

1 [Approving General Plan Amendments in connection with the Better Streets Plan]

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 3 **Ordinance amending the Urban Design and Transportation Elements of the San**
 4 **Francisco General Plan to incorporate the San Francisco Better Streets Plan by**
 5 **reference, and to make objectives and policies relating to pedestrian transportation**
 6 **consistent with the Better Streets Plan; making environmental findings that the**
 7 **proposed amendments are consistent with the General Plan and the eight priority**
 8 **policies of the Planning Code Section 101.1.**

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

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

13 Section 1. Findings.

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

17 B. On 9/21/10, the Board of Supervisors received from the Planning
 18 Department the proposed General Plan amendments to the Transportation Element and
 19 Urban Design Element related to companion legislation on the Better Streets Plan (the
 20 "Amendments"). These Amendments are on file with the Clerk of the Board of Supervisors in
 21 File No. 101194 and are incorporated herein by reference.

22 C. Section 4.105 of the City Charter further provides that if the Board of Supervisors
 23 fails to Act within 90 days of receipt of the proposed Amendments, then the proposed
 24 Amendments shall be deemed approved.

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

9 E. After a duly noticed public hearing on October 28, 2010 in Motion No.
10 18212, the Planning Commission initiated amendments to the General Plan. Said
11 Motion is on file with the Clerk of the Board of Supervisors in File No. 101193 and
12 incorporated herein by reference.

13 F. In accordance with the actions contemplated herein, the Planning Commission on
14 October 28, 2010 in Resolution No. 18211 adopted a mitigated negative
15 declaration, and approved findings pursuant to the California Environmental Quality Act
16 (California Public Resources Code sections 21000 et seq., "CEQA"), including the adoption of
17 a mitigation monitoring and reporting program. The letter from the Planning Department
18 transmitting the proposed Better Street Plan legislation and the proposed General Plan
19 amendments related thereto to the Board of Supervisors, the Mitigated Negative Declaration,
20 the CEQA Findings adopted by the Planning Commission with respect to the approval of the
21 legislation, including a mitigation monitoring and reporting program, the Planning Commission
22 motions and resolutions related to the Better Streets Plan legislation, are on file with the Clerk
23 of the Board in File No. 101193. These and any and all other documents
24 referenced in this Ordinance and companion legislation have been made available to the
25 Board of Supervisors and may be found in either the files of the Planning Department, as the

1 custodian of records, at 1650 Mission Street in San Francisco, or in File No. 101193
2 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco,
3 and are incorporated herein by reference. This Board hereby adopts the Planning
4 Commission's CEQA Findings as its own and incorporates these findings herein by reference.

5 G. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
6 proposed General Plan Amendments set forth in the documents on file with the Clerk of the
7 Board in File No. 101194 will serve the public necessity, convenience and general
8 welfare for the reasons set forth in Planning Commission Resolution No. 18212 and
9 incorporates those reasons herein by reference.

10 H. The Board of Supervisors finds that the proposed General Plan Amendments are,
11 on balance, in conformity with the General Plan, as it is amended by this Ordinance, and the
12 eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning
13 Commission Resolution No. 18212. The Board hereby adopts the findings set forth
14 in Planning Commission Resolution No. 18212 as its own.

15 I. The Board of Supervisors also finds that the proposed General Plan Amendments in
16 this legislation and the San Francisco Bicycle Transportation Plan and General Plan
17 amendments related thereto are intended, in part, to satisfy the requirements of California
18 Government Code Section 65302(b)(2)(A), a provision of the California Complete Streets Act
19 of 2008. The Board adopted the Bicycle Transportation Plan and related General Plan
20 amendments, in Ordinance No. 188-09, which is on file with the Clerk of the Board in File No.
21 090868 and incorporated herein by reference.

22 Section 2. The Board of Supervisors hereby approves the proposed Amendments to
23 the Transportation Element and the Urban Design Element on the General Plan in connection
24 with the Better Streets Plan, as recommended to the Board of Supervisors by the Planning
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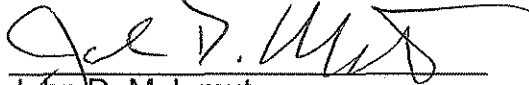
1 Commission in Resolution No. 18212, and directs the Planning Department to
2 update the General Plan's Land Use Index to reflect these Amendments.

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

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7 By:


8 John D. Malamut
9 Deputy City Attorney

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City and County of San Francisco

Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101193

Date Passed: December 07, 2010

Ordinance amending the Urban Design and Transportation Elements of the San Francisco General Plan to incorporate the San Francisco Better Streets Plan by reference, and to make objectives and policies relating to pedestrian transportation consistent with the Better Streets Plan; making environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

November 15, 2010 Land Use and Economic Development Committee - RECOMMENDED

November 23, 2010 Board of Supervisors - AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

November 23, 2010 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

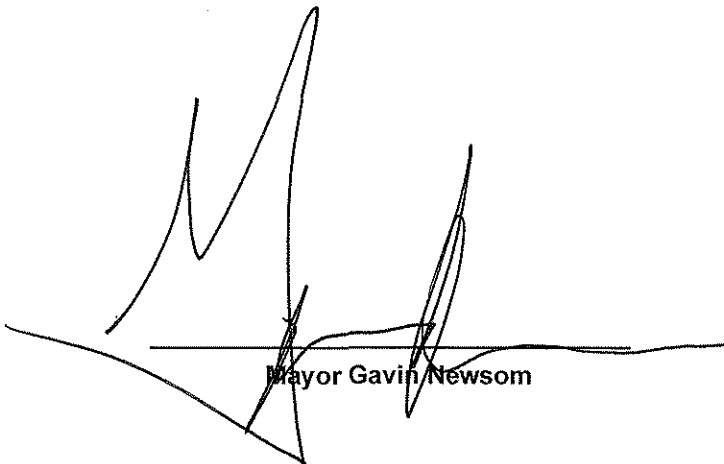
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

December 07, 2010 Board of Supervisors - FINALLY PASSED

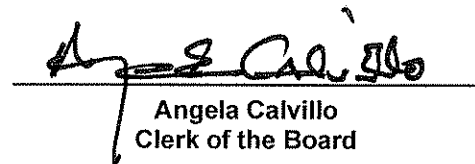
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101193

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 12/7/2010 by the Board of Supervisors of the City and County of San Francisco.



Mayor Gavin Newsom



Angela Calvillo
Clerk of the Board

December 16, 2010
Date Approved