

SAN FRANCISCO PLANNING DEPARTMENT

270969

**ENDORSED
FILED**
San Francisco County Clerk

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JUN 27, 2014

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by: **MORGAN JALDON**
Deputy County Clerk

378

409

Planning
Information:
415.558.6377

Notice of Determination

Approval Date: 6/26/2014
Case No.: 2007.1275E
State Clearinghouse No: 2008102033
Project Title: San Francisco 2004 and 2009 Housing Element
Zoning: Citywide
Block/Lot: N/A
Lot Size: N/A
Lead Agency: San Francisco Planning Department
Project Sponsor: San Francisco Planning Department
Staff Contact: Tania Sheyner - (415) 575-9127
Tania.Sheyner@sfgov.org

To: County Clerk, City and County of San Francisco State of California
City Hall Room 168 Office of Planning and Research
1 Dr. Carlton B. Goodlett Place PO Box 3044
San Francisco, CA 94102 Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attached fee:

\$53 filing fee AND \$3,029.75 EIR Fee OR
 No Effect Determination (From CDFG)

PROJECT DESCRIPTION:

The subject of the EIR is the revision of the Housing Element of the San Francisco General Plan (General Plan). The Housing Element is a policy document that consists of goals and policies to guide the City and private developers in providing housing for existing and future residents to meet projected housing demand, as required under Government Code section 65580 et seq. ("State housing element law"). State law requires the housing element to be updated periodically, usually every five years. The City underwent a comprehensive planning process and in June 2011, adopted the 2009 Housing Element. Subsequent to adoption of the 2009 Housing Element, the San Francisco Superior Court ordered the City to revise the EIR's analysis of alternatives and reconsider the approval of the 2009 Housing Element. After revising the alternatives analysis, and certifying the revised EIR, the City adopted the 2009 Housing Element (amended to delete references to Japantown) as the Housing Element of the General Plan.

DETERMINATION:

The City and County of San Francisco decided to carry out or approve the project on June 26, 2014. A copy of the document(s) may be examined at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 in case file No. 2007.1275E and at the Board of Supervisors, City Hall, 1 Carlton B. Goodlett Place Room 244, San Francisco, CA, 94102 in file no 140578.

1. An Environmental Impact Report has been prepared pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address.
2. A determination has been made that the project in its approved form will have a significant effect on the environment and findings were made pursuant to Section 15091 and a statement of overriding considerations was adopted.
3. Mitigation measures were made a condition of project approval.

John Rahaim
Planning Director



By Sarah B. Jones
Environmental Review Officer

cc: Kearstin Dischinger – Citywide Planning
Audrey Pearson – City Attorney's Office

DEPARTMENT OF FISH AND GAME

Bay Delta Region
7329 Silverado Trail
Napa, California 94558
(707) 944-5500

**CEQA Filing Fee No Effect Determination Form**

Date Submitted: April 18, 2011

Applicant Name: City and County of San Francisco

Applicant Address: 1650 Mission Street, Suite 400, San Francisco, CA 94103

Project Name: San Francisco 2004 and 2009 Housing Element

CEQA Lead Agency: San Francisco Planning Department

CEQA Document Type: Environmental Impact Report

SCH Number and/or local agency ID Number: SCH #2008102033

Project Location: City and County of San Francisco

Brief Project Description: The proposed project, the 2009 Housing Element, presents an updated calculation of San Francisco's fair share of the Regional Housing Need Allocation (RHNA), as determined by the Association of Bay Area Governments (ABAG). This updated calculation of San Francisco's share of the regional housing need is for January 2007 through June 2014 and shows a need for 31,193 housing units, or 4,159 units per year. Part II of the proposed 2009 Housing Element sets forth the objectives, policies, and implementing strategies intended to address the City's housing needs based on the RHNA provided by ABAG in 2007.

In general, the policies contained in the proposed 2009 Housing Element are intended to prioritize the creation of permanently affordable housing; recognize and preserve neighborhood character; integrate planning of housing, jobs, transportation and infrastructure; and maintain the City as a sustainable model of development. The 2009 Housing Element also identifies where development capacity exists under existing zoning (or soft sites, as discussed above) for future potential housing throughout the City. This analysis, contained in Part I of the 2009 Housing Element, finds that the City has available capacity under existing zoning to meet the RHNA, therefore rezoning to allow additional housing units is not required.

The 2009 Housing Element focuses on themes such as adequate housing sites; conservation and improvement of existing housing stock; equal housing opportunities; affordable housing; removing constraints to the construction and rehabilitation of housing; maintaining the character of neighborhoods; and balancing construction and infrastructure. Some objectives, policies, and implementation measures focused on such issues as affordable housing would not result in physical environmental impacts. Other policies, such as those related to balancing development with infrastructure, could result in physical environmental impacts. Those objectives, policies, and implementation measures that could result in significant physical environmental impacts are the subject of the EIR.

Neither the 2004 or 2009 Housing Element will permit any new development. All proposals for new housing would be subject to its own environmental review.

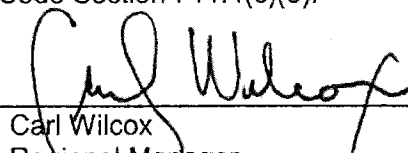
Describe clearly why the project has no effect on fish and wildlife: Although the 2009 Housing Element would not result in the construction of residential units, it would shape how new residential development should occur and ensures that there is adequate land available to meet future housing needs. New development within the City would be required to comply with the Open Space Element of the San Francisco General Plan, Chapter 8 of the San Francisco Environment Code, San Francisco's Green Building Ordinance, San Francisco's IPM Ordinance, San Francisco's Urban Forest Plan, and San Francisco's Urban Forestry Ordinance. The proposed 2009 Housing Element would not permit any new development and would not change land use designations or development controls. Therefore, the potential for development to occur under existing zoning would be maintained, no new areas would become available for housing development that were previously unavailable, and the development controls (zoning height and bulk) would be unchanged. Furthermore, any new development within the City would be subject, on a project-by-project basis, to independent CEQA review. Therefore, the EIR found that the 2009 Housing Element does not propose policies that would directly or indirectly encourage development of areas that could adversely affect biological resources, and the 2009 Housing Element would have no effect on biological resources.

Determination: Based on a review of the Project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final, and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By: _____



Carl Wilcox
Regional Manager
Bay Delta Region

Date: April 25, 2011



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2014 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT #
270968

STATE CLEARING HOUSE # *(if applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY
 SAN FRANCISCO PLANNING DEPARTMENT

DATE
 06/27/2014

COUNTY/STATE AGENCY OF FILING
 SAN FRANCISCO/CA

DOCUMENT NUMBER
 503186

PROJECT TITLE
 SAN FRANCISCO 2004 AND 2009 HOUSING ELEMENT

PROJECT APPLICANT NAME
 TANIA SHEYNER

PHONE NUMBER
 (415)575-9127

PROJECT APPLICANT ADDRESS
 1650 MISSION ST SUITE 400

CITY
 SAN FRANCISCO

STATE
 CA

ZIP CODE
 94103

PROJECT APPLICANT *(Check appropriate box):*

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

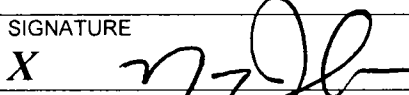
<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,029.75	\$	_____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,181.25	\$	_____
<input type="checkbox"/> Application Fee Water Diversion <i>(State Water Resources Control Board only)</i>	\$850.00	\$	_____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,030.25	\$	_____
<input checked="" type="checkbox"/> County Administrative Fee	\$53.00	\$	53.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Other		\$	_____

PAYMENT METHOD:

Cash Credit Check Other

jeep14000030

TOTAL RECEIVED \$ 53

SIGNATURE


Printed Name:
 MORGAN JALDON

TITLE
 Deputy County Clerk

