

1 [Bayview Hunters Point Redevelopment Project Area C Interim Controls.]

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3 **Resolution adopting interim zoning controls for a period of eighteen (18) months in the**
4 **area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area,**
5 **an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue,**
6 **Earl Street and the San Francisco Bay to require a conditional use permit for all new**
7 **construction, changes of use, alterations that expand the building envelop and**
8 **demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2**
9 **zones or the establishment of or a change of use on the ground floor of a principally**
10 **permitted use in the NC-2 area; specifying criteria to be applied in the evaluation of a**
11 **conditional use permit application, and adopting findings.**

12 WHEREAS, in January, 1995, the Board of Supervisors ("Board") adopted the Bayview
13 Hunters Point Survey Area ("Survey Area"), which is generally bounded by San Francisco Bay
14 to the east, the City and County of San Francisco border to the south, US Highway 101 to the
15 west, and Cesar Chavez Street to the north; and

16 WHEREAS, in June, 2006, the Board approved amendments to the Bayview Hunters
17 Point Redevelopment Plan to include a portion of the Bayview Hunters Point Survey Area
18 referred to as Project Area B in the amended Redevelopment Plan; and

19 WHEREAS, the Bayview Hunters Point Redevelopment Plan identifies another portion
20 of the Bayview Hunters Point Survey Area as Project Area C and states that this area will be
21 subject to further analysis and planning by the Agency in conjunction with the Planning
22 Department before the Agency can recommend to the Board that the area be included in the
23 Bayview Hunters Point Redevelopment Plan; and

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1 WHEREAS, Bayview Hunters Point Redevelopment Project Area C is generally
2 bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San
3 Francisco Bay; and

4 WHEREAS, the Agency and the Planning Department have embarked on a planning
5 process for Project Area C and are undertaking the environmental review of a proposed new
6 land use plan for the area (also referred to as India Basin Shoreline) as part of the Agency
7 and Planning Department's Bayview Waterfront Project Environmental Impact Report, which
8 also includes environmental analysis of proposed new development at the Hunters Point
9 Shipyard and in the Candlestick Park area; and

10 WHEREAS, On February 10, 1997, the Board approved and certified the election of the
11 Bayview Hunters Point Project Area Committee (the "PAC"); and

12 WHEREAS, Between 2000 and 2002, the San Francisco Redevelopment Agency
13 produced a document entitled the "*Bayview Hunters Point Community Revitalization Concept*
14 *Plan*," which is the result of a collaborative community effort led by the Bayview Hunters Point
15 PAC and among other things, sets forth conceptual ideas for the revitalization and
16 redevelopment of Bayview Hunters Point Survey Area, including Project Area C referenced
17 above; and

18 WHEREAS, The *Bayview Hunters Point Community Revitalization Concept Plan*
19 recognized that Block 4580, Lot 002; Block 4602A, Lot 014; Block 4603A, Lot 005; Block
20 4604A, Lot 002; Block 4606, Lot 100; Block 4607, Lot 025; Block 4620, Lots 001, 002; Block
21 4621, Lots 016, 018, 100, 101; Block 4623A, Lot 002; Block 4629A, Lots 010, 012; Block
22 4630, Lots 002, 005, 006, 100; Block 4631, Lots 001, 002; Block 4644, Lots 001, 002, 002A,
23 002B, 003, 003A, 003B, 004, 004A, 005, 005A, 006, 006A, 007, 008, 009; 010, 010A, 010B,
24 010C, 011; Block 4645, Lots 001, 002B, 003A, 004, 006, 007, 007A, 010, 010A, 011, 012,
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1 013, 014, 015, 016, 017, 018, 019, 031, 035; and Block 4646, Lots 001, 002, 003, 003A, 005,
2 005A, 006, 006A, 007, 009, 010, 011, 019, 020, 021; which together are hereinafter referred
3 to as the Bayview Hunters Point Redevelopment Project Area C, presented revitalization
4 opportunities but also challenges due to a lack of infrastructure and public amenities and the
5 likely need for environmental remediation such that detailed feasibility analyses were needed
6 in order to devise specific development controls for the area that will achieve the community
7 vision; and

8 WHEREAS, The Redevelopment Agency and the Planning Department have
9 developed the following planning objectives for the joint planning effort underway for the
10 Bayview Hunters Point Redevelopment Project Area C that are derived from the *Bayview*
11 *Hunters Point Community Revitalization Concept Plan* (March 2002), particularly Chapter 5,
12 pages 183 to 187, regarding the India Basin Shoreline: (1) in the area of development and
13 design, create a mixed-use community, balance job generating commercial uses and new
14 housing development; provide a diversity of housing types and affordability levels; create
15 opportunities for neighborhood-serving retail and emerging green industries; ensure that
16 buildings respond well to area streets, open space and the waterfront; ensure high-quality,
17 sustainable design, and encourage architecture that celebrates the maritime and waterfront
18 context of the India Basin Shoreline; (2) in the area of open space and sustainability,
19 enhance physical and visual access to the waterfront; expand recreational activities and
20 community facilities; plan for green and energy efficient infrastructure; preserve and enhance
21 critical habitats; and ensure full remediation throughout the area; and (3) in the area of
22 transportation and street design, provide traffic calming strategies for Innes Avenue and
23 Hunters Point Boulevard; create new roads and sidewalks with walkable “Green”

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1 streetscapes; improve pedestrian safety, comfort and circulation; and enhance transit service
2 and bike access to the area; and

3 WHEREAS, Until the joint planning effort by the Planning Department and the
4 Redevelopment Agency is complete, the Board wishes to assure that development in the area
5 does not foreclose realization of the community vision as articulated in the planning objectives
6 set forth above; and

7 WHEREAS, City Planning Code Section 306.7 authorizes the Board of Supervisors to
8 impose interim zoning controls temporarily suspending the approval of permits and other land
9 use authorizations in conflict with a contemplated zoning proposal which the Board, the
10 Planning Commission, or the Department of Planning is considering or intends to study within
11 a reasonable period of time; and,

12 WHEREAS, The Board finds that these interim controls are necessary in order to
13 protect the Bayview Hunters Point Redevelopment Project Area C from development that may
14 be inconsistent with the conceptual community vision as set forth in the *Bayview Hunters*
15 *Point Community Revitalization Concept Plan* and as further articulated in the planning
16 objectives described above; and

17 WHEREAS, The Board finds that additional planning is needed for Bayview Hunters
18 Point Redevelopment Project Area C to ensure the adequate provision of new infrastructure,
19 community facilities, environmental remediation, and public amenities and neighborhood
20 services necessary to support new uses and to carry out the community vision as articulated
21 in the *Bayview Hunters Point Community Revitalization Concept Plan*; and

22 WHEREAS, The Board finds that these interim controls enhance and are consistent
23 with the purpose of the Planning Code as set forth in Section 101 and with the Priority Policies
24 of Planning Code Section 101.1 in that they will conserve and protect existing housing and
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1 neighborhood character by requiring conditional use for all new construction, changes of use,
2 alterations that expand the building envelop and demolitions, with the exception of (1)
3 alterations of a lawfully existing use in the NC-2 zoned area or (2) the establishment of or a
4 change of use on the ground floor of a principally permitted use in the NC-2 (Policies 2 and
5 3); maintain potential for location of businesses during the planning and feasibility study
6 period (Policy 5); maintain landmarks and historic buildings and parks and open space
7 (Policies 7 and 8); maintain existing neighborhood-serving retail uses and resident
8 employment (Policy 1); and have no impact on commuter traffic or transit service (Policy 4)
9 and earthquake preparedness (Policy 6).

10 WHEREAS, The Board is authorized by Planning Code Section 306.7(c) to initiate the
11 procedure for imposing interim controls by a resolution adopted by majority vote; now,
12 therefore, be it

13 RESOLVED, That the interim controls set forth below are hereby imposed on all
14 property on the lots defined below for the duration of the interim controls. No City agency,
15 board, commission officer, or employee may approve any demolition permit, site permit,
16 building permit, grading permit, conditional use authorization, or any other land use
17 entitlement inconsistent with the following controls as long as they are in effect:

18 (a) The following properties, which are zoned M-1: Block 4606, Lot 100; Block 4607,
19 Lot 025; Block 4620, Lots 001, 002; Block 4621, Lots 016, 018, 100, 101; Block 4629A, Lots
20 010, 012; Block 4630, Lots 002, 005, 006, 100; Block 4631, Lots 001, 002; Block 4644, Lots
21 001, 010, 010A, 010B, 010C, 011; Block 4645, Lots 001, 010, 010A, 011, 012, 013; and Block
22 4646, Lots 001, 021; and M-2: Block 4580, Lot 002; Block 4604A, Lot 002; and NC-2: Block
23 4602A, Lot 014; Block 4603A, Lot 005; Block 4623A, Lot 002 Block 4644, Lots 002, 002A,
24 002B, 003, 003A, 003B, 004, 004A, 005, 005A, 006, 006A, 007, 008, 009; Block 4645, Lots
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1 002B, 003A, 004, 006, 007, 007A, 014, 015, 016, 017, 018, 019, 031, 035; and Block 4646,
2 Lots 002, 003, 003A, 005, 005A, 006, 006A, 007, 009, 010, 011, 019, 020; shall be subject to
3 conditional use authorization for all new construction, changes of use, alterations that expand
4 the building envelop and demolitions, with the exception of (1) alterations of a lawfully existing
5 use in the M-1, M-2 or NC-2 zones or (2) the establishment of or a change of use on the
6 ground floor of a principally permitted use in the NC-2 zone.

7 (b) In evaluating any conditional use application pursuant to these interim controls,
8 the Planning Commission, in addition to considering the criteria in Planning Code Section
9 303(c), shall adopt findings that the development is consistent with the planning objectives for
10 the area as set forth in the *Bayview Hunters Point Community Revitalization Concept Plan*
11 and as refined by the community planning process that is underway:

12 (1) In the area of development and design: create a mixed-use community, balance
13 job generating commercial uses and new housing development; provide a diversity of housing
14 types and affordability levels; create opportunities for neighborhood-serving retail and
15 emerging green industries; ensure that buildings respond well to area streets, open space and
16 the waterfront; ensure high-quality, sustainable design, and encourage architecture that
17 celebrates the maritime and waterfront context of the India Basin Shoreline.

18 (2) In the area of open space and sustainability: enhance physical and visual
19 access to the waterfront; expand recreational activities and community facilities; plan for
20 green and energy efficient infrastructure; preserve and enhance critical habitats; and ensure
21 full remediation throughout the area.

22 (3) In the area of transportation and street design: provide traffic calming strategies
23 for Innes Avenue and Hunters Point Boulevard; create new roads and sidewalks with walkable
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1 "Green" streetscapes; improve pedestrian safety, comfort and circulation; and enhance transit
2 service and bike access to the area.

3 FURTHER RESOLVED, That these controls shall remain in effect for a period of
4 eighteen (18) months unless extended by the Board or until the adoption of permanent zoning
5 controls, whichever occurs first.

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7 APPROVED AS TO FORM:

8 DENNIS J. HERRERA, City Attorney

9 By: _____

10 ELAINE C. WARREN

11 Deputy City Attorney

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