[Zoning – Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts ~~SUDs~~.]

Ordinance amending the San Francisco Planning Code by adding Section 249.50 to establish the Candlestick Point Activity Node Special Use District; adding Section 249.51 to establish the Hunters Point Shipyard Phase 2 Special Use District; adding Section 263.24 to establish Special Height Provisions for the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District; adding Section 263.25 to establish Special Height Provisions for the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District; and amending Table 270, to provide that the Table is not applicable to the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use Districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

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

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

Section 1. Findings. (a) General.

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

(2) In accordance with the actions contemplated herein, this Board adopted Resolution No. _____ concerning findings pursuant to the California Environmental Quality Act. Said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

(3) Pursuant to Section 302 of the Planning Code, the Board finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____ and the Board incorporates those reasons herein by reference. A copy of Planning Commission Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____ .

(4) The Board of Supervisors finds that this ordinance is in conformity with the General Plan and the Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. _____ and incorporates those findings herein by reference.

(b) Project Findings.

Project Overview

(1) The Bayview Hunters Point has one of the highest concentrations of very low-income residents and one of the highest unemployment rates in San Francisco, and public health in the area has generally been poor compared to the rest of San Francisco. Bayview Hunters Point has very few quality public parks and open spaces that provide active recreation facilities for neighborhood youth, and is in need of affordable housing and business and job opportunities for its residents. The area remains under-served by transit and basic neighborhood-serving retail and cultural amenities. The betterment of the quality of life for the residents of the Bayview Hunters Point community is one of the City's highest priorities.

(2) Hunters Point Shipyard and Candlestick Point are part of the Bayview Hunters Point neighborhood and are in close proximity to one another, separated only by Yosemite

Slough and South Basin. Together, they comprise approximately 702 acres, and make up the largest area of underused land in the City. This legislation creating the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, the CP Height and Bulk District and the HP Height and Bulk District, and the related rezoning and General Plan amendments, will implement the proposed Candlestick Point – Hunters Point Shipyard Phase 2 ~~Integrated~~ Development Project ("the Project"). The areas within the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District together comprise the Project Site ("Project Site"). As set forth in Proposition G, passed by San Francisco voters on June 3, 2008, the Project is designed to reconnect the Shipyard and Candlestick Point with the Bayview Hunters Point community and the rest of San Francisco and transform these long-abandoned waterfront lands into productive areas for jobs, parks and housing, including affordable housing. Expediting implementation of the Project will provide long overdue improvements to the Bayview Hunters Point community that will also benefit the City as a whole.

(3) The Project will include (a) ~~up to~~ 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 ~~935,000~~ square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyard artists, including an arts education center within a new "Arts District" supporting the vibrant artist community, (e) 2,650,000 square feet of commercial, light industrial, research and development and office space, including space for the United Nations Global Compact Center, (f) 100,000 square feet of community uses, (g) new public and community facilities on the Shipyard and Candlestick Point, (h) ~~(g)~~ improved land and supporting infrastructure for a new football stadium for the San Francisco 49ers, including necessary parking areas and transportation improvements, with an alternative which

shifts some residential uses from Candlestick Point to the Shipyard and expands ~~both~~ commercial ~~and residential~~ uses on some of the areas of the Shipyard currently reserved for stadium uses ~~and slightly reduces densities on Candlestick Point~~ if the 49ers do not avail themselves of the opportunity to build a new stadium in the Project, and ~~-~~(i) a 10,000 seat arena on Candlestick Point.

(4) Public review of the redevelopment of Hunters Point Shipyard and Candlestick Point has been ongoing, in one form or another, for more than 17 years. Throughout that time, members of the Bayview Hunters Point community, elected officials, and City voters have consistently expressed their support for revitalizing the Shipyard and Candlestick Point.

Hunters Point Shipyard.

(5) Hunters Point Shipyard was once a thriving, major maritime industrial center that employed generations of Bayview Hunters Point residents. Following World War II, the Shipyard was a vital hub of employment in the Bayview Hunters Point, providing logistics support, construction and maintenance for the United States Department of the Navy. At its peak, the Shipyard employed more than 17,000 civilian and military personnel, many of whom lived in Bayview Hunters Point. The United States Navy ceased operations at the Shipyard in 1974 and officially closed the base in 1988. The Shipyard was then included on the Department of Defense's 1991 Base Realignment and Closure (BRAC) list. In 1993, following designation of the Shipyard by the City's Board of Supervisors as a redevelopment survey area, the City and the Redevelopment Agency began a community process to create a plan for the economic reuse of the Shipyard and the remediation and conveyance of the property by the Navy.

(6) In planning for the redevelopment of the Shipyard, the City and the Redevelopment Agency worked closely with the Hunters Point Citizens Advisory Committee ("CAC"). The CAC is a group of Bayview Hunters Point community residents, business

owners and individuals with expertise in specific areas, who are selected by the Mayor to oversee the redevelopment process for the Shipyard. The Agency has worked with the CAC and the community throughout the process of implementing revitalization activities regarding the Shipyard.

(7) In July 1997, the Board of Supervisors adopted a Redevelopment Plan for revitalization of the Shipyard. The Hunters Point Redevelopment Plan contemplated the development of a mix of residential, commercial, cultural, research and development and light industrial uses, with open space around the waterfront perimeter.

(8) Since its selection by the Redevelopment Agency, the Shipyard developer has worked with the City, the Agency, and the Navy to facilitate the redevelopment and economic reuse of the Shipyard. In 2003, the Shipyard developer and the Agency entered into the Hunters Point Shipyard Phase 1 Disposition and Development Agreement ("Phase 1 DDA"), under which the Shipyard developer is constructing infrastructure for up to 1,600 residential units on Parcel A of the Shipyard, of which approximately 30 percent will be affordable. The Phase 1 DDA also requires the Shipyard developer to create approximately 25 acres of public parks and open space on Parcel A.

(9) In March 2004, the Redevelopment Agency, in cooperation with the City and the Shipyard developer, negotiated a comprehensive agreement with the Navy governing the terms and conditions of the hazardous materials remediation and conveyance of the Shipyard by the Navy to the Agency. The Conveyance Agreement obligates the Navy to remediate the hazardous materials on the Shipyard to levels consistent with the land uses designated in the original redevelopment plans for the Shipyard and to convey parcels to the Agency at no cost on a phased basis.

(10) In 2005, the Navy conveyed Parcel A to the Agency under the Conveyance Agreement, and the Agency then closed escrow on its transfer of a portion of Parcel A to the

Shipyard developer to begin site preparation and infrastructure development for the construction of new housing and parks on Parcel A.

Candlestick Point.

(11) Candlestick Point includes, among other things: (a) the City-owned stadium, currently named Candlestick Park, which is home to the San Francisco 49ers and is nearing the end of its useful life; (b) the Alice Griffith Housing Development, also known as Double Rock, and (c) the Candlestick Point State Recreation Area.

(12) In June, 1997, San Francisco voters adopted two measures (Propositions D and F) providing for the development by the 49ers or their development partners of a new stadium, a related 1,400,000 square foot entertainment and retail shopping center, and other conditional uses including residential uses. The voters approved up to $100 million of lease revenue bonds to help finance the proposed development of the new stadium.

(13) In June 2006, following a 10-year planning process, the Board of Supervisors adopted a Redevelopment Plan for the Bayview Hunters Point Project Area that includes Candlestick Point. The primary objective of the Redevelopment Plan is to revitalize the Bayview Hunters Point community through economic development, affordable housing and community enhancement programs for the benefit of existing residents and community-based businesses. The policies and programs of the Redevelopment Plan incorporate community goals and objectives expressed in a Concept Plan that the Bayview Hunters Point Project Area Committee ("PAC") adopted in 2000, following hundreds of community planning meetings. The PAC is a body that was formed in 1997 through a public election by Bayview Hunters Point voters to work with the Redevelopment Agency and the City and represent the interests of the Bayview Hunters Point community in planning for the area's future. The Agency has continued to work through the PAC and with the community throughout the process of implementing revitalization activities under the Redevelopment Plan.

(14) The Alice Griffith Housing Development, built in the early 1960s and operated by the San Francisco Housing Authority, needs substantial improvement. An important component of the Project is to provide one-for-one replacement of the existing Alice Griffith units at existing low income levels and to ensure that existing tenants have the right to move to the new upgraded units without being displaced until the replacement units are ready for occupancy.

(15) In 1983, the City donated land at Candlestick Point to the State of California to form the Candlestick Point State Recreation Area with the expectation that the State would develop and implement a plan for improving the park. The Recreation Area has the potential to be a tremendous open space resource for the region and for the residents of Bayview Hunters Point, but it has not reached its potential due to limited State funding and a challenging configuration. The restoration and improvement of the Candlestick Point State Recreation Area has been a long-term goal of the residents of Bayview Hunters Point, the City, and the State.

<u>Integrated Development of the Hunters Point Shipyard and Candlestick Point.</u>

(16) For over a decade, the redevelopment of Candlestick Point and the Shipyard has proceeded on parallel, though largely separate, paths. But over the last three years, the City and the Redevelopment Agency have been working with the Bayview Hunters Point community on redeveloping the two sites together. A primary objective of both the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan is to create economic development, affordable housing, public parks and open space and other community benefits by developing the under-used lands within the two project areas. Combining the planning and redevelopment of these two areas provides a more coherent overall plan, including comprehensive public recreation and open space plans and integrated transportation plans, and provides better ways to increase efficiencies to finance the

development of affordable housing and the public infrastructure necessary to expedite the revitalization of both areas.

(17) Accordingly, in May, 2007, the Board of Supervisors adopted and the Mayor approved a resolution endorsing a Conceptual Framework for the integrated development of Candlestick Point and the Hunters Point Shipyard. The Conceptual Framework, which is the basis for the last three years of planning for the Project, envisioned a major mixed-use project, including hundreds of acres of new waterfront parks and open space, thousands of new housing units, a robust affordable housing program, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Shipyard, and a site for a potential new stadium for the 49ers on the Shipyard.

(18) In furtherance of the Conceptual Framework, in April 2007, the San Francisco Recreation and Parks Commission adopted a resolution requesting the Redevelopment Agency to include the existing stadium site under the Exclusive Negotiations Agreement. In May 2007, the Redevelopment Agency and the Shipyard developer (whose members were reconstituted) entered into a Second Amended and Restated Exclusive Negotiations and Planning Agreement related to Phase 2 of the Shipyard Redevelopment Plan, which extended the Shipyard developer's exclusive negotiating rights to cover Candlestick Point.

(19) On June 3, 2008, the San Francisco voters approved Proposition G, an initiative petition measure named The Bayview Jobs, Parks, and Housing Initiative, regarding plans to revitalize the Project ~~s~~Site. As set forth in Proposition G, the Project is designed to revitalize the Project Site by (a) improving and creating hundreds of acres of public parks and open space, particularly along the waterfront, (b) significantly increasing the quality and quantity of affordable housing in southeastern San Francisco, including the complete rebuilding of the Alice Griffith Housing Development, (c) providing thousands of commercial and construction job opportunities for San Francisco residents and businesses, especially in the Bayview

Hunters Point community, (d) supporting the creation of permanent space on the Shipyard for existing artists, (e) elevating the site into a regional center for green development and the use of green technology and sustainable building design, (f) providing extensive transportation improvements that will benefit southeastern San Francisco generally, (g) attracting and sustaining neighborhood serving retail and cultural amenities and services, and (h) offering a world-class waterfront stadium site opportunity as the City's last and best chance to keep the 49ers in San Francisco over the long term, but without requiring the revitalization project to be delayed if the 49ers do not timely decide to build a stadium in the Project Site or decide to build a new stadium elsewhere.

(20) In October 2009, the State Legislature approved and the Governor signed Senate Bill No. 792 (SB 792). SB 792, enacted as Chapter 2003 of the Statutes of 2008 in January of 2010, provides for the reconfiguration of the Candlestick Point State Recreation Area and improvement of the State park lands, in connection with the development of the Project.

(21) Since February 2007, the Project has been reviewed by the Bayview Hunters Point community and other stakeholders in over 200 public meetings, including those held before the PAC, the CAC, the Redevelopment Agency Commission, the Board of Supervisors, the Planning Commission, and other City commissions and in other local forums.

Section 2. The San Francisco Planning Code is hereby amended by adding Section 249.50, to read as follows:

SEC. 249.50. CANDLESTICK POINT ACTIVITY NODE SPECIAL USE DISTRICT.

(a) General. A Special Use District entitled the Candlestick Point Activity Node Special Use District, the boundaries of which are designated on Sectional Map Nos. SU09 and SU10 of the Zoning Map of the City and County of San Francisco, is hereby established for the purposes set forth below. The Candlestick Point Activity Node Special Use District is generally bounded by Jamestown

Avenue north of Hunters Point Expressway and south of Giants Drive to the south and southwest; Bayview Hill Park to the southwest; Gilman Park to the northwest; the southwest, northwest, and northeast outer boundaries of Alice Griffith Housing to the north; the San Francisco Bay shoreline along Candlestick Point State Recreation Area from Arelious Walker Drive to Hunters Point Expressway to the east and south. The boundaries of the Candlestick Point Activity Node Special Use District correlate with the boundaries of both the Candlestick Point Activity Node and Zone 1 of Area B of the Bayview Hunters Point Redevelopment Project Area, as amended on _____. A large portion of the Candlestick Point State Recreation Area is included in this Special Use District ~~pursuant to the Redevelopment Project Area boundaries~~.

(b) Purpose. The purpose of the Candlestick Point Activity Node Special Use District is to enable development of the Candlestick Point – Hunters Point Shipyard Phase 2 ~~Integrated~~ *Development Project, a high density, transit-oriented, mixed-use development (housing, retail, office, performance venue, and* ~~public~~ community *uses) with significant open space and public realm improvements, as provided for in Zone 1 of the Bayview Hunters Point Redevelopment Plan, as amended on _____, the Candlestick Point Design for Development document dated _____, and the Candlestick Point Subarea Plan of the Bayview Hunters Point Area Plan of the San Francisco General Plan. Among its many goals, this Special Use District seeks to: create additional public parks and public open space, particularly along the waterfront; improve the quality, availability, and affordability of housing; build the Alice Griffith housing site; and provide commercial opportunities and jobs for residents of the Bayview.* Integral to the intended mixed-use development is the provision of buildings at a variety of heights, ranging from approximately 40 feet to 420 feet tall.

(c) Controls.

All provisions of the Planning Code that would otherwise apply in the Candlestick Point Activity Node Special Use District are superseded by the Bayview Hunters Point Redevelopment Plan,

as amended on _____, and the Candlestick Point Design for Development document dated _____ except as provided therein. Amendments to land use and development controls under the Bayview Hunters Point Redevelopment Plan or to the Candlestick Point Design for Development document dated _____ shall be as provided in each of those respective documents.

Section 3. The San Francisco Planning Code is hereby amended by adding Section 249.51, to read as follows:

SEC. 249.51. HUNTERS POINT SHIPYARD PHASE 2 SPECIAL USE DISTRICT.

(a) General. A Special Use District entitled the Hunters Point Shipyard Phase 2 Special Use District is hereby established for the purposes set forth below. The boundaries of the Hunters Point Shipyard Phase 2 Special Use District consist of Block 4591A, Lot 79, Block 4591C, Lots 010, 209 and 210, and Block 5491, Lot 211, as designated on Sectional Map No. SU09 of the Zoning Map of the City and County of San Francisco. The boundaries of the Hunters Point Shipyard Phase 2 Special Use District are depicted on the Land Use Map attached to the ~~generally correlate with the contiguous boundaries of the Shipyard North Residential District, the Village Center Cultural District, the Research and Development District, the Shipyard South Multi-use District, and the Shipyard Shoreline Open Space District, as described in the~~ *Hunters Point Shipyard Redevelopment Plan, as amended on _____.*

(b) Purpose. The purpose of the Hunters Point Shipyard Phase 2 Special Use District is to enable development of the Candlestick Point – Hunters Point Shipyard Phase 2 ~~Integrated~~ *Development Project, a high density, transit-oriented, mixed-use development (housing, retail, office, sports fields and stadium,* artist space *and other* ~~public~~ community *uses) with significant open space and public realm improvements, as provided for in the Hunters Point Shipyard Redevelopment Plan, as amended on _____, the Hunters Point Shipyard Phase 2 Design for Development document dated _____, and the Hunters Point Shipyard* ~~Phase 2~~ *Area Plan of the San Francisco General Plan. Among its many goals, this Special Use District seeks to: create additional public parks and public*

open space, particularly along the waterfront; improve the quality, availability, and affordability of housing; provide a possible site for an NFL stadium; and provide commercial opportunities and jobs for residents of the Bayview.

(c) Controls.

All provisions of the Planning Code that would otherwise apply in the Hunters Point Shipyard Phase 2 Special Use District are superseded by the Hunters Point Shipyard Redevelopment Plan, as amended, dated _____ and the Hunters Point Shipyard Phase 2 Design for Development document dated _____ except as provided therein. Amendments to land use and development controls under the Hunters Point Redevelopment Plan or to the Hunters Point Shipyard Phase 2 Design for Development document shall be as provided in those respective documents.

Section 4. The San Francisco Planning Code is hereby amended by adding Section 263.24, to read as follows:

SEC. 263.24. SPECIAL EXCEPTIONS: CANDLESTICK POINT ACTIVITY NODE SPECIAL USE DISTRICT AND THE CP HEIGHT AND BULK DISTRICT.

(a) Boundaries of the CP Height and Bulk District. The ~~B~~*boundaries of the CP Height and Bulk District are set forth in Sectional Maps HT09 and HT010 of the Zoning Map of the City and County of San Francisco. The boundaries of the CP Height and Bulk District correlate with the boundaries of Zone 1 of the Bayview Hunters Point Redevelopment Project Area. A large portion of the Candlestick Point Recreation Area is included in this Height and Bulk District* ~~pursuant to the Redevelopment Project Area boundaries~~.

(b) Purpose. The purpose of both the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District is to enable development of the Candlestick Point – Hunters Point Shipyard Phase 2 ~~Integrated~~ *Development Project, a high density, transit-oriented, mixed-use development (housing, retail, office, performance venue, and* ~~public~~ community *uses) with significant public open space and public realm improvements in the Bayview Hunters Point Project Zone 1 area,*

as provided in the Bayview Hunters Point Redevelopment Plan, as amended, dated _____, the Candlestick Point Design for Development document dated _____, and the Candlestick Point Subarea Plan of the Bayview Hunters Point Area Plan.

(c) Controls.

(1) In the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District, heights and bulk and definitions applicable thereto will be governed by the Candlestick Point Design for Development document dated _____ and the Bayview Hunters Point Redevelopment Plan, as amended, dated _____.

(2) Heights within the Candlestick Point State Recreation Area shall be restricted pursuant to the provisions of the Bayview Hunters Point Redevelopment Plan, amended on _____, and the Candlestick Point Design for Development document dated _____.

(3) Amendments to land use and development controls under the Bayview Hunters Point Redevelopment Plan or to the Candlestick Point Design for Development document dated _____ shall be as provided in each of those respective documents.

Section 5. The San Francisco Planning Code is hereby amended by adding Section 263.25, to read as follows:

SEC. 263.25. SPECIAL EXCEPTIONS: HUNTERS POINT SHIPYARD PHASE 2 SPECIAL USE DISTRICT AND THE HP HEIGHT AND BULK DISTRICT.

(a) Boundaries of the HP Height and Bulk District. The boundaries of the 40/370-HP Height and Bulk District are set forth in Sectional Map HT09 of the Zoning Map of the City and County of San Francisco. The boundaries of the HP Height and Bulk District generally correlate with the contiguous boundaries of Phase 2 of the Hunters Point Shipyard development as shown on the Land Use Map attached to ~~Shipyard North Residential District, the Village Center Cultural District, the Research and Development District, the Shipyard South Multi-use District, and the~~

~~Shipyard Shoreline Open Space District, as described in~~ *the Hunters Point Shipyard Redevelopment Plan, as amended on _____.*

(b) Purpose. The purpose of both the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District is to enable development of the Candlestick Point – Hunters Point Shipyard Phase 2 ~~Integrated~~ *Development Project, a high density, transit-oriented, mixed-use development (housing, retail, office, sports fields and stadium,* artist space *and other* ~~public~~ community *uses) with significant public open space and public realm improvements, as provided in the Hunters Point Shipyard Redevelopment Plan, as amended, dated _____, the Hunters Point Shipyard Design for Development document dated _____, and the Hunters Point Shipyard Area Plan. Integral to the intended mixed-use development is the provision of buildings at a variety of heights, ranging from approximately 40 feet to 370 feet tall.*

(c) Controls.

(1) In the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District, height~~s~~ *and bulk and definitions applicable thereto will be governed by the Hunters Point Shipyard Redevelopment Plan, as amended on _____, and the Hunters Point Shipyard Phase 2 Design for Development document dated _____.*

(2) Amendments to land use and development controls under the Hunters Point Redevelopment Plan or to the Hunters Point Shipyard Phase 2 Design for Development document shall be as provided in those respective documents.

Section 6. The San Francisco Planning Code is hereby amended by amending Table 270, to read as follows:

TABLE 270 BULK LIMITS		
District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet)

		Length	Diagonal Dimension
A	40	110	125
B	50	110	125
C	80	110	125
D	40	110	140
E	65	110	140
F	80	110	140
G	80	170	200
H	100	170	200
I	150	170	200
J	40	250	300
K	60	250	300
L	80	250	300
M	100	250	300
N	40	50	100
R	This table not applicable. But see Section 270(e).		
R-2	This table not applicable. But see Section 270(f).		
V		110	140
V	* At setback height established pursuant to Section 253.2.		
OS	See Section 290.		

S	This table not applicable. But see Section 270(d).		
T	At setback height established pursuant to Section 132.2, but no higher than 80 feet.	110	125
X	This table not applicable. But see Section 260(a)(3).		
TB	This table not applicable. But see Section 263.18.		
CP	*This table not applicable. But see Section 263.24.*		
HP	*This table not applicable. But see Section 263.25.*		

Section 7. OPERATIVE DATE. This ordinance shall become operative on the date that the ordinances approving the amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan become effective.

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

By: _____
JUDITH A. BOYAJIAN
Deputy City Attorney