

1 [Administrative Code - Bayview Hunters Point Citizens Advisory Committee]

2

3 **Ordinance amending the Administrative Code to establish the Bayview Hunters Point**  
4 **Citizens Advisory Committee to provide policy advice to the City and County of San**  
5 **Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point**  
6 **Redevelopment Project Area.**

7 NOTE: Additions are *single-underline italics Times New Roman*;  
8 deletions are ~~*strike-through italics Times New Roman*~~.  
9 Board amendment additions are double-underlined;  
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The Planning Department has determined that the actions contemplated in  
12 this ordinance comply with the California Environmental Quality Act (California Public  
13 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the  
14 Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

15  
16 Section 2. The Administrative Code is hereby amended by adding Article VIII,  
17 entitled “Bayview Hunters Point Citizens Advisory Committee” and consisting of Sections 5.70  
18 and 5.71 as follows:

19 **SEC. 5.70. GENERAL FINDINGS.**

20 (a) In 1995, the Board of Supervisors established the Bayview Hunters Point  
21 Redevelopment Survey Area. On May 23, 2006, the Board approved and adopted, by Ordinance No.  
22 113-06, the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project  
23 (“Redevelopment Plan”), which expanded and renamed the Hunters Point Redevelopment Project  
24 Area. The Plan included an Area A, which had been in a 1969 Hunters Point Redevelopment Plan and  
25

1 an Area B. Project Area A expired, and with its expiration, the area added by the 2006 expansion  
2 constitutes the Bayview Hunters Point Redevelopment Project Area (the “Project Area”). A portion of  
3 Area B was the Candlestick Point Activity Node.

4 (b) On August 3, 2010, this Board of Supervisors adopted an amended Redevelopment Plan  
5 (the “Amended Redevelopment Plan”) by Ordinance No. 210-10. The Amended Redevelopment Plan  
6 designated the Candlestick Point Activity Node as Zone 1, and the balance of the Project Area as Zone  
7 2. The Candlestick Point Activity Node is part of the Hunters Point Shipyard/Candlestick Point  
8 Project, a major approved development project that the Redevelopment Agency of the City and County  
9 of San Francisco (the “Redevelopment Agency”) was charged with implementing. The Amended  
10 Redevelopment Plan is on file with the Clerk of the Board of Supervisors in File No. 100658, and is  
11 incorporated herein as if fully set forth. Map 1 of the Amended Redevelopment Plan identifies the  
12 Project Area and Map 2 identifies Zone 1 and Zone 2.

13 (c) Under the Amended Redevelopment Plan, the Redevelopment Agency retained land use  
14 authority within Zone 1. The Redevelopment Agency and the City, through its Planning Department,  
15 entered into a Planning Cooperative Agreement, dated for reference purposes as of June 3, 2010, to  
16 provide for cooperation between the City and the Redevelopment Agency in carrying out the  
17 development of Zone 1.

18 (d) On September 19, 2006, the Redevelopment Agency and the City, through its Planning  
19 Commission, entered into a delegation agreement that provided for implementation of the  
20 Redevelopment Plan in Zone 2. The Planning Cooperative Agreement of 2010 provided that  
21 development in Zone 2 would continue to be governed by the delegation agreement. Zone 2 is a mixed  
22 residential, industrial and commercial area that has suffered from severe economic decline for many  
23 years with the closure of the Hunters Point Naval Shipyard, the shrinking of heavy and light industrial  
24 bases, and the lingering effects of long-term environmental pollution.

1           (e) The Bayview community was long involved in the planning process that brought about  
2 the Amended Redevelopment Plan. It has also previously engaged in a yet unfinished planning process  
3 for the area within India Basin Shoreline, not included in the Amended Redevelopment Plan, but  
4 referred to in the plan as Survey Area C. Survey Area C is shown on Map 3 of the Amended  
5 Redevelopment Plan. In the event that future planning efforts can be carried out in Zone 2 or Survey  
6 Area C, community involvement is desirable to help create a structured, and interactive relationship  
7 between City agencies, developers, and the community regarding land use and planning affairs in Zone  
8 2 and Survey Area C.

9  
10 **SEC. 5.71. THE BAYVIEW HUNTERS POINT CITIZENS ADVISORY COMMITTEE.**

11           (a) Establishment and Purpose. A Bayview Hunters Point Citizens Advisory Committee (the  
12 “CAC”) is hereby established. The purpose of the CAC shall be to provide policy advice to the Board  
13 of Supervisors, City boards, commissions and departments, including the Planning Commission and  
14 Planning Department, on planning and land use matters in Zone 2. The CAC shall provide advice on  
15 the appropriateness of projects, and land use and zoning designations for projects in Zone 2 or Survey  
16 Area C, and provide community guidance on the extent to which a development project futhers General  
17 Plan policies in Zone 2.

18           The CAC shall serve for the duration of the Amended Redevelopment Plan, including any  
19 extensions of the plan by the Board of Supervisors. To perform its duties, the CAC may do the  
20 following:

21           (1) review proposed development projects, amendments to a redevelopment plan  
22 requiring approval of the Board of Supervisors and zoning changes, and advise the Planning  
23 Commission and Department and the Board of Supervisors on those matters;

24           (2) collaborate with the Planning Department on planning efforts; and  
25

1                     (3) collaborate with City boards, commissions and departments to (A) provide  
2 information to the community on planning efforts, development projects, amendments to a  
3 redevelopment plan requiring approval of the Board of Supervisors, and zoning changes, and (B) seek  
4 input from the community.

5           (b)     Members of the Bayview Hunters Point Citizens Advisory Committee

6                     (1) Appointments.

7                                     (A) Appointing Authorities. The CAC shall consist of 12 members. The  
8 Supervisor of District 10, the Mayor, and the City Administrator (the “appointing authorities”) shall  
9 each appoint 4 members. Of the 4 members appointed by each of the appointing authorities, 3 shall  
10 have the power to vote on committee actions (voting members), and one shall not have the power to  
11 vote on committee actions (a non-voting member). An employee of the City may not be appointed as a  
12 voting member of the CAC but may be appointed as a non-voting member. Each appointing authority  
13 shall notify the Clerk of the Board of Supervisors in writing of each of its appointments to the  
14 committee, including which appointees shall be voting members.

15                                     (B) Quorum. Five voting members shall constitute a quorum. The CAC shall  
16 approve matters by an affirmative vote of at least 5 voting-members.

17                                     (C) Compensation. Members of the CAC shall serve at the pleasure of their  
18 appointing authority without compensation or benefits.

19                                     (D) Terms. Each member shall serve a term of two years. The term of the 12  
20 members first appointed to fill the seats on the committee shall commence on the effective date of  
21 Ordinance No. \_\_\_\_\_.

22                                     (2) Qualifications of Members. Each member shall have a capacity for volunteerism,  
23 and the ability to commit a minimum of 10 hours per week to the review of documents, meetings and  
24 planning sessions, and coordination with community members or City representatives. In addition,  
25 each member shall have one or more of the following qualifications:

1                   (A) Experience working with multiple City boards, commissions, or department,  
2 or their representatives;

3                   (B) A workman-like understanding of, or high level of interest in the land use  
4 policies and requirements, zoning issues for Zone 2, and a high level of interest in the review of  
5 projects in that area; or

6                   (C) Familiarity with architecture, engineering, construction, historic  
7 preservation, public art, transportation and city planning, community benefits, low-income housing  
8 development or land use in San Francisco or other urban areas.

9                   (3) Additional Qualifications of Non-voting Members. In addition to the qualifications  
10 stated in subparagraph (b)(2) (Qualifications of Members) above, non-voting members must have  
11 professional expertise or training that would be helpful to the CAC in the performance of its duties;  
12 such as in architecture, land use, or planning.

13                   (4) Residency. A member must be at least one of the following: (A) a resident of the  
14 Project Area; (B) a person who owns a business with a fixed office in the City or real property in the  
15 City; (C) a representative of a neighborhood group in the Project Area; or (D) a resident of San  
16 Francisco who has experience working on architecture, planning, or land use issues in San Francisco.

17                   (5) Conflicts.

18                   (A) During his or her tenure, no member of the CAC shall receive income from,  
19 have any financial investments in, or be a party to any contracts with any person or entity who is  
20 seeking project approvals, or receives a project approval during the member's tenure regarding a  
21 property within Zone 2 or Survey Area C from the City. For the purpose of this Subsection, "project  
22 approvals" shall include conditional use authorizations, variances, certificates of appropriateness, and  
23 building permits.

24                   (B) During his or her tenure, no member of the CAC shall enter, submit a bid for,  
25 negotiate for, or otherwise attempt to enter, any contract with the City, or obtain a subcontract of any

1 tier to a contract with the City for services, a real estate interest, or other benefits in Zone 2 or Survey  
2 Area C.

3 (C) Any member of the CAC who violates this Subsections shall be deemed to  
4 have thereby vacated his or her position on the CAC.

5 (6) Support. Subject to the budgetary and fiscal provisions of the Charter, the City  
6 Administrator's Office shall provide staff to assist the CAC to organize and conduct its public meetings  
7 and perform related responsibilities.

8 (7) Absences. If a member is absent from more than 3 scheduled meetings of the CAC  
9 in a twelve-month period, the chairperson shall notify the member's appointing authority of the  
10 absences. The appointing authority may exercise its authority over the member, including, without  
11 limitation, removing the member from the committee and electing a new member to serve out the term  
12 of the member that is removed.

13 (8) Bylaws. The CAC shall adopt bylaws, subject to the approval of the City  
14 Administrator, to ensure the orderly conduct of its meetings.

15 (c) Cooperation with the CAC. At the request of the CAC, City boards, commissions and  
16 department shall cooperate with the CAC in the performance of its duties by providing information  
17 within the scope of the body's jurisdiction, assisting in answering questions pertinent to the CAC's  
18 duties, referring matters under its jurisdiction to the CAC that are pertinent to the CAC's duties, and  
19 considering recommendations of the CAC.

20 (d) Interaction of Planning Department with the CAC. In addition to its duty to cooperate with  
21 the CAC under subsection (c) above, the Planning Department shall:

22 (1) On a regular and timely basis, notify the CAC of all permit applications that it has  
23 received for new construction or substantial rehabilitation in Zone 2, and work with the CAC to  
24 consider community input and guidance prior to:

1 (A) Approval of a commercial project of 25,000 square feet or greater or  
2 residential project consisting of 10 or more dwelling units;

3 (B) Approval of any conditional use permit in Zone 2;

4 (C) Approval of any new construction or substantial rehabilitation project on  
5 Third Street and other Neighborhood Commercial ("NC") districts in Zone 2;

6 (D) Approval of any significant land use proposals such as zoning amendments;  
7 and

8 (E) Any Planning Commission hearing on other projects, if requested by the  
9 CAC;

10 (2) When reviewing and considering approvals of a project in Zone 2, describe the  
11 comments and recommendations of the CAC in its report to the Planning Commission prior to approval  
12 of the project, which shall not preclude the CAC from presenting its views on the project in a separate  
13 report at a public hearing of the Planning Commission; and

14 (3) Provide information about permit applications and other proposed development  
15 activity in Zone 2 to the CAC as promptly as is reasonably feasible prior to any CAC meeting.

16  
17 Section 3. Effective Date. This ordinance shall become effective 30 days from the  
18 date of passage.

19  
20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By: \_\_\_\_\_  
23 Robert A. Bryan  
24 Deputy City Attorney

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