

1 [General Plan Amendments - Candlestick Point and Hunters Point Shipyard Phase 2 Project]

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3 **Ordinance amending the General Plan in connection with revisions to the Candlestick**
 4 **Point and Hunters Point Shipyard Phase 2 Project in order to facilitate redevelopment;**
 5 **adopting findings under the California Environmental Quality Act; making findings of**
 6 **consistency with the General Plan, and eight priority policies of Planning Code, Section**
 7 **101.1; and making findings of public necessity, convenience, and welfare under**
 8 **Planning Code, Section 340.**

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

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

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16 Section 1. Findings.

17 (a) The proposed amendments to the Candlestick Point Subarea Plan and the
 18 Hunters Point Shipyard Area Plan will facilitate the development of the Hunters Point Shipyard
 19 (“HPS”) and Candlestick Point (“CP”), as envisioned in the HPS Redevelopment Plan, and the
 20 Bayview Hunters Point (“BVHP”) Redevelopment Plan.

21 (b) A primary objective of both the HPS Redevelopment Plan and the BVHP
 22 Redevelopment Plan is to create economic development, affordable housing, public parks and
 23 open space and other community benefits by development of the under-used lands within the
 24 two Redevelopment Plan project areas. In 2010, the San Francisco Redevelopment Agency
 25 (now the Successor Agency to the Redevelopment Agency of the City and County of San

1 Francisco, commonly referred to as the Office of Community Investment and Infrastructure
2 (“OCII”) or the “Successor Agency”) and the City approved the Candlestick Point-Hunters
3 Point Shipyard Phase 2 Project (“CP-HPS2 Project” or “Project”), which combined
4 development in the HPS Redevelopment Plan area and the Candlestick Point portion of the
5 BVHP Redevelopment Plan area into a cohesive overall plan, including comprehensive public
6 recreation and open space plans and integrated transportation plans, and improved
7 opportunities to finance the development of affordable housing and the public infrastructure
8 necessary to expedite the revitalization of both areas. Approval actions in 2010 (“Original
9 Approvals”) included General Plan amendments creating the Candlestick Point (“CP”) Subarea
10 Plan and the Hunters Point Shipyard (“HPS”) Area Plan, Planning Code
11 amendments creating the Candlestick Point Activity Node Special Use District (“SUD”) and
12 the Hunters Point Shipyard Phase 2 SUD, amendments to the BVHP Redevelopment Plan
13 and the HPS Redevelopment Plan, the adoption of Design for Development documents for
14 both Candlestick and Hunters Point Shipyard, and various other approvals.

15 (c) More specifically, the Original Approvals included amendments to the BVHP
16 Redevelopment Plan that divided the subject BVHP Project Area into Zone 1 and Zone 2.
17 The Candlestick Point portion was designated as Zone 1, indicating that OCII would retain
18 jurisdiction over land use and would be the approval body for development approvals
19 pursuant to California Redevelopment Law. The rest of the BVHP Redevelopment Project
20 Area was designated as Zone 2, indicating that the Planning Department would have
21 jurisdiction over land use regulations, in accordance with a delegation agreement between the
22 Planning Department and OCII.

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1 (d) Zone 1 includes the property once occupied by the Candlestick Stadium, its
2 parking lot, the Candlestick Point State Recreational Area (“CPSRA”), the Alice Griffith
3 Housing Authority site, several private parcels that are generally surrounded by the stadium
4 site and the CPSRA, and Assessor’s Lot 276 of Block 4991, which is located on Jamestown
5 Avenue above the stadium site (“Jamestown Parcel”).

6 (e) The Original Approvals anticipated the potential construction of a new stadium at
7 Hunters Point Shipyard for the San Francisco 49ers, as one of several potential development
8 scenarios.

9 (f) As a part of the Original Approvals, the Successor Agency and CP Development
10 Company, LLC (“Developer”) entered into a Disposition and Development Agreement (“DDA”)
11 entitling the Developer to implement the Project pursuant to the provisions therein.

12 (g) As part of the Original Approvals, the City approved the HPS Area Plan under
13 the General Plan for Hunters Point Shipyard specifically to align the Hunters Point Shipyard
14 Redevelopment Plan with the General Plan. Similarly, the City approved the Hunters Point
15 Shipyard Phase 2 SUD and HP Height and Bulk District specifically to refer all land use and
16 development regulations to the HPS Redevelopment Plan. Consistent with the HPS
17 Redevelopment Plan, the HPS Area Plan anticipated the construction of a stadium as one of
18 several development scenarios.

19 (h) As part of the Original Approvals, the City approved the CP Subarea Plan under
20 the BVHP Area Plan of the General Plan specifically to align provisions for Zone 1 of the
21 BVHP Redevelopment Plan with the General Plan. Similarly, the City approved the
22 Candlestick Point Activity Node SUD and the CP Height and Bulk District to refer all land use
23 and development regulations to the BVHP Redevelopment Plan for Zone 1. Consistent with
24 the BVHP Redevelopment Plan, the boundaries of the CP Subarea Plan, the Candlestick
25 Point Activity Node SUD, and the CP Height and Bulk District include the Jamestown Parcel.

1 (i) Subsequent to the Original Approvals, the San Francisco 49ers constructed a
2 new stadium in Santa Clara, removing the need for the Project to accommodate a stadium.

3 (j) In 2016, the voters of San Francisco approved Proposition O, the “Hunters Point
4 Shipyard/Candlestick Point Jobs Stimulus Proposition,” which established that office
5 development would not be subject to the annual office cap regulated by Planning Code
6 Sections 320 - 325. In 2017, the City approved amendments to the HPS Redevelopment Plan
7 and the BVHP Redevelopment Plan to reflect this voter-approved proposition.

8 (k) The Developer and OCII are now pursuing refinements to the Project (“2018
9 Modified Project Variant” or “Modified Project”) to facilitate the redevelopment of the area. As
10 a part of the Modified Project, OCII is proposing to amend the BVHP Redevelopment Plan to
11 remove the Jamestown Parcel from Zone 1 to clarify that it is not a part of the Project being
12 implemented by the Developer under the DDA. Similarly, as a part of the Modified Project,
13 OCII is proposing to amend the HPS Redevelopment Plan by removing accommodation of a
14 stadium, among other changes.

15 (l) California Environmental Quality Act.

16 (1) On July 13, 2010, the Board of Supervisors approved Motion No. 10-110,
17 affirming the Planning Commission’s certification of the final environmental impact report
18 (“FEIR”) for the CP-HPS Phase 2 Project (“Project”) in compliance with the California
19 Environmental Quality Act (“CEQA”) (California Public Resources Code sections 21000 et
20 seq.) and the CEQA Guidelines (14 California Code of Regulations sections 15000 et seq.)..
21 A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 100862
22 and available on the Board’s website, and is incorporated herein by reference as though fully
23 set forth. The FEIR analyzed a mixed used development, including a stadium use at the
24 Hunters Point Shipyard and various project variants, including the development of up to
25 5,000,000 square feet of office, research, and development space in lieu of a stadium.

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

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

14 (4) On April 17, 2018, the Commission on Community Investment and
15 Infrastructure (“CCII” or “Successor Agency Commission”) adopted CCII Resolution No. 11-
16 2018, by which the Successor Agency Commission determined that the analysis conducted
17 and the conclusions reached in the FEIR as to the environmental effects of the Project,
18 together with further analysis provided in Addendum No. 1, Addendum No. 4 and Addendum
19 No. 5 to the FEIR, remain valid and can be relied upon for approval of the Modified Project in
20 compliance with the CEQA.

21 (5) As part of Resolution No. 11-2018, the CCII made findings regarding the
22 modifications to 16 previously adopted mitigation measures as recommended in Addendum
23 No. 5 and as further set forth in Resolution No. 11-2018 and approved the modifications to the
24 adopted mitigation measures. For two of these mitigation measures, Mitigation Measure TR-
25 16, Widen Harney Way, and UT-2, Auxiliary Water Supply System, the language reflects

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

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

20 (m) Planning Code Findings.

21 (1) Under Charter Section 4.105 and Planning Code Section 340, any
22 amendments to the General Plan shall first be considered by the Planning Commission and
23 thereafter recommended for approval or rejection by the Board of Supervisors. On April 26,
24 2018, the Planning Commission conducted a duly noticed public hearing on the General Plan
25 amendments pursuant to Planning Code Section 340, and by Resolution No. 20162, found

1 that the public necessity, convenience, and general welfare required the proposed General
2 Plan amendments, adopted the General Plan amendments, and recommended them for
3 approval to the Board of Supervisors. A copy of the Planning Commission Resolution No.
4 20162, is on file with the Clerk of the Board of Supervisors in File No. 180475, and
5 incorporated by reference herein.

6 (2) On April 26, 2018, the Planning Commission, in Resolution No. 20162,
7 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
8 with the City's General Plan, as amended, and eight priority policies of Planning Code Section
9 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with
10 the Clerk of the Board of Supervisors in File No. 180475, and incorporated by reference
11 herein.

12 Section 2. The General Plan is hereby amended by revising the CP Subarea Plan
13 boundaries on each of the following CP Subarea Plan maps by removing the Jamestown
14 Parcel from the CP Subarea Plan area:

- 15 Map 1 – Candlestick Point Subarea Plan Area.
- 16 Map 2 – Context: Bayview Hunters Point Area Plan Area.
- 17 Map 3 – Land Use.
- 18 Map 4 – Block Pattern: Extended Grid.
- 19 Map 5 – Major Transit.
- 20 Map 6 – Bay Trail and Bicycle Network.
- 21 Map 7 – Pedestrian Circulation Network.
- 22 Map 8 – Open Space Network.

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1 Section 3. The General Plan is hereby amended by revising the BVHP Area Plan of
2 the General Plan by revising the maps throughout the General Plan that include references to
3 the CP Subarea Plan by changing the boundaries of the CP Subarea Plan to match the
4 revised boundaries that remove the Jamestown Parcel from the CP Subarea Plan.

5 Section 4. The General Plan is hereby amended by amending the HPS Area Plan to
6 remove discussion of the previously planned stadium and to amend the maps to indicate the
7 revised block pattern without the stadium. The full text of the HPS Area Plan with the
8 additions and deletions is shown in Exhibit A to this ordinance, which is on file with the Clerk
9 of the Board of Supervisors in File No. 180475 and incorporated herein by this reference. The
10 HPS Area Plan maps that are amended are as follows:

11 Map 2 – Context: Bayview Hunters Point Area Plan Area.

12 Map 3 – Land Use.

13 Map 4 – Block Pattern: Extended Grid.

14 Map 6 – Bay Trail and Bicycle Network.

15 Map 7 – Pedestrian Circulation Network.

16 Map 8 – Open Space Network.

17 Section 5. Effective and Operative Dates.

18 (a) This ordinance shall become effective 30 days after enactment. Enactment
19 occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or
20 does not sign the ordinance within ten days of receiving it, or the Board of Supervisors
21 overrides the Mayor’s veto of the ordinance.

22 (b) This ordinance shall become operative on, and no rights or duties are affected
23 until, the date that the ordinances approving amendments to the Bayview Hunters Point
24 Redevelopment Plan and amendments to the Hunters Point Shipyard Redevelopment Plan
25 both have become effective. Copies of said Ordinances are on file with the Clerk of the Board

1 of Supervisors in File Nos. 180515 and 180516.

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

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6 By: _____
7 Elaine C. Warren
8 Deputy City Attorney
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