

MEMORANDUM

August 7, 2008

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Rodney Fong, Vice President
Hon. Michael Hardeman
Hon. Ann Lazarus
Hon. Stephanie Shakofsky

FROM: Monique Moyer
Executive Director

SUBJECT: Informational briefing on the Waterfront Land Use Plan

DIRECTOR'S RECOMMENDATION: NO ACTION REQUIRED

Introduction

The Waterfront Land Use Plan (“Waterfront Plan” or “Plan”) is the official land use planning document approved by the San Francisco Port Commission. It sets general land use policies and a regulatory context for these policies, which apply to all properties under the jurisdiction of the Port of San Francisco, from Fisherman’s Wharf at the north end to India Basin, within the Bayview Hunters Point district, at the south end.

The Waterfront Plan was developed by the Port in response to an initiative, Proposition H, approved in 1990. Proposition H required that a Waterfront Land Use Plan be produced for Port property within 100 feet of the San Francisco Bay shoreline, and that it be developed through a public planning process which incorporated maximum public participation. Proposition H established a moratorium on commercial development until the completion of the Plan, and a permanent ban on the development of hotels on the Port’s piers.

This staff memorandum is intended to provide a “refresher course” for those who participated in the development of the Waterfront Plan and/or watched from the sidelines or, for those who have arrived more recently at the waterfront, to inform them about the Plan’s purpose and intent. Recently, the Port has received requests for a review of the Waterfront Plan, and Port staff will be producing a report, summarizing the varied and numerous planning and waterfront improvement projects and initiatives that have occurred under the guidance of the Plan.

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Port staff believes it is important for the public to have an understanding about how the Waterfront Plan was developed, and the key issues and perspectives that it reflects, as context for any review of subsequent projects and developments. That is the focus of this informational report. This also provides the opportunity for staff to provide clarification and address questions from the Commission and the public about the Plan, prior to producing another report reviewing the projects and issues that have occurred. The Waterfront Plan is posted on the Port's website, http://www.sfport.com/site/port_page.asp?id=31773.

Waterfront Land Use Plan

Proposition H provided the option for the Port to carry out the work to produce a Waterfront Land Use Plan or, if the Port did not agree, have the Board of Supervisors designate another agency for the job. Previously, it had been the Planning Department, Redevelopment Agency or the San Francisco Bay Conservation and Development Commission (BCDC) which had taken lead roles to produce plans for Port waterfront property. But Proposition H turned out to be a wake-up call, where the Port realized that, for the first time, it needed to take the reins for this project.

The Port also recognized the essential importance of creating a public process for developing the Waterfront Plan that was thorough and rational, and which incorporated authentic and meaningful public debate and participation. To that end, the Port positively surprised many in the way it chose to structure the process and content of the planning study:

- The Port elected to expand the scope of the Waterfront Plan to include all properties under its jurisdiction, far more than required under Proposition H, which pertained to piers and lands within BCDC's permit authority.
- The Port created the Waterfront Plan Advisory Board (WPAB) to develop and recommend the Plan to the Port Commission. A 27-member body, the WPAB members were appointed by the Mayor, Board of Supervisors and the Port Commission to ensure broad representation and participation in developing land use policies for the waterfront. It was the Port and public's very good fortune that Mayor Art Agnos appointed Robert Tufts to chair the Advisory Board. Mr. Tufts also then served as chair of the BCDC Commission, and he was highly respected for his fair, open and congenial style which fostered consensus-based planning outcomes.
- Following a detailed and comprehensive orientation on the Port, the WPAB followed a three-phase process to develop the Plan, which answered directly to Proposition H's mandate to give top priority to reserving sufficient land for maritime land uses, as well as a full examination of other desirable land uses to expand public enjoyment along the waterfront:
 - 1) Phase 1: Analyze current and future needs of maritime industries and identify lands needed to meet those needs;
 - 2) Phase 2: Define non-maritime uses that are desirable and acceptable for the waterfront;
 - 3) Phase 3: Integrate and define land designations for maritime and non-maritime land uses

Out of this process, the Plan emerged which establishes broad goals and general land use policies that apply Port-wide, with the overarching objective of “Reuniting San Francisco with its Waterfront”. Then, it divides the 7.5 miles of Port jurisdiction into five waterfront subareas. From north to south, these subareas are: 1) Fisherman’s Wharf (Hyde Street Pier through Pier 39); 2) Northeast Waterfront (Pier 35 to Pier 7); 3) Ferry Building (Pier 5 through Rincon Park); 4) South Beach/China Basin (Pier 22-1/2 to Mariposa Street at the south end of Mission Bay); and 5) Southern Waterfront (Pier 68 to India Basin). Attachment A contains a map showing the boundaries of these subareas.

Within each waterfront subarea, the Plan also sets forth objectives particular to that area, identifies acceptable maritime and non-maritime uses for each property, and locations of public open spaces and “Waterfront Mixed Use Opportunity Areas”. Here, the Plan intends to create a series of places along the waterfront which bring together new development that extends the City out to the piers, incorporating public access and open spaces, and compatible maritime uses. In so doing, these new developments in the Mixed Use Opportunity Areas would be unique, distinct from mixed use development elsewhere, while also responding to the Port’s mission and Proposition H priority of protecting and promoting maritime industry along San Francisco’s waterfront.

The planning work was detailed and exhaustive, including industry analyses for each maritime use, focus group meetings with maritime stakeholders, financial feasibility analyses, consultation with developers, and workshops on public open space, transportation, and historic preservation issues. Attachment B provides a chronology and more details on the work conducted.

The dedication of the WPAB was extraordinary. From one end of the waterfront to the other, they labored through meetings twice a month for four years to develop the draft Plan. Along the way, it became clear that the planning process should provide direction on urban design, public access and open space, and historic preservation principles to be incorporated into waterfront projects. Accordingly, the Port created a waterfront urban design technical advisory committee which advised development of the Waterfront Design & Access element of the Waterfront Plan. Together, the Waterfront Plan and its Design & Access element were forwarded to the Port Commission for its consideration. With only a few refinements, the Waterfront Plan package was unanimously approved by the Port Commission in July 1997.

Waterfront Plan Perspectives

The goals, policies and discussions presented in the Waterfront Plan were outcomes of many involved discussions. It is helpful to review some of the thoughts and perspectives that influenced the form and content of the Plan.

There was a great deal of excitement and expectation associated with the Mixed Use Opportunity Areas identified in the Waterfront Plan. The Port and WPAB had consulted with developers and reviewed economic studies conducted during the planning process, and believed that the revenue-generating potential of the extraordinary location and setting of the Port’s piers and properties would support successful public-private development partnerships. Those developments were expected to deliver the maritime and public benefits sought in the Plan, along with the mixed use development programs. The WPAB understood that the Port’s financial condition precluded the option of the Port underwriting waterfront improvement projects on its

own. And, while it was recognized that the Port would still have to pursue other funding and financing tools, public-private development partnerships were considered key to spurring waterfront revitalization, and producing surplus revenues to fund other public improvements.

The WPAB also recognized that the then-current waterfront policies, regulations and interpretations of those rules by other government agencies, including the City itself, had played a role in the lack of successful economic investment in the waterfront. The WPAB thus chose to develop the Waterfront Plan to reflect its vision of what was possible and desirable, even if some of the policies and choices ran up against regulatory constraints. The expectation was that if the ideas resonated with the public, the rule changes necessary to enable them eventually would come about.

Despite the broad reach of the Waterfront Plan goals and objectives, the Plan was never intended to pre-define development programs or outcomes for specific projects. After reviewing a long history of prior planning and development efforts (many of which were unsuccessful), the Waterfront Plan Advisory Board concluded that each individual project occurs in its own time and place, defined by the public and other government agencies in addition to current and future Port Commissions. Thus, the WPAB maintained its focus on establishing a sound land use policy framework to guide future improvements, consistent with the mandate of Proposition H. Land use policies were not prescriptive, but rather defined a menu of possible acceptable uses for consideration in future specific projects.

The WPAB recognized that the review and debate of the particulars of a specific development or waterfront improvement project would have to include stakeholders at the time proposals were made, including waterfront regulators and decision-makers. As such, there was substantial discussion about how the Waterfront Plan would be implemented. The WPAB concluded that it was important to create a framework for reviewing individual development projects to seek public input and consensus, or otherwise risk creating yet another public planning document that did not yield actual improvements for the waterfront. For these reasons, the WPAB recommended a site-specific development process for major projects, which includes creation of an advisory group to provide input and guidance on a project, prior to developer solicitations. The Plan also set forth implementation strategies, including actions required by BCDC and the City, to reconcile and streamline policy and project review of waterfront projects.

Through much of the planning process, the Port enjoyed a close and cooperative working relationship with the San Francisco Planning Department and BCDC. When the Proposition H planning process began, both agencies recognized that many of the policies in their approved plans were outdated. While it was not always apparent where the Waterfront Plan policies might end up or whether they would be acceptable to either or both of these agencies, it was anticipated that the Port's planning process offered the opportunity to update the Planning Department and BCDC's plans as well. With respect to urban design concerns, Planning Department staff worked side-by-side with Port staff to produce the Waterfront Design & Access element, as well as have other Planning staff, and BCDC and Save San Francisco Bay staff serve as members of the design technical advisory committee. The broad scope of the design, historic preservation, and public open space policies and guidelines did not include any changes to building height or envelope limits, because there were no apparent conflicts with the mix of uses and design criteria that had been developed.

At the time the Port's planning process was underway, the City and public also were expending enormous energy on transportation planning. The recasting of The Embarcadero to a major urban boulevard, with a wide continuous pedestrian promenade, bicycles lanes, and integration of light rail public transit had been a vision of the City since the 1970's and through the 1980's. The closure of the Embarcadero Freeway after the 1989 Loma Prieta earthquake created the opportunity for action which had eluded several previous City attempts to implement these transportation improvements. Even though they were to all occur on Port property, it took the full strength and leadership of the City to achieve the benefits the public enjoys today. Given this, the Port and WPAB planning process did not need to include transportation planning as part of the Waterfront Plan effort. In fact, the main question was whether the Port would be successful in arriving at a publicly supported Waterfront Plan to foster reuse of the piers, and complement the revitalization of The Embarcadero.

Next Steps

This briefing is intended to provide the Commission and public with an understanding of what the Waterfront Plan is, how it was developed, and its purpose in setting a framework to inform specific projects and further planning efforts. Since its original approval, the Port has completed or undertaken significant additional planning work with its community partners throughout the waterfront. Perhaps the most noteworthy are the successful joint planning efforts with the San Francisco Planning Commission, Board of Supervisors, and BCDC to agree and align the waterfront planning policies in the planning documents for each of our entities between 1998 and 2000.

It also has been a time of great learning about the intricacies of carrying out projects to realize the objectives of the Waterfront Plan. The interplay of land use choices, community expectations, volatile maritime industry conditions, market and economic realities, regulatory objectives, and the physical constraints of the Port's aging historic piers is complex and has raised challenges that have caused the Port to continually review and assess the Waterfront Plan. While no Plan guarantees successful outcomes every time, the Waterfront Plan has been a compass for the Port, providing a relevant and solid foundation that already has helped realize many successful projects and delights that are transforming the waterfront into the public gathering place that was envisioned.

Staff will be preparing another report in 2009 to summarize the numerous planning and projects that have occurred under the Waterfront Plan. These efforts, large and small, some of which involved amendments to the Waterfront Plan, all have been conducted with public review and comment. However, in response to recent requests for a review of the Waterfront Plan, that future report will provide an overview and assessment of these efforts collectively, for public review and comment. In the meantime, the Port welcomes questions and comments on this topic.

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ATTACHMENT A – SUBAREA BOUNDARY MAP

ATTACHMENT B
DEVELOPING THE PORT OF SAN FRANCISCO
WATERFRONT LAND USE PLAN
Summary of Process and Milestones

Prepared for the Northeast Waterfront Advisory Group, June 6, 2007

November 1990 – Proposition H approved

January – June 1991 – Port takes lead on developing public planning process, solicits appointees from the Mayor, Board of Supervisors, and application and selection process for Port Commission appointment of waterfront stakeholders to form the Waterfront Plan Advisory Board (WPAB).

July – November 1991 – Comprehensive Port orientation for WPAB and public, including State waterfront grant to City & County of San Francisco, past planning and development efforts, public trust and regulatory context, Port financial conditions

December 1991 – October 1992 – Phase I of the Waterfront Plan process, focusing exclusively on analyzing and defining the needs and land requirements of each maritime industry

November 1992 – Summer 1993 – Phase II of the Waterfront Plan process, including public vision sessions, defining goals for the Plan, presentations on open space, urban design, historic preservation, transportation, to identify non-maritime uses for the waterfront

October 1993 – Publication of *Options for Change, Land Use Choices for the Waterfront Plan*, based on public and WPAB comment, which was reviewed by the San Francisco Planning Department and analyzed in their separate report, *Staff Analysis of the Port's "Options for Change" Report*.

December 1993 – Publication of *Financial and Economic Analysis of Test Scenarios for the Port of San Francisco Waterfront Land Use Plan*, Economic Planning Systems, which assessed the economic feasibility of various combinations of Port improvement projects that could be promoted in the Plan

Fall 1993 - April 1994— Public workshops to review acceptable long-term land uses for each subarea, and definition of unacceptable land uses pursuant to Proposition H

June 1994 – Release of Draft Waterfront Land Use Plan, recommended by the WPAB

Summer – Fall 1994 – Public review of the Draft Plan

January 1995 – After several public hearings, Port Commission authorizes commencement of Waterfront Plan EIR process. The EIR was completed and certified by the Planning Commission in January 1997.

January 1996 – May 1997 – At the direction of Port Commission, Port works with Planning Department, BCDC, Save the Bay and a nine member Urban Design Technical Advisory

Committee to produce the Waterfront Design & Access Element of the Waterfront Plan, which included completion of Port of San Francisco Historic Resources Survey, by Architectural Resources Group and Anne Bloomfield, Architectural Historian.

May 1997 – June 1997 – Public review of the Waterfront Plan and Design & Access Element by Planning Commission, Landmarks Board, BCDC

June 1997 -- Port Commission adopts the Waterfront Land Use Plan and Design & Access Element

August 1997 – January 1998 – Port works with Planning Department to draft amendments to the General Plan, Planning Code, Zoning Map, which were approved unanimously by the Planning Commission and then the Board of Supervisors in January 1998.

December 1996 – July 2000 – Plan proposals, negotiations, public meetings of Port/BCDC Committee to develop amendments to BCDC plans, further refinements to Port's Waterfront Plan, to align waterfront policies, implementation and linkages to bring improvements to the Bay, new public parks in sync with new major waterfront development projects. Conforming amendments to the Waterfront Plan and BCDC's San Francisco Waterfront Special Area Plan were approved by the Port and BCDC Commissions, respectively, in 2000.