FILE NO. ORDINANCE NO.

[Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans – the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans.]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

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

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

Section 1. Findings.

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

B. On _____, the Board of Supervisors received from the Planning Department the proposed General Plan amendments including the addition of four new Eastern Neighborhoods Area Plans: the Mission Area Plan, the East SoMa Area Plan, the Showplace Square/Potrero Hill and the Central Waterfront Plan, and related General Plan amendments to the Commerce and Industry and Recreation and Open Space Elements, the

Land Use Index , and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans, collectively, the “Eastern Neighborhoods Area Plan Amendments”. These Amendments are on file with the Clerk of the Board of Supervisors in File No._____ and are incorporated herein by reference.

C. Section 4.105 of the City Charter further provides that if the Board of Supervisors fails to Act within 90 days of receipt of the proposed Eastern Neighborhoods Area Plans Amendments, then the proposed amendments shall be deemed approved.

D. San Francisco Planning Code Section 340 provides that the Planning Commission may initiate an amendment to the General Plan by a resolution of intention, which refers to, and incorporates by reference, the proposed General Plan amendments. Section 340 further provides that Planning Commission shall adopt the proposed General Plan amendments after a public hearing if it finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendment or any part thereof. If adopted by the Commission in whole or in part, the proposed amendments shall be presented to the Board of Supervisors, which may approve or reject the amendments by a majority vote.

E. On April 17, 2008, in Motion No. 17585 the Planning Commission initiated amendments to the General Plan, the Eastern Neighborhoods Area Plans Amendments, after a duly noticed public hearing. Said motion is on file with the clerk of the Board of Supervisors and incorporated herein by reference.

F. On August 7, 2008, at a duly noticed public meeting, the Planning Commission certified the Final Environmental Impact Report (EIR) for the proposed Eastern Neighborhoods Area Plans (the "Project") by Motion No. _____ finding the Final EIR reflected the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, contains no significant revisions to the Draft EIR, and the

content of the report and the procedures through which the Final EIR was prepared, publicized and reviewed comply with the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.) and Chapter 31 of the San Francisco Administrative Code. Copies of the Planning Commission Motion and Final EIR are on file with the Clerk of the Board in File No. _____ and are incorporated herein by reference.

G. The Project evaluated in the Final EIR includes amendments to the General Plan, Planning Code and Zoning Map related to the Project that the Planning Department has proposed. The Eastern Neighborhoods Area Plans Amendments is an action proposed by the Planning Department that is within the scope of the Project evaluated in the Final EIR.

H. At the same hearing during which the Planning Commission certified the Final EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the proposed Eastern Neighborhoods Area Plans Amendments in Motion _____ and adopted the Eastern Neighborhoods Area Plans Amendments in Resolution _____, finding in accordance with Planning Code Section 302 that the public necessity, convenience and general welfare required the proposed amendments. The letter from the Planning Department transmitting the proposed Eastern Neighborhoods Area Plans Amendments to the Board of Supervisors, the Final EIR and supplemental material described above, the CEQA Findings adopted by the Planning Commission with respect to the approval of the Eastern Neighborhoods Area Plans Amendments, including a mitigation monitoring and reporting program and a statement of overriding considerations, the Eastern Neighborhoods Area Plans Amendments and the Resolution approving the Eastern Neighborhoods Area Plans Amendments are on file with the Clerk of the Board in File No._____. These and any and all other documents referenced

in this Ordinance have been made available to the Board of Supervisors and may be found in either the files of the Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco, or in File No. _____ with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco and are incorporated herein by reference.

I. The Board of Supervisors has reviewed and considered the Final EIR and the environmental documents on file referred to herein. The Board of Supervisors has reviewed and considered the CEQA Findings adopted by the Planning Commission in support of the approval of the Eastern Neighborhoods Area Plans Amendments, including the mitigation monitoring and reporting program and the statement of overriding considerations, and hereby adopts as its own and incorporates the CEQA Findings contained in Planning Commission Motion No. _____ by reference as though such findings were fully set forth in this Ordinance.

J. The Board of Supervisors endorses the implementation of the mitigation measures identified in the Planning Commission's CEQA Findings including those for implementation by other City Departments and recommends for adoption those mitigation measures that are enforceable by agencies other than City agencies, all as set forth in the CEQA Findings, including the mitigation monitoring and reporting program contained in the referenced CEQA Findings.

K. The Board of Supervisors finds that no substantial changes have occurred in the Project proposed for approval under this Ordinance that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the Project proposed for approval under the Ordinance are undertaken which will require major revisions to the Final EIR due to the

involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial importance to the Project as proposed for approval in the Ordinance has become available which indicates that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant environmental effects will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

M. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the Eastern Neighborhoods Area Plans Amendments set forth in the documents on file with the Clerk of the Board in File No. _____ will serve the public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. _____ and incorporates those reasons herein by reference.

N. The Board of Supervisors finds that the Eastern Neighborhoods Area Plans Amendments are, on balance, in conformity with the General Plan, as it is amended by this Ordinance, and the eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. _____. The Board hereby adopts the findings set forth in Planning Commission Resolution No. _____.

Section 2. The Board of Supervisors hereby approves the proposed Eastern Neighborhoods Area Plans Amendments, an amendment to the General Plan, as recommended to the Board of Supervisors by the Planning Commission in Resolution No. _____, and directs the Planning Department to update the General Plan's Land Use Index to reflect these Amendments.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: _____
John D. Malamut
Deputy City Attorney