

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED  
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION  
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at [www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)) and one directive (Health Officer Directive No. 2020-33i, available online at [www.sfdph.org/directives](http://www.sfdph.org/directives)) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City’s Department of Public Health, in coordination with the City’s Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, [Insert name of Board/Commission] has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That [insert name of Board/Commission] finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, [Insert name of Board/Commission] has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.

3. As described above, because of the COVID-19 pandemic, conducting meetings of this body [and its committees] in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of [insert name of Board/Commission] [and its committees] will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of [insert name of Board/Commission] [and its committees] that occur by teleconferencing technology will provide an opportunity for members of the public to address this body [and its committees] and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the [clerk/secretary/staff] of [insert name of Board/Commission] is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of [insert name of Board/Commission] within the next 30 days. If [insert name of Board/Commission] does not meet within the next 30 days, the [clerk/secretary/staff] is directed to place a such resolution on the agenda of the next meeting of [insert name of Board/Commission].

# Hunters Point Naval Shipyard Environmental Program Fieldwork Update



## Bayview Hunters Point Citizens Advisory Committee

April 6, 2022

**Derek Robinson, P.E.**

Environmental Program Manager

**Liz Roddy**

Project Manager

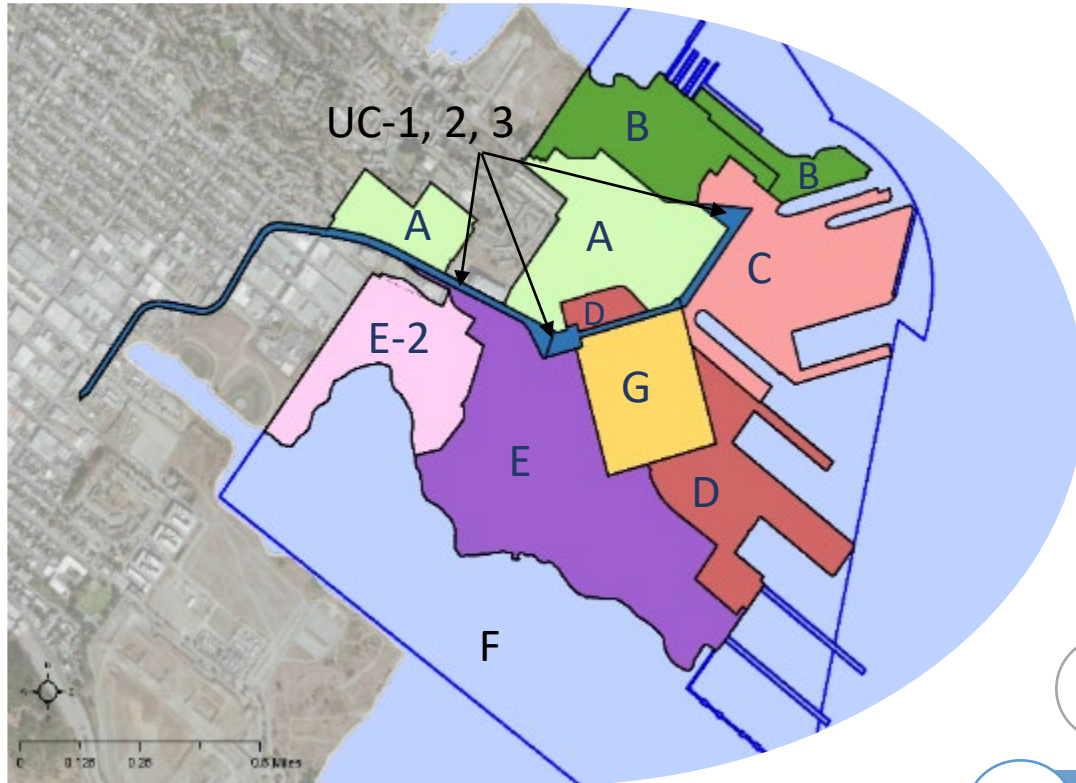
**Hunters Point Naval Shipyard (HPNS)  
Navy Base Realignment and Closure (BRAC)**



# HPNS Cleanup Overview: Parcel Historical Use



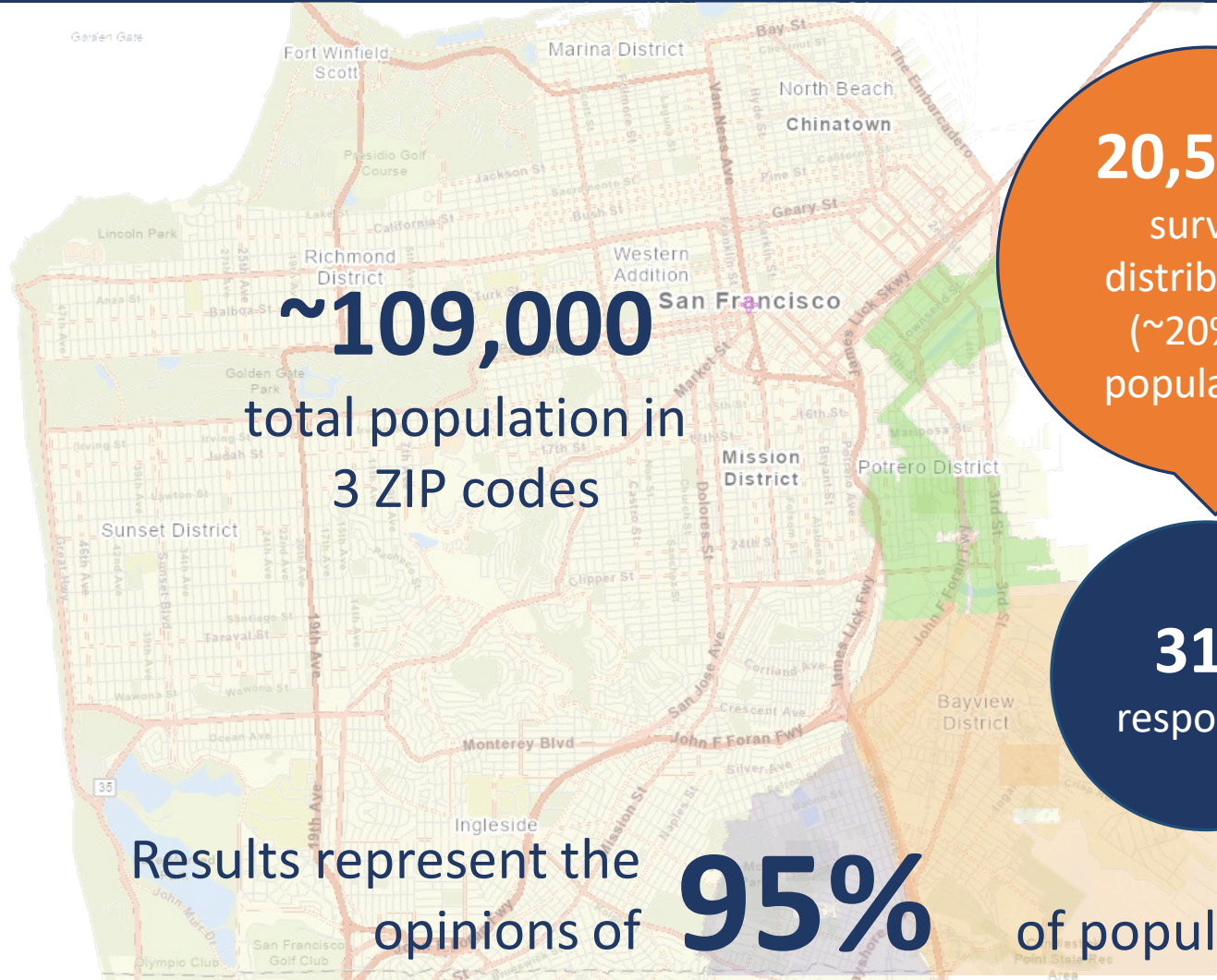
HPNS, originally included approximately 935 acres of land and submerged shoreline in the southeast corner of San Francisco.



HPNS Parcel Map

- Parcel A: residential & administrative; transferred to SFRA in 2004
- Parcel B: ship repair & maintenance
- Parcel C: ship repair & radiological research
- Parcel D: ship repair & maintenance; radiological research
- Parcel E: industrial operations & radiological research
- Parcel E-2: former HPNS landfill
- Parcel F: offshore area in San Francisco Bay
- Parcel G: ship repair & maintenance
- UC-1, UC-2, UC-3: former utility corridors

# Community Involvement Survey & Interviews



**~109,000**  
total population in  
3 ZIP codes

**20,500+**  
survey  
distribution  
(~20% of  
population)

**316**  
responses

Results represent the  
opinions of **95%** of population

**15,000**  
random  
addresses

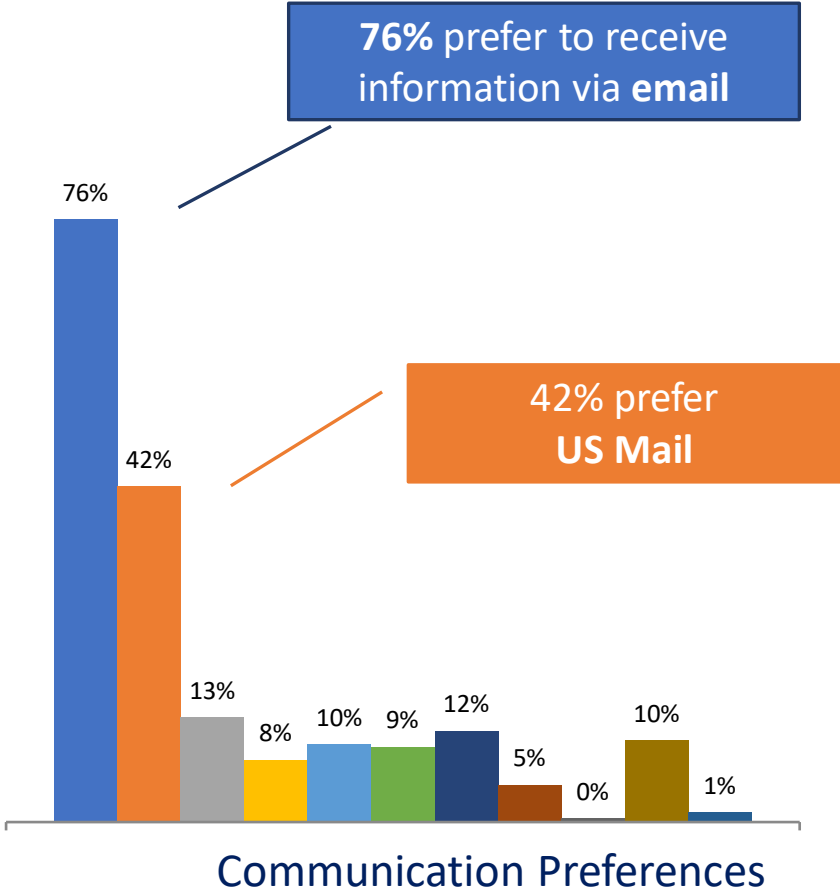
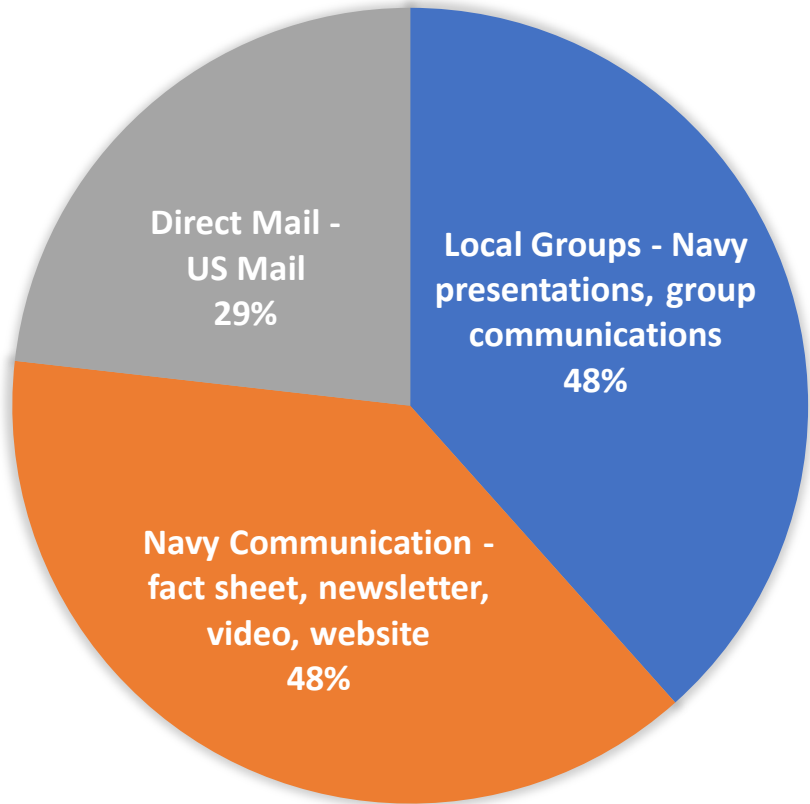
HPNS  
distribution  
lists

Grassroots  
community  
distribution

In-person  
interviews  
(9)

# How people prefer to receive information: Most people have received information from **local groups** or **Navy materials**; prefer information by **email** or **U.S. Mail**.

Most frequent resources for HPNS information

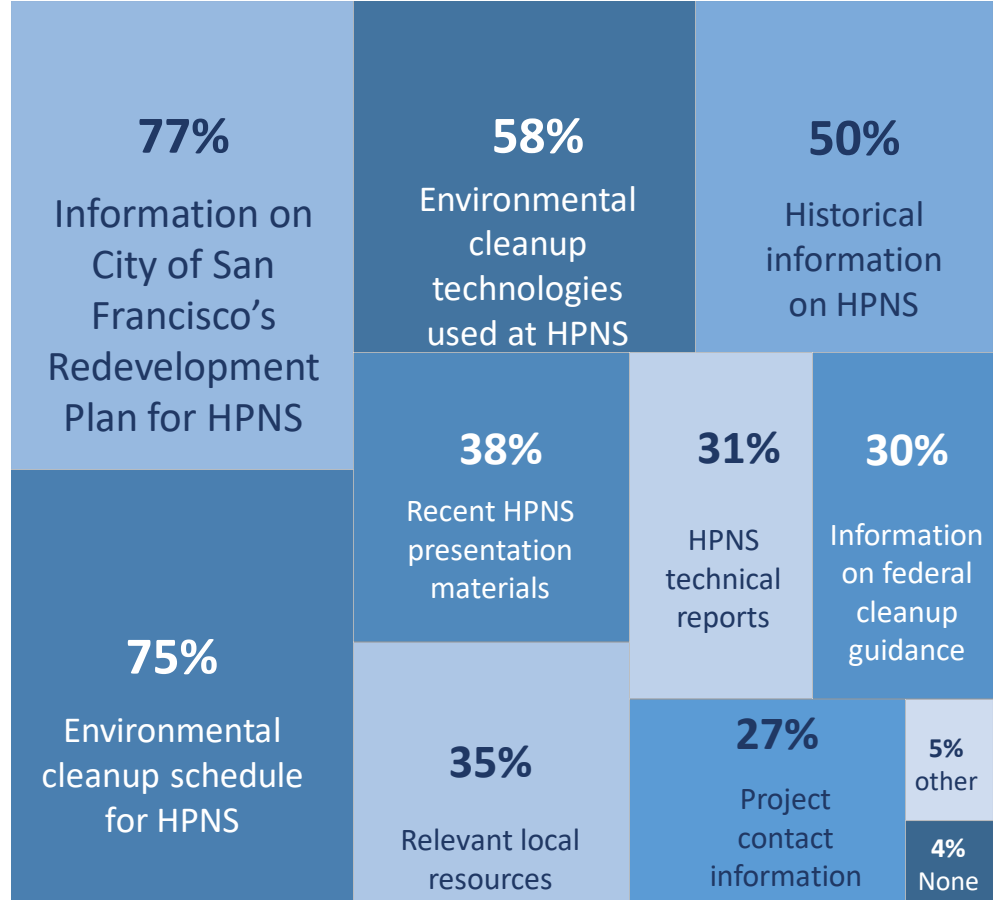
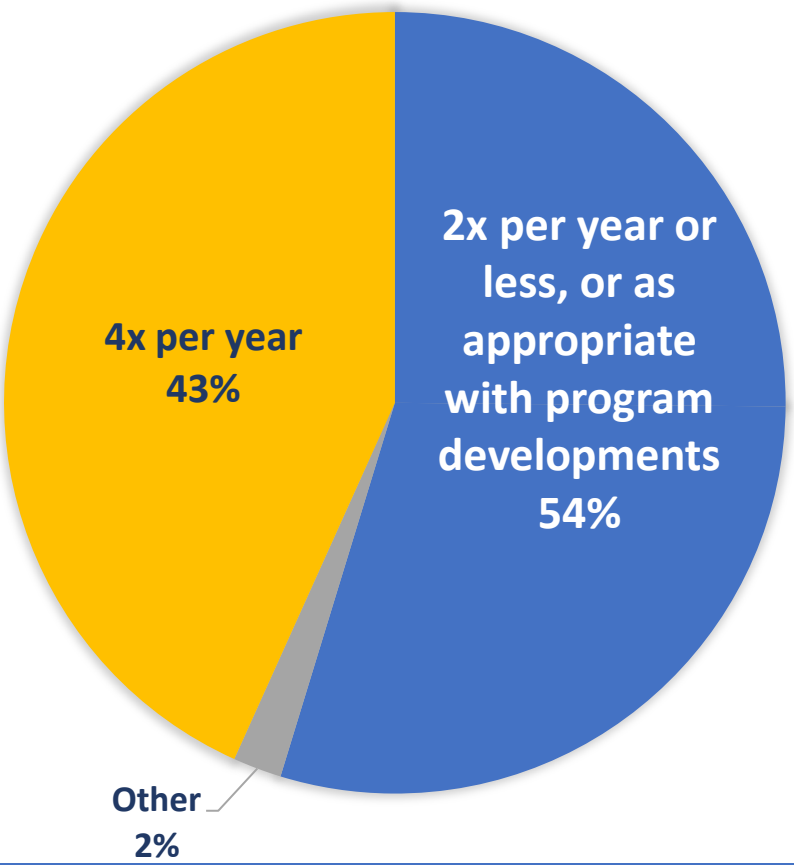


Top 3 results most frequently selected shown; all others under 10% (option to select multiple answers)

# What people want to know:

Most people want information on **redevelopment** and **cleanup schedule two times per year or less.**

Frequency of Outreach Preferences

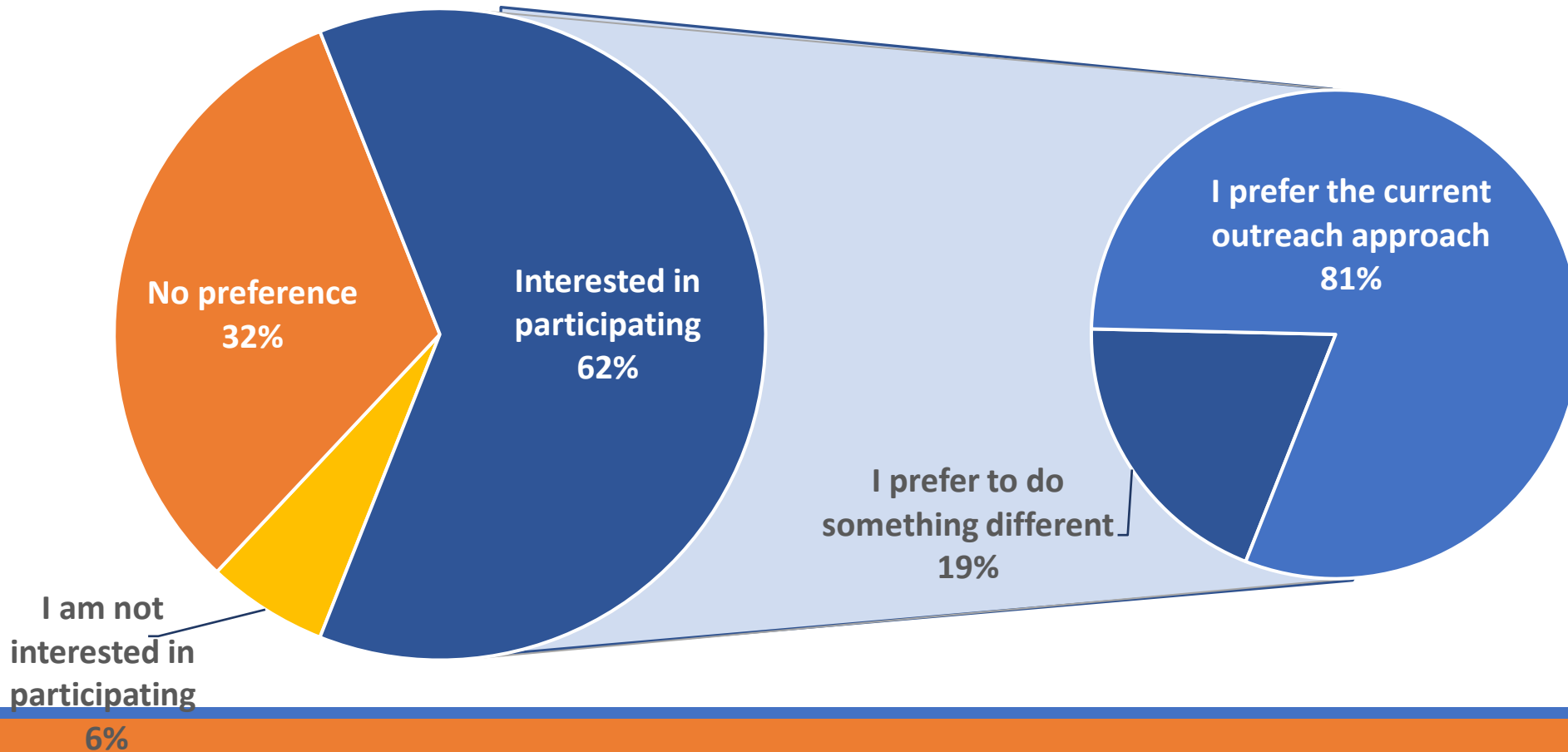


Information Preferences

# What outreach approach people prefer:

## Most people prefer the current outreach approach or have no preference

Outreach Approach Preferences



Language Preferences





# TECH TALK: Cleanup Technologies at HPNS



## Biological Treatment for Mercury in Groundwater

Installation Restoration Site 26 (IR-26) at Parcel B-2

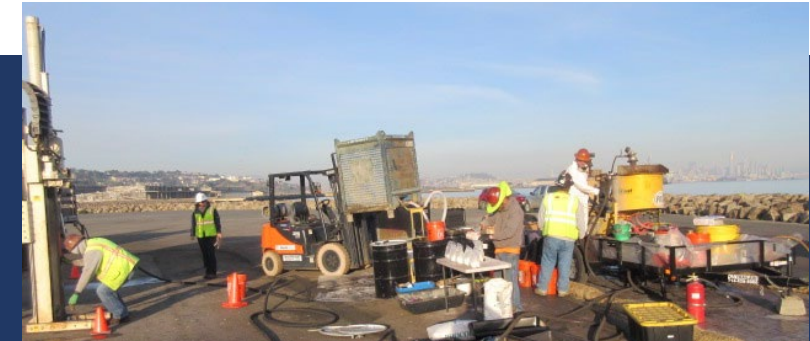
Cleanup technology: *in-situ injections of an organo-sulfur compound*

**WHAT?** Use of organic molecules to stop mercury (a metal) from spreading in groundwater.

**WHY?** To protect the San Francisco Bay waters from the mercury in groundwater at IR-26.

**HOW?** Organic molecules are injected into groundwater. The molecules react with mercury in groundwater and convert it into a solid. This limits the movement of mercury in groundwater.

**WHEN?** Treatment injected in 2017.  
Monitoring groundwater wells is ongoing.



Mixing compound before injection

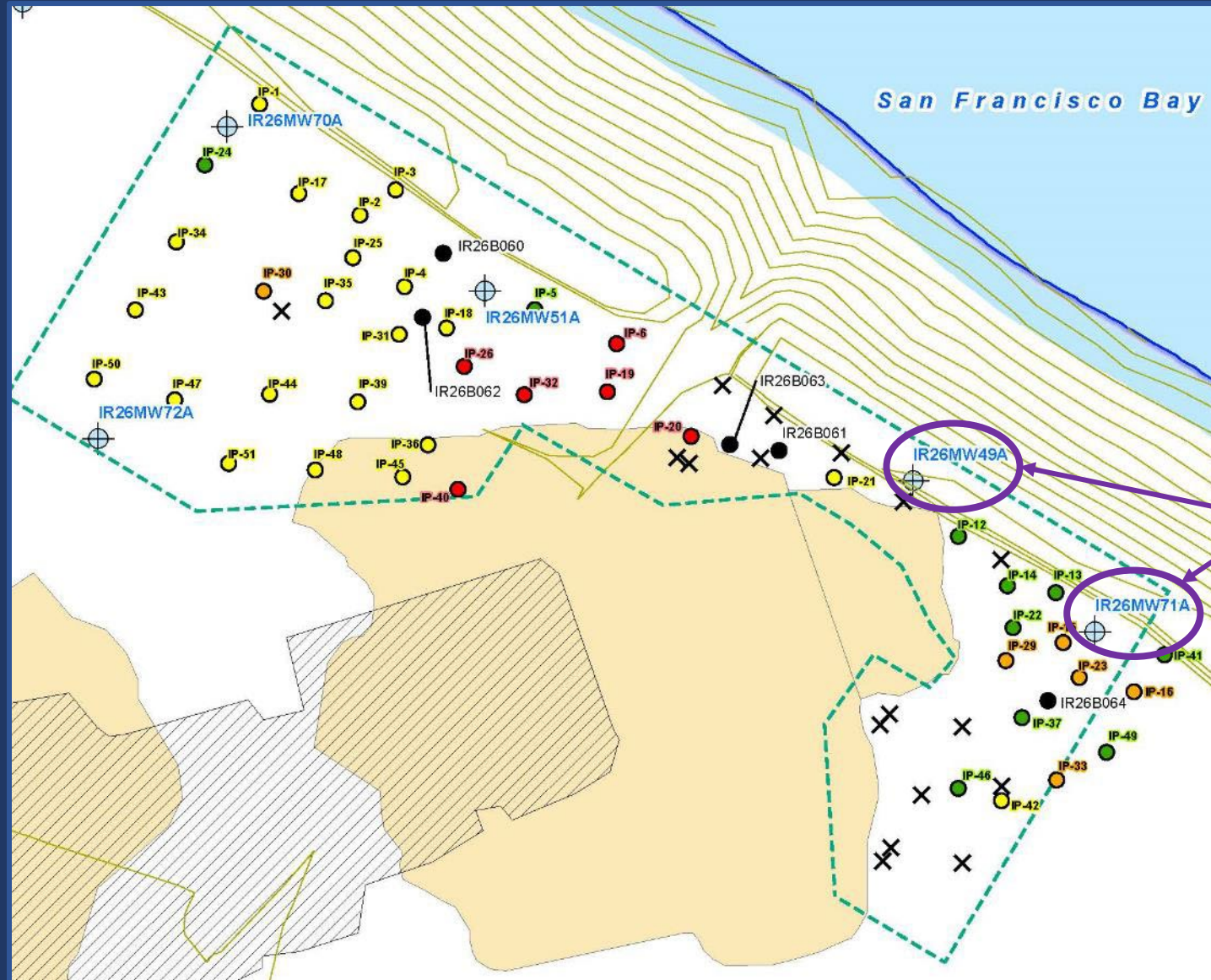


Injection site at IR-26



# TECH TALK: Cleanup Technologies at HPNS

## Biological Treatment for Mercury in Groundwater at IR-26



Navy continues evaluation and treatment at select groundwater wells



Parcel E-2 shoreline, 2018



# Parcel E-2

## Site Description

- Approximately 47 acres
- Southwestern portion of HPNS

## Environmental Cleanup Status

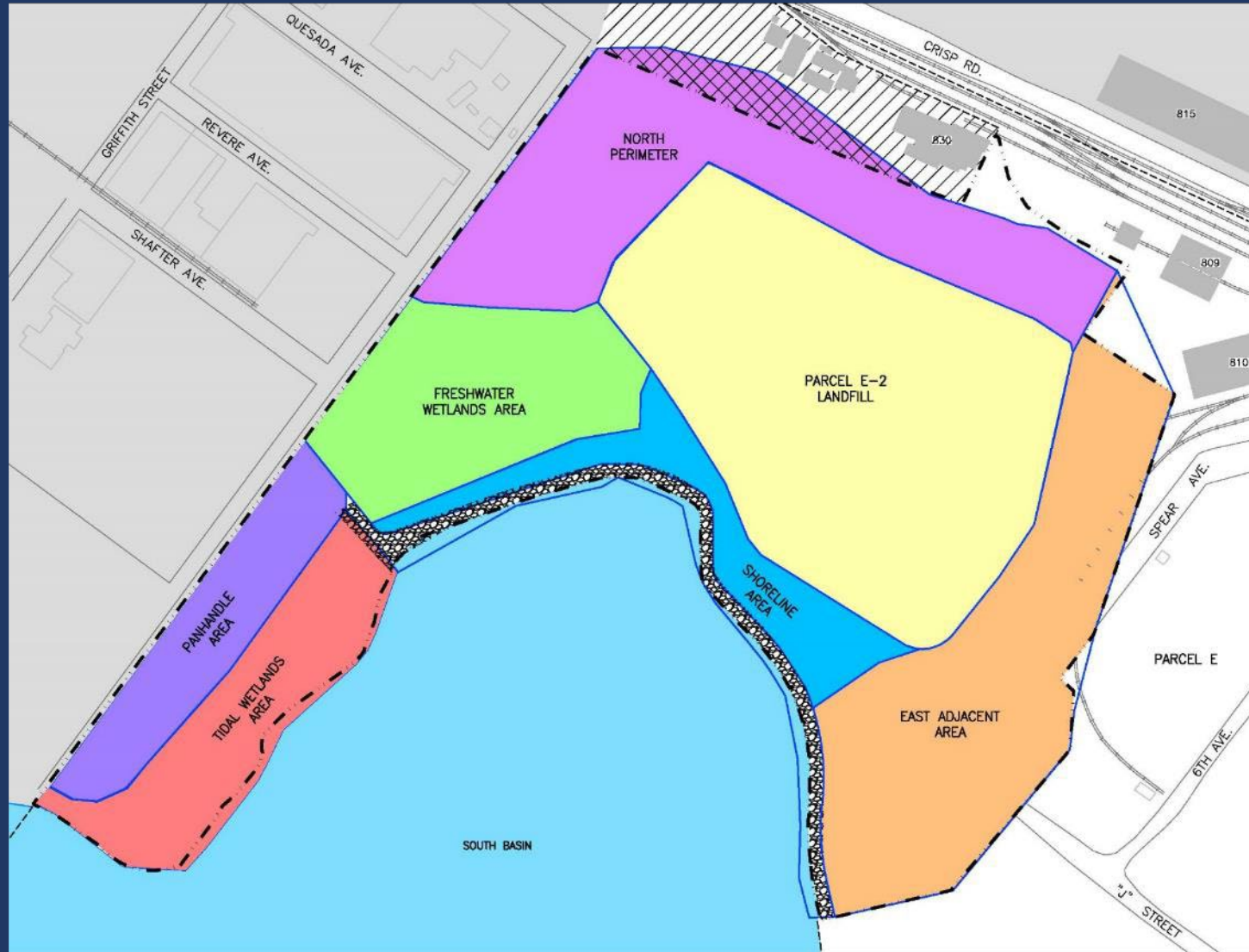
- Remedial action ongoing
  - Prepared site for installation of liners over non-wetland areas
  - Continued landfill gas monitoring
  - Continued site grading
  - Began installation of clean fill and compaction



Parcel E-2 shoreline, today



# Parcel E-2 Areas



**LEGEND**

- EXISTING UNPAVED ROADS
- PARCEL E-2 BOUNDARY
- STONE REVETMENT
- NON-NAVY PROPERTY
- UNIVERSITY OF CALIFORNIA SAN FRANCISCO FACILITY
- NON-NAVY PROPERTY WITHIN PARCEL E-2
- 830 BUILDING (with building number)



Dust is managed during installation of clean fill



Site grading and compaction is ongoing



Dust is managed during site work



Dust is controlled during site grading

Parcel E-2:  
site grading, compaction, and  
installation of clean fill





# Parcel E

## Site Description

- Approximately 129 acres
- Southern portion of HPNS

## Environmental Cleanup Status

- Remedial action ongoing
  - Began construction of shoreline protection features
  - Scanned soil for potential munitions
  - Continued cleanup of oily waste contamination at IR-03
- Radiological retesting upcoming



Approximate location  
of IR-03 in Parcel E



Parcel E shoreline, today



Installation of filter stone and rip rap



Placement of armor stone on top of filter stone (view to northwest)



Placement of armor stone on bay side of sea wall (view to southwest)

# Parcel E shoreline protection features





Light towers are used as sun sets to extend excavation activities at IR-03 into the evening



Close-up of excavated area at IR-03 shoreline (Grid #8)



Dust management on radiological screening yard (RSY) pads at IR-03

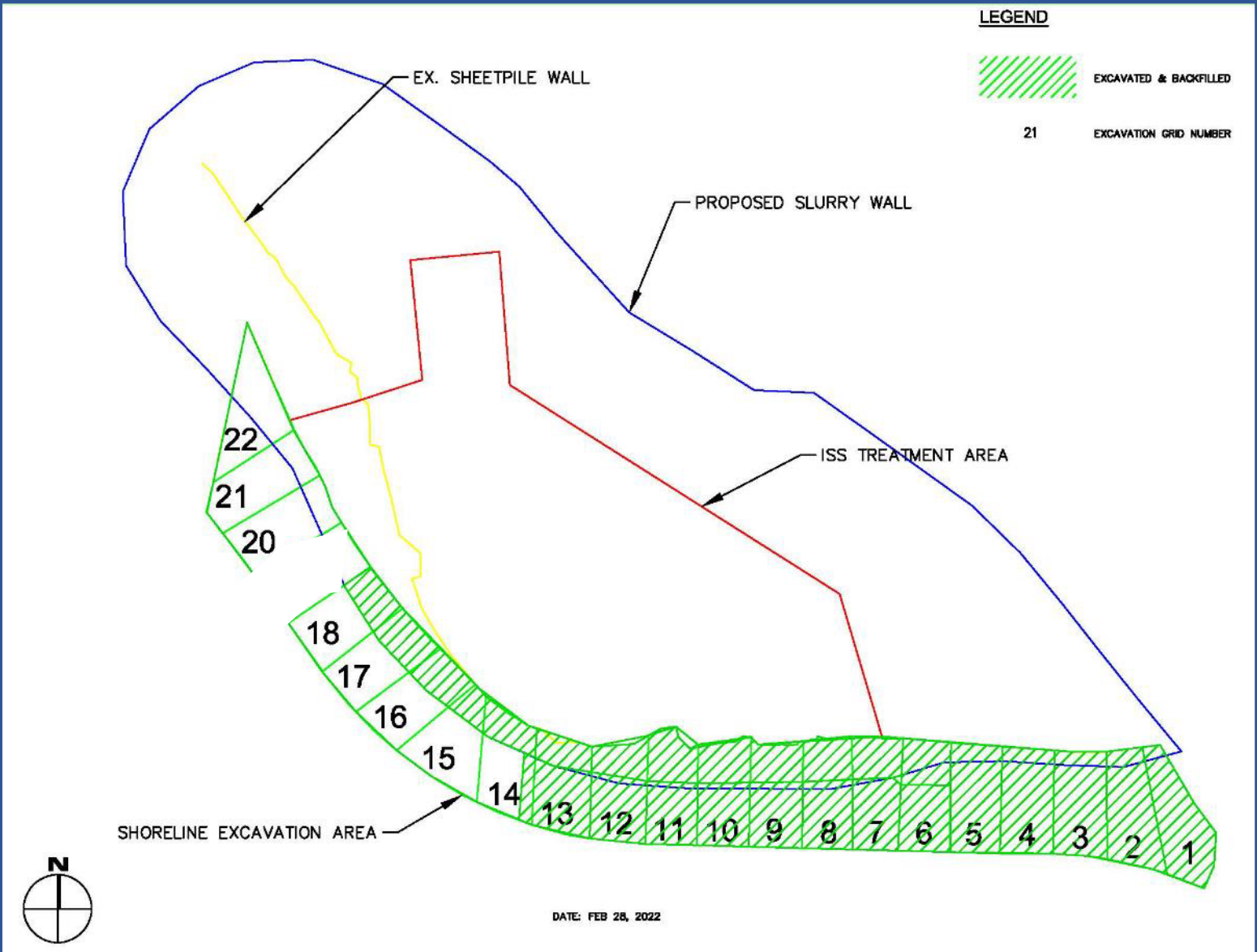


Site grading is part of the preparation for the final solution at the IR-03 shoreline

# Parcel E: IR-03 shoreline excavation activities



# Parcel E IR-03 Shoreline Excavation Plan





Former electronics shop at Parcel G, 2004

# Parcel G

## Site Description

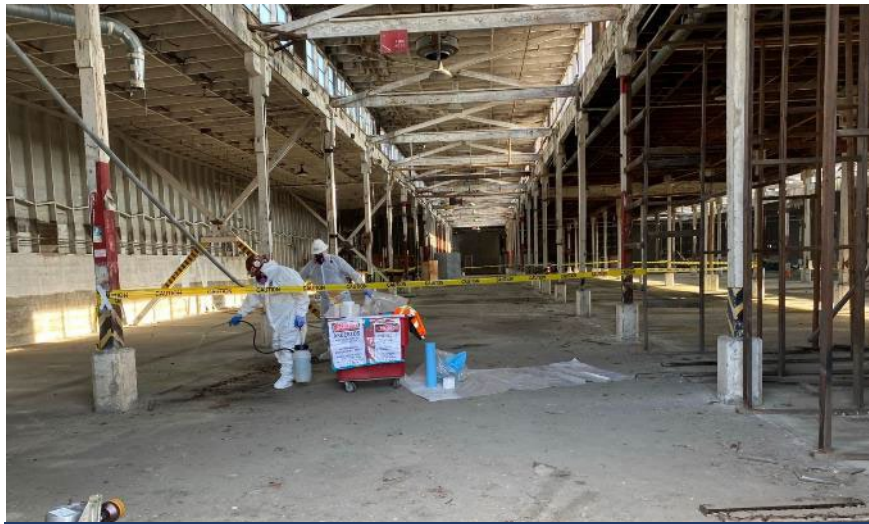
- Approximately 40 acres
- Central portion of HPNS

## Radiological Retesting Status:

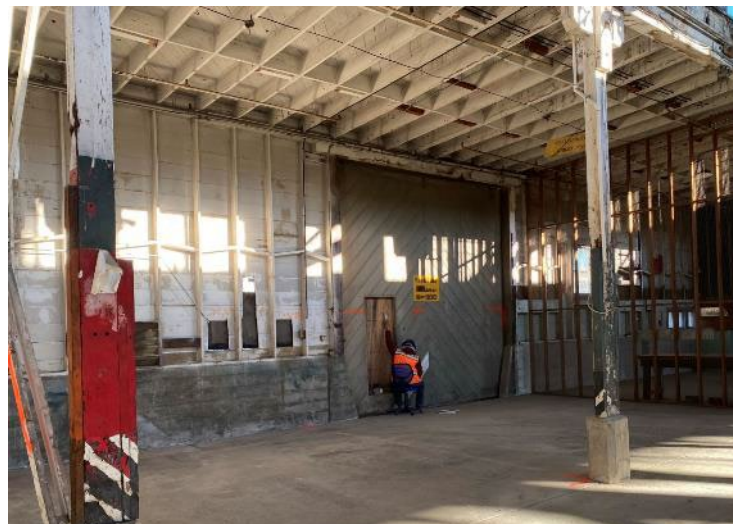
- Soil Fieldwork
  - Continued soil data collection at trench unit excavations
  - Continued soil data collection at former building and crawl space areas
  - Hosted United States Environmental Protection Agency and Bay Area Quality Management District air monitoring site visit
- Building Fieldwork
  - Established background for buildings (Building 404)
  - Began data collection for building interiors (Buildings 401, 408, 439)



Structure at Parcel G, today



Cleaning and preparation of Building 404 for background sampling



Collection of radiological surface scans of building interiors: Building 404 (Background), left; Building 439, right



Specialized cloths are used to collect surface swipe samples (Building 366)

## Parcel G Buildings: radiological retesting fieldwork



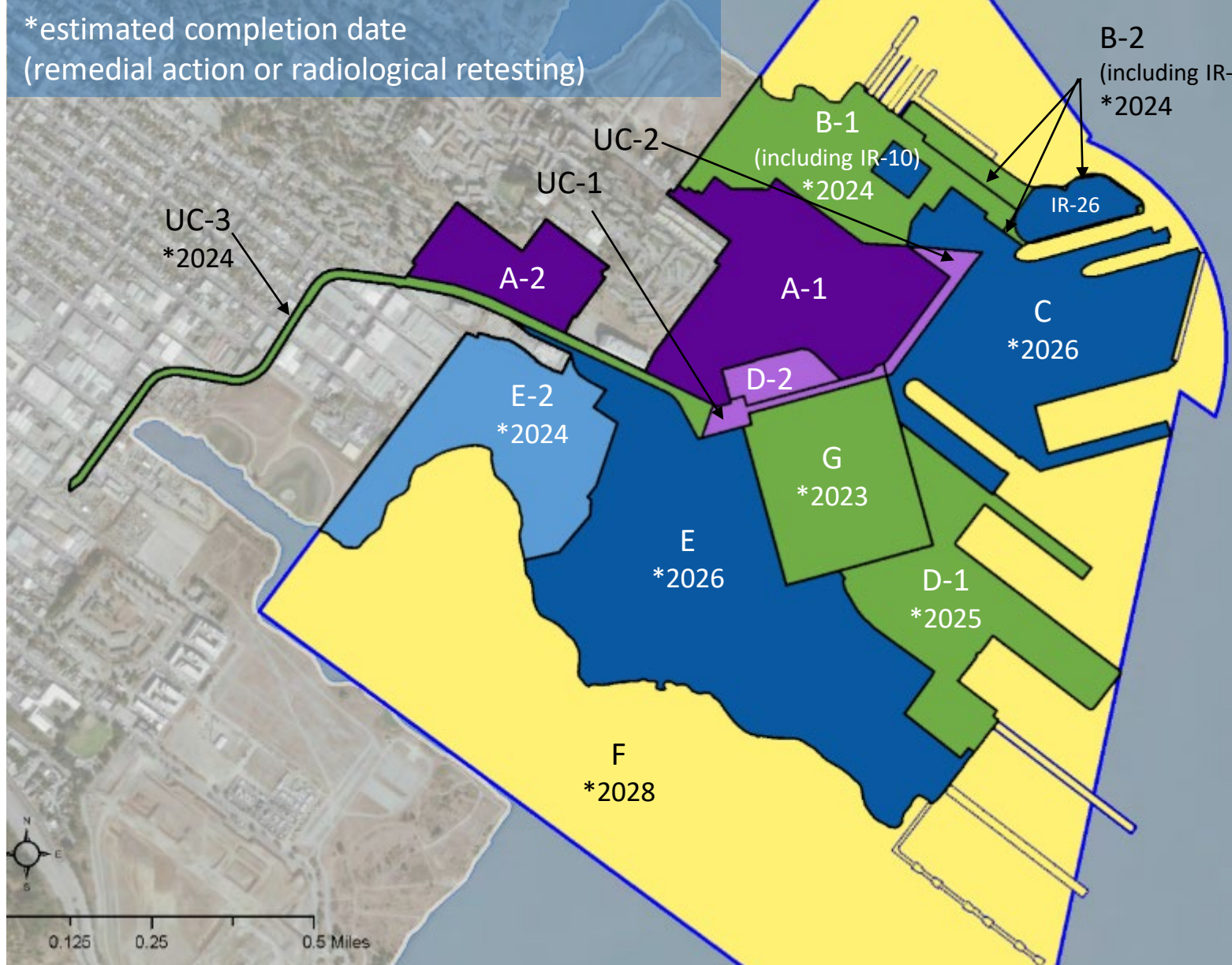
# HPNS Cleanup Overview: Cleanup Timeline



# HPNS Parcel Cleanup Status



Transferred, no further action
Transferred, radiological retesting pending
Environmental cleanup complete, radiological retesting pending
Environmental cleanup ongoing, radiological retesting pending
Environmental cleanup ongoing, no radiological retesting required
Record of Decision pending, no radiological retesting required



# Resources for More Information



## Contact HPNS Program Management



**Derek J. Robinson, P.E.**  
 (619) 524-6026  
[derek.j.robinson1.civ@navy.mil](mailto:derek.j.robinson1.civ@navy.mil)  
 Navy BRAC PMO West  
 33000 Nixie Way, Bldg 50, San Diego, CA 92147

## Contact the Community Technical Liaison



**Dr. Kathryn Higley**  
 (541) 737-7036  
[kathryn.higley@oregonstate.edu](mailto:kathryn.higley@oregonstate.edu)  
[www.ne.oregonstate.edu](http://www.ne.oregonstate.edu)

## Contact HPNS Outreach

for information or to join the HPNS Mailing List



[info@sfhpnns.com](mailto:info@sfhpnns.com)



(415) 295-4742

## Visit the Navy's website for more information

Visit the online Admin Record to review a document

Visit Timely Topics for recent statements

Visit the Contact page for program and health resources

Subscribe to receive website updates

The City of San Francisco Main Library is the location of the local HPNS Administrative Record.

Program documents are available on the Navy's website as follows:

- Use the online Admin Records button or
- Scroll through the Documents page

HPNS Main Web Page  
[www.bracpmo.navy.mil/hpnns](http://www.bracpmo.navy.mil/hpnns)

HPNS Radiological Program  
[www.bracpmo.navy.mil/hpnsrc](http://www.bracpmo.navy.mil/hpnsrc)



# **Managing Risk**

## **Real Life Examples**

Kathryn Higley, PhD, CHP, HPS Fellow





Employment



Risk  
Varies

Home Life



Recreation







Rocky Flats Plant



Johnston Atoll



Fukushima

For my job



Chornobyl

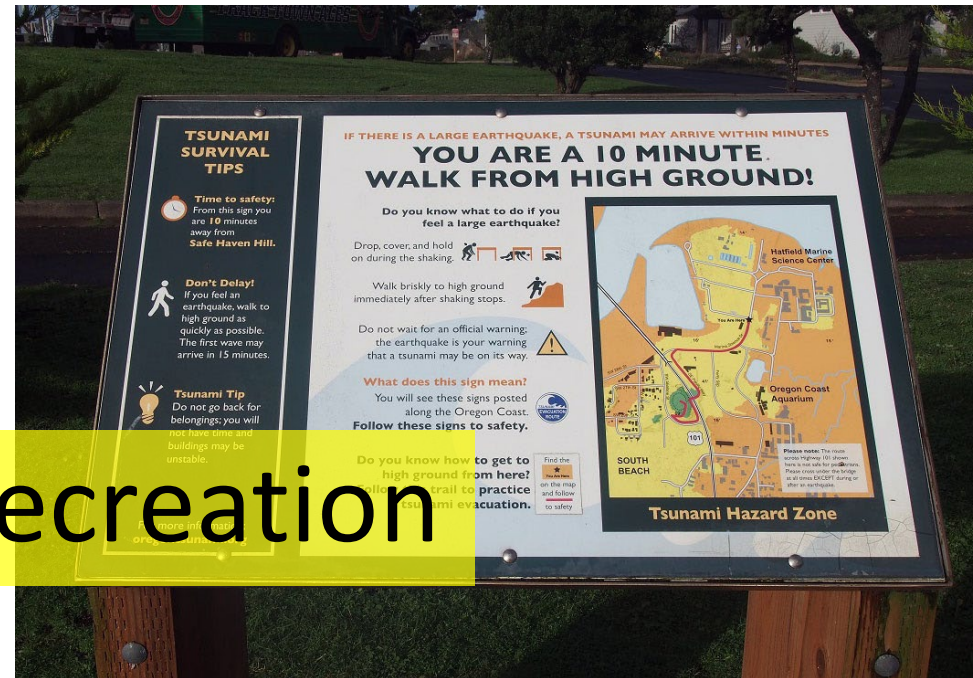


Oregon State University



Grants New Mexico





For my recreation

[https://www.weather.gov/jetstream/cascadia\\_max](https://www.weather.gov/jetstream/cascadia_max)





For my community





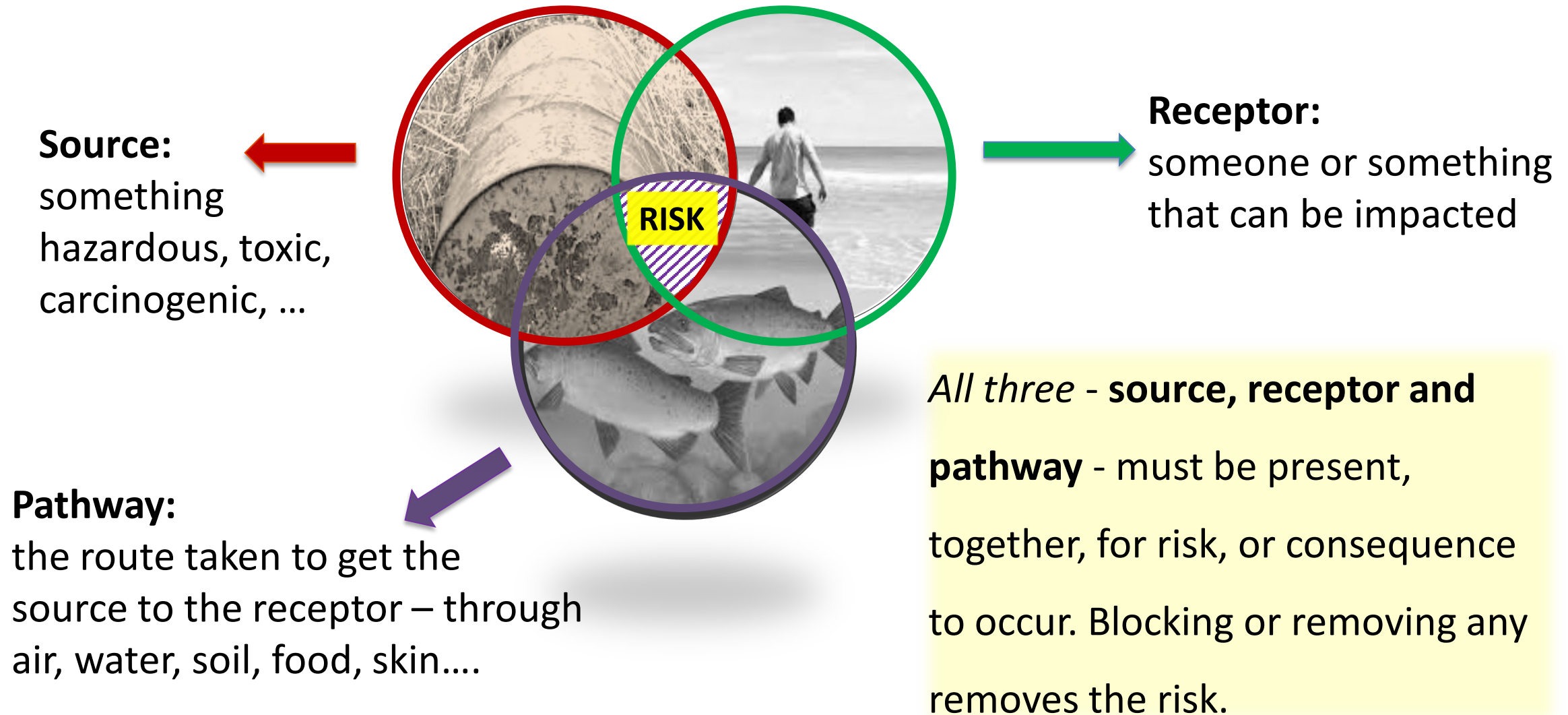
**Managing risk is  
part of the process  
of cleanup**



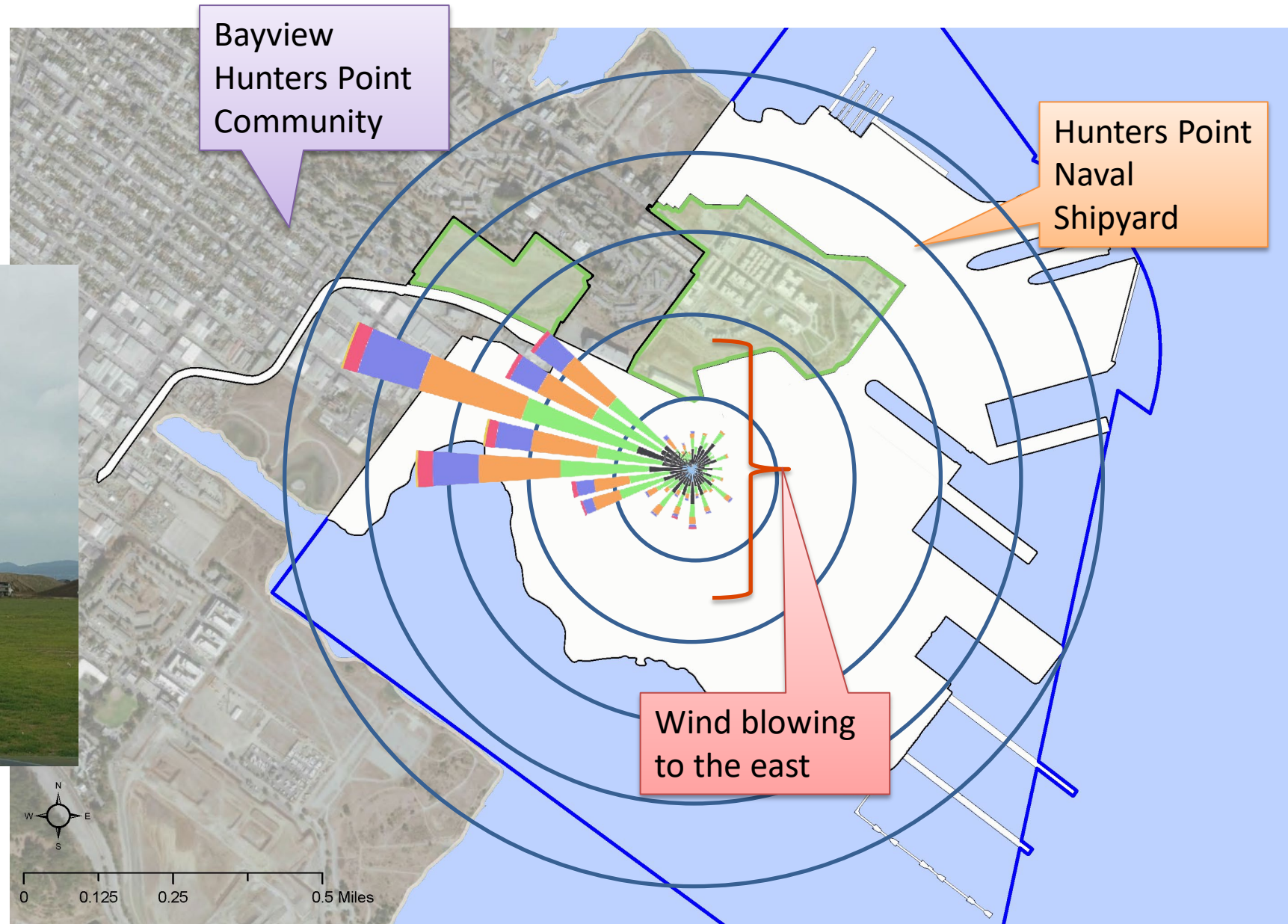
**Understanding what  
contributes to risk  
comes first**



# Three contributors to risk



# Example: Managing risk from airborne emissions



Blocking pathways of exposure

Wind Rose Diagram, 1948 - 2018

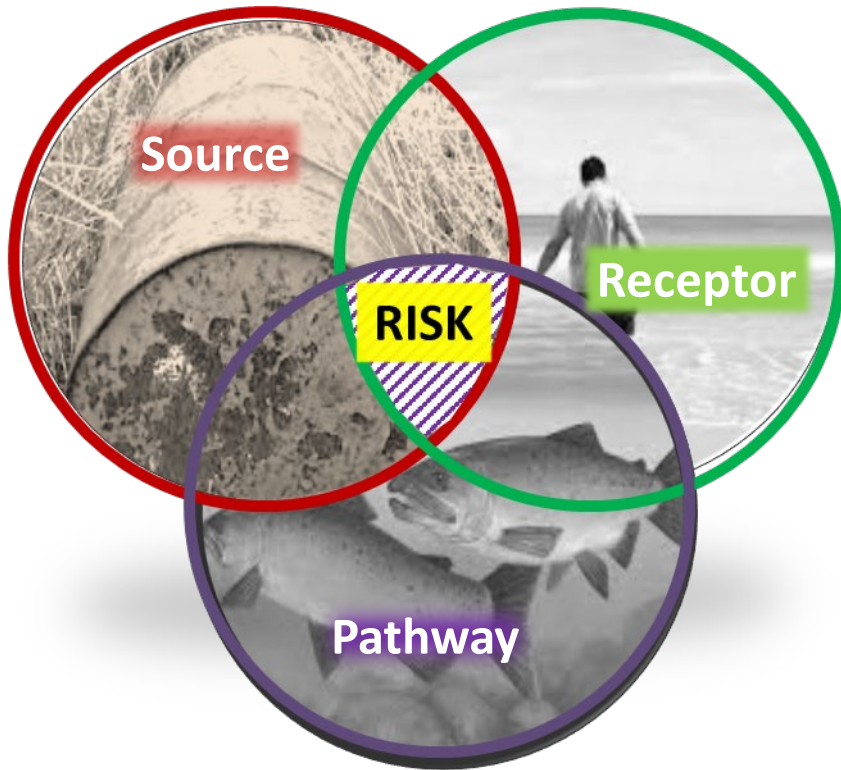
ref: HPNS Parcel E-2 Final Remedial Action Work Plan; Phase III; December 2018



# Managing risk from low levels of radioactivity



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- Risk can be managed by
  - Removing or reducing the **source** of radioactivity to low levels (by digging contaminated soil)
  - Blocking, removing, or **reducing** pathways of transport (like covering with clean soil)
  - Limiting how people interact with the site (having building codes)

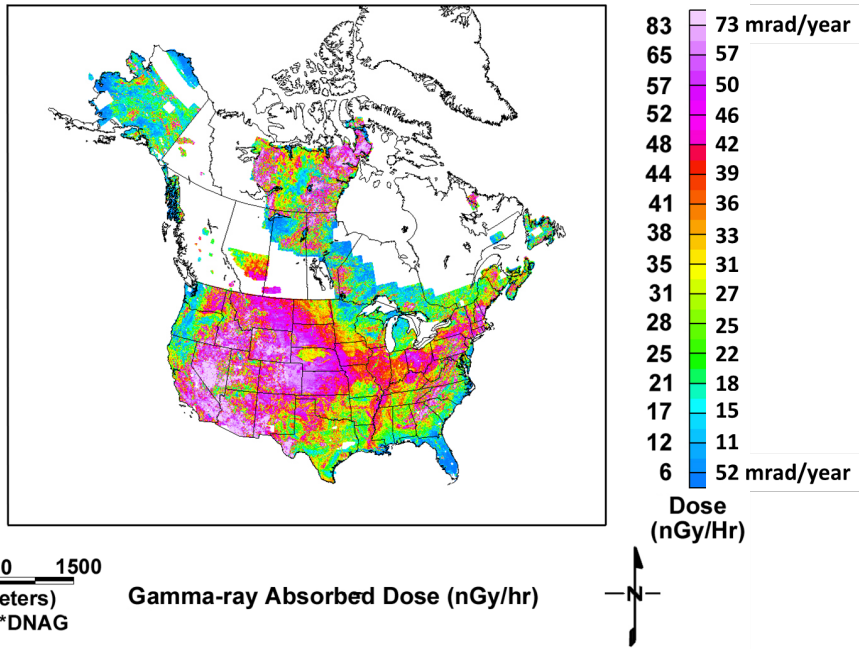


# Managing risk from low levels of radioactivity

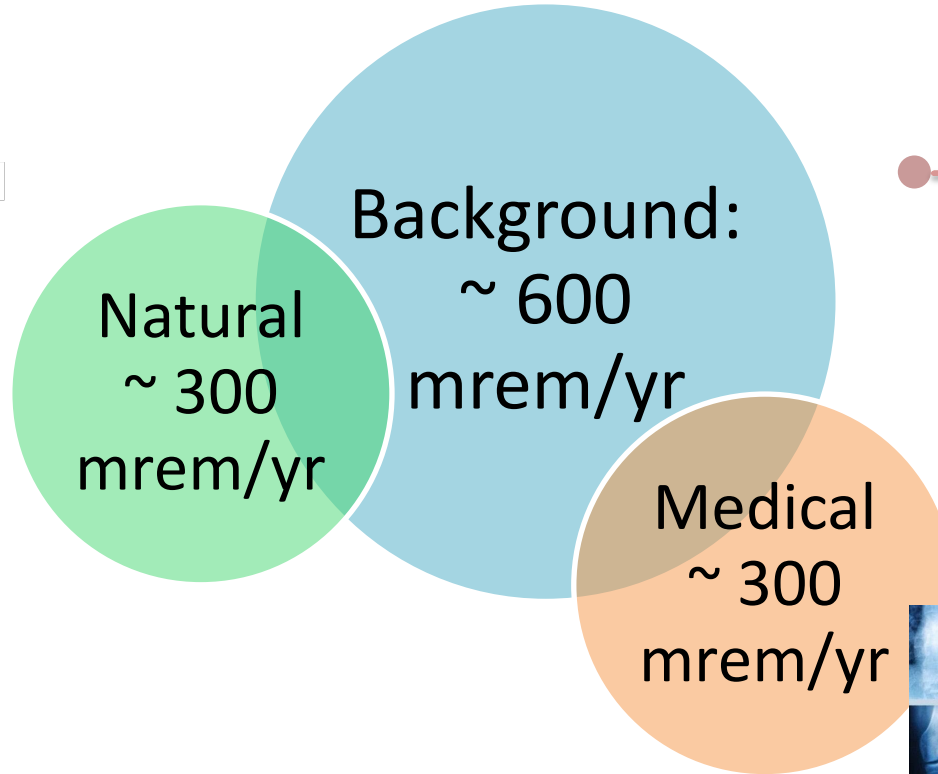


- Low levels of radioactivity → low concentrations
- Low levels of radioactivity → low risk
- Finding radioactivity at really low levels requires mindful collection and analysis
- Sample analysis can be challenging because natural radioactivity is always present as a complicating factor.

## Radiation Dose from Natural Radioactivity in Soils

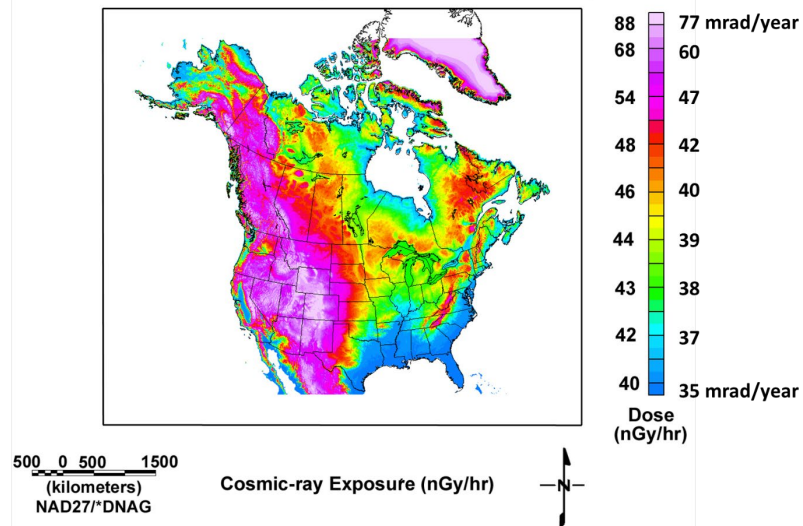


# Example: Natural and Other Radiation Sources & Their Doses



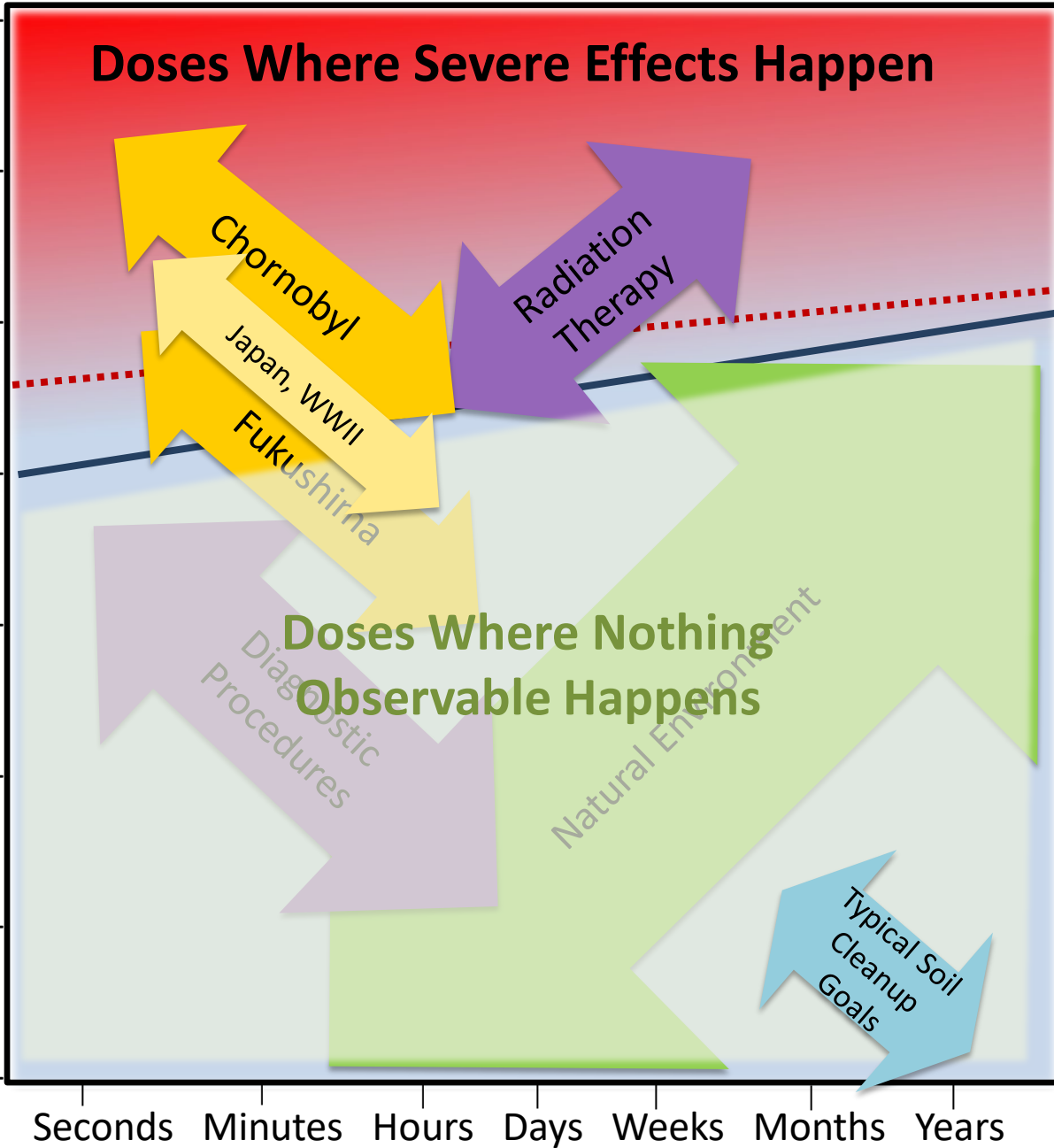
HPNS Parcel G workers: added dose not measurable (< 3 mrem/mo)

## Radiation doses coming from outer space (annual average)



Absorbed Dose, mrad

10,000,000  
1,000,000  
100,000  
10,000  
1,000  
100  
10  
1



Dose Region Where Effects Are Observed

Dose Region Where Effects Are Calculated Using Mathematical Models

- Medical
- Other
- Environmental



# Risk can be managed



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- Remediation's goal -**  
Reduce risk for
- workers,
  - public and
  - The environment





**Oregon State University**  
College of Engineering

**Thank you. Questions?**



Oregon State University  
College of Engineering

## Contact information

[Kathryn.higley@oregonstate.edu](mailto:Kathryn.higley@oregonstate.edu)

541.737.0675

School of Nuclear Science and  
Engineering

206 Merryfield Hall

Oregon State University

Corvallis, OR, 97331



# Amazon Logistics

District 10 - Amazon Delivery Stations

San Francisco. CA





# What is an Amazon Logistics delivery station?

At Amazon, we focus on being the most customer-centric company in the world. Amazon Logistics (“AMZL”) specializes in delivery of customer orders from delivery stations, which power the last mile of our customer order process and help speed-up deliveries for customers.

Our proposed growth in San Francisco is the result of an outstanding workforce and incredible customers. Our associates and customers in this region are also your residents, and we want to ensure we are being good neighbors.

Fulfillment Center  
(First Mile)



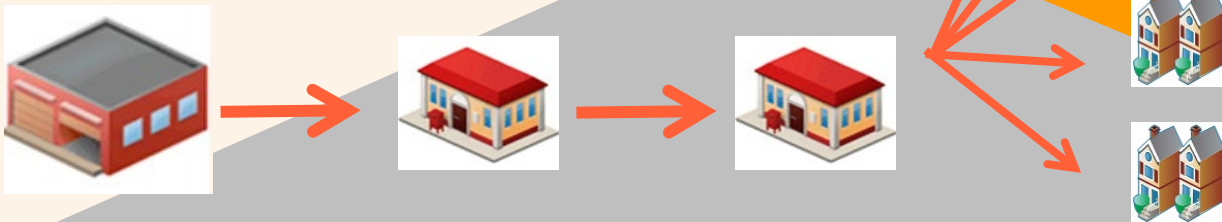
Sort Center  
(Middle Mile)



Delivery Station  
(Last Mile)



Customers



# Amazon Operational Footprint

## San Francisco

Amazon Operations stickily adhere to a operational clock to standardize efficiencies and ensure safety at all times.

### Amazon Delivery Stations

1. 435 East 23<sup>rd</sup> Street
2. 749 Toland

### Ultra Fast Fresh (Food)

1. 888 Tennessee

# Employment Opportunities

Job Creation – the 900 7<sup>th</sup> Ave site is estimated to create over 400 jobs in it's first year of operations.

- Sortation – These associates are directly employed by Amazon. They help with sorting packages inside the delivery station. Amazon associates receive Amazon's full suite of benefits. These associates start at \$17.25 per hour in San Francisco
- Delivery Service Partners (DSP) – DSPs are entrepreneurs who have launched their own small business delivering packages on behalf of Amazon. DSPs operate out of Amazon's delivery stations and employ delivery van drivers who deliver Amazon packages. San Francisco DSP drivers currently start at \$21.00 per hour, but can trend higher dependent upon market conditions. DSP Drivers also receive full benefits.
- Managers – Managers are employed by Amazon for managing the sortation process, and by DSP owners for managing the delivery process.
- Amazon Flex- Amazon Flex is an innovative program, launched in 2015, that gives individuals the opportunity to be their own boss as an independent contractor while delivering for Amazon. Delivery partners use their own vehicles and set their own schedule via the Amazon Flex app (available on Android and iOS devices). Flex drivers can earn between \$22 and \$25 per hour.

amazon FLEX



We're  
HIRING



# Advancement Opportunities within Amazon

All associates go through hours of safety training and ongoing coaching and have access to continuing education opportunities through Amazon's upskilling programs, such as;

- Career Choice, in which the company will pre-pay up to 95 percent of tuition for courses related to in-demand fields, regardless of whether the skills are relevant to a career at Amazon.
- Since the program's launch, more than 25,000 employees have pursued degrees in game design and visual communications, nursing, IT programming and radiology, to name a few.
- Lastly, Amazon has pledged to invest over \$700 million to provide upskilling training for 100,000 U.S. employees for in demand jobs. Programs will help Amazonians from all backgrounds access training to move into highly skilled roles across the company's corporate offices, tech hubs, fulfillment centers and transportation network, or pursue career paths outside of Amazon.

## Local hiring

Amazon is committed to hiring a local workforce that is reflective of San Francisco. To accomplish a local hire goal, Amazon has begun partnering with local workforce development organizations to market Amazon opportunities to San Francisco residents and surrounding areas.



Questions?



# EXECUTIVE SUMMARY

## PLANNING CODE TEXT & ZONING MAP AMENDMENT

**HEARING DATE: March 24, 2022**

**90-Day Deadline: April 18, 2022**

**Case Number:** 2022-000546PCAMAP [Board File No. 220041]  
**Initiated by:** Supervisor Walton / Introduced Jan 11, 2022  
**Staff Contact:** Jeremy Shaw, Citywide Division  
jeremy.shaw@sfgov.org, (628) 652-7449  
**Reviewed by:** Joshua Switzky, Land Use & Community Planning Program Manager  
joshua.switzky@sfgov.org, (628) 652-7464

**Recommendation:** Approval with Modifications

### Planning Code Amendment

The proposed Ordinance would amend the Planning Code by deleting Section 249.22 in its entirety and amending Zoning Map Sheets SU 08, SU 10, and SU 11 to eliminate the Industrial Protection Zone Special Use District; allow Social Service or Philanthropic Facilities uses greater than 5,000 gross square feet (gsf) in Production, Distribution and Repair 2 (PDR-2) districts, subject to a conditional use authorization; make and adopt environmental findings; and make findings of consistency with the general plan and the priority policies of planning code section 101.1.

#### The Way It Is Now:

1. Within the Industrial Protection Zone SUD, the provisions of M-1 and M-2 use districts prevail, with the exceptions that residential and office uses are not principally permitted.
2. Within PDR-2 districts, Social Service or Philanthropic Facilities uses greater than 5,000 gsf are not permitted.

#### The Way It Would Be:

1. The Industrial Protection Zone SUD would be eliminated, and all provisions of the Planning Code and underlying PDR zoning districts would apply.
2. Within PDR-2 districts, Social Service or Philanthropic Facilities uses greater than 5,000 gsf would be



allowed subject to a Conditional Use permit, or Principally Permitted if a development application was submitted on or before December 31, 2021.

## **Summary**

Adopted in 2002, the Industrial Protection Zone Special Use District (IPZ) was a stopgap measure to protect production, distribution and repair (PDR) business districts from higher-paying residential and office uses. While the IPZ protected PDR uses from competition during the Eastern Neighborhoods and Bayview planning processes, it was intended to be replaced by the stronger PDR zoning controls adopted in 2008. It was an oversight to not remove the IPZ at that time. Removing the IPZ would increase the clarity of the Planning Code and better protect the businesses it was originally designed for.

## **Background**

The Industrial Protection Zone comprises four contiguous areas (see Exhibit C). The largest is generally bounded by 25<sup>th</sup> /26<sup>th</sup> Streets to the north, the Caltrain right-of-way to the east, Oakdale/I-280 to the South, and Barneveld/Loomis to the west. The second area lies just to the east of the Caltrain right-of-way, between Islais Creek to the north and the PUC Southeast Treatment Plant to the South. The third includes parcels between 25<sup>th</sup> Street, I-280, Cesar Chavez and the Caltrain right-of-way. And the fourth comprises several SFPUC parcels near the intersection of Oakdale and Phelps. Nearly all privately owned parcels in the SUD are classified as core Production, Distribution and Repair (PDR-2). One parcel in the north is classified as PDR-1-G, while several contiguous parcels in the south are classified as PDR-1-B.

Within the IPZ the M-1 and M-2 zoning controls prevail. For decades, the M districts have allowed for a wide array of industrial and maritime uses in the eastern half of San Francisco, including those involving heavy truck traffic, noise generation or noxious emissions. When these zoning classifications were created, there was little demand from non-industrial uses in the industrial areas. Consequently, the operational and economic conflict between industrial uses and non-industrial uses was low.

Since the 1990s, however, the permissiveness of the M zones has been found obsolete and ineffective in dealing with the City's market forces and land use dynamics. As the City's economy changed over the last three decades, sensitive and more economically attractive uses like housing and office located within or adjacent to the M Districts. This raised concerns about compatibility and quality of life for residents in areas not designed for residential life; concerns about the ability to conduct industrial activity in such environments; and concerns about the preservation of industrially used land necessary for the City's economic functions and diversity.

As a result of these dynamics, over the past 20 years the City rezoned almost all M-zoned parcels not under the jurisdiction of the Port, through the Eastern Neighborhoods, Bayview, and other comprehensive planning efforts. Several M district parcels in the Bayview and along infrastructure corridors were rezoned in September 2020 (Board Files 200086 and 200852).

It was an oversight not to remove the IPZ when PDR zoning was adopted in 2008. By referring to obsolete M-1 and M-2 zoning, the IPZ undermines the more robust, underlying PDR controls. It leaves a loophole that allows self-storage, big box retail, and heavy industrial uses that are inappropriate for active and thriving PDR neighborhoods.

To address this oversight, the Planning Commission recommended eliminating the IPZ at the July 22, 2021 hearing, as a modification to [Board File No. 210497](#) (eliminating the Life Science and Medical Special Use District). The Commission's recommendation also included a grandfathering clause for projects with permit applications on file by July 22, 2021. It was determined that the modification required additional noticing and a separate hearing. Supervisor Walton incorporates the recommendation to eliminate the IPZ in this proposed Ordinance, Board File No. 220041.

## **Issues and Considerations**

The Planning Code and Zoning Map are continually amended to harmonize with actual land uses, accommodate new economic activities or address community needs, including the general health and welfare. For example, the Urban Mixed Use (UMU) and PDR districts arose from the effort to balance two on-going and competing needs in eastern San Francisco. One is to appropriately accommodate new housing in industrial areas allowed to transition to residential neighborhoods. The other is to preserve existing industrial uses and land zoned for those uses. These new districts arose, in part, from the realization that the regulatory frameworks of the M-1 and M-2 zoning districts were outdated and no longer satisfied the City's needs or functional realities. The removal of the IPZ is the logical extension of these amendments and supports policies designed to preserve adequate space and affordability for PDR businesses.

## **General Plan Compliance**

This legislation is supported by the city's General Plan, which lists priorities, goals, and policies in support of San Francisco's economic vitality, social equity, and environmental quality. General Plan Priority Policy Five seeks to maintain a diverse economic base by protecting industrial and service sectors from displacement due to commercial office development. The Commerce and Industry Element includes specific policies that seek to retain and attract diverse commercial and industrial activity; promote employment for a range of skill levels; maintain space for incubator activity; and control the encroachment of incompatible uses on viable industrial activity. Finally, the Bayview Hunters Point Plan encourages a variety of light industrial businesses and support for local and African American-owned PDR firms. By removing the IPZ, the more robust PDR-2 zoning controls would prevail and better align with these General Plan policies.

## Social Services and Philanthropic Activities

Most of the parcels in the IPZ SUD are classified as PDR-2. Removing the IPZ would activate the underlying PDR-2 zoning, which does not allow Social Services and Philanthropic Facilities uses larger than 5,000 gross square feet (gsf).

Social services and philanthropic uses are permitted in PDR-2 because many charitable organizations require general operations or offices adjacent to PDR facilities (e.g., distribution, warehousing) that are essential to their mission. Some social services or philanthropic facilities of this nature exceed 5,000 gsf.

The proposed Planning Code amendment would allow for social services and philanthropic facilities of more than 5,000 gsf, subject to the Conditional Use process. This change would still meet the intent of the PDR districts, while enabling philanthropic organizations to better serve San Francisco.

The Planning Department is currently reviewing one project application with more than 5,000 gsf of Social Service or Philanthropic Facility uses. Since the project submitted an application before December 31, 2021, it would be Principally Permitted per the grandfathering clause in the proposed Planning Code amendment.

## Racial and Social Equity Analysis

Part of the Department's Racial and Social Equity Initiative is to understand how the proposed Planning Code and Zoning Map amendments provide benefits, burdens, and opportunities toward advancing racial and social equity. This is consistent with the Mayor's Citywide Strategic Initiatives around equity and accountability and Office of Racial Equity practices.

The proposed Planning Code amendments further racial and social equity by better protecting PDR businesses from economic competition and displacement. This creates more opportunity for PDR jobs and careers, which generally provide higher salaries for workers without college degrees than other sectors provide. Local PDR businesses have also been known to hire locally more often than other sectors, providing opportunity for young residents and other San Franciscans seeking career pathways.

The proposed amendments also support social services, which provide diverse employment and whose missions may further racial and social equity in San Francisco. For example, non-profit organizations providing food delivery services are essential to reducing the health disparities that result from food insecurity in San Francisco.

## Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

## Recommendation

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## Basis for Recommendation

*The Department supports the overall goals of the proposed Ordinance due to the following factors:*

- The Planning Commission adopted a resolution to remove the IPZ in July 2021.



- The ordinance is supported by General Plan Priority Policy 5; Commerce and Industry Element Policies 1.3, 2.1, 3.1, 4.2, 4.3, 4.5 and 4.11; and Bayview Hunters Point Area Plan Policies 1.1, 1.5, 8.1, 9.1 and 9.3.
- The proposed Ordinance is consistent with industrial protection ordinances adopted by the Planning Commission and the Board of Supervisors in the past. On June 3, 2008, the Board of Supervisors adopted PDR zoning use districts. On December 9, 2008, the Board of Supervisors adopted the Eastern Neighborhoods Program, which applied the PDR controls to the majority of areas previously zoned M-1 or M-2. On September 22, 2020, the Board of Supervisors rezoned the remaining M-1 and M-2 parcels outside of Port jurisdiction to PDR and other zoning designations.
- The Ordinance would eliminate an SUD that references obsolete M-1 and M-2 zoning districts and does not effectively protect the PDR businesses.
- The ordinance is consistent with staff efforts to support economic recovery through Planning Code protections of PDR districts.

**Recommendation 1: Modify the Ordinance to allow limited grandfathered projects with self-storage in the PDR-2 district if they include space for PDR use.**

General self-storage for public use is considered a retail use and is thus limited in PDR districts. Two self-storage proposals would be affected by the proposed Ordinance. One project submitted a project application in July 2021. The other submitted a preliminary project assessment (PPA) application in February 2022. Staff recommend modifying the Ordinance to allow limited grandfathering for self-storage projects in the PDR-2 zoning district, if such use is part of a development application that was either:

- (1) submitted on or before December 31, 2021, or
- (2) submitted in 2022 prior to effective date of this ordinance, with no less than fifty percent of the parcel area consisting of ground floor industrial, agricultural, automotive repair, catering, trade office, or trade shop 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**

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

## Public Comment

As of the date of this report, staff have conducted outreach to the Dogpatch Neighborhood Association, the Potrero Hill Boosters, the SF Market Zone working group, and project sponsors that may be affected by the ordinance. Staff have not received any objections to the ordinance.

### Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 220041
- Exhibit C: Map of Industrial Protection Zone SUD



# PLANNING COMMISSION RESOLUTION NO. XXXX

**HEARING DATE: MARCH 24, 2022**

**Project Name:** Industrial Protection Zone Special Use District  
**Case Number:** 2022-000546PCAMAP [Board File No. 220041]  
**Initiated by:** Supervisor Walton / Introduced January 11, 2022  
**Staff Contact:** Jeremy Shaw, Citywide Division  
jeremy.shaw@sfgov.org (628) 652-7449  
**Reviewed by:** Joshua Switzky, Land Use & Community Planning Manager  
joshua.switzky@sfgov.org (628) 652-7464

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE TO ELIMINATE THE INDUSTRIAL PROTECTION ZONE SPECIAL USE DISTRICT, AND ALLOW SOCIAL SERVICE OR PHILANTHROPIC FACILITIES USES GREATER THAN 5,000 GROSS SQUARE FEET SUBJECT TO A CONDITIONAL USE AUTHORIZATION IN PRODUCTION, DISTRIBUTION, AND REPAIR 2 (PDR-2) DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, on January 11, 2022 President Walton introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 220041, which would eliminate the Industrial Protection Zone Special Use District (SUD), Planning Code Section 249.22, and delete the “Industrial Protection Zone SUD” from Special Use District Zoning Map Sheets SU 08, SU 10 and SU 11, and allow Social Service or Philanthropic Facilities uses greater than 5,000 gross square feet subject to a conditional use authorization in PDR-2 districts; and,

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on March 24, 2022; and,

WHEREAS, the proposed Ordinance is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment; and,



WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby approves with modifications the proposed ordinance. The Commission's proposed recommendations are as follows:

Allowing limited grandfathering for self-storage projects in the PDR-2 zoning district, if such use is part of a development application that was either:

- submitted on or before December 31, 2021, or
- submitted in 2022 prior to effective date of this ordinance, with no less than fifty percent of the parcel area consisting of ground floor industrial, agricultural, automotive repair, catering, trade office, or trade shop uses.

## Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission finds the proposed Ordinance is in accordance with the General Plan as it will maintain and enhance a sound and diverse economic base and fiscal structure for the city. The Ordinance supports the retention of PDR businesses and jobs in the Bayview.

## General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

### COMMERCE AND INDUSTRY ELEMENT

#### OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

##### Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

#### OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

##### Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

#### OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

##### Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

#### OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

##### Policy 4.2

Promote and attract those economic activities with potential benefit to the City.

##### Policy 4.3

Carefully consider public actions that displace existing viable industrial firms.

##### Policy 4.5

Control encroachment of incompatible land uses on viable industrial activity.

##### Policy 4.11

Maintain an adequate supply of space appropriate to the needs of incubator industries.

*By supporting protections against PDR displacement due to competition from higher paying uses, the proposed Ordinance helps maintain a sound and diverse economic base; expand employment opportunities, particularly for the economically disadvantaged; and improve the viability of existing industry and the attractiveness of the City for new industry.*

## BAYVIEW HUNTERS POINT AREA PLAN

### OBJECTIVE 1

STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.

#### Policy 1.1

Improve the relationship between housing and industry throughout Bayview Hunters Point, particularly in the Northern Gateway and South Basin areas, where light industry transitions to residential.

#### Policy 1.5

Encourage a wider variety of light industrial uses throughout the Bayview by maintaining the newly established Production, Distribution and Repair zoning, by more efficient use of industrial space, and by more attractive building design.

### OBJECTIVE 8

STRENGTHEN THE ROLE OF BAYVIEW'S INDUSTRIAL SECTOR IN THE ECONOMY OF THE DISTRICT, THE CITY, AND THE REGION.

#### Policy 8.1

Maintain industrial zones for production, distribution, and repair activities in the Northern Gateway, South Basin, Oakinba, and India Basin Industrial Park subdistricts.

### OBJECTIVE 9

IMPROVE LINKAGES BETWEEN GROWTH IN BAYVIEW'S INDUSTRIAL AREAS AND THE EMPLOYMENT AND BUSINESS NEEDS OF THE BAYVIEW HUNTERS POINT COMMUNITY.

#### Policy 9.1

Increase employment in local industries.

#### Policy 9.3

Support expanded role of African American firms in distribution and transportation industries.

*The proposed Ordinance helps encourage the transition of the Bayview Hunters Point Area Plan to a variety of light industrial uses; and helps protect and improve linkages for Bayview industrial businesses and employment.*



### Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have a negative effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

**Planning Code Section 302 Findings.**

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on March 24, 2022.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: March 24, 2022

1 [Planning Code, Zoning Map - Production, Distribution, and Repair Uses]

2  
3 **Ordinance amending the Planning Code and Zoning Map to eliminate the Industrial**  
4 **Protection Zone Special Use District, and allow Social Service or Philanthropic**  
5 **Facilities Uses greater than 5,000 gross square feet subject to a conditional use**  
6 **authorization in Production, Distribution, and Repair 2 (PDR-2) districts; affirming the**  
7 **Planning Department's determination under the California Environmental Quality Act;**  
8 **making findings of consistency with the General Plan, and the eight priority policies of**  
9 **Planning Code, Section 101.1; and making findings of public necessity, convenience,**  
10 **and welfare pursuant to Planning Code, Section 302.**

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

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

19 Section 1. Land Use and Environmental Findings.

20 (a) The Planning Department has determined that the actions contemplated in this  
21 ordinance comply with the California Environmental Quality Act (California Public Resources  
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
23 Supervisors in File No. 220041 and is incorporated herein by reference. The Board affirms  
24 this determination.

25 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
adopted findings that the actions contemplated in this ordinance are consistent, on balance,



1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
3 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board of Supervisors find that this  
5 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in  
6 Planning Commission Resolution No. \_\_\_\_\_, and incorporates such reasons by this  
7 reference thereto. A copy of said resolution is on file with the Clerk of the Board of  
8 Supervisors in File No. \_\_\_\_\_.

9  
10 Section 2. General Findings.

11 (a) The Industrial Protection Zone Special Use District (IPZ) was created in 2001 to  
12 protect M-1 and M-2 industrial areas from the economic pressure of higher-rent uses like  
13 residential, retail, and office. The IPZ is premised upon Manufacturing (M-1 and M-2) zoning,  
14 and is predominantly located in the Bayshore and Bayview neighborhoods.

15 (b) The IPZ was intended to be removed when stronger Production, Distribution,  
16 and Repair (PDR) zoning controls generally replaced M-1 and M-2 zoning in 2008. However,  
17 the IPZ still remains and continues to refer to the outdated M-1 and M-2 zoning. This causes  
18 undue confusion, and undermines the PDR-2 controls that apply to neighborhoods located in  
19 the IPZ.

20 (c) Under the M-1 and M-2 zoning, self-storage, big box retail, or heavy industrial  
21 uses are permitted in areas that are more appropriately characterized as PDR, which would  
22 not allow those uses.

23 (d) It is in the public interest to amend the zoning controls, and delete the IPZ to  
24 better support San Francisco's PDR businesses.

1 (e) Social services and philanthropic facilities that conduct activities of a charitable  
2 or public service nature that inherently involve PDR space or activities (e.g., distribution,  
3 warehousing) may require locating their general operations or offices near such PDR spaces  
4 or facilities.

5  
6 Section 3. Article 2 of the Planning Code is hereby amended by deleting Section  
7 249.22 in its entirety, as follows:

8 **~~SEC. 249.22. INDUSTRIAL PROTECTION ZONE SPECIAL USE DISTRICT.~~**

9 ~~—A Special Use District entitled the "Industrial Protection Zone Special Use District," the~~  
10 ~~boundaries of which are shown on the Zoning Maps 8 and 10, is hereby established for the purposes set~~  
11 ~~forth below. The following provisions shall apply within the Industrial Protection Zone Special Use~~  
12 ~~District:~~

13 ~~—(a) Purposes. In order to protect and preserve production, distribution and repair land uses~~  
14 ~~and activities from competing higher priced land uses and activities an Industrial Protection Zone~~  
15 ~~Special Use District zoning is established that:~~

16 ~~—(1) Will enhance commercial and industrial land use diversity in San Francisco;~~

17 ~~—(2) Will be geographically close to other San Francisco land uses that require the goods~~  
18 ~~and services provided by industrial land uses in the City;~~

19 ~~—(3) Will be conveniently served by street and highway systems and San Francisco Port~~  
20 ~~related waterfront access.~~

21 ~~—(b) Controls.~~

22 ~~—(1) General. The provisions of the M-1 and M-2 use districts established by Section 201 of~~  
23 ~~this Code shall prevail except as provided in paragraphs (2) and (3) below.~~

24 ~~—(2) Housing. In recognition of the need to preserve and protect production, distribution~~  
25 ~~and repair land uses and facilities from competition from housing development, no residential or~~

live/work development or conversion to such uses shall be allowed in the Industrial Protection Zone Special Use District.

~~— (3) Office. In recognition of the need to preserve and protect production, distribution and repair land uses and facilities from competition from office development, no new office development or conversion to office shall be allowed in the Industrial Protection Zone Special Use District except where such office space is determined to be accessory to a permitted industrial use.~~

Section 4. Article 2 of the Planning Code is hereby amended by revising Section 210.3, to read as follows:

**SEC. 210.3. PDR DISTRICTS.**

\* \* \* \*

**Table 210.3**

**ZONING CONTROL TABLE FOR PDR DISTRICTS**

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
Institutional Use Category					
* * * *					
Social Service or Philanthropic Facility	§ 102	P (5)	P (8)	P (8)	P <del>(5)</del> <u>(8)</u>
* * * *					

(5) NP above 5,000 Gross Square Feet.

\* \* \* \*

1 (8) C if above 5,000 Gross Square Feet, provided that any Social Service and  
2 Philanthropic Facility Use greater than 5,000 Gross Square Feet that submitted a development  
3 application on or before December 31, 2021 shall be Principally Permitted. This exception for Social  
4 Service and Philanthropic Facilities Uses greater than 5,000 Gross Square Feet in this note (8) shall  
5 expire by operation of law on December 31, 2026, unless the City enacts an ordinance with an effective  
6 date on or before that date that extends or re-enacts this exception. Any authorizations granted under  
7 this exception for Social Service and Philanthropic Facility Uses greater than 5,000 Gross Square Feet  
8 shall be valid for such period of time as the conditions of approval of such authorization provide,  
9 notwithstanding the expiration of this exception. Following the expiration of this exception, the City  
10 Attorney shall cause this exception to be removed from note (8), which will henceforth denote that Uses  
11 greater than 5,000 Gross Square Feet are permitted subject to a Conditional Use Authorization.

12 \* \* \* \*

13  
14 Section 5. The San Francisco Zoning Map is hereby amended by deleting the  
15 “Industrial Protection Zone Special Use District” from Zoning Map Sheets SU 08, SU 10 and  
16 SU 11.

17  
18 Section 6. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides the Mayor’s veto of the ordinance.

22  
23 Section 7. Scope of Ordinance. Except as stated in Section 5 of this ordinance  
24 regarding amendment of the Zoning Map, in enacting this ordinance, the Board of Supervisors  
25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,





