



# EXECUTIVE SUMMARY

## GENERAL PLAN PLANNING CODE AND ZONING MAP AMENDMENT

**HEARING DATE: April 20, 2023**

<b>Project Name:</b>	General Plan, Planning Code, and Zoning Map Amendments associated with the Port of San Francisco Waterfront Plan Update
<b>Case Number:</b>	2019-023037GPA MAP PCT
<b>Initiated by:</b>	Planning Commission
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**Recommendation:** Recommend Approval to the Board of Supervisors the Amendments to the General Plan, the Planning Code, and Zoning Maps

### General Plan Amendment

The proposed Ordinance would amend the Recreation and Open Space Element (“ROSE”), the Northeastern Waterfront Area Plan and the Central Waterfront Area Plan.

#### The Way It Is Now

- The Northeastern Waterfront Area Plan was last updated in 1997 with the adoption of the Waterfront Land Use Plan. It contains out-of-date references to developments that have occurred since 1997. Other pieces of legislation and Planning processes, most notably, the Waterfront Plan update, have superseded discussions in this plan.
- The Central Waterfront Plan was adopted in 2008 and has not received a major update since. It contains similar material ripe for updating.
- The Recreation and Open Space Element was adopted in 2014 and has not received a major update

since. Simple changes proposed here reflect the City's most recent park and open space work.

## The Way it Would Be

### The Northeastern Waterfront Area Plan

- The Plan provides updated descriptions of private and public developments that have occurred since 1997 (e.g., Ferry Building, Ball Park, Rincon Point Park, South Beach Park, etc.).
- Terminology has been updated to be consistent with the update Waterfront Plan, including those describing diversity of populations using the Waterfront.
- The Area Plan contains new objectives and policies addressing resilience.
- Objectives and policies for Rincon Point and South Beach east of the Embarcadero have been removed since those areas are now incorporated into the East SoMa Area Plan.

### Central Waterfront Area Plan

- Objectives and Policies that have been implemented (e.g., rezoning industrial lands) have been reworded to indicate ongoing commitment to such conditions.
- Objectives and Policies that had encouraged life science office in the northern portion of the Plan Area have been removed to reflect recent legislation.
- The Area Plan includes updated descriptions of the Pier 70 and Potrero Power Station Development Agreement projects which have been approved since the Area Plan was last adopted.
- The Area Plan includes updated descriptions of transportation planning including bus and bike routing to reflect current MTA programs and planning efforts.

### Recreation and Open Space Element

- The ROSE includes updated reference to other City policy documents (e.g., the Climate Action Plan rather the Sustainability Plan).
- The ROSE includes updated descriptions of planned open spaces along the Bay Waterfront (e.g., open spaces associated with Pier 70, Potrero Power Station, 900 Innes, and India Basin).
- The ROSE includes updated descriptions of the Bay Trail and the Blue Greenway.

Note: since the Commission initiated the General Plan Amendments, minor refinements are proposed to the Northeastern Waterfront Plan and ROSE that reflect changes made to the Waterfront Plan and related CEQA documents prior to their approval and certification. These changes add additional emphasis to water recreation. A list of these amendments are attached to this Executive Summary.

## Planning Code Amendment

The proposed Ordinance would amend the Planning Code to revise certain Waterfront Special Use District controls and add Waterfront Special Use District No. 4 covering portions east of Mission Bay and the Southern Waterfront.

### The Way It Is Now

- Planning Code Section 240, “The Waterfront Special Use District”, establishes three Special Use Districts (“SUDs”) along the northeastern waterfront and establishes the Waterfront Design Advisory Committee (WDAC) and design review procedures thereto. Currently the WDAC is charged with advising the Planning Commission and the Port Commission on design issues for certain development projects within Waterfront Special Use Districts No. 1, which generally include Port properties north and east the Embarcadero and north of the Ballpark; and Waterfront Special Use District No. 3, which generally include Port owned properties west of the Embarcadero and north of the Ballpark. There is not a Special Use District for Port properties east and south of the Mission Rock.
- The WDAC membership includes one appointment by the Mayor, two by the Planning Director, and one by the Executive Director of the Port of San Francisco. Membership may include Port staff. There is no specific appointment of a preservation professional.
- Some WDAC procedures for notification and transmittal requirements are outdated, in that they require transmittal of WDAC decisions to the Planning and Port Commissions within five days, require notification of meetings by mail, and are unclear on who is responsible for maintaining contact information on those requesting information on hearings.
- In Waterfront Special Use District No. 3, Conditional Use is required for any use that is not screened from view from adjacent streets or other public areas.
- Section 240 refers to the “Waterfront Land Use Plan” and the “Waterfront Design and Access goals”, terms that are being superseded.

### The Way It Would Be

- An additional Special Use District would be created for Port owned properties east and south of Mission Rock. Properties within the SUD would be subject to the design review requirements of the WDAC.
- The WDAC membership would no longer include a Mayoral appointment, and instead would include an additional appointment from the Executive Director of the Port; this new appointment would be required to be a preservation professional. Port staff would no longer be permitted to serve on the WDAC.
- Notification and transmittal requirements would be updated by requiring transmittal of WDAC decision to the Commissions within two weeks, requiring electronic notification of WDAC meetings, and clarifying the Port staff would be responsible for keeping records of those requesting information on WDAC
- Conditional use authorization would no longer be required for uses that are not screened from view from adjacent streets or other public areas in Waterfront Special Use District Nos. 2 and 3. (Note that the

version of the Ordinance that the Planning Commission initiated inadvertently only included SUD No. 3, which has been changed in the draft Ordinance (Exhibit D) to include SUD No. 2 and No. 3.)

- Terminology would be updated to align with the Waterfront Plan.

## Zoning Map Amendment

The proposed Ordinance would amend Zoning Map of the Planning Code to rezone certain waterfront parcels from P (Public) to M-1 (Light Industrial), and to add Waterfront Special Use District No. 4 covering portions east of Mission Bay and the Southern Waterfront.

### The Way It Is Now

- Lot 031 in Assessor's Block 3941 is Port owned property and currently includes private businesses including Mission Rock Restaurant, The Ramp Restaurant, San Francisco Boatworks, and Kneass Building. The Lot was inadvertently rezoned to P (Public), a zoning designation that generally restricts uses which are owned by private entities.

### The Way It Would Be

- Assessor's Block 3941 would be rezoned to M-1 (Light Manufacturing), for which the existing uses are principally permitted. This change would make the zoning for this parcel consistent with the zoning for other Port owned properties that include private entities, which are also zoned M-1.

## Background

### Port of San Francisco Waterfront Plan Update

Legislative amendments are proposed to accompany the Port of San Francisco's Waterfront Plan Update.

On April 11, 2023, the San Francisco Port Commission adopted the Waterfront Plan. This plan was first adopted in June 1997 as "The Waterfront Land Use Plan" and the companion plan, "The Waterfront Design and Access," was adopted thereafter in 2001. The Waterfront Land Use Plan was prepared pursuant to Proposition H, an initiative approved by San Francisco voters in 1990. Both the original Waterfront Land Use Plan and the updated Waterfront Plan prioritize maritime uses along the Port's 7 ½ mile waterfront and includes policies that also call for complementary non-maritime uses for properties under the Port's jurisdiction. In 2020, following a lengthy public process, the Port produced a comprehensive update called the "Waterfront Plan". This new draft updated the long-term goals and policies for Port properties. It addressed the topics in the "Waterfront Design & Access" element as it expanded the topics addressed in the Plan to include transportation, sustainability, resilience, and community participation.

The Waterfront Plan can be found here: <https://sfport.com/projects-programs/waterfront-plan>

## General Plan Amendments

The Planning Department and the Port have been working together to ensure that the Waterfront Plan is consistent with the General Plan. Planning staff have inventoried all relevant area plans and elements, noting

where updates to the General Plan were necessary to reflect the same City policy changes now reflected in the Waterfront Plan.

Planning and Port staff identified needed amendments to the **Recreation and Open Space Element (“ROSE”)**, the **Northeastern Waterfront Area Plan** and the **Central Waterfront Area Plan**. Planning staff reviewed the General Plan for accuracy beyond what is needed for alignment with the new ideas emerging from Port’s Waterfront Plan efforts. The intention of these updates is to update policies where the ideas have changed through other planning processes or official City actions. For example, descriptions of public and private developments have been updated.

Port staff worked with Planning staff to keep the Waterfront Plan consistent with the recently approved Housing Element, Safety and Resilience Element and the Environmental Justice Framework. Planning staff and Port staff are collaborating on future General Plan efforts including but not limited to the Transportation Element. Notably, amendments to the Bayview Hunters Point Area Plan(BVHP) are not currently proposed. While the BVHP area plan is substantially out of date, these communities are currently subscribed in the work of completing the African American Cultural District and CHESS. Once this process has been completed, more may be known about how to best reflect the community vision.

## **Issues and Considerations**

- The Waterfront Plan has been written to reflect developments along the waterfront and to capture the ongoing vision more fully for the Port of San Francisco. The updated Plan addresses land use, urban design, open space and water access, as the previous version did. New policy proposed in the updated Plan also include transportation, sustainability, resilience, equity, and inclusive community engagement.
- These General Plan that the ROSE, Northeastern Waterfront Area Plan, and the Central Waterfront Area Plan are similarly updated and align with the same City policies that are now described in the Waterfront Plan. Other proposed updates to the General Plan are similarly reflective of other policy changes, development projects, and planning processes that have occurred since these elements were last updated.
- As part of this package Planning is not proposing changes to other Elements that are underway or have been identified to be updated. The Port is committed to working with Planning to ensure that the Waterfront Plan will be consistent with future General Plan updates..
- Assessor’s Block 3941 would be rezoned to M-1(Light Manufacturing), which is a more appropriate zoning designation given its current ownership and existing land uses.
- By creating a new Waterfront Special Use District (WSUD No. 4), development projects on Port properties south of Mission Rock would be subject to the Waterfront Design Advisory Committee review, which

would help assure better quality and transparent review of such projects.

## **Racial and Social Equity Analysis**

Understanding the benefits, burdens, and opportunities to advance racial and social equity that the proposed General Plan, Planning Code and Zoning Map amendments provide is part of the Department's Racial and Social Equity Initiative. This is also consistent with the Mayor's Citywide Strategic Initiatives for equity and accountability and with the forthcoming Office of Racial Equity, which will require all Departments to conduct this analysis.

The Amendments align the updated Waterfront Plan with the General Plan and Planning Code. The Waterfront Plan now includes more specific policies to address equity through recreational and open space access, access to good paying jobs, and targeted community engagement to equity communities. The amendments to the Northeastern Waterfront Area Plan include new language to more accurately reflect the Ohlone people, not western settlers, as the original people of San Francisco. The amendments also broaden references to the users of the Northeastern Waterfront, specifically including vulnerable communities, where the current text largely suggests Northeastern Waterfront users are principally local residents and tourists. Amendments to the Central Waterfront Plan and ROSE include updated descriptions of open space and infrastructure projects in equity communities, including but not limited to Islais Creek, India Basin, and Civic Center.

## **Recommendation**

The Department recommends that the Planning Commission recommend approval of the General Plan, Planning Code, and Zoning Map amendments.

## **Basis for Recommendation**

The Department recommends that the Planning Commission approve the proposed General Plan Amendments because it will bring the Recreation and Open Space Element, the Northeastern Waterfront Area Plan, and the Central Waterfront Area Plan up to date and ensure the Waterfront Plan is consistent with the General Plan. The Department recommends that the Commission approve the Planning Code Amendments because it will enable more thorough and transparent design review of Port development projects along the Southern Waterfront. The Department recommends that the Commission approve the Zoning Map Amendment because it will redesignate Lot 031 of Assessor's Block 3941 as M-1 (Light Manufacturing) from P (Public), a more appropriate designation given Port ownership of the property and existing land uses.

## **Required Commission Action**

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

## **Environmental Review**

General Plan and Planning Code Amendments

The proposed General Plan and Planning Code amendments have been studied per the California Environmental Quality Act (CEQA) in association with the Waterfront Plan Update; the Final Environmental Report was certified by the Planning Commission at their March 13, 2023 hearing.

On April 5, 2023, the Planning Department published Addendum No. 1 to the FEIR (the “Addendum”), [link]. The Addendum provides additional language to clarify that CEQA review would be required for subsequent projects (not otherwise exempt from CEQA) for potentially significant environmental impacts to the extent not expressly reviewed in the subject FIER, among other clarifications.

Note on April 11, 2023, the San Francisco Port Commission (“Port Commission”) approved the Waterfront Plan by Resolution No. 23-15, which incorporated the adoption of CEQA Findings and a statement of overriding considerations [link];

Zoning Map Amendment for Lot 031 in Assessor’s Block 39441

This zoning reclassification has received separate environmental review under a Common Sense Exemption on January 12, 2023 (Case No. 2023-000337PRJ).

## **Public Comment**

As of the date of this report, the Planning Department has not received any public comment regarding the proposed general plan, planning code or zoning map amendments.

**RECOMMENDATION:** Recommend Approval to the Board of Supervisors the Amendments to the General Plan, the Planning Code, and Zoning Maps

### **Attachments:**

General Plan Amendments

- Draft Planning Commission Resolution for the General Plan Amendments
- Proposed Ordinance for the General Plan Amendments
- Maps of Northeastern Waterfront Plan, Central Waterfront Plan (for reference only)
- ROSE Maps 3, 11, and 12 (proposed to be amended – for reference only)
- List of proposed amendments since initiation

Planning Code Text Amendments

- Draft Planning Commission Resolution for the Planning Code Amendments
- Proposed Ordinance for the Planning Code Amendments

Zoning Map Amendments

- Draft Planning Commission Resolution for the Zoning Map Amendments
- : Proposed Ordinance for the Zoning Map Amendments
- Maps of Waterfront SUD (as is and as proposed - for reference only)