the policies in the Housing Elements do not call for the rezoning of any existing neighborhoods, and RH-1 and RH-2 neighborhoods constitute 72 percent of all parcels in San Francisco.

⁵ This range represents 80 to 120 percent of the Area Median Income (AMI); the exact incomes for these AMIs are updated annually. A consultant study commissioned by MOH in November 2011, called State of the Housing Market Study 2011, identified this range as the moderate income range.

⁶ A consultant study commissioned by MOH in November 2011, called State of the Housing Market Study 2011, identified this range as the moderate income range. Assumes 33% of income is spent on housing.



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution HEARING DATE APRIL 24, 2014

Date: April 17, 2014
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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE RESCINDING ORDINANCE 108-11 AND AMENDING THE GENERAL PLAN BY ADOPTING THE 2009 HOUSING ELEMENT UPDATE AS THE HOUSING ELEMENT OF THE SAN FRANCISCO GENERAL PLAN, AND ADOPTING ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Department shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan. In compliance with State law, the San Francisco Planning Department is seeking to update the Housing Element of the General Plan, and recommends the approval of an amendment to the General Plan to adopt the 2009 Housing Element Update as the City's Housing Element.

WHEREAS, On March 24, 2011, the Planning Commission certified an environmental impact report (EIR) on the 2004 and 2009 Housing Element (in Motion 18307) and recommended to the Board of Supervisors the adoption of an ordinance amending the General Plan by adopting the 2009 Housing Element Update (in Resolution 18309) and made findings pursuant to the California Environmental Quality Act (in Motion 18308). The Board of Supervisors adopted Ordinance 108-11, amending the General Plan by adopting the 2009 Housing Element Update as the Housing Element of the General Plan on June 2011.

Subsequent to the Board's approval, San Franciscans for Livable Neighborhoods, an unincorporated association of neighborhood groups challenged the 2004 and 2009 Housing Element EIR in the San Francisco Superior Court, in *San Franciscans for Livable Neighborhoods v. City and County of San Francisco*, San Francisco Superior Court case number 513-077. On December 19, 2013, the trial court found that the EIR complied with CEQA in all respects,

except for its analysis regarding alternatives. In addition, the court found the City's findings under CEQA conclusory. On January 15, 2014, the Court ordered the City to set aside and void its certification of the 2004 and 2009 Housing Element EIR, and its approval of the 2009 Housing Element. The Court ordered the City to revise the EIR to address the deficiencies in the alternatives analysis, and remanded the approvals of the EIR and the 2009 Housing Element Update to the Planning Commission for reconsideration.

The Department's Environmental Planning ("EP") division prepared a Revised Chapter VII Alternative Analysis ("the Revision"), which was circulated for public comment from December 18, 2013 until February 18, 2014. The Commission held a hearing to receive comments on the Revision on January 23, 2014. EP responded to comments received on the Revision in a Responses to Comments document published on April 10, 2014.

WHEREAS, After review of the EIR, including the Revision, Staff continues to recommend adoption of the 2009 Housing Element Update as it was previously adopted by the San Francisco Board of Supervisors in Ordinance 108-11. The 2009 Housing Element Update includes "Draft 3" of the Element, published by the Department in February 2011, together with certain amendments adopted by the Planning Commission and Board of Supervisors in March and June 2011. Staff continues to recommend adoption of the 2009 Housing Element Update for the reasons set forth below, and as discussed in Motion _____, adopted April 24, 2014 (CEQA Findings).

The policies and objectives in the 2009 Housing Element Update resulted from significant public outreach and comment. The Planning Department, in cooperation with the Mayor's Office of Housing and in consultation with other City agencies, developed the 2009 Update of the Housing Element of the General Plan ("the 2009 Housing Element") through a comprehensive community-based planning effort. The Department worked closely with community leaders, stakeholders, City agencies, and community members starting in September of 2008. A 15 member Community Advisory Body (CAB) was convened to assist staff on the development and refinement of a draft version of objectives, policies and implementation programs. The Department also hosted fourteen stakeholder sessions focusing on the needs and policy interests of special interest housing groups and organizations, and over 30 workshops, some in each supervisorial district of the City. The Planning Commission hosted several informational hearings on the 2009 Housing Element. Based on this collaborative process with the public, the 2009 Housing Element Update best reflects the City's current housing objectives and balances the divergent housing needs and opportunities in San Francisco.

The Commission has reviewed the Revised Chapter VII Alternatives. The Alternatives analyzed in the Revision do not meet the City's current housing needs. Alternative A, the No Project Alternative, could have a significant impact on historic resources. Alternative A also does not limit the areas in which housing should be encouraged, which could result in more or denser housing located in areas where it is inappropriate. Alternative A does not contain policies or objectives which actively encourage housing in transit rich areas which could result

in housing located away from transit lines. Housing near transit reduces vehicle trips, which in turn reduces greenhouse gas emissions. Alternative A does not contain policies which reflect the City's increased protections for historic resources or for use of alternative modes of travel, such as walking or biking. Alternative A also does not contain policies which promote density or the use of parking requirements as a strategy to reduce the cost of housing, a significant issue facing San Francisco.

Alternative B, which consists of the remaining policies and objectives from the 2004 Housing Element which were not enjoined by the Superior Court, is not a Housing Element which was vetted in a public process, unlike Alternative A, the 2004 or the 2009 Housing Elements or the additional policies found in Alternative C, all of which when through public review and discussion. Alternative B does not encourage density or reduced parking requirements as a strategy to reduce the cost of housing to the same degree as the 2009 Housing Element, and the cost of housing is a significant issue facing San Francisco and a significant component of meeting the City's Regional Housing Needs Allocation at all income levels. In addition, Alternative B would not reduce the significant impact on transit because it encourages housing in mixed use districts and in industrial and commercial districts where locating housing could shift trips to transit lines.

The additional policies found in Alternative C to aggressively encourage housing in new commercial and institutional projects and housing near transit lines do not reflect an appropriate balance between new housing and the need to maintain existing neighborhood character.

The 2009 Housing Element Update is consistent with the Priority Policies of Planning Code Section 101.1(b). Planning Code Section 101.1(b) establishes eight priority policies and is the basis by which differences between competing policies in the General Plan are resolved. The project is consistent with the eight priority policies, in that:

1. That existing neighborhood serving retail uses be preserved and enhanced and future opportunities for resident employment in or ownership of such businesses enhanced.

The 2009 Housing Element update includes policies that call for building and enhancing the existing neighborhood serving retail uses, including building housing near neighborhood commercial districts and encouraging neighborhood commercial services adequate to serve residents. A central goal of the Housing Element is to plan for housing to support our existing and future workforce and projected population.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The 2009 Housing Element Update includes objectives and policies that support existing housing and neighborhood character, and aim to preserve the cultural and economic diversity of San Francisco's neighborhoods. There are two objectives and ten policies that address preserving the existing housing stock, including Objective 2 "Retain existing housing units and promote safety and maintenance standards, without jeopardizing affordability," and Policy 2.4 "Promote improvements and continued maintenance to

existing units to ensure long term habitation and safety;" and Objective 3, "Protect the affordability of the existing housing stock, especially rental units" and Policy 3.5 "Retain permanently affordable residential hotels and single room occupancy units"; there is also a separate objective, objective 11 "Support and respect the diverse and distinct character of San Francisco's neighborhoods," and nine supporting policies that address neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced.

A central goal of the 2009 Housing Element Update, and perhaps the most salient issue facing San Francisco today, is to preserve and enhance the City's affordable housing supply. Nearly every Objective and policy included in the 2009 Housing Element Update can be considered as addressing the affordable housing supply, but most clearly there are three Objectives, including Objective 3 "Protect the affordability of housing stock, especially rental units;" Objective 7 "Secure funding and resources for permanently affordable housing, including innovative programs that are not solely reliant on traditional mechanisms or capital;" and Objective 8 "Build public and private sector capacity to support, facilitate, provide and maintain affordable housing," that directly address affordable housing; and several objectives and policies, including Objective 10 "Ensure a streamlines, yet thorough, and transparent decision-making process that intend to reduce the overall costs of housing construction, which results in greater affordability.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The land use patterns and growth projections supported by the 2009 Housing Element Update are the basis of current short- and long-term transportation planning for the City and County of San Francisco. Ultimately, a continuation of the dense urban fabric in places with greater transit options like San Francisco will allow the regions' projected population to work closer to their jobs, resulting in reduced commuter traffic, and reduced regional transportation burdens and costs, including pollution, congestion, and increased infrastructure demands.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The 2009 Housing Element Update would not adversely affect the industrial or service sectors or impede future opportunities for resident employment and ownership in the industrial or service sectors.

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The 2009 Housing Element Update includes policies and implementation measures that encourage seismic sustainability of existing and new housing units, including Policy 2.5 "Encourage and support the seismic retrofitting of the existing housing stock."

7. That landmarks and historic buildings be preserved.

The 2009 Housing Element Update would not have a negative effect on the preservation of landmarks and historic buildings. The Housing Element includes policies that recognize landmarks and historic buildings

should be preserved, such as Policy 11.7 "Respect San Francisco's historic fabric by preserving landmark buildings and ensuring consistency with historic districts."

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The 2009 Housing Element Update will not have an impact on open space and related sunlight issues. Individual buildings reviewed according to procedures described in Planning Code Section 295 are evaluated to identify the impacts of projects and buildings. Project permits can't be approved if the impacts are found to be significant.

In addition, the 2009 Housing Element was developed in coordination with existing General Plan policies. Analysis of applicable General Plan Objectives and Policies has determined that the proposed action is, on balance, consistent with the General Plan. Below are specific policies and objectives that support the proposed actions.

COMMERCE AND INDUSTRY ELEMENT

- POLICY 6.1:** Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.
- POLICY 6.3:** Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.
- POLICY 6.4:** Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.
- POLICY 6.6:** Adopt specific zoning districts, which conform to a generalized neighborhood commercial land use and density plan.

The 2009 Housing Element is consistent with these policies in the Commerce and Industry Element in that it encourages housing in mixed use developments, and served by neighborhood commercial districts. Neighborhood serving goods and services requires that there be a ready supply of customers in nearby housing. The 2009 Housing Element continues to utilize zoning districts which conforms to a generalized residential land use and density plan the General Plan.

RECREATION AND OPEN SPACE ELEMENT

- OBJECTIVE 4:** PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.
- POLICY 4.6:** Assure the provision of adequate public open space to serve new residential development.

The 2009 Housing Element is consistent with this objective and policy because it encourages an equitable distribution of growth according to infrastructure, which includes public open space and parks; and by requiring that development of new housing considers the proximity of quality of life elements such as open space.

TRANSPORTATION ELEMENT

OBJECTIVE 2 USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

OBJECTIVE 11: ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

OBJECTIVE 3: ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

The 2009 Housing Element is consistent with these policies because it supports sustainable land use patterns that integrate housing with transportation in order to increase transit mode share; ensuring that new housing is sustainably supported by the City's public infrastructure system, including transit; by supporting "smart" regional growth that locates new housing close to jobs and transit; and by promoting sustainable land use patterns that integrate housing with transportation to increase transit mode, pedestrian and bicycle mode share.

BALBOA PARK AREA PLAN

OBJECTIVE 4.2: STRENGTHEN THE OCEAN AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT BY PROVIDING AN APPROPRIATE MIX OF HOUSING.

OBJECTIVE 4.3: ESTABLISH AN ACTIVE, MIXED-USE NEIGHBORHOOD AROUND THE TRANSIT STATION THAT EMPHASIZES THE DEVELOPMENT OF HOUSING.

OBJECTIVE 4.4: CONSIDER HOUSING AS A PRIMARY COMPONENT TO ANY DEVELOPMENT ON THE RESERVOIR.

OBJECTIVE 4.5: PROVIDE INCREASED HOUSING OPPORTUNITIES AFFORDABLE TO A MIX OF HOUSEHOLDS AT VARYING INCOME LEVELS.

OBJECTIVE 4.6: ENHANCE AND PRESERVE THE EXISTING HOUSING STOCK

The 2009 Housing Element is consistent with and promotes the objectives of the Balboa Park Area Plan listed above in that it supports the provision of new housing, particularly affordable housing, and promotes the retention of exiting housing units.

BAYVIEW AREA PLAN

OBJECTIVE 5: PRESERVE AND ENHANCE EXISTING RESIDENTIAL NEIGHBORHOODS.

OBJECTIVE 6: ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.

The 2009 Housing Element is consistent with and promotes the objectives of the Bayview Area Plan listed above in that it supports the provision of new housing, particularly affordable housing, and promotes the retention of exiting housing units.

CENTRAL WATERFRONT AREA PLAN

OBJECTIVE 1.1: ENCOURAGE THE TRANSITION OF PORTIONS OF THE CENTRAL WATERFRONT TO A MORE MIXED-USE CHARACTER, WHILE PROTECTING THE NEIGHBORHOOD'S CORE OF PDR USES AS WELL AS THE HISTORIC DOGPATCH NEIGHBORHOOD

OBJECTIVE 1.2: IN AREAS OF THE CENTRAL WATERFRONT WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER

OBJECTIVE 2.1: ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE CENTRAL WATERFRONT IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES

The 2009 Housing Element is consistent with the Central Waterfront Area Plan because it supports new housing, particularly affordable housing and mixed use developments, while encouraging housing close to transit and other amenities and neighborhood services, and ensuring that growth is accommodated without substantially and adversely impacting existing neighborhood character.

CHINATOWN AREA PLAN

OBJECTIVE 3: STABILIZE AND WHERE POSSIBLE INCREASE THE SUPPLY OF HOUSING

OBJECTIVE 4: PRESERVE THE URBAN ROLE OF CHINATOWN AS A RESIDENTIAL NEIGHBORHOOD.

The 2009 Housing Element is consistent with the Chinatown Area Plan because it encourages the provision of new housing, and encourages the maintenance and retention of existing housing, while ensuring that growth is accommodated without substantially and adversely impacting existing neighborhood character.

DOWNTOWN PLAN

OBJECTIVE 7: EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

OBJECTIVE 8: PROTECT RESIDENTIAL USES IN AND ADJACENT TO DOWNTOWN FROM ENCROACHMENT BY COMMERCIAL USES.

The 2009 Housing Element is consistent with the Downtown Plan because it encourages the development of new housing in areas that can accommodate that housing with planned or existing infrastructure, and supports new housing projects where households can easily rely on public transportation.

MARKET AND OCTAVIA AREA PLAN

OBJECTIVE 1.1: CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A MIXED-USE URBAN NEIGHBORHOOD.

OBJECTIVE 1.2 ENCOURAGE URBAN FORM THAT REINFORCES THE PLAN AREA'S UNIQUE PLACE IN THE CITY'S LARGER URBAN FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

OBJECTIVE 2.2 ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

OBJECTIVE 2.3 PRESERVE AND ENHANCE EXISTING SOUND HOUSING STOCK.

The 2009 Housing Element is consistent with the Market and Octavia Area Plan because it promotes mixed-use developments, ensures that growth is accommodated without substantially and adversely impacting existing neighborhood character, and promotes the retention and maintenance of existing sound housing stock.

MISSION AREA PLAN

OBJECTIVE 2.1 ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE MISSION IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES

The 2009 Housing Element promotes the Mission Area Plan because it encourages new housing be affordable to people with a wide range of incomes.

RINCON HILL AREA PLAN

OBJECTIVE 1.1 ENCOURAGE THE DEVELOPMENT OF A UNIQUE DYNAMIC, MIXED-USE RESIDENTIAL NEIGHBORHOOD CLOSE TO DOWNTOWN, WHICH WILL CONTRIBUTE SIGNIFICANTLY TO THE CITY'S HOUSING SUPPLY.

OBJECTIVE 1.2 MAXIMIZE HOUSING IN RINCON HILL TO CAPITALIZE ON RINCON HILL'S CENTRAL LOCATION ADJACENT TO DOWNTOWN EMPLOYMENT AND TRANSIT SERVICE, WHILE STILL RETAINING THE DISTRICT'S LIVABILITY.

The 2009 Housing Element is consistent with the Rincon Hill Area Plan because it encourages the development of new housing in areas that can accommodate that housing with planned or existing infrastructure, and supports new housing projects where households can easily rely on public transportation. Rincon Hill has existing infrastructure and contains numerous public transportation options including MUNI, Bart and Caltrain.

SHOWPLACE/POTRERO HILL AREA PLAN

OBJECTIVE 2.1 ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE SHOWPLACE / POTRERO IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES

OBJECTIVE 2.2 RETAIN AND IMPROVE EXISTING HOUSING AFFORDABLE TO PEOPLE OF ALL INCOMES

OBJECTIVE 2.4 LOWER THE COST OF THE PRODUCTION OF HOUSING

The 2009 Housing Element is consistent with the Showplace/Potrero Hill Area Plan because it promotes the development of housing that is affordable to people of all incomes.

SOMA AREA PLAN

OBJECTIVE 2 PRESERVE EXISTING HOUSING.

OBJECTIVE 3 ENCOURAGE THE DEVELOPMENT OF NEW HOUSING, PARTICULARLY AFFORDABLE HOUSING.

The 2009 Housing Element is consistent with the SOMA Area Plan in that it promotes the development of housing that is affordable to people of all incomes and supports the conservation and improvement of the existing housing stock.

WHEREAS, Pursuant to Planning Code Section 340, on March 27, 2014, the Planning Commission adopted Resolution No. R-19108 a Resolution of Intention to initiate amendments to the General Plan of the City and County of San Francisco by adopting the 2009 Housing Element as the Housing Element of the San Francisco General Plan. Said Resolution is incorporated herein by reference; and,

WHEREAS, Prior to considering this relevant amendment to the General Plan, the Planning Commission adopted Motion No. _____. In that action, the Commission certified the San Francisco 2004 and 2009 Housing Element Environmental Impact Report. On this same date, at a duly noticed public hearing, the Planning Commission also adopted Motion _____, adopting findings under the California Environmental Quality Act related to the 2009 Housing Element. Said Motions are incorporated herein by reference; and

WHEREAS, That on April 24, 2014, the Planning Commission held a duly noticed public hearing on the proposed amendment to the General Plan, and considered the written and oral testimony of Planning Department staff, representatives of other City Departments and members of the public concerning the proposed adoption of the 2009 Housing Element.

NOW THEREFORE BE IT RESOLVED, That pursuant to the Superior Court's direction, the Commission hereby rescinds Motion 18308, adopted on March 24, 2011 adopting findings pursuant to CEQA; and

BE IT FURTHER RESOLVED, That pursuant to the Superior Court's direction, that the Commission hereby rescinds Resolution 18309 adopted on March 24, 2011, recommending the adoption of the 2009 Housing Element as the Housing Element of the General Plan.

BE IT FURTHER RESOLVED, That the Commission for the purposes of this action relies on the CEQA Findings in Motion No. _____; and

BE IT FURTHER RESOLVED, That the Commission for the reasons set forth herein, finds that the proposed 2009 Housing Element is, on balance, consistent with the General Plan and the priority policies of Planning Code Section 101.1; and

BE IT FURTHER RESOLVED, That on April 24, 2014, the Planning Commission held a public hearing on the 2009 Housing Element Update and considered the written and oral testimony of

Planning Department staff, representatives of other City Departments and members of the public concerning the proposed General Plan Amendment; and

BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 340, the Planning Commission does hereby find that the public necessity, convenience and general welfare require the approval of the attached ordinance, approved as to form by the City Attorney, and directs staff to make corresponding updates to the Land Use Index of the General Plan, and recommends the adoption of the 2009 Housing Element as it was adopted by the Board of Supervisors in Ordinance 108-11 to wit, "Draft 3" published in February 2011 together with amendments incorporated by the Planning Commission on March 24, 2011 in Resolution 18309.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission on _____.

Jonas Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

1 [General Plan. Adoption of 2009 Housing Element]

2
3 **Ordinance amending the San Francisco General Plan by repealing Ordinance 108-11**
4 **and adopting the 2009 Housing Element; making findings, including environmental**
5 **findings, Planning Code section 340 findings, and findings of consistency with the**
6 **General Plan and the eight priority policies of Planning Code Section 101.1.**

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

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

15 Section 1. Introduction. On March 31, 2011, pursuant to San Francisco Charter
16 section 4.105 and Planning Code section 340, the San Francisco Planning Commission
17 recommended to the San Francisco Board of Supervisors the adoption of the 2009 Housing
18 Element, an amendment to the San Francisco General Plan. On March 24, 2011, the
19 Planning Commission had certified the San Francisco 2004 and 2009 Housing Element
20 Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act
21 ("CEQA") (Public Resources Code section 21000 et seq.) in Planning Commission Motion
22 18307, adopted findings pursuant to CEQA in Motion 18308, and adopted the 2009 Housing
23 Element as an amendment to the General Plan in Resolution 18309. A copy of said
24 resolutions and motion are on file with the Clerk of the Board of Supervisors in File No.
25 _____.

1 In June 2011, in Ordinance 108-11, the Board of Supervisors adopted the 2009
2 Housing Element as the Housing Element of the San Francisco General Plan and adopted
3 findings pursuant to CEQA. A copy of said Ordinance is on file with the Clerk of the Board of
4 Supervisors in File No. _____.

5 After the adoption of the 2009 Housing Element by the Board of Supervisors, an
6 association of neighborhood groups challenged in San Francisco Superior Court, among other
7 things, the adequacy of the final environmental impact report (FEIR) prepared for the 2009
8 Housing Element and the adequacy of the Board's findings under CEQA. On December 19,
9 2013, the Superior Court upheld the City's compliance with CEQA in all respects, except for
10 the FEIR's analysis of the alternatives required by CEQA and the CEQA Guidelines, and the
11 City's adoption of CEQA Findings. On January 15, 2014, the Superior Court ordered the City
12 to set aside its certification of the FEIR and the approval of the 2009 Housing Element and
13 related CEQA findings, revise the FEIR's alternatives analysis, and reconsider its previous
14 approvals.

15 Pursuant to the Court's order, the Planning Department prepared a revised alternatives
16 analysis and recirculated it for public review and comment. On _____, the Planning
17 Commission rescinded Motion 18307, and certified the Final EIR including the revised
18 alternatives analysis in Motion _____. A copy of said motion is on file with the Clerk of
19 the Board of Supervisors in File No. _____. On _____, the Planning Commission also
20 rescinded Resolution 18309 and Motion 18308, and reconsidered its approval of the 2009
21 Housing Element and adoption of CEQA Findings in light of the revised certified FEIR. As set
22 forth below, the Planning Commission continues to recommend the adoption of the 2009
23 Housing Element as the Housing Element of the San Francisco General Plan.

24 Section 2. Findings. The Board of Supervisors of the City and County of San
25 Francisco hereby finds and determines that:

1 (a) Pursuant to San Francisco Charter 4.105 and San Francisco Planning Code
2 Section 340, any amendments to the General Plan shall first be considered by the Planning
3 Commission and thereafter recommended for approval or rejection by the Board of
4 Supervisors. On _____, by Resolution _____, the Planning Commission conducted a
5 duly noticed public hearing on the General Plan amendment adopting the 2009 Housing
6 Element as the Housing Element of the San Francisco General Plan ("2009 Housing
7 Element"). A copy of the 2009 Housing Element is on file with the Clerk of the Board of
8 Supervisors in File No. _____. Pursuant to Planning Code Section 340, the Planning
9 Commission found that the public necessity, convenience and general welfare required the
10 General Plan amendment, adopted the General Plan amendment and recommended it for
11 approval to the Board of Supervisors. A copy of Planning Commission Resolution No.
12 _____ is on file with the Clerk of the Board of Supervisors in File No. _____.

13 (b) The Board finds that this ordinance adopting the 2009 Housing Element is, on
14 balance, in conformity with the priority policies of Planning Code Section 101.1 and consistent
15 with the General Plan as it is proposed for amendment herein, for the reasons set forth in
16 Planning Commission Motion no. _____, and the Board hereby incorporates these
17 findings herein by reference.

18 (c) On _____, by Motion No. _____, the Planning Commission certified as
19 adequate, accurate and complete the 2004 and 2009 Housing Element Final Environmental
20 Impact Report, including the revised alternatives analysis ("Final EIR"), finding that the Final
21 EIR reflected the independent judgment and analysis of the City and County of San
22 Francisco, is adequate, accurate and objective, and that the content of the report and the
23 procedures through which the Final EIR was prepared, publicized and reviewed comply with
24 the provisions of CEQA, the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.)
25 and Chapter 31 of the San Francisco Administrative Code. A copy of the Final EIR and

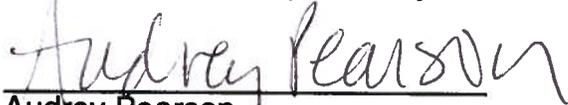
1 Planning Commission Motion No. _____ are on file with the Clerk of the Board in File No.
2 _____.

3 (d) In accordance with the actions contemplated herein, the Board has reviewed the
4 Final EIR, and adopts and incorporates by reference, as though fully set forth herein, the
5 findings required by CEQA, including a statement of overriding considerations and the
6 mitigation monitoring and reporting program, adopted by the Planning Commission on
7 _____ in Motion No. _____. A copy of said Motion No. _____ is on file with the
8 Clerk of the Board of Supervisors in File No. _____.

9 Section 3. The Board of Supervisors hereby rescinds Ordinance 108-11, repeals the
10 2004 Housing Element, and adopts the 2009 Housing Element as the Housing Element to the
11 San Francisco General Plan.

12 Section 4. Effective Date. This ordinance shall become effective 30 days after
13 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
14 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
15 of Supervisors overrides the Mayor's veto of the ordinance.

16
17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: 
21 Audrey Pearson
22 Deputy City Attorney

23 n:\and\li2014\120178\00913186.doc