

FILE NO. 990588RESOLUTION NO. 367-99

1 [Zoning -- 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 AN ORDER
 5 PROHIBITING ACTION ON APPLICATIONS FOR PERMITS OR OTHER LAND USE
 6 ENTITLEMENTS, SUBJECT TO SPECIFIC EXEMPTIONS, IN THE EDGEHILL MOUNTAIN
 7 SLOPE PROTECTION AREA WHILE THE BOARD OF SUPERVISORS CONSIDERS
 8 ADOPTION OF INTERIM ZONING CONTROLS TO PROTECT THE EDGEHILL MOUNTAIN
 9 SLOPE PROTECTION AREA; AND MAKING A FINDING OF CONSISTENCY WITH THE
 10 PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

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

14 WHEREAS, The Board of Supervisors is authorized by Section 306.7 of the Planning
 15 Code to impose interim zoning controls in order to protect the public health, safety, peace,
 16 and general welfare; and,

17 WHEREAS, Since the significant slide activity in 1997, there is continued concern
 18 about slope stability problems along the Edgehill Way slide area and other parts of Edgehill
 19 Mountain such that the Board of Supervisors is considering adoption of a temporary
 20 moratorium on certain permit applications in areas and for properties which are susceptible to
 21 potential slide damage or which may cause further destabilization, until permanent controls
 22 can be drafted, reviewed, and considered for adoption; and,

23 WHEREAS, Such proposed interim zoning controls are on file with the Clerk of the
 24 Board of Supervisors in File Number 990218; and,

25 ///

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

1 WHEREAS, The area subject to the proposed temporary moratorium shall be referred
2 to as the "Edgehill Mountain Slope Protection Area," which is generally bounded by Garcia
3 Avenue, Vasquez Avenue, Kensington Way, and Ulloa Street and traversed by Edgehill Way;
4 and,

5 WHEREAS, Pursuant to Section 306.7(b) of the Planning Code, the Board of
6 Supervisors, at any time after the first noticed hearing on interim controls may, by resolution,
7 issue an order directing the Zoning Administrator, the Director of the Department of Building
8 Inspection, the Board of Appeals, and other permit-issuing and permit-approving agencies of
9 the City to suspend action on applications which propose a use prohibited by the proposed
10 interim controls pending final action on the controls, with certain provisos; and

11 WHEREAS, A resolution imposing an order that suspends action on permit
12 applications for certain projects in the proposed Edgehill Mountain Slope Protection Area is
13 necessary to protect properties on or adjacent to Edgehill Mountain from adverse impacts
14 from development while the Board of Supervisors considers the adoption of the proposed
15 interim controls for that area, so that the purposes of the interim controls are not undermined
16 during the period when their adoption is under consideration; and,

17 WHEREAS, The Board of Supervisors has determined that the adoption of such a
18 resolution suspending action on certain permits will promote the public interest in preserving
19 and protecting the delicate environmental and geologic features of the Edgehill Mountain
20 Slope Protection Area; now, therefore, be it

21 RESOLVED, That the Board of Supervisors, for purposes of this resolution ordering
22 the suspension of certain permit-related actions, hereby designates the Edgehill Mountain
23 Slope Protection Area, which is generally bounded by Garcia Avenue, Vasquez Avenue,
24 Kensington Way, and Ulloa Street and traversed by Edgehill Way. The Edgehill Mountain

25 ///

SUPERVISOR TENG
BOARD OF SUPERVISORS

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

3 FURTHER RESOLVED, That the Zoning Administrator, the Director of the Department
4 of Building Inspection, the Board of Appeals, and any other permit-issuing and permit-
5 approving agencies of the City are hereby ordered to suspend action on applications for any
6 demolition permit, grading permit, site permit, building permit, conditional use authorization,
7 or other land use entitlement for property located in the Edgehill Mountain Slope Protection
8 Area, if such permits or other land use entitlements would authorize or might contribute to
9 new construction, alteration of land forms, removal of vegetation, alteration of natural
10 drainage patterns, soil erosion, or increased surface runoff, consistent with the purposes of
11 proposed interim zoning controls in File Number 990218 of the Clerk of the Board of
12 Supervisors; and be it

13 FURTHER RESOLVED, That the following projects or activities are exempt from this
14 resolution:

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

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

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

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

25 ///

SUPERVISOR TENG
BOARD OF SUPERVISORS

Page 3
4/21/99


1 FURTHER RESOLVED, As required by Planning Code Section 306.7(b), that the
2 provisions of this resolution shall not apply to applications filed more than 60 days before the
3 first noticed hearing on the proposed interim controls for the Edgehill Mountain Slope
4 Protection Area, in File Number 990218, and shall not prohibit action on applications which
5 would otherwise be deemed approved during the period of such suspension pursuant to
6 California Government Code Sections 65950 – 65957.1; and be it

7 FURTHER RESOLVED, That this resolution advances and is consistent with the
8 priority policies of Planning Code Section 101.1 in that it will conserve existing housing and
9 neighborhood character and have no adverse impact on existing neighborhood-serving retail
10 uses, affordable housing, commuter traffic, the City's diverse economic base, earthquake
11 preparedness, landmarks and historic buildings, or parks and open space; and be it

12 FURTHER RESOLVED, That the Clerk of the Board is requested to transmit a copy of
13 this order to the Zoning Administrator, the Director of the Department of Building Inspection,
14 the Board of Appeals, and other permit-issuing and permit-approving agencies of the City.

15
16 APPROVED AS TO FORM:

17 LOUISE H. RENNE, City Attorney

18
19 By: 
20 MIRIAM L. STOMBLER
21 Deputy City Attorney

22
23
24
25

SUPERVISOR TENG
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails

Resolution

File Number: 990588

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 an order prohibiting action on applications for permits or other land use entitlements, subject to specific exemptions, in the Edgehill Mountain Slope Protection Area while the Board of Supervisors considers adoption of Interim Zoning Controls to protect 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. 990588


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.



for Gloria L. Young
Clerk of the Board

MAY - 7 1999

Date Approved



Mayor Willie L. Brown Jr.