

1 [Interim Controls Regulating Certain Industrially-Zoned Properties on Third Street Between
2 Islais Creek and Paul Street.]

3 **Resolution adopting interim controls that would subject the following properties on**
4 **Third Street between Islais Creek and Paul Avenue, which are currently zoned M**
5 **(Industrial), to the more restrictive controls of NC-3 (Moderate-Scale Neighborhood**
6 **Commercial) for a period of twelve months: Assessor’s Block 4501, Lots 001, 003, 004,**
7 **and 005; Block 4881, Lots 012, 018, 022, and 024; Block 4912, Lot 006; Block 4940, Lots**
8 **012A, 012B, and 024; Block 5211, Lots 027 and 028; Block 5217, Lot 001; Block 5225,**
9 **Lot 010; Block 5226, Lots 025, and 028; Block 5235, Lots 003 and 011; Block 5242, Lots**
10 **021, 022, 023, 024, and 042; Block 5253, Lots 003, 008, 029, 030, 031, 032, 033, and 034;**
11 **Block 5260, Lots 001, 002, 003, 032, 034, 035 and 036; Block 5272, Lots 045 and 048;**
12 **Block 5279, Lots 001, 002 and 003; Block 5414, Lots 005, 006, 007, 008, 025, 026, 027,**
13 **028, and 030; Block 5418, Lots 001, 002, and 010; Block 5419, Lots 006, 007, 007B,**
14 **007C, 009, 015, 016, 017, and 018; Block 5421, Lot 011; Block 5429, Lot 002; Block**
15 **5431A, Lots 001, 001M, 001U, 001V, and 004; adopting findings pursuant to Planning**
16 **Code Section 101.1.**

17 WHEREAS, In January, 1995, the Board of Supervisors (“Board”) adopted the Bayview
18 Hunters Point Survey Area (“Survey Area”), which is generally bounded by San Francisco Bay
19 to the east, the City and County of San Francisco border to the south, US Highway 101 to the
20 west, and Cesar Chavez Street to the north; and

21 WHEREAS, On February 10, 1997, the Board approved and certified the election of the
22 Bayview Hunters Point Project Area Committee (the “PAC”); and,

23 WHEREAS, The PAC has produced a document entitled the “Bayview Hunters Point
24 Community Revitalization Concept Plan,” which, among other things, sets forth a vision and
25 strategies for the revitalization and redevelopment of those portions of Third Street within the
26 Survey Area as a neighborhood commercial area; and,

27 WHEREAS, The Board wishes to encourage the development of certain portions of
28 Third Street as a neighborhood commercial area and to protect those portions of Third Street
29 from the approval of development projects that are inconsistent with a neighborhood
30 commercial area; and,

1 WHEREAS, The Board has adopted a resolution urging the San Francisco
2 Redevelopment Agency to amend the Redevelopment Plans for the India Basin, the Hunters
3 Point Hill, and the Bayview Industrial Triangle redevelopment project areas to establish land
4 use and development controls consistent with those of a neighborhood commercial district
5 under the City Planning Code; and,

6 WHEREAS, Certain properties along Third Street that are not within a redevelopment
7 plan or redevelopment survey area currently are zoned for industrial use under the City
8 Planning Code, which would allow for possible development on Third Street of projects that
9 are inconsistent with a neighborhood commercial area; and,

10 WHEREAS, The new Muni Third Street light rail line, currently projected to begin
11 operations in the Bayview area by 2004, will establish a light rail transit line along the entire
12 length of Third Street in Bayview, and neighborhood commercial uses along this new light rail
13 line would be consistent with land uses adjacent to other light rail lines in the City; and,

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

19 WHEREAS, On July 23, 2001, Supervisor Maxwell introduced interim controls that
20 subjected the above-captioned properties zoned M (Industrial) to the more restrictive controls
21 of NC-3 (Moderate-Scale Neighborhood Commercial) for a period of one year. The interim
22 controls were adopted on February 1, 2002 and have expired; and,

23 WHEREAS, In the interim controls adopted on February 1, 2002, the Board found that
24 the controls are necessary in order to protect those portions of Third Street that are not within
25 a redevelopment project or survey area from development which is inconsistent with its

1 contemplated development as a neighborhood commercial area until such time as permanent
2 controls for Third Street can be adopted; and,

3 WHEREAS, The Board finds that it is necessary to impose the interim controls for an
4 additional 12 months; and

5 WHEREAS, These interim controls enhance and are consistent with the purpose of the
6 Planning Code as set forth in Section 101 and with the Priority Policies of Planning Code
7 Section 101.1 in that they will preserve and enhance opportunities for neighborhood-serving
8 retail uses and attendant resident employment and ownership of such businesses (Policy 1);
9 no other Priority Policy will be impacted; and,

10 WHEREAS, Under Planning Code Section 306.7(h), interim controls may be in place
11 for up to 24 months; now, therefore, be it

12 RESOLVED, That for the duration of these interim controls, the following properties on
13 Third Street between Islais Creek and Paul Avenue, which are currently zoned M (Industrial),
14 shall be subject to the more restrictive controls of NC-3 (Moderate-Scale Neighborhood
15 Commercial): Assessor's Block 4501, Lots 001, 003, 004, and 005; Block 4881, Lots 012,
16 018, 022, and 024; Block 4912, Lot 006; Block 4940, Lots 012A, 012B, and 024; Block 5211,
17 Lots 027 and 028; Block 5217, Lot 001; Block 5225, Lot 010; Block 5226, Lots 025 and 028;
18 Block 5235, Lots 003 and 011; Block 5242, Lots 021, 022, 023, 024, and 042; Block 5253,
19 Lots 003, 008, 029, 030, 031, 032, 033, and 034; Block 5260, Lots 001, 002, 003, 032, 034,
20 035 and 036; Block 5272, Lots 045 and 048; Block 5279, Lots 001, 002 and 003; Block 5414,
21 Lots 005, 006, 007, 008, 025, 026, 027, 028, and 030; Block 5418, Lots 001, 002, and 010;
22 Block 5419, Lots 006, 007, 007B, 007C, 009, 015, 016, 017, and 018, Block 5421, Lot 011;
23 Block 5429, Lot 002; Block 5431A, Lots 001, 001M, 001U, 001V, and 004; and, be it

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1 FURTHER RESOLVED, That these controls shall remain in effect for an additional
2 period of twelve months or until the adoption of permanent zoning controls.

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

5 By _____
6 JUDITH A. BOYAJIAN
7 Deputy City Attorney

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