

1 [Site for New Library Branch - 100 Orizaba Avenue]

2 **Ordinance requiring that the new Public Library branch serving the Oceanview, Merced**  
3 **Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of**  
4 **land at 100 Orizaba Avenue (Assessor's Parcel Block No. 7136, Lot No. 060), subject to**  
5 **environmental review, required approvals, and other applicable laws; and prohibiting**  
6 **the expenditure of City funds to explore, pursue, or plan construction of a new Public**  
7 **Library branch serving those neighborhoods at any alternate location, except as**  
8 **required by the environmental review process, required approvals, or other applicable**  
9 **laws.**

10  
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. Background and Findings.

20 (a) An October 10, 2019 Memorandum from the City Librarian to the Library  
21 Commission detailed the following: At the Library Commission meetings of April 18 and July  
22 18, 2019, Library staff provided updates on Branch Capital Projects, which included  
23 information about a series of community meetings with Oceanview neighborhood residents  
24 regarding the prospective renovation of the Oceanview Branch Library. Three community  
25 meetings in February and March 2019 yielded valuable feedback regarding residents' level of  
support for and concerns about renovating the existing Oceanview Branch Library facility.

1 Community members shared that the existing building had numerous deficiencies including:  
2 very limited space for physical collections, lack of adequate seating and study tables, lack of a  
3 designated area for teens, lack of spaces for individual or group study, and an inadequate  
4 meeting room that is unable to accommodate attendees of library events. Community  
5 members expressed serious reservations about the efficacy of renovating the existing space  
6 to address the community's needs for library services. Oceanview residents strongly  
7 conveyed the need for a new library branch to be constructed at a new location to serve their  
8 growing population, and to address the historical inequity in the level of library services  
9 available to residents in their area of the City as compared to other areas. With support from  
10 the District 11 Supervisor to identify City-owned property in the neighborhood, the Library  
11 partnered with the Department of Public Works to draft a Site Feasibility Report for  
12 undeveloped land parcels along Brotherhood Way. A copy of the October 10, 2019  
13 Memorandum is on file with the Clerk of the Board of Supervisors in File No. 240017.

14 (b) Library staff presented an Oceanview Branch Library Site Feasibility Report for  
15 undeveloped land parcels along Brotherhood Way at the October 17, 2019 Library  
16 Commission meeting. A Public Works architect also discussed the Site Feasibility Report at  
17 the meeting. The presentation and discussion included details on the viability of different  
18 potential sites, and a range of preliminary cost estimates for building construction. The Site  
19 Feasibility Report specifically identified "Option D" (Parcel No. 7136/060) as meeting all site  
20 viability criteria and the recommended site. This information informed the Commission's  
21 consideration of additional budget allocations for the Oceanview Branch Library project as  
22 part of the Fiscal Years 2021-2022 and 2022-2023 budget process. A copy of the Site  
23 Feasibility Report and minutes from the October 17, 2019 Library Commission meeting are on  
24 file with the Clerk of the Board of Supervisors in File No. 240017.

25

1 (c) The Department of Public Works, in a letter dated May 21, 2021 to the Library,  
2 presented a “Memorandum of Understanding for the Proposal of Architectural Services for the  
3 Oceanview Branch Library, Concept Design & Preliminary Planning Application” (MOU) for a  
4 potential new library building to replace the existing Oceanview Branch Library. The MOU  
5 assumed that the project will be the development of the site boundary approximately  
6 comprising the site “Option D” (Parcel No. 7136/060) as depicted in the Oceanview Branch  
7 Library Site Feasibility Report. In the letter, Public Works defined the assumed site boundary  
8 in a dimensioned drawing as part of this project. A copy of the May 21, 2021 Public Works  
9 letter is on file with the Clerk of the Board of Supervisors in File No. 240017.

10 (d) The Planning Department issued a Preliminary Project Assessment on April 28,  
11 2022 for Public Works Case No. 2022-001023PPA that provided feedback regarding the  
12 project at 100 Orizaba Avenue, located at Block/Lot 7136/060, on an approximately 31,620  
13 square foot lot currently designated as public open space. A copy of the April 28, 2022  
14 Planning Department Preliminary Project Assessment is on file with the Clerk of the Board of  
15 Supervisors in File No. 240017.

16 (e) The Library conducted three publicly-noticed community meetings on June 8, 9,  
17 and 11, 2022 to gather community input on the Preliminary Project Assessment findings. The  
18 meetings were held virtually, and also in person at 446 Randolph Street and 345 Randolph  
19 Street. Community members expressed concerns about traffic safety and expressed an  
20 overall consensus in favor of the recommended location at 100 Orizaba Avenue, at Parcel No.  
21 7136/060.

22 (f) The San Francisco Municipal Transportation Agency (SFMTA) in a letter dated  
23 February 28, 2023 to the District 11 Supervisor, described SFMTA’s conceptual planning for  
24 improvements to the intersection of Brotherhood Way, Alemany Boulevard, Sagamore Street,  
25 and Orizaba Avenue, and adjacent roadways. Because of the intersecting roadways, multiple

1 travel lanes on many approaches, and unusual geometry, the SFMTA’s letter noted that the  
2 current street configuration could be modified for improved pedestrian access and safety to  
3 the Brotherhood Way Open Space, and improved general pedestrian and traffic safety.  
4 Implementation of these improvements would require dedicated funding, which was not  
5 identified at the time of SFMTA’s letter. The letter noted that funding, planning, and  
6 implementation of street improvements can be fully independent of any adjacent land use  
7 changes, including potential siting of a San Francisco Public Library branch nearby. A copy of  
8 the February 28, 2023 SFMTA letter is on file with the Clerk of the Board of Supervisors in File  
9 No. 240017.

10 (g) Following a lack of commitment from the Library to move forward with the 100  
11 Orizaba Avenue location at the Board of Supervisors’ Budget and Appropriations Committee  
12 hearings on June 16 and June 23, 2023, the Budget and Appropriations Committee put  
13 funding for the construction of the new Library branch on reserve for Fiscal Years 2023-2024  
14 and 2024-2025.

15 (h) On January 9, 2024, an ordinance was introduced at the Board of Supervisors to  
16 require that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside,  
17 and Lakeview neighborhoods be built on the City-owned parcel located at 100 Orizaba  
18 Avenue (Parcel No. 7136/060), subject to environmental review, required approvals, and other  
19 applicable laws. The ordinance, as introduced, also prohibited the expenditure of City funds to  
20 explore, pursue, or plan construction of a new Public Library serving these neighborhoods at  
21 any alternate location, except as required by the environmental review process, required  
22 approvals, or other applicable laws. A copy of the version of this ordinance as introduced on  
23 January 9, 2024 is on file with Clerk of the Board of Supervisors in File No. 240017.

24 (i) On January 30, 2024, on first reading, the Board of Supervisors amended and  
25 passed that ordinance. The Board’s amendments changed the requirement, subject to

1 necessary approvals, that the City-owned parcel located at 100 Orizaba Avenue be used as  
2 the location for a new Public Library branch to instead require only that the City prioritize this  
3 location for a new Public Library branch. The Board's amendments also changed the  
4 prohibition on the expenditure of City funds to explore alternate locations to instead require  
5 that City departments prioritize the expenditure of City funds for a new Public Library branch  
6 at this location. On February 6, 2024, on second reading, the Board of Supervisors finally  
7 passed that ordinance as amended. It became enacted ten days later, on February 16, 2024,  
8 without the Mayor's signature, and became effective on March 18, 2024. A copy of the final  
9 version of that ordinance, Ordinance No. 32-24, is on file with Clerk of the Board of  
10 Supervisors in File No. 240017, and is posted on the Board of Supervisors website.

11 (j) This ordinance re-introduces the original version of Ordinance No. 32-24, prior  
12 to its amendment and enactment. Like the original version, this ordinance would require that  
13 the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and  
14 Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue  
15 (Parcel No. 7136/060) and prohibit the expenditure of City funds to explore, pursue, or plan  
16 construction of a new Public Library branch at any alternate location, subject to environmental  
17 review, required approvals, and other applicable laws. Enactment of this ordinance would  
18 have the effect of repealing Ordinance No. 32-24.

19  
20 Section 2. Location of New Public Library Branch Serving Oceanview, Merced  
21 Heights, Ingleside, and Lakeview Neighborhoods at 100 Orizaba Avenue.

22 (a) Subject to the budgetary and fiscal provisions of the Charter, planning approvals,  
23 environmental review under the California Environmental Quality Act, further regulatory and  
24 City approvals as required by law, and any other applicable laws, the City-owned Parcel No.  
25 7136/060, located at 100 Orizaba Avenue at the intersection of Orizaba Avenue and

1 Brotherhood Way, shall be used as the location for a new Public Library branch serving the  
2 Oceanview, Merced Heights, Ingleside and Lakeview Neighborhoods.

3 (b) The Public Library, Department of Public Works, Planning Department, and Real  
4 Estate Division shall not expend any City funds to design, plan, perform environmental review  
5 of, or implement a new Public Library branch serving the Oceanview, Merced Heights,  
6 Ingleside, and Lakeview neighborhoods at any location other than Parcel No. 7136/060, the  
7 adjacent Parcel No. 7135/045, and the adjacent right of way. Neither this subsection (b) nor  
8 any other provision of this ordinance shall preclude the City from considering alternative  
9 locations as part of the environmental review process, if needed.

10 (c) This ordinance does not constitute an approval of the construction of a new Library  
11 branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods. The  
12 City retains its full discretion to approve, disapprove, or modify the Library branch proposal,  
13 including but not limited to the adoption of mitigation measures, project alternatives, or not  
14 moving forward with the project, as required by the environmental review process under the  
15 California Environmental Quality Act, the budgetary and fiscal provisions of the Charter,  
16 planning approvals, further regulatory and City approvals as required by law, or any other  
17 applicable laws.

18  
19 Section 3. Direction to the Clerk of the Board of Supervisors. Upon enactment of this  
20 ordinance, the Clerk of the Board of Supervisors shall place a copy of this ordinance in File  
21 Number 240017, and shall note on the Board's website referencing the passage of Ordinance  
22 No. 32-24 that this ordinance repeals Ordinance No. 32-24.

23  
24 //

25 //

1 //

2 Section 4 Effective Date. This ordinance shall become effective 30 days after  
3 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
4 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
5 of Supervisors overrides the Mayor's veto of the ordinance.  
6

7 APPROVED AS TO FORM:  
8 DAVID CHIU, City Attorney

9 By:                   /s/                    
10 JON GIVNER  
Deputy City Attorney

11 n:\egana\as2024\2400229\01766487.docx  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25