

File No. 170415

Committee Item No. _____

Board Item No. 8

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____

Date: JUNE 13, 2017

Cmte Board

- Motion
- Resolution
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OTHER

(Click the text below for a direct link to the document)

- Hunters Point Shipyard Redevelopment Plan - May 26, 2017
- Office of Community Investment and Infrastructure (OCII) Report on the Amendments to the HPS and BVHP Redevelopment Plan - May 11, 2017
- Planning - General Plan Referral - April 5, 2017
- OCII Resolution No. 16-2017 - April 4, 2017
- OCII Resolution No. 15-2017 - April 4, 2017
- OCII Memorandum - April 4, 2017

Prepared by: Brent Jalipa

Date: June 1, 2017

Prepared by: _____

Date: _____

1 [Redevelopment Plan Amendments - Hunters Point Shipyard]

2
3 **Ordinance approving amendments to the Hunters Point Shipyard Redevelopment Plan**
4 **to conform to Proposition O, adopted by the San Francisco voters on November 8,**
5 **2016, exempting the Candlestick Point and Hunters Point Shipyard Phase 2 Project**
6 **area from the office development controls established under Planning Code, Sections**
7 **320-325; directing the Clerk of the Board to transmit a copy of this Ordinance upon its**
8 **enactment to the Successor Agency; making findings, including environmental**
9 **findings under the California Environmental Quality Act, and findings of consistency**
10 **with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

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

19 Section 1. FINDINGS.

20 (a) On July 14, 1997, the Board of Supervisors approved and adopted, by
21 Ordinance No. 285-97, the Hunters Point Shipyard Redevelopment Plan pursuant to the
22 Military Base Conversion Chapter of the California Community Redevelopment Law (Health
23 and Safety Code Sections 33492 et seq.). On May 23, 2006, the Board of Supervisors
24 approved and adopted, by Ordinance No. 113-06, the Redevelopment Plan for the Bayview
25 Hunters Point Redevelopment Project, which included the Candlestick Point area. The

1 Redevelopment Agency of the City and County of San Francisco ("Redevelopment Agency")
2 thereby became vested with the responsibility to carry out these redevelopment plans.

3 (b) On August 3, 2010, the Board of Supervisors approved and adopted, by
4 Ordinance Nos. 0210-10 and 0211-10, respectively, amendments to the Bayview Hunters
5 Point Redevelopment Plan (the "BVHP Plan") and the Hunters Point Shipyard Redevelopment
6 Plan (the "HPS Plan") in connection with the approval of the Candlestick Point-Hunters Point
7 Shipyard Phase 2 Project ("Project").

8 (c) To implement the Project, the Redevelopment Agency and CP Development
9 Co., LP, a Delaware limited partnership ("Developer") entered into various agreements,
10 including a Disposition and Development Agreement (Candlestick Point and Phase 2 of the
11 Hunters Point Shipyard), dated as of June 3, 2010, which has been amended on two
12 occasions (the "DDA").

13 (d) On February 1, 2012, the State of California dissolved all redevelopment
14 agencies in the state and established successor agencies to assume certain rights and
15 obligations of the former agencies. Cal. Health & Safety Code §§ 34170 et seq. (the
16 "Redevelopment Dissolution Law"). On October 2, 2012, the Board of Supervisors delegated
17 its state authority under the Redevelopment Dissolution Law to the Successor Agency
18 Commission, commonly referred to as the Commission on Community Investment and
19 Infrastructure ("CCII" or "Successor Agency Commission"), to implement and complete,
20 among other things, the surviving enforceable obligations of the Redevelopment Agency. On
21 December 14, 2012, the California Department of Finance finally and conclusively determined
22 that the DDA and related agreements were enforceable obligations of the Successor Agency
23 to the Redevelopment Agency of the City and County of San Francisco, commonly known as
24 the Office of Community Investment and Infrastructure ("Successor Agency" or "OCII").
25

1 (e) The BVHP Plan and the HPS Plan establish the land use controls for the
2 Candlestick Point area of the BVHP Plan Area (referred to as "Zone 1 of the BVHP Plan"),
3 and all of the HPS Plan Area except for the Hunters Point Hill Residential District (referred to
4 as "Phase 2 of the HPS Plan").

5 (f) Zone 1 of the BVHP Plan authorizes a maximum of 150,000 square feet of office
6 space. Phase 2 of the HPS Plan authorizes a maximum of 5,000,000 square feet of office
7 space. Both Zone 1 of the BVHP Plan and Phase 2 of the HPS Plan require compliance with
8 the office development limitations of Sections 320-325 of the Planning Code.

9 (g) On November 8, 2016, voters adopted Proposition O, the Office Development in
10 Candlestick Point and Hunters Point Initiative, which removed the Project from the office
11 development limitations established by Proposition M, an initiative approved by voters in 1986
12 and codified in Planning Code Sections 320-325. Proposition O does not affect the
13 applicability of Proposition M to office development in other areas of the City and does not
14 affect the total amount of office space authorized under Zone 1 of the BVHP Plan, Phase 2 of
15 the HPS Plan, and the DDA. Proposition O amended the Planning Code by adding Section
16 324.1, which provides that Zone 1 of the BVHP Plan and Phase 2 of the HPS Plan are not
17 subject to the office development limitations of Planning Code Sections 320-325 as originally
18 enacted by voters in 1986. Proposition O, however, did not remove Planning Code Sections
19 320-325 from the BVHP Plan and the HPS Plan, which can only be amended under the
20 procedures described in Sections 33450 through 33458 and Section 33352 of the California
21 Community Redevelopment Law (Health and Safety Code Sections 33000 et seq., the
22 "Redevelopment Law").

23 (h) In accordance with the Redevelopment Law, the Successor Agency has
24 prepared a Report to the Board of Supervisors on the Amendments to the BVHP Plan and the
25 Amendments to the HPS Plan ("Report to the Board") to conform these plans to the provisions

1 of Proposition O. The Successor Agency made the Report to the Board available to the public
2 on or before the date of the notice of the public hearing on the Ordinance proposing to
3 approve the Amendments to the BVHP Plan and the Amendments to the HPS Plan
4 (collectively, the "Amendments"), held on April 4, 2017, in accordance with Section 33452.

5 (i) On April 4, 2017, after holding a duly noticed public hearing in accordance with
6 Redevelopment Law Section 33452, by Resolution No. 15-2017, CCII approved the Report to
7 the Board and determined that the Amendments conforming those plans to Proposition O are
8 necessary and desirable for the implementation of the BVHP Plan and the HPS Plan, and
9 adopted the Amendments. The Successor Agency has transmitted to the Board of
10 Supervisors certified copies of Resolution No. 15-2017, and attached its Report to the Board.
11 Copies of the Amendments and the CCII Resolution No. 15-2017, are on file with the Clerk of
12 the Board of Supervisors in File No. 170415 and on the Board's website, and are
13 incorporated in this Ordinance by this reference.

14 (j) The Successor Agency transmitted the proposed Amendments to the Planning
15 Department for its report and recommendation concerning the conformity of the Amendments
16 with the General Plan. On April 5, 2017, in the General Plan Referral for the Hunters Point
17 Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan ("General
18 Plan Referral"), the Planning Department determined that the proposed Amendments are
19 consistent with the General Plan and the eight priority policies of the Planning Code Section
20 101.1. A copy of the Planning Department's General Plan Referral is on file with the Clerk of
21 the Board of Supervisors in File No. 170415 and available on the Board's website, and
22 is incorporated in this Ordinance by this reference as though fully set forth.

23 (k) The Board of Supervisors finds that this ordinance is, on balance, consistent
24 with the General Plan and in conformity with the eight priority policies of Planning Code
25

1 Section 101.1 for the reasons set forth in the Planning Department's General Plan Referral
2 dated April 5, 2017. The Board hereby adopts these findings as its own.

3 (l) On July 13, 2010, the Board of Supervisors approved Motion No. 10-0110
4 affirming the Planning Commission's certification of the final environmental impact report for
5 the CP-HPS Phase 2 Project ("FEIR") in compliance with the California Environmental Quality
6 Act ("CEQA") (California Public Resources Code sections 21000 et seq.). A copy of said
7 Motion is on file with the Clerk of the Board of Supervisors in File No. 100862 and available on
8 the Board's website, and is incorporated herein by reference as though fully set forth. The
9 FEIR analyzed various Project Variants, including the development of up to 5,150,000 square
10 feet of office, research and development space.

11 (m) The Board of Supervisors in Resolution No. 0347-10, adopted environmental
12 findings in relation to the Project, including a statement of overriding considerations and a
13 mitigation monitoring and reporting program in support of various approval actions taken by
14 the Board to implement the Project, including the amendments to the BVHP Plan and HPS
15 Plan in 2010. Copies of said Resolution and supporting materials are in the Clerk of the
16 Board of Supervisors File No. 100572 and available on the Board's website, and the
17 Resolution and supporting materials are incorporated herein by reference as though fully set
18 forth.

19 (n) As part of its action on Resolution No.16-2017, approving the proposed
20 Amendments, CCII adopted environmental findings pursuant to CEQA, finding that the
21 analysis conducted and conclusions reached in the FEIR remain valid, and the proposed
22 Amendments will not result in any new significant impacts or a substantial increase in the
23 severity of previously identified significant effects that would alter the conclusions reached in
24 the FEIR.

25

1 (o) The Board has reviewed and considered the CEQA Findings and statement of
2 overriding considerations that it previously adopted in Resolution No. 0347-10, and reviewed
3 and considered the CEQA Findings contained in CCII Resolution No. 16-2017, and hereby
4 adopts these additional CEQA Findings as its own. The Board additionally finds that: (1)
5 implementation of the Amendments to the HPS Plan do not require major revisions in the
6 FEIR due to the involvement of new significant environmental effects or a substantial increase
7 in the severity of previously identified significant effects; (2) no substantial changes have
8 occurred with respect to the circumstances under which the project analyzed in the FEIR will
9 be undertaken that would require major revisions to the FEIR due to the involvement of new
10 significant environmental effects, or a substantial increase in the severity of effects identified
11 in the FEIR; and (3) no new information of substantial importance to the project analyzed in
12 the FEIR has become available which would indicate that (A) the Amendments to the HPS
13 Plan will have significant effects not discussed in the FEIR; (B) significant environmental
14 effects will be substantially more severe; (C) mitigation measures or alternatives found not
15 feasible which would reduce one or more significant effects have become feasible; or (D)
16 mitigation measures or alternatives which are considerably different from those in the FEIR
17 will substantially reduce one or more significant effects on the environment.

18 Section 2. PURPOSE AND INTENT. The purpose and intent of the Board of
19 Supervisors with respect to the Amendments to the HPS Plan is to conform the HPS Plan to
20 Proposition O exempting the Project from the office development limitation in Planning Code
21 Section 320-325 as originally enacted by voters in 1986. The Amendments to the HPS Plan
22 will contribute to and complement the overall goals and objectives of the HPS Plan, including
23 the revitalization of the HPS Project Area, by ensuring an efficient and reliable pace of office
24 development that will foster economic and job opportunities, facilitate the completion of
25

1 redevelopment of the HPS Plan Area, and expeditiously wind down the activities of the
2 dissolved Redevelopment Agency as required under state law.

3 Section 3. PLAN INCORPORATION BY REFERENCE. The HPS Plan, as amended
4 by this Ordinance, is incorporated in and made a part of this Ordinance by this reference with
5 the same force and effect as though set forth fully in this Ordinance. Copies of the HPS Plan,
6 as amended, are on file with the Clerk of the Board of Supervisors in File No.

7 170415 and available on the Board's website.

8 Section 4. FURTHER FINDINGS AND DETERMINATIONS REGARDING THE
9 AMENDMENTS TO THE HPS PLAN UNDER COMMUNITY REDEVELOPMENT LAW. To
10 the extent required by the Community Redevelopment Law, the Board of Supervisors hereby
11 further finds, determines and declares, based on the record before it, including but not limited
12 to information contained in the Report to the Board.

13 (a) Phase 2 of the HPS Plan remains a blighted area (as described in the Report to
14 the Board and as defined in Section 33492 of the Military Base Conversion law). The
15 redevelopment of Phase 2 of the HPS Plan is necessary to effectuate the public purposes
16 declared in the Redevelopment Law.

17 (b) The Amendments to the HPS Plan will redevelop Phase 2 of the HPS Plan in
18 conformity with the Redevelopment Law and the Military Base Conversion Law, and is in the
19 interest of the public peace, health, safety, and welfare.

20 (c) The adoption and carrying out of the Amendments to the HPS Plan is
21 economically sound and feasible as described in the Report to the Board.

22 (d) For the reasons set forth in Section 1, subparagraph (k) of this Ordinance, the
23 Amendments to the HPS Plan are consistent with the General Plan of the City and County of
24 San Francisco, including with the priority policies in City Planning Code Section 101.1.
25

1 (e) The carrying out of the Amendments to the HPS Plan will promote the public
2 peace, health, safety and welfare of the community and effectuate the purposes and policies
3 of the Community Redevelopment Law.

4 (f) The Amendments to the HPS Plan do not change the existing limitations on the
5 condemnation of real property established in the HPS Plan.

6 (g) The Amendments to the HPS Plan will not result in the temporary or permanent
7 displacement of any occupants of housing facilities.

8 (h) The Amendments to the HPS Plan do not change the boundaries of the HPS
9 Plan Area and, therefore, do not include any additional area for the purpose of obtaining any
10 allocation of tax increment revenues pursuant to Redevelopment Law Section 33670.

11 (i) Phase 2 of the HPS Plan is predominantly urbanized, as defined by
12 Redevelopment Law Section 33320.1(b).

13 (j) The implementation of the Amendments to the HPS Plan will improve or
14 alleviate the physical and economic conditions of the remaining blight in Phase 2 of the HPS
15 Plan; these conditions are defined in Sections 33492.10 and 33492.11 of the Military Base
16 Conversion Law and are described in the Report to the Board prepared pursuant to Section
17 33352.

18 Section 5. OFFICIAL PLAN. As required by Redevelopment Law Sections 33457.1
19 and 33367, the Board of Supervisors hereby approves and adopts the HPS Plan, as amended
20 by the Amendments to the HPS Plan, as the official redevelopment plan for the HPS Plan
21 Area.

22 Section 6. COOPERATION IN IMPLEMENTING HPS PLAN AS AMENDED. By
23 Ordinance Nos. 0210-10 and 0211-10, the Board of Supervisors approved an Interagency
24 Cooperation Agreement with the Redevelopment Agency (the "Interagency Cooperation
25 Agreement"), for the BVHP Plan Area and the HPS Plan Area, respectively, to provide for

1 cooperation between the City and the Redevelopment Agency in administering the process for
2 control and approval of subdivisions, and all other applicable land use, development,
3 construction, improvement, infrastructure, occupancy and use requirements and in
4 establishing the policies and procedures relating to such approvals. The Board hereby agrees
5 to cooperate with the Successor Agency through the Interagency Cooperation Agreement in
6 carrying out the HPS Plan as amended.

7 Section 7. CONTINUED EFFECT OF PREVIOUS ORDINANCES AS AMENDED.
8 Ordinances Nos. 0210-10 and 0211-10 are continued in full force and effect as amended by
9 this Ordinance.

10 Section 8. TRANSMITTAL OF PLAN AS AMENDED. The Clerk of the Board of
11 Supervisors shall without delay (a) upon enactment, transmit a copy of this Ordinance to the
12 Successor Agency, whereupon the Successor Agency shall be vested with the responsibility
13 for carrying out the HPS Plan as amended, and (b) record or ensure that the Successor
14 Agency records a notice of the approval and adoption of the Amendments to the HPS Plan
15 pursuant to this Ordinance, containing a statement that proceedings for the redevelopment of
16 the HPS Plan Area pursuant to the Amendments to the HPS Plan has been instituted under
17 the Redevelopment Law.

18 Section 9. RATIFICATION OF PRIOR ACTS. All actions taken by City officials and
19 the Successor Agency Commission in preparing and submitting the Amendments to the HPS
20 Plan to the Board of Supervisors for review and consideration are hereby ratified and
21 confirmed, and the Board of Supervisors hereby authorizes all subsequent action to be taken
22 by City officials and the Successor Agency Commission consistent with this Ordinance.

23 Section 10. EFFECTIVE DATE. In accordance with Sections 33378(b)(2) and 33450
24 of the California Redevelopment Law (California Health and Safety Code secs. 33378(b)(2)
25 and 33450), this ordinance shall become effective 90 days from the date of enactment.

1 Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance
2 unsigned or does not sign the ordinance within ten days of receiving it, or the Board of
3 Supervisors overrides the Mayor's veto of the ordinance.

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

By: *Elaine C. Warren*
Elaine C. Warren
Deputy City Attorney

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LEGISLATIVE DIGEST

[Redevelopment Plan Amendments - Hunters Point Shipyard]

Ordinance approving amendments to the Hunters Point Shipyard Redevelopment Plan to conform to Proposition O, adopted by the San Francisco voters on November 8, 2016, exempting the Candlestick Point and Hunters Point Shipyard Phase 2 Project area from the office development controls established under Planning Code, Sections 320-325; directing the Clerk of the Board to transmit a copy of this Ordinance upon its enactment to the Successor Agency; making findings, including environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

The Board of Supervisors approved the Hunters Point Shipyard Redevelopment Plan ("HPS Plan") for the Hunters Point Shipyard Redevelopment Project Area ("HPS Project Area") by Ordinance Nos. 285-97 (July 14, 1997) and No. 211-10 (August 3, 2010). The HPS Plan establishes the land use controls for the HPS Project Area.

The HPS Project Area is divided into Phase 1 and Phase 2 subareas and consists of several land use districts. Phase 2 consists of the Shipyard South Multi-Use District, Shipyard North Residential District, Shipyard Village Center Cultural District, Shipyard Research and Development District, Shipyard South Multi-Use District, and Shipyard Shoreline Open Space District. The HPS Plan authorizes a mix of uses in these districts, including neighborhood-serving retail, businesses, office and residential uses. Section D of the HPS Plan provides that "The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section II.D.5 of the HPS Plan also describes application of the office development limitations under Planning Code Sections 320-325 to office development in the HPS Project Area.

Amendments to Current Law

The ordinance would authorize amendments to the HPS Plan ("Plan Amendments") to implement Proposition O, which exempts Phase 2 of the HPS Project Area from the office development limitations of Planning Code Sections 320-325 (Proposition M). The legislation also would adopt findings under the California Environmental Quality Act and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1.

Amendments to Section II.D.5 (Office Development Limitations) of the HPS Plan clarify that (1) Planning Code Section 324.1, added by Proposition O and reflecting the exemption, applies to Phase 2 of the HPS Project Area as of 2017, and (2) Planning Code Sections 320-325, as they were in effect

as of 2010, continue to apply to Phase 1 of the HPS Project Area. Other minor technical amendments maintain internal consistency of the HPS Plan with the amendments described above, update the findings of conformity of the HPS Plan with the Community Redevelopment Law, and reflect the determination of General Plan consistency made in connection with the Plan Amendments.

Background Information

A primary objective of the HPS Plan is to create economic development, affordable housing, parks and open space, and other community benefits by developing under-utilized lands in the HPS Project Area. The Office of Community Investment and Infrastructure, as the Successor Agency to the former San Francisco Redevelopment Agency, has determined that the Plan Amendments would help achieve the goals and objectives of the HPS Plan, including the development of economic and job vitality. Moreover, the Plan Amendments would implement the intent of the voters and resolve the inconsistency between the HPS Plan and Proposition O by clarifying that Planning Code Sections 320-325 (Proposition M) do not apply to Phase 2 of the HPS Project Area. The Plan Amendments make no changes to the allowable land uses or the amount of permitted office development in the HPS Plan. Rather, the Plan Amendments would help realize the goals and objectives set forth in the HPS Plan by ensuring a reasonable and reliable pace of development that will help deliver community benefits more quickly.

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**HUNTERS POINT SHIPYARD
REDEVELOPMENT PLAN**

**JULY 14, 1997
Amended August 3, 2010
Amended _____, 2017**



**SUCCESSOR AGENCY TO THE SAN FRANCISCO
REDEVELOPMENT AGENCY
August 3, 2010**

**REDEVELOPMENT PLAN
for the**

**HUNTERS POINT SHIPYARD
PROJECT AREA**

HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT

REDEVELOPMENT PLAN

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Exhibits:

Map 1: Boundary Map

Map 2: Land Use Districts Map

Map 3: Existing Buildings

Maps 4A, 4B and 4C: Street Plans

Attachments:

Attachment A: Legal Description of the Project Area

Attachment B: Authorized Public Improvements

Attachment C: Planning Code Section 314

Attachment D: Planning Code Section 295

Attachment E: Planning Commission Resolution 18102

Attachment F: Proposition O

I. DESCRIPTION OF PROJECT

A. Project Boundaries

The boundaries of the Project Area are indicated on Map 1: Boundary Map and the legal description of the Project Area is provided in Attachment A: Legal Description of the Project Area. The Project Area consists of Real Property within the City and County of San Francisco, State of California.

B. The Citizens Advisory Committee Planning Guidelines - A Statement of General Principles

The planning process for the reuse of the Project Area is complex, involving the Mayor's Hunters Point Shipyard Citizens Advisory Committee and a host of citizen groups and government agencies. The planning process establishes the roles of these various entities, as well as the timeframe during which certain actions must occur. The process began in earnest in 1993 when the CAC convened to formulate goals and preferred uses for the Shipyard site. The CAC adopted a set of planning guidelines to frame their ideas for the development and reintegration of the Shipyard into the social, economic and physical fabric of Bayview Hunters Point and the City of San Francisco at an intensive conference and public workshop that they sponsored in February 1994. The CAC guidelines represent a strong group consensus and the CAC feels that they should set the tone for the renewal of the Project Area. These planning guidelines are outlined below:

1. Create Jobs for Economic Vitality

Encourage land uses that will foster employment, business and entrepreneurial opportunities, cultural and other public benefits for residents of San Francisco. South Bayshore residents and businesses should be given priority. Legislative and administrative regulation mandating preference to South Bayshore residents and businesses in the course of the environmental remediation, redevelopment and reuse of the property should be used to facilitate this objective. Existing training and educational programs will be supported and new programs created as needed.

2. Support Existing Businesses and Artists' Community

New uses should be compatible with existing South Bayshore businesses, Shipyard businesses and artists, and other sectors of San Francisco's economy. Maintain the large community of artists and artisans on the Shipyard, providing for their need for flexible low-cost space, while accommodating the full diversity of arts and culture in the South Bayshore community. Expand the scope of activities to accommodate the full range of arts and culture.

3. Create Appropriate Mix of New Businesses

Encourage diversity with a mix of large, medium and small businesses to generate revenues for the City's general fund and stimulate the economy of the South Bayshore community. Diversify San Francisco's economic base by restoring its industrial sector with uses based on futuristic technologies tied to regional, national and international markets and economics. Target industries and businesses with a likelihood for long-term growth, such as multimedia, biotech and video-film.

4. Balance Development and Environmental Conservation

Balance development with reclamation of the natural ecology of the southeast waterfront with targeted uses that are environmentally appropriate for the San Francisco Bay. Use the toxic cleanup process to develop training, employment and business opportunities consistent with Guideline #1.

5. Facilitate Appropriate Immediate Access

Incorporate an action program to enable immediate access to existing Shipyard facilities, giving preference to South Bayshore businesses and organizations. Transitional uses in the Shipyard should be consistent with, and not deter, long-term development of the Shipyard in accordance with these Master Plan Guidelines.

6. Integrate Land Uses

Integrate new uses at the Shipyard into current plans for the Bayview area. Plan for the integration of passive and active open space, affordable housing, transportation and traffic circulation, while minimizing land use conflicts between housing and industry.

7. Acknowledge History

Include uses that acknowledge the history of the original Native American inhabitants of the Hunters Point area and historic relationship of Bayview Hunters Point's African-American community to the Shipyard.

C. Existing Conditions

The Project Area is characterized by conditions of blight. Physical conditions include buildings in which it is unsafe or unhealthy for persons to live or work, and the existence of factors that prevent or substantially hinder the economically viable reuse of buildings and areas. Economic conditions include depreciated or stagnant property values, properties containing hazardous wastes, abnormally high business vacancies, abandoned buildings, and excessive vacant lots within an area formerly used as a military base.

D. Summary of Proposed Actions

The Agency, in accordance with and pursuant to applicable Federal and State laws as well as those local laws that are applicable pursuant to this Plan, will remedy, or cause to be remedied, the conditions causing blight presently existing in the Project Area by some or all of the following measures:

1. Rehabilitation, alteration, modernization, general improvement or any combination thereof (hereinafter called "**rehabilitation**") of certain existing structures.
2. Acquisition of real property by purchase, gift, devise, exchange, condemnation, lease, or any other lawful means.
3. Relocation of certain commercial and industrial occupants presently located in structures that may be subject to acquisition or rehabilitation.
4. Demolition, removal, or clearance of certain existing buildings structures, and improvements.
5. Installation, construction, or reconstruction of streets, utilities, and other public improvements or facilities.

6. Disposition of all land acquired by the Agency for reuse in accordance with this Plan, the Hunters Point Shipyard Phase 1 Design for Development, the Hunters Point Shipyard Phase 2 Design for Development, and such additional conditions as may be established by the Agency in any manner authorized by law in order to carry out the purposes of redevelopment.
7. Formulation and administration of rules governing reasonable preference to owners or tenants of business, or other types of real property who are displaced from the Project Area to reenter the Project Area.

II. PROJECT PLAN

A. Objectives

The objectives of the actions proposed by this Plan are to:

1. Foster employment, business, and entrepreneurial opportunities in the rehabilitation, construction, operations, and maintenance of facilities in the Project Area.
2. Stimulate and attract private investments, thereby improving the City's economic health, tax base, and employment opportunities.
3. Provide for the development of economically vibrant and environmentally sound districts for mixed use; cultural, educational and arts activities; research, industrial and training activities; and housing.
4. Provide for the development of mixed-income housing:
 - With regard to this objective, the project-wide aggregate income-mix goal includes that at least 15% of the housing be affordable to persons and families of low or moderate income.
 - The term "persons and families of low or moderate income" has the same meaning as defined in Section 50093 of the California Health and Safety Code.
5. Provide public parks, open space, and other community facilities.
6. Administer lands granted to the Agency by the State of California consistent with the Public Trust and reconfigure those lands in a manner that enhances their value for Public Trust purposes, in accordance with Chapter 203 of the Statutes of 2009 (as amended from time to time, the "Granting Act").
7. Retain, improve, and re-use historic structures, where feasible, as part of a program to feature the history of people, buildings, and uses at the Shipyard.
8. Provide for infrastructure improvements, including: streets and transportation facilities; open space and recreation areas; and utilities for water, sewer, gas, and electricity.

9. Remove conditions of blight in the form of buildings, site improvements, and infrastructure systems that are substandard and serve as impediments to land development.
10. Encourage use of the most cost-effective, energy efficient, and environmentally sustainable development techniques feasible.
11. Retain those existing viable industries and businesses currently located in the Project Area.
12. Provide the opportunity to build a state-of-the-art sport facility.
13. Provide sufficient flexibility in the development of real property within the Project Area to respond readily and appropriately to market conditions.

B. Land Uses

Map 1: Boundary Map, Map 2: Land Use Districts Map, Map 3: Existing Buildings, and Maps 4A, 4B and 4C: Street Plans illustrate the location of the Project Area boundaries, existing buildings, major streets in the Project Area and land uses permitted in the Project Area.

1. Land Use Districts

The Project Area consists of several mixed use districts (each referred to as a “**District**” or “**Land Use District**”) as shown on Map 2: Land Use Districts Map. The map shows the general boundaries of the Districts; precise boundaries of the Districts are to be interpreted in light of the objectives of this Plan at the time specific parcels are subdivided in accordance with City and State subdivision laws.

Allowable land uses within each District will be all those that are consistent with the character of the District as described in this Plan. The specific uses identified below for each District illustrate the appropriate scope and nature of permitted uses.

Principal Uses. Within each District, “**Principal Uses**” shall be allowed as of right.

Secondary Uses. Within each District, “**Secondary Uses**” shall be allowed through the determination of the Agency Commission or its designee, provided that such use: (a) generally conforms with the redevelopment objectives of this Plan, the objectives of the District as set forth in this Plan and applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2); (b) is compatible with the District’s Principal Uses, nearby public facilities, and broader community; (c) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts; and (d) does not at the proposed size and location materially impede the planned uses and development of the District or Project Area. The Agency Commission or its designee may place conditions on the Secondary Use as necessary to make the findings in clauses (a) through (d) above.

Non-Designated Uses. Uses that are proposed but are not specifically defined herein (“**Non-Designated Uses**”) may be classified by the Executive Director as Principal Uses, Secondary Uses, Temporary Uses, Interim Uses, or Prohibited Uses. The Executive Director or his or her designee may allow a Non-Designated Use as a Principal Use subject to approval by the Agency Commission, provided the Executive Director or his or her designee finds that such Non-Designated Use: (a) is consistent with the other Principal Uses allowed in the applicable District; (b) is consistent with the objectives for the applicable District; (c) generally conforms with the applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2); and (d) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts.

For Temporary or Interim Uses, the Executive Director shall in addition make the findings required for such uses as set forth in Sections C.1 and C.2 below.

In the event the Executive Director determines that a Non-Designated Use should be evaluated as a potential Secondary Use rather than a Principal Use, the Executive Director shall require that the proposed use be considered by the Agency Commission pursuant to the Secondary Use process set forth above.

Prohibited Uses. Within most Districts, certain land uses are expressly prohibited in order to maintain the intended character of the District, avoid conflicts of land uses, or maintain public welfare in response to specific conditions of the District (“**Prohibited Uses**”). The following uses will be Prohibited Uses in all Districts within the Project Area: Medical Cannabis Clubs; Mortuary; and Adult Entertainment uses.

Provisions Applicable Generally.

Certain lands within the Project Area are or may be subject to the Public Trust. The Public Trust doctrine limits the uses that are permitted on Public Trust lands. A Principal Use or Secondary Use shall be permitted on Public Trust land only to the extent the use is permitted under the Public Trust and is consistent with the Agency’s management of those lands on behalf of the State for Public Trust purposes. Thus, even though a particular use or uses may be shown as a permitted Principal Use or Secondary Use within the Project Area, that use or uses may nevertheless not be permitted on lands subject to the Public Trust within the Project Area.

In all cases below, the height, bulk, setback, parking and open space requirements will be established in the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development.

Parking is a permitted Accessory Use to every Principal Use and Secondary Use permitted in each Land Use District. The design and location of parking is controlled by the applicable Design for Development.

Infrastructure elements that are required to provide access, utilities, and public services to the development described in this Section II.B shall be allowed as Principal Uses provided they are consistent with the Mitigation Measures and subject to the Candlestick Point/Hunters Point Shipyard Phase 2 EIR.

Additional infrastructure elements such as decentralized wastewater treatment facilities, automated trash centralized collection facilities, and district heating and cooling facilities that serve the Project Area will be subject to the Candlestick Point/Hunters Point Shipyard Phase 2 EIR, the Mitigation Measures, and the Infrastructure Plan for the Hunters Point Shipyard Phase 2-Candlestick Point Project (as amended from time to time, the “**Infrastructure Plan**”). Decentralized wastewater treatment facilities shall be permitted as a Secondary Use in the Shipyard North Residential District, Shipyard Research & Development District and Shipyard South Multi-Use District. Automated trash centralized collection facilities shall be permitted as a Secondary Use in all Districts except in the Shipyard Shoreline Open Space District. District Heating and Cooling Facilities shall be permitted as a Secondary Use in all Districts except in the Shipyard Shoreline Open Space District.

2. Hunters Point Hill Residential District

Objectives for this District: This District will accommodate residential uses with lower densities than the surrounding portion of the Project Area, given its hilltop and hillside position. Complementary neighborhood-serving commercial uses will be allowed, but

are expected to be less prevalent than in the flatter Shipyard North Residential District, which sits below this District. This District will include Hillpoint Park, a regional Park that will be impressed with the Public Trust and will include recreational and sports uses, special view areas with framed views of the Shipyard and the Bay beyond, public art, terraced sitting areas that take advantage of hilltop and hillside topography and stunning views of the Bay, and public access for visitors, residents, and employees in surrounding Districts.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Supportive Housing
- Home Office

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services
- Commercial Wireless Transmitting Facilities

Parks and Recreation Uses:

- Parks
- Open Space
- Public Recreation
- Public Restrooms

(b) *Prohibited Uses*: All Uses that are incompatible with the Principal Uses shall be Prohibited Uses in this Land Use District.

3. Shipyard North Residential District

Objectives for this District: This District will accommodate a waterfront-oriented residential neighborhood with higher densities and a greater range of housing types than those on the adjacent hillside. The principal land use is Dwelling Units ranging from townhomes to multi-family high-rise residential apartment or condominium towers. Related uses also include local-serving businesses, family child care services, small professional offices, and recreation facilities. Parks in this District may include a range of uses such as basketball, volleyball, tennis courts, children's playgrounds, restrooms, and concessionaires. They may also include picnic/barbecue areas, pathways, and shade shelters. The Parks in this District may also include open air marketplace uses.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses:

- Residential Care Facility
- Child-Care Facility

- Elementary School
- Religious Institution

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (up to 10,000 sq. ft. per tenant)
- Restaurants
- Bars
- Dry Cleaning Facility (excluding those with on-site dry cleaning plant)
- Health clubs, fitness, gymnasium, or exercise facilities
- Commercial Wireless Transmitting Facilities

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Public restrooms
- Open air marketplaces

(b) *Secondary Uses*: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

Institutional Uses:

- Secondary School
- Post-Secondary Institution
- Vocational/Job Training Facility

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (over 10,000 sq. ft. per tenant)
- Nighttime Entertainment

Office Uses:

- Office

Civic, Arts & Entertainment Uses:

- Performance Arts
- Nighttime Entertainment
- Amusement Enterprise

(c) *Prohibited Uses*: The following Uses are Prohibited Uses in this Land Use District:

- Drive-through facilities
- Automotive Repair and service stations
- Dry Cleaning Facility (with on-site dry cleaning plant)

4. Shipyard Village Center Cultural District

Objectives for this District: This District will accommodate a mixed-use community with a range of housing types, retail uses, and cultural and educational facilities designed to comprise a village that will serve the community in the surrounding Districts. Neighborhood-serving retail uses are proposed to be located on the ground

floors along major commercial streets of the area with residential uses or office uses on the upper floors. This District will provide space dedicated for artists and arts-related uses as well as community-serving retail, business, service, and office uses. The arts-related, recreational, and grocery store uses in this District are intended to attract visitors from areas beyond the Project Area.

(a) Principal Uses: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses:

- Residential Care
- Child-Care Facility
- Elementary School
- Secondary School
- Post-Secondary Institutions
- Religious Institution
- Vocational/Job Training Facility

Retail Sales & Services Uses:

- Neighborhood Retail Sales and Services
- Restaurants
- Bars
- Physical fitness facilities
- Grocery Store (up to 60,000 sq. ft.)
- Dry Cleaning Facility (excluding those with on-site dry-cleaning plant)
- Commercial Wireless Transmitting Facilities

Office Uses:

- Office
- Meeting rooms
- Conference facilities
- Hotel

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Performance Arts
- Arts Education
- Art Production
- Nighttime Entertainment
- Amusement Enterprise

Parks and Recreation Uses:

- Parks
- Public Recreation
- Picnic and barbeque facilities
- Open air marketplace
- Information kiosks and shade structures
- Open Space

(b) Secondary Uses: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in this Section II.B.1 are met:

Retail Sales & Services Uses:

- Grocery Store (between 60,000 and 80,000 sq. ft.)
- Animal Services

Office and Industrial Uses:

- Light Industrial (not including uses that include chemical processing of materials or heavy machinery use)
- Health services
- Industrial kitchen
- Internet Service Exchange

(c) Prohibited Uses: The following Uses are Prohibited Uses in this Land Use District:

- Drive-through facilities
- Automobile repair and service stations
- Dry Cleaning Facility with on-site dry cleaning plants

5. Shipyard Research & Development District

Objectives for this District: This District will provide a diverse array of commercial and institutional operations for new research and development firms in a dynamic urban campus. This District will allow an integration of various uses suitable for an innovative business or institutional environment ranging from office to laboratory activities including light industrial and manufacturing operations. It will also support neighborhood-commercial and community uses to complement the research and development uses.

For Laboratory, Life Science, Light Industrial, and Green Technology Uses within this District, any Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures.

(a) Principal Uses: The following Uses are Principal Uses in this Land Use District:

Office & Industrial Uses:

- Office
- Light Industrial
- Life Science
- Laboratory
- Green Technology
- Commercial Wireless Transmitting Facilities
- Transportation and transit service facilities

Multi-media and Digital Arts Uses:

- Motion picture production
- Animation studios
- Printing and publishing
- Education and classroom facilities
- Galleries and exhibit space
- Recording studios
- Artist and artisan studios

Institutional Uses:

- Religious Institution
- Vocational/Job Training Facility
- Fire station
- Child-Care Facilities (subject to Section II.B.8)

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (up to 10,000 sq. ft. per tenant)
- Non-Retail Sales and Services
- Animal Services
- Restaurants
- Bars
- Nighttime Entertainment
- Dry Cleaning Facility (including those with on-site dry cleaning plant)
- Commercial Wireless Transmitting Facilities

Residential Uses:

Residential Uses in this District shall not exceed 440 units and shall be allowed only in the blocks of the District that are adjacent to either Fisher Avenue or Drydock 4 (These blocks are indicated on Map 2). The following Residential Uses are Principal Uses in this Land Use District:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open space
- Marina-related facilities

(b) *Secondary Uses*: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

Institutional Uses:

- Post-Secondary Institutions

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (over 10,000 sq. ft. per tenant)

Office and Industrial Uses:

- Enclosed processing of raw materials for production
- Small boat repair facilities and workshop areas
- Automotive storage
- Automotive Repair
- Commercial Storage
- Internet Service Exchange

(c) Prohibited Uses: The following Uses are Prohibited Uses in this Land Use District:

- Dwelling Units (except in the area described above and shown on Map 2)
- Elementary and Secondary Schools
- Drive-through facilities

6. Shipyard South Multi-Use District

Objectives for this District. This District will provide a space for a state of the art professional sports stadium, related uses, and regional-serving athletic facilities. This District will also include research and development, office, and light industrial uses similar in scale and character to those in the adjacent Shipyard Research & Development District. If the stadium is developed, retail uses would complement the stadium use and could include stadium-related and community-serving commercial and retail uses. If the stadium is not developed, this District would include a mix of uses including neighborhood-serving retail, business, and office uses comparable in scale and intensity to, and complementary of, those in the adjacent Hunters Point Shipyard Research & Development District and potentially residential units at densities similar to those planned in the Shipyard North Residential District, subject to Section II.B.8.

(a) Principal Uses: The following Uses are Principal Uses in this Land Use District:

Athletic and Recreational Facilities Uses:

- National Football League stadium
- Professional sports team training facilities
- Ticket sales and special event staging, including concerts and performances
- Regional athletic and recreation facilities
- Ancillary buildings for recreation, facility programming, and maintenance
- Parks, plazas and open space
- Public restrooms

Office & Industrial Uses:

- Office
- Light Industrial
- Life Science
- Laboratory
- Green Technology

Multi-media and Digital Arts Uses:

- Motion picture production
- Animation studios
- Printing and publishing
- Education and classroom facilities
- Galleries and exhibit space
- Recording studios
- Artist and artisan studios

Institutional Uses:

- Religious Institution
- Vocational/Job Training Facility

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services
- Non-Retail Sales and Services
- Animal Services
- Restaurants
- Bars
- Nighttime Entertainment
- Dry Cleaning Facilities (including those with on-site dry cleaning plant)
- Commercial Wireless Transmitting Facilities

Civic, Arts and Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

If a new 49ers stadium is not developed in this District, all of the Principal Uses identified above would be allowed as Principal Uses in this District except for: (1) Dry Cleaning Facilities, which would become a Secondary Use; and (2) the National Football League stadium and directly related uses. In addition, the following Uses would be Principal Uses in this Land Use District, subject to a finding adopted by the Agency Commission that these uses are not subject to any applicable Environmental Restriction described in Section II.B.8.

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses:

- Child-Care Facility
- Elementary School
- Secondary School
- Post-Secondary Institutions

Within the Shipyard South Multi-Use District, any Laboratory, Life Science, Light Industrial, and/or Green Technology Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures. In addition, in the event both Residential Uses and Laboratory, Life Science, Light Industrial, and/or Green Technology Uses are developed, no Laboratory, Life Science, Light Industrial and/or Green Technology Uses containing a facility that emits regulated toxic air contaminants shall be permitted within three hundred fifty (350) feet of any Residential Use south of Crisp Road in the Shipyard South Multi-Use District.

(b) Secondary Uses: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

- Commercial Storage
- Drive-through facilities
- Automotive Repair and service station
- Post-Secondary School

(c) *Prohibited Uses*: The following Uses are Prohibited Uses in this Land Use District:

- Large scale chemical handling and stationary emission sources within two hundred (200) feet of existing or planned residential uses or primary school facilities.

7. Shipyard Shoreline Open Space District

Objectives for this District This District will provide public recreation access to the San Francisco Bay waterfront along the eastern and southern waterfront of the Shipyard, consistent with the Public Trust, including regional serving open spaces, viewing area of the water and historic Shipyard facilities, the San Francisco Bay Trail, and restorative habitat areas. Recreational sports facilities will be limited to areas not subject to the Public Trust. Only Principal Uses will be permitted in this District.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

- Passive recreation
- Plazas and promenades
- Recreational Facility
- Museums and environmental education centers
- Wetlands restoration
- Park maintenance facilities
- Commercial recreational uses serving visitors to the waterfront
- Small boat marina, watercraft launches and ancillary boating facilities
- Visitor parking
- Retail uses in existing, rehabilitated historic buildings

In areas not subject to the Public Trust, the full range of Uses allowed in Parks, open air marketplaces, and similar active recreational Uses shall be allowed in addition to the Permitted Uses listed above.

8. Environmental Restrictions

As of the 2010 Plan Amendment Date, the Navy has issued Final Records of Decisions for Parcels B, D-1, UC-1, UC-2, & G selecting environmental remedies that will impose land use and activity restrictions on these parcels in the Project Area and is expected to issue additional Records of Decisions selecting environmental remedies that will impose land use and activity restrictions applicable to other locations. Such land use and activity restrictions are referred to in this Plan as “**Environmental Restrictions**”. Notwithstanding any other provision of this Plan, the Uses allowed by this Plan are subject to any applicable Environmental Restrictions contained in quitclaim deeds from the United States Navy or in other enforceable restrictions imposed on the property through the environmental cleanup process under the Federal Facilities Agreement executed by the United States Navy, United States Environmental Protection Agency, California Department of Toxic Substances Control, and San Francisco Bay Area Regional Water Quality Control Board (the “**Regulating Agencies**”) unless and until such Environmental Restrictions are waived or removed by the appropriate Regulating Agencies.

C. Temporary and Interim Uses

Pending the ultimate development of land consistent with the land use program, certain interim and temporary uses are authorized as follows:

1. Temporary Uses

“**Temporary Uses**” are short-term, transitory uses that may be proposed either prior to or following development of land within a Land Use District consistent with this Plan. The Executive Director or his or her designee may allow Temporary Uses for such period of time as he or she determines to be reasonable provided the Executive Director or his or her designee finds that such Temporary Use is consistent with the objectives of the this Plan and the applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2). Permissible Temporary Uses include:

- Booth for charitable, patriotic or welfare purposes
- Exhibition, celebration, festival, circus or neighborhood carnival
- Open air sales of agriculturally-produced seasonal decorations, including Christmas trees and Halloween pumpkins
- Convention staging
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses listed above
- Other Temporary Uses that do not conflict with the objectives of the Plan, the Plan Documents, and the Public Trust, where applicable.

2. Interim Uses

“**Interim Uses**” are uses proposed during the time prior to or concurrent with development of land within a Land Use District consistent with this Plan. Interim Uses may be authorized in all areas not subject to the Public Trust for an initial time period to be determined by the Executive Director, upon a determination by the Executive Director that the authorized uses will not impede the orderly development of the Project Area as contemplated in this Plan. Where approved, Interim Uses will be permitted for a defined period of time not to exceed five (5) years. Permissible Interim Uses include:

- Rental or sales office incidental to a new development, provided that it is located in the development or a temporary structure
- Structures and uses incidental to environmental cleanup and staging
- Temporary structures and uses incidental to the demolition or construction of a structure, building, infrastructure, group of buildings, or open space, including construction staging of materials and equipment
- Commercial Storage
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses above
- Other Interim Uses that do not impede the orderly development of the Project Area as contemplated in this Plan, as determined by the Executive Director

Interim Uses of areas subject to the Public Trust shall be authorized only if the authorized uses are determined to be consistent with, necessary and convenient for, or incidental or ancillary to, the purposes of the Public Trust, or if the following criteria are met:

- There are no immediate trust-related needs for the property,
- The proposed lease for the use prohibits construction of new structure or improvements that, as a practical matter, could prevent or inhibit the property from being converted to a permissible trust use if necessary,

- The proposed lease for the use provides that the Agency has the right to terminate the lease in favor of trust uses as trust needs arise, and
- The proposed use of the leased property would not interfere with commerce, navigation, fisheries, or any other existing trust use or purpose.

Extensions of the above approval periods may be authorized by the Executive Director in increments of up to five (5) year periods, subject to the same determinations as required for the initial period.

3. Interim Stadium Parking

Interim parking associated with the future stadium is permitted subject to the requirements of the Public Trust in Chapter 203 of the Statutes of 2009.

D. Standards for Development

This Plan and the other Plan Documents, including the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, establish the standards for development in the Project Area and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan, are: (a) Sections 101.1, 295, 314, and 320-325, and 314, as such sections are in effect as of the 2010 Plan Amendment Date; (b) as to Phase 1 of the Project Area only, Sections 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; and (c) as to Phase 2 of the Project Area only, Section 324.1 as that section is in effect as of the 2017 Plan Amendment Date. Both the Agency Commission and the Planning Commission must approve any amendment to the Hunters Point Phase 1 Design for Development or the Hunters Point Phase 2 Design for Development.

1. Applicability of City Regulations; City's Duty to Protect Public Health and Safety

(a) *General.* Regardless of any future action by the City or the Agency, whether by ordinance, resolution, initiative or otherwise, the rules, regulations, and official policies applicable to and governing the overall design, construction, fees, use or other aspect of development of the Project Area will be (i) this Plan and the other Plan Documents, (ii) to the extent not inconsistent therewith or not superseded by this Plan, the Existing City Regulations (including all provisions of the Building Construction Codes, which are not inconsistent with or superseded by this Plan), (iii) New City Regulations to the extent permitted in this Plan; (iv) new or changed Development Fees and Exactions to the extent permitted under Section II.D.6 of this Plan; (v) any disposition and development agreement or owner participation agreement related to development in the Project Area; and (vi) the Mitigation Measures (collectively, the "Applicable City Regulations").

(b) *Protection of Public Health and Safety; Federal or State Law.* Notwithstanding any other provision of this Plan to the contrary, the Agency and any City Agency having jurisdiction shall exercise its sole discretion under this Plan and the applicable Plan Documents in a manner that is consistent with the public health and safety and shall at all times retain their respective authority to take any action that is necessary to protect the physical health and safety of the public (the "Public Health and Safety Exception") or to comply with changes in Federal or State law, including applicable Federal and State regulations (the "Federal or State Law Exception"), including the authority to condition or deny a permit, approval, agreement or other entitlement or to adopt a New City Regulation, but subject, in all events, to any rights to terminate between an owner or developer and the Agency as set forth in either the Plan Documents or any disposition and development agreement or owner participation agreement related to development within the Project Area. Except for emergency measures, any City Agency or the Agency, as the case may be, will

meet and confer with the owner of the affected Real Property and/or any affected party under any disposition and development agreement or owner participation agreement related to development within the Project Area in advance of the adoption of any New City Regulations or New Construction Requirements to the extent feasible.

(c) *Permitted New City Regulations.* The City Agencies and the Agency reserve the right to impose any New City Regulations (except for the Planning Code sections superseded by this Plan) provided that (i) they are imposed on a Citywide Basis and (ii) they do not conflict with the development permitted or contemplated within the Project Area by this Plan, the Plan Documents or any disposition and development agreement or owner participation agreement related to development within the Project Area or any portion of such development (unless such conflict is waived by the owners and developers of affected property). As used in this paragraph (c), a New City Regulation “conflicts with the development permitted or contemplated” if it would change the aforementioned development regulations to:

- (1) limit or reduce the density or intensity of development, or otherwise require any reduction in the square footage or number of proposed buildings (including number of Dwelling Units) or other improvements;
- (2) limit or reduce the height or bulk of development within the Project Area, or any part thereof, or of individual proposed buildings or other improvements;
- (3) materially change, restrict, or condition any land uses, including permitted or conditional uses, of development within the Project Area;
- (4) materially limit or control the rate, timing, phasing, or sequencing of approval, development, or construction (including demolition);
- (5) require the issuance of additional land use-related permits or approvals by the City or the Agency;
- (6) materially limit or control the availability of public utilities, services or facilities or any privileges or rights to public utilities, services or facilities for the Project Area, including but not limited to water rights, water connections, sewage capacity rights and sewer connections;
- (7) control or limit commercial or residential rents or purchase prices (excluding property owned or controlled by the Agency or the City during the period of Agency or City ownership and only to the extent such controls or limits would not survive transfer to a successive owner);
- (8) materially limit the processing or procuring of applications and approvals for any subsequent City or Agency approvals;
- (9) subject to Section II.D.6, impose any new Development Fees and Exactions or expand or increase Development Fees and Exactions;
- (10) subject to Section II.D.1(d) (New Construction Requirements), materially increase the cost of construction or maintenance of all or any development contemplated or permitted in the Project Area or of compliance with any provision of this Plan, the Plan Documents, any disposition and development agreement or owner participation agreement related to development within the Project Area or Existing City Regulations;
- (11) materially decrease the value of any land in the Project Area;

(12) materially reduce, limit the availability of or delay the amount or timing of tax increment or Mello-Roos Community Facilities District funding; or

(13) limit the Agency's ability to timely satisfy its obligations under any disposition and development agreement or owner participation agreement related to development within the Project Area or the City's ability to timely satisfy its obligations under any cooperation agreement or tax allocation agreement related to development within the Project Area.

Nothing in this Plan or other applicable Plan Documents shall be deemed to limit any City Agency's or the Agency's ability to comply with the California Environmental Quality Act ("CEQA") or the CRL.

Nothing in this section shall limit the authority of the Agency or any City Agency to exercise its discretion under the Public Health and Safety Exception, or to make changes under the Federal or State Law Exception, as described in Section II.D.1.b (Protection of Public Health and Safety).

(d) New Construction Requirements. In addition to the Public Health and Safety Exception and the Federal or State Law Exception, the City may change construction requirements for Infrastructure and other Improvements ("**New Construction Requirements**") if the changes: (i) would not materially increase costs or accelerate the payment of costs of developing the Project Area consistent with this Plan; (ii) are imposed by the Board of Supervisors on a Citywide Basis; and (iii) would not: (a) materially adversely affect Net Available Increment; (b) delay development; (c) materially limit or restrict the availability of Infrastructure; or (d) impose limits or controls on the timing, phasing, or sequencing of development permitted under this Plan. In addition, from and after the 10th anniversary of the issuance of the first Building Permit for a project in Phase 2 of the Project Area (as shown on Map 2), the City may impose New Construction Requirements in response to technological advances in construction if the New Construction Requirements: (1) would materially decrease the City's operation and maintenance costs and would not materially interfere with the uses, heights, density, and intensity of development described in the Plan Documents; (2) will apply on a Citywide Basis for similar land uses; (3) do not conflict with the Mitigation Measures (provided, this requirement may be satisfied with an exemption for specific Mitigation Measures as needed); and (4) do not increase by more than twenty percent (20%) the unit cost of any single component that is the subject of the New Construction Requirement.

2. Limitation on the Number of Buildings

The number of buildings in the Project Area may not exceed 1,125.

3. Limitation on the Number of Dwelling Units

There are currently no Dwelling Units in the Project Area. If the 49ers relocate to the Shipyard, the maximum number of Dwelling Units in the Project Area will be approximately 4,250. If the 49ers elect not to relocate to the Shipyard, the maximum number of Dwelling Units in the Project Area will be approximately 5,875. The total combined number of Dwelling Units in the Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Plan Area (which comprises Candlestick Point) may not exceed 12,100, which includes a maximum of 10,500 units in Zone 1 of the Bayview Hunters Point Redevelopment Project Area and Hunters Point Shipyard Phase 2 as well as a previously approved 1,600 units in Hunters Point Shipyard Phase 1.

4. Limitation on Type, Size and Height of Buildings

The type of buildings constructed in the Project Area may be as permitted in the Plan, Plan Documents, and Applicable City Regulations. Approximately 125,000 square feet of retail space, 255,000 square feet of artists space, 50,000 square feet of community uses, 2,500,000 square feet of research and development and office space, and a 69,000 seat National Football League stadium will be allowed. In the event the stadium is not built in the Project Area, between 500,000 and 2,500,000 additional square feet of research and development and office uses may be developed, depending upon whether Dwelling Units are shifted to the Project Area pursuant to Section II.D.3. Accessory parking facilities for these uses are not included as part of these limitations.

The maximum building heights within the Project Area will be prescribed in the Hunters Point Shipyard Phase 1 Design for Development and the Hunters Point Shipyard Phase 2 Design for Development. No building may exceed 370 feet in height. Other size limitations for buildings are set in the Hunters Point Shipyard Phase 1 Design for Development and the Hunters Point Shipyard Phase 2 Design for Development by development controls including block patterns, bulk controls, prescribed setbacks, and open space requirements. Height and other size limitations shall maintain and protect view corridors from Hillpoint park so that visitors can enjoy substantial vistas of San Francisco Bay, consistent with the requirements of the Granting Act for exchanging the park and adjacent hillside open space into the Public Trust.

5. Office Development Limitations

On November 8, 2016, voters enacted Proposition O (Planning Code Section 324.1), which exempts Phase 2 of the Project Area from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320-325 (Proposition M) shall apply to office development in Phase 1 of the Project Area, and Planning Code Section 324.1 shall apply to office development in Phase 2 of the Project Area. Sections 320-325 place a Accordingly, the cap on the annual amount of office development permitted in the City shall apply to Phase 1 but not Phase 2 of the Project Area.

By Resolution No. 18102, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the up to 5,000,000 square feet of office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). ~~The findings contained in Resolution No. 18102 are incorporated herein by reference and attached as Attachment E. Because the office uses necessary for fostering the Shipyard Research & Development District has been found to promote the public welfare, convenience and necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 5,000,000 square feet of office development projects undertaken pursuant to this Plan. To facilitate early job generation within the Project Area during the early phases of redevelopment under this Plan, the first 800,000 square feet of office development within the Project Area shall be given priority under Sections 320-325 over all office development proposed elsewhere in the City except within: (a) the Mission Bay South Project Area; (b) the Transbay~~

Transit Tower (proposed for development on Lot 001 of Assessors Block 3720) (but not the remainder of the Transbay Redevelopment Project Area). As to the first 800,000 square feet of office development proposed pursuant to this Plan, no office development project contemplated may be disapproved either (i) for inconsistency with Planning Code Sections 320-325 or (ii) in favor of another office development project that is located outside the Project Area and subject to Planning Code Sections 320-325, except as provided in this Section H.D.5. Notwithstanding the above, for the first 800,000 square feet of office development proposed, no office development project will be approved that would cause the then applicable annual limitation contained in Planning Code Section 321 to be exceeded, and the Planning Commission shall consider the design of the particular office development project to confirm that it is consistent with the Planning Commission's findings contained in Resolution No. 18102. Upon such determination, the Planning Commission shall issue a project authorization for such project. The Planning Commission's decision on the design of any particular office development project reviewed pursuant to this Section will be binding on the Agency. Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." Proposition O (2016) supersedes, as to Phase 2 of the Project Area, any part of Resolution No. 18102 (Attachment E) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments.

6. Development Fees and Exactions

The following provisions will apply to all property in the Project Area except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Project Area for the duration of this Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Plan, shall be administered as required by State law, and shall be increased for the duration of this Plan in accordance with State law but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area that receives an allocation under Planning Code Section 320-325 described in Section H.D.5 include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "**Art Fee Amount**") for the installation and maintenance of works of art in the public realm within the Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be

reviewed by the Executive Director for consistency with the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment C). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within the Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Plan, development within the Project Area shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care Facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Phase 2 of the Project Area (as shown in Map 2) and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within the Project Area.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

7. Shadow on Recreation and Park Property

Section 295 of the Planning Code (Proposition K) shall apply to development in the Project Area in the form in which Section 295 was in effect as of the 2010 Plan Amendment Date (and as attached hereto as Attachment D). Section 295 (Proposition K) shall not continue to apply to development in the Project Area in the event it is repealed by legislation or voter initiative.

E. Retention-Rehabilitation

Existing buildings in the Project Area, as of the 2010 Plan Amendment Date, are identified by the Navy's building numbers, on Map 3: Existing Buildings.

1. Historic buildings and other facilities proposed for retention, rehabilitation or adaptive reuse include:
 - Buildings 101,140, 204, 205, 207, 208, and 813; and
 - Dry Docks 2, 3, and 4.
2. Four additional buildings identified as historic; Buildings 211, 224, 231 and 253 will be further evaluated for retention, preservation and reuse.

F. Density Bonus

Under State law, the Agency may grant, as a form of local public subsidy, residential density bonuses. These bonuses, if granted, shall insure that additional low- or moderate-income Dwelling Units will actually be produced within the Project Area. In Hunters Point Shipyard Phase 1 (consisting of the Hunters Point Hill Residential District), the Agency will grant such bonuses only after a developer has demonstrated to the Agency's satisfaction that the developer has utilized its best effort to provide such low- or moderate-income Dwelling Units. Hunters Point Shipyard Phase 2 consists of all Land Use Districts other than the Hunters Point Hill Residential District. A density bonus is not proposed to increase the total maximum number of residential units in Phase 2 above those levels described in Section II.D.3.

G. Streets Plan

The Street Plan for the Hunters Point Shipyard Project Area is identified on Maps 4A, 4B and 4C: Street Plans, which indicate generally the public rights-of-way. The categories of streets include the following:

1. Primary Arterial
2. Retail Street
3. Boulevard Park Street
4. Local Street

The Project Area's street pattern contributes to the establishment of its fundamental land use patterns, and in doing so, becomes an integral element of the overall urban design for the Project. It is, however, recognized that there is a need for some degree of adaptability and flexibility in locating and configuring some of the Project's local streets and alleys at the time of actual physical development. Accordingly, the alignment and classification of these streets are subject to adjustment by the Agency and the City at the time of detailed engineering studies. Additionally, this Plan provides three street maps of the Project Area to accommodate the alternative land uses permitted in the Shipyard South Multi-Use District.

Certain streets in the Project Area will be impressed with the Public Trust. These streets will provide key vehicular, bicycle and pedestrian access ways to the waterfront, providing a connection between the various parts of the waterfront, and between the waterfront and other Public Trust lands within the Project Area.

In order to accommodate vehicle traffic and transit serving the various uses planned for the Project Area, this Plan also provides for street, lighting, utility, and related improvements to Innes Avenue and Hunters Point Boulevard, outside the northwestern boundary of the Project Area.

III. PROJECT PROPOSALS

A. Rehabilitation and New Development

All new development and all rehabilitation of existing structures must conform to this Plan, and to all applicable Federal and State laws and to those local laws that are applicable pursuant to this Plan.

1. Utilities: Stormwater detention, stormwater treatment, and similar facilities may include above-ground features such as bioswales and channels. New permanent utility lines must

be placed underground. Above ground pump stations control rooms and sub-stations are permitted however their visual impact must be minimized per requirements either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate. Temporary utility poles and wires may be installed during the project build out.

2. Signage: With the exception of temporary marketing and sales signs pertaining to developments within the Project Area (which will be permitted), permanent or temporary billboards (excluding kiosks, streetscape commercial signage, and street furniture-related commercial signage), are prohibited within all Land Use Districts except the Shipyard South Multi-Use District and are prohibited in any park or street area. Permanent signage for residential, commercial and open space development is subject to the development controls and guidelines of either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate. The Agency Commission shall review for consistency with the objectives of this Plan any proposed signage not permitted by the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate and any signage master plan.

3. Development Project: Plans for rehabilitation and new development shall be submitted to the Agency for architectural review and approval, consistent with the Agency's Design Review and Document Approval Process (DRDAP) for the Project Area or as attached to any disposition and development agreement related to development within the Project Area.

4. Agency Sponsored Improvements: To the extent now or hereafter permitted by law, the Agency may pay for, develop, or construct any building, facility, element of infrastructure, structure or other improvement either within or outside the Project Area, for itself or for any public body or entity, provided that such building, facility, element of infrastructure, structure or other improvement would be of benefit to the Project Area and conform to the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate.

B. Owner and Tenant Preference

Persons who are either owners or tenants of businesses, or other types of real property within the Project Area being displaced by rehabilitation, Agency property acquisition, or other Agency action occasioned by the implementation of this Plan will be afforded certain preferences. The Agency shall extend preferences to such persons in order that they may re-enter the redeveloped Project Area. The Agency will adopt a business relocation program to implement these preferences. Participants in this program necessarily will be subject to and limited by the requirements of this Plan.

C. Acquisition of Real Property

Any real property located within the Project Area may be acquired by the Agency by purchase, gift, devise, exchange, lease, or any other lawful method. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than full fee title.

D. Acquisition of Personal Property

Where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means except eminent domain.

E. Property Management

During such time as any property in the Project Area is owned or leased by the Agency, such property will be under the management and control of the Agency and may be leased or subleased.

F. Payment of Taxes

The Agency may in any year during which it owns property in the Project Area pay directly to the City or any district, including a school district or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by the Agency to the City will be disbursed by the City to any school district with territory located within the Project Area in the City. "Proportionate share" means the ratio of the school district tax rate that is included in the total tax rate of the City to the total tax rate of the City.

The Agency may also pay to any taxing agency with territory located within a project area other than the community that has adopted the Project, any amount of money that in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to any taxing agency by this Plan.

G. Relocation

The Agency will provide relocation assistance and benefits as required under applicable Federal and State law. A review of the current Project Area indicates that there are no persons currently residing therein. Accordingly, relocation activities would relate solely to businesses.

To the extent required under applicable State or Federal law, the Agency shall: (1) assist or cause to be assisted all eligible persons displaced by redevelopment activities undertaken or assisted by the Agency in finding new locations in accordance with applicable law, and where possible, shall relocate businesses to a location of similar size within the Project Area; and (2) make or cause to be made relocation payments to eligible persons displaced by redevelopment activities undertaken or assisted by the Agency as may be required by applicable State or Federal law. The Agency may make such other payments as it determines to be appropriate and for which funds are available.

Pursuant to Section 33339.5 of the California Health and Safety Code, the Agency shall extend reasonable preferences to persons who are engaged in business within the Project Area to reenter in business within the redeveloped Project Area, if they otherwise meet the requirements of this Plan. In order to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency has promulgated, by Agency Resolution No. 93097, rules for the Business Occupant Re-Entry Program within the redeveloped Project Area.

H. Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from real property owned by the Agency in the Project Area as necessary to carry out the purposes of this Plan.

I. Public Improvements and Public Facilities

The Agency is authorized to install and construct or to cause to be installed and constructed the public improvements, public facilities, and public utilities, on any parcel within or outside the Project Area, appropriate or necessary to carry out this Plan. Such public improvements and public facilities are described in Attachment B, Authorized Public Improvements.

J. Preparation of Building Sites

The Agency is authorized to prepare or cause to be prepared as building sites any real property in the Project Area owned or leased by the Agency.

K. Disposition of Real Property

For the purpose of this Plan, the Agency is authorized to sell, lease, sublease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest of real property, except to the extent prohibited by the Granting Act.

Any real or personal property acquired by the Agency in the Project Area will be sold or leased for development in accordance with this Plan and for consideration. However, the Agency may convey real property to the City or to any other public body with or without consideration.

Property containing buildings or structures rehabilitated by the Agency will be offered for resale within one year after completion of rehabilitation or an annual report concerning such property will be published by the Agency as required by law.

The Agency will reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All purchasers or lessees of property will be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time that the Agency fixes as reasonable, and to comply with other conditions that the Agency deems necessary to carry out the purposes of this Plan.

L. Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or otherwise conveyed by the Agency will be made subject to the provisions of this Plan by lease, deed, contract, agreement, declaration of restrictions, or other means. Where appropriate, as determined by the Agency, such documents or portions thereof will be recorded in the Office of the Recorder of the County of San Francisco.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, rights of reverter, powers of termination, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property in the Project Area sold, leased or conveyed by the Agency will be made subject by appropriate documents to the restriction that there will be no discrimination or segregation on any basis listed in subdivision (a) or (d) of Section 12955 of the California Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the California Government Code, or on the basis of race, color, creed, religion, national origin or ancestry, sexual orientation, gender, identity, marital or domestic partner status, age, or disability, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. In addition, such property will be made subject to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and non-segregation clauses as are required by law and this Plan.

M. Disposition of Personal Property

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property that has been acquired by the Agency.

N. Replacement Housing

Whenever Dwelling Units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of this redevelopment project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement Dwelling Units at affordable rents within the Project Area or within the territorial jurisdiction of the Agency.

O. Redeveloper's Obligations

In order to provide adequate safeguards that the process of redevelopment will be carried out pursuant to this Plan, agreements for the disposition of land by the Agency shall include provisions recognizing and requiring that:

1. The purchase of land is for redevelopment and not for speculation and reserving to the Agency such powers and controls as may be necessary to prevent transfer, retention or use of the property for speculative purposes.
2. The land shall be built upon and/or improved in conformity with the development standards of this Plan and any applicable Agency regulations, the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, and the Declaration of Restrictions.
3. All developers and owner participants shall submit phasing plans, schematic architectural plans, site and landscape plans and final plans including landscaping and sign plans, and specifications of the improvements proposed to be constructed on the land for architectural review and approval by the Agency in order to ensure that development and construction will be carried out in a manner that will effectuate the purposes of this Plan. To the extent required in disposition and development agreements or agreements with owner participants, as a part of such plans and specifications, developers and, if required by the Agency, owner participants shall submit time schedules for the commencement and completion of such improvements. All such plans and schedules shall be submitted to the extent required by, and within the time specified in, the respective agreements with such developers and owner participants.
4. By and for the contracting parties, their heirs, executors, administrators, and assigns, there may be no discrimination against or segregation of any person or group of persons on any basis listed in subdivision (a) or (d) of Section 12955 of the California Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the California Government Code, or on the basis of race, color, religion, national origin, gender, sexual orientation, gender identity, marital or domestic partner status, age, disability, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises therein described, nor may the contracting parties, or any person claiming under or through them establish or permit such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, subleases, or vendees in the premises described. All deeds, leases or contracts for the sale, lease, sublease, or other transfer of any land shall contain the nondiscrimination and non-segregation clauses specified in the CRL (Section 33436 of the California Health and Safety Code) and this Plan.

IV. METHODS FOR PROJECT FINANCING

A. General

Upon adoption of this Plan by the Board of Supervisors, the Agency is authorized to finance projects consistent with this Plan with assistance from the United States Government, including the Department of Housing and Urban Development (HUD), the Department of Defense (Office of Economic Adjustment) as well as from other Federal programs, from the State, from the City, from Agency bonds, and from other available sources.

The Agency is hereby authorized to issue bonds, obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest of such advances, funds, and indebtedness may be repaid from any funds that may appropriately be available to the Agency.

Any other loans, grants, or financial assistance from the United States, or any other public or private sources will also be utilized, if available.

B. Tax Allocation

Taxes, if any, levied upon the taxable property in the Project Area each year by or for the benefit of the State, the City, any district, or other public corporation, after the Effective Date, shall be divided as follows, in accordance with the CRL (Section 33670 of the Health and Safety Code):

(a) That portion of the taxes that would be produced by the rate upon which the taxes levied each year by or for each of the Taxing Agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective Taxing Agencies as taxes by or for said Taxing Agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies that did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(b) That portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in that project as shown by the last equalized assessment roll referred to in paragraph (a) hereof, all of the taxes levied and collected upon the taxable property in the redevelopment project shall be paid to the respective Taxing Agencies. When the loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the redevelopment project shall be paid to the respective Taxing Agencies as taxes on all other property are paid.”

Not less than twenty percent (20%) of all taxes that are allocated to the Agency pursuant to Health and Safety Code Section 33670 and Section IV.B.(b) of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the community's supply of low- and moderate-income housing available at affordable housing cost, as defined by Section 50052.5 of the California Health and Safety Code, to persons and families of low or moderate income, as defined in Section 50093, to lower income households, as defined in Section 50079.5, and to very low income households, as defined in Section 50105.

In the proceedings for the advance of moneys, making loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Hunters Point Shipyard Redevelopment Project, the portion of taxes set forth in the CRL and the California Constitution (as the same may exist on the date of the making of said advances or loans or the incurring of indebtedness) as available to the Agency for such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances, or indebtedness.

It is anticipated that the amount of taxes to be produced by the method described in Subsections (a) and (b) above may be sufficient to support a bond(s) issue in the range of \$900 million. In addition, it may become necessary and appropriate to issue bonds to be partially repaid from taxes allocated pursuant to Subsections (a) and (b) above. Therefore, the amount of bonded indebtedness that can be outstanding at any one time from the issuance of bonds to be repaid in whole or in part from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code will be limited to \$900 million. In order to adequately fund the repayment of such bonds (including principal, interest, and issuance cost), the number of dollars of taxes that may be divided and allocated to the Agency pursuant to Section 33670 of the California Health and Safety Code will be limited to \$4.2 billion.

No loans, advances, or indebtedness to finance the redevelopment project in whole or in part and to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code may be established or incurred by the Agency twenty (20) years after the Agency begins collecting substantial tax increment funds in the Project Area, meaning a total allocation of tax increment funds exceeding \$100,000.

The Agency may not pay indebtedness or receive property taxes pursuant to Section 33670 of the California Health and Safety Code forty five (45) years after the Agency begins collecting substantial tax increment funds in the Project Area; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).

Bond issues, the principal and interest of which the Agency proposes to pay with tax allocations under Health and Safety Code 33670, are subject to Board of Supervisors approvals, as are all bond issues of the Agency; where the Agency proposes to utilize tax allocations for other than repaying principal and interest on bond issues or other existing indebtedness, the Agency shall prepare, for the approval of the Board of Supervisors, an annual Project Work Program, which program shall outline in detail the activities to be undertaken by the Agency, the loans and/or advances to be received and/or the indebtedness to be incurred.

V. ACTIONS BY THE CITY

The City, by the adoption of this Plan, agrees to aid and cooperate with the Agency in carrying out this Plan and shall take any further action necessary to ensure the continued fulfillment of the various objectives and purposes of this Plan and to prevent the recurrence or spread in the Project Area of conditions causing blight. Such actions include the following:

- A. Prior to termination of this Plan, revision of zoning within the Project Area (to be effective as of this Plan expiration date) to conform to the land uses authorized by this Plan and the development standards and design guidelines set forth in the Hunters Point Shipyard Design for Development documents, as they have been amended from time to time as of the expiration date of this Plan.
- B. Institution and completion of proceedings necessary for changes and improvements in publicly-owned utilities within or affecting the Project Area.
- C. Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule that will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- D. Referral will be made to the Agency prior to approval by the City of each building permit application in the Project Area. No building permit will be issued unless it conforms to this Plan.
- E. The City is authorized, but not obligated to provide funds to ensure the completion of the Project as a whole in accordance with this Plan.
- F. The City shall review, consider, and approve, without unnecessary delay, tentative subdivision maps and parcel maps as necessary to develop the Project Area, provided maps and public infrastructure agreements are found to be consistent with the objectives of this Plan, approved environmental mitigations, and the development standards and design guidelines set forth in the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development.
- G. The undertaking and completing of any other proceedings necessary to carry out the Project.

In order to facilitate the implementation of this Plan, the City and the Agency have entered into Interagency Cooperation Agreements (each, an "ICA"). Each ICA is intended to provide the framework for cooperation among various City Agencies and the Agency in accordance with this Plan, the other applicable Plan Documents and disposition and development agreements entered into in accordance with this Plan with respect to the review and approval of development authorizations in the Project Area and, where appropriate, to facilitate cooperation of the City Agencies in issuance of those permits, approvals, agreements and entitlements at each applicable stage of development. The City shall perform all of its obligations under each ICA.

VI. PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Section 33450-33458 of the California Health and Safety Code, or by any other procedure hereafter established by law.

VII. PROCEDURE FOR VARIANCE

The owner or developer of any property in the Project Area may make a written request for a variance that states fully the grounds of the application and the facts pertaining thereto. Upon receipt of a complete application, the Agency may conduct its own further investigation and the Agency Commission may, in its sole discretion at a duly noticed public hearing, grant a variance from the development controls in this Plan and either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate, under the following circumstances:

- Due to unique physical constraints or other extraordinary circumstances applicable to the property, the enforcement of development regulations without a variance would otherwise result in practical difficulties for development and create undue hardship for the property owner or developer or constitute an unreasonable limitation beyond the intent of this Plan; and
- The granting of a variance would be in harmony with the goals of this Plan, and will not be materially detrimental to the public welfare or materially injurious to neighboring property or improvements in the vicinity.

In granting a variance, the Agency will specify the character and extent thereof, and also prescribe conditions necessary to secure the goals of this Plan and the Design for Development.

The Agency's determination to grant or deny a variance will be final and will not be appealable to the Planning Department. In no instance will any variance be granted that will substantially change the allowable land uses of this Plan. Procedures for the evaluation of Secondary Uses are described above in Section II.B.1.

VIII. DURATION OF PLAN

This Plan will be effective until thirty (30) years from the date the Controller of the City and County of San Francisco certifies, pursuant to Section 33492.9, as the final day of the first fiscal year in which one hundred thousand dollars (\$100,000) or more of tax increment from the Project Area are paid to the Agency pursuant to Section 33675(d); provided, however, that the nondiscrimination and non-segregation provisions will continue in perpetuity. Any Declaration of Restrictions formulated pursuant to this Plan may contain provisions for the extension of such Declaration of Restrictions for successive periods. The Agency may receive property taxes pursuant to Section 33670 of the California Health and Safety Code for up to forty five (45) years after the Agency begins collecting substantial tax increment funds; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).

IX. ENFORCEMENT OF PLAN

The provisions of this Plan and other documents formulated pursuant thereto may be enforced by the Agency in any manner authorized by law.

X. SEVERABILITY

If any provision, section, subsection, subdivision, sentence, clause or phrase of this Plan is for any reason held to be invalid or unconstitutional, such decision will not affect the validity of the remaining portion or portions of this Plan.

XI. DEFINITIONS

Following are definitions for certain words and terms used in this Plan. All words used in the present tense include the future. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory; and the term "may not" is prohibitory and not permissive. The words "including", "such as" or words of similar import when following any general term may not be construed to limit the general term to the specific terms that follow, whether or not language of non-limitation is used; rather, these terms will be deemed to refer to all other terms that could reasonably fall within the broadest possible scope of the term.

2010 Plan Amendment Date means the date on which Ordinance No. 211-10 adopting amendments to this Plan, approved on August 3, 2010, became effective.

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

Accessory Use means uses that are related to and subservient to another use, and serve that use only.

Administrative Fee means any fee charged by any City Agency or the Agency in effect on a Citywide Basis, including fees associated with Article 31, at the time of submission for the processing of any application for building or other permits, subdivision maps, or other City or Agency regulatory actions or approvals for any development in the Project Area.

Adult Entertainment means a use that includes any of the following: adult bookstore, adult theater, and encounter studio, as defined by Section 1072.1 of the San Francisco Police Code.

Agency Commission means the Commission for the Redevelopment Agency of the City and County of San Francisco.

Amusement Enterprise means enterprises such as billiard halls, bowling alleys, skating rinks, and similar uses when conducted within a completely enclosed building.

Animal Services means an animal care use that provides medical care and/or boarding services for animals.

Arts Education means schools of any of the following for professionals, credentialed individuals, or amateurs: dance, music, dramatic art, film, video, graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel, and other visual, performance, industrial and product-design and sound arts and craft.

Art Production means commercial arts and art-related business service uses including, but not limited to, recording and editing services, small-scale film and video developing and printing; titling; video and film libraries; special effects production; fashion and photo stylists; production, sale and rental of theatrical wardrobes; and studio property production and rental companies. Arts spaces may include studios, workshops, galleries, museums, archives and small theaters, and other similar spaces customarily used principally for production and post-production of graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel and other visual, performance and sound arts and craft.

Automotive Repair means a retail automotive service use that provides any of the following automotive repair services, whether outdoors or in an enclosed building: minor

auto repair, engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying.

Bar means a principal retail use not located in a Restaurant that provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under twenty one (21) years of age is admitted (with Alcoholic Beverage Control [ABC] license 42, 48, or 61) and drinking establishments serving liquor (with ABC license 47 or 49) in conjunction with other uses that admit minors, such as theaters, and other entertainment. Restaurants with ABC licenses are not considered bars under this definition.

Board of Supervisors means the Board of Supervisors of the City and County of San Francisco, California.

Building Construction Codes means the City's (or if applicable, the Port's) Building Code, Electrical Code, Mechanical Code and Plumbing Code and any construction requirements in the Housing Code and the Fire Code.

Business Occupant Re-Entry Policy means a document approved by the Agency Commission in relation to this Plan that establishes, to the extent required by State or Federal law, how the extension of reasonable preferences to business occupants will be implemented within the Project Area.

Child-Care Facility means a use that provides less than 24-hour care for children by licensed personnel and that meets all the requirements of the State and other authorities for such a facility.

Child-Care Requirements means the requirements set forth in City Planning Code Section 314, as it exists on the 2010 Plan Amendment Date.

City Agency means, individually or collectively as the context requires, all departments, agencies, boards, commissions and bureaus of the City with subdivision or other permit, entitlement or approval authority or jurisdiction over any portion of the Project Area, including but not limited to the Port Authority, Department of Public Works, the Public Utilities Commission, the Planning Commission, the Municipal Transportation Agency, the Building Inspection Commission, the Public Health Commission, the Fire Commission and the Police Commission, or any successor public agency designated by or under law.

City Regulations means ordinances, resolutions, initiatives, rules, regulations, and other official City and Agency policies applicable to and governing the overall design, construction, fees, use or other aspects of development within the Project Area. City Regulations includes City municipal codes, the General Plan, Building Construction Codes, Subdivision Code, and all ordinances, rules, regulations and official policies adopted to implement those City Regulations, except to the extent such regulations are Administrative Fees.

Citywide Basis means all privately-owned property within (a) the City's jurisdictional limits or (b) any designated use classification or use district of the City so long as (1) any such use classification or use district includes a substantial amount of affected private property other than affected private property within the Project Area, (2) the use classification or use district includes all private property that receives the general or special benefits of, or causes the burdens that occasion the need for, the New City Regulation, Development Fees and Exactions, or New Construction Requirements, and (3) the cost of compliance with the New City Regulation, Development Fees and Exactions, or New Construction Requirements applicable to the same type of use in the Project Area (or portion thereof) does not exceed the proportional benefits to, or the proportional burdens caused by private development of that type of use in the Project Area (or portion thereof).

Commercial Storage means a commercial use that stores, within an enclosed building, household goods, contractors' equipment, building materials or goods or materials used by other businesses at other locations and that may include self-storage facilities for members of the public. Commercial storage does not include the storage of waste, salvaged materials, automobiles, inflammable or highly combustible materials, and wholesale goods or commodities.

Commercial Wireless Transmitting Facility means equipment for the transmission, reception, or relay of radio, television, or other electronic signals, and may include towers, antennae, and related equipment.

Community Use means a publicly or privately owned use that provides public services to the community, whether conducted within a building or on an open lot. This use may include, by way of example and not limitation, museums, post offices, public libraries, police or fire stations, transit and transportation facilities, utility installations, building-integrated sustainable energy generation facilities, neighborhood-serving community recycling centers, and wireless transmission facilities.

Consumer Price Index means the All Items Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor.

Declaration of Restrictions means a recorded declaration that provides notice that properties in the Project Area are subject to restrictions, reservations and covenants for the benefit of the Project Area and this Plan.

Development Fees and Exactions means a monetary or other exaction including in-kind contributions, other than a tax or special assessment or Administrative Fee, that is charged by the Agency or any City Agency in connection with any permit, approval, agreement or entitlement or any requirement for the provision of land for construction of public facilities or Infrastructure or any requirement to provide or contribute to any public amenity or services. Development Fees and Exactions does not include Building Construction Codes in effect from time to time and generally applicable on a Citywide Basis to similar land uses.

District Heating and Cooling Facility means a plant with hot water (or steam) and chilled water distributed from the district plant to individual buildings via a pipe distribution network located under the streets.

Dry-Cleaning Facility means dry-cleaning establishment, including pressing and other miscellaneous processing of clothes.

Dwelling Units means a residential use that consists of a suite of one or more rooms and includes sleeping, bathing, cooking, and eating facilities.

Effective Date means the date the ordinance passed by the Board of Supervisors approving this Plan (Ordinance No. 211-10) became effective.

Elementary School means an institution that provides K-8 education and that may be either public or private.

Executive Director means the Executive Director of the Agency.

Existing City Regulations means City Regulations as they are in effect on the 2010 Plan Amendment Date.

General Plan means the General Plan for the City and County of San Francisco.

Green Technology means a use or several uses that involves the research, development, and fabrication of innovative methods, materials, and technology to improve environmental quality, increase energy and/or resource efficiency, reduce greenhouse gas emissions, reduce waste and pollution, and increase resource sustainability. Green Technology uses may utilize office, laboratory, light manufacturing, or other types of use. Green technology can include office, laboratory, and light-manufacturing uses.

Grocery Store means a retail use of medium or large scale providing sales of food, produce, prepared food, beverages, toiletries, pharmaceutical products and services, and household items to the general public. This includes neighborhood-serving stores, supermarkets, festival market places, or other large format tenants providing primarily food sales up.

Group Housing means a residential use that provides lodging or both meals and lodging without individual cooking facilities. Group Housing may include housing specifically designed for and occupied by seniors, students or disabled residents.

Home Office means the accessory use of a dwelling for office purposes, provided that the principal user of such office resides in that dwelling.

Hotel means a use that provides overnight accommodations including guest rooms or suites and ancillary services to serve hotel guests. Hotels shall be designed to include all lobbies, offices and internal circulation to guest rooms and suites within and integral to the same enclosed building or buildings as the guest rooms or suites.

Hunters Point Shipyard Phase 1 Design for Development means the Design for Development document that sets development standards and design guidelines for Phase 1 of the Project, which consists of the Hunters Point Hill Residential District, as amended from time to time in accordance with its provisions.

Hunters Point Shipyard Phase 2 Design for Development means the Design for Development document that sets development standards and design guidelines for Phase 2 of the Project, which consists of all of the Project Area except for the Hunters Point Hill Residential District, as amended from time to time in accordance with its provisions.

Implementation Plan means a plan adopted periodically by the Agency Commission relating to the implementation of goals and objectives within this Plan, in accordance with the requirements of the CRL.

Internet Service Exchange means a use that provides a location for: switching equipment (whether wireline or wireless) that joins or connects customers, or subscribers to enable them to transmit data, voice, or video signals; one or more computer systems and related equipment used to build, maintain or process data, voice or video signals or provide other data processing services; or a group of network servers.

Laboratory means a use that provides for space within any structure intended or primarily suitable for scientific research. This includes industrial, chemical, and digital work stations for the purpose of design, developing, and testing product development. The space requirements of uses within this category include specialized facilities or built accommodations that distinguish the space from office uses and light industrial uses.

Life Science means a use that involves the integration of natural and engineering sciences and advanced biological techniques using organisms, cells, and parts thereof for products and services. Life Science uses may utilize office, laboratory, light manufacturing, or other types of uses.

Light Industrial means a non-retail use that provides for the fabrication or production of goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the premises, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials.

Live/Work Units means a structure or portion of a structure combining a residential living space for a household or group of persons with an integrated work space principally used by one or more of the residents of that unit. Work spaces uses in a Live/Work Unit must comply with the other non-residential uses allowed within the respective land use District.

Medical Cannabis Dispensary means a use as defined by Section 3301(f) of the San Francisco Health Code.

Mitigation Measures means those mitigation measures from the Candlestick Point/Hunters Point Shipyard Phase 2 Project EIR imposed as conditions of approval of the amendments to this Plan as set forth in Resolution No. 347-2010, as amended or modified from time to time consistent with CEQA.

Neighborhood Retail Sales and Services means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live or work nearby and who can access the establishment directly from the street on a walk-in basis. This use may provide goods and/or services to the business community, provided that it also serves the general public. This use would include those that sell, for example, groceries, personal toiletries, magazines, smaller scale comparison shopping; personal services such as laundromats, health clubs, formula retail outlets, hair or nail salons; and uses designed to attract customers from the surrounding neighborhood. Retail uses can also include outdoor activity areas, open air sales areas, and walk-up facilities (such as ATMs or window service) related to the retail sale or service use and need not be granted separate approvals for such features.

New City Regulations means both City Regulations adopted after the 2010 Plan Amendment Date or a change in Existing City Regulations, including any amendment to this Plan or the Plan Documents, effective after the 2010 Plan Amendment Date.

Nighttime Entertainment means entertainment activities such as dance halls, discotheques, nightclubs, and similar evening-oriented entertainment activities generally involving amplified music, either live or recorded, as well as restaurants and bars, and other venues or spaces used for different uses during the day that present such activities. It excludes Adult Entertainment.

Non-Retail Sales and Services means a commercial or office use that provides goods and/or services primarily to other businesses rather than to the general public and that may include by way of example and not limitation, wholesale sales, sale, rental, installation, servicing and/or repair of business goods and equipment.

Office means a use within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities that perform, provide for their own benefit, or provide to others at that location services including the following: professional; medical; banking; insurance; management; consulting; technical; sales; and design; and the non-accessory office functions of manufacturing and warehousing businesses; multimedia, software development, web design, electronic commerce, and information technology; administrative services; and professional services. This use does not include retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; or wholesale shipping, receiving and storage.

OPA Rules means rules established by the Agency Commission for property owner participation in redevelopment activities consistent with the provisions of this Plan within the Project Area and consistent with the CRL.

Open Space means space that is retained primarily in an unimproved, natural state. Open Space may be used for passive recreational activities, such as hiking and picnicking, and may include facilities related to such passive recreational uses.

Owner Participation Agreement or OPA means a binding agreement between a property owner and the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Plan.

Parking means the storage of vehicles accessory to a principle or secondary residential or commercial use. Such storage can be in the form of independently accessible parking spaces, non-independently accessible parking spaces including those accessed on parking lifts or through the use of valet. Parking spaces need not be on the same lot or block to the use it serves.

Parks means publicly owned open space improved with either active recreational amenities such as playing fields, sporting courts, and small performance spaces and/or passive recreational amenities such as trails, picnic areas, and fields.

Performance Arts means a use that includes performance, exhibition, rehearsal, production, or post-production of any of the following: dance, music, dramatic art, film, video, and other visual, performance and sound arts and craft.

Plan Documents means the Business Occupant Re-Entry Policy, Implementation Plan, Hunters Point Shipyard Phase 1 Design for Development, Hunters Point Shipyard Phase 2 Design for Development, Relocation Plan and OPA Rules.

Planning Commission means the Planning Commission of the City and County of San Francisco, California.

Planning Department means the Planning Department of the City and County of San Francisco.

Post-Secondary Institutions means a use that is certified by the Western Association of Schools and Colleges that provides post-secondary educational services such as a school, college or university.

Priority Policies means the eight priority policies stated in Section 101.1, Master Plan Consistency and Implementation, of the City's Planning Code.

Public Recreation means privately owned recreational areas that are open to the general public. This use may include may include hiking trails, playgrounds, public parks, sports fields, community gardens, golf courses, marinas, and tennis courts as well as accessory uses such as maintenance facilities, parking, and concession areas.

Public Trust means collectively the common law public trust for commerce, navigation and fisheries and the statutory trust imposed by the Granting Act.

Real Property means land, including land under water and waterfront property; buildings, structures, fixtures, and improvements on the land; any property appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise and the indebtedness secured by such liens.

Recreational Facility means a use that provides social, fraternal, counseling, athletic or other recreational gathering services to the community.

Regional Retail Sales and Services means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live throughout the surrounding region and may include both small and large format tenants up to 120,000 square feet. This use would include those who sell apparel, electronics, furniture, durable goods, specialty items, formula retail outlets, and other more expensive, and less frequently purchased items; beyond the surrounding neighborhood. Regional Retail sales and services can include counter and other walk-up facilities as well as adjacent outdoor activity areas accessory to such uses.

Religious Institution means a use that provides religious services to the community such as a church, temple or synagogue.

Relocation Plan means a document approved by the Agency Commission that establishes how the Agency and/or developers shall assist persons, business concerns and others displaced from the Project Area by redevelopment activities of or assisted by the Agency in finding new locations in accordance with applicable State and Federal law.

Residential Care Facility means medical use that provides lodging, board, and care for one day or more to persons in need of specialized aid by personnel licensed by the State but does not provide outpatient services.

Residential Use means a use that includes for sale and rental housing units, including Dwelling Units, Live/Work Units, and Group Housing

Restaurant means a full service or self service retail facility primarily for eating use that provides ready-to-eat food to customers for consumption on or off the premises, which may or may not provide seating, and that may include service of liquor under ABC licenses [those explicitly for any alcoholic service in association with a restaurant]. Food may be cooked or otherwise prepared on the premises.

School Facilities Impact Fee means the sum payable to the San Francisco Unified School District pursuant to Government Code Section 65995.

Secondary School means a use that provides grade 9-12 education and may be either public or private.

State means the State of California.

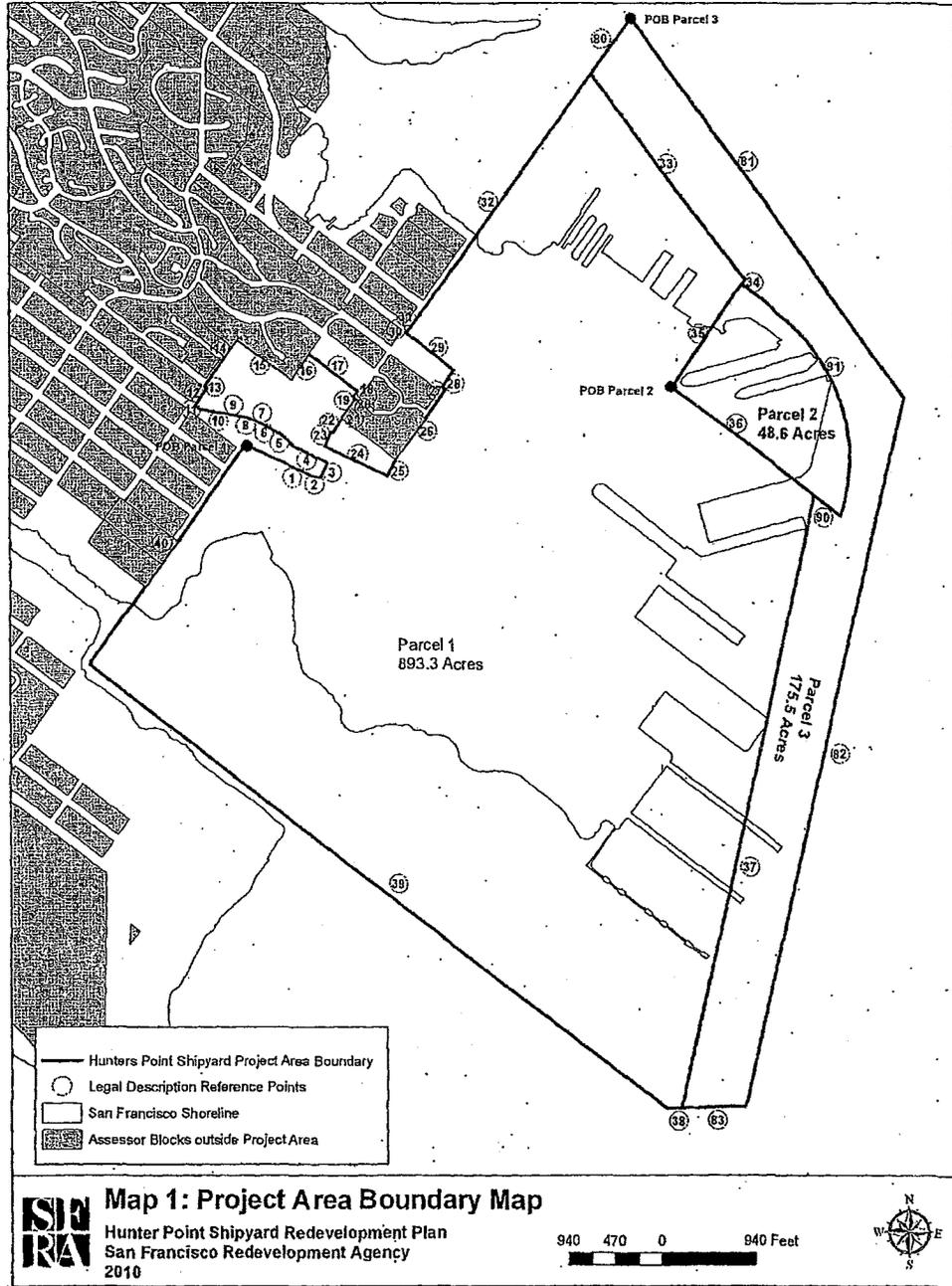
Supportive Housing means affordable housing developments with integrated services that are not required as a condition of occupancy and that serve high needs populations including but not limited to low income senior citizens, youth transitioning out of foster care, adults with developmental disabilities, individuals and families who are homeless or at risk of homelessness, and persons with AIDS.

Taxing Agencies means all public entities that have the authority to tax property within the Project Area, including the State, the City, BART, San Francisco Unified School District, City College of San Francisco, Bay Area Air Quality Management District and any district or other public corporation.

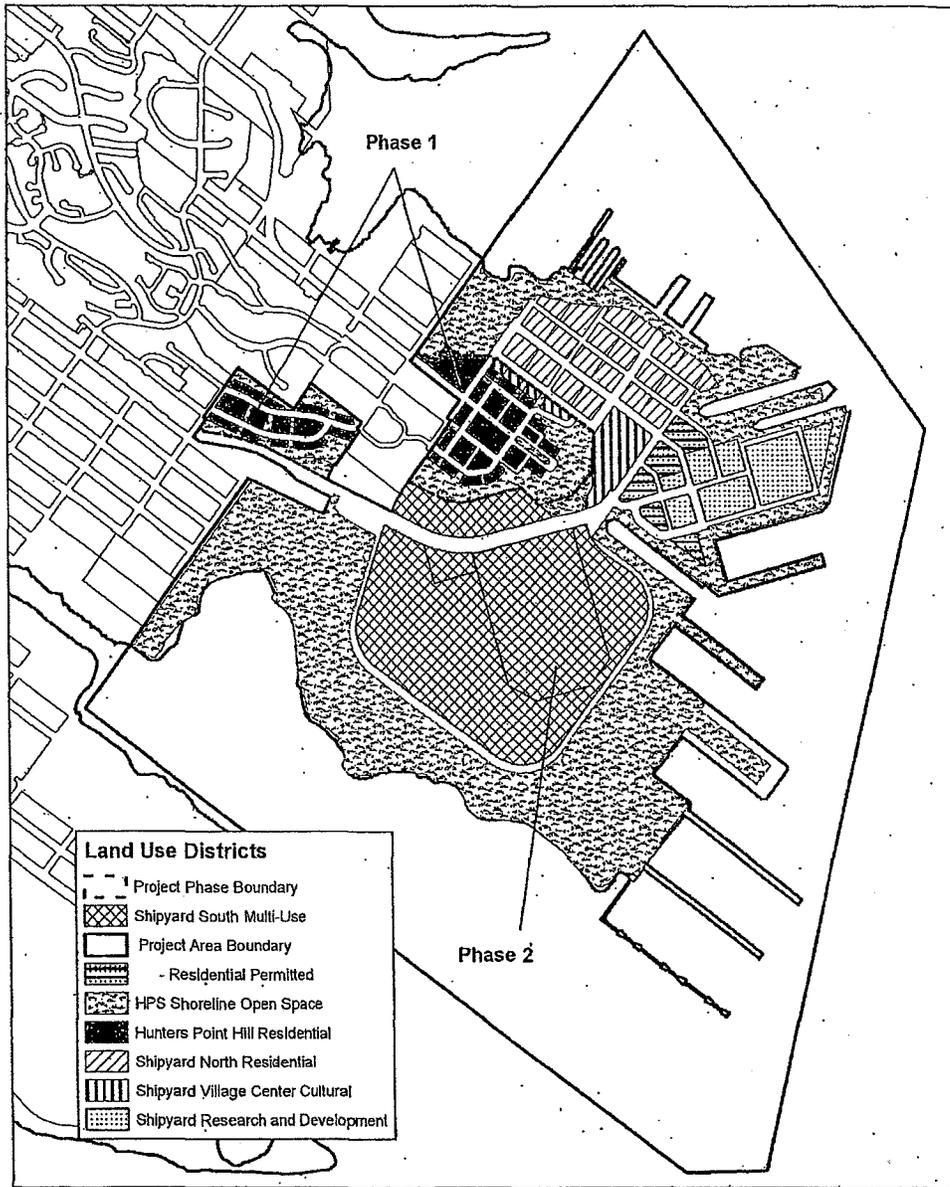
Use means the purpose for which land or a structure, or both, are designed, constructed, arranged or intended, or for which they are occupied or maintained, let or leased.

Vocational/Job Training Facility means a use that provides job training, and may also provide vocational counseling and job referrals and or office or light industrial activities for education purposes.

Map 1: Boundary Map



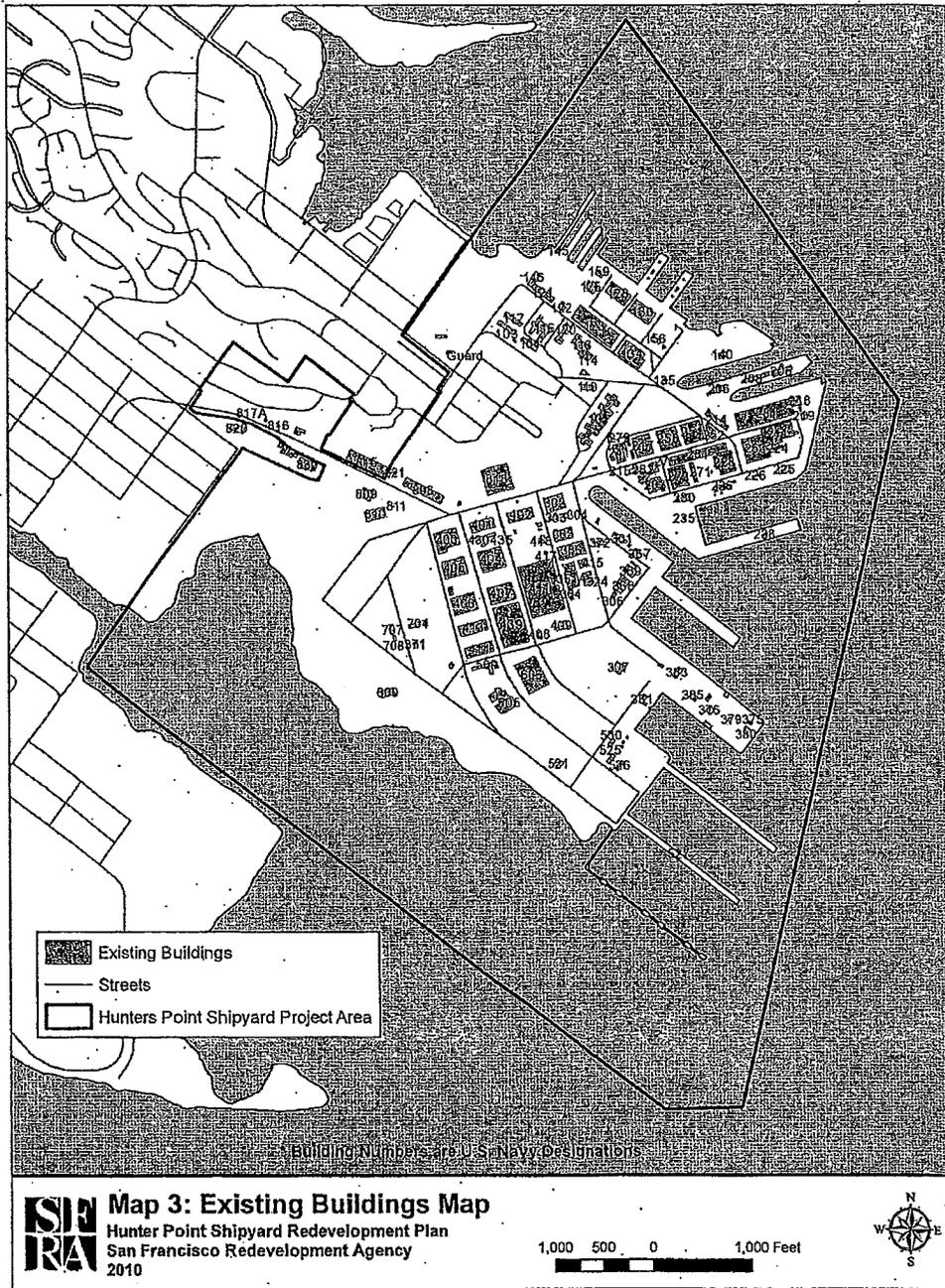
Map 2: Land Use Districts Map



Map 2: Land Use Districts Map
 Hunters Point Shipyard Redevelopment Plan
 San Francisco Redevelopment Agency
 2010

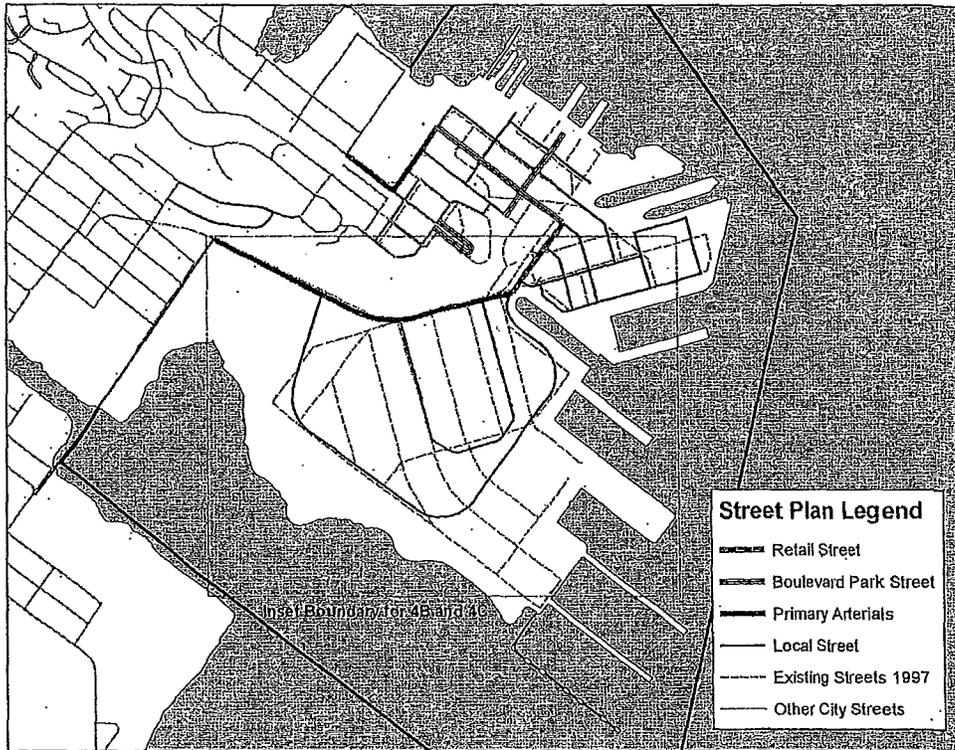
1,000 500 0 1,000 Feet

Map 3: Existing Buildings



Maps 4A, 4B and 4C: Street Plans

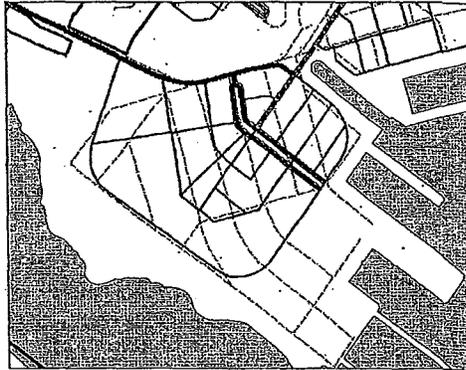
Map 4A: Hunters Point Shipyard Stadium Option



Map 4B: Non-Stadium R&D Option



Map 4C: Non-Stadium Housing Option



Maps 4A, 4B, & 4C: Street Plans
 Hunter Point Shipyard Redevelopment Plan
 San Francisco Redevelopment Agency
 2010

1,000 500 0 1,000 Feet



Attachment A: Legal Description of the Project Area

The area consists of real property within the City and County of San Francisco, State of California, more particularly described as follows:

PARCEL ONE

Beginning at the point of intersection of the southeasterly line of Fitch Street and the northeasterly line of Palou Avenue as said streets are shown upon the "Map of the property of the South San Francisco Homestead and Railroad Association", filed April 15, 1867, in Book 2, "A" and "B" of Maps, Page 39, in the County Recorder's Office of the City and County of San Francisco, said point having California Coordinate values: N.452,070.23 E.1,457,299.61 (Zone III); and and running thence from said Point of Beginning easterly, northerly and westerly along the following series of courses and distances:

- | | | |
|-----|---------------|---|
| #1 | S.66°24'34"E. | 774.37 feet; |
| #2 | S.74°08'24"E. | 68.77 feet; |
| #3 | N.25°47'36"E. | 177.17 feet; |
| #4 | N.65°00'41"W. | 377.67 feet; |
| #5 | N.51°35'29"W. | 202.50 feet; |
| #6 | N.65°31'39"W. | 227.49 feet; |
| #7 | N.67°43'50"W. | 60.90 feet; |
| #8 | N.69°21'07"W. | 156.62 feet; |
| #9 | N.74°41'13"W. | 78.46 feet; |
| #10 | N.79°19'57"W. | 383.85 feet to the above referenced northeasterly line of Palou Avenue; thence along said northeasterly line |
| #11 | N.53°17'47"W. | 25.88 feet to the southeasterly line of Griffith Street; thence along said southeasterly line |
| #12 | N.36°42'13"E. | 200.00 feet to the southwesterly line of Oakdale Avenue; thence along said southwesterly line |
| #13 | N.53°17'47"W. | 32.00 feet to the centerline of Griffith Street; thence along said centerline |
| #14 | N.36°42'13"E. | 600.00 feet to the centerline of McKinnon Avenue; thence along said centerline |
| #15 | S.53°17'47"E. | 664.00 feet to the centerline of Fitch Street; thence along said centerline |
| #16 | N.36°42'13"E. | 319.20 feet to the northeasterly line of LaSalle Avenue; thence along said northeasterly line |
| #17 | S.53°17'47"E. | 632.06 feet to a point in the northwesterly |
| #18 | | line of Earl Street; thence southwesterly 69.24 feet along the arc of a curve to the right whose radial bearing is N.53°17'47"W. having a radius of 105.00 feet, through a central angle of 37°47'02"; thence southeasterly along the radial bearing produced |
| #19 | S.15°30'45"E. | 50.00 feet to a point on a curve to the right |
| #20 | | having a radial bearing S.15°30'45"E. and having a radius of 20.00 feet, through a central angle of 48°28'07" and an arc distance of 16.92 feet, said point also being located on the centerline of Earl Street, thence along said centerline |

- #21 S.36°42'13"W. 398.94 feet; thence southerly, easterly and northerly the following series of courses and distances:
- #22 N.64°12'01"W. 22.16 feet;
- #23 S.24°37'25"W. 158.00 feet;
- #24 S.64°12'01"E. 727.00 feet;
- #25 N.25°47'59"E. 174.85 feet;
- #26 N.36°42'13"E. 890.12 feet;
- #27 N.53°17'47"W. 48.00 feet;
- #28 N.36°42'13"E. 206.90 feet to the southwesterly line of Innes Avenue, thence along said southwesterly line
- #29 N.53°17'47"W. 640.93 feet to the centerline of Earl Street; thence along said centerline
- #30 N.36°42'13"E. 40.00 feet to the centerline of Innes Avenue; thence along said centerline
- #31 S.53°17'47"E. 32.00 feet to the southeasterly line of Earl Street; thence along said southeasterly line
- #32 N.36°42'13"E. 3,151.02 feet to the 1948 Bulkhead Line as shown on the map entitled "Real Estate Summary Map Navfac Drwg No. 1045757" on WestDiv, San Bruno, California; thence southeasterly along said 1948 Bulkhead Line
- #33 S.35°56'38"E. 2,533.02 feet; thence leaving said Bulkhead line
- #34 S.30°50'40"W. 50.69 feet to the most northerly point on the parcel of land described in the deed recorded in Volume 3677, Official Records of the City and County of San Francisco, at Page 349, thence southwesterly and southeasterly around said parcel of land
- #35 S.36°42'09"W. 1,179.13 feet;
- #36 S.53°17'47"E. 1,826.56 feet to the aforementioned 1948 Bulkhead Line; thence southwesterly along said 1948 Bulkhead Line
- #37 S.12°07'46"W. 6,384.03 feet to a point on the County line dividing the County of San Mateo and the County of San Francisco; thence northwesterly along said County line
- #38 N.88°54'38"W. 127.35 feet to the northeasterly line of Bancroft Avenue extended; thence along said northeasterly line extended
- #39 N.53°17'47"W. 7,483.89 feet to the southeasterly line of Fitch Street; thence along said southeasterly line
- #40 N.36°42'13"E. 2,800.00 feet to the Point of Beginning of this description.

Containing 893.3 acres of land more or less.

PARCEL TWO

(The original 48-acre more or less shipyard in the northeast corner of the Naval Base)

Beginning at a point on the northeasterly line of Evans Avenue extended, distant thereon 450 feet southeasterly from the southeasterly line of Boalt Street extended, as said streets are shown on the "map of the property of the South San Francisco Homestead and Railroad Association", filed April 15, 1867, in Book 2, "A" and "B" of maps, page 39, in the County Recorder's Office of the City and County of San Francisco; and running thence northeasterly on a line drawn parallel with said southeasterly line of Boalt Street

- #35 N.36°42'09"E. 1,179.13 feet to a point on a curve to the right
#91 with a radius of 1,800 feet, whose center is a point on the northeasterly line of Galvez Avenue, distant thereon 250 feet southeasterly from the southeasterly line of Alvord Street extended, and the radial bearing to said centerpoint being S.21°45'52"W.; thence southeasterly, southerly, and southwesterly along said curve to the right with a radius of 1,800 feet through a central angle of 86°48'43", a distance of 2,727.28 feet to a point on the northeasterly line of Evans Avenue extended, said point having a radial bearing S.71°25'25"E. to the centerpoint of said curve; thence northwesterly along said line of Evans Avenue and the extension thereof the following two courses:
#90 N.53°17'47"W. 348.11 feet;
#36 N.53°17'47"W. 1,826.56 feet to the Point of Beginning

Containing 48.6 acres of land more or less.

PARCEL THREE

(The strip of underwater land lying between the Pierhead and Bulkhead lines)

Beginning at the point of intersection of the direct extension northeasterly of the southeasterly line of Earl Street as shown on the map referenced in Parcel Two above, with the United States Pierhead Line as shown on the map entitled "Hunters Point Naval Shipyard, General Development Map. Key Map No. 1174922" on file at the Department of the Navy, Western Division, in San Bruno, California; thence southeasterly and southwesterly along said Pierhead Line the following courses and distances:

- #81 S.35°56'38"E. 4,619.53 feet more or less;
#82 S.13°41'06"W. 7,542.33 feet more or less to the point of intersection with the line dividing the City and County of San Francisco and San Mateo County, thence northwesterly along said boundary line
#83 N.88°54'38"W. 543.06 feet more or less to the easterly line of Parcel One above described; thence northeasterly, easterly and northwesterly along the easterly and northeasterly lines of Parcels One and Two above described to the southeasterly line of Earl Street extended, thence northeasterly along the direct extension of the southeasterly line of Earl Street
#80 N.36°42'13"E. 838.14 feet more or less to the Point of Beginning.

Containing 175.5 acres of land more or less.

Notes:

1. Numbers (#'s) indicate course numbers as referenced on the Hunters Point Shipyard Redevelopment Project Area Boundary Map.
2. Bearings shown above are referenced to the California Coordinate System Zone III.

Attachment B: Authorized Public Improvements

- Public open spaces including parks, plazas, habitat restoration, sports facilities and playgrounds
- Facilities in parks such as tables, waste receptacles, signage, landscaping, market stalls and maintenance facilities
- Public roadways and other walkways, roadways, lanes, and connectors
- Medians, curbs, bulb-outs and gutters
- Sidewalks, street trees, landscaping, and street furnishings
- Street, sidewalk, street lights, and park lighting
- Traffic signals, control centers, street signage, and pavement striping
- Parking meters
- Potable water distribution and fire suppression facilities
- Reclaimed water facilities and irrigation distribution
- Sanitary sewer facilities and pump stations
- Storm drains, storm water sewer, treatment and conveyance facilities
- Natural gas, electric, telephone and telecommunication facilities
- Utilities and utility relocation
- MUNI light rail/bus/transit facilities, cantenary wires, communication facilities, transit stops and markings, poles, eyebolts and substations as needed and related improvements
- Arts facilities and community centers
- Bridges, trails, and staircases
- Seawall upgrades, small boat harbor, piers, railings, and other shoreline improvements
- Retaining walls, remediation caps, and permanent grading
- Public art installations and interpretive signage
- Education and job training centers
- Libraries
- Improvements to existing roadways, streetscapes and utilities
- Improvements to historic buildings
- Police and fire stations
- School facilities
- Erosion control features
- Street, lighting, utility, and related improvements to Innes Avenue and Hunters Point Boulevard outside the Project Area
- Additional temporary, interim and/or permanent facilities and improvements to the foregoing

Attachment C: Planning Code Section 314

SEC. 314. - CHILD-CARE REQUIREMENTS FOR OFFICE AND HOTEL DEVELOPMENT PROJECTS.

When the words "this Section" appear in Sections 314.1 through 314.8, they shall be construed to mean "Sections 314.1 through 314.8."

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

SEC. 314.1. - DEFINITIONS.

The following definitions shall govern interpretation of this Section:

- (a) "Child-care facility" shall mean a child day-care facility as defined in California Health and Safety Code Section 1596.750.

- (b) "Child care provider" shall mean a provider as defined in California Health and Safety Code Section 1596.791.

- (c) "Commission" shall mean the City Planning Commission.

- (d) "DBI" shall mean the Department of Building Inspection.

- (e) "Department" shall mean the Department of City Planning.

- (f) "First certificate of occupancy" shall mean either a temporary certificate of occupancy or a Certificate of Final Completion and Occupancy, as defined in San Francisco Building Code Section 109, whichever is issued first.

- (g) "Hotel" shall mean a building containing six or more guest rooms as defined in San Francisco Housing Code Section 401 intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes and dwelling purposes by guests, whether rent is paid in money, goods, or services, including motels as defined in San Francisco Housing Code Section 401.

- (h) "Hotel use" shall mean space within a structure or portion thereof intended or primarily suitable for the operation of a hotel, including all office and other uses accessory to the renting of guest rooms, but excluding retail uses and office uses not accessory to the hotel use.

- (i) "Household of low income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a lower-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(j) "Household of moderate income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a median-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(k) "Licensed child-care facility" shall mean a child-care facility which has been issued a valid license by the California Department of Social Services pursuant to California Health and Safety Code Sections 1596.80—1596.875, 1596.95—1597.09, or 1597.30—1597.61.

(l) "Net addition of gross square feet of hotel space" shall mean gross floor area as defined in Planning Code Section 102.9 to be occupied by, or primarily serving, hotel use, less the gross floor area in any structure demolished or rehabilitated as part of the proposed hotel development project space used primarily and continuously for office or hotel use and not accessory to any use other than office or hotel use for five years prior to Planning Commission approval of the hotel development project subject to this Section, or for the life of the structure demolished or rehabilitated, whichever is shorter.

(m) "Net addition of gross square feet of office space" shall mean gross floor area as defined in Planning Code Section 102.9 to be occupied by, or primarily serving, office use, less the gross floor area in any structure demolished or rehabilitated as part of the proposed office development project space used primarily and continuously for office or hotel use and not accessory to any use other than office or hotel use for five years prior to Planning Commission approval of the office development project subject to this Section, or for the life of the structure demolished or rehabilitated, whichever is shorter.

(n) "Nonprofit child-care provider" shall mean a child-care provider that is an organization organized and operated for nonprofit purposes within the provisions of California Revenue and Taxation Code Sections 23701—23710, inclusive, as demonstrated by a written determination from the California Franchise Tax Board exempting the organization from taxes under Revenue and Taxation Code Section 23701.

(o) "Nonprofit organization" shall mean an organization organized and operated for nonprofit purposes within the provisions of California Revenue and Taxation Code Sections 23701—23710, inclusive, as demonstrated by a written determination from the California Franchise Tax Board exempting the organization from taxes under Revenue and Taxation Code Section 23701.

(p) "Office development project" shall mean any new construction, addition, extension, conversion or enlargement, or combination thereof, of an existing structure which includes any gross square feet of office space.

(q) "Office use" shall mean space within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities which perform, provide for their

own benefit, or provide to others at that location services including, but not limited to, the following: Professional, banking, insurance, management, consulting, technical, sales and design, or the office functions of manufacturing and warehousing businesses, but excluding retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; wholesale shipping, receiving and storage; design showcases or any other space intended and primarily suitable for display of goods; and child-care facilities. This definition shall include all uses encompassed within the meaning of Planning Code Section 219.

(r) "Retail use" shall mean space within any structure or portion thereof intended or primarily suitable for occupancy by persons or entities which supply commodities to customers on the premises including, but not limited to, stores, shops, restaurants, bars, eating and drinking businesses, and the uses defined in Planning Code Sections 218 and 220 through 225, and also including all space accessory to such retail use.

(s) "Sponsor" shall mean an applicant seeking approval for construction of an office or hotel development project subject to this Section and such applicant's successors and assigns.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86; Ord. 22-00, File No. 991877, App. 2/18/2000; Ord. 76-03, File No. 020592, App. 5/2/2003)

SEC. 314.2. - FINDINGS.

The Board hereby finds and declares as follows:

Large-scale office and hotel developments in the City and County of San Francisco (hereinafter "City") have attracted and continue to attract additional employees to the City, and there is a causal connection between such developments and the need for additional child-care facilities in the City, particularly child-care facilities affordable to households of low and moderate income.

Office and hotel uses in the City are benefitted by the availability of child care for persons employed in such offices and hotels close to their place of employment. However, the supply of child care in the City has not kept pace with the demand for child care created by these new employees. Due to this shortage of child care, employers will have difficulty in securing a labor force, and employees unable to find accessible and affordable quality child care will be forced either to work where such services are available outside of San Francisco, or leave the work force entirely, in some cases seeking public assistance to support their children. In either case, there will be a detrimental effect on San Francisco's economy and its quality of life.

Projections from the EIR for the Downtown Plan indicate that between 1984 and 2000 there will be a significant increase of nearly 100,000 jobs in the C-3 District under the Downtown Plan. Most of that employment growth will occur in office and hotel work, which consist of a predominantly female work force.

According to the survey conducted of C-3 District workers in 1981, 65 percent of the work force was between the ages of 25—44. These are the prime childbearing years for women, and the prime fathering years for men. The survey also indicated that only 12 percent of the C-3 District jobs were part-time, leaving up to 88 percent of the positions occupied by full-time workers. All of these factors point to the inevitable increase in the number of working parents in the C-3 District and the concomitant increase in need for accessible, quality child-care.

Presently, there exists a scarcity of child care in the C-3 District and citywide for all income groups, but the scarcity is more acutely felt by households of low and moderate income. Hearings held on April 25, 1985 before the Human Services Committee of the San Francisco Board of Supervisors documented the scarcity of child care available in the C-3 District, the impediments to child-care program startup and expansion, the increase in the numbers of children needing care, and the acute shortage of supply throughout the Bay Area. The Board of Supervisors also takes legislative notice of the existing and projected shortage of child-care services in the City as documented by the Child-Care Information Kit prepared by the California Child-Care Resources and Referral Network located in San Francisco.

The scarcity of child care in the City is due in great part to large office and hotel development, both within the C-3 District and elsewhere in the City, which has attracted and will continue to attract additional employees and residents to the City. Some of the employees attracted to large office and hotel developments are competing with present residents for the few openings in child-care programs available in the City. Competition for child care generates the greatest pressure on households of low and moderate income. At the same time that large office and hotel development is generating an increased demand for child care, it is improbable that factors inhibiting increased supply of child care will be mitigated by the marketplace; hence, the supply of child care will become increasingly scarce.

The Master Plan encourages "continued growth of prime downtown office activities so long as undesirable consequences of such growth can be avoided" and requires that there be the provision of "adequate amenities for those who live, work and use downtown." In light of these provisions, the City should impose requirements on developers of office and hotel projects designed to mitigate the adverse effects of the expanded employment facilitated by such projects. To that end, the City Planning Commission is authorized to promote affirmatively the policies of the San Francisco Master Plan through the imposition of special child-care development or assessment requirements. It is desirable to impose the costs of the increased burden of providing child care necessitated by such office and hotel development projects directly upon the sponsors of new development generating the need. This is to be done through a requirement that the sponsor construct child-care facilities or pay a fee into a fund used to foster the expansion of and to ease access to affordable child care as a condition of the privilege of development.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

SEC. 314.3. - APPLICATION.

(a) This Section shall apply to office and hotel development projects proposing the net addition of 50,000 or more gross square feet of office or hotel space.

(b) This Section shall not apply to:

(1) Any development project other than an office or hotel development project, including that portion of an office or hotel development project consisting of a retail use;

(2) That portion of an office or hotel development project located on property owned by the United States or any of its agencies;

(3) That portion of an office or hotel development project located on property owned by the State of California or any of its agencies, with the exception of such property not used exclusively for a governmental purpose;

(4) That portion of an office or hotel development project located on property under the jurisdiction of the Port of San Francisco or the San Francisco Redevelopment Agency where the application of this Section is prohibited by State or local law; and

(5) Any office or hotel development project approved by the Planning Commission prior to the effective date of this Section.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

SEC. 314.4. - IMPOSITION OF CHILD CARE REQUIREMENT.

(a) (1) The Department or the Commission shall impose conditions on the approval of building or site permit applications for office or hotel development projects covered by this Section in order to mitigate the impact on the availability of child-care facilities which will be caused by the employees attracted to the proposed development project. The conditions shall require that the sponsor construct or provide a child-care facility on or near the site of the development project, either singly or in conjunction with the sponsors of other office or hotel development projects, or arrange with a nonprofit organization to provide a child-care facility at a location within the City, or pay an in-lieu fee to the City Treasurer which shall thereafter be used exclusively to foster the expansion of and ease access to child-care facilities affordable to households of low or moderate income.

(2) Prior to either the Department's or the Commission's approval of a building or site permit for a development project subject to this Section, the Department shall issue a notice complying with Planning Code Section 306.3 setting forth its initial determination of the net addition of gross square feet of office or hotel space subject to this Section.

(3) Any person may appeal the initial determination by delivering an appeal in writing to the Department within 15 days of such notice. If the initial determination is not appealed within the time allotted, the initial determination shall become a final determination. If the initial determination is appealed, the Commission shall schedule a public hearing prior to the approval of the development project by the Commission or the Department to determine the net addition of gross square feet of office or hotel space subject to this Section. The public hearing may be scheduled separately or simultaneously with a hearing under City Planning Code Sections 139, 306.2, 309(h), 313.4, 315.3 or a Discretionary Review hearing under San Francisco Business and Tax Regulations Code Section 26. The Commission shall make a final determination of the net addition of gross square feet at the hearing.

(4) The final determination of the net addition of gross square feet of office or hotel space subject to this Section shall be set forth in the conditions of approval relating to the child-care requirement in any building or site permit application approved by the Department or the Commission. The Department shall notify the Treasurer of the final determination of the net addition of gross square feet of office or hotel space subject to this ordinance within 30 days of the date of the final determination. The Department shall notify the Treasurer and DBI that the development project is subject to this Section prior to the time the Department or the Commission approves the permit application.

(b) (1) The sponsor of a development project subject to this (1) Section may elect to provide a child-care facility on the premises of the development project for the life of the project to meet the requirements of this Section. The sponsor shall, prior to the issuance of the first certificate of occupancy by DBI for the development project, provide proof to the Treasurer and the Department that:

(A) A space on the premises of the development project has been provided to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease and an operating agreement between the sponsor and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Net add. gross sq. ft. off. or hotel space</i>	$\times .01 =$	<i>sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel of the development project

is less than 300,000 square feet, the child-care facility may have a minimum gross floor area of 2,000 square feet or the area determined according to the above formula, whichever is greater; and

(D) A notice of special restriction has been recorded stating that the development project is subject to this Section and is in compliance herewith by providing a child-care facility on the premises.

(2) The sponsor of a development project subject to this Section in conjunction with the sponsors of one or more other development projects subject to this Section located within ½ mile of one another may elect to provide a single child-care facility on the premises of one of their development projects for the life of the project to meet the requirements of this Section. The sponsors shall, prior to the issuance of the first certificate of occupancy by DBI for any one of the development projects complying with this part, provide proof to the Treasurer and the Planning Department that:

(A) A space on the premises of one of their development projects has been provided to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease and an operating agreement between the sponsor in whose project the facility will be located and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Combined net add. gross sq. ft. office or hotel space of all participating dev. projects</i>	<i>X.01</i> =	<i>sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel space of all participating projects is less than 300,000 square feet, the child-care facility may have a minimum gross floor area of 2,000 square feet or the area determined according to the above formula, whichever is greater; and

(D) A written agreement binding each of the participating project sponsors guaranteeing that the child-care facility will be provided for the life of the development project in which it is located, or for as long as there is a demonstrated demand, as determined under Subsection (h) of this Section 314.4, has been executed and recorded in the chain of title of each participating building.

(3) The sponsor of a development project subject to this Section, either singly or in conjunction with the sponsors of one or more other development projects subject to this Section located within ½ mile of one another, may elect to provide a single child-care facility to be located within one mile of the development project(s) to meet the requirements of this Section. Subject to the discretion of the Department, the child-care facility shall be located so that it is reasonably accessible to public transportation or transportation provided by the sponsor(s). The sponsor(s) shall, prior to the issuance of the first certificate of occupancy by DBI for any development project complying with this part, provide proof to the Treasurer and the Planning Department that:

(A) A space has been provided to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease or sublease and an operating agreement between the sponsor(s) and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Combined net add. gross sq. ft. office or hotel space of all participating dev. projects</i>	x .01 =	<i>sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel space of all participating projects is less than 300,000 square feet, the child-care facility may have a minimum gross floor area of 2,000 square feet or the area determined according to the above formula, whichever is greater; and

(D) A written agreement binding each of the participating project sponsors, with a term of 20 years from the date of issuance of the first certificate of occupancy for any development project complying with this part, guaranteeing that a child-care facility will be leased or subleased to one or more nonprofit child-care providers for as long as there is a demonstrated demand under Subsection (h) of this Section 314.4 has been executed and recorded in the chain of title of each participating building.

(4) The sponsor of a development project subject to this Section may elect to pay a fee in lieu of providing a child-care facility. The fee shall be computed as follows:

<i>Net add. gross sq. ft. office or hotel space</i>	X \$1.00 = Total Fee	Upon payment of the fee in full to the
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Treasurer and upon request of the sponsor, the Treasurer shall issue a certification that the fee has been paid. The sponsor shall present such certification to the Department prior to the issuance by DBI of the first certificate of occupancy for the development project.

(5) The sponsor of a development project subject to this Section may elect to satisfy its child-care requirement by combining payment of an in-lieu fee to the Child Care Capital Fund with construction of a child-care facility on the premises or providing child-care facilities near the premises, either singly or in conjunction with other sponsors. The child-care facility to be constructed on-site or provided near-site under this election shall be subject to all of the requirements of whichever of Parts (b)(1), (2) and (3) of this Section 314.4 is applicable, and shall have a minimum floor area of 3,000 gross square feet. If the net addition of gross square feet of office or hotel space of all participating projects is less than 300,000 square feet, the minimum gross floor area of the facility shall be 2,000 square feet. The in-lieu fee to be paid under this election shall be subject to all of the requirements of Part (b)(4) of this Section 314.4 and shall be determined by the Commission according to the following formula:

<i>Net. add. gross sq. ft. space - subject project</i>	<i>/</i>	<i>Net. add. gross sq. ft. space <u>subject project</u> Net. add. gross sq. ft. space all participating projects</i>	<i>X</i>	<i>Sq. ft. child-care facility</i>	<i>X100</i>	<i>X\$1.00</i>	<i>/</i>	<i>=</i>	<i>Total Fee for Subject Project</i>
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(6) The sponsor of a development project subject to this Section may elect to satisfy its child-care requirement by entering into an arrangement pursuant to which a nonprofit organization will provide a child-care facility at a site within the City. The sponsor shall, prior to the issuance of the first certificate of occupancy by the Director of the Department of Building Inspection for the development project, provide proof to the Director of Planning that:

(A) A space for a child-care facility has been provided by the nonprofit organization, either for its own use if the organization will provide child-care services, or to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease or sublease and an operating agreement between the nonprofit organization and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Net add. gross sq. ft. office or hotel space</i>	<i>X .01 =</i>	<i>sq. ft. of child-care facility</i>	In the event that the net addition of gross square feet of office or hotel space is less than 300,000 square feet, the child-care
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facility may have a minimum gross floor of 2,000 square feet or the area determined according to the above formula, whichever is greater;

(D) The nonprofit organization has executed and recorded a binding written agreement, with a term of 20 years from the date of issuance of the first certificate of occupancy for the development project, pursuant to which the nonprofit organization guarantees that it will operate a child-care facility or it will lease or sublease a child-care facility to one or more nonprofit child-care providers for as long as there is a demonstrated need under Subsection (h) of this Section 314.4, and that it will comply with all of the requirements imposed on the nonprofit organization under this Paragraph (b)(6) and imposed on a sponsor under Subsections (g), (h) and (i) of Section 314.4.

(E) To support the provision of a child-care facility in accordance with the foregoing requirements, the sponsor has paid to the nonprofit organization a sum which equals or exceeds the amount of the in-lieu fee which would have been applicable to the project under Section 314.4(b)(4).

(F) The Department of Children, Youth and Their Families has determined that the proposed child-care facility will help meet the needs identified in the San Francisco Child Care Needs Assessment and will be consistent with the City Wide Child Care Plan; provided, however, that this Paragraph (F) shall not apply to any office or hotel development project approved by the Planning Commission prior to December 31, 1999.

Upon compliance with the requirements of this Part, the nonprofit organization shall enjoy all of the rights and be subject to all of the obligations of the sponsor, and the sponsor shall have no further rights or obligations under this Section.

(c) The Director of the Department of Building Inspections shall provide notice in writing to the Director of Planning at least five business days prior to issuing the first certificate of occupancy for any development project subject to this Section. If the Director of Planning notifies the Director of the Department of Building Inspections within such time that the sponsor has not complied with the provisions of this Section, the Director of the Department of Building Inspections shall deny any and all certificates of occupancy. If the Director of Planning notifies the Director of the Department of Building Inspections that the sponsor has complied with this Section or fails to respond within five business days, a certificate of occupancy shall not be disapproved pursuant to this Section. Any failure of the Director of the Department of Building Inspections or the Director of Planning to give any notice under this Subsection shall not relieve a sponsor from compliance with this Section.

(d) In the event that the Department or the Commission takes action affecting any development project subject to this Section and such action is thereafter modified,

superseded, vacated, or reversed by the Department or the Commission, Board of Appeals, the Board of Supervisors, or by court action, the permit application for such office development project shall be remanded to the Department or Commission within 60 days following the date on which such action is final to determine whether the proposed project has been changed in a manner which affects the area of the child-care facility or the amount of the in-lieu fee to be provided under this Section 314.4 and, if so, the Department or the Commission shall revise the child-care requirement imposed on the permit application in compliance with this Section, and shall promptly notify the Treasurer and DBI of that revision.

(e) The sponsor shall supply all information to the Treasurer, the Department, and the Commission necessary to make a determination as to the applicability of this Section and the number of gross square feet of office or hotel space subject to this Section.

(f) Within nine months of the effective date of this Section, the Commission shall, after public notice and a hearing pursuant to Charter Section 4.104, adopt rules and regulations by which compliance with this Subsection shall be determined.

(g) In the event that a sponsor elects to satisfy its child-care requirement under Section 314(b)(1), (2), (3) or (5) by providing an on-site or near-site child-care facility, the sponsor shall submit a report to the Department in January of each year for the life of the child-care facility. The report shall have attached thereto a copy of the license issued by the California Department of Social Services permitting operation of the child-care facility, and shall state:

- (1) The address of the child-care facility;
- (2) The name and address of the child-care provider operating the facility;
- (3) The size of the center in terms of floor area;
- (4) The capacity of the child-care facility in terms of the maximum number of children for which the facility is authorized to care under the license;
- (5) The number and ages of children cared for at the facility during the previous year; and
- (6) The fees charged parents for use of the facility during the previous year.

(h) In the event that a sponsor elects to satisfy its child-care requirement under Paragraphs 314.4 (b)(1), (2), (3) or (5) by providing an on-site or near-site child-care facility, or under Paragraph 314.4(b)(6) by agreement with a non-profit organization, the sponsor, or in the case of a facility created pursuant to Paragraph 314.4(b)(6) the non-profit organization, may apply to the Department to eliminate the facility or to reduce the floor area of the facility in any amount, providing, however, that the gross floor area of a reduced facility is at least 2,000 square feet. The Department shall schedule a public hearing on any such application before the Commission and provide notice pursuant to City Planning Code Section 306.3(a) at least two months prior to the hearing. The application may be granted only where the sponsor has demonstrated that there is insufficient demand for the amount of floor area then devoted to the on-site or near-site child-care facility. The actual

reduction in floor area or elimination of the child-care facility shall not be permitted in any case until six months after the application is granted. Such application may be made only five years or more after the issuance of the first certificate of occupancy for the project. Prior to the reduction in floor area or elimination of the child care facility, the sponsor shall pay an in-lieu fee to the City's Treasurer to be computed as follows:

(20 - No. of years since issuance of first <u>certificate of occupancy</u>) 20	X	Net reduction gross sq. ft. child-care facility	=\$100X	Total Fee
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Upon payment of the fee in full to the Treasurer and upon request of the sponsor, the Treasurer shall issue a certification that the fee has been paid. The sponsor shall present such certification to the Director prior to the reduction in the floor area or elimination of the child care facility.

(i) The child care provider operating any child care facility pursuant to Sections 314.4(b)(1), (2), (3) or (5) shall reserve at least 10 percent of the maximum capacity of the child care facility as determined by the license for the facility issued by the California Department of Social Services to be affordable to children of households of low income. The Department shall adopt rules and regulations to determine the rates to be charged to such households at the same time and following the procedures for the adoption of rules and regulations under Section 314.5.

(j) The fee required by this ordinance is due and payable to the Treasurer prior to issuance of the first certificate of occupancy for the office development project. Except in the case of a reduction in space of the child care facility pursuant to Subsection (h), if the fee remains unpaid following issuance of the certificate, any amount due shall accrue interest at the rate of one and one-half percent per month, or fraction thereof, from the date of issuance of the certificate until the date of final payment. Where the amount due is as a result of a reduction in space of the child care facility pursuant to subsection (h), such interest shall accrue from the date on which the available space is reduced until the date of final payment.

(k) In the event that a development project for which an in-lieu fee imposed under this Section has been fully paid is demolished or converted to a use or uses not subject to this ordinance prior to the expiration of its estimated useful life, the City shall refund to the sponsor a portion of the amount of an in-lieu fee paid. The portion of the fee refunded shall be determined on a pro rata basis according to the ratio of the remaining useful life of the project at the time of demolition or conversion in relation to its total useful life. For purposes of this ordinance, the useful life of a development project shall be 50 years.

(l) A sponsor's failure to pay the fee imposed pursuant to (1) this Section shall constitute cause for the City to record a lien against the development project in the sum of the in-lieu fee required under this ordinance, as adjusted under this Section.

(2) If, for any reason, the fee imposed pursuant to this ordinance remains unpaid following issuance of the certificate, the Treasurer shall initiate proceedings in accordance with the procedures set forth in Article XX of Chapter 10, of the San Francisco Administrative Code to make the entire unpaid balance of the fee, including interest, a lien against all parcels used for the development project. The Treasurer shall send all notices required by that Article to the owner of the property as well as the sponsor. The Treasurer shall also prepare a preliminary report notifying the sponsor of a hearing to confirm such report by the Board of Supervisors at least 10 days before the date of the hearing. The report to the sponsor shall contain the sponsor's name, a description of the sponsor's development project, a description of the parcels of real property to be encumbered as set forth in the Assessor's Map Books for the current year, a description of the alleged violation of this ordinance, and shall fix a time, date, and place for hearing. The Treasurer shall cause this report to be mailed to the sponsor and each owner of record of the parcels of real property subject to lien. Except for the release of lien recording fee authorized by Administrative Code Section 10.237, all sums collected by the Tax Collector pursuant to this ordinance shall be held in trust by the Treasurer and deposited in the Child Care Capital Fund established in Section 314.5.

(3) Any notice required to be given to a sponsor or owner shall be sufficiently given or served upon the sponsor or owner for all purposes hereunder if personally served upon the sponsor or owner or if deposited, postage prepaid, in a post office letterbox addressed in the name of the sponsor or owner at the official address of the sponsor or owner maintained by the Tax Collector for the mailing of tax bills or, if no such address is available, to the sponsor at the address of the development project, and to the applicant for the site or building permit at the address on the permit application.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86; Ord. 409-87, App. 10/9/87; Ord. 22-00, File No. 991877, App. 2/18/2000; Ord. 76-03, File No. 020592, App. 5/2/2003)

SEC. 314.5. - CHILD CARE CAPITAL FUND.

There is hereby established a separate fund set aside for a special purpose called the Child Care Capital Fund ("Fund"). All monies contributed pursuant to the provisions of this Section, and all other monies from the City's General Fund or from contributions from third parties designated for the fund shall be deposited in the fund. For a period of three years from the date of final adoption of this ordinance, no more than 25 percent of the money deposited in the fund shall be paid to providers operating child care facilities subject to Sections 314.4(b)(1), (2), (3) and (5) to reduce the cost of providing affordable child care services to children from households of low income as required in Section

314.4(i). The remaining monies deposited in the fund during such three-year period, and all monies in the fund following expiration of such three-year period, shall be used solely to increase and/or improve the supply of child care facilities affordable to households of low and moderate income; except that monies from the fund shall be used by the Director to fund in a timely manner a nexus study to demonstrate the relationship between commercial development projects and child care demand as described in San Francisco Planning Code Section 314.4. In the event that no child care facility is in operation under Sections 314.4(b)(1), (2), (3) or (5) during such three-year period, the maximum of 25 percent of the fund reserved for households of low income shall be spent solely to increase and/or improve the supply of child care facilities affordable to households of low and moderate income. The fund shall be administered by the Director, who shall adopt rules and regulations governing the disposition of the fund which are consistent with this Section. Such rules and regulations shall be subject to approval by resolution of the Board of Supervisors.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86; Ord. 409-87, App. 10/9/87; Ord. 263-98, App. 8/21/98; Ord. 76-03, File No. 020592, App. 5/2/2003)

SEC. 314.6. - PARTIAL INVALIDITY AND SEVERABILITY.

If any provision of this Section, or its application to any development project or to any geographical area of the City, is held invalid, the remainder of the Section, or the application of such provision to other office or hotel development projects or to any other geographical areas of the City, shall not be affected thereby.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

SEC. 314.7. - ANNUAL EVALUATION.

Commencing one year after the effective date of this Section and each year thereafter, the Director shall report to the Commission at a public hearing and to the Planning, Housing and Development Committee of the Board of Supervisors at a separate public hearing, on the status of compliance with this Section and the efficacy of this Section in mitigating the City's shortage of child care facilities generated by the office and hotel development projects subject to this Section. Five years after the effective date of this Section, the Commission shall review the formulae set forth in Section 314.4. In such report, the Director shall recommend any changes in the formulae.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

SEC. 314.8. - DECREASE IN CHILD CARE FORMULAE AFTER STUDY.

If the Commission determines after review of an empirical study that the formulae set forth in Section 314.4 impose a greater requirement for child care facilities than is necessary to provide child care for the number of employees attracted to office and hotel development projects subject to this Section, the Commission shall, within three years of

making such determination, refund that portion of any fee paid or permit a reduction of the space dedicated for child care by a sponsor consistent with the conclusions of such study. The Commission shall adjust any sponsor's requirement and the formulae set forth in Section 314.4 so that the amount of the exaction is set at the level necessary to provide child care for the employees attracted to office and hotel development projects subject to this Section.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

Attachment D: Planning Code Section 295

SEC. 295 – HEIGHT RESTRICTIONS ON STRUCTURES SHADOWING PROPERTY UNDER THE JURISDICTION OF THE RECREATION AND PARK COMMISSION.

(a) No building permit authorizing the construction of any structure that will cast any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission may be issued except upon prior action of the City Planning Commission pursuant to the provisions of this Section; provided, however, that the provisions of this Section shall not apply to building permits authorizing:

(1) Structures which do not exceed 40 feet in height;

(2) Structures which cast a shade or shadow upon property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission only during the first hour after sunrise and/or the last hour before sunset;

(3) Structures to be constructed on property under the jurisdiction of the Recreation and Park Commission for recreational and park-related purposes;

(4) Structures of the same height and in the same location as structures in place on June 6, 1984;

(5) Projects for which a building permit application has been filed and either (i) a public hearing has been held prior to March 5, 1984 on a draft environmental impact report published by the Department of City Planning, or (ii) a Negative Declaration has been published by the Department of City Planning prior to July 3, 1984;

(6) Projects for which a building permit application and an application for environmental evaluation have been filed prior to March 5, 1984 and which involve physical integration of new construction with rehabilitation of a building designated as historic either by the San Francisco Board of Supervisors as a historical landmark or by the State Historic Preservation Officer as a State Historic Landmark, or placed by the United States Department of the Interior on the National Register of Historic Places and which are located on sites that, but for separation by a street or alley, are adjacent to such historic building.

(b) The City Planning Commission shall conduct a hearing and shall disapprove the issuance of any building permit governed by the provisions of this Section if it finds that the proposed project will have any adverse impact on the use of the property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant. The City Planning Commission shall not make the determination required by the provisions of this Subsection until the general manager of the Recreation and Park Department in consultation with the Recreation and Park Commission has had an opportunity to review and comment to the City Planning Commission upon the proposed project.

(c) The City Planning Commission and the Recreation and Park Commission, after a joint meeting, shall adopt criteria for the implementation of the provisions of this Section.

(d) The Zoning Administrator shall determine which applications for building permits propose structures which will cast a shade or shadow upon property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. As used in this Section, "property designated for acquisition by the Recreation and Park Commission" shall mean property which a majority of each of the Recreation and Park Commission and the City Planning Commission, meeting jointly, with the concurrence of the Board of Supervisors, have recommended for acquisition from the Open Space Acquisition and Park Renovation Fund, which property is to be placed under the jurisdiction of the Recreation and Park Commission.

(Added Ord. 62-85, App. 1/31/1985)



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18102

HEARING DATE: JUNE 3, 2010

Date: March 18, 2010
Case No.: 2007.0946BEMRTUZ
Project: Candlestick Point – Hunters Point Shipyard Phase 2
Finding the Redevelopment Plan Amendments Consistent with
the General Plan, Recommending Approval of Redevelopment
Plan Amendments, and Making Office Allocation Findings
(Planning Code Section 320 – 325)
Block/Lot: Candlestick Point and Hunters Point Shipyard
Staff Contact: Mat Snyder – (415) 575-6891
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Recommendation: Approval

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ESTABLISHING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPOSED AMENDMENTS TO THE BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN AND THE HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN, AS PART OF THE CANDLESTICK POINT - HUNTERS POINT SHIPYARD PHASE 2 PROJECT, RECOMMENDING THE APPROVAL OF THE AMENDMENTS TO SUCH REDEVELOPMENT PLANS, AND MAKING OFFICE ALLOCATION FINDINGS PURSUANT TO PLANNING CODE SECTIONS 320 - 325.

WHEREAS, In accordance with California Redevelopment Law, the San Francisco Redevelopment Agency is proposing to amend both the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan.

The Bayview Hunters Point has one of the highest concentrations of very low-income residents and one of the highest unemployment rates in San Francisco, and public health in the area has generally been poor compared to the rest of San Francisco. Bayview Hunters Point has very few quality public parks and open spaces that provide active recreation facilities for neighborhood youth, and is in need of affordable housing and business and job opportunities for its residents. The area remains under-served by transit and basic neighborhood-serving retail and cultural amenities. The betterment of the quality of life for the residents of the Bayview Hunters Point community is one of the City's highest priorities.

Hunters Point Shipyard and Candlestick Point are part of the Bayview Hunters Point neighborhood and are in close proximity to one another, separated only by the Yosemite Slough and South Basin. Together, they comprise about 702 acres, and make up the largest area of underused land in the City. This legislation creating the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, the 40/420-CP Height and Bulk District and the 40/370-HP Height and Bulk District, and the related rezoning and General Plan amendments, will implement the proposed consolidated redevelopment of the Hunters Point Shipyard Phase 2 and

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Candlestick Point – Hunters Point
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Candlestick Point ("the Project"). The areas within the Candlestick Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District together comprise the Project Site ("The Project Site"). As set forth in Proposition G, passed by San Francisco voters on June 3, 2008, the Project is designed to reconnect the Shipyard and Candlestick Point with the Bayview Hunters Point community and the rest of San Francisco and transform these long-abandoned waterfront lands into productive areas for jobs, parks and housing, including affordable housing. Expediting implementation of the Project will provide long overdue improvements to the Bayview Hunters Point community that will also benefit the City as a whole.

Hunters Point Shipyard

Hunters Point Shipyard was once a thriving, major maritime industrial center that employed generations of Bayview Hunters Point residents. Following World War II, the Shipyard was a vital hub of employment in the Bayview Hunters Point, providing logistics support, construction and maintenance for the United States Department of the Navy. At its peak, the Shipyard employed more than 17,000 civilian and military personnel, many of whom lived in Bayview Hunters Point. The United States Navy ceased operations at the Shipyard in 1974 and officially closed the base in 1988. The Shipyard was then included on the Department of Defense's 1991 Base Realignment and Closure (BRAC) list. In 1993, following designation of the Shipyard by the City's Board of Supervisors as a redevelopment survey area, the City and the Redevelopment Agency began a community process to create a plan for the economic reuse of the Shipyard and the remediation and conveyance of the property by the Navy.

In planning for the redevelopment of the Shipyard, the City and the Redevelopment Agency worked closely with the Hunters Point Citizen's Advisory Committee ("CAC"). The CAC is a group of Bayview Hunters Point community residents, business owners and individuals with expertise in specific areas, who are selected by the Mayor to oversee the redevelopment process for the Shipyard. The Agency has worked with the CAC and the community throughout the process of implementing revitalization activities regarding the Shipyard.

In July 1997, the Board of Supervisors adopted a Redevelopment Plan for revitalization of the Shipyard. The Hunters Point Redevelopment Plan contemplated the development of a mix of residential, commercial, cultural, research and development and light industrial uses, with open space around the waterfront perimeter.

Since its selection by the Redevelopment Agency, the Shipyard developer has worked with the City, the Agency, and the Navy to facilitate the redevelopment and economic reuse of the Shipyard. In 2003, the Shipyard developer and the Agency entered into the Hunters Point Shipyard Phase I Disposition and Development Agreement (DDA), under which the Shipyard developer is constructing infrastructure for up to 1,600 residential units on Parcel A of the Shipyard, of which approximately 30 percent will be affordable. The Phase I DDA also requires the Shipyard developer to create approximately 25 acres of public parks and open space on Parcel A.

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In March 2004, the Redevelopment Agency, in cooperation with the City and the Shipyards developer negotiated a comprehensive agreement with the Navy governing the terms and conditions of the hazardous materials remediation and conveyance of the Shipyards by the Navy to the Agency. The Conveyance Agreement obligates the Navy to remediate the hazardous materials on the Shipyards to levels consistent with the land uses designated in the original redevelopment plans for the Shipyards and to convey parcels to the Agency at no cost on a phased basis as the Navy successfully completes the remediation.

In 2005, the Navy conveyed Parcel A to the Agency under the Conveyance Agreement, and the Agency then closed escrow on its transfer of a portion of Parcel A to the Shipyards developer to begin site preparation and infrastructure development for the construction of new housing and parks on Parcel A.

Candlestick Point

WHEREAS, Candlestick Point includes, among other things: (a) the City-owned stadium, currently named Candlestick Park, which is home to the San Francisco 49ers and is nearing the end of its useful life; (b) the Alice B. Griffith Housing Development, also known as Double Rock, and (c) the Candlestick Point State Recreation Area.

In June, 1997, San Francisco voters adopted two measures (Propositions D and F) providing for the development by the 49ers or their development partners of a new stadium, a related 1,400,000 square foot entertainment and retail shopping center, and other conditional uses including residential uses. The voters approved up to \$100 million of lease revenue bonds to help finance the proposed development of the new stadium.

In June 2006, following a 10-year planning process, the Board of Supervisors adopted a Redevelopment Plan for the Bayview Hunters Point Project Area that includes Candlestick Point. The primary objective of the Redevelopment Plan is to revitalize the Bayview Hunters Point community through economic development, affordable housing and community enhancement programs for the benefit of existing residents and community-based businesses. The policies and programs of the Redevelopment Plan incorporate community goals and objectives expressed in a Concept Plan that the Bayview Hunters Point Project Area Committee ("PAC") adopted in 2000, following hundreds of community planning meetings. The PAC is a body that was formed in 1997 through a public election by Bayview Hunters Point voters to work with the Redevelopment Agency and the City and represent the interests of the Bayview Hunters Point community in planning for the area's future. The Agency has continued to work through the PAC and with the community throughout the process of implementing revitalization activities under the Redevelopment Plan.

The Alice B. Griffith Housing Development, built in the early 1960s and operated by the San Francisco Housing Authority, needs substantial improvement. An important component of the Project is to provide one-for-one replacement of Alice B. Griffith units at existing low income levels and to ensure

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that existing tenants have the right to move to the new upgraded units without being displaced until the replacement units are ready for occupancy.

In 1983, the City donated land at Candlestick Point to the State of California to form the Candlestick Point State Recreation Area with the expectation that the State would develop and implement a plan for improving the park land. The Recreation Area has the potential to be a tremendous open space recreational resource for the region and for the residents of Bayview Hunters Point. But it has not reached its potential due to limited State funding and a challenging configuration. The long-term restoration and improvement of the Candlestick Point State Recreation Area has been a long-term goal of the residents of Bayview Hunters Point, the City, and the State.

Integrated Development of the Hunters Point Shipyards and Candlestick Point.

For over a decade, the redevelopment of Candlestick Point and the Shipyards has proceeded on parallel, though largely separate, paths. But over the last four years, the City and the Redevelopment Agency have been working with the Bayview Hunters Point community on redeveloping the two sites together. A primary objective of both the Hunters Point Shipyards Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan is to create economic development, affordable housing, public parks and open space and other community benefits by developing the under-used lands within the two project areas. Combining the planning and redevelopment of these two areas provides a more coherent overall plan, including comprehensive public recreation and open space plans and integrated transportation plans, and provides better ways to increase efficiencies to finance the development of affordable housing and the public infrastructure necessary to expedite the revitalization of both areas; and

Accordingly, in May, 2007, the Board of Supervisors adopted and the Mayor approved a resolution a Conceptual Framework for the integrated development of Candlestick Point and the Hunters Point Shipyards ("the Project"). The Conceptual Framework, which is the basis for the last three years of planning for the Project, envisioned a major mixed-use project, including hundreds of acres of new waterfront parks and open space, thousands of new housing units, a robust affordable housing program, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Shipyards, and a site for a potential new stadium for the 49ers on the Shipyards; and

In furtherance of the Conceptual Framework, in April 2007, the San Francisco Recreation and Parks Commission adopted a resolution requesting the Redevelopment Agency to include the existing stadium site under the Exclusive Negotiations Agreement. In May 2007, the Redevelopment Agency and the Shipyards developer (whose members were reconstituted) entered into a Second Amended and Restated Exclusive Negotiations and Planning Agreement related to Phase II of the Shipyards Redevelopment Plan, which extended the Shipyards developer's exclusive negotiating rights to cover Candlestick Point.

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On June 3, 2008, the San Francisco voters approved Proposition G, an initiative petition measure named The Bayview Jobs, Parks, and Housing Initiative, regarding plans to revitalize the Project site. As set forth in Proposition G, the project is designed to revitalize the Project Site by (a) improving and creating hundreds of acres of public parks and open space, particularly along the waterfront, (b) significantly increasing the quality and quantity of affordable housing in southeastern San Francisco, including the complete rebuilding of the Alice Griffith Housing Development, (c) providing thousands of commercial and construction job opportunities for San Francisco residents and businesses, especially in the Bayview Hunters Point community, (d) supporting the creation of permanent space on the Shipyards for existing artists, (e) elevating the site into a regional center for green development and the use of green technology and sustainable building design, (f) providing extensive transportation improvements that will benefit southeastern San Francisco generally, (g) attracting and sustaining neighborhood serving retail and cultural amenities and services, and (h) offering a world-class waterfront stadium site opportunity as the City's last and best chance to keep the 49ers in San Francisco over the long term, but without requiring the revitalization project to be delayed if the 49ers do not timely decide to build a stadium in the project site or decide to build a new stadium elsewhere.

In October 2009, the State Legislature approved and the Governor signed and filed Senate Bill No. 792 (SB 792). SB 792, enacted as Chapter 2003 of the Statutes of 2009 in January of 2010, provides for the reconfiguration of the Candlestick Point State Recreation Area and improvement of the State park lands, in connection with the development of the Project.

Since February 2007, the Project has been reviewed by the Bayview Hunters Point community and other stakeholders in over 200 public meetings, including those held before the PAC, the CAC, the Redevelopment Agency Commission, the Board of Supervisors, the Planning Commission, and other City commissions and in other local forums.

On June 3, 2010, by Resolution No.18098, the Planning Commission adopted amendments to the General Plan and recommended to the Board of Supervisors approval of those amendments to the General Plan including amendments to Bayview Hunters Point Area Plan and the Commerce and Industry Element, and the creation of the Candlestick Point Subarea Plan, and the Hunters Point Area Plan.

Pursuant to Sections 33346 and 33354.6 of the California Health and Safety Code regarding California Redevelopment Law, the planning policies and objectives and land uses and densities of the Redevelopment Plans must be found consistent with the General Plan prior to Redevelopment Plan approval or amendment by the Board of Supervisors.

The Planning Commission wishes to facilitate the physical, environmental, social and economic revitalization of the Bayview Hunters Point and Hunters Point Shipyards, using the legal and financial tools of a Redevelopment Plan, while creating jobs, housing and open space in a safe, pleasant, attractive and livable mixed use neighborhood that is linked rationally to adjacent neighborhoods; and

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The proposed Bayview Hunters Point and Hunters Point Shipyards Redevelopment Plans provides for a type of development, intensity of development and location of development that is consistent with the overall goals and objectives and policies of the General Plan as well as the Eight Priority Policies of Section 101.1 of the Planning Code as set forth in Planning Commission Resolution.

The Planning Commission believes that the Bayview Hunters Point Redevelopment Plan as amended and the Hunters Point Shipyards Redevelopment Plan as amended would meet these objectives; and

The Project will include (a) 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyards artists, including an arts education center within a new "Arts District" supporting the vibrant artist community, (e) 2,650,000 square feet of commercial, light industrial, research and development and office space, including space for the United Nations Global Compact Center, (f) 100,000 square feet of community uses, (g) new public and community facilities on the Shipyards and Candlestick Point, (h) improved land and supporting infrastructure for a new football stadium for the San Francisco 49ers, including necessary parking areas and transportation improvements, with an alternative uses that either shift some residential uses from Candlestick Point to the Shipyards and expands by up to 500,000 square feet commercial uses on some of the areas of the Shipyards currently reserved for stadium uses or expand research and development uses by 2,500,000 square feet on the Shipyards if the 49ers do not avail themselves of the opportunity to build a new stadium on the Shipyards, (i) a 10,000 seat arena on Candlestick Point, (j) a hotel, (k) a 300 slip Marina, and (l) a bicycle and pedestrian bridge over Yosemite Slough, that can be used for game day automobile travel in the event the stadium is constructed.

The proposed Hunters Point Shipyards Redevelopment Plan provides that to facilitate early job generation within the Project Area during the early phases of redevelopment under this Plan, the first 800,000 square feet of office development within the Project Area is to receive priority under Sections 320-325 over all office development proposed elsewhere in the City, except within (a) the Mission Bay South Project Areas; and (b) the Transbay Transit Tower (proposed for development on Lot 001 of assessors Block 3720) (but not the remainder of the Transbay Redevelopment Project Area)

The Design for Development document contains detailed design standards and guidelines for all proposed development in both the Candlestick Point and Hunters Point Shipyards areas ("the Project Area").

The Candlestick Point area comprises approximately 281 and Hunters Point Shipyards Phase 2 area comprises approximately 402 acres. Candlestick Point is generally comprised of the 49ers Football Stadium and parking lot, the Candlestick Point State Recreation Area (CPSRA) (excluding the Yosemite Slough portion of the Park), the Alice Griffith Housing development, along with privately held parcels to the southwest of the stadium site between Bayview Hill and Jamestown Avenue, and privately held

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parcels between the stadium and the CPSRA. The Hunters Point Shipyards portion of the project is comprised of a majority of the former Naval Shipyards except for the portion currently being developed as "Phase 1", also often referred to as "Parcel A".

Any office development in the Candlestick Point and Hunters Point Shipyards will be subject to the limitation on the amount of square footage which may be approved, as set forth in Planning Code 321 or as amended by the voters.

Planning Code Sections 320-325 require review of proposed office development, as defined in Planning Code Section 320, by the Planning Commission and consideration of certain factors in approval of any office development.

Based upon the information before the Planning Commission regarding design guidelines for in the Design for Development for Candlestick Point and Hunters Point Shipyards, and the land use designations set out in the respective Redevelopment Plans, the Candlestick Point Subarea Plan and the Hunters Point Shipyards Area Plan, and the goals and objectives of set out in all the relevant documents, the Planning Commission hereby makes the findings set forth below, in accordance with Planning Code Section 321.

The Planning Commission has reviewed and considered the factors set forth in Planning Code Section 321(b) in order to make the determination that the office development contemplated by the Plan in particular would promote the public welfare, convenience and necessity. Those factors include consideration of the balance between economic growth and housing, transportation and public services, the contribution of the office development to the objectives and policies of the General Plan, the quality of the design of the proposed office development, the suitability of the proposed office development for its location, the anticipated uses of the proposed office development, in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses, the extent to which the proposed development will be owned or occupied by a single entity, and the use of transferable development rights for such office development.

The Planning Commission will review the design and details of individual office developments which are proposed in the Project Area, using the design standards and guidelines set forth in the Design for Development reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein.

On June 3, 2010, by Motion No. 18096, the Commission certified the Final Environmental Impact Report ("FEIR") as accurate, complete and in compliance with the California Environmental Quality Act ("CEQA"); and

On June 3, 2010 by Motion No. 18097, the Commission adopted findings in connection with its consideration of, among other things, the adoption of amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyards Redevelopment Plan, under CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain findings

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in connection therewith, which findings are hereby incorporated herein by this reference as if fully set forth.

The Planning Commission finds the amended Bayview Hunters Point Redevelopment Plan and the amended Hunters Point Shipyards Redevelopment Plan as described in Exhibit A to this Resolution consistent with the General Plan, as it is proposed to be amended, and to Section 101.1 of the Planning Code as described in Exhibit A to Resolution No. 18101 which findings are hereby incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission having considered this proposal at a public meeting on June 3, 2010 pursuant to Planning Code Sections 302(b) and 340, having heard and reviewed oral and written testimony and reports, and having reviewed and certified the Final Environmental Impact Report on the Redevelopment Plans as adequate, complete, and in compliance with CEQA, does hereby find the Bayview Hunters Point Redevelopment Plan, as amended, and the Hunters Point Shipyards Redevelopment Plan, as amended, dated May 6, 2010 respectively, in conformity with the General Plan as it is recommended to be amended by Resolution No. 18101; and

BE IT FURTHER RESOLVED, That the Planning Commission hereby finds that up to 5,000,000 square feet of office development contemplated by the Hunters Point Shipyards Redevelopment Plan and up to 150,000 square feet of office development contemplated in Zone 1 of the Bayview Hunters Point Redevelopment Plans in particular promotes the public welfare, convenience and necessity for the following reasons:

1. The office development is part of the Redevelopment Plans, which would eliminate blighting influences and correct environmental deficiencies in the Hunters Point Redevelopment Project Area and Zone 1 (Candlestick Point) of the Bayview Hunters Point Redevelopment Project Area through a comprehensive plan for redevelopment.
2. The Redevelopment Plans and their supporting documents include a series of detailed design standards and guidelines which will ensure quality design of office development as well as a quality urban design scheme.
3. The Redevelopment Plans provide the important ability to retain and promote, within the City and County of San Francisco, the possibility of new emerging industries including green technology through the provision of a major new site and space for adjacent office and related uses.
4. Implementing permitted office uses as part of the Redevelopment Plans enables the achievement of a coordinated mixed-use development plan incorporating many features, such as large open spaces and parks and a new street grid.
5. Implementing the office use contemplated by the Redevelopment Plans would strengthen the economic base of the Project Area and the City as a whole by strengthening retail and other commercial functions in the Project Area community

through the addition of approximately 850,000 leasable square feet of various kinds of retail space, and as much as about 5,000,000 leasable square feet of mixed office, research and development and light manufacturing uses depending on the final disposition of the 49ers to building a new stadium at the Shipyards.

6. Build-out, including office uses, of both the Candlestick Point and Hunters Point Shipyards Phase 2 is anticipated to result in significant positive fiscal impacts to the City. This includes \$22 million in net cumulative revenues will accrue to other City funds including the Children's Fund, Library Fund and Open Space Fund
7. The development proposed by the Project will also have significant positive economic impacts on the City. At full build-out, employment in the Project Area is expected to be about 10,700. Direct and indirect job generation is estimated to be about 18,500. About 55% of the direct and indirect jobs are expected to be held by San Francisco residents. Project-related construction employment is projected to total 1,500 annual full-time equivalent jobs over the build-out period, representing a five percent increase in the City's construction job industry base. The employees working at the Project Area are expected to generate total household income of about \$746 million annually. Total direct, indirect and induced economic activity within the City and County of San Francisco is expected to be approximately \$3.7 billion. The Project provides an unprecedented system for diversity and economic development, including good faith efforts to meet goals for hiring minority and women-owned consulting and contracting businesses, hiring of minority and women laborers, compliance with prevailing wage policies, and would include a robust job training and placement program that will include, but not be limited to, almost \$9 million to workforce training and placement programs for local residents. The community benefits package also includes funds for child care and school facilities. Development of office uses will help to create the employment opportunities to achieve such hiring goals.
8. The Project includes the opportunity for substantial new publicly accessible open spaces totaling upwards of approximately 336 acres including a fully realized CPSRA, the dual use sports facility on the stadium's parking lot, ecological restoration areas, and a wide variety of neighborhood parks, plazas and shorefront promenades. Office users will benefit from the conveniently located open space, and the development of office uses will help to finance the provision of such open space and its maintenance.
9. The office uses would be located in an ideal area to take advantage of a wide variety of transit, including a new Bus Rapid Transit (BRT) line, express downtown buses, and extended Muni lines. The Project Area has been designed in consultation with the City, including MUNI, to capitalize on opportunities to coordinate with and expand transit systems to serve the Project. The Project also includes Transportation Management Programs which will be in place throughout the development of the Project Area.

Hearing Date: June 3, 2010
Resolution No. 18102

Case No 2007.0946BEMTZRU
Candlestick Point – Hunters Point
Shipyards Phase 2 - Findings of
Consistency with the General Plan,
Recommending Approval of the
Redevelopment Plans, and Making
Office Allocation Findings Under
Sections 320-325 of the Planning
Code

10. The Plan areas include sites for both a new fire station and a flexible approach to other community facilities including the potential use for a school, so that necessary services and assistance are available near the office uses and so that office uses will not otherwise burden existing services.
11. The Redevelopment Plan and their supporting documents include significant new infrastructure, including a linked program for creation of a comprehensive vehicular, bicycle and pedestrian circulation system. The public infrastructure will include public streets, underground pipes, traffic signals and open space, plus additional substantial infrastructure as described in the Candlestick Point – Hunters Point Shipyards Phase 2 Infrastructure Plan. An emphasis will be placed on sustainable development techniques as outlined in the Sustainability Plan. The office development would be adequately served by the infrastructure and the tax increment generated by office development in the Project Area will also provide a critical component of the financing of such infrastructure.
12. This new infrastructure included in the Plan will be financed through a self-taxing financing device to be imposed upon the Project Area (excluding affordable housing sites and open space).

BE IT FURTHER RESOLVED, That the Planning Commission has considered the factors set forth in Planning Code Section 321(b)(3)(A)-(G) and finds as follows:

- (A) The apportionment of potential office space over the course of many approval periods during the anticipated 20-30 year build-out of the Plan Areas will remain within the limits of Planning Code Section 321 and will maintain a balance between economic growth and housing, transportation and public services, pursuant to the terms of the Plans and their supporting documents which provide for the appropriate construction and provision of housing, roadways, transit and all other necessary public services in accordance with the Infrastructure Plan; and
- (B) As determined in this Resolution, above, and for the additional reasons set forth in Planning Commission Resolution No. 18101, the adoption of the Plan, which includes office uses and contemplates office development, and all of the other implementation actions, are consistent with the objectives and policies of the General Plan and Priority Policies of Planning Code Section 101.1 and will contribute positively to the achievement of City objectives and policies as set forth in the General Plan; and
- (C) The design guidelines for the Project Area are set forth in the respective Design for Development documents for Candlestick Point and Hunters Point Shipyards Phase 2. This Planning Commission has reviewed the design standards and guidelines and finds that such standards and guidelines will ensure quality design of any proposed office

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development. In addition, the Planning Commission will review any specific office development subject to the terms of Planning Code §§320-325 to confirm that the design of that office development is consistent with the findings set forth herein; and

- (D) The potential office development contemplated in the Plans is suitable for the Project Area where it would be located. As discussed above, transportation, housing and other public services including open space will be provided in the Project Area. The office development would be located in an area which is not currently developed, nor is it heavily developed with other office uses; and
- (E) As noted above, the anticipated uses of the office development will enhance employment opportunities and will serve other Research and Development related uses including potentially those for green technology businesses which wish to locate in the Project Area, where the underdeveloped nature of the area provides a readily available supply of space for potential research and development, light industrial and office uses; and
- (F) While the overall Project is being developed by a master developer, the proposed office development is available to serve a variety of users, including a variety of businesses expected to locate in the area, and could accommodate a multiplicity of owners; and
- (G) The Plan does not provide for the use of transferrable development rights (“TDRs”) and this Planning Commission does not believe that the use of TDRs is useful or appropriate in the Project Area, given the availability of space for development and the fact that only a relatively few number of buildings have been identified as a potential historic resource; and

BE IT FURTHER RESOLVED, That the Planning Commission will review and approve the design of specific office development which may be proposed in the Project Area and subject to the provisions of Planning Code §§320-325, using the design standards and guidelines set forth in the Design for Development, as reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein; and

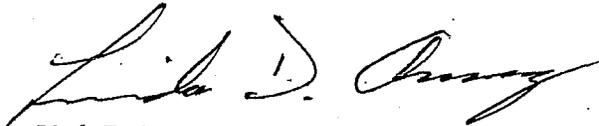
BE IT FURTHER RESOLVED, That upon such determination, the Planning Commission will issue an authorization for the proposed office development project;

BE IT FURTHER RESOLVED, That the Planning Commission does hereby recommend approval of the amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Redevelopment Plan to the Board of Supervisors.

Hearing Date: June 3, 2010
Resolution No. 18102

Case No 2007.0946BEMTZRU
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Code

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on June 3, 2010.



Linda D. Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel, Moore and Sugaya

NOES: Commissioner Olague

ABSENT: None

ADOPTED: June 3, 2010

ATTACHMENT F: Proposition O

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

SAN FRANCISCO

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

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DEPARTMENT OF ELECTIONS

[TITLE]

[SUMMARY]

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

SECTION 1. Title.

This Initiative shall be known and may be cited as the "Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition" (referred to hereinafter as the "Initiative").

SECTION 2. Findings & Conclusions.

(a) In 2008, San Francisco voters adopted Proposition G, the Bayview Jobs, Park and Housing Initiative, by a 63% to 37% vote. Proposition G sought to revitalize the Bayview Hunters Point area with hundreds of acres of parks, significant jobs and economic development opportunities, and a substantial number of affordable and market-rate homes. Proposition G recognized that the closure of the Hunters Point Shipyard, once a thriving maritime industrial center and leading hub of employment, had resulted in significant job losses, which had profoundly affected the economies of the area. Accordingly, the voters envisioned substantial redevelopment of the area, including office development that was designed to replace the high-quality, permanent jobs lost when the Shipyard closed.

(b) Since 2008, extensive environmental and public review has been undertaken. Redevelopment plans, area plans, zoning ordinances and agreements have been approved and entered into. For the property shown on the maps below (Hunters Point Shipyard Phase 2 and Candlestick Point), various approval documents allow and provide for extensive development, including the following:

- Approximately 330 acres for parks and open space, and approximately 370 acres for housing, research and technology jobs, retail sales, office space, and workspace for artists;
- 10,500 housing units, of which approximately one-third must be priced at below-market prices;
- 5,150,000 square feet of research and development, and office uses;
- 885,000 square feet of retail and entertainment uses.

(c) It has been eight years since Proposition G was passed, and the jobs envisioned in Proposition G have not yet materialized. The office uses, which are a key component of the plan to regenerate jobs lost to the Shipyard closure, face a special hurdle: a 1986 initiative called Proposition M. Among other things, Proposition M imposed a growth management program on office space, generally limiting office development to 950,000 square feet per year. The Bayview Hunters Point office development anticipated in Proposition G and in the subsequent approvals could wait many years before being built because of this program. However, Proposition M was adopted decades ago, when it was assumed office development would be concentrated in the downtown area. Hunters Point Shipyard Phase 2 and Candlestick Point are not located downtown—they are located on and around the site of the decommissioned Hunters Point Shipyard and former Candlestick Park in the southeastern part of the City. If left unamended, the growth management program of Proposition M would thwart the voters' desire to revitalize the area and expedite development of job-creating uses.

(d) This Initiative amends the provisions of Proposition M and the San Francisco Planning Code that regulate the pace of office development. It removes Hunters Point Shipyard Phase 2 and Candlestick Point from the area within which an allocation or project authorization allowing office development may be required. This Initiative is intended to facilitate a rational development pace for this area, and to implement the voters' desire to realize the revitalization contemplated in Proposition G. To achieve these goals, this Initiative would also establish a policy that development applications shall be processed and decided quickly, and development expedited.

(e) This Initiative would not affect the applicability of the office development controls enacted by Proposition M to other areas of the City. This Initiative also would not affect the applicability of the priority policies adopted by Part 1 of Proposition M, nor would it affect the applicability of the resident placement and training program adopted by Part 3 of Proposition M.

SECTION 3. Part 2 of Proposition M (November 1986) and the Planning Code are hereby amended by adding Section 324.1 to read as follows:

SEC. 324.1. DEVELOPMENT IN HUNTERS POINT SHIPYARD PHASE 2 AND CANDLESTICK POINT.

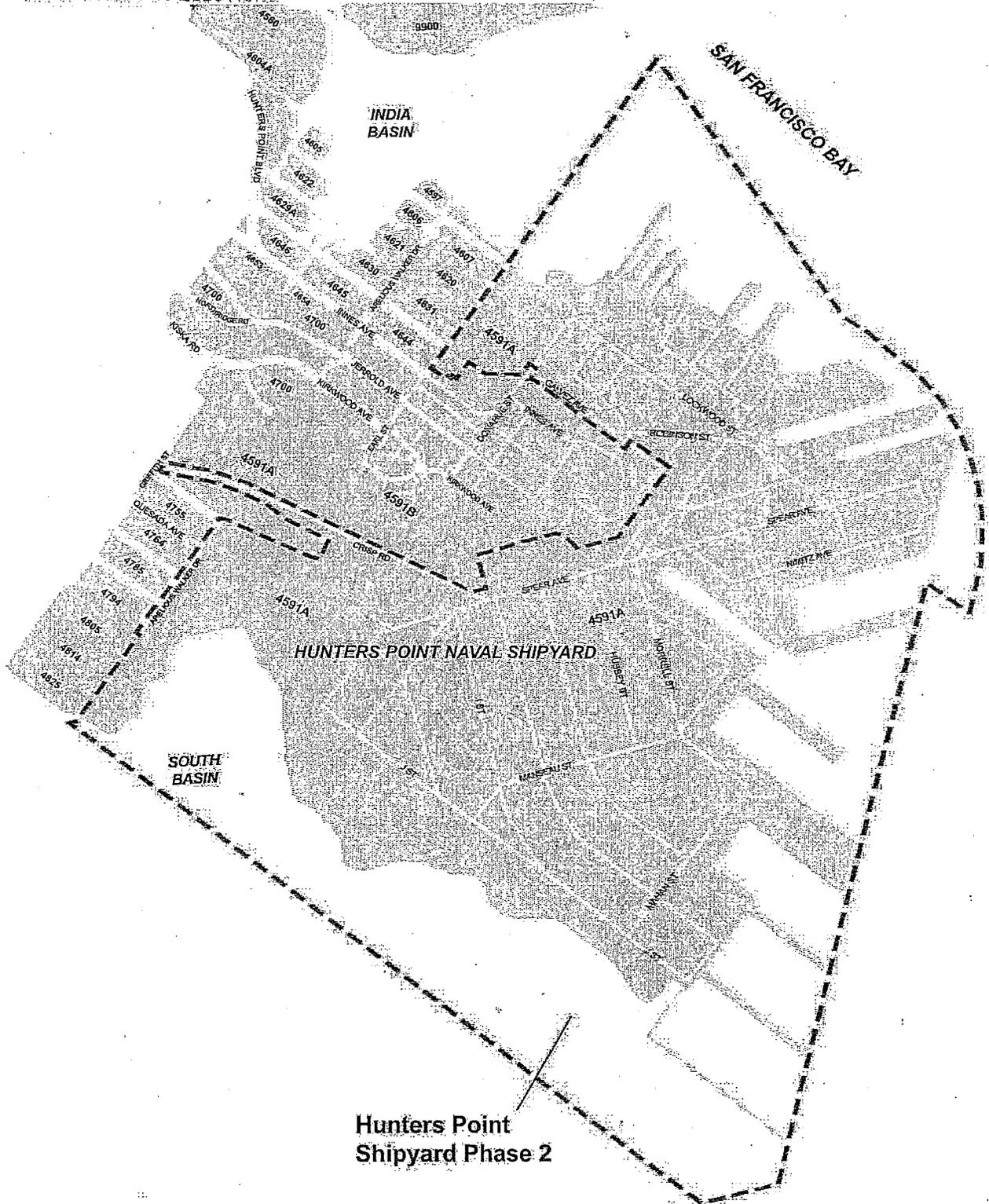
(a) For purposes of this Section 324.1, "Development" includes, without limitation, development, redevelopment, reuse and reoccupancy; and the "Subject Property" is comprised of property within the dotted lines depicted on the following maps:

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(b) Notwithstanding Part 2 – Annual Limit of Proposition M (November 1986) and other provisions of any San Francisco Code, the terms “office development,” “office space,” and “additional office space,” when used in Sections 320-325 of this Planning Code, shall not include Development on the Subject Property.

(c) No project authorization or allocation shall be required for any Development on the Subject Property. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation.

(d) Development on the Subject Property shall not affect the annual limit or the unallocated amount referenced in Sections 320-324. The amount of office development for which project authorizations may be granted under Sections 320-324 on properties other than the Subject Property shall be determined without regard to the amount of Development on the Subject Property.

SECTION 4. Section 325 of Proposition M (1986) and the Planning Code are hereby amended to read as follows:

SEC. 325. SUNSET CLAUSE.

The limit on office development set out in Planning Code Sections 320, 321, 322, 323, and 324 and 324.1, as of October 17, 1985, as amended by the voters on November 4, 1986 and November 8, 2016, shall remain in effect until amended or repealed by the voters of San Francisco at a regularly scheduled election.

SECTION 5. Declaration of Policy.

The following declaration of policy is approved by the voters as specified in San Francisco Charter Section 14.101:

It shall be the policy of the City and County of San Francisco that applications for Development on the Subject Property shall be processed and decided as quickly as feasible, in implementation of the voters' strong desire and intent that Development on the Subject Property be expedited.

SECTION 6. Interpretation.

This Initiative shall not be interpreted to exempt any development on the Subject Property from paying any fees that such development would otherwise be required to pay but for the adoption of this Initiative.

This Initiative (including the definitions in new Section 321.4) shall not be interpreted to affect the application of Planning Code Sections 321-324 to any property other than the Subject Property.

This Initiative shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented in a manner that facilitates the purposes set forth in this Initiative. The title of this Initiative and the captions preceding the sections of this Initiative are for convenience of reference only. Such title and captions shall not define or limit the scope or purpose of any provision of this Initiative. The use of the terms “including,” “such as” or words of similar import when following any general term, statement or matter shall not be construed to limit such term, statement or matter to the specific items or matters, whether or not language of non-limitation is used. Rather, such terms shall be deemed to refer to all other items or matters that could reasonably fall within the broadest possible scope of such statement, term or matter. The use of the term “or” shall be construed to mean and/or.

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This Initiative proposes to add text and maps to the referenced sections of Proposition M (November 1986) and the Planning Code. The new text is indicated above with **bold, underlined text**, and deleted text is shown in **~~bold-strikeout text~~**. The voters intend to enact only the boundaries shown on the maps included in Section 321.4, and do not enact any other aspects of those maps.

To allow the amendments to be read in context, the following exhibits are attached:

- Exhibit A The text of Sections 320 through 325 of the San Francisco Planning Code, as they exist on May 1, 2016
- Exhibit B The text of Proposition M (November 1986)
- Exhibit C A map demonstrating the location of the Subject Property within the City & County of San Francisco.

These exhibits are attached for informational purposes only, and not enacted by this Initiative. The amendments enacted by this Initiative are those set forth in Sections 3 and 4 of this Initiative.

SECTION 7. Severability.

If any provision of this Initiative, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Initiative are severable. The voters declare that this Initiative, and each word, phrase, sentence, section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any other provision or provisions is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we, the People of the City and County of San Francisco, indicate our strong desire that: (i) the Board of Supervisors use its best efforts to sustain and provide for the re-enactment of that portion, and (ii) the Board of Supervisors implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including, if necessary, taking the appropriate steps to provide for the adoption or re-enactment of any such portion in a manner consistent with the intent of this Initiative.

SECTION 8. Conflicting Ballot Measures.

In the event that this Initiative and another measure or measures relating to the development of office space on Hunters Point Shipyard Phase 2 or Candlestick Point shall appear on the same municipal election ballot, the provisions of such other measures shall be deemed to be in conflict with this Initiative. In the event that this Initiative shall receive a greater number of affirmative votes, the provisions of this Initiative shall prevail in their entirety and each and every provision of the other measure or measures shall be null and void in their entirety. In the event that the other measure or measures shall receive a greater number of affirmative votes, the provisions of this Initiative shall take effect to the extent permitted by law. If this Initiative is approved by the voters but superseded by law in whole or in part by any other conflicting initiative approved by the voters at the same election, and such conflicting initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

SECTION 9. Effective Date.

In accordance with the provisions of Municipal Elections Code § 380 and California Elections Code § 9217, if a majority of the voters vote in favor of the Initiative, the Initiative shall go into effect ten days after the official vote count is declared by the Board of Supervisors.

SECTION 10. Amendment.

Clerical actions may be taken by staff of the City and County of San Francisco to relocate the maps enacted by this Initiative to a location other than within Section 324.1 of the Planning Code, and to note in Section 324.1 where such maps may be found, provided that doing so effects no substantive change to this Initiative. Pursuant to Municipal Elections Code § 390 and California Elections Code § 9217 no other provision of this Initiative may be amended except by a vote of the People.

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DEPARTMENT OF ELECTIONS

EXHIBIT A (FOR INFORMATIONAL PURPOSES ONLY)

San Francisco Planning Code §§ 320-325

SEC. 320. OFFICE DEVELOPMENT: DEFINITIONS.

When used in Sections 320, 321, 322 and 323, the following terms shall each have the meaning indicated. See also Section 102.

- (a) "Additional office space" shall mean the number of square feet of gross floor area of office space created by an office development, reduced, in the case of a modification or conversion, by the number of square feet of gross floor area of preexisting office space which is lost.
- (b) "Approval period" shall mean the 12-month period beginning on October 17, 1985 and each subsequent 12-month period.
- (c) "Approve" shall mean to approve issuance of a project authorization and shall include actions of the Planning Commission, Board of Appeals and Board of Supervisors.
- (d) "Completion" shall mean the first issuance of a temporary certificate of occupancy or a Certificate of Final Completion and Occupancy as defined in San Francisco Building Code Section 307.
- (e) "Disapprove" shall mean for an appellate administrative agency or court, on review of an office development, to direct that construction shall not proceed, in whole or in part.
- (f) "Office space" shall mean space within a structure intended or primarily suitable for occupancy by persons or entities which perform for their own benefit or provide to others services at that location, including but not limited to professional, banking, insurance, management, consulting, technical, sales and design, or the office functions of manufacturing and warehousing businesses, but shall exclude the following: Retail use; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; wholesale shipping, receiving and storage; any facility, other than physicians' or other individuals' offices and uses accessory thereto, customarily used for furnishing medical services, and design showcases or any other space intended and primarily suitable for display of goods. This definition shall include all uses encompassed within Section 102 of this Code.
- (g) "Office development" shall mean construction, modification or conversion of any structure or structures or portion of any structure or structures, with the effect of creating additional office space, excepting only:
 - (1) Development which will result in less than 25,000 square feet of additional office space;
 - (2) Development either:
 - (i) Authorized under San Francisco Redevelopment Agency disposition or owner participation agreements which have been approved by Agency resolution prior to the effective date of this Section, or
 - (ii) Authorized prior to the effective date of this Section by Agency resolution in anticipation of such agreements with particular developers identified in the same or a subsequent agency resolution;
 - (3) Any development which is governed by prior law under Section 175.1(b) of this Code, unless modified after the effective date specified in Section 175.1(b) to add more than 15,000 square feet of additional office space. Any addition of office space up to 15,000 square feet shall count against the maximum for the approval period, pursuant to Section 321(a)(2)(B);
 - (4) Any development including conversion of 50,000 square feet or more of manufacturing space to office space where the manufacturing uses previously located in such space are relocated to another site within the City and County of San Francisco and the acquisition or renovation of the new manufacturing site is funded in whole or part by an Urban Development Action Grant approved by the Board of Supervisors;
 - (5) Any mixed-residential-commercial development which will be assisted by Community Development Block Grant funds approved by the Board of Supervisors in which all of the housing units shall be affordable to low-income households for a minimum of 40 years and for which an environmental review application and site permit application have been filed prior to the effective date of this ordinance which enacted the provisions of this Section;
 - (6) Any development authorized pursuant to a Planned Unit Development, as provided for by City Planning Code Section 304, providing for a total of 500 or more additional units of housing, provided such development first received a Planned Unit Development authorization prior to November 4, 1986. Such Planned Unit Development may be amended from time to time by the Planning Commission, but in no event shall any such amendment increase the amount of office space allowed for the development beyond the amount approved by the Planning Commission prior to November 4, 1986.
- (h) "Project authorization" shall mean the authorization issued by the Planning Department pursuant to Sections 321 and 322 of this Code.
- (i) "Replacement office space" shall mean, with respect to a development exempted by Subsection (g)(6) of this Section, that portion of the additional office space which does not represent a net addition to the amount of office space used by the occupant's employees in San Francisco.
- (j) "Retail Use" shall mean supply of commodities on the premises including, but not limited to, stores, shops, Restaurants, Bars, eating and drinking businesses, and Retail Sales and Services uses defined in Planning Code Section 102, except for Hotels and Motels.
- (k) "Preexisting office space" shall mean office space used primarily and continuously for office use and not accessory to any use other than office use for five years prior to Planning Commission approval of an office development project which office use was fully legal under the terms of San Francisco law.

SEC. 321. OFFICE DEVELOPMENT: ANNUAL LIMIT.

(a) Limit.

- (1) No office development may be approved during any approval period if the additional office space in that office development, when added to the additional office space in all other office developments previously approved during that approval period, would exceed 950,000 square feet or any lesser amount resulting from the application of Section 321.1. To the extent the total square footage allowed in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period.
- (2) The following amounts of additional office space shall count against the maximum set in Subsection (a)(1):
 - (A) All additional office space in structures for which the first building or site permit is approved for issuance during the approval period and which will be located on land under the jurisdiction of the San Francisco Port Commission or under the jurisdiction of the San Francisco Redevelopment Agency; provided, however, that no account shall be taken of structures which are exempt under Section 320(g)(2);
 - (B) The amount of added additional office space approved after the effective date of this ordinance in structures which are exempt under Section 320(g)(3);
 - (C) All additional office space in structures owned or otherwise under the jurisdiction of the State of California, the federal government or any State, federal or regional government agency, which structures are found to be otherwise exempt from this Section 321 or Section 322 by force of other applicable law;
 - (D) All additional office space in structures exempt under Section 320(g)(4) or 320(g)(6) or the last sentence of Section 175.1(b), or which satisfy the substantive terms of either of said exemptions but for which the first building or site permit is authorized or conditional use or variance approved by the Planning Commission after June 15, 1985 but before the effective date of this ordinance.

The additional office space described in Subsection (a)(2)(A) shall be taken into account with respect to all proposed office developments which are considered after the first site or building permit is approved for issuance for the described project. The additional office space described in Subsections (a)(2)(B) and (a)(2)(D) shall be taken into account with respect to all proposed office developments which are considered during the approval period and after the project or the added additional office space is first authorized or a conditional use or variance approved by the Planning Commission. The

additional office space described in Subsection (a)(2)(C) shall be taken into account with respect to all proposed office developments which are considered during the approval period and after commencement of construction of the described structures. Modification, appeal or disapproval of a project described in this Section shall affect the amount of office space counted under this Section in the time and manner set forth for office developments in Section 321(c).

(3) The Planning Department shall maintain and shall make available for reasonable public inspection a list showing:
(A) All office developments and all projects subject to Section 321(a)(2) for which application has been made for a project authorization or building or site permit and, if applicable, the date(s) of approval and of approval for issuance of any building or site permit;

(B) The total amount of additional office space and, if applicable, replacement office space, approved with respect to each listed development;
(C) Approved office developments (i) which are subsequently disapproved on appeal; (ii) the permit for which expires or is cancelled or revoked pursuant to Subsection (d)(1) of this Section; or (iii) the approval of which is revoked pursuant to Subsection (d)(2) of this Section; and

(D) Such other information as the Department may determine is appropriate.
(4) Not less than six months before the last date of the approval period, the Planning Department shall submit to the Board of Supervisors a written report, which report shall contain the Planning Commission's recommendation with respect to whether, based on the effects of the limitation imposed by this Section on economic growth and job opportunities in the City, the availability of housing and transportation services to support additional office development in the City, office vacancy and rental rates, and such other factors as the Commission shall deem relevant, there should continue to be a quantitative limit on additional office space after the approval period, and as to what amount of additional office space should be permitted under any such limit.

(5) Every holder of a site permit issued on or after July 1, 1982 for any office development, as defined in Section 320(g) without regard to Subsections (g)(2) through (g)(5), shall provide to the Planning Commission reports containing data and information with respect to the following:

(A) Number of persons hired for employment either in construction of the development or, to the extent such information is available to the permittee, by users of the completed building;

(B) The age, sex, race and residence, by City, of each such person;

(C) Compensation of such persons, classified in \$5,000 increments, commencing with annualized compensation of \$10,000;

(D) The means by which each such person most frequently travels to and from the place of employment.

Such reports shall commence on October 1, 1985 and continue quarterly thereafter during the approved period. A report containing information by quarter for the period between July 1, 1982 and the effective date of the ordinance shall be submitted not later than December 31, 1985. The Planning Commission shall have full access to all books, records and documents utilized by any project sponsor in preparation of the written reports referred to above, and shall inspect such books, records and documents from time to time for purposes of authenticating information contained in such reports.

(b) Guidelines.

(1) During the approval period, the Planning Commission, and the Board of Supervisors and Board of Appeals on appeal from the Planning Commission shall approve, within the allowable limit, subject to Subsection (b)(2) of this Section, only those office developments which they shall determine in particular promote the public welfare, convenience and necessity, and shall be empowered under this Section to disapprove the remainder. The Planning Department shall issue to office developments so approved, in accord with Sections 320 through 323 of this Code, a project authorization.

(2) The following proposed office developments, subject to all other applicable sections of this Code and other applicable law, shall be approved under this Section in preference to all others:

(A) All proposed developments to the extent approval is required by court order, and, thereafter,

(B) Subject to Subsection (a)(1) of this Section, all proposed office developments which were approved by the Planning Commission during the approval period, but subsequently disapproved by any administrative appellate body or court, if and when said disapproval is later reversed.

(3) In determining which office developments best promote the public welfare, convenience and necessity, the Board of Supervisors, Board of Appeals and Planning Commission shall consider:

(A) Apportionment of office space over the course of the approval period in order to maintain a balance between economic growth, on the one hand, and housing, transportation and public services, on the other;

(B) The contribution of the office development to, and its effects on, the objectives and policies of the General Plan;

(C) The quality of the design of the proposed office development;

(D) The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location;

(E) The anticipated uses of the proposed office development, in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses;

(F) The extent to which the proposed development will be owned or occupied by a single entity;

(G) The use, if any, of TDR by the project sponsor.

Payments, other than those provided for under applicable ordinances, which may be made to a transit or housing fund of the City, shall not be considered.

(4) Reserve for Smaller Buildings. In each approval period at least 75,000 square feet of office development shall be reserved for buildings between 25,000 and 49,999 square feet in gross floor area of office development. To the extent the total square footage allowed under this Subsection in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period and added only to the Reserve for Smaller Buildings.

(5) With respect to any office development which shall come before the Board of Supervisors for conditional use review, that Board shall consider, in addition to those criteria made applicable by other provisions of law, the criteria specified in Subsection (b)(3). As to any such office development, the decision of the Board of Supervisors with respect to the criteria specified in Subsection (b)(3) shall be a final administrative determination and shall not be reconsidered by the Planning Commission or Board of Appeals.

(6) The Planning Commission shall establish procedures for coordinating review of project authorization applications under Section 322 with review under Section 309 of this Code. The Commission may hold hearings under Sections 309 and 322 in such sequence as it may deem appropriate, but may not issue any project authorization until the requirements of Section 309 have been satisfied.

(c) Appeal and Modification.

(1) If an approved office development is disapproved, or if a previously unapproved office development is approved, by a court or appellate agency, the list described in Subsection (a)(3) of this Section shall be revised accordingly at the time that the period for rehearing before the appellate body in question shall have lapsed. Approval on appeal of any office development, if conditioned on disapproval of another office development which was previously approved, shall not be effective before the time for rehearing with respect to the disapproval shall have lapsed.

(2) The amount of additional office space of any development shall not count against the maximum for the approval period, beginning from the time the office development loses its approved status on the Planning Department list under Subsection (c)(1), provided, however, that if a decision disapproving an office development permits construction of a part of the project, the permitted additional office space only shall continue to count against the maximum, unless and until all building or site permits for the development expire or are cancelled, revoked or withdrawn.

(3) Any modification of an approved office development, including, without limitation, modification by a court or administrative appellate agency, shall be governed by this Subsection, subject, in the case of a court order, to Subsection (b)(2)(A).

(A) Any office development which is modified for any reason after it is first approved so as to increase its amount of additional office space shall lose its approved status on the list described in Subsection (a)(3) at the time such modification is approved, and may be approved as modified only subject to the limits of Subsection (a)(1). Such a modified development shall not be constructed or carried out based on its initial approval. Approval on appeal of such a modified development, if approval would violate the maximum set forth in Subsection (a)(1) of this Section but for disapproval of another previously approved office development, shall not be effective, nor grounds for reliance, until the time for rehearing with respect to the disapproval shall have lapsed.

(B) An approved office development may be modified so as to reduce the amount of additional office space, subject to all authorizations otherwise required by the City. No additional office space shall become available for any other development during the approval period on account of such a modification, unless the modification is required by any appellate administrative agency or a court, in which case additional office space shall become available when the time for rehearing has lapsed.

(d) **Unbuilt Projects; Progress Requirement.**

(1) The maximum amount of additional office space for the approval period shall be increased by the amount of such space included in office developments which were previously approved during the period but for which during such period an issued site or building permit has been finally cancelled or revoked, or has expired, with the irrevocable effect of preventing construction of the office development.

(2) Construction of an office development shall commence within 18 months of the date the project is first approved, or, in the case of development in the C-3-O(SD) District the development shall commence within three (3) years. Notwithstanding the above provision, office projects larger than 500,000 gross square feet in the C-3-O(SD) District shall commence construction within five (5) years. Failure to begin work within that period, or thereafter to carry the development diligently to completion, shall be grounds to revoke approval of the office development. Neither the Department of Building Inspection nor the Board of Appeals shall grant any extension of time inconsistent with the requirements of this Subsection (d)(2).

(3) The Department of Building Inspection shall notify the Planning Department in writing of its approval for issuance and issuance of a site or building permit for any office development, and for any development under the jurisdiction of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco or the Port Commission subject to Section 321(a)(2), and of the revocation, cancellation, or expiration of any such permit.

(e) **Rules and Regulations.** The Planning Commission shall have authority to adopt such rules and regulations as it may determine are appropriate to carry out the purposes and provisions of this Section and Sections 320, 322 and 323.

SEC. 321.1. ANNUAL LIMIT ADJUSTMENT.

(a) It is the intention of the people of San Francisco that the annual limit on office development be reduced to account for the square footage resulting from the excessive number of building, alteration and site permits that were issued after November 29, 1984, the date the Planning Commission amended the General Plan to include the Downtown Plan.

(b) Not later than January 1, 1987 and January 1st of each subsequent year, the Planning Department shall survey the records of the Central Permit Bureau and any other necessary records to develop a list of the square footage of all office development projects for which building, alteration or site permits were issued after November 29, 1984 that have not lapsed or otherwise been revoked, and all office development projects reapproved by the City, the Successor Agency to the Redevelopment Agency of the City and County of San Francisco or the San Francisco Port Commission after November 29, 1984. Reapproval specifically includes any project reconsidered by any agency pursuant to a Court decision. This process shall continue until the Department is able to certify that all projects with approval dates on or before November 4, 1986 have received permits, have been abandoned or are no longer subject to litigation challenging their approval. Notwithstanding any other provision of the Planning Code or the former provisions of Subsection 320(g), all projects in excess of 24,999 square feet of additional office space shall be included in the survey. The list shall not include permits for projects authorized pursuant to the office development competition set out in Subsection 321(b) and Section 322.

(c) Not later than February 1, 1987 and February 1st of each subsequent year as set out above, the Department shall certify in writing to the Planning Commission at a public hearing the list of all projects enumerated in Subsection (b) above, including the square footage of each project and the total of all such projects.

(d) Within 30 days of receipt of the Department's certification, the Commission shall reduce the 950,000 square foot annual limit established in Subsection 321(a)(1) by 475,000 square feet per approval period until the amount of square footage remaining on the Department's list is reduced to zero.

(e) If the City has authorized more than 475,000 square feet as part of the office development competition set out in Subsection 321(b) and Section 322 prior to November 4, 1986, any amount exceeding 475,000 square feet shall be separately deducted from otherwise allowable square feet calculated pursuant to Subsection (d) above for the approval period and for subsequent approval periods until the total amount of square footage is reduced to zero.

SEC. 321.2. LEGISLATIVE REDUCTION OF ANNUAL LIMIT.

The Board of Supervisors is permitted to reduce the annual limit defined in Subsection 321(a)(1).

SEC. 321.3. VOTER APPROVAL OF EXEMPTIONS OF OFFICE PROJECTS AUTHORIZED BY DEVELOPMENT AGREEMENTS.

Any office development approved pursuant to a development agreement under Government Code Section 65865 or any successor Section may only be exempted from the annual limit set forth in Subsection 321(a)(1) after the exemption for such office development has been approved by the voters at a regularly scheduled election.

SEC. 322. PROCEDURE FOR ADMINISTRATION OF OFFICE DEVELOPMENT LIMIT.

(a) **Project Authorization Required.** During the approval period, every site or building permit application for an office development must, before final action on the permit, include a copy of a project authorization for such office development, certified as accurate by the Planning Department. No such application shall be considered complete and the Department of Building Inspection shall not issue any such site or building permit unless such a certified copy is submitted. No site or building permit shall be issued for an office development except in accordance with the terms of the project authorization for such office development. Any such site or building permit which is inconsistent with the project authorization shall be invalid.

(b) **Application for Project Authorization.** During the approval period, an applicant for approval of an office development shall file an application for a project authorization with the Planning Department contemporaneously with the filing of an application for environmental evaluation for such development. Such application shall state such information as the Planning Department shall require, provided, however, that an application for a project authorization for each office development for which an environmental evaluation application has been filed prior to the effective date of this Section, shall be deemed to have been filed effective as of the date such environmental evaluation application was filed.

(c) **Processing of Applications.**

(1) The approval period shall be divided into such review periods as the Planning Commission shall provide by rule. The first review period shall commence on the effective date.

(2) Applications for project authorizations shall be considered by the Planning Commission during a specific review period in accordance with the following procedures:

(A) During a specific review period the Planning Commission shall consider all project authorization applications for which, prior to the first day of

such review period, a final Environmental Impact Report has been certified, or a final Negative Declaration has been issued, or other appropriate environmental review has been completed; provided, however, that during the first review period, the Planning Commission shall consider only those office developments for which (i) an environmental evaluation application and a site or building permit application were submitted prior to June 1, 1985, or (ii) a draft environmental impact report or a preliminary negative declaration was published prior to the effective date.

(B) The Planning Commission may hold hearings on all project authorization applications assigned to a specific review period before acting on any such application.

(C) In reviewing project authorization applications, the Planning Commission shall apply the criteria set forth in Section 321, and shall, prior to the end of such a review period, approve, deny, or, with the consent of the applicant, continue to the next subsequent review period each such application based on said criteria.

(D) Notwithstanding any other provisions of this Section or Section 321, the Planning Commission may at any time, after a noticed hearing, deny or take other appropriate action with respect to any application for a project authorization as to which environmental review, in the judgment of the Commission, has not been or will not be completed in sufficient time to allow timely action under applicable law.

(E) Any project authorization application which is denied by the Planning Commission, unless such denial is reversed by the Board of Appeals or Board of Supervisors, shall not be resubmitted for a period of one year after denial.

(d) **Appeal of Project Authorization.** The Planning Commission's determination to approve or deny the issuance of a project authorization may be appealed to the Board of Appeals within 15 days of the Commission's issuance of a dated written decision pursuant to the procedural provisions of Section 308.2 of this Code, except in those instances where a conditional use application was filed. In cases in which a conditional use application was filed, the decision of the Planning Commission may be appealed only to the Board of Supervisors pursuant to Section 308.1 of this Code. The decision on the project authorization by the Board of Appeals or Board of Supervisors shall be the final administrative determination as to all matters relating to the approval of the office development that is the subject of the project authorization, except for matters, not considered in connection with the project authorization, which arise in connection with a subsequent building or site permit application for the development in question.

(e) **Modification of Project Authorization.** The Planning Commission may approve a modified project authorization, after a noticed hearing, during the review period in which the initial project authorization was approved or a subsequent review period. Approval or denial of a modified project authorization shall be subject to appeal in accord with Subsection (d).

(f) **No Right to Construct Conveyed.** Neither approval nor issuance of a project authorization shall convey any right to proceed with construction of an office development, nor any right to approval or issuance of a site or building permit or any other license, permit, approval or authorization which may be required in connection with said office development.

SEC. 323. OFFICE DEVELOPMENT: PREAPPLICATION PROCEDURE.

The Planning Commission may by rule permit such persons as elect to do so, to submit a preliminary application on a proposed office development before submitting any application for a project authorization. Such a preliminary application shall contain such information as the Commission may require. With respect to each proposed office development for which all the information required by the Planning Department is timely submitted to the Department, the Director of Planning or his designee shall, in writing, issue an advisory opinion to the person submitting such information, as to whether he or she at that time intends to recommend, based on the information submitted to him or her, the proposed development for denial by the Planning Commission. The advice and recommendation of the Director shall neither convey, nor foreclose, any right to proceed with a project authorization application or the development and shall constitute neither approval nor denial of the development. The Director's recommendations under this Section shall be governed by Section 321(b) of this Code.

SEC. 324. FINDINGS.

(a) The Board of Supervisors declares that it is the policy of the City and County of San Francisco to:

- (1) Provide a quality living and working environment for residents and workers;
- (2) Foster the diversified development of the City, providing a variety of economic and job opportunities;
- (3) Maintain a balance between economic growth, on the one hand, and housing, transportation and public services in general, on the other, and encourage a rate of growth consistent with transportation and housing capacity;
- (4) Prevent undesirable effects of development on local air quality and other environmental resources; and
- (5) Encourage development projects of superior design, optimum location and other desirable characteristics.

(b) In recent years, office development in the City has increased dramatically. Office development has already affected housing, transportation and parking capacities.

(c) The City has only limited legal authority to direct or control physical development, whether for office use or not, on land covered by approved redevelopment plans or under the jurisdiction of the Port Commission.

(d) There are competing legitimate public interests which must be balanced in the planning process. Environmental concerns are of great importance, but must be balanced against the need for continued, healthy economic growth and job creation, maintenance of municipal revenues for the provision of social services, effective preservation of historic buildings and other considerations.

(e) Based on developments proposed to date, general economic conditions affecting San Francisco, and the trend in recent years of an increasing rate of office development, it is likely that excessive office development will come before City agencies for authorization and approval during the years 1985 through 1988, and possible that excessive development would continue thereafter. It is therefore appropriate to approve during the three years after adoption of this ordinance only particular, proposed developments which serve the public interest, convenience and necessity, and to similarly limit approvals for further periods to the extent excessive development might otherwise continue to occur.

(f) Sections 320 through 324 of this ordinance are intended to further the policies noted in Subsection (a) and to aid in responding to the effects noted in Subsection (b), with due regard to the factors set forth in Subsections (c) and (d), by authorizing more effective regulation of the rate, distribution, type and quality of office development in the City and County of San Francisco. Control of office development will afford additional time to analyze and meet its effects.

SEC. 325. SUNSET CLAUSE.

The limit on office development set out in Planning Code Sections 320, 321, 322, 323 and 324 as of October 17, 1985, as amended by the voters on November 4, 1986, shall remain in effect until amended or repealed by the voters of San Francisco at a regularly scheduled election.

DEPARTMENT OF ELECTIONS

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EXHIBIT B (FOR INFORMATIONAL PURPOSES ONLY)
Text of Proposition M (November 1986)

PART I—MASTER PLAN

Be it ordained by the people of the City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding section 101.1 as follows:

SECTION 101.1. MASTER PLAN CONSISTENCY AND IMPLEMENTATION.

(a) The Master Plan shall be an integrated, internally consistent and compatible statement of policies for San Francisco. To fulfill this requirement, after extensive public participation and hearings, the City Planning Commission shall in one action amend the Master Plan by January 1, 1988.

(b) The following Priority Policies are hereby established. They shall be included in the preamble to the Master Plan and shall be the basis upon which inconsistencies in the Master Plan are resolved:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3. That the City's supply of affordable housing be preserved and enhanced;
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;
7. That landmarks and historic buildings be preserved; and,
8. That our parks and open space and their access to sunlight and vistas be protected from development.

(c) The City may not adopt any zoning ordinance or development agreement authorized pursuant to Government Code Section 65865 after November 4, 1986, unless prior to that adoption it has specifically found that the ordinance or development agreement is consistent with the Priority Policies established above.

(d) The City may not adopt any zoning ordinance or development agreement authorized pursuant to Government Code Section 65865 after January 1, 1988, unless prior to that adoption it has specifically found that the ordinance or development agreement is consistent with the City's Master Plan.

(e) Prior to issuing a permit for any project or adopting any legislation which requires an initial study under the California Environmental Quality Act, and prior to issuing a permit for any demolition, conversion or change of use, and prior to taking any action which requires a finding of consistency with the Master Plan, the City shall find that the proposed project or legislation is consistent with the Priority Policies established above. For any such permit issued or legislation adopted after January 1, 1988 the City shall also find that the project is consistent with the City's Master Plan.

PART 2—ANNUAL LIMIT

Be it ordained by the people of the City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

Subsections 320(b) and 320(g)(1) are amended as follows:

SECTION 320. OFFICE DEVELOPMENT: DEFINITIONS.

(b) "Approval period" shall mean the twelve month period beginning on October 17, 1985 and each subsequent twelve month period.

(g) "Office development" shall mean construction, modification or conversion of any structure or structures or portion of any structure or structures, with the effect of creating additional office space, excepting only:

1. Development which will result in less than 25,000 square feet of additional office space.

Subsection 320(g)(5) is deleted and the existing Subsections renumbered.

Subsection 320(k) is added as follows:

(k) "Preexisting office space" shall mean office space used primarily and continuously for office use and not accessory to any use other than office use for five (5) years prior to Planning Commission approval of an office development project which office use was fully legal under the terms of San Francisco law.

Subsection 321(a)(1) is amended as follows:

SECTION 321. OFFICE DEVELOPMENT: ANNUAL LIMIT.

(a) Limit.

1. No office development may be approved during any approval period if the additional office space in that office development, when added to the additional office space in all other office developments previously approved during that approval period, would exceed 950,000 square feet or any lesser amount resulting from the application of Section 321.1. To the extent the total square footage allowed in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period.

A new Subsection 321(b)(4) is added as follows and existing subsections renumbered:

(4) Reserve for Smaller Buildings. In each approval period at least 75,000 square feet of office development shall be reserved for buildings between 25,000 and 49,999 square feet in gross floor area of office development. To the extent the total square footage allowed under this subsection in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period and added only to the Reserve for Smaller Buildings.

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Section 321.1 is added as follows:

SECTION 321.1. ANNUAL LIMIT ADJUSTMENT.

(a) It is the intention of the people of San Francisco that the annual limit on office development be reduced to account for the square footage resulting from the excessive number of building, alteration and site permits that were issued after November 29, 1984, the date the City Planning Commission amended the Master Plan to include the Downtown Plan.

(b) Not later than January 1, 1987 and January 1 of each subsequent year the Department of City Planning shall survey the records of the Central Permit Bureau and any other necessary records to develop a list of the square footage of all office development projects for which building, alteration or site permits were issued after November 29, 1984 that have not lapsed or otherwise been revoked, and all office development projects reapproved by the City, the Redevelopment Agency or the San Francisco Port Commission after November 29, 1984. Reapproval specifically includes any project reconsidered by any agency pursuant to a Court decision. This process shall continue until the Department is able to certify that all projects with approval dates on or before November 4, 1986 have received permits, have been abandoned or are no longer subject to litigation challenging their approval. Notwithstanding any other provision of the City Planning Code or the former provisions of Subsection 320(g), all projects in excess of 24,999 square feet of additional office space shall be included in the survey. The list shall not include permits for projects authorized pursuant to the office development competition set out in Subsection 321(b) and Section 322.

(c) Not later than February 1, 1987, and February 1 of each subsequent year as set out above, the Department shall certify in writing to the City Planning Commission at a public hearing the list of all projects enumerated in subsection (b) above, including the square footage of each project and the total of all such projects.

(d) Within 30 days of receipt of the Department's certification, the Commission shall reduce the 950,000 square foot annual limit established in Subsection 321(a)(1) by 475,000 square feet per approval period until the amount of square footage remaining on the Department's list is reduced to zero.

(e) If the City has authorized more than 475,000 square feet as part of the office development competition set out in Subsection 321(b) and Section 322 prior to November 4, 1986, any amount exceeding 475,000 square feet shall be separately deducted from otherwise allowable square feet calculated pursuant to subsection (d) above for the approval period and for subsequent approval periods until the total amount of square footage is reduced to zero.

Section 321.2 is added as follows:

SECTION 321.2. LEGISLATIVE REDUCTION OF ANNUAL LIMIT.

(g) The Board of Supervisors is permitted to reduce the annual limit defined in Subsection 321(a)(1).

Section 321.3 is added as follows:

SECTION 321.3. VOTER APPROVAL OF EXEMPTION OF OFFICE PROJECTS AUTHORIZED BY DEVELOPMENT AGREEMENTS.

Any office development approved pursuant to a development agreement under Government Code Section 65865 or any successor section may only be exempted from the annual limit set forth in Subsection 321(a)(1) after the exemption for such office development has been approved by the voters at a regularly scheduled election.

Section 325 is amended as follows:

SECTION 325. SUNSET CLAUSE.

The limit on office development set out in Planning Code sections 320, 321, 322, 323 and 324 as of October 17, 1985, as amended by the voters on November 4, 1986, shall remain in effect until amended or repealed by the voters of San Francisco at a regularly scheduled election.

PART 3—EMPLOYMENT

Be it ordained by the people of the City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

Subsection 164(a) is amended as follows:

SECTION 164. SAN FRANCISCO RESIDENT PLACEMENT AND TRAINING PROGRAM.

(a) The City has determined in its certification of the Downtown Plan Environmental Impact Report and in its findings and studies leading to the adoption of Section 313 of the Planning Code that San Francisco and regional traffic and transit problems will become more intolerable as the number of non-resident employees increases in San Francisco as a result of new office development. In order to mitigate those adverse traffic and transit impacts, while protecting the City's residential areas from unwanted increases in density, the people determine that a policy of maximizing resident employment training and placement opportunities is needed.

Subsections 164(d) and (e) are added as follows:

(d) In order to ensure that the maximum number of San Francisco residents are trained and placed in employment opportunities in our City, the Board of Supervisors shall hold public hearings and not later than January 1, 1988 the City shall adopt legislation to establish a program which will coordinate the job training and placement efforts of the San Francisco Unified School District, the San Francisco Community College District, community-based non-profit employment and training programs, and other agencies from the public and private sectors, to assure maximum use of existing federal, state and local training and placement programs, and to develop such additional training and placement programs as deemed necessary.

(e) Should the Board of Supervisors determine that additional funds are needed for programs established pursuant to subsection (d) above, it shall consider the adoption of a San Francisco Resident Training and Placement Fee of not less than \$1.50 per square foot as a condition of the approval of any application for an office development project proposing the net addition of 50,000 or more gross square feet of office space.

PART 4—SEVERABILITY CLAUSE

If any part of this initiative is held invalid by a court of law, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other parts of the initiative or applications which can be given effect without the invalid part or application hereof and to this end the sections of this initiative are separable.

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**REPORT TO THE BOARD OF SUPERVISORS
ON THE AMENDMENTS TO THE
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN AND THE
BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN**

**(AS UPDATED BY INCLUSION OF THE PLANNING DEPARTMENT'S FINDING
OF GENERAL PLAN CONFORMITY,
ATTACHED AS EXHIBIT B)**

Prepared by:

**The Office of Community Investment and Infrastructure,
as the Successor Agency to the San Francisco Redevelopment Agency**

**April 4, 2017,
as updated May 11, 2017**

**REPORT TO THE BOARD OF SUPERVISORS
ON THE AMENDMENTS TO THE
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN AND THE
BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN**

INTRODUCTION

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”), has prepared this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) on the conforming amendments (“Plan Amendments”) to the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”) (collectively “Redevelopment Plans”).

The Plan Amendments make conforming amendments to the Redevelopment Plans to reflect passage of Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition (“Proposition O”), which was approved by voters on November 8, 2016. Proposition O exempts the Candlestick Point and Hunters Point Shipyard Phase 2 Project (the “Project”) from the office development limitations established by Proposition M, originally enacted by voters in 1986 and implemented by Planning Code Sections 320-325. The Plan Amendments implement Proposition O, which exempts only Zone 1 of the Bayview Hunters Point Redevelopment Project Area (“BVHP Project Area”) and Phase 2 of the Hunters Point Shipyard Redevelopment Project Area (“HPS Project Area”) (collectively, the “Project Areas”) from the office development controls of Planning Code Sections 320-325 (Proposition M). The Plan Amendments do not change the land use controls under the Redevelopment Plans and do not alter the permitted square footage of office development under the Redevelopment Plans.

This Report is prepared pursuant to Section 33457.1 of the California Community Redevelopment Law, Health and Safety Code Sections 33000 *et seq.*, (“CRL”), which delineates the information that the Successor Agency must provide to the Board of Supervisors for its consideration of amendments to a redevelopment plan. Section 33457.1 provides as follows:

“To the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to a redevelopment plan shall contain the findings required by Section 33367 and (2) the reports and information required by Section 33352 shall be prepared and made available to the public prior to the hearing on such amendment.”

Because the scope of the Plan Amendments is minor and technical in nature—conforming the Redevelopment Plans to reflect passage of Proposition O with no changes to allowable land uses or any Project elements—the contents of the Report to the Board are limited, consistent with the

CRL, to the following: the reason for the Plan Amendments; description of the amendments will improve or alleviate blight; proposed method of financing/economic feasibility; the Planning Department's determination regarding conformity of the Plan Amendments to the General Plan (to be incorporated upon receipt); the report on the environmental review required by Section 21151 of the Public Resources Code; and the neighborhood impact report.

DESCRIPTION OF THE PLAN AMENDMENTS

Background

The Board of Supervisors adopted the HPS Plan on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10. On May 23, 2006, the Board of Supervisors amended the BVHP Plan by Ordinance No. 113-06 and on August 3, 2010 by Ordinance No. 210-10. The Redevelopment Plans establish the land use controls for the HPS Project Area and the BVHP Project Area. Maps delineating Candlestick Point and Hunters Point Shipyard Phase 2 are attached as Exhibit A.

The Redevelopment Plans already authorize the development of office, and research and development ("R&D") uses within the Project Areas. Specifically, the HPS Project Area is divided into Phase 1 and Phase 2 subareas and consists of several land use districts. Phase 2 is intended to be developed with a mix of uses including neighborhood-serving retail, businesses, office and residential uses. Section D of the HPS Plan provides that "The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section II.D.5 of the HPS Plan describes application of the office development limitations under Planning Code Sections 320-325 (Proposition M) to office development in the HPS Project Area.

The BVHP Project Area consists of two subareas: Zone 1 (also known as Candlestick Point) and Zone 2. Zone 1 consists of three land use districts and is intended to be developed with a mix of uses, including, residential, retail, parks and open space, and office uses. Section 4.3 of the BVHP Plan provides that "The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section 4.3.16 of the BVHP Plan describes application of the office development limitations under Planning Code Sections 320-325 to office development in Zone 1.

On November 8, 2016, San Francisco voters enacted Proposition O, exempting Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development limitations of Planning Code Sections 320-325. The Redevelopment Plans currently still include references to Planning Code Section 320-325 as these code sections were not deleted by passage of Proposition O since local ballot measures may not amend redevelopment plans.

Purpose of the Plan Amendments

The conforming Plan Amendments would amend the Redevelopment Plans to achieve consistency with Proposition O, providing that Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area shall not be subject to the office development limitation set forth in

Planning Code Sections 320-325 (Proposition M). Specifically, the Plan Amendments specify that Planning Code Section 324.1, which was added by Proposition O in 2016 and contains the exemption from the office limitations of Sections 320-325, shall apply to Zone 1 of the BVHP and Phase 2 of the HPS Project Area as of the effective date of the Plan Amendments. These limits, depending on the pace of growth elsewhere in the City over time, could affect the timing of delivery of office development within the Project. The Plan Amendments will help achieve the Redevelopment Plans' economic goals and objectives by ensuring that the pace of job-generating office development is not interrupted by the office development limitations and the job opportunities and the associated economic and community benefits of the HPS/CP Project can be delivered in a timely manner.

The Plan Amendments will help ensure a reasonable pace of development for the Project that will foster employment and other economic and community benefits as the Project progresses. The Plan Amendments, which only affect the timing of office development, allows the permitted office uses to proceed at a predictable and reliable pace without interruption by the office development limitations. The Plan Amendments increases benefits to the community by continuing the anticipated pace of construction of affordable housing, and providing for the efficient delivery of jobs, parks, open spaces, and community facilities that will serve the community. Further, the timely implementation of the permitted office uses as part of the Redevelopment Plans will facilitate the redevelopment and economic reuse of the Project Areas and correct environmental deficiencies within the Project Areas.

The Plan Amendments do not change the allowable land uses, land use controls, or the amount of permitted office development in the Redevelopment Plans. Rather, as further discussed in this Report, the Plan Amendments will help advance the delivery of jobs and community benefits by allowing development of the Project to proceed at a reasonable pace.

SCOPE OF THE REPORT

In accordance with Section 33457.1 of the CRL, this Report contains only the information required by Section 33352 of the CRL that is warranted by the Plan Amendments. Because the Plan Amendments, as described above, are minor and technical, and are limited to conforming the Redevelopment Plans to Proposition O's exemption of Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development controls of Planning Code Sections 320-325, the contents of this Report are limited to the following:

- Reason for the Plan Amendments (subsection (a) of Section 33352 of the CRL);
- Description of how the Plan Amendments will improve or alleviate blighting conditions (subsection (b) of Section 33352 of the CRL);
- The proposed method of financing the redevelopment of the Project Area as applicable to the Plan Amendments (subsection (e) of Section 33352 of the CRL);
- The Planning Department's determination regarding conformity of the Plan Amendments to the General Plan, as required by Section 4.105 of the San Francisco Charter;

- The report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendments (subsection (k) of Section 33352 of the CRL); and
- The neighborhood impact report (subsection (m) of Section 33352 of the CRL).

Other information that Section 33352 requires to support a new redevelopment plan is not necessary for the conforming Plan Amendments because of their minor and limited scope.

In approving the HPS Plan in 1997 and amending it in 2010, and amending the BVHP Plan in 2006 and 2010, the Board of Supervisors relied on information about the conditions of physical and economic blight within the Project Areas, the need for tax increment financing to carry out redevelopment in the Project Areas, and other factors justifying the establishment and amendment of the Project Areas. The Plan Amendments do not alter the Project Areas' boundaries, change financing limits, or extend the duration of the Redevelopment Plans. Moreover, the Plan Amendments do not change the allowable land uses, land use controls, or the amount of permitted office development in the Redevelopment Plans. The Plan Amendments do not alter the blight and financial determinations made at the time the Project Areas were originally adopted, but rather, provide an effective approach for alleviating blight and promoting the financial feasibility of the Redevelopment Plans.

The Plan Amendments do not contemplate changes in the specific goals, objectives or expenditures of OCII for the Project Areas.

REASON FOR THE PLAN AMENDMENTS

The purpose of the Plan Amendments is to implement Proposition O, which San Francisco voters passed on November 8, 2016, thereby exempting Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development controls of Planning Code Sections 320-325 (Proposition M). The following objectives and goals, as described in Section II of the BVHP Plan and Section 1.2 of the HPS Plan, would be further advanced by the adoption of the Plan Amendments:

- A. Encourage land uses that will foster employment, business, and entrepreneurial opportunities. BVHP Plan, Section II.
- B. Provide for the development of economically vibrant and environmentally sound districts for mixed use, including cultural, educational and arts activities, research, industrial, and training. BVHP Plan, Section II.C. Encourage participation of area residents in the economic development that will occur. HPS Plan, Section 1.2.
- D. Eliminate blighting influences and correcting environmental deficiencies within the Project Area, including, abnormally high vacancies, abandoned, deteriorated and dilapidated buildings, incompatible land uses, depreciated or stagnant property values, and inadequate or deteriorated public improvements, facilities, and utilities. HPS Plan, Section 1.2.
- E. Remove structurally substandard buildings, removing impediments to land development. HPS Plan, Section 1.2.

F. Provide public parks, open space, and other community facilities. BVHP Plan, Section II.

DESCRIPTION OF HOW THE AMENDMENT WILL IMPROVE OR ALLEVIATE BLIGHT

As described in the HPS Plan, the Zone 2 of the HPS Project Area is characterized by conditions of blight. Physical conditions make buildings unsafe to live or work in and the HPS Project Area remains largely vacant and undeveloped. Similarly, the existing conditions of Zone 1 of the BVHP Area contains a mixture of vacant lands, surface parking lots, under-utilized park lands, and blighted industrial properties. The BVHP Project Area is served by inadequate public infrastructure and deficient public facilities, which have a detrimental effect on the neighborhoods within and around Zone 1 of the BVHP Project Area.

The Plan Amendments will alleviate the adverse physical and economic conditions in the Project Areas by ensuring an efficient and reliable pace of development for the substantial job-generating uses within the Project Areas (i.e. the office and research and development uses), strengthening the achievement of a coordinated mixed-use development plan, and improving the economic base of the Project Areas by establishing retail and other commercial functions in the Project Areas communities. In addition, the Plan Amendments will help eliminate blight as the timely implementation of the permitted office uses will improve or alleviate the physical and economic conditions of blight by allowing for a diversity of land uses, including office, residential and large open spaces and parks.

PROPOSED METHOD OF FINANCING / ECONOMIC FEASIBILITY OF AMENDMENT

The Plan Amendments do not propose any new capital expenditures by OCII, involve any new indebtedness or financial obligation of OCII, or change OCII's overall method of financing the redevelopment of the Project Areas. Instead, the Plan Amendments do not change the reliance on private enterprise to finance the Project. OCII will continue, however, to use tax increment financing and funds from all other available sources to carry out its enforceable obligations to pay for the costs of public infrastructure in the Project Areas. The Plan Amendments are expected to accelerate the pace of development which would generate more property taxes and consequently more tax increments than the existing, undeveloped conditions.

REPORT OF THE PLANNING DEPARTMENT

Neither the CRL nor local law requires formal Planning Commission review for redevelopment plan amendments that are consistent with the General Plan. Cal. Health & Safety Code § 33453; San Francisco Administrative Code § 2A.53 (e). The former Redevelopment Agency of the City and County of San Francisco ("Former Agency") entered into a Planning Cooperation Agreement, dated June 3, 2010 for reference purposes, with the Planning Department to define the roles of the parties in the implementation of the Project and to ensure that development of the Project is in accordance with the Redevelopment Plans. Section 5.6 of the Planning Cooperation Agreement specifically provides that:

“[i]n connection with the certification of the Project EIR, the adoption of the Mitigation Measures and approval of the Design for Development, the Planning Commission made General Plan findings as required by the City’s Charter that the Project, as a whole and in its entirety, is consistent with the General Plan and the Planning Principles set forth in Section 101.1 of the Planning Code... This General Plan Consistency Finding is intended to support all future approvals by the City, including the Planning Commission or the Department, that are consistent with the Redevelopments and the Design for Development.”

The Planning Commission’s prior General Plan Consistency Findings, made by Resolution No. 18101 (June 3, 2010), found the Project, on balance, in compliance with the General Plan and Planning Code Section 101.1. On April 5, 2017, the Planning Department determined that the Plan Amendments would not change these findings and therefore, are in conformity with the General Plan and consistent with Planning Code Section 101.1. The April 5, 2017 findings and Planning Commission Motion 18101, June 3, 2010, are attached as Exhibit B.

ENVIRONMENTAL REVIEW

On June 3, 2010, the Commission of the former Redevelopment Agency of the City and County of San Francisco (“Redevelopment Commission”) by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, certified the Final Environmental Impact Report (“FEIR”) under the California Environmental Quality Act (“CEQA”) for the Project. On July 14, 2010, the Board of Supervisors affirmed the Planning Commission’s certification of the FEIR by Resolution No. 347-10 and that various actions related to the Project complied with CEQA. Subsequent to the certification of the FEIR, OCII and the Planning Commission prepared Addenda 1 through 4 to the FEIR analyzing certain Project modifications.

With assistance from the Planning Department, OCII has reviewed the EIR and the Plan Amendments and determined that development resulting from the Plan Amendments require no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15168, 15162, and 15163. All environmental effects of the Plan Amendments have been considered and analyzed in the prior environmental EIR and Addenda Nos. 1 through 4.

NEIGHBORHOOD IMPACT REPORT

The Plan Amendments do not impact or alter the Project’s commitment to provide affordable housing. The Redevelopment Plans provide for the development of 10,500 residential units, approximately one-third which will be offered at below market rates. The process and requirements for the development of approximately 10,500 homes on the Project Site is designed to provide new housing opportunities for households of diverse income, ages, lifestyles and family size. OCII will promote the development of a wide variety of affordable housing including mixed-use development, development of new rental and ownership units and development and rehabilitation of existing rental and ownership units, infill development, and an array of senior housing possibilities. The housing opportunities within the Project Areas address the demand for housing suitable for families, seniors, young adults, and others with special needs. The amount and timing of this development is dependent on the amount and pace of the overall development in the Project.

The Plan Amendments do not change the number of residential units or the amount of affordable housing to be provided. Currently, a portion of the affordable housing project is underway in the Alice Griffith Neighborhood located in Zone 1 of the BVHP Project Area and the completion of 60-unit affordable rental development on Block 49 in the HPS Project Area. The Plan Amendments will not affect the provision of affordable housing in the Project Areas. Moreover, the Plan Amendments will not cause the destruction or removal of housing units from the low- and moderate-income housing market and no persons will be displaced, temporarily or permanently, from dwelling units as a result of the Plan Amendments.

As required under the BVHP Plan, OCII has implemented an Affordable Housing Program that is consistent with the City's Consolidated Housing Plan and the General Plan. Under the CRL, at least 15 percent of all new and substantially rehabilitated dwelling units developed within the BVHP Project Area by private or public entities other than OCII must be available at affordable housing cost to, and occupied by persons and families of extremely low, very low, low, or moderate income. The below market rate housing requirements of the Project exceed those required under the CRL and the City's affordable inclusionary housing laws. The BVHP Plan and HPS Plan require OCII to provide replacement housing, within four (4) years, when dwelling units for low or moderate income persons or families are destroyed or removed. The Plan Amendments do not alter the existing affordable housing obligations currently articulated under the Redevelopment Plans.

The means of financing the low- and moderate-income housing units are tax increment financing, revenue from the sales of public properties within the Project Areas, and development fees. The Plan Amendments do not change OCII's tax increment financing committed to affordable housing.

Exhibit A

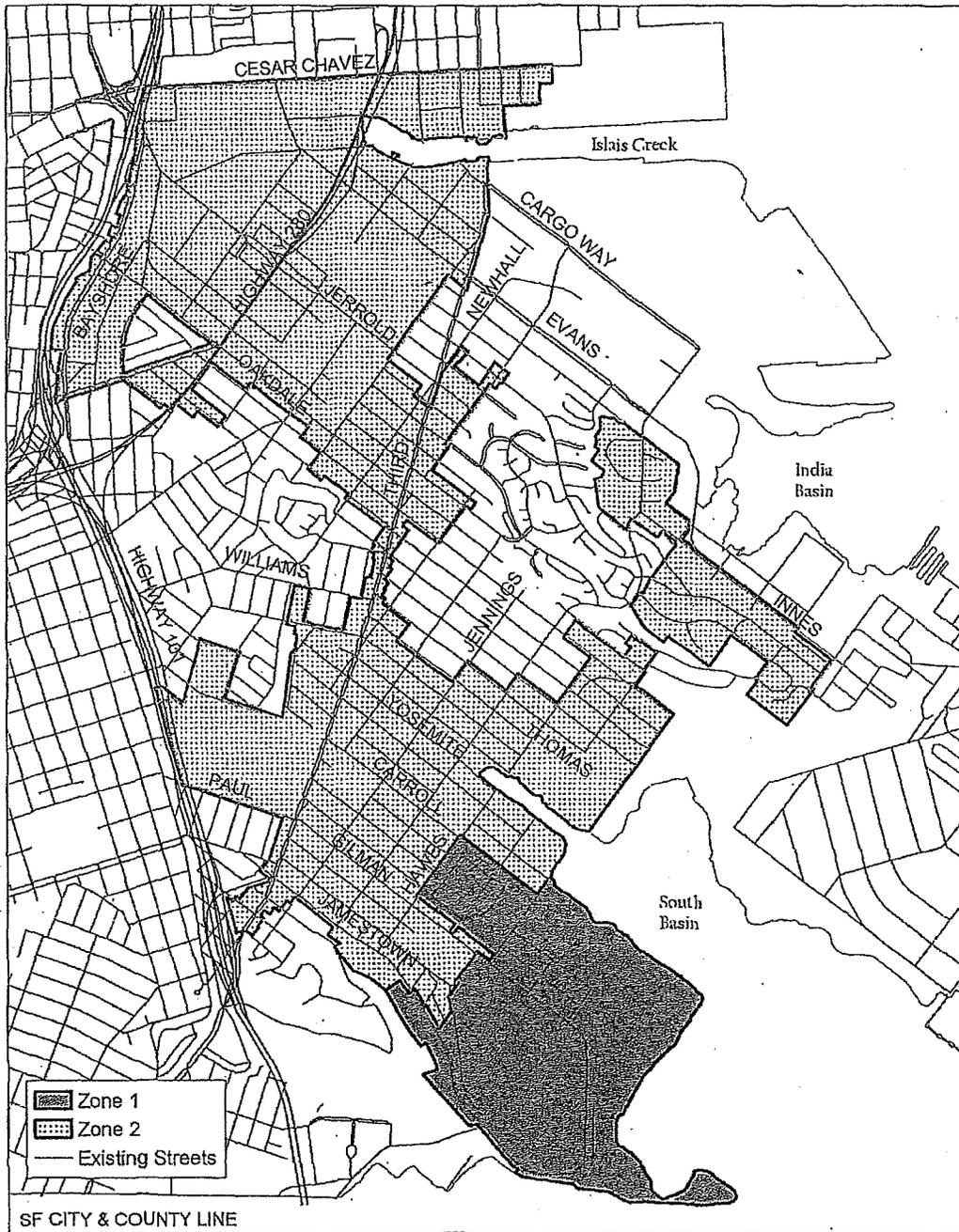
**Map 2: Project Area B Redevelopment Zones,
Bayview Hunters Point Redevelopment Plan**

(delineating Zone 1, Candlestick Point)

**Map 2: Land Use Districts Map,
Hunters Point Shipyard Redevelopment Plan**

(delineating Hunters Point Shipyard Phase 2)

MAP 2 - Project Area B Redevelopment Zones



Map 2: Project Area B Redevelopment Zones Map
 Bayview Hunters Point Redevelopment Plan
 San Francisco Redevelopment Agency
 2010

1,000 500 0 1,000 Feet



Map 2: Land Use Districts Map

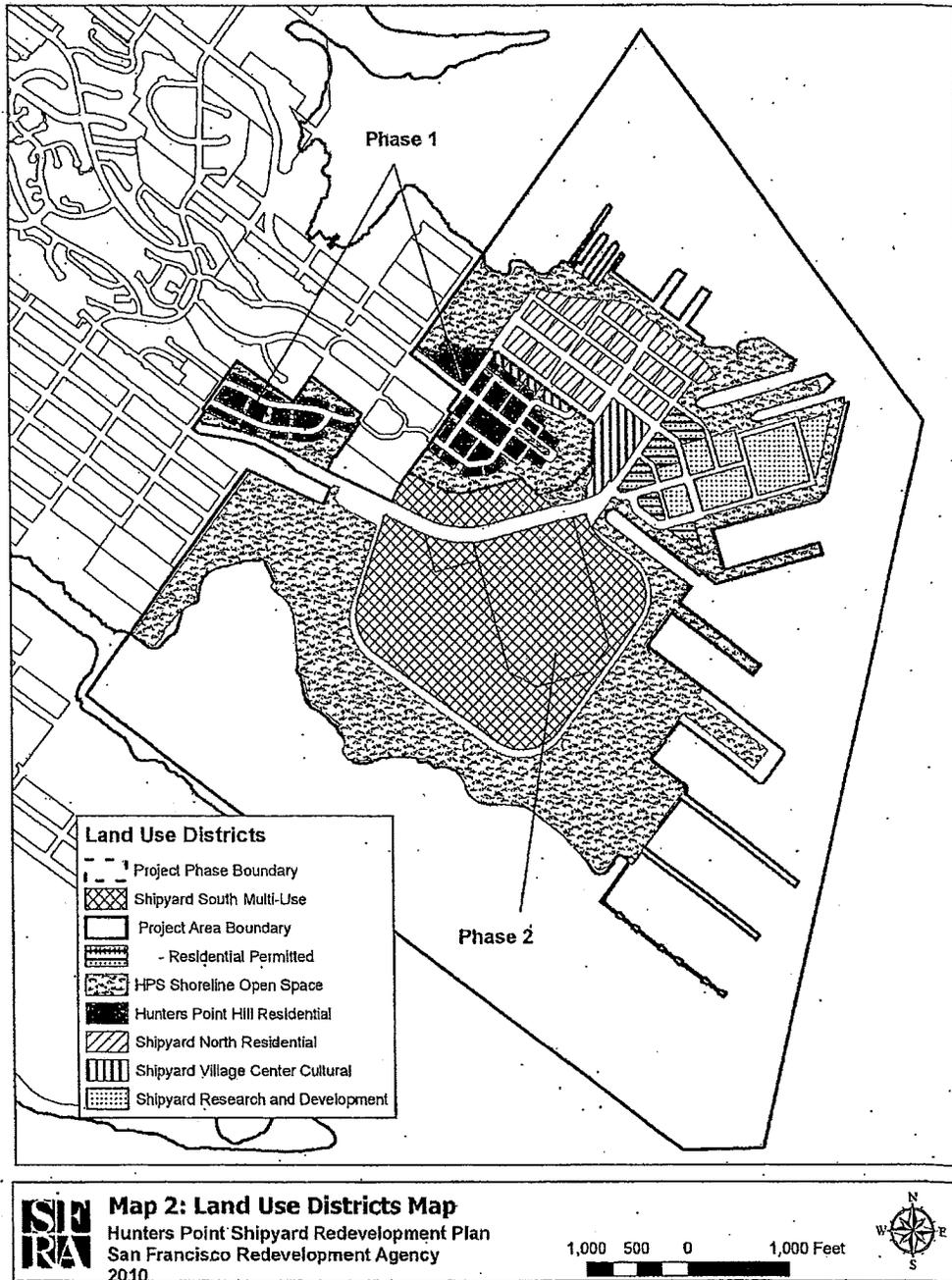


Exhibit B

Planning Department Finding of Conformity, April 5, 2017
(with Attachment D: Planning Commission Motion 18101, June 3, 2010)



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

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Suite 400
San Francisco,
CA 94103-2479

Reception:
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Information:
415.558.6377

Date: April 5, 2017
Case No. 2017-003875GPR
**Hunters Point Shipyard Redevelopment Plan and the
Bayview Hunters Point Redevelopment Plan**

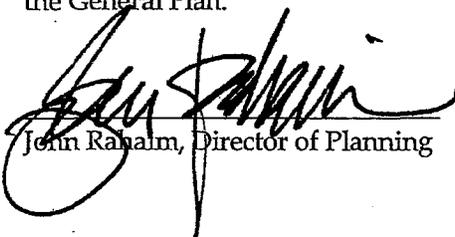
Block/Lot No.: See Attachments A and B, Maps of the Redevelopment Plan
Areas

Project Applicant Nadia Sesay, Interim Executive Director
Office of Community Investment and Infrastructure
One South Van Ness Avenue, Fifth Floor
San Francisco, CA 94103
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Senior Development Specialist
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Staff Contact: Mat Snyder – (415) 575-6891
mathew.snyder@sfgov.org

Recommendation: Finding the project, on balance, is in conformity with
the General Plan.

*Recommended
By:* 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

The project proposes amendments (“Plan Amendments”) to the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”) (collectively, the “Redevelopment Plans”) to implement Proposition O, passed by San Francisco voters on November 8, 2016, which exempts Zone 1 of the Bayview Hunters Point Redevelopment Project Area (“BVHP Project Area”) and Phase 2 of the Hunters Point Shipyard Redevelopment Project Area (“HPS Project Area”) (refer to the attached map) from

the office development limitations of Planning Code Sections 320-325 originally enacted by voters in 1986 (Proposition M). The purpose of the amendments is to reflect passage of Proposition O, which established that Planning Code Sections 320-325 (Proposition M) does not apply to office development within Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area. The Plan Amendments make no changes to the allowable land uses or the amount of permitted office development in the Redevelopment Plans. The actual text of the amendments are attached as Attachment C.

ENVIRONMENTAL REVIEW

On April 3, 2017, the Environmental Planning division of the Department determined the project is not defined as a project under CEQA Guidelines Sections 15060(c) and 15378 because it does not result in a physical change in the environment (Case No. 2017-003875GPR).

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

As noted above, the proposed amendments are to implement Proposition O, and does not contemplate any physical changes to the buildout of Zone 1 of the BVHP Plan Area and HPS Plan Area, as outlined in the current Redevelopment Plans and respective implementing documents, including but not limited to the Design for Development documents, Open Space Plan, Transportation Plan and Sustainability Strategy.

On June 3, 2010, the Planning Commission adopted master General Plan and Planning Code Section 101.1 Findings that found the development projects at Zone 1 of the BVHP Redevelopment Plan (aka Candlestick Point) and the HPS Redevelopment Plan Areas, on balance, in compliance with the General Plan and Planning Code Section 101.1. (Planning Commission Motion No. 18101) The proposed amendments do not change these development projects and would not change these findings and therefore, are also consistent with the General Plan and Planning Code Section 101.1 Motion 18101 and the Master General Plan findings are attached as reference.

Attachments

- A: Map of the Bayview Hunters Point Redevelopment Plan Area (including Zone 1)
- B: Map of the Hunters Point Shipyard Redevelopment Plan Area
- C: Conforming Amendment to the HPS and BVHP Redevelopment Plans to Conform with Proposition O
- D: Planning Commission Motion 18101 and attached Master General Plan Findings

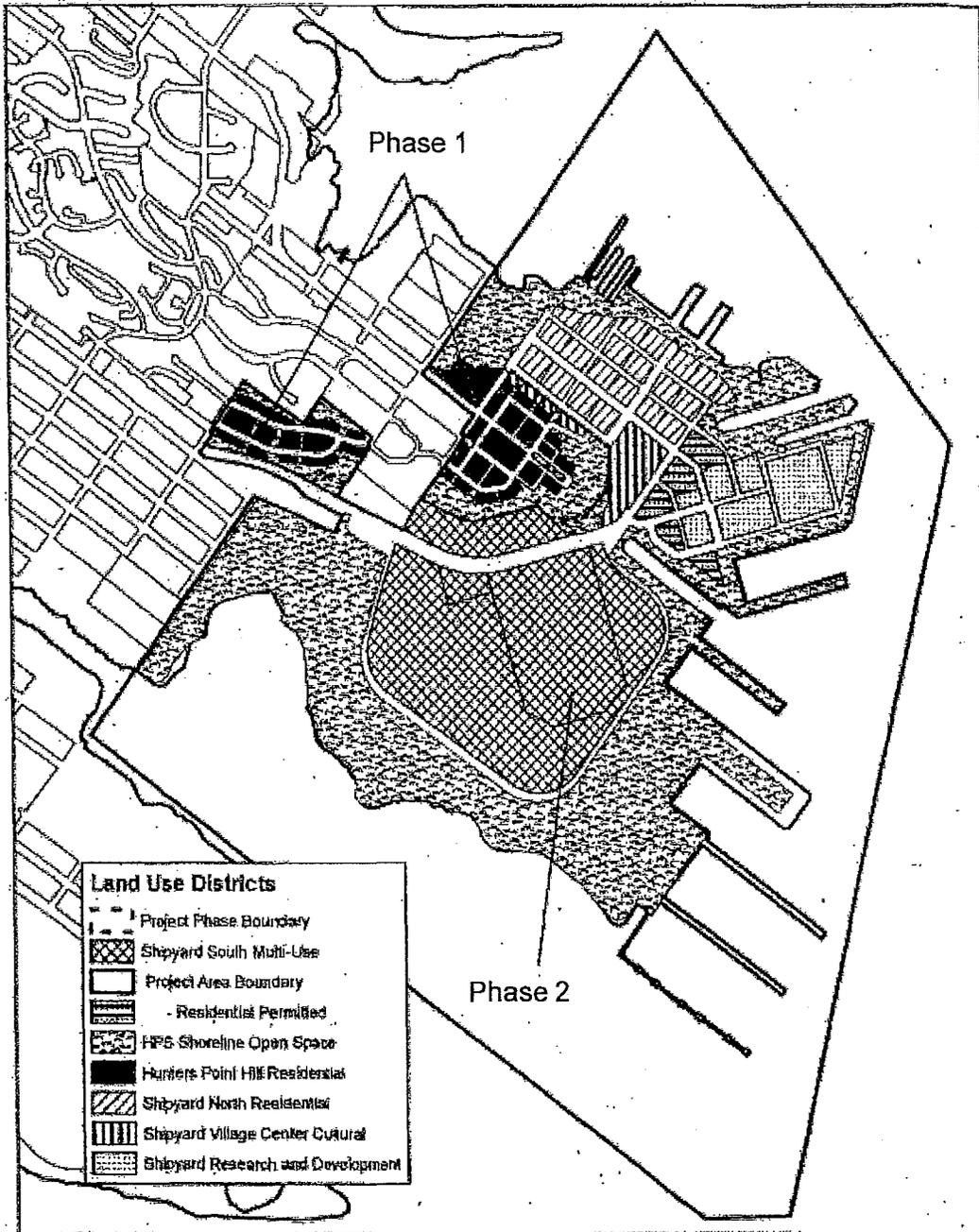
RECOMMENDATION:

**Finding the Project, on balance, in-conformity
with the General Plan**

ATTACHMENT A
Map of Project Phase Boundaries
Hunters Point Shipyard Project Area

Map excerpted from Hunters Point Shipyard Redevelopment Plan, August 3, 2010:
Map 2: Land Use District Maps

Map 2: Phase 2, Hunters Point Shipyard Redevelopment Project Area



Map 2: Land Use Districts Map
 Hunters Point Shipyard Redevelopment Plan
 San Francisco Redevelopment Agency
 2010

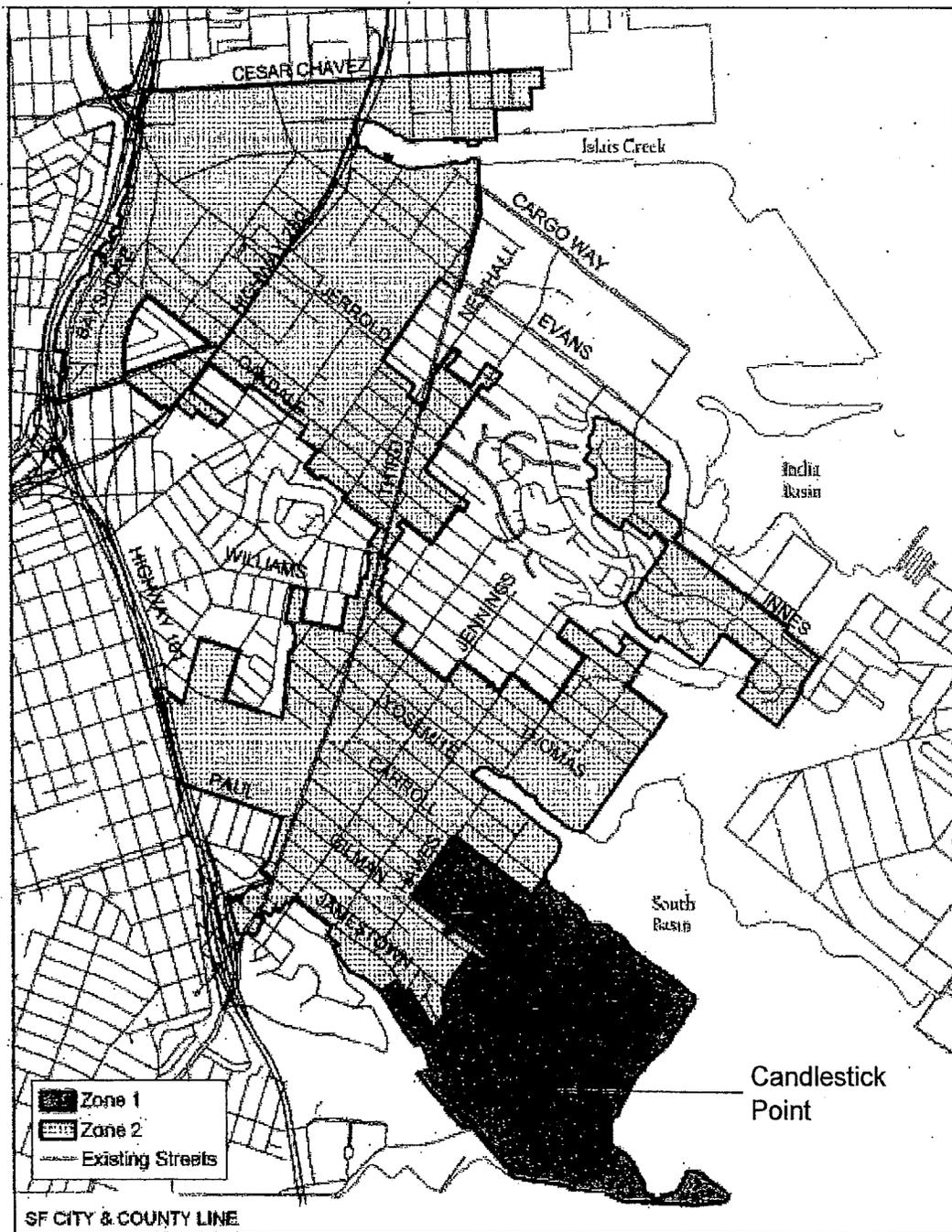
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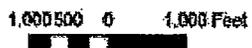
Attachment B
Map of Candlestick Point (Zone 1)
Bayview Hunters Point Project Area

Excerpted from Bayview Hunters Point Redevelopment Plan, August 3, 2010:
Map 2 – Project Area B Redevelopment Zones

MAP 2 – Project Area B Redevelopment Zones



Map 2: Project Area B Redevelopment Zones Map
 Bayview Hunters Point Redevelopment Plan
 San Francisco Redevelopment Agency
 2010



Attachment C

CONFORMING AMENDMENTS TO HPS AND BVHP REDEVELOPMENT PLANS TO CONFORM WITH PROPOSITION O

A. Conforming Amendments to Hunters Point Shipyard Redevelopment Plan

The following proposed amendments would conform the following provisions of the HPS Redevelopment Plan with Proposition O. ~~Strikethrough~~ is used to represent proposed deletions to language in the HPS Redevelopment Plan. Underlined text represents proposed additions or modifications to the existing language in the HPS Redevelopment Plan.

Proposed Amendment #1. The preface to the HPS Redevelopment Plan shall be amended as follows:

This Redevelopment Plan (this "**Plan**") for the Hunters Point Shipyard Redevelopment Project Area (the "**Project Area**") consists of the following text, maps and attachments: (a) the maps are: Map 1: Boundary Map; Map 2: Land Use Districts Map; Map 3: Existing Buildings; and Maps 4A, 4B and 4C: Street Plans; and (b) the attachments are: Attachment A: Legal Description of the Project Area; Attachment B: List of Public Improvements; Attachment C: Planning Code Section 314; Attachment D: Planning Code Section 295; and Attachment E: Planning Commission Resolution 18102 (subject to Section II.D.5 below), and Attachment F: Proposition O.

This Plan was adopted on July 14, 1997 (Ordinance No. 285-97) and amended on August 3, 2010 (Ordinance No. 211-10). This Plan was prepared in accordance with the California Community Redevelopment Law (as amended from time to time, the "CRL") and pursuant to Chapter 4.5 therein, which governs the redevelopment of closed military bases. During the preparation of this Plan, the Redevelopment Agency of the City and County of San Francisco (the "**Agency**") consulted with the Mayor's Hunters Point Shipyard Citizens Advisory Committee (the "**CAC**"), the San Francisco Planning Commission, and with other departments and offices of the City and County of San Francisco (the "**City**"). This Plan conforms with the General Plan of the City insofar as the General Plan applies to the Project. Any development within the jurisdiction of the Bay Conservation and Development Commission shall conform to the San Francisco Bay Plan.

The proposed redevelopment of the Project Area as described in this Plan is consistent with the San Francisco General Plan, the Bayview Hunters Point Area Plan, and the Hunters Point Shipyard Sub-Area Plan as adopted and amended by the Planning Commission on June 3, 2010, and is in conformity with the eight Priority Policies of Section 101.1 of the San Francisco Planning Code (the "**Planning Code**")

This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Project Area will be pursued. It is consistent with provisions of the CRL in effect at the date of adoption of this Plan and as of the 20402017 Plan Amendment Date.

Proposed Amendment #2. The introductory paragraph to Section II. D. (Standards for Development) shall be amended as follows:

D. Standards for Development

This Plan and the other Plan Documents, including the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, establish the standards for development in the Project Area and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan, are: (a) Sections 101.1, 295, and 314, and 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; (b) as to Phase 1 of the Project Area only, Sections 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; and (c) as to Phase 2 of the Project Area only, Section 324.1 as that section is in effect as of the 2017 Plan Amendment Date. Both the Agency Commission and the Planning Commission must approve any amendment to the Hunters Point Phase 1 Design for Development or the Hunters Point Phase 2 Design for Development.

Proposed Amendment #3. Section II.D.5 (Office Development Limitations) of the HPS Redevelopment Plan shall be amended as follows:

5. Office Development Limitations

On November 8, 2016, voters enacted Proposition O (Planning Code Section 324.1), which exempts Phase 2 of the Project Area from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 — 325 (Proposition M) shall apply to office development in Phase 1 of the Project Area, and Planning Code Section 324.1 shall apply to office development in Phase 2 of the Project Area. Accordingly, the Sections 320-325 place a cap on the annual amount of office development permitted in the City shall apply to Phase 1 but not Phase 2 of the Project Area.

By Resolution No. 18102, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the up to 5,000,000 square feet of office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." The findings contained in Proposition O (2016) supersedes, as to Phase 2 of the Project Area, any part of Resolution No. 18102 (Attachment E) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments, are incorporated herein by reference and attached as Attachment E. Because the office uses necessary for fostering the Shipyard Research & Development District has been found to promote the public welfare, convenience and

necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 5,000,000 square feet of office development projects undertaken pursuant to this Plan. To facilitate early job generation within the Project Area during the early phases of redevelopment under this Plan, the first 800,000 square feet of office development within the Project Area shall be given priority under Sections 320-325 over all office development proposed elsewhere in the City except within: (a) the Mission Bay South Project Area; (b) the Transbay Transit Tower (proposed for development on Lot 001 of Assessors Block 3720) (but not the remainder of the Transbay Redevelopment Project Area). As to the first 800,000 square feet of office development proposed pursuant to this Plan, no office development project contemplated may be disapproved either (i) for inconsistency with Planning Code Sections 320-325 or (ii) in favor of another office development project that is located outside the Project Area and subject to Planning Code Sections 320-325, except as provided in this Section II.D.5. Notwithstanding the above, for the first 800,000 square feet of office development proposed, no office development project will be approved that would cause the then applicable annual limitation contained in Planning Code Section 321 to be exceeded, and the Planning Commission shall consider the design of the particular office development project to confirm that it is consistent with the Planning Commission's findings contained in Resolution No. 18102. Upon such determination, the Planning Commission shall issue a project authorization for such project. The Planning Commission's decision on the design of any particular office development project reviewed pursuant to this Section will be binding on the Agency.

Proposed Amendment #4. Section II.D.6 (Development Fees and Exactions) shall be amended as follows:

6. Development Fees and Exactions

The following provisions will apply to all property in the Project Area except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Project Area for the duration of this Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Plan, shall be administered as required by State law, and shall be increased for the duration of this Plan in accordance with State law but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area that receives an allocation under Planning Code Section 320-325 described in Section II.D.5 include one-half of one percent (0.5%) of the hard

costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "Art Fee Amount") for the installation and maintenance of works of art in the public realm within the Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment C). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within the Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Plan, development within the Project Area shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care Facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Phase 2 of the Project Area (as shown in Map 2) and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within the Project Area.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

Proposed Amendment #5. The following term shall be added to Section XI (Definitions):

XI. Definitions

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

B. Conforming Amendments to Bayview Hunters Point Redevelopment Plan

The following proposed amendments would conform the following provisions of the BVHP Redevelopment Plan with Proposition O. ~~Strikethrough~~ is used to represent proposed deletions to language in the BVHP Redevelopment Plan. Underlined text represents proposed additions or modifications to the existing language in the BVHP Redevelopment Plan.

Proposed Amendment #1: Section 1.1.2 (Contents of this Redevelopment Plan) of the BVHP Redevelopment Plan shall be amended as follows:

This Redevelopment Plan consists of this text, the Project Area Boundary map (Map 1), the Legal Descriptions of Project Areas A and B (Attachments A & B), the Project Area B Redevelopment Zones map (Map 2), the Area B Activity Nodes map (Map 3), the Zone 1 Land Use Districts Map (Map 4), the Zone 2 Generalized Land Use Map (Map 5), the list of Authorized Public Improvements (Attachment C), the List of Blocks and Lots within Zone 1 as of the 2010 Plan Amendment Date (Attachment D), Planning Code Section 314 (Attachment E), Planning Code Section 295 (Attachment F), and Planning Commission Resolution 18102 (Attachment G) (subject to Section 4.3.16 below), and Proposition O (Attachment H). All attachments and maps are incorporated into this Redevelopment Plan by reference. This Redevelopment Plan was prepared by the Agency pursuant to the California Community Redevelopment Law (CRL), the California Constitution, and all applicable local codes and ordinances. The Project Area is in Bayview Hunters Point, City and County of San Francisco, State of California and includes all properties within the Project Area boundary shown on Map 1.

Proposed Amendment #2. Section 1.1.4 (Conformance with the General Plan) of the BVHP Redevelopment Plan shall be amended as follows:

The Redevelopment Plan is consistent with the General Plan of the City and County of San Francisco and its applicable elements, including the BVHP Area Plan and the Candlestick Point Sub-Area Plan, each as in effect on the ~~2010~~2017 Plan Amendment Date. The Redevelopment Plan is also in conformity with the eight Priority Policies of Section 101.1 of the Planning Code in effect on the ~~2010~~2017 Plan Amendment Date.

Proposed Amendment #3. The introductory paragraph of Section 4.3 (Standards and Procedures for Development in Zone 1) is amended as follows:

For Zone 1, this Redevelopment Plan and the other Plan Documents, including the Candlestick Point Design for Development, establish the standards for development and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan, are Sections 101.1, 295, and 314, ~~and 320-325,~~ as such sections are in effect as of the 2010 Plan Amendment Date. Both the Agency

Commission and the Planning Commission must approve any amendments to the Candlestick Point Design for Development.

Proposed Amendment #4. Section 4.3.15 (Development Fees and Exactions) shall be amended as follows:

4.3.15 Development Fees and Exactions

The following provisions will apply to all property in Zone 1 except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Zone 1 for the duration of this Redevelopment Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Redevelopment Plan, shall be administered as required by State law, and shall be increased for the duration of this Redevelopment Plan in accordance with State law, but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Redevelopment Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area ~~that receives an allocation under Planning Code Section 320-325 described in section 4.3.16~~ include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "Art Fee Amount") for the installation and maintenance of works of art in the public realm within Zone 1. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Zone 1. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Candlestick Point Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Redevelopment Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment E). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within Zone 1.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Redevelopment Plan, development within the Zone 1 shall not be subject to any change to the provisions of the Child-Care Requirements that permit

compliance through the construction of Child-Care facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Zone 1 of Project Area B of the Project Area and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within Zone 1.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

The parcels on Assessor Blocks 4917, 4918, 4934, and 4935 shall be subject to all fees and exactions under the City Planning Code in effect from time to time, except as otherwise provided pursuant to an Owner Participation Agreement or Development Disposition Agreement, if the Agency determines that the public benefits under an Owner Participation Agreement exceed those that would otherwise be obtained through imposition of the City Planning Code fees and exactions.

Proposed Amendment #5. Section 4.3.16 (Office Development Limitations) of the BVHP Redevelopment Plan is amended as follows:

4.3.16 Office Development Limitations

On November 8, 2016, voters enacted Proposition O, which exempts Zone 1 of this Redevelopment Plan from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 - 325 (Proposition M) shall apply to office development in Zone 2 of this Redevelopment Plan and Planning Code Section 324.1 shall apply to office development in Zone 1 of this Redevelopment Plan. Accordingly, the Project Area Sections 320-325 place a cap on the annual amount of office development permitted in the City shall apply in Zone 2 by not in Zone 1 of this Redevelopment Plan.

By Resolution No. 18102 (Attachment G), the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the 150,000 square feet of office development contemplated in Zone 1 of this Redevelopment Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." Proposition O (2016) supersedes, as to Zone 1 of this Redevelopment Plan, any portion of The findings contained in Resolution No.

~~18102 (Attachment G) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments, are incorporated herein by reference. Because the office uses contemplated by this Redevelopment Plan has been found to promote the public welfare, convenience and necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 150,000 square feet of commercial development projects in Zone 1 undertaken pursuant to this Redevelopment Plan.~~

Proposition O did not exempt Zone 2 of the Project Area from the requirements of Proposition M (Sections 320-325). The permitted land uses and standards of development for Zone 2 are described in Section 5.

Proposed Amendment #6. The following term is added to Section 6.0 (Definitions) of the BVHP Redevelopment Plan:

6.0 Definitions

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

ATTACHMENT D
PLANNING COMMISSION RESOLUTION No. 18101



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18101

HEARING DATE: JUNE 3, 2010

Date: May 20, 2010
Case No.: 2007.0946BEMRTUZ
Project: Candlestick Point – Hunters Point Shipyard Phase 2
 General Plan Findings and Planning Code Section 101.1 Findings
Location: Candlestick Point and Hunters Point Shipyard
Staff Contact: Mat Snyder – (415) 575-6891
 mathew.snyder@sfgov.org
Recommendation: Adopt the Findings

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ESTABLISHING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO AND WITH SECTION 101.1 OF THE CITY PLANNING CODE FOR THE CANDLESTICK POINT HUNTERS POINT SHIPYARD PHASE 2 DEVELOPMENT PROJECT INCLUDING AMENDMENTS TO THE BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN, THE HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN AND FOR VARIOUS ACTIONS NECESSARY FOR THE IMPLEMENTATION OF THE PROJECT.

WHEREAS, The Planning Department ("Department"), Redevelopment Agency ("Agency"), the Office of Economic and Workforce Development ("OEWD") with many other City Departments have been working to transform Candlestick Point and the Hunters Point Shipyard from their current underutilized nature into a vibrant, high-density, mixed-use, transit-oriented neighborhoods that will provide public benefits to both the existing residents and the City as a whole;

The Bayview Hunters Point has one of the highest concentrations of very low-income residents and one of the highest unemployment rates in San Francisco, and public health in the area has generally been poor compared to the rest of San Francisco. Bayview Hunters Point has very few quality public parks and open spaces that provide active recreation facilities for neighborhood youth, and is in need of affordable housing and business and job opportunities for its residents. The area remains under-served by transit and basic neighborhood-serving retail and cultural amenities. The betterment of the quality of life for the residents of the Bayview Hunters Point community is one of the City's highest priorities;

Hunters Point Shipyard and Candlestick Point are part of the Bayview Hunters Point neighborhood and are in close proximity to one another, separated only by the Yosemite Slough and South Basin. Together, they comprise about 702 acres, and make up the largest area of underused land in the City. The Candlestick Point area comprises approximately 281 acres and Hunters Point Shipyard Phase 2 area comprises approximately 402 acres. Candlestick Point is

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Hearing Date: June 3, 2010

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generally comprised of the 49ers Football Stadium and parking lot, the Candlestick Point State Recreation Area (CPSRA) (excluding the Yosemite Slough portion of the Park), the Alice Griffith Housing development, along with privately held parcels to the southwest of the stadium site between Bayview Hill and Jamestown Avenue, and privately held parcels between the stadium and the CPSRA. The Hunters Point Shipyards portion of the project is comprised of a majority of the former Naval Shipyards except for the portion currently being developed as "Phase 1", also often referred to as "Parcel A";

The Hunters Point Shipyards was once a thriving, major maritime industrial center that employed generations of Bayview Hunters Point residents. Following World War II, the Shipyards was a vital hub of employment in the Bayview Hunters Point, providing logistics support, construction and maintenance for the United States Department of the Navy. At its peak, the Shipyards employed more than 17,000 civilian and military personnel, many of whom lived in Bayview Hunters Point. The United States Navy ceased operations at the Shipyards in 1974 and officially closed the base in 1988. The Shipyards was then included on the Department of Defense's 1991 Base Realignment and Closure (BRAC) list. In 1993, following designation of the Shipyards by the City's Board of Supervisors as a redevelopment survey area, the City and the Redevelopment Agency began a community process to create a plan for the economic reuse of the Shipyards and the remediation and conveyance of the property by the Navy; and

In planning for the redevelopment of the Shipyards, the City and the Redevelopment Agency worked closely with the Hunters Point Citizen's Advisory Committee ("CAC"). The CAC is a group of Bayview Hunters Point community residents, business owners and individuals with expertise in specific areas, who are selected by the Mayor to oversee the redevelopment process for the Shipyards. The Agency has worked with the CAC and the community throughout the process of implementing revitalization activities regarding the Shipyards; and

In July 1997, the Board of Supervisors adopted a Redevelopment Plan for revitalization of the Shipyards. The Hunters Point Redevelopment Plan contemplated the development of a mix of residential, commercial, cultural, research and development and light industrial uses, with open space around the waterfront perimeter; and

Since its selection by the Redevelopment Agency, the Shipyards developer has worked with the City, the Agency, and the Navy to facilitate the redevelopment and economic reuse of the Shipyards. In 2003, the Shipyards developer and the Agency entered into the Hunters Point Shipyards Phase I Disposition and Development Agreement (DDA), under which the Shipyards developer is constructing infrastructure for up to 1,600 residential units on Parcel A of the Shipyards, of which approximately 30 percent will be affordable. The Phase I DDA also requires the Shipyards developer to create approximately 25 acres of public parks and open space on Parcel A.

As described above, Candlestick Point includes, among other things: (a) the City-owned stadium, currently named Candlestick Park, which is home to the San Francisco 49ers and is nearing the end of its useful life; (b) the Alice B. Griffith Housing Development, also known as Double Rock, and (c) the Candlestick Point State Recreation Area.

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In June, 1997, San Francisco voters adopted two measures (Propositions D and F) providing for the development by the 49ers or their development partners of a new stadium, a related 1,400,000 square foot entertainment and retail shopping center, and other conditional uses including residential uses. The voters approved up to \$100 million of lease revenue bonds to help finance the proposed development of the new stadium.

In June 2006, following a 10-year planning process, the Board of Supervisors adopted a Redevelopment Plan for the Bayview Hunters Point Project Area that includes Candlestick Point. The primary objective of the Redevelopment Plan is to revitalize the Bayview Hunters Point community through economic development, affordable housing and community enhancement programs for the benefit of existing residents and community-based businesses. The policies and programs of the Redevelopment Plan incorporate community goals and objectives expressed in a Concept Plan that the Bayview Hunters Point Project Area Committee ("PAC") adopted in 2000, following hundreds of community planning meetings. The PAC is a body that was formed in 1997 through a public election by Bayview Hunters Point voters to work with the Redevelopment Agency and the City and represent the interests of the Bayview Hunters Point community in planning for the area's future. The Agency has continued to work through the PAC and with the community throughout the process of implementing revitalization activities under the Redevelopment Plan.

The Alice B. Griffith Housing Development, built in the early 1960s and operated by the San Francisco Housing Authority, needs substantial improvement. An important component of the Project is to provide one-for-one replacement of Alice B. Griffith units at existing low income levels and to ensure that existing tenants have the right to move to the new upgraded units without being displaced until the replacement units are ready for occupancy.

In 1983, the City donated land at Candlestick Point to the State of California to form the Candlestick Point State Recreation Area with the expectation that the State would develop and implement a plan for improving the park land. The Recreation Area has the potential to be a tremendous open space recreational resource for the region and for the residents of Bayview Hunters Point. But it has not reached its potential due to limited State funding and a challenging configuration. The long-term restoration and improvement of the Candlestick Point State Recreation Area has been a long-term goal of the residents of Bayview Hunters Point, the City, and the State.

For over a decade, the redevelopment of Candlestick Point and the Shipyard has proceeded on parallel, though largely separate, paths. But over the last four years, the City and the Redevelopment Agency have been working with the Bayview Hunters Point community on redeveloping the two sites together. A primary objective of both the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan is to create economic development, affordable housing, public parks and open space and other community benefits by developing the under-used lands within the two project areas. Combining the planning and redevelopment of these two areas provides a more coherent overall plan, including comprehensive public recreation and open space plans and integrated transportation plans, and

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provides better ways to increase efficiencies to finance the development of affordable housing and the public infrastructure necessary to expedite the revitalization of both areas.

In May, 2007, the Board of Supervisors adopted and the Mayor approved a resolution approving a Conceptual Framework for the integrated development of Candlestick Point and Phase 2 of the Hunters Point Shipyards ("the Project"). The Conceptual Framework, which is the basis for the last three years of planning for the Project, envisioned a major mixed-use project, including hundreds of acres of new waterfront parks and open space, thousands of new housing units, a robust affordable housing program, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Shipyards, and a site for a potential new stadium for the 49ers on the Shipyards.

In furtherance of the Conceptual Framework, in April 2007, the San Francisco Recreation and Parks Commission adopted a resolution requesting the Redevelopment Agency to include the existing stadium site under the Exclusive Negotiations Agreement. In May 2007, the Redevelopment Agency and the Shipyards developer (whose members were reconstituted) entered into a Second Amended and Restated Exclusive Negotiations and Planning Agreement related to Phase II of the Shipyards Redevelopment Plan, which extended the Shipyards developer's exclusive negotiating rights to cover Candlestick Point.

On June 3, 2008, the San Francisco voters approved Proposition G, an initiative petition measure named The Bayview Jobs, Parks, and Housing Initiative, regarding plans to revitalize the Project site. As set forth in Proposition G, the project is designed to revitalize the Project Site by (a) improving and creating hundreds of acres of public parks and open space, particularly along the waterfront, (b) significantly increasing the quality and quantity of affordable housing in southeastern San Francisco, including the complete rebuilding of the Alice Griffith Housing Development, (c) providing thousands of commercial and construction job opportunities for San Francisco residents and businesses, especially in the Bayview Hunters Point community, (d) supporting the creation of permanent space on the Shipyards for existing artists, (e) elevating the site into a regional center for green development and the use of green technology and sustainable building design, (f) providing extensive transportation improvements that will benefit southeastern San Francisco generally, (g) attracting and sustaining neighborhood serving retail and cultural amenities and services, and (h) offering a world-class waterfront stadium site opportunity as the City's last and best chance to keep the 49ers in San Francisco over the long term, but without requiring the revitalization project to be delayed if the 49ers do not timely decide to build a stadium in the project site or decide to build a new stadium elsewhere.

In October 2009, the State Legislature approved and the Governor signed and filed Senate Bill No. 792 (SB 792). SB 792, enacted as Chapter 2003 of the Statutes of 2009 in January of 2010, provides for the reconfiguration of the Candlestick Point State Recreation Area and improvement of the State park lands, in connection with the development of the Project.

The Project will include (a) 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyards

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establishes and reconfigures the location of the lands subject to the Public Trust and lands free of the Public Trust, in furtherance of the Project and the reconfiguration of Candlestick Point State Recreation Area.

The Recreation and Park land transfer agreement provides for the transfer of City-owned land within the Candlestick site to the Redevelopment Agency for development of the Project, consistent with Proposition G.

The draft amendments to the Health Code and related amendments to the Public Works Code and the Building Code create a framework for the San Francisco Department of Public Health to oversee and monitor compliance with environmental requirements at the Hunters Point Shipyard.

The draft amendments to the Subdivision Code provide the terms and conditions under which subdivision and parcel maps will be approved in the Project area.

The proposed Tax Allocation Agreement provides for an irrevocable pledge of net available tax increment from the Project site to the Redevelopment Agency, for the purpose of financing the construction of public infrastructure and certain other public improvements in the Project site.

The Commission is not required to approve all of the Board Actions, but must consider whether the implementation of the Bayview Hunters Point and the Hunters Point Shipyard Plan Redevelopment Plans, as amended, which the Board actions contemplate, is consistent with the General Plan, as it is proposed to be amended, and with Planning Code Section 101.1.

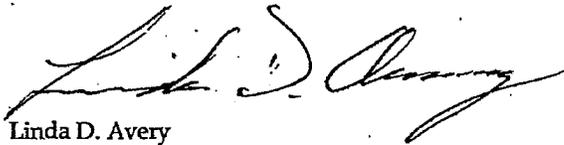
The Commission has reviewed the analysis of the consistency of the Redevelopment Plans, as amended, and the various implementation actions with the City's General Plan, as it is proposed to be amended, and with Section 101.1 of the Planning Code, which consistency analysis has been prepared by Planning Department staff and is set forth in Exhibit A to this Resolution.

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NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission finds that the amendments to the Bayview Hunters Point Redevelopment Plan, the Shipyards Redevelopment Plan, and the Board actions identified above as necessary to implement the Project are consistent with the General Plan, as it is proposed to be amended, and with Section 101.1 of the Planning Code as described in Exhibit A to this Resolution.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on June 3, 2010.



Linda D. Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel

NOES: Commissioners Moore, Olague, Sugaya

ABSENT: None

ADOPTED: June 3, 2010

Exhibit A
To Planning Commission Resolution No. 18101

Candlestick Point – Hunters Point Shipyard Phase 2 Development Project
General Plan Findings and Planning Code Section 101.1 Findings

The following constitute findings that the Candlestick Point – Hunters Point Shipyard Phase 2 Development Project (the Project) is, on balance, consistent with the General Plan and Planning Code Section 101.1.

These findings consider, and are conditioned upon, all required Planning Commission actions related to the Project including, but not limited to, adoption of Planning Code text and map amendments (Planning Code Amendments); amendments to the General Plan, including amendments to the Bayview Hunters Point Area Plan, adoption of the Candlestick Point Sub-Area Plan, and adoption of the Hunters Point Shipyard Area Plan (General Plan Amendments); and adoption of the amendments to the Bayview Hunters Point Redevelopment Plan (BVHP Redevelopment Plan) and the Hunters Point Shipyard Redevelopment Plan (Shipyard Redevelopment Plan) and approval of the Candlestick Point and Hunters Point Shipyard Phase 2 Design for Development Documents and corresponding technical amendments to the Hunters Point Shipyard Phase 1 Design for Development Document.

Additionally, these findings will apply to other Project actions and related documents including, but not limited to the Planning Cooperation Agreement, Real Property Transfer Agreement between the Redevelopment Agency and the City and County of San Francisco for certain City property at Candlestick Point (“Recreation and Park Land Transfer Agreement”), Interagency Cooperation Agreement, amendments to the Subdivision Code, amendments to the Health Code and related amendments to the Public Works Code and Building Code and the Public Trust Exchange Agreement.

BAYVIEW HUNTERS POINT AREA PLAN

The Bayview Hunters Point Area Plan (BVHP Area Plan) provides broad principles, objectives, and policies for community development in the Bayview neighborhood. The BVHP Area Plan discusses the need to arrest the demographic decline of the African American population; provide economic development and jobs, particularly for local residents; eliminate health and environmental hazards including reducing land use conflicts; provide additional housing, particularly affordable housing; provide additional recreation, open space, and public service facilities, and better address transportation deficiencies by offering a wider range of transportation options.

As a part of the adopted General Plan amendments (Planning Commission Resolution No. 18098), the BVHP Area Plan was amended to implement the Project and reflect the fact that four years have passed since the BVHP Area Plan was last updated. Most significantly, a new Candlestick Point Subarea Plan was adopted as part of this Area Plan.

The Project, including General Plan Amendments / Planning Code text and map Amendments and all other Project documents referenced in these findings, are consistent with and implements the following BVHP Area Plan's Objectives and Policies.

- OBJECTIVE 1 STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.
- OBJECTIVE 4 DEVELOP AND MAINTAIN A SYSTEM FOR THE EASY MOVEMENT OF PEOPLE AND GOODS, TAKING INTO ACCOUNT ANTICIPATED NEEDS OF BOTH LOCAL AND THROUGH TRAFFIC.
- POLICY 4.1 Develop a comprehensive network and schedule of roadway improvements to assure that Bayview maintains an adequate level of service at key intersections as the residential and work force population in the district increases.
- POLICY 4.2 Develop the necessary improvements in public transit to move people efficiently and comfortably between different neighborhoods of Bayview Hunters Point, to and from Candlestick Park, and to and from Downtown and other parts of the region.
- POLICY 4.5 Create a comprehensive system for pedestrian and bicycle circulation.
- POLICY 4.6 Provide convenient regional access to Candlestick Park stadium without negatively impacting nearby residential streets.
- OBJECTIVE 5 PRESERVE AND ENHANCE EXISTING RESIDENTIAL NEIGHBORHOODS.
- POLICY 5.2 Conserve the existing supply of Federally subsidized lower income housing.
- POLICY 5.3 Conserve and enhance the existing supply of public housing.
- OBJECTIVE 6 ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.
- POLICY 6.1 Encourage development of new moderate density affordable ownership units, appropriately designed and located and especially targeted for existing Bayview Hunters Point residents.

- POLICY 6.4 Encourage development of new affordable housing on the ridge portion of Hunters Point Shipyard to help improve the residential character and circulation pattern of the Hunters Point residential area.
- POLICY 6.5 In the vicinity of Bayview Hill, encourage well-sited housing development that complements the natural areas and open space, as well as provides for local economic development.
- OBJECTIVE 8 STRENGTHEN THE ROLE OF BAYVIEW'S INDUSTRIAL SECTOR IN THE ECONOMY OF THE DISTRICT, THE CITY, AND THE REGION.
- POLICY 8.2 Achieve reuse of Hunters Point Shipyard.
- OBJECTIVE 10 ENHANCE THE DISTINCTIVE AND POSITIVE FEATURES OF BAYVIEW HUNTERS POINT.
- POLICY 10.1 Better define Bayview's designated open space areas by enabling appropriate, quality development in surrounding areas.
- POLICY 10.3 Recognize, protect, and enhance cultural resources of native populations as an integral imprint on the land use pattern of Bayview Hunters Point.
- OBJECTIVE 11 IMPROVE DEFINITION OF THE OVERALL URBAN PATTERN OF BAYVIEW HUNTERS POINT
- POLICY 11.1 Recognize and enhance the distinctive features of Bayview Hunters Point as an interlocking system of diverse neighborhoods.
- POLICY 11.2 Increase awareness and use of the pedestrian/bicycle trail system that links subareas in Bayview Hunters Point with the rest of the City.
- OBJECTIVE 12 PROVIDE AND MAINTAIN ADEQUATELY LOCATED, WELL DESIGNED, FULLY EQUIPPED RECREATION FACILITIES AND ENCOURAGE THEIR USE.
- POLICY 12.1 Make better use of existing facilities.
- POLICY 12.3 Renovate and expand Bayview's parks and recreation facilities, as needed.
- OBJECTIVE 13 PROVIDE CONTINUOUS PUBLIC OPEN SPACE ALONG THE SHORELINE OF BAYVIEW HUNTERS POINT UNLESS PUBLIC ACCESS CLEARLY CONFLICTS WITH MARITIME USES OR OTHER NON-OPEN SPACE USES REQUIRING A WATERFRONT LOCATION.

- POLICY 13.1 Assure that new development adjacent to the shoreline capitalizes on the unique waterfront location by improving visual and physical access to the water in conformance with urban design policies.
- POLICY 13.2 Maintain and improve the quality of existing shoreline open space.
- POLICY 13.3 Complete the San Francisco Bay Trail around the perimeter of the City which links open space areas along the shoreline and provides for maximum waterfront access.
- POLICY 13.4 Provide new public open spaces along the shoreline -- at Islais Creek, Heron's Head, India Basin, Hunters Point Shipyard, and Candlestick Point/South Basin.
- OBJECTIVE 14 ASSURE ADEQUATE NUMBERS, TYPES, AND LOCATIONS OF COMMUNITY FACILITIES AND SERVICES TO MEET THE NEEDS OF THE LOCAL COMMUNITY.
- POLICY 14.1 Assure adequate maintenance programming and resident utilization of existing multi-purpose community facilities.
- OBJECTIVE 15 COMBINES SOCIAL REVITALIZATION WITH PHYSICAL AND ECONOMIC REVITALIZATION EFFORTS.

The Project is consistent with and implements the Bayview Hunters Point Area Plan as it is proposed to be amended by the General Plan Amendment. It provides development that provides a wide range of job opportunities and a wide range of new housing types and affordability levels; includes the rebuilding of Alice Griffith assuring existing residents the ability to stay at the site; improves the shoreline and links the existing community to the Bay with a better network of connections and access; and enhances transportation opportunities. The Project will come with a robust package of community benefits including job training and placement programs for Bayview and San Francisco residents.

The Project calls for new fully integrated and holistically planned mixed use neighborhoods at Candlestick Point and Hunters Point Shipyard with different land programming than what was previously envisioned. However, in keeping generally with existing Objectives and Policies within the BVHP Area Plan, the Project includes complementary uses in near proximity to each other; a full complement of uses for residents, workers, and visitors; and thus, a reduced need for automobile trips. The Project includes a transportation system that can accommodate the increased density while reducing automobile use. The Project includes generous amount of open space programmed and designed for a broad range of users and activities along with a flexible approach to community facilities.

HOUSING ELEMENT

The principle objectives of the Housing Element are to provide new housing; retain the existing supply; enhance physical conditions and safety without jeopardizing use or affordability; support affordable housing production by increasing site availability and capacity; increase the effectiveness and efficiency of the affordable housing production system; protect the affordability of existing housing; expand financial resources for permanently affordable housing; ensure equal access; avoid or mitigate hardships imposed by displacement; reduce homelessness and the risk of homelessness in coordination with relevant agencies and providers; pursue place making and neighborhood building principles in increasing the supply of housing; and strengthen citywide affordable housing programs through coordinated regional and state efforts.

The Project is consistent with and implements the following objectives and policies of the Housing Element:

- OBJECTIVE 1 TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.
- POLICY 1.5 Support development of affordable housing on surplus public lands.
- POLICY 1.6 Create incentives for the inclusion of housing, particularly permanently affordable housing, in new commercial development projects.
- POLICY 1.9 Require new commercial developments and higher educational institutions to meet the housing demand they generate, particularly the need for affordable housing for lower income workers and students.
- OBJECTIVE 4 SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY
- POLICY 4.1 Actively identify and pursue opportunity sites for permanently affordable housing.
- POLICY 4.2 Include affordable units in larger housing projects.
- POLICY 4.6 Support a greater range of housing types and building techniques to promote more economical housing construction and potentially achieve greater affordable housing production.
- POLICY 5.2 Support efforts of for-profit and non-profit organizations and other community-based groups and expand their capacity to produce and manage permanently affordable housing.

- POLICY 5.3 Create greater public awareness about the quality and character of affordable housing projects and generate community-wide support for new affordable housing.
- POLICY 6.2 Ensure that housing developed to be affordable is kept affordable.
- POLICY 6.5 Monitor and enforce the affordability of units provided as a condition of approval of housing projects.
- OBJECTIVE 7 EXPAND THE FINANCIAL RESOURCES AVAILABLE FOR PERMANENTLY AFFORDABLE HOUSING.
- POLICY 7.1 Enhance existing revenue sources for permanently affordable housing.
- OBJECTIVE 8 ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.
- POLICY 8.1 Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable rental units wherever possible.
- POLICY 8.3 Ensure affirmative marketing of affordable housing.
- POLICY 8.4 Encourage greater economic integration within housing projects and throughout San Francisco.
- POLICY 8.6 Increase the availability of units suitable for users with supportive housing needs.
- POLICY 8.8 Promote the adaptability and maximum accessibility of residential dwellings for disabled and elderly occupants.
- POLICY 8.9 Encourage the provision of new home ownership opportunities through new construction so that increased owner occupancy does not diminish the supply of rental housing.
- OBJECTIVE 9 AVOID OR MITIGATE HARDSHIPS IMPOSED BY DISPLACEMENT
- POLICY 9.1 Minimize the hardships of displacement by providing essential relocation services.
- POLICY 9.2 Offer displaced households the right of first refusal to occupy replacement housing units that are comparable in size, location, cost, and rent control protection.

- POLICY 11.2 Ensure housing is provided with adequate public improvements, services, and amenities.
- POLICY 11.3 Encourage appropriate neighborhood-serving commercial activities in residential areas, without causing affordable housing displacement.
- POLICY 11.10 Include energy efficient features in new residential development and encourage weatherization in existing housing to reduce overall housing costs and the long-range cost of maintenance.

The Project is consistent with and implements the Housing Element in that it accommodates up to 10,500 units of high density housing at Candlestick Point and Hunters Point Shipyard combined. The Project will supply a greater percentage of units to be dedicated for work force and affordable housing than would otherwise be required in the Planning Code. The rebuilding of the Alice Griffith Housing development, including the provision of at least one-to-one replacement housing at the development's existing affordability levels while at the same time ensuring against displacement of existing residents, is a key feature of the Project. Finally, the Project includes a full complement of supporting uses, including job-creating uses, recreational opportunities, and transportation alternatives.

COMMERCE AND INDUSTRY

The principle objectives for Commerce & Industry are to manage economic growth and change, maintain a sound and diverse economic base and fiscal structure, provide expanded employment opportunities for city residents particularly the unemployed and underemployed in a wide range of fields and levels, improve viability of existing businesses as well as attract new businesses – particularly in new industries, and assure entrepreneurial opportunities for local businesses.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 1 MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.
- POLICY 1.2 Assure that all commercial and industrial uses meet minimum, reasonable performance standards.
- POLICY 1.3 Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The land use maps within the Candlestick Point Sub-Area Plan and the Hunters Point Shipyard Area Plan establish where office, retail, research and development, and light-industrial uses can be located. The BVHP Redevelopment Plan and the Shipyard Redevelopment Plan identify square footage caps for

- POLICY 4.2 Promote and attract those economic activities with potential benefit to the City.
- POLICY 4.5 Control encroachment of incompatible land uses on viable industrial activity.
- OBJECTIVE 5 REALIZE SAN FRANCISCO'S FULL MARITIME POTENTIAL.
- POLICY 5.8 Encourage maritime activity which complements visitor activity and resident recreation.
- POLICY 5.9 Redevelop Hunters Point Shipyard to provide employment in the industrial, maritime industrial, research & development, and cultural sectors, consistent with the Hunters Point Shipyard Redevelopment Plan.

To ensure economic success along with greater overall job opportunities, the Project includes a wide possible range of commercial job-generating uses, including green technology, research and development, and light industrial uses. In addition, the proposed amendments to the Shipyard Redevelopment Plan also provide for cultural and maritime activities (a 300-slip marina) to take advantage of the shipyard's shoreline location.

The newly adopted HPS Area Plan and the amended BVHP Redevelopment Plan and amended Shipyard Redevelopment Plan together provide a revised land-use program for Hunters Point Shipyard that allows for light-industrial, research and development, and cultural uses, residential development, and maritime activities (i.e. a 300-slip marina) that are complementary to the mixed use nature of the Project and the visitor-attracting objectives for the shoreline.

- OBJECTIVE 6 MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.
- POLICY 6.1 Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

POLICY 6.2 Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society

POLICY 6.4 Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

POLICY 6.5 Discourage the creation of major new commercial areas except in conjunction with new supportive residential development and transportation capacity.

The General Plan Amendments and the amendments to the BVHP Redevelopment Plan and the Shipyard Redevelopment Plan provide for a balance of commercial and residential uses, and the need to assure robust multi-modal transportation.

POLICY 6.7 Promote high quality urban design on commercial streets.

POLICY 6.9 Regulate uses so that traffic impacts and parking problems are minimized.

The Project is consistent with and implements the Commerce and Industry Element by creating approximately 10,000 permanent jobs and thousands of ongoing construction job opportunities throughout the build out of the Project. Both the Candlestick Point Subarea Plan and the Hunters Point Shipyard Area Plan contain policies that call for the commercial development on underutilized land that will include between 2.65 and 5 million square feet of research and development and office uses in addition to several other job creating uses. Furthermore, the Project includes a robust community benefit package of job training and placement commitments from the developer.

RECREATION AND OPEN SPACE ELEMENT

The principle objectives of the Recreation and Open Space Element are to preserve large areas of open space sufficient to meet the long-range needs of the Bay Region, develop and maintain a diversified and balanced citywide system of high quality public open space, provide a continuous public open space along the shoreline, and provide opportunities for recreation and the enjoyment of open space in every neighborhood.

The following objectives and policies are relevant to the Project:

OBJECTIVE 1 PRESERVE LARGE AREAS OF OPEN SPACE SUFFICIENT TO MEET THE LONG-RANGE NEEDS OF THE BAY REGION.

- POLICY 1.1 Protect the natural character of regional open spaces and place high priority on acquiring open spaces noted for unique natural qualities.
- POLICY 1.3 Increase the accessibility of regional parks by locating new parks near population centers, establishing low user costs, improving public transit service to parks and creating regional bike and hiking trails.
- OBJECTIVE 2 DEVELOP AND MAINTAIN A DIVERSIFIED AND BALANCED CITYWIDE SYSTEM OF HIGH QUALITY PUBLIC OPEN SPACE.
- POLICY 2.1 Provide an adequate total quantity and equitable distribution of public open spaces throughout the City.
- POLICY 2.2 Preserve existing public open space.
- POLICY 2.3 Preserve sunlight in public open spaces.
- POLICY 2.6 Make open spaces accessible to people with special needs.
- POLICY 2.7 Acquire additional open space for public use.
- POLICY 2.8 Develop a recreational trail system that links city parks and public open space, ridge lines and hilltops, the Bay and ocean, and neighborhoods, and ties into the regional hiking trail system.
- POLICY 2.9 Maintain and expand the urban forest.
- POLICY 2.12 Expand community garden opportunities throughout the City.
- POLICY 2.13 Preserve and protect significant natural resource areas.
- OBJECTIVE 3 PROVIDE CONTINUOUS PUBLIC OPEN SPACE ALONG THE SHORELINE UNLESS PUBLIC ACCESS CLEARLY CONFLICTS WITH MARITIME USES OR OTHER USES REQUIRING A WATERFRONT LOCATION.
- POLICY 3.1 Assure that new development adjacent to the shoreline capitalizes on its unique waterfront location, considers shoreline land use provisions, improves visual and physical access to the water, and conforms with urban design policies.
- POLICY 3.2 Maintain and improve the quality of existing shoreline open space.

- POLICY 3.3 Create the Bay and Coastal Trails around the perimeter of the City which links open space along the shoreline and provides for maximum waterfront access.
- POLICY 3.5 Provide new public open spaces along the shoreline.
- OBJECTIVE 4 PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.
- POLICY 4.5 Require private usable outdoor open space in new residential development.
- POLICY 4.6 Assure the provision of adequate public open space to serve new residential development.
- POLICY 4.7 Provide open space to serve neighborhood commercial districts.

The Project is consistent with and implements the Recreation and Open Space Element in that it includes approximately 336 acres of open space to be created, preserved, or improved in conjunction with new development. The Project includes a wide mix of open space and recreational opportunities including an improved and reconfigured Candlestick Point State Recreation Area (as authorized through SB 792). The Project also includes a wide distribution of City parks that would include playing fields and courts, community gardens, and dog runs among other activities. Generous amounts of land are to be improved or restored as natural areas. The Project provides for a continuous series of open spaces along the shoreline with the Bay Trail being one of its main features.

The Project does include tall buildings (towers) within both Candlestick Point and Hunters Point Shipyard. Design guidelines and development standards included in the Design for Development documents dictate careful and thorough consideration of the placement of towers relative to the open space network, so that impacts are minimized on balance. Any towers that could potentially impact properties under the jurisdiction of the Department of Recreation and Parks would be required to complete shadow studies to assure that they meet the requirements of Planning Code Section 295.

TRANSPORTATION

The Transportation Element is largely concerned with the movement of people and goods. It addresses the need for multi-modal streets and facilities, implementation of the City's transit-first policy, the need to limit parking and auto capacity on the roads, and ways to incentivize travel by transit, bike and by foot. It also addresses the relationship between transportation and land use and how the two should be coordinated to reduce the need for auto trips.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 1 MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO

AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION
WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT
OF THE BAY AREA.

- POLICY 1.1 Involve citizens in planning and developing transportation facilities and services, and in further defining objectives and policies as they relate to district plans and specific projects.
- POLICY 1.2 Ensure the safety and comfort of pedestrians throughout the city.
- POLICY 1.3 Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.
- POLICY 1.4 Increase the capacity of transit during the off-peak hours.
- POLICY 1.5 Coordinate regional and local transportation systems and provide for interline transit transfers.
- POLICY 1.6 Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.
- OBJECTIVE 2 USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.
- POLICY 2.1 Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.
- POLICY 2.2 Reduce pollution, noise and energy consumption.
- POLICY 2.4 Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.
- POLICY 2.5 Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.
- POLICY 2.6 In conversion and re-use of inactive military bases, provide for a balanced, multi-modal transportation system that is consistent with and complementary to the planned land use and the local and regional transportation system.

- OBJECTIVE 9** IMPROVE BICYCLE ACCESS TO SAN FRANCISCO FROM ALL OUTLYING CORRIDORS.
- POLICY 9.2** Where bicycles are prohibited on roadway segments, provide parallel routes accessible to bicycles or shuttle services that transport bicycles.
- OBJECTIVE 11** ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.
- POLICY 11.1** Maintain and improve the Transit Preferential Streets program to make transit more attractive and viable as a primary means of travel.
- POLICY 11.3** Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.
- OBJECTIVE 12** DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.
- POLICY 12.1** Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.
- POLICY 12.2** Build on successful efforts implemented at numerous private sector worksites, such as the downtown Transportation Brokerage Program and voluntary programs, and adapt such programs for application in new areas as appropriate.
- POLICY 12.3** Implement private and public sector TDM programs which support each other and explore opportunities for private-public responsibility in program implementation.
- POLICY 12.4** Encourage private and public sector cooperation in the promotion of alternative work programs designed to reduce congestion and the number of automobile trips.
- OBJECTIVE 13** PROMOTE THE DEVELOPMENT OF MARKETING STRATEGIES THAT ENCOURAGE AND FACILITATE THE USE OF TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE FOR

SHOPPING, RECREATION, CULTURAL AND OTHER NON-WORK
TRIPS.

- POLICY 13.1 Encourage the use of alternatives to the automobile for all age groups in the advertisement of business, recreational and cultural attractions by identifying their proximity to transit facilities and significant landmarks.
- OBJECTIVE 14 DEVELOP AND IMPLEMENT A PLAN FOR OPERATIONAL CHANGES AND LAND USE POLICIES THAT WILL MAINTAIN MOBILITY AND SAFETY DESPITE A RISE IN TRAVEL DEMAND THAT COULD OTHERWISE RESULT IN SYSTEM CAPACITY DEFICIENCIES.
- POLICY 14.1 Reduce road congestion on arterials through the implementation of traffic control strategies, such as traffic signal-light synchronization (consistent with posted speed limits) and turn controls, that improve vehicular flow without impeding movement for pedestrians and bicyclists.
- POLICY 14.2 Ensure that traffic signals are timed and phased to emphasize transit, pedestrian, and bicycle traffic as part of a balanced multi-modal transportation system.
- POLICY 14.4 Reduce congestion by encouraging alternatives to the single occupant auto through the reservation of right-of-way and enhancement of other facilities dedicated to multiple modes of transportation.
- POLICY 14.8 Implement land use controls that will support a sustainable mode split, and encourage development that limits the intensification of automobile use.
- OBJECTIVE 15 ENCOURAGE ALTERNATIVES TO THE AUTOMOBILE AND REDUCED TRAFFIC LEVELS ON RESIDENTIAL STREETS THAT SUFFER FROM EXCESSIVE TRAFFIC THROUGH THE MANAGEMENT OF TRANSPORTATION SYSTEMS AND FACILITIES.
- POLICY 15.1 Discourage excessive automobile traffic on residential streets by incorporating traffic-calming treatments.
- OBJECTIVE 16 DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY MANAGE THE SUPPLY OF PARKING AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO DISCOURAGE SINGLE-OCCUPANT RIDERSHIP AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

- POLICY 16.1 Reduce parking demand through the provision of comprehensive information that encourages the use of alternative modes of transportation.
- POLICY 16.3 Reduce parking demand through the provision of incentives for the use of carpools and vanpools at new and existing parking facilities throughout the City.
- POLICY 16.4 Manage parking demand through appropriate pricing policies including the use of premium rates near employment centers well-served by transit, walking and bicycling, and progressive rate structures to encourage turnover and the efficient use of parking.
- POLICY 16.5 Reduce parking demand through limiting the absolute amount of spaces and prioritizing the spaces for short-term and ride-share uses
- POLICY 16.6 Encourage alternatives to the private automobile by locating public transit access and ride-share vehicle and bicycle parking at more close-in and convenient locations on-site, and by locating parking facilities for single-occupant vehicles more remotely.
- OBJECTIVE 18 ESTABLISH A STREET HIERARCHY SYSTEM IN WHICH THE FUNCTION AND DESIGN OF EACH STREET ARE CONSISTENT WITH THE CHARACTER AND USE OF ADJACENT LAND.
- POLICY 18.2 Design streets for a level of traffic that serves, but will not cause a detrimental impact on adjacent land uses, or eliminate the efficient and safe movement of transit vehicles and bicycles.
- POLICY 18.4 Discourage high-speed through traffic on local streets in residential areas through traffic "calming" measures that are designed not to disrupt transit service or bicycle movement, including:
- Sidewalk bulbs and widenings at intersections and street entrances;
 - Lane off-sets and traffic bumps;
 - Narrowed traffic lanes with trees, landscaping and seating areas; and
 - colored and/or textured sidewalks and crosswalks.
- POLICY 18.5 Mitigate and reduce the impacts of automobile traffic in and around parks and along shoreline recreation areas.
- OBJECTIVE 20 GIVE FIRST PRIORITY TO IMPROVING TRANSIT SERVICE THROUGHOUT THE CITY, PROVIDING A CONVENIENT AND

EFFICIENT SYSTEM AS A PREFERABLE ALTERNATIVE TO
AUTOMOBILE USE.

- POLICY 20.1 Give priority to transit vehicles based on a rational classification system of transit preferential streets
- POLICY 20.2 Reduce, relocate or prohibit automobile facility features on transit preferential streets, such as driveways and loading docks, to avoid traffic conflicts and automobile congestion.
- POLICY 20.3 Develop transit preferential treatments according to established guidelines.
- POLICY 20.5 Place and maintain all sidewalk elements, including passenger shelters, benches, trees, newsracks, kiosks, toilets, and utilities at appropriate transit stops according to established guidelines.
- POLICY 20.9 Improve inter-district and intra-district transit service.
- POLICY 20.14 Engage new technologies that will emphasize and improve transit services on transit preferential streets.
- OBJECTIVE 23 IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.
- POLICY 23.1 Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.
- POLICY 23.2 Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested and where residential densities are high.
- POLICY 23.3 Maintain a strong presumption against reducing sidewalk widths, eliminating crosswalks and forcing indirect crossings to accommodate automobile traffic.

The Project does contemplate the narrowing of sidewalks on a portion of Ingalls to assure adequate room for continued light-industrial on-street loading and parking while increasing the road's capacity to handle additional traffic from the development. Such action is necessary to implement several important objectives and policies of the Commerce and Industry Element, including improving viability of existing industry and maintenance of a diverse economic base. To harmonize these policies with those designed to protect pedestrian circulation, the Project minimizes the narrowing along Ingalls to the extent feasible.

- POLICY 23.4 Tow-away lanes should not be approved, and removal should be considered, if they impair existing and potential pedestrian usage and level of service on abutting sidewalks, as well as the needs of transit operation on the street.
- POLICY 23.5 Minimize obstructions to through pedestrian movement on sidewalks by maintaining an unobstructed width that allows for passage of people, strollers and wheelchairs.
- POLICY 23.6 Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.
- OBJECTIVE 24 IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.
- POLICY 24.2 Maintain and expand the planting of street trees and the infrastructure to support them.
- POLICY 24.3 Install pedestrian-serving street furniture where appropriate.
- POLICY 24.5 Where consistent with transportation needs, transform streets and alleys into neighborhood-serving open spaces or "living streets", especially in neighborhoods deficient in open space.
- OBJECTIVE 26 CONSIDER THE SIDEWALK AREA AS AN IMPORTANT ELEMENT IN THE CITYWIDE OPEN SPACE SYSTEM.
- OBJECTIVE 27 ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.
- POLICY 27.9 Identify and expand recreational bicycling opportunities.
- POLICY 27.10 Accommodate bicycles in the design and selection of traffic control facilities.
- POLICY 27.12 Ensure completion of the Bay Trail in San Francisco.
- OBJECTIVE 28 PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.
- POLICY 28.1 Provide secure bicycle parking in new governmental, commercial, and residential developments.
- POLICY 28.2 Provide secure bicycle parking at existing city buildings and facilities and encourage it in existing commercial and residential buildings.

- POLICY 28.3 Provide parking facilities which are safe, secure, and convenient.
- POLICY 28.5 Provide bicycle parking at major recreational facilities and at all large sports, cultural, or other heavily attended events.
- OBJECTIVE 30 ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.
- POLICY 30.1 Assure that new or enlarged parking facilities meet need, locational and design criteria.
- POLICY 30.2 Discourage the proliferation of surface parking as an interim land use, particularly where sound residential, commercial or industrial buildings would be demolished pending other development.

The Candlestick Point Subarea Plan, the Hunters Point Shipyard Area Plan, the BVHP Redevelopment Plan and the Shipyard Redevelopment Plan generally discourage surface parking, except in connection with the football stadium. However, as recognized in these plans, in some instances, surface parking may be appropriate on an interim basis through the phasing of the Project.

- POLICY 30.7 Limit and screen from view from public access areas parking facilities over the water, and near the water's edge where such parking interferes with public access.
- OBJECTIVE 31 ESTABLISH PARKING RATES AND OFF-STREET PARKING FARE STRUCTURES TO REFLECT THE FULL COSTS, MONETARY AND ENVIRONMENTAL, OF PARKING IN THE CITY.
- POLICY 31.1 Set rates to encourage short-term over long term automobile parking.
- POLICY 31.3 Encourage equity between drivers and non-drivers by offering transit fare validations and/or cash-out parking programs where off-street parking is validated or subsidized.
- OBJECTIVE 34 RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.
- POLICY 34.1 Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

- POLICY 34.3 Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.
- OBJECTIVE 35 MEET SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.
- POLICY 35.1 Provide convenient on-street parking specifically designed to meet the needs of shoppers dependent upon automobiles.
- POLICY 35.2 Assure that new neighborhood shopping district parking facilities and other auto-oriented uses meet established guidelines.

The Project is consistent with and implements the Transportation Element in that it establishes land use patterns with complementary uses in close proximity to one another and uses are sensibly limited to planned transit, pedestrian, bicycle, and other transportation improvements. The Project includes new streets and transportation facilities that emphasize travel by transit, bike and by foot. It includes robust pedestrian streetscape improvements that make travelling by bike and by foot safe, comfortable and enjoyable. In addition, these improvements reach into existing neighborhoods so as to form a single urban fabric and transportation network encompassing the new development and the surrounding areas. The Project includes a dedicated right-of-way for transit to assure its prominence and reliability, including a direct connection to Hunters Point Shipyard over a new bridge over Yosemite Slough. The Project's Transportation Plan also calls for both the extension of an existing transit line, as well as new lines to serve worker populations. Such transit improvements will serve existing neighborhoods as well as the new development. The Project limits the number of off-street parking spaces and manages parking and loading in a strategic way to assure land use efficiency and urban design considerations over parking convenience.

URBAN DESIGN PLAN

The Urban Design Element addresses the physical character and order of the City. It establishes objectives and polices dealing with the city pattern, conservation (both of natural areas and historic structures), major new developments, and neighborhood environment. It discusses meeting "human needs", largely by assuring quality living environments, and by protecting and enhancing those characteristics of development that make San Francisco special.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 1 EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

- POLICY 1.1 Recognize and protect major views in the city, with particular attention to those of open space and water.
- POLICY 1.2 Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.
- POLICY 1.3 Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.
- POLICY 1.4 Protect and promote large-scale landscaping and open space that define districts and topography.
- POLICY 1.5 Emphasize the special nature of each district through distinctive landscaping and other features.
- POLICY 1.6 Make centers of activity more prominent through design of street features and by other means.
- POLICY 1.7 Recognize the natural boundaries of districts, and promote connections between districts.
- OBJECTIVE 2 CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.
- POLICY 2.1 Preserve in their natural state the few remaining areas that have not been developed by man.

The Project calls for the reconfiguration of the Candlestick Point State Recreation Area as provided for in SB 792. While there would be a small net reduction in acreage to the State Park, the Candlestick Point Sub-Area Plan calls for full improvement of these shoreline park and open space areas, including substantial area that is currently unimproved, offers limited access, and is only used periodically for stadium parking. The Project thus enables a fully realized Candlestick Point State Recreation Area, consistent with the vision set forth in SB 792 and the State Parks General Plan. Furthermore, the Project would accommodate the creation of an additional 240 acres of parks and open space in addition to the Candlestick Point State Recreation Area.

- POLICY 2.2 Limit improvements in other open spaces having an established sense of nature to those that are necessary, and unlikely to detract from the primary values of the open space.
- POLICY 2.3 Avoid encroachments on San Francisco Bay that would be inconsistent with the Bay Plan or the needs of the city's residents.

- POLICY 2.4 Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.
- POLICY 2.7 Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.
- POLICY 2.8 Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.
- POLICY 2.9 Review proposals for the giving up of street areas in terms of all the public values that streets afford.
- POLICY 2.10 Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.
- OBJECTIVE 3 MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.
- POLICY 3.1 Promote harmony in the visual relationships and transitions between new and older buildings.
- POLICY 3.3 Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.
- POLICY 3.4 Promote building forms that will respect and improve the integrity of open spaces and other public areas.
- POLICY 3.5 Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.
- POLICY 3.7 Recognize the special urban design problems posed in development of large properties.
- POLICY 3.8 Discourage accumulation and development of large properties, unless such development is carefully designed with respect to its impact upon the surrounding area and upon the city.
- OBJECTIVE 4 IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.
- POLICY 4.1 Protect residential areas from the noise, pollution and physical danger of excessive traffic.

- POLICY 4.2 Provide buffering for residential properties when heavy traffic cannot be avoided.
- POLICY 4.3 Provide adequate lighting in public areas.
- POLICY 4.4 Design walkways and parking facilities to minimize danger to pedestrians.
- POLICY 4.5 Provide adequate maintenance for public areas.
- POLICY 4.6 Emphasize the importance of local centers providing commercial and government services.
- POLICY 4.7 Encourage and assist in voluntary programs for neighborhood improvement.
- POLICY 4.8 Provide convenient access to a variety of recreation opportunities.
- POLICY 4.9 Maximize the use of recreation areas for recreational purposes.
- POLICY 4.10 Encourage or require the provision of recreation space in private development.
- POLICY 4.11 Make use of street space and other unused public areas for recreation, particularly in dense neighborhoods, such as those close to downtown, where land for traditional open spaces is more difficult to assemble.
- POLICY 4.12 Install, promote and maintain landscaping in public and private areas.
- POLICY 4.13 Improve pedestrian areas by providing human scale and interest.

The Project is consistent with and implements the Urban Design Element in that it enables the establishment of new vibrant mixed-use neighborhoods on currently underutilized land. Pursuant to the policies of the new Candlestick Point Sub-Area Plan, Bayview Hunters Point Area Plan, and amendments to the BVHP Redevelopment Plan and the Shipyard Redevelopment Plan, development patterns typical of San Francisco would be applied to the new neighborhoods. These would include but not be limited to: the extension of the existing street grid, incorporation of ample open space with a wide variety of configurations and programming, particular attention placed on the design of streets and other public realm elements, with particular attention given to how buildings interface with the public realm, and emphasis on pedestrian and bicyclist safety and comfort in the design of the streets.

The Project would be large scale in nature. However, the development standards and design guidelines contained in the Design for Development documents ensure that the development fits within its San Francisco context. Policies within these regulating plans call for fine-grained networks of typical San Francisco-sized blocks, a wide variety of building types and sizes, and the need to provide a human-scale

interface with the street and public realm. To assure that large buildings and towers do not overwhelm their surroundings, the Design for Development documents contain policies that require a full host of design and siting considerations including, but not limited to, the following: (1) the effect of such buildings on shadows, wind, and views; (2) the aesthetic effect of large buildings and towers on the surrounding streets; (3) the perception of such buildings from afar; and (4) the relationship of such buildings to geographic features such as Bayview Hill, Hunters Point Hill, and the surrounding Bay.

In keeping with the Urban Design Element's preservation related objectives and policies, the Shipyard Redevelopment Plan and its associated documents calls for the preservation of several significant buildings and the construction of a heritage park that will, among other things, commemorate the Shipyard's history. The Project proposes that other cultural elements be incorporated into the design, including elements that will celebrate the local African-American population and the Shipyard's existing artists.

ENVIRONMENTAL PROTECTION ELEMENT

The Environmental Protection Element is concerned with protecting the natural environment within San Francisco's urban context. The element provides objectives and policies for the following topics: the Bay, ocean and shoreline, air, fresh water, land, flora and fauna, transportation noise, and energy.

The following objectives and policies are relevant to the Project:

OBJECTIVE 1 **ACHIEVE A PROPER BALANCE AMONG THE CONSERVATION, UTILIZATION, AND DEVELOPMENT OF SAN FRANCISCO'S NATURAL RESOURCES.**

Policy 1.1 Conserve and protect the natural resources of San Francisco.

Policy 1.2 Improve the quality of natural resources.

Policy 1.3 Restore and replenish the supply of natural resources.

Policy 1.4 Assure that all new development meets strict environmental quality standards and recognizes human needs.

OBJECTIVE 3 **MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN, AND SHORELINE AREAS.**

Policy 3.1 Cooperate with and otherwise support regulatory programs of existing regional, state, and federal agencies dealing with the Bay, ocean, and shorelines.

Policy 3.2 Promote the use and development of shoreline areas consistent with the General Plan and the best interests of San Francisco.

- OBJECTIVE 7 ASSURE THAT THE LAND RESOURCES IN SAN FRANCISCO ARE USED IN WAYS THAT BOTH RESPECT AND PRESERVE THE NATURAL VALUES OF THE LAND AND SERVE THE BEST INTERESTS OF ALL THE CITY'S CITIZENS.
- POLICY 7.1 Preserve and add to public open space in accordance with the objectives and policies of the Recreation and Open Space Element.
- POLICY 7.3 Require that filling of land adhere to the highest standards of soils engineering consistent with the proposed use.
- OBJECTIVE 8 ENSURE THE PROTECTION OF PLANT AND ANIMAL LIFE IN THE CITY.
- Policy 8.1 Cooperate with and otherwise support the California Department of Fish and Game and its animal protection programs.
- Policy 8.2 Protect the habitats of known plant and animal species that require a relatively natural environment.
- Policy 8.3 Protect rare and endangered species.
- OBJECTIVE 10 MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS.
- OBJECTIVE 11 PROMOTE LAND USES THAT ARE COMPATIBLE WITH VARIOUS TRANSPORTATION NOISE LEVELS.
- Policy 11.1 Discourage new uses in areas in which the noise level exceeds the noise compatibility guidelines for that use.
- Policy 11.3 Locate new noise-generating development so that the noise impact is reduced.
- OBJECTIVE 15 INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.
- POLICY 15.3 Encourage an urban design pattern that will minimize travel requirements among working, shopping, recreation, school and childcare areas.

The Project is consistent with and implements the Environmental Protection Element in that it calls for mixed-use, high density, transit-friendly, sustainable development. Moreover, the Project provides for the improvement and restoration of approximately 261 acres along the shoreline. A reconfiguration of the Candlestick Point State Park Recreation Area has been authorized under SB 792 to accommodate these improvements. The Candlestick Point – Hunters Point Shipyard Phase II Environmental Impact Report (

CP-HPS II EIR) considers potential impacts to biological resources, air quality, noise emissions, hazardous material and shoreline related land uses, among many other topics. The CP-HPS II EIR concludes that any potential impacts to biological resources can be mitigated to less than significant levels. The CP-HPS II EIR reaches similar conclusions regarding hazardous material, water quality, and energy. Development of the neighborhoods envisioned in the amended Bayview Hunters Point Redevelopment Plan and Hunters Point Redevelopment Plan would be required to meet City, Regional, State and Federal regulations regarding the protection of potentially vulnerable biological resources, hazardous material clean-up, water quality, emission standards for air quality and noise. The CP- HPS II EIR identifies potential significant and unavoidable impacts regarding noise and air pollutant emissions; these impacts are largely traffic and construction related and are substantially due to the Project's scale and intensity. The Project and all related City approvals are nonetheless consistent with the Environmental Protection Element as the Project satisfies and implements the preponderance of Element's objectives and policies: the Project furthers the Element's emphasis on the need to coordinate land use and transportation and on efficient, compact, and sustainable development; the Project furthers the Element's encouragement of improving and restoring the shoreline and other open spaces.

COMMUNITY FACILITIES ELEMENT

The Community Facilities element addresses police facilities, neighborhood center facilities, fire facilities, library facilities, public health facilities, and touches upon educational facilities, institutional facilities (colleges, etc.) wastewater facilities, and solid waste facilities.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 3 ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES
- POLICY 3.6 Base priority for the development of neighborhood centers on relative need.
- OBJECTIVE 4 PROVIDE NEIGHBORHOOD CENTERS THAT ARE RESPONSIVE TO THE COMMUNITY SERVED.
- POLICY 4.1 Assure effective neighborhood participation in the initial planning, ongoing programming, and activities of multi-purpose neighborhood centers
- OBJECTIVE 5 DEVELOPMENT OF A SYSTEM OF FIREHOUSES WHICH WILL MEET THE OPERATING REQUIREMENTS OF THE FIRE DEPARTMENT IN PROVIDING FIRE PROTECTION SERVICES AND WHICH WILL BE IN HARMONY WITH RELATED PUBLIC SERVICE FACILITIES AND WITH ALL OTHER FEATURES AND FACILITIES OF LAND DEVELOPMENT AND TRANSPORTATION PROVIDED FOR A OTHER SECTIONS OF THE GENERAL PLAN

OBJECTIVE 6 DEVELOPMENT OF A PUBLIC LIBRARY SYSTEM IN SAN FRANCISCO WHICH WILL MAKE ADEQUATE AND EFFICIENT LIBRARY SERVICE FREELY AVAILABLE TO EVERYONE WITHIN THE CITY, AND WHICH WILL BE IN HARMONY WITH RELATED PUBLIC SERVICE FACILITIES AND WITH ALL OTHER FEATURES AND FACILITIES OF LAND DEVELOPMENT AND TRANSPORTATION PROVIDED FOR IN OTHER SECTIONS OF THE GENERAL PLAN

The Project is consistent with and implements the Community Facilities Element in that it provides for mixed-use development that includes public uses and community facilities. The Project generally calls for a flexible approach to providing community facilities. It includes approximately 50,000 square feet at Hunters Point Shipyard, along with an additional 50,000 square feet at Candlestick Point that could be used for a wide range of community uses. Among the currently identified uses would be a fire station at Hunters Point Shipyard and a library reading room. The Project also includes a community benefit package that would address needs for educational and health facilities. Because of the long build-out of the Project, the ability to program individual parcels has been largely left open to assure that the appropriate community facility can be identified when the needs arise.

PUBLIC SAFETY ELEMENT

OBJECTIVE 2 REDUCE STRUCTURAL AND NON-STRUCTURAL HAZARDS TO LIFE SAFETY, MINIMIZE PROPERTY DAMAGE AND RESULTING SOCIAL, CULTURAL AND ECONOMIC DISLOCATIONS RESULTING FROM FUTURE DISASTERS.

POLICY 2.1 Assure that new construction meets current structural and life safety standards.

POLICY 2.3 Consider site soils conditions when reviewing projects in areas subject to liquefaction or slope instability.

POLICY 2.9 Consider information about geologic hazards whenever City decisions that will influence land use, building density, building configurations or infrastructure are made.

POLICY 2.12 Enforce state and local codes that regulate the use, storage and transportation of hazardous materials in order to prevent, contain and effectively respond to accidental releases.

The Project is consistent with and implements the Community Safety Element. All improvements, including infrastructure, buildings and open space improvements will be constructed to local seismic standards, taking into account, among other considerations, the geological condition of the soil and where applicable, remediation activity. The Project is proposed to be built to accommodate sea level rise due to global warming.

ARTS ELEMENT

The Arts Element is concerned with, among other things, providing guiding principles for the City and County of San Francisco relative to the arts; validating and increasing the role of the arts as a major economic force in the region, and protecting arts organizations and artists through the adoption of policies that will withstand changes in political climate.

The following objectives and policies are relevant to the Project:

- OBJECTIVE I-1 RECOGNIZE THE ARTS AS NECESSARY TO THE QUALITY OF LIFE FOR ALL SEGMENTS OF SAN FRANCISCO

- POLICY I-3.3 Strive for the highest standards of design of public buildings and grounds and structures placed in the public right of way.

- POLICY III-1.3 Protect and assist in the creation of artists' live/work spaces

- POLICY III-2.2 Assist in the improvement of arts organizations' facilities and access in order to enhance the quality and quantity of arts offerings

- OBJECTIVE VI-1 SUPPORT THE CONTINUED DEVELOPMENT AND PRESERVATION OF ARTISTS' AND ARTS ORGANIZATIONS' SPACES.

- POLICY VI-1.6 Insure the active participation of artists and arts organizations in the planning and use of de-commissioned military facilities in San Francisco.

- POLICY VI-1.11 Identify, recognize, and support existing arts clusters and, wherever possible, encourage the development of clusters of arts facilities and arts related businesses throughout the city.

The Project is consistent with and implements the Arts Element in that it provides for the preservation and improvement of the existing Hunters Point artist colony (Building 101) along with the reconstruction of other Shipyard artists studios so as to provide approximately 255,000 square feet of improved artist studio and related arts space. The Project locates this space within a central Hunters Point Shipyard village center cultural district with an emphasis on arts-related uses. In addition, the Design for Development documents, which include governing development standards and design guidelines governing the Project, require development of a high quality public realm.

AIR QUALITY ELEMENT

The Air Quality Element is concerned, in part, with reducing the level of pollutants in the air, thus protecting and improving public health, welfare and the quality of life of the citizens of San Francisco and

the residents of the metropolitan region. It emphasizes that opportunities for economic growth in the area can be enhanced through implementation of transportation, land use and other policies in harmony with clean air goals.

The following objectives and policies are relevant to Project:

- OBJECTIVE 3 DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.
- POLICY 3.1 Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.
- POLICY 3.2 Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development
- POLICY 3.6 Link land use decision making policies to the availability of transit and consider the impacts of these policies on the local and regional transportation system
- POLICY 3.8 Promote the development of non-polluting industries and insist on compliance with established industrial emission control regulations by existing industries.
- POLICY 3.9 Encourage and require planting of trees in conjunction with new development to enhance pedestrian environment and select species of trees that optimize achievement of air quality goals
- OBJECTIVE 5 MINIMIZE PARTICULATE MATTER EMISSIONS FROM ROAD AND CONSTRUCTION SITES.
- POLICY 5.1 Continue policies to minimize particulate matter emissions during road and building construction and demolition.
- OBJECTIVE 6 LINK THE POSITIVE EFFECTS OF ENERGY CONSERVATION AND WASTE MANAGEMENT TO EMISSION REDUCTIONS.
- POLICY 6.2 Encourage recycling to reduce emissions from manufacturing of new materials in San Francisco and the region.

The Project is consistent with and implements the Air Quality Element in that it calls for mixed-use, high density, multi-modal, sustainable development that will enable efficient use of land and encourage travel by

Exhibit A to Resolution No. 18101
Hearing Date: June 3, 2010

Case No 2007.0946BEMTZRU
Candlestick Point – Hunters Point Shipyard Phase 2
General Plan Findings and Planning Code Section
101.1 Findings

transit, bicycle and by foot, thereby reducing auto use. The Design for Development documents governing development of the Project encourage other sustainable features including storm water "low-impact" development, energy-saving design, and robust tree planting and landscaping through the streets and open spaces. While the CP-HPS II EIR identifies potential significant and unavoidable impacts regarding air pollutant emissions, the impacts are largely traffic related, which, in turn, is substantially due to the Project's scale. The Project is nonetheless consistent with the Air Quality Element because it satisfies and implements the preponderance of Element's objectives and policies; most importantly, the Project furthers the Element's emphasis on coordinating land use and transportation and on efficient and compact development.

**General Plan Priority Finding
(Planning Code Section 101.1 Findings)**

Planning Code Section 101.1(b) establishes eight priority policies and is a basis by which differences between competing policies in the General Plan are resolved. As described below, the Project is consistent with the eight priority policies set forth in Planning Code Section 101.1(b).

1. That existing neighborhood serving retail uses be preserved and enhanced and future opportunities for resident employment in or ownership of such businesses enhanced.

The Project will preserve and enhance existing neighborhood serving retail uses. The Project includes 885,000 square feet of retail use, including 250,000 square feet of neighborhood serving retail across Candlestick Point and Hunters Point Shipyard. The proposed new retail will not unduly compete with existing neighborhood commercial districts. Indeed, the substantial new residential, research and development, and office uses to be developed as part of the Project will provide additional patrons for existing neighborhood commercial districts, including Third Street. As a part of the CP-HPS II EIR, an urban decay analysis was conducted to assure that the proposed new retail would not unduly compete and cause urban decay to surrounding retail clusters. The analysis concluded that the project would not cause such decay.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project includes new development on largely undeveloped and underutilized land; it does not call for the redevelopment of existing established neighborhoods. No existing dwelling units outside of Alice Griffith are being contemplated for demolition as part of the project. Alice Griffith will be rebuilt and will include replacement affordable housing units at the same affordable levels. The phasing of the reconstruction of Alice Griffith will ensure that eligible residents may move to their newly updated units from their existing homes without displacement off-site. Furthermore, the Project calls for the new developments to be integrated into the existing Bayview residential fabric by extending the existing street grid into the development, and extending proposed streetscape improvements into the existing neighborhood.

3. That the City's supply of affordable housing be preserved and enhanced.

The Project calls for development that would have a positive effect on the City's affordable housing stock. The Project would provide up to 10,500 new dwelling units. A

large percentage (approximately 32%) of these new units would be below market rate and affordable to a range of incomes, including workforce housing units as well as units for very low, low, and moderate income households. A major component of new development would be the rebuilding of Alice Griffith. Alice Griffith units would be replaced on a one-to-one basis with new mixed income buildings. Phasing of construction would ensure that eligible residents may move to their newly upgraded units from their existing homes without displacement off-site. Alice Griffith would be improved with new housing structures, a more integrated street grid, community facilities and open space.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project's mix of adjacent and complementary land uses and the accompanying transportation and circulation network aim to reduce car usage and encourage walking, bicycling and transit usage. The Project includes significant transit infrastructure enhancements including dedicated transit lanes and transit-priority signaling; enhancements to several existing MUNI lines; and creation of several new lines, including a Bus Rapid Transit line; and new express buses. The capacity of selected street segments would be enhanced to accommodate peak demand associated with the proposed stadium. The Project includes Transportation Demand Management (TDM) measures, including management of the parking supply, that encourage residents, workers, and visitors to use alternative modes of transportation. Thus, on balance, while the Project will increase traffic in its vicinity, it will not impede MUNI transit service or overburden streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would not adversely affect the industrial sector or service sectors. To the contrary, the Project will enhance resident employment and economic opportunity. The Project would include up to 2,650,000 square feet for job-generating uses in a wide range of possible fields including research and development, green technology, life sciences, clean technology, general office, and light industrial. There is the potential for an additional 2,500,000 square feet of such uses if the stadium is not developed. The existing arts colony at Hunters Point Shipyard would be maintained and enhanced. Other jobs would be made available as part of the development's retail and significant open space components. No existing industrial uses would be removed by the project.

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

All new construction would be subject to the City's Building Code, Fire Code and other applicable safety standards. Thus, the Project would improve preparedness against injury and loss of life in an earthquake by prompting development that would comply with applicable safety standards, unlike many of the aging existing buildings, particularly at the Shipyard.

7. That landmarks and historic buildings be preserved.

Structures found to be eligible for listing on the National Register of Historic Places, including Dry Docks 2, 3, and 4, the pumphouses (Buildings 205 and 140), the Gatehouse (Building 204), and the Tool Building (Building 207) would be preserved as the Hunters Point Shipyard Dry Dock and Naval Shipyard Historic District. Furthermore, the Project calls for the establishment for a Heritage Park that, among other things, will celebrate and commemorate the working history of the Shipyard. Buildings identified potential contributors to the Historic District would be further evaluated to determine the feasibility of their preservation and adaptive reuse. Thus, the Project would not adversely affect the preservation of landmarks and historic buildings, particularly in light of the other Priority Policies calling for creation of opportunities for resident employment and affordable housing

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would not adversely affect existing open spaces or their access to sunlight and vistas. The Project would include approximately 336 acres of open space (roughly half the land area of the site) including the improved Candlestick Point State Recreation Area, and development of new dual use sports fields as part of the stadium alternative. A reconfiguration of the Candlestick Point State Recreation Area has been authorized through SB 792 that will help with its ongoing planning, operation, and maintenance, as well as its integration into the redevelopment of Candlestick Point and the Hunters Point Shipyard. Parks and open space would be programmed for a wide variety of passive and active recreational opportunities and would assure all residents, workers, and visitors will have nearby access to open space. The Project includes extension of the City's street grid in a manner that will help assure preservation of public views to the Bay. In addition, the Design for Development documents call for the careful placement of tall buildings to guard against undo shadow and wind impacts to the public realm.



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

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Date: April 5, 2017
Case No. 2017-003875GPR
**Hunters Point Shipyard Redevelopment Plan and the
Bayview Hunters Point Redevelopment Plan**

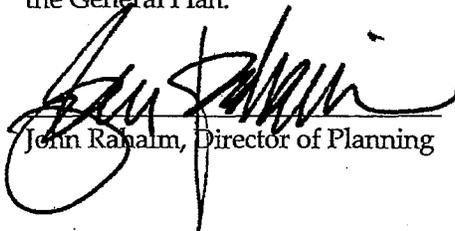
Block/Lot No.: See Attachments A and B, Maps of the Redevelopment Plan
Areas

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Recommendation: Finding the project, on balance, is in conformity with
the General Plan.

*Recommended
By:* 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

The project proposes amendments (“Plan Amendments”) to the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”) (collectively, the “Redevelopment Plans”) to implement Proposition O, passed by San Francisco voters on November 8, 2016, which exempts Zone 1 of the Bayview Hunters Point Redevelopment Project Area (“BVHP Project Area”) and Phase 2 of the Hunters Point Shipyard Redevelopment Project Area (“HPS Project Area”) (refer to the attached map) from

the office development limitations of Planning Code Sections 320-325 originally enacted by voters in 1986 (Proposition M). The purpose of the amendments is to reflect passage of Proposition O, which established that Planning Code Sections 320-325 (Proposition M) does not apply to office development within Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area. The Plan Amendments make no changes to the allowable land uses or the amount of permitted office development in the Redevelopment Plans. The actual text of the amendments are attached as Attachment C.

ENVIRONMENTAL REVIEW

On April 3, 2017, the Environmental Planning division of the Department determined the project is not defined as a project under CEQA Guidelines Sections 15060(c) and 15378 because it does not result in a physical change in the environment (Case No. 2017-003875GPR).

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

As noted above, the proposed amendments are to implement Proposition O, and does not contemplate any physical changes to the buildout of Zone 1 of the BVHP Plan Area and HPS Plan Area, as outlined in the current Redevelopment Plans and respective implementing documents, including but not limited to the Design for Development documents, Open Space Plan, Transportation Plan and Sustainability Strategy.

On June 3, 2010, the Planning Commission adopted master General Plan and Planning Code Section 101.1 Findings that found the development projects at Zone 1 of the BVHP Redevelopment Plan (aka Candlestick Point) and the HPS Redevelopment Plan Areas, on balance, in compliance with the General Plan and Planning Code Section 101.1. (Planning Commission Motion No. 18101) The proposed amendments do not change these development projects and would not change these findings and therefore, are also consistent with the General Plan and Planning Code Section 101.1 Motion 18101 and the Master General Plan findings are attached as reference.

Attachments

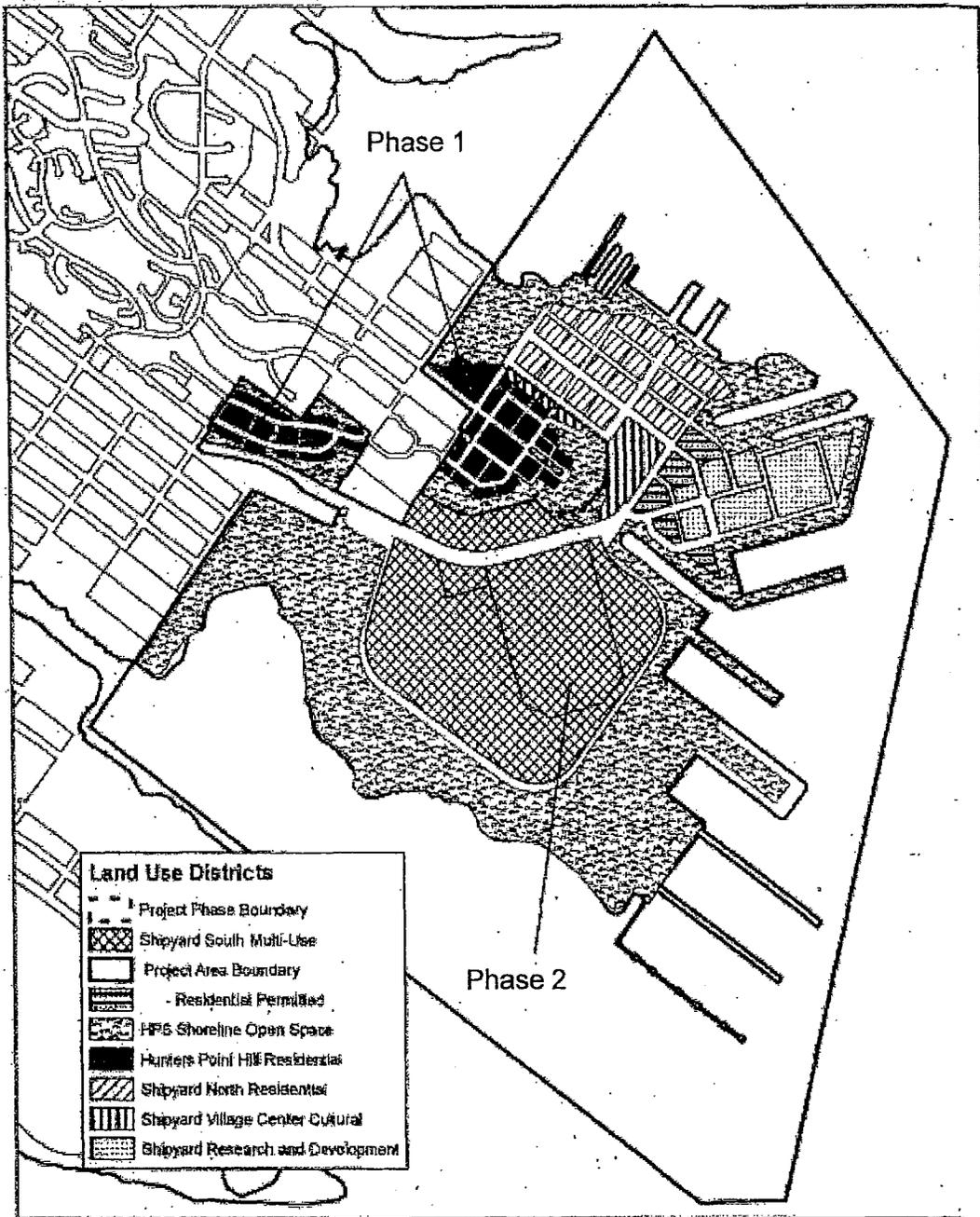
- A: Map of the Bayview Hunters Point Redevelopment Plan Area (including Zone 1)
- B: Map of the Hunters Point Shipyard Redevelopment Plan Area
- C: Conforming Amendment to the HPS and BVHP Redevelopment Plans to Conform with Proposition O
- D: Planning Commission Motion 18101 and attached Master General Plan Findings

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
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ATTACHMENT A
Map of Project Phase Boundaries
Hunters Point Shipyard Project Area

Map excerpted from Hunters Point Shipyard Redevelopment Plan, August 3, 2010:
Map 2: Land Use District Maps

Map 2: Phase 2, Hunters Point Shipyard Redevelopment Project Area



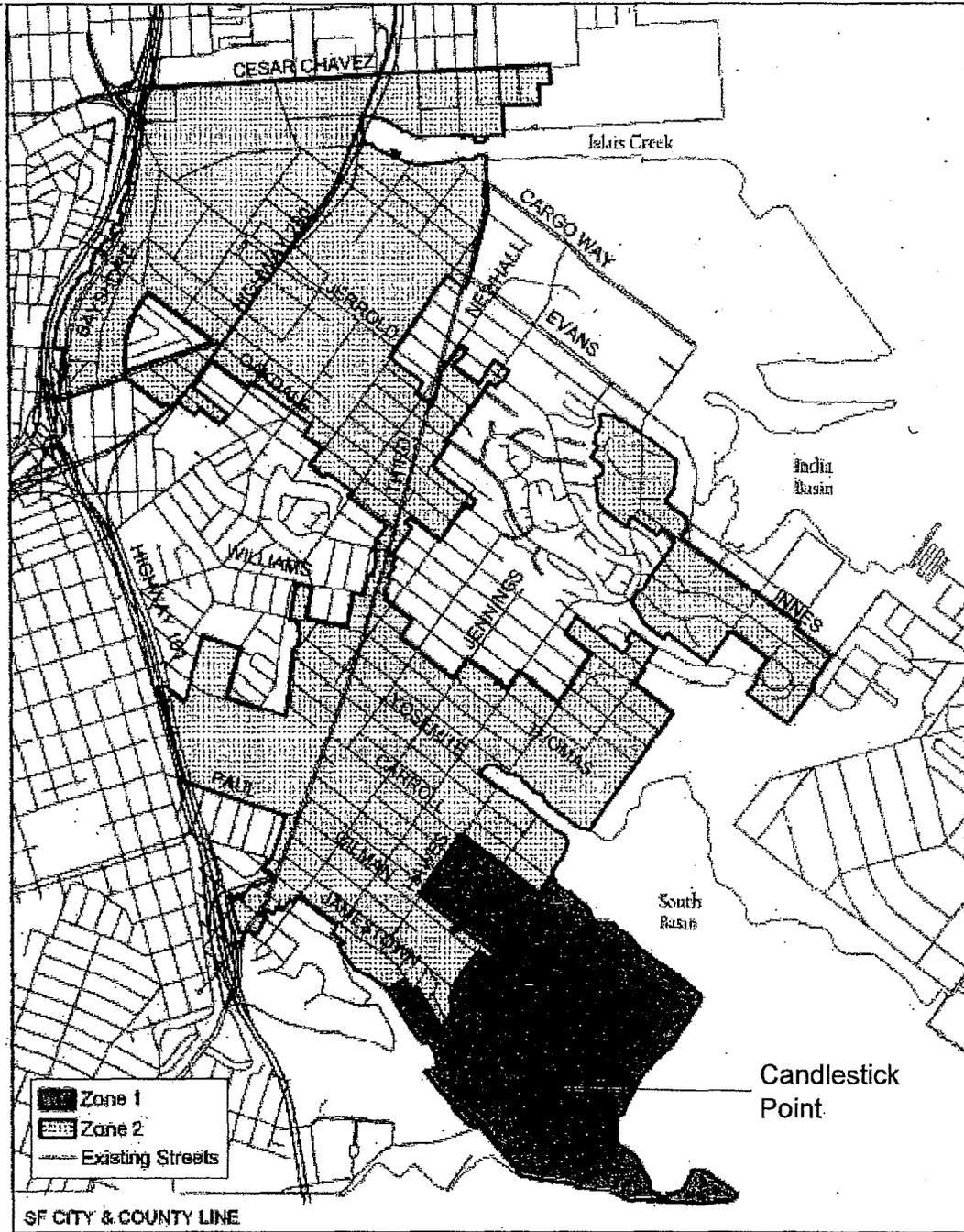
Map 2: Land Use Districts Map
 Hunters Point Shipyard Redevelopment Plan
 San Francisco Redevelopment Agency
 2010

1,000 500 0 1,000 Feet

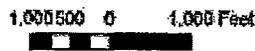
Attachment B
Map of Candlestick Point (Zone 1)
Bayview Hunters Point Project Area

Excerpted from Bayview Hunters Point Redevelopment Plan, August 3, 2010:
Map 2 – Project Area B Redevelopment Zones

MAP 2 – Project Area B Redevelopment Zones



Map 2: Project Area B Redevelopment Zones Map
 Bayview Hunters Point Redevelopment Plan
 San Francisco Redevelopment Agency
 2010



Attachment C

CONFORMING AMENDMENTS TO HPS AND BVHP REDEVELOPMENT PLANS TO CONFORM WITH PROPOSITION O

A. Conforming Amendments to Hunters Point Shipyard Redevelopment Plan

The following proposed amendments would conform the following provisions of the HPS Redevelopment Plan with Proposition O. ~~Strikethrough~~ is used to represent proposed deletions to language in the HPS Redevelopment Plan. Underlined text represents proposed additions or modifications to the existing language in the HPS Redevelopment Plan.

Proposed Amendment #1. The preface to the HPS Redevelopment Plan shall be amended as follows:

This Redevelopment Plan (this "**Plan**") for the Hunters Point Shipyard Redevelopment Project Area (the "**Project Area**") consists of the following text, maps and attachments: (a) the maps are: Map 1: Boundary Map; Map 2: Land Use Districts Map; Map 3: Existing Buildings; and Maps 4A, 4B and 4C: Street Plans; and (b) the attachments are: Attachment A: Legal Description of the Project Area; Attachment B: List of Public Improvements; Attachment C: Planning Code Section 314; Attachment D: Planning Code Section 295; and Attachment E: Planning Commission Resolution 18102 (subject to Section II.D.5 below), and Attachment F: Proposition O.

This Plan was adopted on July 14, 1997 (Ordinance No. 285-97) and amended on August 3, 2010 (Ordinance No. 211-10). This Plan was prepared in accordance with the California Community Redevelopment Law (as amended from time to time, the "CRL") and pursuant to Chapter 4.5 therein, which governs the redevelopment of closed military bases. During the preparation of this Plan, the Redevelopment Agency of the City and County of San Francisco (the "**Agency**") consulted with the Mayor's Hunters Point Shipyard Citizens Advisory Committee (the "**CAC**"), the San Francisco Planning Commission, and with other departments and offices of the City and County of San Francisco (the "**City**"). This Plan conforms with the General Plan of the City insofar as the General Plan applies to the Project. Any development within the jurisdiction of the Bay Conservation and Development Commission shall conform to the San Francisco Bay Plan.

The proposed redevelopment of the Project Area as described in this Plan is consistent with the San Francisco General Plan, the Bayview Hunters Point Area Plan, and the Hunters Point Shipyard Sub-Area Plan as adopted and amended by the Planning Commission on June 3, 2010, and is in conformity with the eight Priority Policies of Section 101.1 of the San Francisco Planning Code (the "**Planning Code**")

This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Project Area will be pursued. It is consistent with provisions of the CRL in effect at the date of adoption of this Plan and as of the 2010/2017 Plan Amendment Date.

Proposed Amendment #2. The introductory paragraph to Section II. D. (Standards for Development) shall be amended as follows:

D. Standards for Development

This Plan and the other Plan Documents, including the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, establish the standards for development in the Project Area and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan, are: (a) Sections 101.1, 295, and 314, and 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; (b) as to Phase 1 of the Project Area only, Sections 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; and (c) as to Phase 2 of the Project Area only, Section 324.1 as that section is in effect as of the 2017 Plan Amendment Date. Both the Agency Commission and the Planning Commission must approve any amendment to the Hunters Point Phase 1 Design for Development or the Hunters Point Phase 2 Design for Development.

Proposed Amendment #3. Section II.D.5 (Office Development Limitations) of the HPS Redevelopment Plan shall be amended as follows:

5. Office Development Limitations

On November 8, 2016, voters enacted Proposition O (Planning Code Section 324.1), which exempts Phase 2 of the Project Area from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 — 325 (Proposition M) shall apply to office development in Phase 1 of the Project Area, and Planning Code Section 324.1 shall apply to office development in Phase 2 of the Project Area. Accordingly, the Sections 320-325 place a cap on the annual amount of office development permitted in the City shall apply to Phase 1 but not Phase 2 of the Project Area.

By Resolution No. 18102, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the up to 5,000,000 square feet of office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." The findings contained in Proposition O (2016) supersedes, as to Phase 2 of the Project Area, any part of Resolution No. 18102 (Attachment E) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments, are incorporated herein by reference and attached as Attachment E. Because the office uses necessary for fostering the Shipyard Research & Development District has been found to promote the public welfare, convenience and

~~necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 5,000,000 square feet of office development projects undertaken pursuant to this Plan. To facilitate early job generation within the Project Area during the early phases of redevelopment under this Plan, the first 800,000 square feet of office development within the Project Area shall be given priority under Sections 320-325 over all office development proposed elsewhere in the City except within: (a) the Mission Bay South Project Area; (b) the Transbay Transit Tower (proposed for development on Lot 001 of Assessors Block 3720) (but not the remainder of the Transbay Redevelopment Project Area). As to the first 800,000 square feet of office development proposed pursuant to this Plan, no office development project contemplated may be disapproved either (i) for inconsistency with Planning Code Sections 320-325 or (ii) in favor of another office development project that is located outside the Project Area and subject to Planning Code Sections 320-325, except as provided in this Section II.D.5. Notwithstanding the above, for the first 800,000 square feet of office development proposed, no office development project will be approved that would cause the then applicable annual limitation contained in Planning Code Section 321 to be exceeded, and the Planning Commission shall consider the design of the particular office development project to confirm that it is consistent with the Planning Commission's findings contained in Resolution No. 18102. Upon such determination, the Planning Commission shall issue a project authorization for such project. The Planning Commission's decision on the design of any particular office development project reviewed pursuant to this Section will be binding on the Agency.~~

Proposed Amendment #4. Section II.D.6 (Development Fees and Exactions) shall be amended as follows:

6. Development Fees and Exactions

The following provisions will apply to all property in the Project Area except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Project Area for the duration of this Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Plan, shall be administered as required by State law, and shall be increased for the duration of this Plan in accordance with State law but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area that receives an allocation under Planning Code Section 320-325 described in Section II.D.5 include one-half of one percent (0.5%) of the hard

costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "Art Fee Amount") for the installation and maintenance of works of art in the public realm within the Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment C). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within the Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Plan, development within the Project Area shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care Facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Phase 2 of the Project Area (as shown in Map 2) and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within the Project Area.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

Proposed Amendment #5. The following term shall be added to Section XI (Definitions):

XI. Definitions

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

B. Conforming Amendments to Bayview Hunters Point Redevelopment Plan

The following proposed amendments would conform the following provisions of the BVHP Redevelopment Plan with Proposition O. ~~Strikethrough~~ is used to represent proposed deletions to language in the BVHP Redevelopment Plan. Underlined text represents proposed additions or modifications to the existing language in the BVHP Redevelopment Plan.

Proposed Amendment #1: Section 1.1.2 (Contents of this Redevelopment Plan) of the BVHP Redevelopment Plan shall be amended as follows:

This Redevelopment Plan consists of this text, the Project Area Boundary map (Map 1), the Legal Descriptions of Project Areas A and B (Attachments A & B), the Project Area B Redevelopment Zones map (Map 2), the Area B Activity Nodes map (Map 3), the Zone 1 Land Use Districts Map (Map 4), the Zone 2 Generalized Land Use Map (Map 5), the list of Authorized Public Improvements (Attachment C), the List of Blocks and Lots within Zone 1 as of the 2010 Plan Amendment Date (Attachment D), Planning Code Section 314 (Attachment E), Planning Code Section 295 (Attachment F), and Planning Commission Resolution 18102 (Attachment G) (subject to Section 4.3.16 below), and Proposition O (Attachment H). All attachments and maps are incorporated into this Redevelopment Plan by reference. This Redevelopment Plan was prepared by the Agency pursuant to the California Community Redevelopment Law (CRL), the California Constitution, and all applicable local codes and ordinances. The Project Area is in Bayview Hunters Point, City and County of San Francisco, State of California and includes all properties within the Project Area boundary shown on Map 1.

Proposed Amendment #2. Section 1.1.4 (Conformance with the General Plan) of the BVHP Redevelopment Plan shall be amended as follows:

The Redevelopment Plan is consistent with the General Plan of the City and County of San Francisco and its applicable elements, including the BVHP Area Plan and the Candlestick Point Sub-Area Plan, each as in effect on the ~~2010~~2017 Plan Amendment Date. The Redevelopment Plan is also in conformity with the eight Priority Policies of Section 101.1 of the Planning Code in effect on the ~~2010~~2017 Plan Amendment Date.

Proposed Amendment #3. The introductory paragraph of Section 4.3 (Standards and Procedures for Development in Zone 1) is amended as follows:

For Zone 1, this Redevelopment Plan and the other Plan Documents, including the Candlestick Point Design for Development, establish the standards for development and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan, are Sections 101.1, 295, and 314, ~~and 320-325,~~ as such sections are in effect as of the 2010 Plan Amendment Date. Both the Agency

Commission and the Planning Commission must approve any amendments to the Candlestick Point Design for Development.

Proposed Amendment #4. Section 4.3.15 (Development Fees and Exactions) shall be amended as follows:

4.3.15 Development Fees and Exactions

The following provisions will apply to all property in Zone 1 except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Zone 1 for the duration of this Redevelopment Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Redevelopment Plan, shall be administered as required by State law, and shall be increased for the duration of this Redevelopment Plan in accordance with State law, but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Redevelopment Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area ~~that receives an allocation under Planning Code Section 320-325 described in section 4.3.16~~ include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "Art Fee Amount") for the installation and maintenance of works of art in the public realm within Zone 1. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Zone 1. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Candlestick Point Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Redevelopment Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment E). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within Zone 1.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Redevelopment Plan, development within the Zone 1 shall not be subject to any change to the provisions of the Child-Care Requirements that permit

compliance through the construction of Child-Care facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Zone 1 of Project Area B of the Project Area and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within Zone 1.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

The parcels on Assessor Blocks 4917, 4918, 4934, and 4935 shall be subject to all fees and exactions under the City Planning Code in effect from time to time, except as otherwise provided pursuant to an Owner Participation Agreement or Development Disposition Agreement, if the Agency determines that the public benefits under an Owner Participation Agreement exceed those that would otherwise be obtained through imposition of the City Planning Code fees and exactions.

Proposed Amendment #5. Section 4.3.16 (Office Development Limitations) of the BVHP Redevelopment Plan is amended as follows:

4.3.16 Office Development Limitations

On November 8, 2016, voters enacted Proposition O, which exempts Zone 1 of this Redevelopment Plan from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 - 325 (Proposition M) shall apply to office development in Zone 2 of this Redevelopment Plan and Planning Code Section 324.1 shall apply to office development in Zone 1 of this Redevelopment Plan. Accordingly, the Project Area Sections 320-325 place a cap on the annual amount of office development permitted in the City shall apply in Zone 2 by not in Zone 1 of this Redevelopment Plan.

By Resolution No. 18102 (Attachment G), the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the 150,000 square feet of office development contemplated in Zone 1 of this Redevelopment Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." Proposition O (2016) supersedes, as to Zone 1 of this Redevelopment Plan, any portion of The findings contained in Resolution No.

~~18102 (Attachment G) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments, are incorporated herein by reference. Because the office uses contemplated by this Redevelopment Plan has been found to promote the public welfare, convenience and necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 150,000 square feet of commercial development projects in Zone 1 undertaken pursuant to this Redevelopment Plan.~~

Proposition O did not exempt Zone 2 of the Project Area from the requirements of Proposition M (Sections 320-325). The permitted land uses and standards of development for Zone 2 are described in Section 5.

Proposed Amendment #6. The following term is added to Section 6.0 (Definitions) of the BVHP Redevelopment Plan:

6.0 Definitions

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

ATTACHMENT D
PLANNING COMMISSION RESOLUTION No. 18101



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18101

HEARING DATE: JUNE 3, 2010

Date: May 20, 2010
Case No.: 2007.0946BEMRTUZ
Project: Candlestick Point – Hunters Point Shipyard Phase 2
 General Plan Findings and Planning Code Section 101.1 Findings
Location: Candlestick Point and Hunters Point Shipyard
Staff Contact: Mat Snyder – (415) 575-6891
 mathew.snyder@sfgov.org
Recommendation: Adopt the Findings

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ESTABLISHING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO AND WITH SECTION 101.1 OF THE CITY PLANNING CODE FOR THE CANDLESTICK POINT HUNTERS POINT SHIPYARD PHASE 2 DEVELOPMENT PROJECT INCLUDING AMENDMENTS TO THE BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN, THE HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN AND FOR VARIOUS ACTIONS NECESSARY FOR THE IMPLEMENTATION OF THE PROJECT.

WHEREAS, The Planning Department ("Department"), Redevelopment Agency ("Agency"), the Office of Economic and Workforce Development ("OEWD") with many other City Departments have been working to transform Candlestick Point and the Hunters Point Shipyard from their current underutilized nature into a vibrant, high-density, mixed-use, transit-oriented neighborhoods that will provide public benefits to both the existing residents and the City as a whole;

The Bayview Hunters Point has one of the highest concentrations of very low-income residents and one of the highest unemployment rates in San Francisco, and public health in the area has generally been poor compared to the rest of San Francisco. Bayview Hunters Point has very few quality public parks and open spaces that provide active recreation facilities for neighborhood youth, and is in need of affordable housing and business and job opportunities for its residents. The area remains under-served by transit and basic neighborhood-serving retail and cultural amenities. The betterment of the quality of life for the residents of the Bayview Hunters Point community is one of the City's highest priorities;

Hunters Point Shipyard and Candlestick Point are part of the Bayview Hunters Point neighborhood and are in close proximity to one another, separated only by the Yosemite Slough and South Basin. Together, they comprise about 702 acres, and make up the largest area of underused land in the City. The Candlestick Point area comprises approximately 281 acres and Hunters Point Shipyard Phase 2 area comprises approximately 402 acres. Candlestick Point is

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Hearing Date: June 3, 2010

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generally comprised of the 49ers Football Stadium and parking lot, the Candlestick Point State Recreation Area (CPSRA) (excluding the Yosemite Slough portion of the Park), the Alice Griffith Housing development, along with privately held parcels to the southwest of the stadium site between Bayview Hill and Jamestown Avenue, and privately held parcels between the stadium and the CPSRA. The Hunters Point Shipyards portion of the project is comprised of a majority of the former Naval Shipyards except for the portion currently being developed as "Phase 1", also often referred to as "Parcel A";

The Hunters Point Shipyards was once a thriving, major maritime industrial center that employed generations of Bayview Hunters Point residents. Following World War II, the Shipyards was a vital hub of employment in the Bayview Hunters Point, providing logistics support, construction and maintenance for the United States Department of the Navy. At its peak, the Shipyards employed more than 17,000 civilian and military personnel, many of whom lived in Bayview Hunters Point. The United States Navy ceased operations at the Shipyards in 1974 and officially closed the base in 1988. The Shipyards was then included on the Department of Defense's 1991 Base Realignment and Closure (BRAC) list. In 1993, following designation of the Shipyards by the City's Board of Supervisors as a redevelopment survey area, the City and the Redevelopment Agency began a community process to create a plan for the economic reuse of the Shipyards and the remediation and conveyance of the property by the Navy; and

In planning for the redevelopment of the Shipyards, the City and the Redevelopment Agency worked closely with the Hunters Point Citizen's Advisory Committee ("CAC"). The CAC is a group of Bayview Hunters Point community residents, business owners and individuals with expertise in specific areas, who are selected by the Mayor to oversee the redevelopment process for the Shipyards. The Agency has worked with the CAC and the community throughout the process of implementing revitalization activities regarding the Shipyards; and

In July 1997, the Board of Supervisors adopted a Redevelopment Plan for revitalization of the Shipyards. The Hunters Point Redevelopment Plan contemplated the development of a mix of residential, commercial, cultural, research and development and light industrial uses, with open space around the waterfront perimeter; and

Since its selection by the Redevelopment Agency, the Shipyards developer has worked with the City, the Agency, and the Navy to facilitate the redevelopment and economic reuse of the Shipyards. In 2003, the Shipyards developer and the Agency entered into the Hunters Point Shipyards Phase I Disposition and Development Agreement (DDA), under which the Shipyards developer is constructing infrastructure for up to 1,600 residential units on Parcel A of the Shipyards, of which approximately 30 percent will be affordable. The Phase I DDA also requires the Shipyards developer to create approximately 25 acres of public parks and open space on Parcel A.

As described above, Candlestick Point includes, among other things: (a) the City-owned stadium, currently named Candlestick Park, which is home to the San Francisco 49ers and is nearing the end of its useful life; (b) the Alice B. Griffith Housing Development, also known as Double Rock, and (c) the Candlestick Point State Recreation Area.

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In June, 1997, San Francisco voters adopted two measures (Propositions D and F) providing for the development by the 49ers or their development partners of a new stadium, a related 1,400,000 square foot entertainment and retail shopping center, and other conditional uses including residential uses. The voters approved up to \$100 million of lease revenue bonds to help finance the proposed development of the new stadium.

In June 2006, following a 10-year planning process, the Board of Supervisors adopted a Redevelopment Plan for the Bayview Hunters Point Project Area that includes Candlestick Point. The primary objective of the Redevelopment Plan is to revitalize the Bayview Hunters Point community through economic development, affordable housing and community enhancement programs for the benefit of existing residents and community-based businesses. The policies and programs of the Redevelopment Plan incorporate community goals and objectives expressed in a Concept Plan that the Bayview Hunters Point Project Area Committee ("PAC") adopted in 2000, following hundreds of community planning meetings. The PAC is a body that was formed in 1997 through a public election by Bayview Hunters Point voters to work with the Redevelopment Agency and the City and represent the interests of the Bayview Hunters Point community in planning for the area's future. The Agency has continued to work through the PAC and with the community throughout the process of implementing revitalization activities under the Redevelopment Plan.

The Alice B. Griffith Housing Development, built in the early 1960s and operated by the San Francisco Housing Authority, needs substantial improvement. An important component of the Project is to provide one-for-one replacement of Alice B. Griffith units at existing low income levels and to ensure that existing tenants have the right to move to the new upgraded units without being displaced until the replacement units are ready for occupancy.

In 1983, the City donated land at Candlestick Point to the State of California to form the Candlestick Point State Recreation Area with the expectation that the State would develop and implement a plan for improving the park land. The Recreation Area has the potential to be a tremendous open space recreational resource for the region and for the residents of Bayview Hunters Point. But it has not reached its potential due to limited State funding and a challenging configuration. The long-term restoration and improvement of the Candlestick Point State Recreation Area has been a long-term goal of the residents of Bayview Hunters Point, the City, and the State.

For over a decade, the redevelopment of Candlestick Point and the Shipyard has proceeded on parallel, though largely separate, paths. But over the last four years, the City and the Redevelopment Agency have been working with the Bayview Hunters Point community on redeveloping the two sites together. A primary objective of both the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan is to create economic development, affordable housing, public parks and open space and other community benefits by developing the under-used lands within the two project areas. Combining the planning and redevelopment of these two areas provides a more coherent overall plan, including comprehensive public recreation and open space plans and integrated transportation plans, and

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provides better ways to increase efficiencies to finance the development of affordable housing and the public infrastructure necessary to expedite the revitalization of both areas.

In May, 2007, the Board of Supervisors adopted and the Mayor approved a resolution approving a Conceptual Framework for the integrated development of Candlestick Point and Phase 2 of the Hunters Point Shipyards ("the Project"). The Conceptual Framework, which is the basis for the last three years of planning for the Project, envisioned a major mixed-use project, including hundreds of acres of new waterfront parks and open space, thousands of new housing units, a robust affordable housing program, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Shipyards, and a site for a potential new stadium for the 49ers on the Shipyards.

In furtherance of the Conceptual Framework, in April 2007, the San Francisco Recreation and Parks Commission adopted a resolution requesting the Redevelopment Agency to include the existing stadium site under the Exclusive Negotiations Agreement. In May 2007, the Redevelopment Agency and the Shipyards developer (whose members were reconstituted) entered into a Second Amended and Restated Exclusive Negotiations and Planning Agreement related to Phase II of the Shipyards Redevelopment Plan, which extended the Shipyards developer's exclusive negotiating rights to cover Candlestick Point.

On June 3, 2008, the San Francisco voters approved Proposition G, an initiative petition measure named The Bayview Jobs, Parks, and Housing Initiative, regarding plans to revitalize the Project site. As set forth in Proposition G, the project is designed to revitalize the Project Site by (a) improving and creating hundreds of acres of public parks and open space, particularly along the waterfront, (b) significantly increasing the quality and quantity of affordable housing in southeastern San Francisco, including the complete rebuilding of the Alice Griffith Housing Development, (c) providing thousands of commercial and construction job opportunities for San Francisco residents and businesses, especially in the Bayview Hunters Point community, (d) supporting the creation of permanent space on the Shipyards for existing artists, (e) elevating the site into a regional center for green development and the use of green technology and sustainable building design, (f) providing extensive transportation improvements that will benefit southeastern San Francisco generally, (g) attracting and sustaining neighborhood serving retail and cultural amenities and services, and (h) offering a world-class waterfront stadium site opportunity as the City's last and best chance to keep the 49ers in San Francisco over the long term, but without requiring the revitalization project to be delayed if the 49ers do not timely decide to build a stadium in the project site or decide to build a new stadium elsewhere.

In October 2009, the State Legislature approved and the Governor signed and filed Senate Bill No. 792 (SB 792). SB 792, enacted as Chapter 2003 of the Statutes of 2009 in January of 2010, provides for the reconfiguration of the Candlestick Point State Recreation Area and improvement of the State park lands, in connection with the development of the Project.

The Project will include (a) 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyards

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establishes and reconfigures the location of the lands subject to the Public Trust and lands free of the Public Trust, in furtherance of the Project and the reconfiguration of Candlestick Point State Recreation Area.

The Recreation and Park land transfer agreement provides for the transfer of City-owned land within the Candlestick site to the Redevelopment Agency for development of the Project, consistent with Proposition G.

The draft amendments to the Health Code and related amendments to the Public Works Code and the Building Code create a framework for the San Francisco Department of Public Health to oversee and monitor compliance with environmental requirements at the Hunters Point Shipyards.

The draft amendments to the Subdivision Code provide the terms and conditions under which subdivision and parcel maps will be approved in the Project area.

The proposed Tax Allocation Agreement provides for an irrevocable pledge of net available tax increment from the Project site to the Redevelopment Agency, for the purpose of financing the construction of public infrastructure and certain other public improvements in the Project site.

The Commission is not required to approve all of the Board Actions, but must consider whether the implementation of the Bayview Hunters Point and the Hunters Point Shipyards Plan Redevelopment Plans, as amended, which the Board actions contemplate, is consistent with the General Plan, as it is proposed to be amended, and with Planning Code Section 101.1.

The Commission has reviewed the analysis of the consistency of the Redevelopment Plans, as amended, and the various implementation actions with the City's General Plan, as it is proposed to be amended, and with Section 101.1 of the Planning Code, which consistency analysis has been prepared by Planning Department staff and is set forth in Exhibit A to this Resolution.

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NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission finds that the amendments to the Bayview Hunters Point Redevelopment Plan, the Shipyards Redevelopment Plan, and the Board actions identified above as necessary to implement the Project are consistent with the General Plan, as it is proposed to be amended, and with Section 101.1 of the Planning Code as described in Exhibit A to this Resolution.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on June 3, 2010.



Linda D. Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel

NOES: Commissioners Moore, Olague, Sugaya

ABSENT: None

ADOPTED: June 3, 2010

Exhibit A
To Planning Commission Resolution No. 18101

Candlestick Point – Hunters Point Shipyard Phase 2 Development Project
General Plan Findings and Planning Code Section 101.1 Findings

The following constitute findings that the Candlestick Point – Hunters Point Shipyard Phase 2 Development Project (the Project) is, on balance, consistent with the General Plan and Planning Code Section 101.1.

These findings consider, and are conditioned upon, all required Planning Commission actions related to the Project including, but not limited to, adoption of Planning Code text and map amendments (Planning Code Amendments); amendments to the General Plan, including amendments to the Bayview Hunters Point Area Plan, adoption of the Candlestick Point Sub-Area Plan, and adoption of the Hunters Point Shipyard Area Plan (General Plan Amendments); and adoption of the amendments to the Bayview Hunters Point Redevelopment Plan (BVHP Redevelopment Plan) and the Hunters Point Shipyard Redevelopment Plan (Shipyard Redevelopment Plan) and approval of the Candlestick Point and Hunters Point Shipyard Phase 2 Design for Development Documents and corresponding technical amendments to the Hunters Point Shipyard Phase 1 Design for Development Document.

Additionally, these findings will apply to other Project actions and related documents including, but not limited to the Planning Cooperation Agreement, Real Property Transfer Agreement between the Redevelopment Agency and the City and County of San Francisco for certain City property at Candlestick Point (“Recreation and Park Land Transfer Agreement”), Interagency Cooperation Agreement, amendments to the Subdivision Code, amendments to the Health Code and related amendments to the Public Works Code and Building Code and the Public Trust Exchange Agreement.

BAYVIEW HUNTERS POINT AREA PLAN

The Bayview Hunters Point Area Plan (BVHP Area Plan) provides broad principles, objectives, and policies for community development in the Bayview neighborhood. The BVHP Area Plan discusses the need to arrest the demographic decline of the African American population; provide economic development and jobs, particularly for local residents; eliminate health and environmental hazards including reducing land use conflicts; provide additional housing, particularly affordable housing; provide additional recreation, open space, and public service facilities, and better address transportation deficiencies by offering a wider range of transportation options.

As a part of the adopted General Plan amendments (Planning Commission Resolution No. 18098), the BVHP Area Plan was amended to implement the Project and reflect the fact that four years have passed since the BVHP Area Plan was last updated. Most significantly, a new Candlestick Point Subarea Plan was adopted as part of this Area Plan.

The Project, including General Plan Amendments / Planning Code text and map Amendments and all other Project documents referenced in these findings, are consistent with and implements the following BVHP Area Plan's Objectives and Policies.

- OBJECTIVE 1 STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.
- OBJECTIVE 4 DEVELOP AND MAINTAIN A SYSTEM FOR THE EASY MOVEMENT OF PEOPLE AND GOODS, TAKING INTO ACCOUNT ANTICIPATED NEEDS OF BOTH LOCAL AND THROUGH TRAFFIC.
- POLICY 4.1 Develop a comprehensive network and schedule of roadway improvements to assure that Bayview maintains an adequate level of service at key intersections as the residential and work force population in the district increases.
- POLICY 4.2 Develop the necessary improvements in public transit to move people efficiently and comfortably between different neighborhoods of Bayview Hunters Point, to and from Candlestick Park, and to and from Downtown and other parts of the region.
- POLICY 4.5 Create a comprehensive system for pedestrian and bicycle circulation.
- POLICY 4.6 Provide convenient regional access to Candlestick Park stadium without negatively impacting nearby residential streets.
- OBJECTIVE 5 PRESERVE AND ENHANCE EXISTING RESIDENTIAL NEIGHBORHOODS.
- POLICY 5.2 Conserve the existing supply of Federally subsidized lower income housing.
- POLICY 5.3 Conserve and enhance the existing supply of public housing.
- OBJECTIVE 6 ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.
- POLICY 6.1 Encourage development of new moderate density affordable ownership units, appropriately designed and located and especially targeted for existing Bayview Hunters Point residents.

- POLICY 6.4 Encourage development of new affordable housing on the ridge portion of Hunters Point Shipyard to help improve the residential character and circulation pattern of the Hunters Point residential area.
- POLICY 6.5 In the vicinity of Bayview Hill, encourage well-sited housing development that complements the natural areas and open space, as well as provides for local economic development.
- OBJECTIVE 8 STRENGTHEN THE ROLE OF BAYVIEW'S INDUSTRIAL SECTOR IN THE ECONOMY OF THE DISTRICT, THE CITY, AND THE REGION.
- POLICY 8.2 Achieve reuse of Hunters Point Shipyard.
- OBJECTIVE 10 ENHANCE THE DISTINCTIVE AND POSITIVE FEATURES OF BAYVIEW HUNTERS POINT.
- POLICY 10.1 Better define Bayview's designated open space areas by enabling appropriate, quality development in surrounding areas.
- POLICY 10.3 Recognize, protect, and enhance cultural resources of native populations as an integral imprint on the land use pattern of Bayview Hunters Point.
- OBJECTIVE 11 IMPROVE DEFINITION OF THE OVERALL URBAN PATTERN OF BAYVIEW HUNTERS POINT
- POLICY 11.1 Recognize and enhance the distinctive features of Bayview Hunters Point as an interlocking system of diverse neighborhoods.
- POLICY 11.2 Increase awareness and use of the pedestrian/bicycle trail system that links subareas in Bayview Hunters Point with the rest of the City.
- OBJECTIVE 12 PROVIDE AND MAINTAIN ADEQUATELY LOCATED, WELL DESIGNED, FULLY EQUIPPED RECREATION FACILITIES AND ENCOURAGE THEIR USE.
- POLICY 12.1 Make better use of existing facilities.
- POLICY 12.3 Renovate and expand Bayview's parks and recreation facilities, as needed.
- OBJECTIVE 13 PROVIDE CONTINUOUS PUBLIC OPEN SPACE ALONG THE SHORELINE OF BAYVIEW HUNTERS POINT UNLESS PUBLIC ACCESS CLEARLY CONFLICTS WITH MARITIME USES OR OTHER NON-OPEN SPACE USES REQUIRING A WATERFRONT LOCATION.

- POLICY 13.1 Assure that new development adjacent to the shoreline capitalizes on the unique waterfront location by improving visual and physical access to the water in conformance with urban design policies.
- POLICY 13.2 Maintain and improve the quality of existing shoreline open space.
- POLICY 13.3 Complete the San Francisco Bay Trail around the perimeter of the City which links open space areas along the shoreline and provides for maximum waterfront access.
- POLICY 13.4 Provide new public open spaces along the shoreline – at Islais Creek, Heron’s Head, India Basin, Hunters Point Shipyard, and Candlestick Point/South Basin.
- OBJECTIVE 14 ASSURE ADEQUATE NUMBERS, TYPES, AND LOCATIONS OF COMMUNITY FACILITIES AND SERVICES TO MEET THE NEEDS OF THE LOCAL COMMUNITY.
- POLICY 14.1 Assure adequate maintenance programming and resident utilization of existing multi-purpose community facilities.
- OBJECTIVE 15 COMBINES SOCIAL REVITALIZATION WITH PHYSICAL AND ECONOMIC REVITALIZATION EFFORTS.

The Project is consistent with and implements the Bayview Hunters Point Area Plan as it is proposed to be amended by the General Plan Amendment. It provides development that provides a wide range of job opportunities and a wide range of new housing types and affordability levels; includes the rebuilding of Alice Griffith assuring existing residents the ability to stay at the site; improves the shoreline and links the existing community to the Bay with a better network of connections and access; and enhances transportation opportunities. The Project will come with a robust package of community benefits including job training and placement programs for Bayview and San Francisco residents.

The Project calls for new fully integrated and holistically planned mixed use neighborhoods at Candlestick Point and Hunters Point Shipyard with different land programming than what was previously envisioned. However, in keeping generally with existing Objectives and Policies within the BVHP Area Plan, the Project includes complementary uses in near proximity to each other; a full complement of uses for residents, workers, and visitors; and thus, a reduced need for automobile trips. The Project includes a transportation system that can accommodate the increased density while reducing automobile use. The Project includes generous amount of open space programmed and designed for a broad range of users and activities along with a flexible approach to community facilities.

HOUSING ELEMENT

The principle objectives of the Housing Element are to provide new housing; retain the existing supply; enhance physical conditions and safety without jeopardizing use or affordability; support affordable housing production by increasing site availability and capacity; increase the effectiveness and efficiency of the affordable housing production system; protect the affordability of existing housing; expand financial resources for permanently affordable housing; ensure equal access; avoid or mitigate hardships imposed by displacement; reduce homelessness and the risk of homelessness in coordination with relevant agencies and providers; pursue place making and neighborhood building principles in increasing the supply of housing; and strengthen citywide affordable housing programs through coordinated regional and state efforts.

The Project is consistent with and implements the following objectives and policies of the Housing Element:

- OBJECTIVE 1. TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.
- POLICY 1.5 Support development of affordable housing on surplus public lands.
- POLICY 1.6 Create incentives for the inclusion of housing, particularly permanently affordable housing, in new commercial development projects.
- POLICY 1.9 Require new commercial developments and higher educational institutions to meet the housing demand they generate, particularly the need for affordable housing for lower income workers and students.
- OBJECTIVE 4 SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY
- POLICY 4.1 Actively identify and pursue opportunity sites for permanently affordable housing.
- POLICY 4.2 Include affordable units in larger housing projects.
- POLICY 4.6 Support a greater range of housing types and building techniques to promote more economical housing construction and potentially achieve greater affordable housing production.
- POLICY 5.2 Support efforts of for-profit and non-profit organizations and other community-based groups and expand their capacity to produce and manage permanently affordable housing.

- POLICY 5.3 Create greater public awareness about the quality and character of affordable housing projects and generate community-wide support for new affordable housing.
- POLICY 6.2 Ensure that housing developed to be affordable is kept affordable.
- POLICY 6.5 Monitor and enforce the affordability of units provided as a condition of approval of housing projects.
- OBJECTIVE 7 EXPAND THE FINANCIAL RESOURCES AVAILABLE FOR PERMANENTLY AFFORDABLE HOUSING.
- POLICY 7.1 Enhance existing revenue sources for permanently affordable housing.
- OBJECTIVE 8 ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.
- POLICY 8.1 Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable rental units wherever possible.
- POLICY 8.3 Ensure affirmative marketing of affordable housing.
- POLICY 8.4 Encourage greater economic integration within housing projects and throughout San Francisco.
- POLICY 8.6 Increase the availability of units suitable for users with supportive housing needs.
- POLICY 8.8 Promote the adaptability and maximum accessibility of residential dwellings for disabled and elderly occupants.
- POLICY 8.9 Encourage the provision of new home ownership opportunities through new construction so that increased owner occupancy does not diminish the supply of rental housing.
- OBJECTIVE 9 AVOID OR MITIGATE HARDSHIPS IMPOSED BY DISPLACEMENT
- POLICY 9.1 Minimize the hardships of displacement by providing essential relocation services.
- POLICY 9.2 Offer displaced households the right of first refusal to occupy replacement housing units that are comparable in size, location, cost, and rent control protection.

- POLICY 11.2 Ensure housing is provided with adequate public improvements, services, and amenities.
- POLICY 11.3 Encourage appropriate neighborhood-serving commercial activities in residential areas, without causing affordable housing displacement.
- POLICY 11.10 Include energy efficient features in new residential development and encourage weatherization in existing housing to reduce overall housing costs and the long-range cost of maintenance.

The Project is consistent with and implements the Housing Element in that it accommodates up to 10,500 units of high density housing at Candlestick Point and Hunters Point Shipyard combined. The Project will supply a greater percentage of units to be dedicated for work force and affordable housing than would otherwise be required in the Planning Code. The rebuilding of the Alice Griffith Housing development, including the provision of at least one-to-one replacement housing at the development's existing affordability levels while at the same time ensuring against displacement of existing residents, is a key feature of the Project. Finally, the Project includes a full complement of supporting uses, including job-creating uses, recreational opportunities, and transportation alternatives.

COMMERCE AND INDUSTRY

The principle objectives for Commerce & Industry are to manage economic growth and change, maintain a sound and diverse economic base and fiscal structure, provide expanded employment opportunities for city residents particularly the unemployed and underemployed in a wide range of fields and levels, improve viability of existing businesses as well as attract new businesses – particularly in new industries, and assure entrepreneurial opportunities for local businesses.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 1 MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.
- POLICY 1.2 Assure that all commercial and industrial uses meet minimum, reasonable performance standards.
- POLICY 1.3 Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The land use maps within the Candlestick Point Sub-Area Plan and the Hunters Point Shipyard Area Plan establish where office, retail, research and development, and light-industrial uses can be located. The BVHP Redevelopment Plan and the Shipyard Redevelopment Plan identify square footage caps for

commercial uses. These together serve as the commercial land use and density maps for Candlestick Point and Hunters Point Shipyard.

- OBJECTIVE 2** **MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.**
- POLICY 2.1** Seek to retain existing commercial and industrial activity and to attract new such activity to the city.
- POLICY 2.3** Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.
- OBJECTIVE 3** **PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.**
- POLICY 3.1** Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.
- POLICY 3.2** Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.
- POLICY 3.3** Emphasize job training and retraining programs that will impart skills necessary for participation in the San Francisco labor market.
- POLICY 3.4** Assist newly emerging economic activities.
- OBJECTIVE 4** **IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.**
- POLICY 4.1** Maintain and enhance a favorable business climate in the city.

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- POLICY 4.2 Promote and attract those economic activities with potential benefit to the City.
- POLICY 4.5 Control encroachment of incompatible land uses on viable industrial activity.
- OBJECTIVE 5 REALIZE SAN FRANCISCO'S FULL MARITIME POTENTIAL.
- POLICY 5.8 Encourage maritime activity which complements visitor activity and resident recreation.
- POLICY 5.9 Redevelop Hunters Point Shipyard to provide employment in the industrial, maritime industrial, research & development, and cultural sectors, consistent with the Hunters Point Shipyard Redevelopment Plan.

To ensure economic success along with greater overall job opportunities, the Project includes a wide possible range of commercial job-generating uses, including green technology, research and development, and light industrial uses. In addition, the proposed amendments to the Shipyard Redevelopment Plan also provide for cultural and maritime activities (a 300-slip marina) to take advantage of the shipyard's shoreline location.

The newly adopted HPS Area Plan and the amended BVHIP Redevelopment Plan and amended Shipyard Redevelopment Plan together provide a revised land-use program for Hunters Point Shipyard that allows for light-industrial, research and development, and cultural uses, residential development, and maritime activities (i.e. a 300-slip marina) that are complementary to the mixed use nature of the Project and the visitor-attracting objectives for the shoreline.

- OBJECTIVE 6 MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.
- POLICY 6.1 Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

POLICY 6.2 Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society

POLICY 6.4 Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

POLICY 6.5 Discourage the creation of major new commercial areas except in conjunction with new supportive residential development and transportation capacity.

The General Plan Amendments and the amendments to the BVHP Redevelopment Plan and the Shipyard Redevelopment Plan provide for a balance of commercial and residential uses, and the need to assure robust multi-modal transportation.

POLICY 6.7 Promote high quality urban design on commercial streets.

POLICY 6.9 Regulate uses so that traffic impacts and parking problems are minimized.

The Project is consistent with and implements the Commerce and Industry Element by creating approximately 10,000 permanent jobs and thousands of ongoing construction job opportunities throughout the build out of the Project. Both the Candlestick Point Subarea Plan and the Hunters Point Shipyard Area Plan contain policies that call for the commercial development on underutilized land that will include between 2.65 and 5 million square feet of research and development and office uses in addition to several other job creating uses. Furthermore, the Project includes a robust community benefit package of job training and placement commitments from the developer.

RECREATION AND OPEN SPACE ELEMENT

The principle objectives of the Recreation and Open Space Element are to preserve large areas of open space sufficient to meet the long-range needs of the Bay Region, develop and maintain a diversified and balanced citywide system of high quality public open space, provide a continuous public open space along the shoreline, and provide opportunities for recreation and the enjoyment of open space in every neighborhood.

The following objectives and policies are relevant to the Project:

OBJECTIVE 1 PRESERVE LARGE AREAS OF OPEN SPACE SUFFICIENT TO MEET THE LONG-RANGE NEEDS OF THE BAY REGION.

- POLICY 1.1 Protect the natural character of regional open spaces and place high priority on acquiring open spaces noted for unique natural qualities.
- POLICY 1.3 Increase the accessibility of regional parks by locating new parks near population centers, establishing low user costs, improving public transit service to parks and creating regional bike and hiking trails.
- OBJECTIVE 2 DEVELOP AND MAINTAIN A DIVERSIFIED AND BALANCED CITYWIDE SYSTEM OF HIGH QUALITY PUBLIC OPEN SPACE.
- POLICY 2.1 Provide an adequate total quantity and equitable distribution of public open spaces throughout the City.
- POLICY 2.2 Preserve existing public open space.
- POLICY 2.3 Preserve sunlight in public open spaces.
- POLICY 2.6 Make open spaces accessible to people with special needs.
- POLICY 2.7 Acquire additional open space for public use.
- POLICY 2.8 Develop a recreational trail system that links city parks and public open space, ridge lines and hilltops, the Bay and ocean, and neighborhoods, and ties into the regional hiking trail system.
- POLICY 2.9 Maintain and expand the urban forest.
- POLICY 2.12 Expand community garden opportunities throughout the City.
- POLICY 2.13 Preserve and protect significant natural resource areas.
- OBJECTIVE 3 PROVIDE CONTINUOUS PUBLIC OPEN SPACE ALONG THE SHORELINE UNLESS PUBLIC ACCESS CLEARLY CONFLICTS WITH MARITIME USES OR OTHER USES REQUIRING A WATERFRONT LOCATION.
- POLICY 3.1 Assure that new development adjacent to the shoreline capitalizes on its unique waterfront location, considers shoreline land use provisions, improves visual and physical access to the water, and conforms with urban design policies.
- POLICY 3.2 Maintain and improve the quality of existing shoreline open space.

- POLICY 3.3 Create the Bay and Coastal Trails around the perimeter of the City which links open space along the shoreline and provides for maximum waterfront access.
- POLICY 3.5 Provide new public open spaces along the shoreline.
- OBJECTIVE 4 PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.
- POLICY 4.5 Require private usable outdoor open space in new residential development.
- POLICY 4.6 Assure the provision of adequate public open space to serve new residential development.
- POLICY 4.7 Provide open space to serve neighborhood commercial districts.

The Project is consistent with and implements the Recreation and Open Space Element in that it includes approximately 336 acres of open space to be created, preserved, or improved in conjunction with new development. The Project includes a wide mix of open space and recreational opportunities including an improved and reconfigured Candlestick Point State Recreation Area (as authorized through SB 792). The Project also includes a wide distribution of City parks that would include playing fields and courts, community gardens, and dog runs among other activities. Generous amounts of land are to be improved or restored as natural areas. The Project provides for a continuous series of open spaces along the shoreline with the Bay Trail being one of its main features.

The Project does include tall buildings (towers) within both Candlestick Point and Hunters Point Shipyard. Design guidelines and development standards included in the Design for Development documents dictate careful and thorough consideration of the placement of towers relative to the open space network, so that impacts are minimized on balance. Any towers that could potentially impact properties under the jurisdiction of the Department of Recreation and Parks would be required to complete shadow studies to assure that they meet the requirements of Planning Code Section 295.

TRANSPORTATION

The Transportation Element is largely concerned with the movement of people and goods. It addresses the need for multi-modal streets and facilities, implementation of the City's transit-first policy, the need to limit parking and auto capacity on the roads, and ways to incentivize travel by transit, bike and by foot. It also addresses the relationship between transportation and land use and how the two should be coordinated to reduce the need for auto trips.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 1 MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO

AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION
WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT
OF THE BAY AREA.

- POLICY 1.1 Involve citizens in planning and developing transportation facilities and services, and in further defining objectives and policies as they relate to district plans and specific projects.
- POLICY 1.2 Ensure the safety and comfort of pedestrians throughout the city.
- POLICY 1.3 Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.
- POLICY 1.4 Increase the capacity of transit during the off-peak hours.
- POLICY 1.5 Coordinate regional and local transportation systems and provide for interline transit transfers.
- POLICY 1.6 Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.
- OBJECTIVE 2 USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.
- POLICY 2.1 Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.
- POLICY 2.2 Reduce pollution, noise and energy consumption.
- POLICY 2.4 Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.
- POLICY 2.5 Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.
- POLICY 2.6 In conversion and re-use of inactive military bases, provide for a balanced, multi-modal transportation system that is consistent with and complementary to the planned land use and the local and regional transportation system.

- OBJECTIVE 9 IMPROVE BICYCLE ACCESS TO SAN FRANCISCO FROM ALL OUTLYING CORRIDORS.
- POLICY 9.2 Where bicycles are prohibited on roadway segments, provide parallel routes accessible to bicycles or shuttle services that transport bicycles.
- OBJECTIVE 11 ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.
- POLICY 11.1 Maintain and improve the Transit Preferential Streets program to make transit more attractive and viable as a primary means of travel.
- POLICY 11.3 Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.
- OBJECTIVE 12 DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.
- POLICY 12.1 Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.
- POLICY 12.2 Build on successful efforts implemented at numerous private sector worksites, such as the downtown Transportation Brokerage Program and voluntary programs, and adapt such programs for application in new areas as appropriate.
- POLICY 12.3 Implement private and public sector TDM programs which support each other and explore opportunities for private-public responsibility in program implementation.
- POLICY 12.4 Encourage private and public sector cooperation in the promotion of alternative work programs designed to reduce congestion and the number of automobile trips.
- OBJECTIVE 13 PROMOTE THE DEVELOPMENT OF MARKETING STRATEGIES THAT ENCOURAGE AND FACILITATE THE USE OF TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE FOR

SHOPPING, RECREATION, CULTURAL AND OTHER NON-WORK
TRIPS.

- POLICY 13.1 Encourage the use of alternatives to the automobile for all age groups in the advertisement of business, recreational and cultural attractions by identifying their proximity to transit facilities and significant landmarks.
- OBJECTIVE 14 DEVELOP AND IMPLEMENT A PLAN FOR OPERATIONAL CHANGES AND LAND USE POLICIES THAT WILL MAINTAIN MOBILITY AND SAFETY DESPITE A RISE IN TRAVEL DEMAND THAT COULD OTHERWISE RESULT IN SYSTEM CAPACITY DEFICIENCIES.
- POLICY 14.1 Reduce road congestion on arterials through the implementation of traffic control strategies, such as traffic signal-light synchronization (consistent with posted speed limits) and turn controls, that improve vehicular flow without impeding movement for pedestrians and bicyclists.
- POLICY 14.2 Ensure that traffic signals are timed and phased to emphasize transit, pedestrian, and bicycle traffic as part of a balanced multi-modal transportation system.
- POLICY 14.4 Reduce congestion by encouraging alternatives to the single occupant auto through the reservation of right-of-way and enhancement of other facilities dedicated to multiple modes of transportation.
- POLICY 14.8 Implement land use controls that will support a sustainable mode split, and encourage development that limits the intensification of automobile use.
- OBJECTIVE 15 ENCOURAGE ALTERNATIVES TO THE AUTOMOBILE AND REDUCED TRAFFIC LEVELS ON RESIDENTIAL STREETS THAT SUFFER FROM EXCESSIVE TRAFFIC THROUGH THE MANAGEMENT OF TRANSPORTATION SYSTEMS AND FACILITIES.
- POLICY 15.1 Discourage excessive automobile traffic on residential streets by incorporating traffic-calming treatments.
- OBJECTIVE 16 DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY MANAGE THE SUPPLY OF PARKING AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO DISCOURAGE SINGLE-OCCUPANT RIDERSHIP AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

- POLICY 16.1 Reduce parking demand through the provision of comprehensive information that encourages the use of alternative modes of transportation.
- POLICY 16.3 Reduce parking demand through the provision of incentives for the use of carpools and vanpools at new and existing parking facilities throughout the City.
- POLICY 16.4 Manage parking demand through appropriate pricing policies including the use of premium rates near employment centers well-served by transit, walking and bicycling, and progressive rate structures to encourage turnover and the efficient use of parking.
- POLICY 16.5 Reduce parking demand through limiting the absolute amount of spaces and prioritizing the spaces for short-term and ride-share uses
- POLICY 16.6 Encourage alternatives to the private automobile by locating public transit access and ride-share vehicle and bicycle parking at more close-in and convenient locations on-site, and by locating parking facilities for single-occupant vehicles more remotely.
- OBJECTIVE 18 ESTABLISH A STREET HIERARCHY SYSTEM IN WHICH THE FUNCTION AND DESIGN OF EACH STREET ARE CONSISTENT WITH THE CHARACTER AND USE OF ADJACENT LAND.
- POLICY 18.2 Design streets for a level of traffic that serves, but will not cause a detrimental impact on adjacent land uses, or eliminate the efficient and safe movement of transit vehicles and bicycles.
- POLICY 18.4 Discourage high-speed through traffic on local streets in residential areas through traffic "calming" measures that are designed not to disrupt transit service or bicycle movement, including:
- Sidewalk bulbs and widenings at intersections and street entrances;
 - Lane off-sets and traffic bumps;
 - Narrowed traffic lanes with trees, landscaping and seating areas; and
 - colored and/or textured sidewalks and crosswalks.
- POLICY 18.5 Mitigate and reduce the impacts of automobile traffic in and around parks and along shoreline recreation areas.
- OBJECTIVE 20 GIVE FIRST PRIORITY TO IMPROVING TRANSIT SERVICE THROUGHOUT THE CITY, PROVIDING A CONVENIENT AND

EFFICIENT SYSTEM AS A PREFERABLE ALTERNATIVE TO
AUTOMOBILE USE.

- POLICY 20.1 Give priority to transit vehicles based on a rational classification system of transit preferential streets
- POLICY 20.2 Reduce, relocate or prohibit automobile facility features on transit preferential streets, such as driveways and loading docks, to avoid traffic conflicts and automobile congestion.
- POLICY 20.3 Develop transit preferential treatments according to established guidelines.
- POLICY 20.5 Place and maintain all sidewalk elements, including passenger shelters, benches, trees, newsracks, kiosks, toilets, and utilities at appropriate transit stops according to established guidelines.
- POLICY 20.9 Improve inter-district and intra-district transit service.
- POLICY 20.14 Engage new technologies that will emphasize and improve transit services on transit preferential streets.
- OBJECTIVE 23 IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.
- POLICY 23.1 Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.
- POLICY 23.2 Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested and where residential densities are high.
- POLICY 23.3 Maintain a strong presumption against reducing sidewalk widths, eliminating crosswalks and forcing indirect crossings to accommodate automobile traffic.

The Project does contemplate the narrowing of sidewalks on a portion of Ingalls to assure adequate room for continued light-industrial on-street loading and parking while increasing the road's capacity to handle additional traffic from the development. Such action is necessary to implement several important objectives and policies of the Commerce and Industry Element, including improving viability of existing industry and maintenance of a diverse economic base. To harmonize these policies with those designed to protect pedestrian circulation, the Project minimizes the narrowing along Ingalls to the extent feasible.

- POLICY 23.4 Tow-away lanes should not be approved, and removal should be considered, if they impair existing and potential pedestrian usage and level of service on abutting sidewalks, as well as the needs of transit operation on the street.
- POLICY 23.5 Minimize obstructions to through pedestrian movement on sidewalks by maintaining an unobstructed width that allows for passage of people, strollers and wheelchairs.
- POLICY 23.6 Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.
- OBJECTIVE 24 IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.
- POLICY 24.2 Maintain and expand the planting of street trees and the infrastructure to support them.
- POLICY 24.3 Install pedestrian-serving street furniture where appropriate.
- POLICY 24.5 Where consistent with transportation needs, transform streets and alleys into neighborhood-serving open spaces or "living streets", especially in neighborhoods deficient in open space.
- OBJECTIVE 26 CONSIDER THE SIDEWALK AREA AS AN IMPORTANT ELEMENT IN THE CITYWIDE OPEN SPACE SYSTEM.
- OBJECTIVE 27 ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.
- POLICY 27.9 Identify and expand recreational bicycling opportunities.
- POLICY 27.10 Accommodate bicycles in the design and selection of traffic control facilities.
- POLICY 27.12 Ensure completion of the Bay Trail in San Francisco.
- OBJECTIVE 28 PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.
- POLICY 28.1 Provide secure bicycle parking in new governmental, commercial, and residential developments.
- POLICY 28.2 Provide secure bicycle parking at existing city buildings and facilities and encourage it in existing commercial and residential buildings.

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- POLICY 28.3 Provide parking facilities which are safe, secure, and convenient.
- POLICY 28.5 Provide bicycle parking at major recreational facilities and at all large sports, cultural, or other heavily attended events.
- OBJECTIVE 30 ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.
- POLICY 30.1 Assure that new or enlarged parking facilities meet need, locational and design criteria.
- POLICY 30.2 Discourage the proliferation of surface parking as an interim land use, particularly where sound residential, commercial or industrial buildings would be demolished pending other development.

The Candlestick Point Subarea Plan, the Hunters Point Shipyard Area Plan, the BVHP Redevelopment Plan and the Shipyard Redevelopment Plan generally discourage surface parking, except in connection with the football stadium. However, as recognized in these plans, in some instances, surface parking may be appropriate on an interim basis through the phasing of the Project.

- POLICY 30.7 Limit and screen from view from public access areas parking facilities over the water, and near the water's edge where such parking interferes with public access.
- OBJECTIVE 31 ESTABLISH PARKING RATES AND OFF-STREET PARKING FARE STRUCTURES TO REFLECT THE FULL COSTS, MONETARY AND ENVIRONMENTAL, OF PARKING IN THE CITY.
- POLICY 31.1 Set rates to encourage short-term over long term automobile parking.
- POLICY 31.3 Encourage equity between drivers and non-drivers by offering transit fare validations and/or cash-out parking programs where off-street parking is validated or subsidized.
- OBJECTIVE 34 RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.
- POLICY 34.1 Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

- POLICY 34.3 Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.
- OBJECTIVE 35 MEET SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.
- POLICY 35.1 Provide convenient on-street parking specifically designed to meet the needs of shoppers dependent upon automobiles.
- POLICY 35.2 Assure that new neighborhood shopping district parking facilities and other auto-oriented uses meet established guidelines.

The Project is consistent with and implements the Transportation Element in that it establishes land use patterns with complementary uses in close proximity to one another and uses are sensibly limited to planned transit, pedestrian, bicycle, and other transportation improvements. The Project includes new streets and transportation facilities that emphasize travel by transit, bike and by foot. It includes robust pedestrian streetscape improvements that make travelling by bike and by foot safe, comfortable and enjoyable. In addition, these improvements reach into existing neighborhoods so as to form a single urban fabric and transportation network encompassing the new development and the surrounding areas. The Project includes a dedicated right-of-way for transit to assure its prominence and reliability, including a direct connection to Hunters Point Shipyard over a new bridge over Yosemite Slough. The Project's Transportation Plan also calls for both the extension of an existing transit line, as well as new lines to serve worker populations. Such transit improvements will serve existing neighborhoods as well as the new development. The Project limits the number of off-street parking spaces and manages parking and loading in a strategic way to assure land use efficiency and urban design considerations over parking convenience.

URBAN DESIGN PLAN

The Urban Design Element addresses the physical character and order of the City. It establishes objectives and polices dealing with the city pattern, conservation (both of natural areas and historic structures), major new developments, and neighborhood environment. It discusses meeting "human needs", largely by assuring quality living environments, and by protecting and enhancing those characteristics of development that make San Francisco special.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 1 EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

- POLICY 1.1 Recognize and protect major views in the city, with particular attention to those of open space and water.
- POLICY 1.2 Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.
- POLICY 1.3 Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.
- POLICY 1.4 Protect and promote large-scale landscaping and open space that define districts and topography.
- POLICY 1.5 Emphasize the special nature of each district through distinctive landscaping and other features.
- POLICY 1.6 Make centers of activity more prominent through design of street features and by other means.
- POLICY 1.7 Recognize the natural boundaries of districts, and promote connections between districts.
- OBJECTIVE 2 CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.
- POLICY 2.1 Preserve in their natural state the few remaining areas that have not been developed by man.

The Project calls for the reconfiguration of the Candlestick Point State Recreation Area as provided for in SB 792. While there would be a small net reduction in acreage to the State Park, the Candlestick Point Sub-Area Plan calls for full improvement of these shoreline park and open space areas, including substantial area that is currently unimproved, offers limited access, and is only used periodically for stadium parking. The Project thus enables a fully realized Candlestick Point State Recreation Area, consistent with the vision set forth in SB 792 and the State Parks General Plan. Furthermore, the Project would accommodate the creation of an additional 240 acres of parks and open space in addition to the Candlestick Point State Recreation Area.

- POLICY 2.2 Limit improvements in other open spaces having an established sense of nature to those that are necessary, and unlikely to detract from the primary values of the open space.
- POLICY 2.3 Avoid encroachments on San Francisco Bay that would be inconsistent with the Bay Plan or the needs of the city's residents.

- POLICY 2.4 Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.
- POLICY 2.7 Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.
- POLICY 2.8 Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.
- POLICY 2.9 Review proposals for the giving up of street areas in terms of all the public values that streets afford.
- POLICY 2.10 Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.
- OBJECTIVE 3 MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.
- POLICY 3.1 Promote harmony in the visual relationships and transitions between new and older buildings.
- POLICY 3.3 Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.
- POLICY 3.4 Promote building forms that will respect and improve the integrity of open spaces and other public areas.
- POLICY 3.5 Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.
- POLICY 3.7 Recognize the special urban design problems posed in development of large properties.
- POLICY 3.8 Discourage accumulation and development of large properties, unless such development is carefully designed with respect to its impact upon the surrounding area and upon the city.
- OBJECTIVE 4 IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.
- POLICY 4.1 Protect residential areas from the noise, pollution and physical danger of excessive traffic.

- POLICY 4.2 Provide buffering for residential properties when heavy traffic cannot be avoided.
- POLICY 4.3 Provide adequate lighting in public areas.
- POLICY 4.4 Design walkways and parking facilities to minimize danger to pedestrians.
- POLICY 4.5 Provide adequate maintenance for public areas.
- POLICY 4.6 Emphasize the importance of local centers providing commercial and government services.
- POLICY 4.7 Encourage and assist in voluntary programs for neighborhood improvement.
- POLICY 4.8 Provide convenient access to a variety of recreation opportunities.
- POLICY 4.9 Maximize the use of recreation areas for recreational purposes.
- POLICY 4.10 Encourage or require the provision of recreation space in private development.
- POLICY 4.11 Make use of street space and other unused public areas for recreation, particularly in dense neighborhoods, such as those close to downtown, where land for traditional open spaces is more difficult to assemble.
- POLICY 4.12 Install, promote and maintain landscaping in public and private areas.
- POLICY 4.13 Improve pedestrian areas by providing human scale and interest.

The Project is consistent with and implements the Urban Design Element in that it enables the establishment of new vibrant mixed-use neighborhoods on currently underutilized land. Pursuant to the policies of the new Candlestick Point Sub-Area Plan, Bayview Hunters Point Area Plan, and amendments to the BVHP Redevelopment Plan and the Shipyard Redevelopment Plan, development patterns typical of San Francisco would be applied to the new neighborhoods. These would include but not be limited to: the extension of the existing street grid, incorporation of ample open space with a wide variety of configurations and programming, particular attention placed on the design of streets and other public realm elements, with particular attention given to how buildings interface with the public realm, and emphasis on pedestrian and bicyclist safety and comfort in the design of the streets.

The Project would be large scale in nature. However, the development standards and design guidelines contained in the Design for Development documents ensure that the development fits within its San Francisco context. Policies within these regulating plans call for fine-grained networks of typical San Francisco-sized blocks, a wide variety of building types and sizes, and the need to provide a human-scale

interface with the street and public realm. To assure that large buildings and towers do not overwhelm their surroundings, the Design for Development documents contain policies that require a full host of design and siting considerations including, but not limited to, the following: (1) the effect of such buildings on shadows, wind, and views; (2) the aesthetic effect of large buildings and towers on the surrounding streets; (3) the perception of such buildings from afar; and (4) the relationship of such buildings to geographic features such as Bayview Hill, Hunters Point Hill, and the surrounding Bay.

In keeping with the Urban Design Element's preservation related objectives and policies, the Shipyard Redevelopment Plan and its associated documents calls for the preservation of several significant buildings and the construction of a heritage park that will, among other things, commemorate the Shipyard's history. The Project proposes that other cultural elements be incorporated into the design, including elements that will celebrate the local African-American population and the Shipyard's existing artists.

ENVIRONMENTAL PROTECTION ELEMENT

The Environmental Protection Element is concerned with protecting the natural environment within San Francisco's urban context. The element provides objectives and policies for the following topics: the Bay, ocean and shoreline, air, fresh water, land, flora and fauna, transportation noise, and energy.

The following objectives and policies are relevant to the Project:

OBJECTIVE 1 **ACHIEVE A PROPER BALANCE AMONG THE CONSERVATION, UTILIZATION, AND DEVELOPMENT OF SAN FRANCISCO'S NATURAL RESOURCES.**

Policy 1.1 Conserve and protect the natural resources of San Francisco.

Policy 1.2 Improve the quality of natural resources.

Policy 1.3 Restore and replenish the supply of natural resources.

Policy 1.4 Assure that all new development meets strict environmental quality standards and recognizes human needs.

OBJECTIVE 3 **MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN, AND SHORELINE AREAS.**

Policy 3.1 Cooperate with and otherwise support regulatory programs of existing regional, state, and federal agencies dealing with the Bay, ocean, and shorelines.

Policy 3.2 Promote the use and development of shoreline areas consistent with the General Plan and the best interests of San Francisco.

- OBJECTIVE 7 ASSURE THAT THE LAND RESOURCES IN SAN FRANCISCO ARE USED IN WAYS THAT BOTH RESPECT AND PRESERVE THE NATURAL VALUES OF THE LAND AND SERVE THE BEST INTERESTS OF ALL THE CITY'S CITIZENS.
- POLICY 7.1 Preserve and add to public open space in accordance with the objectives and policies of the Recreation and Open Space Element.
- POLICY 7.3 Require that filling of land adhere to the highest standards of soils engineering consistent with the proposed use.
- OBJECTIVE 8 ENSURE THE PROTECTION OF PLANT AND ANIMAL LIFE IN THE CITY.
- Policy 8.1 Cooperate with and otherwise support the California Department of Fish and Game and its animal protection programs.
- Policy 8.2 Protect the habitats of known plant and animal species that require a relatively natural environment.
- Policy 8.3 Protect rare and endangered species.
- OBJECTIVE 10 MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS.
- OBJECTIVE 11 PROMOTE LAND USES THAT ARE COMPATIBLE WITH VARIOUS TRANSPORTATION NOISE LEVELS.
- Policy 11.1 Discourage new uses in areas in which the noise level exceeds the noise compatibility guidelines for that use.
- Policy 11.3 Locate new noise-generating development so that the noise impact is reduced.
- OBJECTIVE 15 INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.
- POLICY 15.3 Encourage an urban design pattern that will minimize travel requirements among working, shopping, recreation, school and childcare areas.

The Project is consistent with and implements the Environmental Protection Element in that it calls for mixed-use, high density, transit-friendly, sustainable development. Moreover, the Project provides for the improvement and restoration of approximately 261 acres along the shoreline. A reconfiguration of the Candlestick Point State Park Recreation Area has been authorized under SB 792 to accommodate these improvements. The Candlestick Point – Hunters Point Shipyard Phase II Environmental Impact Report (

CP-HPS II EIR) considers potential impacts to biological resources, air quality, noise emissions, hazardous material and shoreline related land uses, among many other topics. The CP-HPS II EIR concludes that any potential impacts to biological resources can be mitigated to less than significant levels. The CP-HPS II EIR reaches similar conclusions regarding hazardous material, water quality, and energy. Development of the neighborhoods envisioned in the amended Bayview Hunters Point Redevelopment Plan and Hunters Point Redevelopment Plan would be required to meet City, Regional, State and Federal regulations regarding the protection of potentially vulnerable biological resources, hazardous material clean-up, water quality, emission standards for air quality and noise. The CP- HPS II EIR identifies potential significant and unavoidable impacts regarding noise and air pollutant emissions; these impacts are largely traffic and construction related and are substantially due to the Project's scale and intensity. The Project and all related City approvals are nonetheless consistent with the Environmental Protection Element as the Project satisfies and implements the preponderance of Element's objectives and policies: the Project furthers the Element's emphasis on the need to coordinate land use and transportation and on efficient, compact, and sustainable development; the Project furthers the Element's encouragement of improving and restoring the shoreline and other open spaces.

COMMUNITY FACILITIES ELEMENT

The Community Facilities element addresses police facilities, neighborhood center facilities, fire facilities, library facilities, public health facilities, and touches upon educational facilities, institutional facilities (colleges, etc.) wastewater facilities, and solid waste facilities.

The following objectives and policies are relevant to the Project:

- OBJECTIVE 3 ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES
- POLICY 3.6 Base priority for the development of neighborhood centers on relative need.
- OBJECTIVE 4 PROVIDE NEIGHBORHOOD CENTERS THAT ARE RESPONSIVE TO THE COMMUNITY SERVED.
- POLICY 4.1 Assure effective neighborhood participation in the initial planning, ongoing programming, and activities of multi-purpose neighborhood centers
- OBJECTIVE 5 DEVELOPMENT OF A SYSTEM OF FIREHOUSES WHICH WILL MEET THE OPERATING REQUIREMENTS OF THE FIRE DEPARTMENT IN PROVIDING FIRE PROTECTION SERVICES AND WHICH WILL BE IN HARMONY WITH RELATED PUBLIC SERVICE FACILITIES AND WITH ALL OTHER FEATURES AND FACILITIES OF LAND DEVELOPMENT AND TRANSPORTATION PROVIDED FOR A OTHER SECTIONS OF THE GENERAL PLAN

OBJECTIVE 6 DEVELOPMENT OF A PUBLIC LIBRARY SYSTEM IN SAN FRANCISCO WHICH WILL MAKE ADEQUATE AND EFFICIENT LIBRARY SERVICE FREELY AVAILABLE TO EVERYONE WITHIN THE CITY, AND WHICH WILL BE IN HARMONY WITH RELATED PUBLIC SERVICE FACILITIES AND WITH ALL OTHER FEATURES AND FACILITIES OF LAND DEVELOPMENT AND TRANSPORTATION PROVIDED FOR IN OTHER SECTIONS OF THE GENERAL PLAN

The Project is consistent with and implements the Community Facilities Element in that it provides for mixed-use development that includes public uses and community facilities. The Project generally calls for a flexible approach to providing community facilities. It includes approximately 50,000 square feet at Hunters Point Shipyard, along with an additional 50,000 square feet at Candlestick Point that could be used for a wide range of community uses. Among the currently identified uses would be a fire station at Hunters Point Shipyard and a library reading room. The Project also includes a community benefit package that would address needs for educational and health facilities. Because of the long build-out of the Project, the ability to program individual parcels has been largely left open to assure that the appropriate community facility can be identified when the needs arise.

PUBLIC SAFETY ELEMENT

OBJECTIVE 2 REDUCE STRUCTURAL AND NON-STRUCTURAL HAZARDS TO LIFE SAFETY, MINIMIZE PROPERTY DAMAGE AND RESULTING SOCIAL, CULTURAL AND ECONOMIC DISLOCATIONS RESULTING FROM FUTURE DISASTERS.

POLICY 2.1 Assure that new construction meets current structural and life safety standards.

POLICY 2.3 Consider site soils conditions when reviewing projects in areas subject to liquefaction or slope instability.

POLICY 2.9 Consider information about geologic hazards whenever City decisions that will influence land use, building density, building configurations or infrastructure are made.

POLICY 2.12 Enforce state and local codes that regulate the use, storage and transportation of hazardous materials in order to prevent, contain and effectively respond to accidental releases.

The Project is consistent with and implements the Community Safety Element. All improvements, including infrastructure, buildings and open space improvements will be constructed to local seismic standards, taking into account, among other considerations, the geological condition of the soil and where applicable, remediation activity. The Project is proposed to be built to accommodate sea level rise due to global warming.

ARTS ELEMENT

The Arts Element is concerned with, among other things, providing guiding principles for the City and County of San Francisco relative to the arts; validating and increasing the role of the arts as a major economic force in the region, and protecting arts organizations and artists through the adoption of policies that will withstand changes in political climate.

The following objectives and policies are relevant to the Project:

- OBJECTIVE I-1 RECOGNIZE THE ARTS AS NECESSARY TO THE QUALITY OF LIFE FOR ALL SEGMENTS OF SAN FRANCISCO
- POLICY I-3.3 Strive for the highest standards of design of public buildings and grounds and structures placed in the public right of way.
- POLICY III-1.3 Protect and assist in the creation of artists' live/work spaces
- POLICY III-2.2 Assist in the improvement of arts organizations' facilities and access in order to enhance the quality and quantity of arts offerings
- OBJECTIVE VI-1 SUPPORT THE CONTINUED DEVELOPMENT AND PRESERVATION OF ARTISTS' AND ARTS ORGANIZATIONS' SPACES.
- POLICY VI-1.6 Insure the active participation of artists and arts organizations in the planning and use of de-commissioned military facilities in San Francisco.
- POLICY VI-1.11 Identify, recognize, and support existing arts clusters and, wherever possible, encourage the development of clusters of arts facilities and arts related businesses throughout the city.

The Project is consistent with and implements the Arts Element in that it provides for the preservation and improvement of the existing Hunters Point artist colony (Building 101) along with the reconstruction of other Shipyard artists studios so as to provide approximately 255,000 square feet of improved artist studio and related arts space. The Project locates this space within a central Hunters Point Shipyard village center cultural district with an emphasis on arts-related uses. In addition, the Design for Development documents, which include governing development standards and design guidelines governing the Project, require development of a high quality public realm.

AIR QUALITY ELEMENT

The Air Quality Element is concerned, in part, with reducing the level of pollutants in the air, thus protecting and improving public health, welfare and the quality of life of the citizens of San Francisco and

the residents of the metropolitan region. It emphasizes that opportunities for economic growth in the area can be enhanced through implementation of transportation, land use and other policies in harmony with clean air goals.

The following objectives and policies are relevant to Project:

- OBJECTIVE 3 DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.
- POLICY 3.1 Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.
- POLICY 3.2 Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development
- POLICY 3.6 Link land use decision making policies to the availability of transit and consider the impacts of these policies on the local and regional transportation system
- POLICY 3.8 Promote the development of non-polluting industries and insist on compliance with established industrial emission control regulations by existing industries.
- POLICY 3.9 Encourage and require planting of trees in conjunction with new development to enhance pedestrian environment and select species of trees that optimize achievement of air quality goals
- OBJECTIVE 5 MINIMIZE PARTICULATE MATTER EMISSIONS FROM ROAD AND CONSTRUCTION SITES.
- POLICY 5.1 Continue policies to minimize particulate matter emissions during road and building construction and demolition.
- OBJECTIVE 6 LINK THE POSITIVE EFFECTS OF ENERGY CONSERVATION AND WASTE MANAGEMENT TO EMISSION REDUCTIONS.
- POLICY 6.2 Encourage recycling to reduce emissions from manufacturing of new materials in San Francisco and the region.

The Project is consistent with and implements the Air Quality Element in that it calls for mixed-use, high density, multi-modal, sustainable development that will enable efficient use of land and encourage travel by

transit, bicycle and by foot, thereby reducing auto use. The Design for Development documents governing development of the Project encourage other sustainable features including storm water "low-impact" development, energy-saving design, and robust tree planting and landscaping through the streets and open spaces. While the CP-HPS II EIR identifies potential significant and unavoidable impacts regarding air pollutant emissions, the impacts are largely traffic related, which, in turn, is substantially due to the Project's scale. The Project is nonetheless consistent with the Air Quality Element because it satisfies and implements the preponderance of Element's objectives and policies; most importantly, the Project furthers the Element's emphasis on coordinating land use and transportation and on efficient and compact development.

**General Plan Priority Finding
(Planning Code Section 101.1 Findings)**

Planning Code Section 101.1(b) establishes eight priority policies and is a basis by which differences between competing policies in the General Plan are resolved. As described below, the Project is consistent with the eight priority policies set forth in Planning Code Section 101.1(b).

1. That existing neighborhood serving retail uses be preserved and enhanced and future opportunities for resident employment in or ownership of such businesses enhanced.

The Project will preserve and enhance existing neighborhood serving retail uses. The Project includes 885,000 square feet of retail use, including 250,000 square feet of neighborhood serving retail across Candlestick Point and Hunters Point Shipyard. The proposed new retail will not unduly compete with existing neighborhood commercial districts. Indeed, the substantial new residential, research and development, and office uses to be developed as part of the Project will provide additional patrons for existing neighborhood commercial districts, including Third Street. As a part of the CP-HPS II EIR, an urban decay analysis was conducted to assure that the proposed new retail would not unduly compete and cause urban decay to surrounding retail clusters. The analysis concluded that the project would not cause such decay.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project includes new development on largely undeveloped and underutilized land; it does not call for the redevelopment of existing established neighborhoods. No existing dwelling units outside of Alice Griffith are being contemplated for demolition as part of the project. Alice Griffith will be rebuilt and will include replacement affordable housing units at the same affordable levels. The phasing of the reconstruction of Alice Griffith will ensure that eligible residents may move to their newly updated units from their existing homes without displacement off-site. Furthermore, the Project calls for the new developments to be integrated into the existing Bayview residential fabric by extending the existing street grid into the development, and extending proposed streetscape improvements into the existing neighborhood.

3. That the City's supply of affordable housing be preserved and enhanced.

The Project calls for development that would have a positive effect on the City's affordable housing stock. The Project would provide up to 10,500 new dwelling units. A

large percentage (approximately 32%) of these new units would be below market rate and affordable to a range of incomes, including workforce housing units as well as units for very low, low, and moderate income households. A major component of new development would be the rebuilding of Alice Griffith. Alice Griffith units would be replaced on a one-to-one basis with new mixed income buildings. Phasing of construction would ensure that eligible residents may move to their newly upgraded units from their existing homes without displacement off-site. Alice Griffith would be improved with new housing structures, a more integrated street grid, community facilities and open space.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project's mix of adjacent and complementary land uses and the accompanying transportation and circulation network aim to reduce car usage and encourage walking, bicycling and transit usage. The Project includes significant transit infrastructure enhancements including dedicated transit lanes and transit-priority signaling; enhancements to several existing MUNI lines; and creation of several new lines, including a Bus Rapid Transit line; and new express buses. The capacity of selected street segments would be enhanced to accommodate peak demand associated with the proposed stadium. The Project includes Transportation Demand Management (TDM) measures, including management of the parking supply, that encourage residents, workers, and visitors to use alternative modes of transportation. Thus, on balance, while the Project will increase traffic in its vicinity, it will not impede MUNI transit service or overburden streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would not adversely affect the industrial sector or service sectors. To the contrary, the Project will enhance resident employment and economic opportunity. The Project would include up to 2,650,000 square feet for job-generating uses in a wide range of possible fields including research and development, green technology, life sciences, clean technology, general office, and light industrial. There is the potential for an additional 2,500,000 square feet of such uses if the stadium is not developed. The existing arts colony at Hunters Point Shipyard would be maintained and enhanced. Other jobs would be made available as part of the development's retail and significant open space components. No existing industrial uses would be removed by the project.

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

All new construction would be subject to the City's Building Code, Fire Code and other applicable safety standards. Thus, the Project would improve preparedness against injury and loss of life in an earthquake by prompting development that would comply with applicable safety standards, unlike many of the aging existing buildings, particularly at the Shipyard.

7. That landmarks and historic buildings be preserved.

Structures found to be eligible for listing on the National Register of Historic Places, including Dry Docks 2, 3, and 4, the pumphouses (Buildings 205 and 140), the Gatehouse (Building 204), and the Tool Building (Building 207) would be preserved as the Hunters Point Shipyard Dry Dock and Naval Shipyard Historic District. Furthermore, the Project calls for the establishment for a Heritage Park that, among other things, will celebrate and commemorate the working history of the Shipyard. Buildings identified potential contributors to the Historic District would be further evaluated to determine the feasibility of their preservation and adaptive reuse. Thus, the Project would not adversely affect the preservation of landmarks and historic buildings, particularly in light of the other Priority Policies calling for creation of opportunities for resident employment and affordable housing

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would not adversely affect existing open spaces or their access to sunlight and vistas. The Project would include approximately 336 acres of open space (roughly half the land area of the site) including the improved Candlestick Point State Recreation Area, and development of new dual use sports fields as part of the stadium alternative. A reconfiguration of the Candlestick Point State Recreation Area has been authorized through SB 792 that will help with its ongoing planning, operation, and maintenance, as well as its integration into the redevelopment of Candlestick Point and the Hunters Point Shipyard. Parks and open space would be programmed for a wide variety of passive and active recreational opportunities and would assure all residents, workers, and visitors will have nearby access to open space. The Project includes extension of the City's street grid in a manner that will help assure preservation of public views to the Bay. In addition, the Design for Development documents call for the careful placement of tall buildings to guard against undo shadow and wind impacts to the public realm.

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 16-2017

Adopted April 4, 2017

ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND THE REDEVELOPMENT PLAN FOR THE BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA TO IMPLEMENT THE VOTER-APPROVED PROPOSITION O, WHICH EXEMPTS PHASE 2 OF THE HUNTERS POINT SHIPYARD PROJECT AREA AND ZONE 1 OF THE BAYVIEW HUNTERS POINT PROJECT AREA FROM THE OFFICE DEVELOPMENT LIMITATIONS SET FORTH IN PLANNING CODE SECTIONS 320-325, REFERRING THE PLAN AMENDMENTS TO THE PLANNING DEPARTMENT FOR ITS REPORT ON CONFORMITY WITH THE GENERAL PLAN, AND RECOMMENDING THE PLAN AMENDMENTS TO THE BOARD OF SUPERVISORS FOR ADOPTION; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("Board of Supervisors") adopted the Hunters Point Shipyard Redevelopment Plan ("HPS Plan") on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10. On May 23, 2006, the Board of Supervisors amended the Bayview Hunters Point Redevelopment Plan ("BVHP Plan") by Ordinance No. 113-06 and on August 3, 2010 by Ordinance No. 210-10; and,

WHEREAS, On February 1, 2012, the former San Francisco Redevelopment ("Former Agency") was dissolved pursuant to California State Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) ("AB 26"), codified in relevant part in California's Health and Safety Code Sections 34161 - 34168 and upheld by the California Supreme Court in California Redevelopment Assoc. v. Matosantos, No. S194861 (Dec. 29, 2011). On June 27, 2012, AB 26 was amended in part by California State Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12) ("AB 1484"), which among other things, provide that a successor agency is a separate public entity from the public agency that provides for its governance (together, AB 26 and AB 1484 are referred to as the "Redevelopment Dissolution Law"); and,

WHEREAS, Subsequent to the adoption of AB 1484, on October 2, 2012, the Board of Supervisors, acting as the legislative body of the Successor Agency, adopted Ordinance No. 215-12, which was signed by the Mayor on October 4, 2012, and which, among other matters, delegated to the Successor Agency Commission, commonly known as the Commission on Community Investment and Infrastructure ("Commission"), the authority to (i) act in the place of the Redevelopment

Commission to, among other matters, implement, modify, enforce and complete the Former Agency's enforceable obligations; (ii) approve all contracts and actions related to the assets transferred to or retained by OCII, including, without limitation, the authority to exercise land use, development, and design approval, consistent with the applicable enforceable obligations; and (iii) take any action that the Redevelopment Dissolution Law requires or authorizes on behalf of the Successor Agency and other action that the Commission deems appropriate, consistent with the Redevelopment Dissolution Law, to comply with such obligations; and,

WHEREAS, The Board of Supervisors' delegation to the Commission includes authority to grant approvals under specified land use controls for the Hunters Point Shipyard Project Area ("HPS Project Area") and Zone 1 of the Bayview Hunters Point Project Area ("BVHP Project Area") consistent with the approved Redevelopment Plans and enforceable obligations, including amending the Redevelopment Plans as allowed under the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"); and,

WHEREAS, The HPS Plan establishes the land use controls for the HPS Project Area, which is divided into Phase 1 and Phase 2 subareas and consists of several land use districts. Phase 2 is intended to be developed with a mix of uses including neighborhood-serving retail, businesses, office and residential uses. Section D of the HPS Plan provides that "The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section II.D.5 of the HPS Plan describes application of the office development limitations under Planning Code Sections 320-325 to office development in the HPS Project Area; and,

WHEREAS, The BVHP Plan establishes the land use controls for the BVHP Project Area, which consists of two subareas: Zone 1 (also known as Candlestick Point) and Zone 2. Zone 1 consists of three land use districts and is intended to be developed with a mix of uses, including, residential, retail, parks and open space, and office uses. Section 4.3 of the BVHP Plan provides that "The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section 4.3.16 of the BVHP Plan describes application of the office development limitations under Planning Code Sections 320-325 to office development in Zone 1; and,

WHEREAS, The Hunters Point Shipyard Phase 2 and Candlestick Point development project ("HPS/CP Project") encompasses Phase 2 of the HPS Project Area and Zone 1 of the BVHP Project Area. Under the Redevelopment Plans, the HPS/CP Project is authorized to develop 10,500 housing units, approximately one-third of which will be priced below-market; up to 5,150,000 square feet of office space; 885,000 square feet of regional and neighborhood-serving retail and entertainment uses; and approximately 330 acres of parks and open space. Pursuant to the Redevelopment

Plans, the office space component of the HPS/CP Project is subject to the office limitations set forth in Planning Code Sections 320-325; and,

WHEREAS, The office development limitations of Planning Code Sections 320-325 (Proposition M) would potentially limit the pace of development of the HPS/CP Project impeding the realization of the goals and objectives of the Redevelopment Plans, including, among others, fostering economic development and job vitality; and,

WHEREAS, On November 8, 2016, the voters of San Francisco adopted Proposition O to remove the HPS/CP Project from the office development limitations of Planning Code Sections 320-325, originally enacted by voters in 1986 (Proposition M). The Plan Amendments would implement Proposition O, which exempts Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development limitations of Planning Code Sections 320-325 (Proposition M); and,

WHEREAS, OCII is recommending the amendments to the Redevelopment Plans ("Plan Amendments") to implement the intent of the voters and to resolve the inconsistency between the Redevelopment Plans and Proposition O by clarifying that Planning Code Sections 320-325 (Proposition M) do not apply to Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area. The Plan Amendments make no changes to the authorized land uses and do not modify the amount of permitted office development in the Redevelopment Plans. Rather, the Plan Amendments would help realize the goals and objectives set forth in the Redevelopment Plans by ensuring a reasonable and reliable pace of development that will help deliver community benefits such as employment, housing, and open space more quickly; and,

WHEREAS, Sections 33450-33458 of the CRL sets forth the process for amending a redevelopment plan. This process includes a publicly noticed hearing of the redevelopment agency; environmental review to the extent required, and adoption of the amendment by the redevelopment agency after the public hearing; preparation of the report to the legislative body, referral of the amendment to the Planning Department for a determination of General Plan conformity, if warranted; a publicly noticed hearing of the legislative body, and legislative body consideration after its hearing. Section 33352 of the CRL further requires the preparation of a report to the legislative body regarding the plan amendment in order to provide relevant background information in support of the need, purpose and impacts of the plan amendment; and,

WHEREAS, Pursuant to Section 33352 of the CRL, OCII staff has prepared the Report to the Board of Supervisors on the Amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan ("Report"); and,

- WHEREAS, The Commission held a public hearing on April 4, 2017 on adoption of the conforming Plan Amendments, notice of which was duly and regularly published in a newspaper of general circulation in the City and County of San Francisco once a week for three successive weeks beginning 21 days prior to the date of the hearing, and a copy of that notice and affidavit of publication are on file with OCII; and,
- WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to the last known address of each assessee of land in the HPS Project Area and the BVHP Project Area as shown on the last equalized assessment role of the City; and,
- WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to all residential and business occupants in the HPS Project Area and the BVHP Project Area; and,
- WHEREAS, Copies of the notice of public hearing were mailed, by certified mail, return receipt requested, to the governing body of each taxing agency which receives taxes from property in the HPS Project Area and the BVHP Project Area; and,
- WHEREAS, The Commission has provided an opportunity for all persons to be heard and has considered all evidence and testimony presented for or against any and all aspects of the conforming Plan Amendments; and,
- WHEREAS, On June 3, 2010, the Former Redevelopment Agency Commission by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, approved and certified the Environmental Impact Report for the HPS/CP Project. On the same date, both co-lead agencies adopted environmental findings, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, for the HPS/CP Project by Former Redevelopment Agency Commission Resolution No. 59-2010 and by Planning Commission Motion No. 18097. On July 14, 2010, the Board of Supervisors affirmed the certification by Resolution No. 347-10. Subsequent to the certification, the Commission and the Planning Commission approved Addenda 1 through 4 to the Environmental Impact Report for the HPS/CP Project analyzing certain HPS/CP Project modifications (together, the "EIR"); and,
- WHEREAS, Subsequent to the certification of the EIR, the Planning Department, at the request of OCII, issued Addendum No. 1 to the EIR ("Addendum No. 1") (dated December 11, 2013) to the EIR as part of the 2014 Major Phase 1 CP and Streetscape Plan; and,
- WHEREAS, Addendum No. 1 addressed changes to the phasing schedule for the Project and corresponding changes to the schedules for implementation of related transportation system improvements in the Transportation Plan, including the Transit Operating Plan, the Infrastructure Plan and other public benefits; and minor proposed revisions in two adopted mitigations measures, Mitigation Measure TR-16 Widen Harney Way, and Mitigation Measure UT-2 Auxiliary Water Supply System; and,

WHEREAS, OCII as the lead agency, prepared, in consultation with the San Francisco Planning Department, Addendum No. 4 to the FEIR, ("Addendum No. 4") which OCII staff issued on February 22, 2016. (Addenda Nos. 2 and 3 analyzed proposed changes to the Project, which are no longer being pursued.) Addendum No. 4 evaluated amendments to the Design for Development, Streetscape Plan and Major Phase 1 Application for Candlestick Point and the amendment of two adopted mitigation measures, that were Mitigation Measure TR-16 to divide the Harney Way improvements into two phases and Mitigation Measure TR-23 to modify the cross-section design of Gilman Avenue; and,

WHEREAS, OCII has reviewed the EIR and the Plan Amendments and determined that development resulting from the Plan Amendments require no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15162, and 15163. The EIR analyzed full buildout of the HPS/CP Project based on buildout by 2029 and occupancy in 2030. The EIR's impact analyses, conclusions, and mitigation measures did not rely on potential timing/phasing constraints under Planning Code Sections 320-325. Because the timing or phasing of office development due to the City's annual office limitation was not a factor considered in the EIR assessment of impacts, removal of the annual office limitation approval process from the Redevelopment Plans would not change any aspect of the HPS/CP Project, project variants, or project circumstances assumed for the EIR environmental impact analysis. Since the annual office limitation of Planning Code Sections 320-325 (Proposition M) were not considered in the EIR's assessment of impacts, the conforming Plan Amendments would not substantially change the HPS/CP Project and the Plan Amendments require no additional environmental review under Section 21166 of CEQA and Section 15162 of the CEQA Guidelines. All environmental effects of the Plan Amendments have been considered and analyzed in the prior EIR; and,

WHEREAS, No substantial changes have occurred with respect to circumstances surrounding the HPS/CP Project that would cause significant environmental impacts, and no new information has become available that shows that the HPS/CP Project would cause significant environmental impacts. The EIR findings and statement of overriding considerations adopted on June 3, 2010 in accordance with CEQA by the Former Redevelopment Agency Commission by Resolution No. 59-2010 and by the Planning Commission by Motion No. 18097 were and remain adequate, accurate and objective and are applicable. Therefore, the analyses conducted and the conclusions reached in the EIR remain valid and no further environmental review is required; and,

WHEREAS, OCII staff has reviewed the Plan Amendments, and find them acceptable and recommends approval thereof; now, therefore, be it

RESOLVED, The Commission finds and determines that the Plan Amendments are within the scope of the project analyzed by the EIR, and require no additional environmental review pursuant to CEQA Guidelines Sections 15162, 15163, and 15180 as: (a) the Plan Amendments do not result in new significant environmental effects or a

substantial increase in the severity of previously identified significant effects; (b) no substantial changes have occurred with respect to the circumstances under which the project analyzed in the EIR will be undertaken that would require major revisions to the EIR due to new significant environmental effects, or a substantial increase in the severity of effects identified in the EIR; and (c) no new information of substantial importance to the project analyzed in the EIR has become available that would indicate that (i) the Plan Amendments will have significant effects not discussed in the EIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found not feasible that would reduce one or more significant effects have become feasible; or (iv) mitigation measures or alternatives that are considerably different from those in the EIR will substantially reduce one or more significant effects on the environment; and, be it further

RESOLVED, That the Commission approves the Plan Amendments attached hereto as Exhibit A and recommends forwarding the Plan Amendments to the San Francisco Board of Supervisors for its approval.

EXHIBIT A: Amendments to the Redevelopment Plan for the Hunters Point Shipyard and the Redevelopment Plan for the Bayview Hunters Point Redevelopment Plan (Existing Redevelopment Plan available at www.sfocii.org)

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of April 4, 2017.

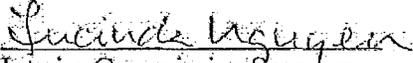

Interim Commission Secretary

EXHIBIT A

CONFORMING AMENDMENTS TO HPS AND BVHP REDEVELOPMENT PLANS TO CONFORM WITH PROPOSITION O

A. Conforming Amendments to Hunters Point Shipyard Redevelopment Plan

The following proposed amendments would conform the following provisions of the HPS Redevelopment Plan with Proposition O. ~~Strikethrough~~ is used to represent proposed deletions to language in the HPS Redevelopment Plan. Underlined text represents proposed additions or modifications to the existing language in the HPS Redevelopment Plan.

Proposed Amendment #1. The preface to the HPS Redevelopment Plan shall be amended as follows:

This Redevelopment Plan (this "**Plan**") for the Hunters Point Shipyard Redevelopment Project Area (the "**Project Area**") consists of the following text, maps and attachments: (a) the maps are: Map 1: Boundary Map; Map 2: Land Use Districts Map; Map 3: Existing Buildings; and Maps 4A, 4B and 4C: Street Plans; and (b) the attachments are: Attachment A: Legal Description of the Project Area; Attachment B: List of Public Improvements; Attachment C: Planning Code Section 314; Attachment D: Planning Code Section 295; and Attachment E: Planning Commission Resolution 18102 (subject to Section II.D.5 below), and Attachment F: Proposition O.

This Plan was adopted on July 14, 1997 (Ordinance No. 285-97) and amended on August 3, 2010 (Ordinance No. 211-10). This Plan was prepared in accordance with the California Community Redevelopment Law (as amended from time to time, the "CRL") and pursuant to Chapter 4.5 therein, which governs the redevelopment of closed military bases. During the preparation of this Plan, the Redevelopment Agency of the City and County of San Francisco (the "**Agency**") consulted with the Mayor's Hunters Point Shipyard Citizens Advisory Committee (the "**CAC**"), the San Francisco Planning Commission, and with other departments and offices of the City and County of San Francisco (the "**City**"). This Plan conforms with the General Plan of the City insofar as the General Plan applies to the Project. Any development within the jurisdiction of the Bay Conservation and Development Commission shall conform to the San Francisco Bay Plan.

The proposed redevelopment of the Project Area as described in this Plan is consistent with the San Francisco General Plan, the Bayview Hunters Point Area Plan, and the Hunters Point Shipyard Sub-Area Plan as adopted and amended by the Planning Commission on June 3, 2010, and is in conformity with the eight Priority Policies of Section 101.1 of the San Francisco Planning Code (the "**Planning Code**").

This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Project Area will be pursued. It is consistent with provisions of the CRL in effect at the date of adoption of this Plan and as of the 2010/2017 Plan Amendment Date.

Proposed Amendment #2. The introductory paragraph to Section II. D. (Standards for Development) shall be amended as follows:

D. Standards for Development

This Plan and the other Plan Documents, including the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, establish the standards for development in the Project Area and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan, are: (a) Sections 101.1, 295, and 314, and 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; (b) as to Phase 1 of the Project Area only, Sections 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; and (c) as to Phase 2 of the Project Area only, Section 324.1 as that section is in effect as of the 2017 Plan Amendment Date. Both the Agency Commission and the Planning Commission must approve any amendment to the Hunters Point Phase 1 Design for Development or the Hunters Point Phase 2 Design for Development.

Proposed Amendment #3. Section II.D.5 (Office Development Limitations) of the HPS Redevelopment Plan shall be amended as follows:

5. Office Development Limitations

On November 8, 2016, voters enacted Proposition O (Planning Code Section 324.1), which exempts Phase 2 of the Project Area from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 — 325 (Proposition M) shall apply to office development in Phase 1 of the Project Area, and Planning Code Section 324.1 shall apply to office development in Phase 2 of the Project Area. Accordingly, the Sections 320-325 place a cap on the annual amount of office development permitted in the City shall apply to Phase 1 but not Phase 2 of the Project Area.

By Resolution No. 18102, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the up to 5,000,000 square feet of office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." The findings contained in Proposition O (2016) supersedes, as to Phase 2 of the Project Area, any part of Resolution No. 18102 (Attachment E) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments, are incorporated herein by reference and attached as Attachment E. Because the office uses necessary for fostering the Shipyard Research & Development District has been found to promote the public welfare, convenience and

necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 5,000,000 square feet of office development projects undertaken pursuant to this Plan. To facilitate early job generation within the Project Area during the early phases of redevelopment under this Plan, the first 800,000 square feet of office development within the Project Area shall be given priority under Sections 320-325 over all office development proposed elsewhere in the City except within: (a) the Mission Bay South Project Area; (b) the Transbay Transit Tower (proposed for development on Lot 001 of Assessors Block 3720) (but not the remainder of the Transbay Redevelopment Project Area). As to the first 800,000 square feet of office development proposed pursuant to this Plan, no office development project contemplated may be disapproved either (i) for inconsistency with Planning Code Sections 320-325 or (ii) in favor of another office development project that is located outside the Project Area and subject to Planning Code Sections 320-325, except as provided in this Section II.D.5. Notwithstanding the above, for the first 800,000 square feet of office development proposed, no office development project will be approved that would cause the then applicable annual limitation contained in Planning Code Section 321 to be exceeded, and the Planning Commission shall consider the design of the particular office development project to confirm that it is consistent with the Planning Commission's findings contained in Resolution No. 18102. Upon such determination, the Planning Commission shall issue a project authorization for such project. The Planning Commission's decision on the design of any particular office development project reviewed pursuant to this Section will be binding on the Agency.

Proposed Amendment #4. Section II.D.6 (Development Fees and Exactions) shall be amended as follows:

6. Development Fees and Exactions

The following provisions will apply to all property in the Project Area except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Project Area for the duration of this Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Plan, shall be administered as required by State law, and shall be increased for the duration of this Plan in accordance with State law but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area that receives an allocation under Planning Code Section 320-325 described in Section II.D.5 include one-half of one percent (0.5%) of the hard

costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "Art Fee Amount") for the installation and maintenance of works of art in the public realm within the Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment C). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within the Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Plan, development within the Project Area shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care Facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Phase 2 of the Project Area (as shown in Map 2) and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within the Project Area.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

Proposed Amendment #5. The following term shall be added to Section XI (Definitions):

XI. Definitions

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

B. Conforming Amendments to Bayview Hunters Point Redevelopment Plan

The following proposed amendments would conform the following provisions of the BVHP Redevelopment Plan with Proposition O. ~~Strikethrough~~ is used to represent proposed deletions to language in the BVHP Redevelopment Plan. Underlined text represents proposed additions or modifications to the existing language in the BVHP Redevelopment Plan.

Proposed Amendment #1: Section 1.1.2 (Contents of this Redevelopment Plan) of the BVHP Redevelopment Plan shall be amended as follows:

This Redevelopment Plan consists of this text, the Project Area Boundary map (Map 1), the Legal Descriptions of Project Areas A and B (Attachments A & B), the Project Area B Redevelopment Zones map (Map 2), the Area B Activity Nodes map (Map 3), the Zone 1 Land Use Districts Map (Map 4), the Zone 2 Generalized Land Use Map (Map 5), the list of Authorized Public Improvements (Attachment C), the List of Blocks and Lots within Zone 1 as of the 2010 Plan Amendment Date (Attachment D), Planning Code Section 314 (Attachment E), Planning Code Section 295 (Attachment F), and Planning Commission Resolution 18102 (Attachment G) (subject to Section 4.3.16 below), and Proposition O (Attachment H). All attachments and maps are incorporated into this Redevelopment Plan by reference. This Redevelopment Plan was prepared by the Agency pursuant to the California Community Redevelopment Law (CRL), the California Constitution, and all applicable local codes and ordinances. The Project Area is in Bayview Hunters Point, City and County of San Francisco, State of California and includes all properties within the Project Area boundary shown on Map 1.

Proposed Amendment #2: Section 1.1.4 (Conformance with the General Plan) of the BVHP Redevelopment Plan shall be amended as follows:

The Redevelopment Plan is consistent with the General Plan of the City and County of San Francisco and its applicable elements, including the BVHP Area Plan and the Candlestick Point Sub-Area Plan, each as in effect on the ~~2010~~2017 Plan Amendment Date. The Redevelopment Plan is also in conformity with the eight Priority Policies of Section 101.1 of the Planning Code in effect on the ~~2010~~2017 Plan Amendment Date.

Proposed Amendment #3: The introductory paragraph of Section 4.3 (Standards and Procedures for Development in Zone 1) is amended as follows:

For Zone 1, this Redevelopment Plan and the other Plan Documents, including the Candlestick Point Design for Development, establish the standards for development and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan, are Sections 101.1, 295, and 314, and ~~320-325~~, as such sections are in effect as of the 2010 Plan Amendment Date. Both the Agency

Commission and the Planning Commission must approve any amendments to the Candlestick Point Design for Development.

Proposed Amendment #4. Section 4.3.15 (Development Fees and Exactions) shall be amended as follows:

4.3.15 Development Fees and Exactions

The following provisions will apply to all property in Zone 1 except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Zone 1 for the duration of this Redevelopment Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Redevelopment Plan, shall be administered as required by State law, and shall be increased for the duration of this Redevelopment Plan in accordance with State law, but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Redevelopment Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area that receives an allocation under Planning Code Section 320-325 described in section 4.3.16 include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "Art Fee Amount") for the installation and maintenance of works of art in the public realm within Zone 1. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Zone 1. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Candlestick Point Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Redevelopment Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment E). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within Zone 1.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Redevelopment Plan, development within the Zone 1 shall not be subject to any change to the provisions of the Child-Care Requirements that permit

compliance through the construction of Child-Care facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Zone 1 of Project Area B of the Project Area and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within Zone 1.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

The parcels on Assessor Blocks 4917, 4918, 4934, and 4935 shall be subject to all fees and exactions under the City Planning Code in effect from time to time, except as otherwise provided pursuant to an Owner Participation Agreement or Development Disposition Agreement, if the Agency determines that the public benefits under an Owner Participation Agreement exceed those that would otherwise be obtained through imposition of the City Planning Code fees and exactions.

Proposed Amendment #5: Section 4.3.16 (Office Development Limitations) of the BVHP Redevelopment Plan is amended as follows:

4.3.16 Office Development Limitations

On November 8, 2016, voters enacted Proposition O, which exempts Zone 1 of this Redevelopment Plan from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 - 325 (Proposition M) shall apply to office development in Zone 2 of this Redevelopment Plan and Planning Code Section 324.1 shall apply to office development in Zone 1 of this Redevelopment Plan. Accordingly, the Project Area Sections 320-325 place a cap on the annual amount of office development permitted in the City shall apply in Zone 2 by not in Zone 1 of this Redevelopment Plan.

By Resolution No. 18102 (Attachment G), the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the 150,000 square feet of office development contemplated in Zone 1 of this Redevelopment Plan in particular promotes the public welfare, convenience and necessity, and in so doing, considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that "No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter's Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation." Proposition O (2016) supersedes, as to Zone 1 of this Redevelopment Plan, any portion of The findings contained in Resolution No.

18102 (Attachment G) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments, are incorporated herein by reference. Because the office uses contemplated by this Redevelopment Plan has been found to promote the public welfare, convenience and necessity, the determination required under Section 321(b), where applicable, will be deemed to have been made for up to 150,000 square feet of commercial development projects in Zone 1 undertaken pursuant to this Redevelopment Plan.

Proposition O did not exempt Zone 2 of the Project Area from the requirements of Proposition M (Sections 320-325). The permitted land uses and standards of development for Zone 2 are described in Section 5.

Proposed Amendment #6. The following term is added to Section 6.0 (Definitions) of the BVHP Redevelopment Plan:

6.0 Definitions

2017 Plan Amendment Date means the date on which Ordinance No. _____ adopting amendments to this Plan, approved on _____, 2017, became effective.

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 15-2017

Adopted April 4, 2017

APPROVING THE REPORT TO THE BOARD OF SUPERVISORS ON AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND THE REDEVELOPMENT PLAN FOR THE BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA TO IMPLEMENT THE VOTER-APPROVED PROPOSITION O, WHICH EXEMPTS PHASE 2 OF THE HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND ZONE 1 OF THE BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA FROM THE OFFICE DEVELOPMENT LIMITATIONS SET FORTH IN PLANNING CODE SECTIONS 320-325 AND AUTHORIZING TRANSMITTAL OF THE REPORT TO THE BOARD OF SUPERVISORS; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA.

WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure, ("Successor Agency" or "OCII") proposes to adopt amendments ("Plan Amendments") to the Hunters Point Shipyard Redevelopment Plan ("HPS Plan") and the Bayview Hunters Point Redevelopment Plan ("BVHP Plan") (collectively, the "Redevelopment Plans"); and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("Board of Supervisors") adopted the HPS Plan on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10. On May 23, 2006, the Board of Supervisors amended the BVHP Plan by Ordinance No. 113-06 and on August 3, 2010 by Ordinance No. 210-10; and,

WHEREAS, The HPS Plan establishes the land use controls for the Hunters Point Shipyard Redevelopment Project Area, which consists of sub-areas Phase 1 and Phase 2 ("HPS Project Area"). Phase 2 is intended to be developed with a mix of uses including neighborhood-serving retail, businesses, office and residential uses. Section D of the HPS Plan provides that "The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section II.D.5 of the HPS Plan describes application of the office development limitations under Planning Code Sections 320-325 to office development in the HPS Project Area; and,

WHEREAS, The BVHP Plan establishes the land use controls for the Bayview Hunters Point Redevelopment Project Area ("BVHP Project Area"). The BVHP Project Area consists of two subareas: Zone 1 (also known as Candlestick Point) and Zone 2. Zone 1 is intended to be developed with a mix of uses, including, residential, retail,

parks and open space, and office uses. Section 4.3 of the BVHP Plan provides that "The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." Section 4.3.16 of the BVHP Plan describes application of the office development controls of Planning Code Sections 325-325 to the office development in Zone 1; and,

WHEREAS, On November 8, 2016, voters enacted Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition ("Proposition O"), which removes the Candlestick Point and Hunters Point Shipyard Phase 2 Project (the "HPS/CP Project") from the office development limitations of Planning Code Sections 320-325 (Proposition M), an initiative adopted by voters in 1986 that generally limits office development in the City and County of San Francisco ("City") to 950,000 square feet annually. The Plan Amendments would reflect the passage of Proposition O, which provides for the exemption of the HPS/CP Project from Planning Code Sections 320-325 (Proposition M); and,

WHEREAS, OCII is recommending the Plan Amendments to implement the intent of voters and to conform the Redevelopment Plans with Proposition O. The conforming Plan Amendments clarify that Planning Code Sections 320-325 (Proposition M) do not apply to office development within Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area. The Plan Amendments do not change the authorized land uses under the Redevelopment Plans and do not modify the amount of permitted office development in the Redevelopment Plans; and,

WHEREAS, Pursuant to Section 33352 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), the Successor Agency has prepared a Report to the Board of Supervisors on the Amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan ("Report"); and,

WHEREAS, On June 3, 2010, the Former Redevelopment Agency Commission by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, approved and certified the Environmental Impact Report for the HPS/CP Project. On the same date, both co-lead agencies adopted environmental findings, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, for the HPS/CP Project by Former Redevelopment Agency Commission Resolution No. 59-2010 and by Planning Commission Motion No. 18097. On July 14, 2010, the Board of Supervisors affirmed the certification by Resolution No. 347-10 and found that various actions related to the HPS/CP Project complied with the California Environmental Quality Act ("CEQA"). Subsequent to the certification, the Commission and the Planning Commission approved Addenda 1 through 4 to the Environmental Impact Report for the HPS/CP Project EIR analyzing certain HPS/CP Project modifications (together, the "HPS/CP EIR"); and,

WHEREAS, The HPS/CP EIR analyzed full buildout of the HPS/CP Project based on buildout by 2029 and occupancy in 2030. The HPS/CP EIR's impact analyses, conclusions, and mitigation measures did not rely on potential timing/phasing constraints under Planning Code Sections 320-325. Because the timing or phasing of office development due to the City's annual office limitation was not a factor considered in the HPS/CP EIR assessment of impacts, removal of the annual office limitation approval process from the Redevelopment Plans would not change any aspect of the HPS/CP Project, project variants, or project circumstances assumed for the HPS/CP EIR environmental impact analysis. Since the annual office limitation of Planning Code Sections 320-325 (Proposition M) was not considered in the HPS/CP EIR's assessment of impacts, the conforming Plan Amendments would not substantially change the Project and the Plan Amendments require no additional environmental review under Section 21166 of CEQA and Section 15182 of the CEQA Guidelines. All environmental effects of the Plan Amendments have been considered and analyzed in the prior HPS/CP EIR; now, therefore, be it

RESOLVED, That the Commission on Community Investment and Infrastructure ("Commission") hereby approves the Report to the Board of Supervisors, which is attached to this Resolution as Exhibit A, and, be it further

RESOLVED, That the Interim Executive Director is hereby authorized to transmit said Report to the Board of Supervisors for its background and information in considering the conforming Plan Amendments.

Exhibit A: Report to the Board of Supervisors on the Amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of April 4, 2017.

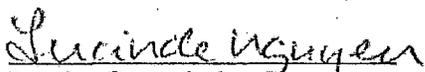

Interim Commission Secretary

EXHIBIT A

**REPORT TO THE BOARD OF SUPERVISORS
ON THE AMENDMENTS TO THE
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN AND THE
BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN**

Prepared by:

**The Office of Community Investment and Infrastructure,
as the Successor Agency to the San Francisco Redevelopment Agency**

April 4, 2017

**REPORT TO THE BOARD OF SUPERVISORS
ON THE AMENDMENTS TO THE
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN AND THE
BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN**

INTRODUCTION

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCIP”), has prepared this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) on the conforming amendments (“Plan Amendments”) to the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”) (collectively “Redevelopment Plans”).

The Plan Amendments make conforming amendments to the Redevelopment Plans to reflect passage of Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition (“Proposition O”), which was approved by voters on November 8, 2016. Proposition O exempts the Candlestick Point and Hunters Point Shipyard Phase 2 Project (the “Project”) from the office development limitations established by Proposition M, originally enacted by voters in 1986 and implemented by Planning Code Sections 320-325. The Plan Amendments implement Proposition O, which exempts only Zone 1 of the Bayview Hunters Point Redevelopment Project Area (“BVHP Project Area”) and Phase 2 of the Hunters Point Shipyard Redevelopment Project Area (“HPS Project Area”) (collectively, the “Project Areas”) from the office development controls of Planning Code Sections 320-325 (Proposition M). The Plan Amendments do not change the land use controls under the Redevelopment Plans and do not alter the permitted square footage of office development under the Redevelopment Plans.

This Report is prepared pursuant to Section 33457.1 of the California Community Redevelopment Law, Health and Safety Code Sections 33000 *et seq.* (“CRL”), which delineates the information that the Successor Agency must provide to the Board of Supervisors for its consideration of amendments to a redevelopment plan. Section 33457.1 provides as follows:

“To the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to a redevelopment plan shall contain the findings required by Section 33367 and (2) the reports and information required by Section 33352 shall be prepared and made available to the public prior to the hearing on such amendment.”

Because the scope of the Plan Amendments is minor and technical in nature—conforming the Redevelopment Plans to reflect passage of Proposition O with no changes to allowable land uses or any Project elements—the contents of the Report to the Board are limited, consistent with the CRL, to the following: the reason for the Plan Amendments; description of the amendments will improve or alleviate blight; proposed method of financing/economic feasibility; the Planning Department’s determination regarding conformity of the Plan Amendments to the General Plan

(to be incorporated upon receipt); the report on the environmental review required by Section 21151 of the Public Resources Code; and the neighborhood impact report.

DESCRIPTION OF THE PLAN AMENDMENTS

Background

The Board of Supervisors adopted the HPS Plan on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10. On May 23, 2006, the Board of Supervisors amended the BVHP Plan by Ordinance No. 113-06 and on August 3, 2010 by Ordinance No. 210-10. The Redevelopment Plans establish the land use controls for the HPS Project Area and the BVHP Project Area. A map of the Project Areas is attached as Exhibit A.

The Redevelopment Plans already authorize the development of office, and research and development (“R&D”) uses within the Project Areas. Specifically, the HPS Project Area is divided into Phase 1 and Phase 2 subareas and consists of several land use districts. Phase 2 is intended to be developed with a mix of uses including neighborhood-serving retail, businesses, office and residential uses. Section D of the HPS Plan provides that “The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date.” Section II.D.5 of the HPS Plan describes application of the office development limitations under Planning Code Sections 320-325 (Proposition M) to office development in the HPS Project Area.

The BVHP Project Area consists of two subareas: Zone 1 (also known as Candlestick Point) and Zone 2. Zone 1 consists of three land use districts and is intended to be developed with a mix of uses, including, residential, retail, parks and open space, and office uses. Section 4.3 of the BVHP Plan provides that “The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date.” Section 4.3.16 of the BVHP Plan describes application of the office development limitations under Planning Code Sections 320-325 to office development in Zone 1.

On November 8, 2016, San Francisco voters enacted Proposition O, exempting Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development limitations of Planning Code Sections 320-325. The Redevelopment Plans currently still include references to Planning Code Section 320-325 as these code sections were not deleted by passage of Proposition O since local ballot measures may not amend redevelopment plans.

Purpose of the Plan Amendments

The conforming Plan Amendments would amend the Redevelopment Plans to achieve consistency with Proposition O, providing that Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area shall not be subject to the office development limitation set forth in Planning Code Sections 320-325 (Proposition M). Specifically, the Plan Amendments specify that Planning Code Section 324.1, which was added by Proposition O in 2016 and contains the exemption from the office limitations of Sections 320-325, shall apply to Zone 1 of the BVHP and Phase 2 of the HPS Project Area as of the effective date of the Plan Amendments. These

limits, depending on the pace of growth elsewhere in the City over time, could affect the timing of delivery of office development within the Project. The Plan Amendments will help achieve the Redevelopment Plans' economic goals and objectives by ensuring that the pace of job-generating office development is not interrupted by the office development limitations and the job opportunities and the associated economic and community benefits of the HPS/CP Project can be delivered in a timely manner.

The Plan Amendments will help ensure a reasonable pace of development for the Project that will foster employment and other economic and community benefits as the Project progresses. The Plan Amendments, which only affect the timing of office development, allows the permitted office uses to proceed at a predictable and reliable pace without interruption by the office development limitations. The Plan Amendments increases benefits to the community by continuing the anticipated pace of construction of affordable housing, and providing for the efficient delivery of jobs, parks, open spaces, and community facilities that will serve the community. Further, the timely implementation of the permitted office uses as part of the Redevelopment Plans will facilitate the redevelopment and economic reuse of the Project Areas and correct environmental deficiencies within the Project Areas.

The Plan Amendments do not change the allowable land uses, land use controls, or the amount of permitted office development in the Redevelopment Plans. Rather, as further discussed in this Report, the Plan Amendments will help advance the delivery of jobs and community benefits by allowing development of the Project to proceed at a reasonable pace.

SCOPE OF THE REPORT

In accordance with Section 33457.1 of the CRL, this Report contains only the information required by Section 33352 of the CRL that is warranted by the Plan Amendments. Because the Plan Amendments, as described above, are minor and technical, and are limited to conforming the Redevelopment Plans to Proposition O's exemption of Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development controls of Planning Code Sections 320-325, the contents of this Report are limited to the following:

- Reason for the Plan Amendments (subsection (a) of Section 33352 of the CRL);
- Description of how the Plan Amendments will improve or alleviate blighting conditions (subsection (b) of Section 33352 of the CRL);
- The proposed method of financing the redevelopment of the Project Area as applicable to the Plan Amendments (subsection (e) of Section 33352 of the CRL);
- The Planning Department's determination regarding conformity of the Plan Amendments to the General Plan, as required by Section 4.105 of the San Francisco Charter;
- The report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendments (subsection (k) of Section 33352 of the CRL); and
- The neighborhood impact report (subsection (m) of Section 33352 of the CRL).

Other information that Section 33352 requires to support a new redevelopment plan is not necessary for the conforming Plan Amendments because of their minor and limited scope.

In approving the HPS Plan in 1997 and amending it in 2010, and amending the BVHP Plan in 2006 and 2010, the Board of Supervisors relied on information about the conditions of physical and economic blight within the Project Areas, the need for tax increment financing to carry out redevelopment in the Project Areas, and other factors justifying the establishment and amendment of the Project Areas. The Plan Amendments do not alter the Project Areas' boundaries, change financing limits, or extend the duration of the Redevelopment Plans. Moreover, the Plan Amendments do not change the allowable land uses, land use controls, or the amount of permitted office development in the Redevelopment Plans. The Plan Amendments do not alter the blight and financial determinations made at the time the Project Areas were originally adopted, but rather, provide an effective approach for alleviating blight and promoting the financial feasibility of the Redevelopment Plans.

The Plan Amendments do not contemplate changes in the specific goals, objectives or expenditures of OCII for the Project Areas.

REASON FOR THE PLAN AMENDMENTS

The purpose of the Plan Amendments is to implement Proposition O, which San Francisco voters passed on November 8, 2016, thereby exempting Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area from the office development controls of Planning Code Sections 320-325 (Proposition M). The following objectives and goals, as described in Section II of the BVHP Plan and Section 1.2 of the HPS Plan, would be further advanced by the adoption of the Plan Amendments:

- A. Encourage land uses that will foster employment, business, and entrepreneurial opportunities. BVHP Plan, Section II.
- B. Provide for the development of economically vibrant and environmentally sound districts for mixed use, including cultural, educational and arts activities, research, industrial, and training. BVHP Plan, Section II.C. Encourage participation of area residents in the economic development that will occur. HPS Plan, Section 1.2.
- D. Eliminate blighting influences and correcting environmental deficiencies within the Project Area, including, abnormally high vacancies, abandoned, deteriorated and dilapidated buildings, incompatible land uses, depreciated or stagnant property values, and inadequate or deteriorated public improvements, facilities, and utilities. HPS Plan, Section 1.2.
- E. Remove structurally substandard buildings, removing impediments to land development. HPS Plan, Section 1.2.
- F. Provide public parks, open space, and other community facilities. BVHP Plan, Section II.

DESCRIPTION OF HOW THE AMENDMENT WILL IMPROVE OR ALLEVIATE BLIGHT

As described in the HPS Plan, the Zone 2 of the HPS Project Area is characterized by conditions of blight. Physical conditions make buildings unsafe to live or work in and the HPS Project Area remains largely vacant and undeveloped. Similarly, the existing conditions of Zone 1 of the BVHP Area contains a mixture of vacant lands, surface parking lots, under-utilized park lands, and blighted industrial properties. The BVHP Project Area is served by inadequate public infrastructure and deficient public facilities, which have a detrimental effect on the neighborhoods within and around Zone 1 of the BVHP Project Area.

The Plan Amendments will alleviate the adverse physical and economic conditions in the Project Areas by ensuring an efficient and reliable pace of development for the substantial job-generating uses within the Project Areas (i.e. the office and research and development uses), strengthening the achievement of a coordinated mixed-use development plan, and improving the economic base of the Project Areas by establishing retail and other commercial functions in the Project Areas communities. In addition, the Plan Amendments will help eliminate blight as the timely implementation of the permitted office uses will improve or alleviate the physical and economic conditions of blight by allowing for a diversity of land uses, including office, residential and large open spaces and parks.

PROPOSED METHOD OF FINANCING / ECONOMIC FEASIBILITY OF AMENDMENT

The Plan Amendments do not propose any new capital expenditures by OCII, involve any new indebtedness or financial obligation of OCII, or change OCII's overall method of financing the redevelopment of the Project Areas. Instead, the Plan Amendments do not change the reliance on private enterprise to finance the Project. OCII will continue, however, to use tax increment financing and funds from all other available sources to carry out its enforceable obligations to pay for the costs of public infrastructure in the Project Areas. The Plan Amendments are expected to accelerate the pace of development which would generate more property taxes and consequently more tax increments than the existing, undeveloped conditions.

REFERRAL TO THE PLANNING DEPARTMENT

Neither the CRL nor local law requires formal Planning Commission review for redevelopment plan amendments that are consistent with the General Plan, Cal. Health & Safety Code § 33453; San Francisco Administrative Code § 2A.53 (e). The former Redevelopment Agency of the City and County of San Francisco ("Former Agency") entered into a Planning Cooperation Agreement, dated June 3, 2010 for reference purposes, with the Planning Department to define the roles of the parties in the implementation of the Project and to ensure that development of the Project is in accordance with the Redevelopment Plans. Section 5.6 of the Planning Cooperation Agreement specifically provides that:

"[I]n connection with the certification of the Project EIR, the adoption of the Mitigation Measures and approval of the Design for Development, the Planning Commission made General Plan findings as required by the City's Charter that the Project, as a whole and in its entirety, is consistent with the General Plan and the Planning Principles set forth in Section 101.1 of the Planning Code. This

General Plan Consistency Finding is intended to support all future approvals by the City, including the Planning Commission or the Department, that are consistent with the Redevelopments and the Design for Development.”

The Planning Commission’s prior General Plan Consistency Finding, made by Resolution No. 18101 (June 3, 2010), are attached as Exhibit B. OCII has referred the Plan Amendments to the Planning Department for its report regarding conformity of the Plan Amendments with the General Plan in accordance with the Planning Commission’s prior General Plan Consistency Finding and Section 5.6 of the Planning Cooperation Agreement. The Planning Department’s determination regarding conformity of the Plan Amendments to the General Plan will be incorporated in a supplemental report to the Board of Supervisors upon receipt.

ENVIRONMENTAL REVIEW

On June 3, 2010, the Commission of the former Redevelopment Agency of the City and County of San Francisco (“Redevelopment Commission”) by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, certified the Final Environmental Impact Report (“FEIR”) under the California Environmental Quality Act (“CEQA”) for the Project. On July 14, 2010, the Board of Supervisors affirmed the Planning Commission’s certification of the FEIR by Resolution No. 347-10 and that various actions related to the Project complied with CEQA. Subsequent to the certification of the FEIR, OCII and the Planning Commission prepared Addenda 1 through 4 to the FEIR analyzing certain Project modifications.

With assistance from the Planning Department, OCII has reviewed the EIR and the Plan Amendments and determined that development resulting from the Plan Amendments require no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15168, 15162, and 15163. All environmental effects of the Plan Amendments have been considered and analyzed in the prior environmental EIR and Addenda Nos. 1 through 4.

NEIGHBORHOOD IMPACT REPORT

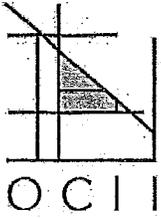
The Plan Amendments do not impact or alter the Project’s commitment to provide affordable housing. The Redevelopment Plans provide for the development of 10,500 residential units, approximately one-third which will be offered at below market rates. The process and requirements for the development of approximately 10,500 homes on the Project Site is designed to provide new housing opportunities for households of diverse income, ages, lifestyles and family size. OCII will promote the development of a wide variety of affordable housing including mixed-use development, development of new rental and ownership units and development and rehabilitation of existing rental and ownership units, infill development, and an array of senior housing possibilities. The housing opportunities within the Project Areas address the demand for housing suitable for families, seniors, young adults, and others with special needs. The amount and timing of this development is dependent on the amount and pace of the overall development in the Project.

The Plan Amendments do not change the number of residential units or the amount of affordable housing to be provided. Currently, a portion of the affordable housing project is underway in the Alice Griffith Neighborhood located in Zone 1 of the BVHP Project Area and the completion of

60-unit affordable rental development on Block 49 in the HPS Project Area. The Plan Amendments will not affect the provision of affordable housing in the Project Areas. Moreover, the Plan Amendments will not cause the destruction or removal of housing units from the low- and moderate-income housing market and no persons will be displaced, temporarily or permanently, from dwelling units as a result of the Plan Amendments.

As required under the BVHP Plan, OCII has implemented an Affordable Housing Program that is consistent with the City's Consolidated Housing Plan and the General Plan. Under the CRL, at least 15 percent of all new and substantially rehabilitated dwelling units developed within the BVHP Project Area by private or public entities other than OCII must be available at affordable housing cost to, and occupied by persons and families of extremely low, very low, low, or moderate income. The below market rate housing requirements of the Project exceed those required under the CRL and the City's affordable inclusionary housing laws. The BVHP Plan and HPS Plan require OCII to provide replacement housing, within four (4) years, when dwelling units for low or moderate income persons or families are destroyed or removed. The Plan Amendments do not alter the existing affordable housing obligations currently articulated under the Redevelopment Plans.

The means of financing the low- and moderate-income housing units are tax increment financing, revenue from the sales of public properties within the Project Areas, and development fees. The Plan Amendments do not change OCII's tax increment financing committed to affordable housing.



office of
COMMUNITY INVESTMENT
and INFRASTRUCTURE

450-2192017-002

Agenda Item **Nos. 5(b) & 5(c)**
Meeting of April 4, 2017

MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Nadia Sésay, Interim Executive Director

SUBJECT: Approving the Report to the Board of Supervisors on amendments to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area and the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area to implement the voter-approved Proposition O, which exempts Phase 2 of the Hunters Point Shipyard Redevelopment Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Project Area from the office development limitations set forth in Planning Code Sections 320-325 and authorizing transmittal of the Report to the Board of Supervisors; Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area

Adopting environmental review findings pursuant to the California Environmental Quality Act and approving amendments to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area and the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area to implement the voter-approved Proposition O, which exempts Phase 2 of the Hunters Point Shipyard Project Area and Zone 1 of the Bayview Hunters Point Project Area from the office development limitations set forth in Planning Code Sections 320-325, referring the plan amendments to the Planning Department for its report on conformity with the General Plan, and recommending the plan amendments to the Board of Supervisors for adoption; Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area

Edwin M. Lee
MAYOR

Nadia Sésay
INTERIM
EXECUTIVE DIRECTOR

Mara Rosales
CHAIR

Miguel Bustos
Marily Mondejar
Leah Pimentel
Darshan Singh
COMMISSIONERS

EXECUTIVE SUMMARY

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On November 8, 2016, the voters of San Francisco adopted Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition ("Prop. O"). Prop. O exempts new office space to be developed within Hunters Point Shipyard Phase 2 ("HPS Phase 2") and Candlestick Point Project ("HPS/CP Project") from the annual office development limitations set forth in Planning Code Sections 320-325, originally approved by voters in 1986 as Proposition M ("Prop. M").

The HPS/CP Project spans portions of two redevelopment project areas, and each project area has an associated redevelopment plan that governs development within each area. HPS Phase 2 falls within a portion of the Hunters Point Shipyard Redevelopment Project Area ("HPS Project Area"), which is governed by the Hunters Point Shipyard Redevelopment Plan ("HPS Plan"). Candlestick Point is Zone 1 of the Bayview Hunters Point Project Area ("BVHP Project Area"), which is governed by the Bayview Hunters Point Redevelopment Plan ("BVHP Plan"). Refer to Attachments A and B for maps delineating the boundaries of HPS Phase 2 and Zone 1 of the BVHP Project Area. The HPS Project Area together with the BVHP Project Area are referred to as the "Project Areas". The HPS Plan with the BVHP Plan are referred to as the "Redevelopment Plans."

The Redevelopment Plans currently include references to Prop. M. These references were not deleted by Prop. O itself because local ballot measures may not amend redevelopment plans. The proposed amendments to the Redevelopment Plans ("Plan Amendments") implement Prop. O by exempting office development within the portions of the Projects Areas that include the HPS/CP Project from the annual office development limitations established by Prop M (Planning Code Sections 320-325). (Research and development space is considered office space and therefore subject to the Prop. M limitations. Thus, as used in this memo, the term "office space" includes both office space and research and development space.)

Prop. O and the Plan Amendments do not change the amount of permitted office space in the HPS/CP Project. Rather, the Plan Amendments exempt office space development from Prop. M's annual office space limits. These limits, depending on the pace of growth elsewhere in the City over time, could affect the timing of delivery of office development within the HPS/CP Project. The Plan Amendments will help achieve the Redevelopment Plans' economic goals and objectives by ensuring that the pace of job-generating office development is not interrupted by the office development limitations and the job opportunities and the associated economic and community benefits of the HPS/CP Project can be delivered in a timely manner.

In addition to acting on the Plan Amendments, the Commission on Community Investment and Infrastructure ("Commission") will consider forwarding the Report to the Board of Supervisors on the Plan Amendments ("Report to the Board"). The Report to the Board provides relevant background information in support of the need, purpose, and impacts of the Plan Amendments. Because the scope of the Plan Amendments is minor and technical in nature, the contents of the Report to the Board are more limited, consistent with the requirements of the California Community Redevelopment Law, Health and Safety Code Sections 33000 et seq., ("CRL").

Staff recommends the Commission (i) approve the Report to the Board and authorize its transmittal to the Board of Supervisors; (ii) adopt environmental review findings pursuant to the California Environmental Quality Act; (iii) approve the Plan Amendments; (iv) refer the Plan Amendments to the Planning Department for its report on General Plan conformity; and (v) and recommend the Plan Amendments to the Board of Supervisors for adoption.

BACKGROUND

The Board of Supervisors adopted the HPS Plan on July 14, 1997 (Ordinance No. 285-97). The Board of Supervisors adopted the BHVP Plan on January 20, 1969 (Ordinance No. 25-69), and amended it on June 2, 2006 (Ordinance No. 113-06). On August 3, 2010, the Board of Supervisors amended both the HPS Plan (Ordinance 211-10) and the BVHP Plan (Ordinance No. 210-10) in connection with approval of the HPS/CP Project.

The Redevelopment Plans were adopted with the primary objective of revitalizing the Bayview Hunters Point community. They authorize the following development for the HPS/CP Project: 10,500 housing units, (approximately one-third of which will be priced below-market); up to 5,150,000 square feet of office space; 885,000 square feet of regional and neighborhood-serving retail and entertainment uses; and approximately 330 acres of parks and open space.

In furtherance of this objective, the former San Francisco Redevelopment Agency, now the Office of Community Investment and Infrastructure ("OCII"), approved the Candlestick Point and Phase 2 of the Hunters Point Shipyard Disposition and Development Agreement (as amended, the "Phase 2 DDA"). The Phase 2 DDA entitles the HPS/CP Project with the right to build up to 10,500 new homes, approximately 32 percent of which will be below market rate and will include the rebuilding of the Alice Griffith public housing development consistent with the City's HOPE SF public housing revitalization program; more than 3 million square feet of office space; 885,000 square feet of regional and neighborhood-serving retail and entertainment uses and more than 325 acres of new parks in the southeast portion of San Francisco. In total, the HPS/CP Project will generate over \$6 billion of new economic activity to the City, more than 12,000 permanent jobs, hundreds of new construction jobs each year, new community facilities, new transit infrastructure, and provide approximately \$90 million in community benefits. The HPS/CP Project's full buildout will occur over 20 to 30 years.

Both Redevelopment Plans provide that "[t]he only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date." (Section II.D of the HPS Plan; Section 4.3 of the BVHP Plan.) The HPS Plan and the BVHP Plan also describe application of the office limitations under Planning Code Sections 320-325 to office development in Phase 2 of the HPS Project Area and Zone 1 of the BVHP Project Area, respectively. (Section II.D.5 of the HPS Plan; Section 4.3.16 of the BVHP Plan.)

Planning Code Sections 320-325 (Prop. M), which apply to new office developments of 25,000 square feet or greater, place a cap on the annual amount of office development permitted in the City to 950,000 square feet per year. Depending on the pace of development in other areas of the City, the annual limit on new office development set forth under Planning Code Sections 320-325 could impede the Bayview Hunters Point office development and delay the revitalization and delivery of jobs to the Bayview Hunters Point community.

DISCUSSION

On November 8, 2016, San Francisco voters enacted Prop. O, exempting the HPS/CP Project from the City's Prop. M annual 950,000 square foot limit on new office space development. It also amended the Planning Code to permanently exempt any new office space in the HPS/CP Project from counting toward the City's limits. The Plan Amendments would amend the Redevelopment Plans to achieve consistency with Prop. O. The Plan Amendments specify that Planning Code Section 324.1, which was added by Prop. O in 2016 and contains the exemption from the office limitations of Sections 320-325, applies to the HPS/CP Project once the Plan Amendments are effective. The Plan Amendments do not change the amount of permitted office space.

The Plan Amendments will allow office development already authorized under the Redevelopment Plans and Phase 2 DDA to be delivered predictably, reliably and efficiently, which will encourage economic and employment investment within the Project Areas. The Plan Amendments will also allow for the coordinated development of

the complementary and interrelated other HPS/CP Project uses and features, such as parks and open space and the expansion of a wide variety of public transit systems.

The Plan Amendments require the following process: a publicly noticed Commission hearing; preparation of a report to the legislative body to the extent warranted by the Plan Amendments; environmental review to the extent required; Commission approval of the Plan Amendments after the public hearing; Planning Department report on General Plan conformity; a publicly noticed Board of Supervisors hearing; and Board of Supervisors adoption of the Plan Amendments after its public hearing.

As required by CRL, OCII staff have prepared the Report to Board. Because the scope of the Plan Amendments is minor and technical in nature—conforming the Redevelopment Plans to reflect passage of Prop. O with no changes to allowable land uses or any other HPS/CP Project elements—the contents of the Report to the Board are limited to the reason for the Plan Amendments; description of how the minor amendment will improve or alleviate blight; proposed method of financing/economic feasibility of Plan Amendments; report of the Planning Department (to be incorporated upon receipt); environmental review; and the neighborhood impact report.

PUBLIC REVIEW PROCESS

In compliance with CRL, the following actions have been undertaken in connection with the Plan Amendments:

- February 13, 2017, the Hunters Point Shipyard Citizens Advisory Committee unanimously recommended adoption of the Plan Amendments;
- March 3, 2017, the notice for the Commission's public hearing was mailed to property owners and occupants in the Project Areas by first class mail, and to taxing entities by certified mail;
- March 3, 2017, the CCII public hearing notice was posted on OCII's website; and
- March 13, 2017, March 20, 2017, and March 27, 2017, the Commission public hearing notices were published in the San Francisco Examiner.

ENVIRONMENTAL REVIEW

On June 3, 2010, the Former Redevelopment Agency Commission by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, approved and certified the Environmental Impact Report for the HPS/CP Project. On the same date, both co-lead agencies adopted environmental findings, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, for the HPS/CP Project by Former Redevelopment Agency Commission Resolution No. 59-2010 and by Planning Commission Motion No. 18097. On July 14, 2010, the Board of Supervisors affirmed the certification and findings by Resolution No. 347-10 and found that various actions related to the HPS/CP Project complied with the California Environmental Quality Act ("CEQA"). Subsequent to the certification, the Commission and the Planning Commission approved Addenda 1 through 4 to the Environmental Impact Report for the HPS/CP Project analyzing certain HPS/CP Project modifications (together, the "HPS/CP EIR").

When an environmental impact report ("EIR") has been prepared for a project, no subsequent or supplemental EIR is required unless one or more of the following occurs: (1) substantial changes are proposed in the project that will require major revisions of the EIR due to new significant impacts or a substantial increase in the severity

of previously identified impacts; (2) substantial changes occur with respect to the circumstances under which the project is being undertaken that will require major revisions in the EIR due to new significant impacts or a substantial increase in the severity of previously identified impacts; (3) new information that was not known and could not have been known at the time the EIR was certified as complete becomes available and shows new significant impacts, an increase in severity of a previously identified significant impact, or changes related to the feasibility of, or new, mitigation measures and alternatives that would substantially reduce significant impacts and which are rejected. (CEQA Guidelines Section 15162)

The HPS/CP EIR analyzed full buildout of the HPS/CP Project based on buildout by 2029 and occupancy in 2030. The HPS/CP EIR's impact analyses, conclusions, and mitigation measures did not rely on potential timing/phasing constraints under Planning Code Sections 320-325. Because the timing or phasing of office development due to the City's annual office limitation was not a factor considered in the HPS/CP EIR assessment of impacts, removal of the annual office limitation approval process from the Redevelopment Plans would not change any aspect of the HPS/CP Project, project variants, or project circumstances assumed for the HPS/CP EIR environmental impact analysis.

The Plan Amendments would not make any changes to the HPS/CP Project and do not impact the allowable land uses or the amount of permitted office development in the Redevelopment Plans for the HPS/CP Project.

Further, no changes have occurred with respect to circumstances surrounding the HPS/CP Project that would cause significant environmental impacts, and no new information has become available that shows that the HPS/CP Project would cause significant environmental impacts. The HPS/CP EIR findings and statement of overriding considerations adopted on June 3, 2010 in accordance with CEQA by the Former Redevelopment Agency Commission by Resolution No. 59-2010 and by the Planning Commission by Motion No. 18097 were and remain adequate, accurate and objective and are applicable. Therefore, the analyses conducted and the conclusions reached in the HPS/CP EIR remain valid and no further environmental review is required.

NEXT STEPS

Per the CRL, upon the Commission's approval and the Planning Department's finding of consistency with the General Plan, the Board of Supervisors will consider adoption of the Plan Amendments. Staff anticipates the Board of Supervisors consideration of the Plan Amendments in June 2017.

(Originated by Tamsen Drew, Senior Project Manager and Marie Munson, Senior Development Specialist)



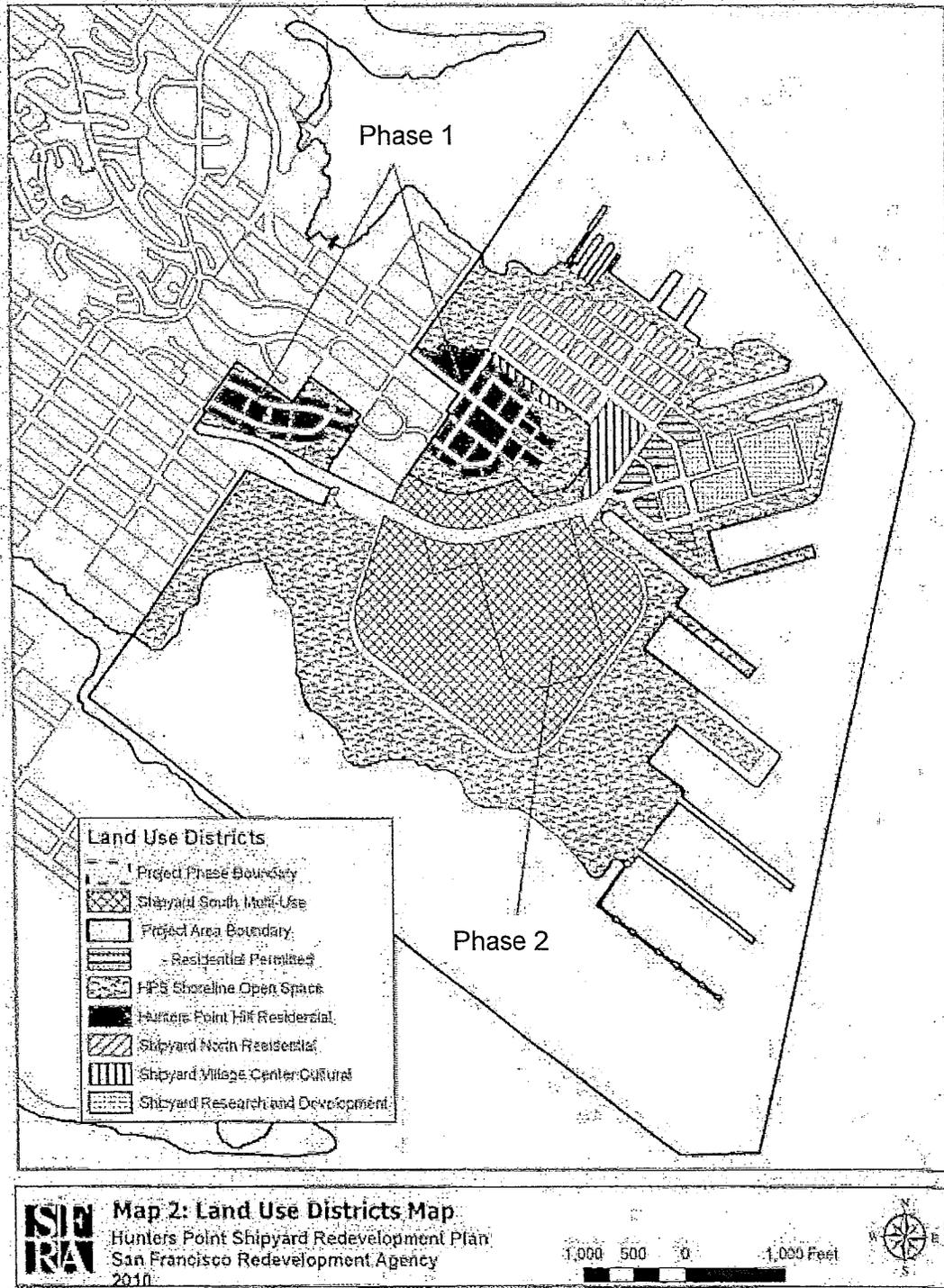
Nadia Sesay
Interim Executive Director

Attachment A: Map of HPS Project Area, delineating Phases 1 and 2
Attachment B: Map of BVHP Project Area, delineating Candlestick Point

ATTACHMENT A
Map of Project Phase Boundaries
Hunters Point Shipyard Project Area

Map excerpted from Hunters Point Shipyard Redevelopment Plan, August 3, 2010:
Map 2: Land Use District Maps

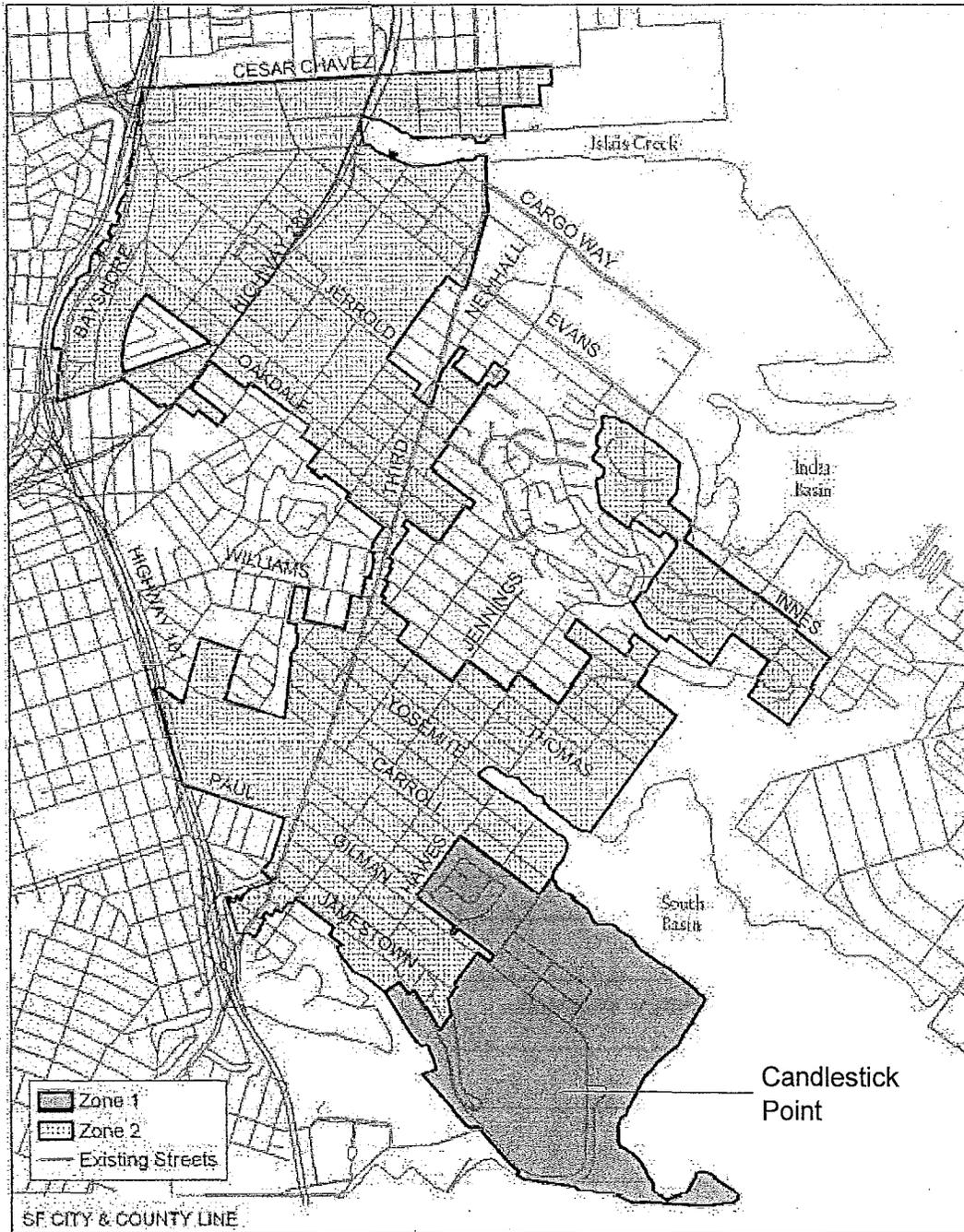
Map 2: Land Use Districts Map



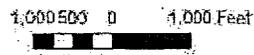
ATTACHMENT B
Map of Candlestick Point
Bayview Hunters Point Project Area

Excerpted from Bayview Hunters Point Redevelopment Plan, August 3, 2010:
Map 2 – Project Area B Redevelopment Zones

MAP 2 – Project Area B Redevelopment Zones



Map 2: Project Area B Redevelopment Zones Map
 Bayview Hunters Point Redevelopment Plan
 San Francisco Redevelopment Agency
 2010



Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

APR 11 PM 2:10

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Cohen

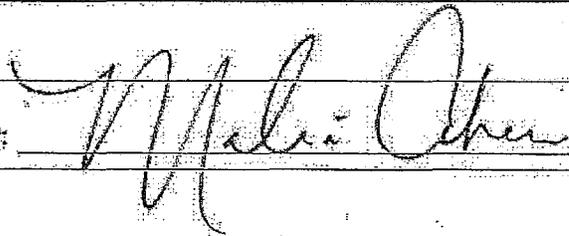
Subject:

Hunters Point Shipyard Redevelopment Plan Amendments

The text is listed below or attached:

Attached.

Signature of Sponsoring Supervisor:



For Clerk's Use Only: