

FILE NO. 990589RESOLUTION NO. 368-99

1 [Edgehill Mountain Slope Protection Area]

2 CREATING THE EDGEHILL MOUNTAIN SLOPE PROTECTION AREA, WHICH IS
 3 GENERALLY BOUNDED BY GARCIA AVENUE, VASQUEZ AVENUE, KENSINGTON WAY,
 4 AND ULLOA STREET AND TRAVERSED BY EDGEHILL WAY; IMPOSING INTERIM
 5 ZONING CONTROLS FOR EIGHTEEN (18) MONTHS IN THE EDGEHILL MOUNTAIN
 6 SLOPE PROTECTION AREA TO PROHIBIT THE APPROVAL OF PERMITS OR OTHER
 7 LAND USE ENTITLEMENTS, SUBJECT TO SPECIFIC EXEMPTIONS, FOR PROPERTY IN
 8 THE EDGEHILL MOUNTAIN SLOPE PROTECTION AREA; AND MAKING A FINDING OF
 9 CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

10 WHEREAS, On or about January 5, 1997, a section of Edgehill Way and an adjacent
 11 retaining wall began to creep downhill, endangering property on and adjacent to the slide
 12 area; and,

13 WHEREAS, Although San Francisco has not accepted Edgehill Way as a City street
 14 and does not maintain Edgehill Way, the Department of Public Works undertook emergency
 15 stabilization procedures along Edgehill Way to ensure public safety and minimize property
 16 damage; and,

17 WHEREAS, The Board of Supervisors is authorized by section 306.7 of the Planning
 18 Code to impose interim zoning controls in order to protect the public health, safety, peace,
 19 and general welfare; and,

20 WHEREAS, There is concern about slope stability problems along the Edgehill Way
 21 slide area and other parts of Edgehill Mountain such that a temporary moratorium should be
 22 imposed on areas and properties which are susceptible to potential slide damage or which
 23 may cause further destabilization until permanent controls can be drafted, reviewed, and
 24 considered for adoption; and,

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SUPERVISOR TENG, BIERMAN, AMMIANO, BROWN, BECERRIL, NEWSOM
 BOARD OF SUPERVISORS

1 WHEREAS, Interim controls are necessary to afford the Board of Supervisors and
2 appropriate City Departments sufficient time to study the problems associated with slope
3 instability in the Edgehill Mountain Slope Protection Area while precluding activities that may
4 further destabilize this Area; and,

5 WHEREAS, The area subject to the temporary moratorium shall be referred to as the
6 Edgehill Mountain Slope Protection Area, which is generally bounded by Garcia Avenue,
7 Vasquez Avenue, Kensington Way, and Ulloa Street and traversed by Edgehill Way; and,

8 WHEREAS, In recognition of the damage created by the slide that began on Edgehill
9 Way on January 5, 1997, the interim zoning controls are not intended to preclude
10 maintenance, repair, or other activities necessary to enhance slope stability on Edgehill
11 Mountain or to minimize property damage directly related to the Edgehill Way slide area; and,

12 WHEREAS, Interim controls to protect the Edgehill Way slide area were previously
13 adopted by this Board of Supervisors for a four month (4) month period; and,

14 WHEREAS, Permanent controls protecting the Edgehill Mountain Slope Protection
15 Area have not yet been enacted; and,

16 WHEREAS, Interim controls are appropriate to continue to protect properties on or
17 adjacent to Edgehill Mountain from adverse impacts from development for eighteen (18)
18 months during ongoing study by appropriate City agencies of permanent measures necessary
19 to ensure protection of properties in the Edgehill Mountain Slope Protection Area; and,

20 WHEREAS, The Board of Supervisors has balanced the potential hardship on property
21 owners caused by the imposition of these interim controls against the detriment to the public if
22 no controls are adopted; now, therefore, be it

23 RESOLVED, That the Board of Supervisors, for purposes of this interim control,
24 hereby creates the Edgehill Mountain Slope Protection Area, which is generally bounded by
25 Garcia Avenue, Vasquez Avenue, Kensington Way, and Ulloa Street and traversed by

1 Edgehill Way. The Edgehill Mountain Slope Protection Area is comprised of the following
2 Assessor's Block Numbers: 2875, 2876, 2923, 2934, 2935, 2936A, and 2936B; and be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby imposes a temporary
4 moratorium prohibiting any City agency, board, commission, officer, or employee from
5 approving any demolition permit, grading permit, site permit, building permit, conditional use
6 authorization, or any other land use entitlement for property located in the Edgehill Mountain
7 Slope Protection Area, if such permits or other land use entitlements would authorize or might
8 contribute to new construction, alteration of land forms, removal of vegetation, alteration of
9 natural drainage patterns, soil erosion, or increased surface runoff; and be it

10 FURTHER RESOLVED, That the following projects or activities are exempt from this
11 temporary moratorium:

12 (a) maintenance, repair, or other activity involving the interior, exterior, or both, of any
13 legally existing structure or use, so long as such maintenance, repair, or other activity does
14 not entail unmitigated disturbance of any soil or is covered by Act of God provisions of the
15 Planning Code; and

16 (b) projects and related activities undertaken to minimize damage or potential damage
17 associated with the Edgehill Way slide; and

18 (c) projects and related activities undertaken to protect persons or property, to stabilize
19 slopes, and/or to minimize soil erosion, surface runoff, or other factors that may negatively
20 impact soil stability in the Edgehill Mountain Slope Protection Area; and,

21 (d) projects undertaken directly by the City and County of San Francisco; and be it

22 FURTHER RESOLVED, That these interim controls shall remain in effect for a period
23 of eighteen (18) months from the date of enactment; and be it

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FURTHER RESOLVED, That these interim controls advance and are consistent with the priority policies of Planning Code Section 101.1 in that they will conserve existing housing and neighborhood character and they have no adverse impact on existing neighborhood-serving retail uses, affordable housing, commuter traffic, the City's diverse economic base, earthquake preparedness, landmarks and historic buildings, or parks and open space.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: 
MIRIAM L. STOMBLER
Deputy City Attorney



City and County of San Francisco

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

Tails

Resolution

File Number: 990589

Date Passed:

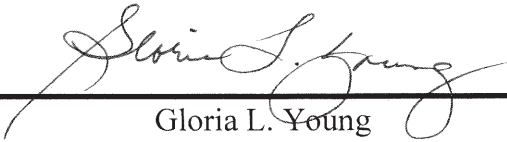
Resolution creating the Edgehill Mountain Slope Protection Area, which is generally bounded by Garcia Avenue, Vasquez Avenue, Kensington Way and Ulloa Street and traversed by Edgehill Way; imposing Interim Zoning Controls for eighteen (18) months in the Edgehill Mountain Slope Protection Area to prohibit the approval of permits or other land use entitlements, subject to specific exemptions, for property in the Edgehill Mountain Slope Protection Area; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

April 26, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990589

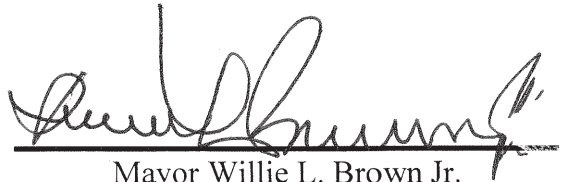
I hereby certify that the foregoing Resolution was ADOPTED on April 26, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY - 7 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990589 continued...