

1 [Deletion of a street flower market location on Market Street at Fifth Street.]

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3 **Ordinance amending Public Works Code Article 5, Section 155 to delete the flower**  
4 **market location on the south side of Market Street within 100 feet of the west line of 5<sup>th</sup>**  
5 **Street.**

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

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

10 Section 1. Findings.

11 (a) Pursuant to Ordinance No. 391-81 and DPW Order No. 171, 475, the Department  
12 of Public Works issued revocable permission to Gilbert Ray Herrera and Raymond Al Herrera,  
13 to occupy the street flower market location on the south side of Market Street within 100 feet  
14 of the west line of 5<sup>th</sup> Street. Copies of said documents are in Clerk of the Board of  
15 Supervisors File No. \_\_\_\_\_.

16 (b) As a result a numerous violations of permit conditions, the Director of the  
17 Department of Public Works revoked said permit on November 8, 2004. The revocation  
18 became final on November 23, 2004.

19 (c) No flower stand has occupied this site for more than two years and the Lurie  
20 Company, the fronting property owner, has requested the City to delete this site from the list  
21 of locations where flower stands are permitted.

22 (d) The Director of the Department of Public Works in a letter dated December ,  
23 2004, has taken no position on deletion of this flower stand location as it is a policy matter for  
24 the Board of Supervisors. Said letter is on file with the Clerk of the Board of Supervisors in  
25 File No. .

1 (e) This Board finds that it no longer is in the public interest to retain a flower stand site  
2 at this location.

3 Section 2. The San Francisco Public Works Code is hereby amended by amending  
4 Section 155, to read as follows:

5 SEC. 155. DESIGNATION OF LOCATIONS - PROVISIO.

6 Sidewalk flower-vending stands shall be located within the following designated  
7 street flower market areas upon the sidewalks of the City and County of San Francisco at the  
8 curb or building line.

9 The Grant Avenue Street Flower Market

10 On the west sidewalk of Grant Avenue within 100 feet south of the southerly line  
11 of Geary Street.

12 On the east sidewalk of Grant Avenue within 100 feet south of the southerly line  
13 of Post Street.

14 The Stockton Street Flower Market

15 On the west sidewalk of Stockton Street within 100 feet south of the southerly  
16 line of Geary Street.

17 On the east sidewalk of Stockton Street within 100 feet south of the southerly  
18 line of Geary Street.

19 On the west sidewalk of Stockton Street within 100 feet north of the northerly  
20 line of Ellis Street.

21 On the east sidewalk of Stockton Street within 100 feet north of the northerly line  
22 of O'Farrell Street.

23 On the north sidewalk of Post Street within 50 feet west of 250 Post Street.

24 The Powell Street Flower Market

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1                    On the east sidewalk of Powell Street between 25 feet and 100 feet south of the  
2 southerly line of Geary Street.

3                    On the west sidewalk of Powell Street within 100 feet north of the northerly line  
4 of Eddy Street.

5                    The Emporium Street Flower Market

6                    On the south sidewalk of Market Street facing the location of 835 Market Street.

7                    The Post Street Flower Market

8                    On the north side of Post Street, east of Powell Street within 200 feet east of the  
9 easterly property line of Powell Street.

10                   The Upper Market Street Flower Market

11                   On the north sidewalk of Sixteenth Street within 100 feet south of the southerly  
12 line of Market Street.

13                   The Market Street Flower Market

14                   On the south sidewalk of Market Street facing the location of 101 Market Street.

15                   On the south sidewalk of Market Street facing the location of 215 Market Street.

16                   ~~On the south sidewalk of Market Street within 100 feet of the west line of 5th Street.~~

17                   On the east sidewalk of Montgomery Street, at Market Street, within 50 feet  
18 south of the north property line of Post Street.

19                   The Columbus Avenue and Powell Street Flower Market

20                   On the northwestern end of Marini Park on Columbus Avenue and Powell  
21 Street.

22                   The Harvey Milk Plaza Flower Market

23                   On the west sidewalk of Castro Street north of the main entrance to the Harvey  
24 Milk Plaza Muni Metro Station.

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1 RECOMMENDED:  
2 DEPARTMENT OF PUBLIC WORKS

DESCRIPTION APPROVED:  
DEPARTMENT OF PUBLIC WORKS

3 \_\_\_\_\_  
4 Edwin M. Lee  
5 Director of Public Works

\_\_\_\_\_   
Robert P. Beck  
Deputy Director for Engineering

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

8 By: \_\_\_\_\_  
9 John D. Malamut  
10 Deputy City Attorney

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