Resolution adopting interim zoning controls in the Hunters Point Shoreline area for a period of eighteen (18) months that would, within the currently zoned M-1 and M-2 areas generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay, permit new housing as an accessory use to certain designated uses, or if it is contained within a permitted institutional use, or with a required ratio of four (4) square feet of permitted non-residential use for every one (1) square foot of residential space built; that would, within the currently zoned NC-2 area abutting Innes Avenue and Hunters Point Boulevard between Jennings Street and Earl Street, permit new housing on other than the ground floor and in conjunction with non-residential development; that would require a conditional use permit for all new construction or change in use in the M-1 and M-2 zoning districts and for all uses that include new housing in the NC-2 zoning district, and adopting findings.

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

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

WHEREAS, Between 2000 and 2002, the PAC and the San Francisco Redevelopment Agency produced a document entitled the "Bayview Hunters Point Community Revitalization Concept Plan," which, among other things, sets forth conceptual ideas for the revitalization and redevelopment of Bayview Hunters Point Survey Area, including an area it calls the Hunters Point Shoreline District; and
WHEREAS the Bayview Hunters Point Community Revitalization Concept Plan recognized that Block 4580, Lot 002; Block 4602A, Lot 014; Block 4603A, Lot 005; Block 4604A, Lot 002; Block 4606, Lot 100; Block 4607, Lot 025; Block 4620, Lots 001, 002; Block 4621, Lots 016, 018, 100, 101; Block 4623A, Lot 002; Block 4629A, Lots 010, 012; Block 4630, Lots 002, 005, 006, 100; Block 4631, Lots 001, 002; Block 4644, Lots 001, 002, 002A, 002B, 003, 003A, 003B, 004, 004A, 005, 005A, 006, 006A, 007, 008, 009; 010, 010A, 010B, 010C, 011; Block 4645, Lots 001, 002B, 003A, 004, 006, 007, 007A, 010, 010A, 011, 012, 013, 014, 015, 016, 017, 018, 019, 031, 035; and Block 4646, Lots 001, 002, 003, 003A, 005, 005A, 006, 006A, 007, 009, 010, 011, 019, 020, 021; which together are hereinafter referred to as the Hunters Point Shoreline Area, presented revitalization opportunities but also challenges due to a lack of infrastructure and public amenities and the likely need for environmental remediation such that detailed feasibility analyses were needed in order to devise specific development controls for the area that will achieve the community vision; and

WHEREAS, The Planning Commission, beginning in 1999, began a process of formulating interim controls for the industrially zoned lands of the City to protect these areas from economic competition from housing and office development pressures; and

WHEREAS, In August, 2001, the Planning Commission adopted Resolution No. 16202 which established an Industrial Protection Zone that included among other areas the M-1 and M-2 zoned areas in the Hunters Point Shoreline Area and established a policy of discouraging new development of or conversion of existing uses to office, housing and/or live/work in the Industrial Protection Zone; and

WHEREAS, Between 2002 and 2003, the Planning Department undertook a planning effort to develop rezoning options for the Eastern Neighborhoods, which includes among other areas the Hunters Point Shoreline Area; and
WHEREAS, This planning process resulted in the publication by the Planning Department of the "Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook," which although it identified rezoning proposals for much of the Eastern Neighborhoods, either proposed retention of industrial zoning for production, distribution and repair businesses in the current industrially-zoned areas of the Hunters Point Shoreline Area or designated the area as a special use district to be subject to a further planning process; and

WHEREAS, In October, 2004, the Redevelopment Agency and the Planning Department issued a draft environmental impact report for the Bayview Hunters Point Redevelopment Projects and Zoning, which analyzes proposals, among other objectives, to adopt a Bayview Hunters Point Redevelopment Plan for a 1,575-acre area, including the Hunters Point Shoreline Area described above, and rezone the project area consistent with the range of alternatives presented in the Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook; and

WHEREAS, Since that time, the Redevelopment Agency and the Planning Department have recognized that because the Bayview Hunters Point Redevelopment Projects and Zoning identified the Hunters Point Shoreline Area only as a special use district with no specified rezoning controls, that further planning is needed to develop appropriate land use controls to assure that the community vision, as set forth in the Bayview Hunters Point Community Revitalization Concept Plan, is realized; and

WHEREAS, The Redevelopment Agency and the Planning Department desire to undertake a joint planning effort in the Hunters Point Shoreline Area, to complete this effort before inclusion of the area in the Bayview Hunters Point Redevelopment Plan and until this
planning effort is completed to assure that development in the area does not foreclose
realization of the community vision; and

WHEREAS, The Redevelopment Agency intends to amend the Bayview Hunters Point
Redevelopment Plan, as appropriate and necessary, upon completion of the planning process
in the Hunters Point Shoreline Area, to incorporate the outcome of the planning process into
the Bayview Hunters Point Redevelopment Plan; and

WHEREAS, Further planning will provide an opportunity to assure that the land use
plan for the Hunters Point Shoreline Area is integrated with the most recent nearby
development plans, including the approximately 1,200 housing units and 300,000 square feet
of commercial development now underway in the area of the Hunters Point Shipyard
Redevelopment Plan to the immediate east of the Hunters Point Shoreline Area; the planned
revitalization by the Housing Authority of the Hunters View housing development on Hunters
Point Hill to the immediate south of the Hunters Point Shoreline Area; the proposed Bayview
Transportation Improvement Project, which is evaluating various proposals for truck routes in
the area, all of which envision a northern route on Innes Avenue; and

WHEREAS, Further planning is needed at this time because of the anticipated closure
of the Hunters Point power plant in the Spring of 2006, which, under an agreement between
the City and PG&E, is expected to result in the decommissioning of the Hunters Point Power
Plant, remediation of the site and the possibility that PG&E will sell the site, including offering
the site to the City under an exclusive right of first negotiation; and

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

WHEREAS, The Board finds that these interim controls are necessary in order to
protect the Hunters Point Shoreline Area from development which may be inconsistent with
the conceptual community vision of preserving the positive aspects of existing neighborhood
cracter, integrating existing and planned public open space with any new development,
assuring access to the waterfront and commercial areas from the housing development on
Hunters Point Hill, assuring that any new development fully evaluates environmental
conditions and proposes new uses that are compatible with the environmental condition of the
property in light of past uses, assuring that new development preserves important public
views of the surrounding natural features including the bay and hills, and assures that the
area is revitalized in a way that provides economic opportunities and enhanced services and
amenities to the existing community; and

WHEREAS, Interim controls are authorized to conserve space for industrial businesses
in the City in order to maintain the economic vitality of the City, to provide its citizens with
adequate jobs and business opportunities, and to maintain adequate services for its residents,
visitors, businesses, and institutions; and,

WHEREAS, Interim controls are authorized to control uses which are having an
adverse impact on areas of mixed residential and commercial uses in order to preserve the
positive existing character of such neighborhoods and areas; and,

WHEREAS, The Board finds that additional planning is needed for industrially zoned
areas that are under consideration for transition to non-industrial uses, whether mixed use,
commercial or residential areas, to ensure the adequate provision of new infrastructure,
community facilities, and public amenities and neighborhood services necessary to support
new uses; and

WHEREAS, The Board finds that these interim controls are necessary in order to
assure that the Hunters Point Shoreline Area is not developed in a way that precludes future
employment opportunities for area residents while further planning and feasibility studies are
undertaken to determine appropriate and desirable long-term uses for the area; and

WHEREAS, The Board finds that these interim controls enhance and are consistent
with the purpose of the Planning Code as set forth in Section 101 and with the Priority Policies
of Planning Code Section 101.1 in that they will conserve and protect existing housing and
neighborhood character by requiring conditional use for any new housing uses or conversions
of uses (Policies 2 and 3); maintain potential for location of businesses during the planning
and feasibility study period (Policy 5); maintain landmarks and historic buildings and parks
and open space (Policies 7 and 8); maintain existing neighborhood-serving retail uses and
resident employment (Policy 1); and have no impact on commuter traffic or transit service
(Policy 4) and earthquake preparedness (Policy 6).

WHEREAS, The Board is authorized by Planning Code Section 306.7(c) to initiate the
procedure for imposing interim controls by a resolution adopted by majority vote; now,
therefore, be it

RESOLVED, That the interim controls set forth below are hereby imposed on all
property on the lots defined below for the duration of the interim controls. No City agency,
board, commission officer, or employee may approve any demolition permit, site permit,
building permit, grading permit, conditional use authorization, or any other land use
entitlement inconsistent with the following controls as long as they are in effect:

Supervisor Maxwell
BOARD OF SUPERVISORS
(a) The following properties, which are zoned M-1: Block 4606, Lot 100; Block 4607, Lot 025; Block 4620, Lots 001, 002; Block 4621, Lots 016, 018, 100, 101; Block 4629A, Lots 010, 012; Block 4630, Lots 002, 005, 006, 100; Block 4631, Lots 001, 002; Block 4644, Lots 001, 010, 010A, 011, 012, 013; and Block 4646, Lots 001, 021; and M-2: Block 4580, Lot 002; Block 4604A, Lot 002; shall be subject to conditional use authorization for all new construction or change in use;

(b) The following properties, which are zoned NC-2: Block 4602A, Lot 014; Block 4603A, Lot 005; Block 4623A, Lot 002 Block 4644, Lots 002, 002A, 002B, 003, 003A, 003B, 004, 004A, 005, 005A, 006, 006A, 007, 008, 009; Block 4645, Lots 002B, 003A, 004, 006, 007, 007A, 014, 015, 016, 017, 018, 019, 031, 035; and Block 4646, Lots 002, 003, 003A, 005, 005A, 006, 006A, 007, 009, 010, 011, 019, 020; shall be subject to conditional use authorization for all uses that include new housing;

(c) In the M-1 and M-2 zoned areas listed above, new housing is permitted under the following conditions:

(i) As accessory, defined as occupying no more than 25% of gross floor area, to permitted uses:

(A) Manager residence. One dwelling unit to serve as manager’s residence for a permitted hotel, motel, or group housing structure;

(B) Artist workspace. Dwelling units that are integrated into the working space of artists, artisans and other crafts persons are permitted. No more than four adults may occupy this accessory space, and the occupancy must meet all applicable provisions of the Building and Housing Codes;

(C) Caretaker unit. One dwelling unit is allowed as a caretaker residence, when such occupancy is necessary for the primary activity on site;

Supervisor Maxwell
BOARD OF SUPERVISORS

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(ii) Contained within a permitted institutional use;

(iii) For new dwelling units that do not satisfy any of the above conditions, four (4) square feet of permitted non-residential space for every one (1) square foot of residential space built;

(d) In the NC-2 zoned areas listed above, new housing is permitted provided that it is built above the ground floor and in conjunction with neighborhood-serving commercial uses that are principally permitted in the NC-2 zoning district; and be it

FURTHER RESOLVED, That these controls shall remain in effect for a period of eighteen (18) months unless extended by the Board or until the adoption of permanent zoning controls, whichever occurs first.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: ELAINE C. WARREN

ELAINE C. WARREN
Deputy City Attorney

Supervisor Maxwell
BOARD OF SUPERVISORS
Resolution adopting interim zoning controls in the Hunters Point Shoreline area for a period of eighteen (18) months that would, within the currently zoned M-1 and M-2 areas generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay, permit new housing as an accessory use to certain designated uses, or if it is contained within a permitted institutional use, or with a required ratio of four (4) square feet of permitted non-residential use for every one (1) square foot of residential space built; that would, within the currently zoned NC-2 area abutting Innes Avenue and Hunters Point Boulevard between Jennings Street and Earl Street, permit new housing on other than the ground floor and in conjunction with non-residential development; that would require a conditional use permit for all new construction or change in use in the M-1 and M-2 zoning districts and for all uses that include new housing in the NC-2 zoning district, and adopting findings.

March 7, 2006 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick
I hereby certify that the foregoing Resolution was ADOPTED on March 7, 2006 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

3.10.06
Date Approved

Mayor Gavin Newsom