

1 [Planning Code, Zoning Map - Candlestick Point Activity Node Zoning Map Amendments]

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3 **Ordinance amending the Planning Code by amending the Zoning Map Sheets to**
 4 **remove Assessor's Parcel Block No. 4991, Lot No. 276, from the Candlestick Point (CP)**
 5 **Activity Node Special Use District and the CP Height and Bulk District; adopting**
 6 **findings under the California Environmental Quality Act; making findings of**
 7 **consistency with the General Plan, and the eight priority policies of Planning Code,**
 8 **Section 101.1; and making findings of public necessity, convenience, and welfare**
 9 **under Planning Code, Section 302.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 13 **Board amendment additions** are in double-underlined Arial font.
 14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 15 **Asterisks (* * * *)** indicate the omission of unchanged Code
 16 subsections or parts of tables.

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

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19 Section 1. California Environmental Quality Act Findings.

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21 (a) On July 13, 2010, the Board of Supervisors approved Motion No. 10-110,

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23 affirming the Planning Commission's certification of the final environmental impact report

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25 ("FEIR") for the CP-HPS Phase 2 Project ("Project") in compliance with the California

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Environmental Quality Act ("CEQA") (California Public Resources Code sections 21000 et

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seq.) and the CEQA Guidelines (14 California Code of Regulations sections 15000 et seq.). A

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copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 100862 and

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available on the Board's website, and is incorporated herein by reference as though fully set

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forth. The FEIR analyzed a mixed used development, including a stadium use at the Hunters

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Point Shipyard and various project variants, including the development of up to 5,000,000

1 square feet of office, research and development space in lieu of a stadium.

2 (b) In accordance with the actions contemplated in 2010, this Board adopted
3 Resolution No. 347-10 concerning findings pursuant to CEQA, including a statement of
4 overriding considerations and a mitigation monitoring and reporting program (“CEQA
5 Findings”). Copies of said Resolution and supporting materials are in the Clerk of the Board
6 of Supervisors File No. 100572 and available on the Board’s website, and the Resolution and
7 supporting materials are incorporated herein by reference as though fully set forth.

8 (c) The Office of Community Investment and Infrastructure (“OCII”) has determined
9 in Addendum No. 5 for the Candlestick Point-Hunters Point Shipyard Phase 2 Project
10 (“Project”) that the actions contemplated at this time related to modifications to the Project (the
11 “Modified Project”) will not result in any new significant impacts or a substantial increase in the
12 severity of previously identified significant effects that would alter the conclusions reached in
13 the FEIR. A copy of Addendum No. 5 and supporting materials are in the Clerk of the Board
14 of Supervisors File No. 180475 and available on the Board’s website, and the findings in
15 Addendum No. 5 and supporting materials are incorporated herein by reference as though
16 fully set forth.

17 (d) On April 17, 2018, the Commission on Community Investment and Infrastructure
18 (“CCII”) adopted CCII Resolution No. 11-2018, by which the CCII determined that the analysis
19 conducted and the conclusions reached in the FEIR as to the environmental effects of the
20 Project, together with further analysis provided in Addendum No. 1, Addendum No. 4 and
21 Addendum No. 5 to the FEIR, remain valid and can be relied upon for approval of the Modified
22 Project in compliance with the CEQA.

23 (e) As part of Resolution No. 11-2018, the CCII made findings regarding the
24 modifications to 16 previously adopted mitigation measures as recommended in Addendum
25 No. 5 and as further set forth in Resolution No 11-2018 and approved the modifications to the

1 adopted mitigation measures. For two of these mitigation measures, Mitigation Measure TR-
2 16, Widen Harney Way, and UT-2, Auxiliary Water Supply System, the language reflects
3 minor changes CCII previously approved based on Addendum No. 1 and Addendum No. 4 as
4 reflected in CCII Resolutions Nos. 1-2014 and 13-2016. In addition, CCII Resolution No. 13-
5 2016 approved modifications to Mitigation Measure TR-23.1, Maintain Proposed Headways of
6 the 29 Sunset, to assure that transit travel times would be consistent with the FEIR analysis. A
7 copy of Resolution No. 11-2018 and supporting materials, including without limitation
8 Addendum No. 1 and Addendum No. 4, and copies of Resolution Nos. 1-2014 and 13-2016
9 are in the Clerk of the Board of Supervisors File Nos. 180515 and 180516 and available on
10 the Board's website, and are incorporated herein by reference as though fully set forth.

11 (f) The Board of Supervisors has reviewed and considered the CEQA Findings,
12 including the statement of overriding considerations that it previously adopted in Resolution
13 No. 0347-10, the findings in Addendum No. 5, the findings in CCII Resolution No. 11-2018,
14 and the findings in CCII Resolutions Nos. 1-2014 and 13-2016 concerning amendments to
15 adopted mitigation measures. The Board finds that the actions contemplated by this
16 ordinance are included in the actions identified in CCII Resolution 11-2018 for purposes of
17 compliance with CEQA. The Board hereby adopts the additional CEQA Findings in CCII
18 Resolution 11-2018 as its own, including approving the modifications to the 16 adopted
19 mitigation measures recommended for modification in Addendum No. 5. Additionally, the
20 Board approves the modifications previously approved by CCII to Mitigation Measures TR-16,
21 TR-23.1, and UT-2 for the reasons set forth in CCII Resolution Nos. 1-2014 and 13-2016.

22 Section 2. Planning Code Findings.

23 (a) On April 26, 2018, in Resolution No. 20163, the Planning Commission adopted
24 findings under Planning Code Section 302, determining that this ordinance serves the public
25 necessity, convenience, and general welfare. The Board of Supervisors adopts as its own

1 these findings. The Planning Commission Resolution is on file with the Clerk of the Board of
2 Supervisors in File No. 180476 and is incorporated herein by reference.

3 (b) On April 26, 2018, the Planning Commission, in Resolution No. 20163, adopted
4 findings that the actions contemplated in this ordinance are consistent, on balance, with the
5 City’s General Plan, as amended, and eight priority policies of Planning Code Section 101.1.
6 The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk
7 of the Board of Supervisors in File No. 180476, and incorporated by reference herein.

8 Section 3. Under Sections 106 and 302(c) of the Planning Code, the following zoning
9 use designation amendments to Sheet SU-10 of the Zoning Map are hereby approved:

Description of Property	Special Use District Hereby Removed
Assessor’s Block 4991, Lot 276	Candlestick Point Activity Node

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14 Section 4. Under Sections 106 and 302(c) of the Planning Code, the following zoning
15 use designation amendments to Sheet HT-10 of the Zoning Map are hereby approved:

Description of Property	Height and Bulk District To Be Superseded	Height and Bulk District Hereby Approved
Assessor’s Block 4991, Lot 276	CP	40X

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22 Section 5. Effective and Operative Dates.

23 (a) This ordinance shall become effective 30 days after enactment. Enactment
24 occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or
25 does not sign the ordinance within ten days of receiving it, or the Board of Supervisors

1 overrides the Mayor's veto of the ordinance.

2 (b) This ordinance shall become operative on, and no rights or duties are affected
3 until the date that the ordinances approving amendments to the Bayview Hunters Point
4 Redevelopment Plan and amendments to the Candlestick Point Subarea Plan of the General
5 Plan both have become effective. Copies of said ordinances are on file with the Clerk of the
6 Board of Supervisors in File Nos. 180515 and 180516.

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8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

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By: _____

Elaine C. Warren
Deputy City Attorney

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