

File No. 111281

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date January 30, 2012

Board of Supervisors Meeting

Date _____

Cmte Board

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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Environmental Review Determination, dtd 1/5/12</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>DPW Order No. 179,900</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>General Plan Referral Letter, dtd 1/19/12</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Draft DPW Order</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Hearing Notice</u> |
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Completed by: Alisa Miller Date January 27, 2012

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]

2
3 **Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of**
4 **the Public Works Department to approve certain changes to official sidewalk widths, as**
5 **specified herein, that would streamline reviews and approvals for such changes and**
6 **ensure consistency with the General Plan; 2) establishing fees for processing**
7 **administrative sidewalk width changes; 3) adopting environmental findings; and 4)**
8 **authorizing official acts in connection with this Ordinance.**

9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are ~~*strikethrough italics Times New Roman*~~.
11 Board amendment additions are double underlined.
12 Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. Findings.

15 (a) On March 10, 2006, the City and County of San Francisco adopted Ordinance No.
16 33-06, the Better Streets Policy, for designing streets in keeping with the Urban Design
17 Element, Transportation and other Elements and Area Plans of the City's General Plan, the
18 City's Transit-First Policy, and best practices in environmental planning and pedestrian
19 oriented, multi-modal street design. A copy of this Ordinance is on file with the Clerk of the
20 Board of Supervisors in File No. 051715 and is incorporated herein by reference.

21 (b) On December 7, 2010, the Board of Supervisors approved Ordinance Nos. 309-10
22 and 310-10, adopting the Better Streets Plan, City General Plan amendments related thereto,
23 and regulations governing its implementation by all City Departments with jurisdiction over
24 public rights-of-way and certain private development projects. Copies of these Ordinances
25 and the Better Streets Plan are on file with the Clerk of the Board of Supervisors in File Nos.
101193 and 101194 and are incorporated herein by reference. The Better Streets Plan

1 established a unified set of standards, guidelines, and implementation strategies to govern
2 how the City designs, builds, and maintains its pedestrian environment. The Better Streets
3 Plan describes a vision for the future of San Francisco's pedestrian environment and is
4 intended to result in adoption of a set of citywide streetscape and pedestrian policies and
5 guidelines to help accomplish this vision. The Plan seeks to balance the needs of all City
6 street users. Accordingly, the Plan identifies goals, objectives, policies and design guidelines,
7 as well as future strategies to improve the pedestrian environment in San Francisco.

8 (c) It is the policy of the City and County of San Francisco General Plan to encourage
9 widened sidewalks (bulb-outs) in areas of high pedestrian volume and in downtown areas
10 where wider sidewalks adjacent to office buildings, multi-unit residential structures and/or
11 other buildings that generate high pedestrian volumes can provide additional pedestrian
12 space that may create a plaza-like atmosphere, with café seating, landscaping, and/or other
13 pedestrian-friendly improvements.

14 (d) Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of
15 Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General
16 Ordinances, in effect May 11, 1910, established sidewalk widths for many of the public right-
17 of-ways throughout the City and County of San Francisco. Since the initial adoption of this
18 Ordinance, the City processed all requests for official sidewalk width changes, including minor
19 alterations such as bulb-outs as amendments to said Ordinance. This resulted in a very
20 lengthy legislative process and often led to delays for various public and private improvement
21 projects and developments.

22 (e) The City and County of San Francisco is currently the only municipality in the State
23 that requires approval by the Board of Supervisors for all changes to official sidewalk widths.
24
25

1 (f) Under the streamlined sidewalk width change review procedure set forth in this
2 legislation, the Director of the Department of Public Works (DPW) and the City Engineer could
3 administratively approve (1) widened sidewalk bulbs, (2) corner bulbs, and (3) sidewalk
4 widening not in excess of one linear block, subject to first obtaining approval from all affected
5 City agencies.

6 (g) In accordance with this streamlined procedure, DPW would refer plans for the
7 abovementioned sidewalk width changes to all affected City agencies, including the Planning
8 Department, for their approval. The Planning Department would review such plans and
9 determine whether a particular sidewalk width change is consistent with applicable plans,
10 including the General Plan.

11 (h) In making its determination, the Planning Department, to the maximum extent
12 practicable subject to applicable law, shall rely on: (1) the General Plan or (2) the General
13 Plan consistency findings adopted as part of: (A) the Better Streets Plan, (B) approved
14 neighborhood streetscape plans, or (C) other Planning Department or Planning Commission
15 approvals associated with a project or plan that addressed the sidewalk width change.

16 (i) Notwithstanding Subsection (h) above, in instances where the Planning Department
17 determines that an individual sidewalk widening project presents potential conflicts with the
18 General Plan, the Better Streets Plan, an approved neighborhood streetscape plans, or other
19 Planning Department or Planning Commission approvals associated with a project or plan that
20 addressed the sidewalk width change, the Planning Department may: (1) find the proposal
21 inconsistent with the General Plan or (2) subject the proposal to the General Plan referral
22 process in accordance with the San Francisco Charter Section 4.105 and Administrative Code
23 Section 2A.53. To the extent an applicant is subject to Subsection (i)(2) above, the payment
24
25

1 of fees to the Planning Department shall be reduced by the portion of Planning Department
2 fees identified in this Ordinance.

3 (j) This streamlined procedure will allow for more expedient and efficient approval of
4 the type of minor sidewalk width changes that implement the Policies contained in the General
5 Plan, the Better Streets Plan, the City's Transit-First Policy, and various neighborhood
6 streetscape plans.

7 (k) As occurs under existing procedures and in accordance with San Francisco
8 Charter Section 4.105 and Administrative Code Section 2A.53, DPW would continue to refer
9 all other proposals to change sidewalks and public right-of-ways to affected City agencies and
10 the Planning Department for General Plan consistency determinations. After obtaining such
11 approvals, DPW would prepare an Ordinance for Board of Supervisors approval of the
12 sidewalk width change and such change would not be final and effective until the Board of
13 Supervisors approves said Ordinance.

14 (l) The Planning Department has completed environmental review of this Ordinance
15 pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources
16 Code Sections 21000 et seq. and Chapter 31 of the San Francisco Administrative Code.
17 Documentation of that review is on file with the Clerk of the Board of Supervisors in File No.
18 111201 and is incorporated herein by reference.

19 (m) In DPW Order No. 179,990, approved January 25, 2012,
20 the Director of DPW (the Director) and the City Engineer, in conjunction with the Director of
21 the Planning Department, certify that the guidelines for streamlining official sidewalk width
22 changes are in conformance with the Better Streets Policy, the Better Streets Plan, the
23 Downtown Streetscape Plan, the Rincon Hill Streetscape Plan and other applicable
24 neighborhood streetscape plans, DPW standard Plans and Specifications, California State
25

1 Title 24, and Americans with Disabilities Act Accessibility Guidelines (ADAAG). A copy of the
2 DPW Order is on file with the Clerk of the Board of Supervisors in File No. 111201
3 and is incorporated by reference herein.

4 Section 2. (a) Notwithstanding the historical practice established to implement and
5 amend sidewalk width changes in Board of Supervisors Ordinance No. 1061, entitled
6 "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of
7 Supervisors Book of General Ordinances, in effect May 11, 1910, the Board of Supervisors
8 hereby amends Ordinance No. 1061 to authorize the Director of the Department of Public
9 Works and City Engineer to administratively approve the following sidewalk width changes
10 without the need to amend Ordinance No. 1061:

- 11 (1) widened sidewalk bulbs,
- 12 (2) corner bulbs, and
- 13 (3) sidewalk widening not in excess of one linear block.

14 (b) Prior to any such sidewalk width change, the Director of the Department of Public
15 Works shall obtain approval from all affected City agencies and a General Plan consistency
16 determination from the Planning Department.

17 (c) In making its determination, the Planning Department, to the maximum extent
18 practicable subject to applicable law, shall rely on: (1) the General Plan or (2) the General
19 Plan consistency findings adopted as part of: (A) the Better Streets Plan, (B) approved
20 neighborhood streetscape plans, or (C) other Planning Department or Planning Commission
21 approvals associated with a project or plan that addressed the sidewalk width change.

22 (d) Notwithstanding Subsection (c) above, in instances where the Planning
23 Department determines that an individual sidewalk widening project presents potential
24 conflicts with the General Plan, the Better Streets Plan, an approved neighborhood
25

1 streetscape plans, or other Planning Department or Planning Commission approvals
2 associated with a project or plan that addressed the sidewalk width change, the Planning
3 Department may: (1) find the proposal inconsistent with the General Plan or (2) subject the
4 proposal to the General Plan referral process in accordance with the San Francisco Charter
5 Section 4.105 and Administrative Code Section 2A.53. To the extent an applicant is subject
6 to Subsection (d)(2), the payment of fees to the Planning Department shall be reduced by the
7 portion of Planning Department fees identified in this Ordinance.

8 Section 3. In furtherance of the administrative procedure for approving certain
9 sidewalk width changes as set forth in this Ordinance, the Board of Supervisors directs the
10 Department of Public Works to record any sidewalk width changes approved through this
11 procedure in the City's Official Records of sidewalk width changes.

12 Section 4. The San Francisco Public Works Code is hereby amended by amending
13 Section 2.1.1, to read as follows:

14 **SEC. 2.1.1. FEES.**

15 Notwithstanding the permit fee provisions listed elsewhere in this Code, the permit fee
16 and assessment schedule for the permit categories and uses specifically listed below shall be:

17 (a) Street Flower Market Permit pursuant to Article 5 (Sections 155 et seq.):
18 \$103.36 administrative fee and inspection fee of \$6.75 per square foot of occupancy;

19 (b) Tables and Chairs Permit pursuant to Article 5.2 (Sections 176 et seq.):
20 administrative fee of \$52.00 for permit renewal without prior Department enforcement action
21 and \$104.00 for new permits or permit renewal resulting from prior Department enforcement
22 action; and inspection fee of \$4.80 per square foot of occupancy for renewal permits without
23 prior Departmental enforcement action, \$5.67 per square foot of occupancy for new permits,
24
25

1 and \$6.77 per square foot of occupancy for permit renewal resulting from prior Departmental
2 enforcement action;

3 (c) Display Merchandise Permit pursuant to Article 5.3 (Sections 183 et
4 seq.): \$112.95 administrative fee and inspection fee of \$7.34 per square foot of occupancy;

5 (d) Street Improvement Permit in an accepted or unaccepted right-of-way in
6 order to satisfy requirements under Sections 416, 706, 708, and 724.2: \$1010.03 permit fee;

7 (i) Street Improvement Permit for Sidewalk Repair that is not the
8 subject of a Departmental Notice to Repair: \$15.99 per 100 square feet permit fee;

9 (e) Special Sidewalk Permit pursuant to Section 703.1: \$376.14 permit fee;

10 (f) Automobile Runway (Driveway) Permits (also known as Curb
11 Reconfiguration Permits) pursuant to Sections 715 et seq.

12 (i) Standard Permit: \$120.43 permit fee; and

13 (ii) Over-wide Driveway Permit: \$969.30 permit fee;

14 (g) Pipe Barrier Permit pursuant to Section 723.1

15 (i) Standard Permit: \$969.30 permit fee; and

16 (ii) Security Bollard Barrier: \$1,943.80 permit fee;

17 (h) Minor Sidewalk Encroachment Permit (also known as a Minor
18 Encroachment Permit) pursuant to Section 723.2

19 (i) Standard Permit: \$938.39 permit fee, and, if applicable pursuant to
20 Section 723.2(m), the annual public right-of-way occupancy assessment fee;

21 (ii) Underground Storage Tank Abandonment: \$275.80 permit fee;

22 and
23
24
25

1 (iii) Underground Vault, which shall be comprised of (A) a permit fee of
2 \$973.80 and (B) an annual public right-of-way occupancy assessment fee of \$12.58 per
3 square foot of occupied space;

4 (i) Debris Box Permit pursuant to Section 725

5 (i) 7-day Permit: \$83.12 permit fee; and

6 (ii) Annual Permit: \$551.62 permit fee;

7 (j) Street Encroachment Permit (also known as a Major Encroachment
8 Permit) pursuant to Section 786: \$3,643.66 permit fee and the annual public right-of-way
9 occupancy assessment fee in Section 786.7;

10 (k) Commemorative Plaque Permit pursuant to Section 789.2: \$1,162.63
11 permit fee;

12 (l) If any of the abovementioned permits are associated with a Street
13 Improvement Permit, the permit fee is the Street Improvement Permit fee plus \$133.20 for
14 each additional permit unless the fee for said permit is less, in which case the additional fee is
15 the lower permit fee amount;

16 (m) Under permit categories in Subsections (d), (e), or (f), if the permit is
17 associated with a Department of Public Works Notice to Repair, the permit fee is \$330.32 per
18 permit; *and*

19 (n) Under permit categories in Subsections (e), (g), or (h)(i), if the permit is
20 associated with a subdivision map approval, the permit fee is \$133.20 per permit; *and*

21 (o) Sidewalk width change fee: \$3,875.00, with \$1,375.00 of this fee allocated to the
22 Planning Department for its review.

23 Section 5. The Board of Supervisors hereby authorizes and directs the Director of the
24 Department of Public Works to take any and all actions that he or she or the City Attorney
25

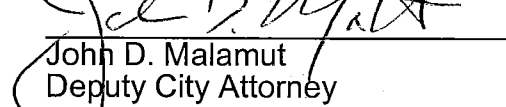
1 may deem necessary or advisable in order to effectuate the purpose and intent of this
2 Ordinance, including, but not limited to, the adoption of regulations to implement the
3 administrative procedures for certain sidewalk width changes.

4 Section 6. Effective Date. This ordinance shall become effective 30 days from the
5 date of passage.

6
7 RECOMMENDED:
8 DEPARTMENT OF PUBLIC WORKS

9 By: 
10 Mohammed Nuru
11 Interim Director of Public Works

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: 
16 John D. Malamut
17 Deputy City Attorney

LEGISLATIVE DIGEST

[Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

Existing Law

The Department of Public Works (DPW) administers the process to establish or change sidewalk widths. Each sidewalk width establishment or change requires Board of Supervisors approval and amendment to Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910. Other City departments play a role in the review and approval process, including the City Planning Department for General Plan consistency purposes and Municipal Transportation Agency. Once a sidewalk width is established or changed, DPW records the change in its list of Official City Sidewalks Widths.

Amendments to Current Law

This Ordinance would alter the process for certain minor sidewalk width changes so that DPW could administratively change these sidewalk widths without Board of Supervisors action. The minor sidewalk width changes subject to this streamlined administrative approval would be for widened sidewalk bulbs, corner bulbs, and sidewalk widening not in excess of one linear block. The legislation would delineate a process to streamline Planning Department General Plan consistency determinations as well as involve approval and authorization from all other affected City agencies, such as the Municipal Transportation Agency. The Ordinance also would require DPW to record administratively-approved sidewalk width changes in its list of Official City Sidewalk Widths. The legislation would amend Public Works Code 2.1.1 to adopt a fee for review of all sidewalk width change applications, and part of this fee will be allocated to the Planning Department to cover the costs associated with its review.

Background Information

The purpose of this legislation is to streamline the review and approval process for those type of minor sidewalk width changes that have been embraced in the City's Better Streets Plan, approved neighborhood streetscape plans, or other Planning Department or Planning Commission approvals associated with a project or plan that addressed the sidewalk width change.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 8, 2011

File No. 111281

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On November 15, 2011, Mayor Lee introduced the following proposed legislation:

File No. 111281

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

Handwritten signature of Alisa Miller in cursive.

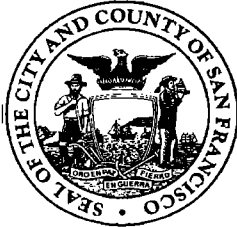
By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis

*Non physical activity not
subject to CEQA per Guidelines
Section 15060(c)(2).*

Handwritten signature of Brett Bollinger in cursive, dated 01/05/12.
Approved Planning Dept. Brett Bollinger
2012.0012E



Edwin M. Lee, Mayor
Mohammed Nuru, ... , Director



(415) 554-5810
FAX (415) 554-5843
<http://sfdpw.org>

Department of Public Works
BUREAU OF STREET-USE & MAPPING

875 Stevenson Street, Room 460, S.F., CA 94103

Jerry Sanguinetti, Bureau Manager

DPW Order No: 179,900

RECOMMENDING APPROVAL OF LEGISLATION FOR A STREAMLINED PROCESS FOR CERTAIN OFFICIAL SIDEWALK WIDTH CHANGES.


I. BACKGROUND

- A. Per Ordinance No. 33-06, approved March 10, 2006, the Board of Supervisors (BOS) adopted the Better Streets Policy for designing streets per the City's General Plan and in the City's Transit-First Policy.
- B. Per Ordinance No. 309-10 and 310-10, approved December 7, 2010, the BOS adopted the Better Streets Plan (BSP) and amendments to the General Plan.
 1. The BSP establishes standards and guidelines to determine how the City designs, builds, and maintains its pedestrian environment.
 2. The BSP describes a vision for the future of the City's pedestrian environment. and will result in the adoption of a set of Citywide streetscape and pedestrian policies and guidelines. The Plan will also identify goals, objectives, policies and design guidelines, as well as future strategies to improve the pedestrian environment in San Francisco.
- C. The City's General Plan encourages bulb-outs in areas of high pedestrian volume; e.g. downtown areas, neighborhood commercial districts, etc.
- D. Per Ordinance No. 1061, approved May 11, 1910, the BOS adopted "Regulating the Width of Sidewalks," which established sidewalk widths for many public right-of-ways throughout the City. All requests for official sidewalk width changes, including minor alterations such as bulb-outs, have since been processed as amendments to said Ordinance; thus resulting in a very lengthy process and often leading to project delays for capital improvement projects and private developments.
- E. The City is currently the only municipality in the State that requires BOS approval for all changes to official sidewalk widths.
- F. Under the streamlined process set forth in the draft Ordinance, the Director of the Department of Public Works (DPW) and the City Engineer, upon obtaining approval from all affected City agencies, will be able to approve sidewalk bulb-outs, corner bulb-outs, and widening sidewalks not in excess of one linear block,
- G. This streamlined process provides a more expedient and efficient approval of the above sidewalk width changes.
- H. The Director of the Planning Department has determined in a letter dated January 19, 2012, a copy of which is attached hereto, that the process contemplated in the draft Ordinance for streamlined approval of certain official sidewalk width changes is in conformance with the General Plan and other applicable plans and decisions.
- I. The Director of Public Works and City Engineer have determined that the streamlined approval process will adequately address and is in conformance with DPW Standard Plans and Specifications, California State Title 24 and Americans with Disabilities Act Accessibility Guidelines (ADAAG).

II. DECISION

The Director of Public Works recommends that the Board of Supervisors approve the draft Ordinance in Clerk

of the Board File No. _____.

 Click here to sign this section



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
information:
415.558.6377

Date: January 19, 2012

Case No. Case No. 2012.0012R
BOS File 111281 – Ordinance Authorizing a Streamlined Approval
Process for Certain Official Sidewalk Width Changes - Bulb-outs
and Sidewalk Widening Less than One Linear Block

Block/Lot No.: Citywide

Project Sponsor: Mayor Ed Lee
San Francisco City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Mr. Erik Kjelsberg
San Francisco Department of Public Works
1680 Mission Street, 3rd Floor
San Francisco, CA 94103

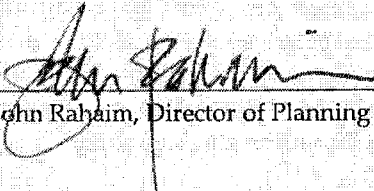
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Applicant: Same as Above

Staff Contact: Stephen Shotland – (415) 558-6308
Stephen.Shotland@sfgov.org

Recommendation: Finding the Ordinance, on balance, **in conformity** with the
General Plan, as described further in this Case Report.

*Recommended
By:*


John Rahaim, Director of Planning

PROJECT DESCRIPTION

This project is review of a draft BOS Ordinance authorizing the Department of Public Works (DPW) to establish a streamlined process for approval of certain official sidewalk width changes. The streamlined process would be limited to approval of sidewalk bulb-outs, corner bulbs and sidewalk widening not to exceed one linear block. DPW currently administers the process to change official sidewalks. Approvals require authorization by the Board of Supervisors. The process was established by Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the

**GENERAL PLAN REFERRAL
SOUTH OF MARKET ANCILLARY PROJECTS**

CASE NO. 2012.0012R

Board of Supervisors Book of General Ordinances, in effect May 11, 1910. San Francisco is the only city in California that requires its governing body, the Board of Supervisors, to approve changes to streets & sidewalks, even minor changes such as establishing corner sidewalk bulbs. Other California cities approve sidewalk changes administratively.

DPW and the Planning Department have been working with other City Departments to revise the process for approval of certain minor sidewalk width changes so that DPW could administratively approve minor sidewalk widening projects without Board of Supervisors action. On November 15, 2011, Mayor Lee introduced proposed legislation (BOS File No. 111281) that would streamline the process to review and approve minor sidewalk width changes – for sidewalk bulbouts, corner sidewalk bulbs and sidewalk widening not greater than one linear block.

The legislation would streamline the review and approval process for minor sidewalk widening projects that are supported in the City's General Plan, Better Streets Plan, approved neighborhood streetscape plans, and projects that call for widening sidewalks that have been approved by the Planning Commission. These types of projects would not automatically require an official General Plan Referral application to the Planning Department, but would be referred to the Planning Department (and other Departments) for review and comment. The legislation would not change the review process for projects that would reduce sidewalk width or projects that would widen sidewalks in excess of one linear block. It would also streamline the approval process for other City Departments and establish fees for streamlined review by DPW and the Planning Department.

As part of the streamlined procedure, DPW would refer plans for sidewalk width changes (bulb-outs, etc.) to the Planning Department and other City departments. The Planning Department would review and comment on individual project proposals. In cases where the Planning Department determines that an individual sidewalk widening project presents potential conflicts with the General Plan, the Better Streets Plan or other approved streetscape plans or projects, the Planning Department could find the proposal inconsistent with the General Plan or require the project undergo the more in-depth General Plan referral process in accordance with San Francisco Charter Section 4.105 and Administrative Code Section 2A.53.

After response from the Planning Department and other City departments (in support of a proposed sidewalk widening) and approval by the Department of Public Works, DPW would record administratively-approved sidewalk width changes in its list of Official City Sidewalk Widths. The draft ordinance would amend Public Works Code 2.1.1 and also establish a fee for review of minor sidewalk width change applications. Part of this fee will be allocated to the Planning Department to cover the costs associated with its review of applications.

RELATIONSHIP TO THE BETTER STREETS PLAN

The Ordinance references The Better Streets Plan, which provides a consistent set of guidelines and design standards for the design and improvements of the various types of streets in the City, and describes instances where sidewalk bulb-outs, corner bulbs and sidewalk widening would be appropriate. Approval of the Ordinance would facilitate implementing the Better Streets Plan and improving the pedestrian environment throughout the City. The streamlined review process would be limited to proposed sidewalk bulb-outs, corner bulbs and sidewalk widening less than one linear block;

proposals for a sidewalk widening in excess of one block and all proposals to narrow sidewalks would remain subject to the regular General Plan Referral process.

ENVIRONMENTAL REVIEW

The project was reviewed under Case 2012.0012E. On 1/5/2012, the Environmental Planning Section of the Department found that the proposed ordinance establishing a streamlined process for certain sidewalk changes, limited to projects that would widen sidewalks less than one linear block in length, would be exempt from Environmental Review under CEQA Guidelines Section 153060(C)(2) – Non physical activity, not subject to CEQA).

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this memorandum and is, on balance, **in conformity** with the following Objectives and Policies of the General Plan and Planning Code Section 101.1(b) findings:

TRANSPORTATION ELEMENT

POLICY 1.2

Ensure the safety and comfort of pedestrians throughout the city.

POLICY 15.1

Discourage excessive automobile traffic on residential streets by incorporating traffic-calming treatments.

POLICY 18.4

Discourage high-speed through traffic on local streets in residential areas through traffic "calming" measures that are designed not to disrupt transit service or bicycle movement, including: Sidewalk bulbs and widening at intersections and street entrances; Lane off-sets and traffic bumps; Narrowed traffic lanes with trees, landscaping and seating areas; and colored and/or textured sidewalks and crosswalks.

Table 2: Design Guidelines for Streets

Design of streetscape and pedestrian elements should follow the policies and guidelines for the appropriate street type as described in the Better Streets Plan, as adopted by the Board of Supervisors. The Better Streets Plan is incorporated herein by reference. The street types in the Better Streets Plan are intended to guide the design of streetscape and pedestrian features, and not to replace functional transportation classifications.

POLICY 23.2

Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested, where sidewalks are less than adequately wide to provide appropriate pedestrian amenities, or where residential densities are high.

Wider sidewalks provide more pedestrian space and also permit more pedestrian amenities. In high-density residential and recreational areas, sidewalks are often utilized as open space, and should be designed and built to accommodate such a use....All sidewalks should meet or exceed the minimum sidewalk width for the relevant street type as described in the Better Streets Plan. Sidewalks below this width should be widened as opportunities arise to do so, balanced with the needs of other travel modes for the street as described in other sections of this element.

Comment: The proposed streamlined process for City approval of minor sidewalk changes (sidewalk bulb-outs, corner sidewalk bulbs and sidewalk widening less than one linear feet would be generally consistent with General Plan policies and the guidelines and standards incorporated into the Better Streets Plan. The process includes a streamlined review by the Planning Department to determine General Plan conformity, and the Department could recommend that an individual sidewalk widening project receive more thorough review, if appropriate and necessary.

POLICY 23.3

Maintain a strong presumption against reducing sidewalk widths, eliminating crosswalks and forcing indirect crossings to accommodate automobile traffic.

Comment: The proposed streamlined process for certain changes to sidewalks (sidewalk widening projects) is consistent with the referenced objectives and policies. Projects proposing to reduce sidewalk widths would be subject to the existing official General Plan Referral process.

POLICY 23.6

Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.

OBJECTIVE 24

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 24.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 24.5

Where consistent with transportation needs, transform streets and alleys into neighborhood-serving open spaces or "living streets", especially in neighborhoods deficient in open space.

Comment: The proposed ordinance would facilitate widening sidewalks and creating corner bulbs, reducing the distance pedestrians must travel to cross at intersections, and providing additional space for pedestrian amenities.

URBAN DESIGN ELEMENT

POLICY 1.10

Indicate the purposes of streets by adopting and implementing the Better Streets Plan, which identifies a hierarchy of street types and appropriate streetscape elements for each street type.

...The Better Streets Plan identifies and defines a system of street types and describes the appropriate design treatments and streetscape elements for each street type. Future decisions about the design of pedestrian and streetscape elements should follow the policies and guidelines of the Better Streets Plan, as adopted by the Board of Supervisors on December 7, 2010 and amended from time to time. The Better Streets Plan, is incorporated herein by reference.

DOWNTOWN AREA PLAN

POLICY 22.1

Provide sufficient pedestrian movement space.

As outlined in the Downtown Streetscape Plan, where pedestrian volumes compared to other transportation modes so warrant, additional pedestrian capacity should be taken from traffic or parking lanes. At other locations, where appropriate, arcades or building setbacks adjacent to an existing sidewalk should be developed. In areas of highest pedestrian volumes, more parallel, through-block pedestrian ways should be provided if they can serve as convenient links among destinations without encouraging jaywalking.

POLICY 22.3

Ensure convenient and safe pedestrian crossings.

POLICY 22.6

Future decisions about street space, both in this plan and beyond, should give equal, if not greater, consideration to pedestrian needs.

RINCON HILL AREA PLAN

OBJECTIVE 5.2

Widen sidewalks, reduce street widths, and make other pedestrian and street improvements, while retaining the necessary space for traffic movements, per the Rincon Hill Streetscape Plan.

Policy 5.2

Significantly widen sidewalks by removing a lane of traffic on Spear, Main and Beale Streets between Folsom and Bryant Streets per the Rincon Hill Streetscape Plan in order to create new "Living Streets," with pocket park and plaza spaces for active and passive recreational use, decorative paving, lighting, seating, trees and other landscaping.

MARKET AND OCTAVIA AREA PLAN

OBJECTIVE 4.1

PROVIDE SAFE AND COMFORTABLE PUBLIC RIGHTS-OF-WAY FOR PEDESTRIAN USE AND IMPROVE THE PUBLIC LIFE OF THE NEIGHBORHOOD.

POLICY 4.1.1

Widen sidewalks and shorten pedestrian crossings with corner plazas and boldly marked crosswalks where possible without affecting traffic lanes. Where such improvements may reduce lanes, the improvements should first be studied.

On streets throughout the plan area, there is a limited amount of space on the street to serve a variety of competing users. Many streets have more vehicular capacity than is needed to carry peak vehicle loads. In accordance with the city's Transit-First Policy, street rights-of-way should be allocated to make safe and attractive places for people and to prioritize reliable and effective transit service—even if it means reducing the street's car-carrying capacity. Where there is excessive vehicular capacity, traffic lanes should be reclaimed as civic space for widened sidewalks, plazas, and the like...

EAST SOMA (SOUTH OF MARKET) AREA PLAN

OBJECTIVE 5.3

CREATE A NETWORK OF GREEN STREETS THAT CONNECT OPEN SPACES AND IMPROVES THE WALKABILITY, AESTHETICS AND ECOLOGICAL SUSTAINABILITY OF THE NEIGHBORHOOD

Comment: The legislation is consistent with the intent of Area Plan objectives and policies that call for improving the pedestrian environment, widening sidewalks and establishing corner bulb-outs where appropriate to provide additional space for pedestrians, pedestrian amenities and to increase pedestrian safety by reducing the distance that pedestrians must travel to cross intersections.

Attachments:

Draft BOS Ordinance - BOS File No. 111281

cc: Nick Elsner, DPW/BSM
Mr. John Malamut, City Attorney
Angela Calvillo, Clerk, Board of Supervisors

PROPOSITION M FINDINGS – Planning Code Section 101.1 Findings

The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 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 Ordinance would have no effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.
The Ordinance would conserve and protect the residential character of the neighborhood.
3. That the City's supply of affordable housing be preserved and enhanced.
The Ordinance would have no 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 Ordinance would not increase commuter traffic, nor cause it to impede MUNI transit service or overburden our 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 residential employment and ownership in these sectors be enhanced.
The Ordinance would not affect the existing economic base in this area.
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
The Ordinance would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.
7. That landmarks and historic buildings be preserved.
The Ordinance would have no effect on landmarks or historic buildings.
8. That our parks and open space and their access to sunlight and vistas be protected from development.
The Ordinance would have no effect on parks and open space or their access to sunlight and vistas.

RECOMMENDATION:

Finding the Ordinance, on balance, in conformity with the General Plan.

I:\Citywide\General Plan\General Plan Referrals\2012\2012.0012R Sidewalk Width Changes Streamlined Process Ordinance.doc



Edwin M. Lee, Mayor
Mohammed Nuru, Interim Director



PURSUANT TO ORDINANCE NO. _____, ESTABLISHMENT OF GUIDELINES FOR THE STREAMLINED REVIEW AND APPROVAL OF CERTAIN SIDEWALK WIDTH CHANGES.

I. **PURPOSE:** Establishing procedures for a streamlined process for certain sidewalk width changes in accordance with Ordinance No. _____.

II. **BACKGROUND:**

Per Ordinance No. 33-06, approved March 10, 2006, the Board of Supervisors (BOS) adopted the Better Streets Policy for designing streets per the City's General Plan and in the City's Transit-First Policy.

Per Ordinance No. 309-10 and 310-10, approved December 7, 2010, the BOS adopted the Better Streets Plan (BSP) and amendments to the General Plan.

The BSP establishes standards and guidelines to determine how the City designs, builds, and maintains its pedestrian environment.

The BSP describes a vision for the future of the City's pedestrian environment. and will result in the adoption of a set of Citywide streetscape and pedestrian policies and guidelines. The Plan will also identify goals, objectives, policies and design guidelines, as well as future strategies to improve the pedestrian environment in San Francisco.

The City's General Plan encourages bulb-outs in areas of high pedestrian volume; e.g. downtown areas, neighborhood commercial districts, etc.

Per Ordinance No. 1061, approved May 11, 1910, the BOS adopted "Regulating the Width of Sidewalks," which established sidewalk widths for many public right-of-ways throughout the City. All requests for official sidewalk width changes, including minor alterations such as bulb-outs, have since been processed as amendments to said Ordinance; thus resulting in a very lengthy process and often leading to project delays for capital improvement projects and private developments.

The City is currently the only municipality in the State that requires BOS approval for all changes to official sidewalk widths.

Under the streamlined process set forth in this Order, the Director of the Department of Public Works (DPW) and the City Engineer, upon obtaining approval from all affected City agencies, will be able to approve sidewalk bulb-outs, corner bulb-outs, and widening sidewalks not in excess of one linear block,



This streamlined process provides a more expedient and efficient approval of the above sidewalk width changes.

All other proposals to change sidewalk widths not specifically mentioned in this Order in Section III.A. shall continue to follow the current DPW process in Section V below. This includes Board of Supervisors approval via ordinance; referrals to affected City agencies, including the Planning Department for a General Plan consistency determination; notice to utilities, and preparation of supporting documents such as engineering drawings and a Q-map delineating the subject sidewalk area .

III. GUIDELINES FOR APPROVAL:

In accordance with Ordinance No. _____, the DPW Director may approve the following sidewalk width changes using the streamlined process set forth in this Order:

Sidewalk bulb-outs

Corner bulb-outs

Widening sidewalks not in excess of one linear block

Prior to approval of the sidewalk width change, the Director of Public Works shall obtain approval from all affected City agencies, including Municipal Transportation Agency (MTA), Planning Department, and Public Utilities Commission (PUC). The Director also shall consult with and, if possible, obtain approval from affected public utility companies; e.g. PG&E, AT&T, etc.

In reviewing the proposed sidewalk width change, the Planning Department shall rely on the General Plan, BSP, approved neighborhood streetscape plans, or other previously-issued Planning Department or Planning Commission approvals.

In instances where the Planning Department determines that an individual sidewalk widening project presents potential conflicts, it may:

Find the proposal inconsistent with the General Plan;

Subject the proposal to the General Plan referral process in accordance with the San Francisco Charter and Administrative Code.

DPW shall record all approved sidewalk width changes in the City's Official Records of sidewalk width changes.

IV. STREAMLINED APPLICATION AND APPROVAL PROCESS:

Requests to change an official sidewalk width in San Francisco using the streamlined process shall include the following:

An application requesting to change the official sidewalk width in accordance with Ordinance No. _____ and this DPW Order.

A copy of a Planning Department or Commission decision requiring the change in sidewalk width (if applicable).

Two (2) sets of civil engineering drawings "conceptually" approved by the Permit Division, together with a letter from the Permit's manager stating that the plans have been "conceptually" approved.

An application for a Street Improvement Permit shall be submitted to the DPW Permit Section.



The applications for Street Improvement Permit and the official sidewalk width change may be submitted concurrently. This will allow processing as a parallel review. A set of color photos showing the project area from several viewpoints.

A check made payable to the Department of Public Works for \$2500 per block or portion of a block. Two (2) copies of a fully completed Planning Department Application for General Plan Referral and all attachments thereto, and a check for \$ 3379 made payable to the Planning Department. Information on how to fill out this form may be obtained from the Planning Department. Additional charges, if any, that DPW or other affected agencies incur will be billed directly to the applicant.

The Bureau of Street Use and Mapping will produce a "Q" Map from the "conceptually" approved civil drawings. Additional information may be requested from the applicant by the Mapping Division to complete the "Q" Map drawing. .

A DPW referral letter will then be prepared, which will include copies of the application and "Q" Map.

DPW shall send referrals to various City agencies including the MTA, Planning Department, PUC, private utility companies, etc.

Upon receiving approval from all of the affected agencies and certification from the City Engineer, DPW will prepare a Notice of Intent to widen the sidewalk, as requested by the applicant, allowing property owners within 150-foot radius of the proposed sidewalk widening to respond to and/or comment on the proposed widening.

A property owner or any other interested member of the public may request DPW to further consider the subject request at a Director's Public Hearing within ten (10) days of the date of the Notice of Intent.

If no objections or request for a hearing are received within said ten (10) days, DPW will approve the proposed sidewalk widening.

If an objection or request for hearing is received, DPW will schedule a Director's Public Hearing and send mailed notice of the hearing to property owners within 150-foot radius of the subject location.

After hearing all testimony and receiving any documents at the Public Hearing, the Hearing Officer will make a recommendation to the Director of Public Works.

The Director may then approve, conditionally approve, or disapprove said recommendation concerning the sidewalk.

G. The Director's decision, including the City Engineer's certification, shall be issued via DPW Order. Copies of the Order shall be forwarded to members of the public that attended the Director's Public Hearing and provided contact information at said Hearing.

H. DPW shall record the approved sidewalk width change to its Official Records of sidewalk width changes.

V. STANDARD (NON-STREAMLINED) APPLICATION AND APPROVAL PROCESS.

All other proposals to change sidewalk widths, including the narrowing of sidewalk widths; e.g. parking bays; widening in excess of one (1) linear block, etc. shall follow the current standard procedure as described below



An application requesting to change the official sidewalk width in accordance with Ordinance No. 1061 and this DPW Order.

A copy of a Planning Department or Commission decision requiring the change in sidewalk width (if applicable).

Two (2) sets of civil engineering drawings "conceptually" approved by the Permit Section, together with a letter from the Permit's manager stating that the plans have been "conceptually" approved.

An application for a Street Improvement Permit shall be submitted to the DPW Permit Section.

The applications for Street Improvement Permit and the official sidewalk width change may be submitted concurrently. This will allow processing as a parallel review.

A set of color photos showing the project area from several viewpoints.

A check made payable to the Department of Public Works for \$2500 per block or portion of a block.

Two (2) copies of a fully completed Planning Department Application for General Plan Referral and all attachments thereto, and a check for \$ 3379 made payable to the Planning Department. Information on how to fill out this form may be obtained from the Planning Department.

Additional charges, if any, that DPW or other affected agencies incur will be billed directly to the applicant.

The Bureau of Street Use and Mapping will produce a "Q" Map from the "conceptually" approved civil drawings. Additional information may be requested from the applicant by the Mapping Division to complete the "Q" Map drawing. .

A DPW referral letter will then be prepared, which will include copies of the application and "Q" Map.

DPW shall send referrals to various City agencies including the MTA, Planning Department, PUC, private utility companies, etc.

Upon receiving approval from all of the affected agencies and certification from the City Engineer, DPW will prepare legislation and a DPW Order recommending the proposed sidewalk width change to the Board of Supervisors. The DPW Order shall include approval of the DPW Director and City Engineer's certification.

DPW will forward the legislation, including a City Attorney approval as to form, DPW Order, and "Q" map (the package) along with other supporting materials to the Clerk of the Board of Supervisors.

Once the Board of Supervisors approves the legislation, DPW shall record the approved sidewalk width change to its Official Records of sidewalk width changes and DPW may grant a street improvement or other similar permit to allow the sidewalk width change project to commence. Such permits are subject to their own fees and procedures.

Unless the DPW Director grants a written waiver based upon exceptional or unique circumstances, DPW shall not issue a street improvement permit for the sidewalk width change or allow construction on the sidewalk or related public infrastructure improvements until the Board of Supervisors approves the sidewalk width change legislation. Even if the DPW Director grants a waiver prior to Board of Supervisors approval, the commencement of any sidewalk construction shall be solely at the permittee's risk.



BOARD of SUPERVISORS



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Dr. Carlton B. Goodlett Place, Room 244
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Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

LAND USE & ECONOMIC DEVELOPMENT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard

Date: Monday, January 30, 2012

Time: 1:00 p.m.

Location: Committee Room 263 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: File No. 111281. Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

If the legislation passes, a new permit fee for sidewalk width changes would be established in the Public Works Code in the amount of \$3,875. \$1,375 of this fee would be allocated to the Planning Department for its review.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, January 27, 2012.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED: January 11, 2012
PUBLISHED: January 16 & 23, 2012

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To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

01/16/2012 , 01/23/2012

NOTICE OF PUBLIC HEARING LAND USE & ECONOMIC DEVELOPMENT COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS MONDAY, JANUARY 30, 2012 - 1:00 PM COMMITTEE ROOM 263, 1 DR CARLTON B. GOODLETT PL, SF, CA 94102 NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard. File No. 111281. Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance. If the legislation passes, a new permit fee for sidewalk width changes would be established in the Public Works Code in the amount of \$3,875. \$1,375 of this fee would be allocated to the Planning Department for its review. In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, January 27, 2012. Angela Calvillo, Clerk of the Board

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