

1 [Street Vacation Order, Interdepartmental Property Transfer - Twin Peaks Promenade Project]

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3 **Ordinance 1) ordering the conditional vacation of the designation of portions of**
4 **Christmas Tree Point Road and the eastern alignment of Twin Peaks Boulevard,**
5 **generally bounded by Assessor's Parcel Block No. 2719C, Lot No. 021, and Assessor's**
6 **Parcel Block No. 2643, Lot Nos. 006, 007, 009, and 021 (together, "Eastern Twin Peaks**
7 **Boulevard") as public right-of-way for roadway and sidewalk purposes, and ordering**
8 **the re-designation of Eastern Twin Peaks Boulevard as public right-of-way for**
9 **recreation and park purposes to facilitate the development of the Twin Peaks**
10 **Promenade Project; 2) approving the interdepartmental transfer of Eastern Twin Peaks**
11 **Boulevard and Assessor's Parcel Block No. 2643, Lot No. 014 from Public Works to the**
12 **Recreation and Park Department, notwithstanding Administrative Code, Chapter 23; 3)**
13 **applying the Park Code and regulations and the excavation and backfill requirements**
14 **of the Public Works Code and associated orders, regulations, standards, and**
15 **procedures to Eastern Twin Peaks Boulevard, enabling the Recreation and Park**
16 **Department to issue excavation permits for Eastern Twin Peaks Boulevard; 4) clarifying**
17 **that the City has approved a grant restriction requiring that the Twin Peaks Promenade**
18 **be operated as public open space in perpetuity; 5) authorizing official acts in**
19 **connection with this Ordinance, as defined herein; 6) affirming the Planning**
20 **Department's determination under the California Environmental Quality Act; and 7)**
21 **making findings of consistency with the General Plan, and the eight priority policies of**
22 **Planning Code, Section 101.1.**

23 **NOTE: Unchanged Code text and uncodified text** are in plain Arial font.
24 **Additions to Codes** are in single-underline italics Times New Roman font.
25 **Deletions to Codes** are in strikethrough italics Times New Roman font.
 Board amendment additions are in double-underlined Arial font.
 Board amendment deletions are in strikethrough Arial font.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Background and Findings.

(a) On _____, 2026, the Board of Supervisors (“Board”) adopted Resolution No.

(the “Resolution of Intent”), a copy of which is on file with the Clerk of the Board in File

No. 251218, declaring its intention to order the vacation of the roadway and sidewalk use

designations of portions of Christmas Tree Point Road and the eastern alignment of the Twin

Peaks Boulevard "Figure 8" from Christmas Tree Point Road to approximately 1,580 feet

southerly at the close of the Figure 8, generally bounded by Christmas Tree Point Road a

Assessor's Parcel Block No. 2719C, Lot No. 021, and Assessor's Parcel Block No. 2643, Lot

Nos. 006, 007, 009, and 021, as shown on SUR Map No. 2025-005, dated October 20, 2025

(together, "Eastern Twin Peaks Boulevard"), and to re-designate Eastern Twin Peaks

Boulevard as right-of-way for recreation and park purposes to facilitate the Twin Peaks

Promenade Project. The Resolution of Intent set a hearing date for the Board to sit as a

Committee of the Whole for all persons interested in the proposed vacation. The Resolution

of Intent is incorporated herein by reference.

(b) The Clerk of the Board published the Resolution of Intent in the manner required by

law and transmitted to the Director of Public Works a certified copy of the Resolution of Intent,

(c) The vacation of the roadway and sidewalk use designations of Eastern Twin Peaks

Boulevard is necessary to implement the Twin Peaks Promenade project (“Twin Peaks

Promenade Project" or the "Project"), which will include the conversion of Eastern Twin Peaks

Boulevard from paved asphalt to a combination of asphalt and aggregate trail surfacing for a

1 multi-use pathway, removal of a portion of a concrete barrier and a metal guardrail along the
2 eastern side of the pavement to provide more expansive views, and installation of new
3 landscaping, vegetation restoration, erosion control measures, bicycle racks, seating areas,
4 interpretive and wayfinding signage, split-rail fencing, a new parking area with an accessible
5 parking space, and placement of removable bollards at emergency vehicle access points.

6 The Project will support additional recreational opportunities for San Francisco residents,
7 visitors, and persons with disabilities, while concurrently maintaining existing two-way
8 vehicular access along the western alignment of the Twin Peaks Boulevard “Figure 8,” which
9 will remain unaltered.

10 (d) The Recreation and Park Department developed the Project and the concept for
11 the Project over the course of more than a decade.

12 (1) On February 16, 2012, the Recreation and Park Commission adopted
13 Resolution No. 1202-003, approving the concept plan for the Twin Peaks Trail Restoration,
14 and Resolution No. 1202-005, recommending that the Board of Supervisors approve the
15 interdepartmental transfer of Assessor’s Parcel Block No. 2643, Lot No. 014, real property
16 maintained by the Recreation and Park Department within Twin Peaks Park, from the
17 Department of Public Works (“Public Works”) to the Recreation and Park Department.

18 (2) On March 2, 2021, pursuant to California Vehicle Code Section 21101, the
19 San Francisco Municipal Transportation Agency Board of Directors adopted Resolution
20 No. 210302-029 to help achieve the “Twin Peaks for All” project goals, finding that Twin Peaks
21 Boulevard between Burnett Avenue and Christmas Tree Point Road, in both directions, is no
22 longer needed for vehicular traffic, except for bicycles and emergency vehicles.

23 (3) On June 16, 2022, the Recreation and Park Commission adopted
24 Resolution No. 2206-006, approving a conceptual plan for the “Twin Peaks Promenade” and,
25 pending confirmation of funding for construction, recommending that the Board transfer

1 jurisdiction of the Twin Peaks Promenade from Public Works to the Recreation and Park
2 Department. The Project encompasses the Twin Peaks Promenade.

3 Copies of the aforementioned resolutions are on file with the Clerk of the Board in File
4 No. 251220, and are incorporated herein by reference.

5 (e) The Recreation and Park Department is charged with implementing the Recreation
6 and Park Department's Significant Natural Resources Management Plan, dated
7 February 2006, which includes some of the City's largest remaining expanses of coastal scrub
8 and coastal prairie communities that provide habitat for the endangered Mission blue butterfly,
9 and which encompasses Assessor's Parcel Block No. 2643, Lot No. 014. The
10 interdepartmental transfer of Assessor's Parcel Block No. 2643, Lot No. 014 will allow the
11 Recreation and Park Department to more effectively manage the Twin Peaks Natural Area. In
12 addition, the interdepartmental transfer of Assessor's Parcel Block No. 2643, Lot No. 014 from
13 Public Works to the Recreation and Park Department is necessary to consolidate certain City
14 property within the control and jurisdiction of the Recreation and Park Department along the
15 Twin Peaks hillside and to implement the renovation of the pedestrian trail that connects
16 Crestline Drive to the Twin Peaks Promenade.

17 (f) The Recreation and Park Department has sought and obtained significant funds for
18 the Project.

19 (1) On October 21, 2021, the Recreation and Park Commission adopted
20 Resolution No. 2110-005 approving the application for Regional Park Program Grant Program
21 funds for Twin Peaks Promenade and Trails Improvement Project from the California
22 Department of Parks and Recreation, and on October 22, 2022, the Board adopted Resolution
23 No. 449-22 authorizing the Recreation and Park Department to accept and expend grant
24 funding from the California Department of Parks and Recreation in the amount of up
25 to \$1,900,000 to support the Project.

(2) On May 19, 2022, the Recreation and Park Commission adopted Resolution No. 2205-05 approving the application for Habitat Conservation Funds for the Twin Peaks Trails Improvement Project, and on November 15, 2022, the Board adopted Resolution No. 489-22 authorizing the Recreation and Park Department to accept and expend grant funding from the California Department of Parks and Recreation Habitat Conservation Fund in the amount of \$350,000 to support the Project.

(3) On September 21, 2023, the Recreation and Park Commission adopted Resolution No. 2309-010 approving the application to the Recreational Trails Program for the Twin Peaks Promenade Project, and on January 14, 2025, the Board adopted Resolution No. 2-25 authorizing the Recreation and Park Department to accept and expend grant funding from the California Department of Parks and Recreation in the amount of \$1,493,692 to support the Project.

(4) On August 15, 2024, the Recreation and Park Commission adopted Resolution No. 2408-003 to accept and expend a cash grant of \$37,000 from the Bay Area Ridge Trail Council to fund the construction of a memorial bench and interpretive and/or wayfinding signs as part of the Twin Peaks Trails Improvements and Promenade Project, which encompasses the Project.

Copies of the aforementioned resolutions are on file with the Clerk of the Board in File No. 251220, and are incorporated herein by reference.

(g) In Public Works Order No. 212430, dated December 1, 2025 (the "Order"), a copy of which is on file with the Clerk of the Board in File No. 251220, the Director of Public Works and the City Engineer (collectively, the "Public Works Director") recommended that the Board vacate the designation of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk purposes and re-designate it as public right-of-way for recreation and park purposes to facilitate the development of the Twin Peaks Promenade Project and that the

1 Board make certain determinations and findings including that: (1) vacation of the designation
2 of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk purposes is
3 proceeding pursuant to California Streets and Highways Code Sections 8300 et seq. and San
4 Francisco Public Works Code Section 787(a); (2) the designation of Eastern Twin Peaks
5 Boulevard as public right-of-way for roadway and sidewalk purposes is no longer necessary
6 for the City's present or prospective public use; (3) in accordance with California Streets and
7 Highways Code Sections 892 and 8314, Eastern Twin Peaks Boulevard is not useful as a
8 nonmotorized transportation facility, as defined in California Streets and Highways Code
9 Section 887; (4) Public Works obtained the consent of all property owners adjacent to Eastern
10 Twin Peaks Boulevard; (5) Eastern Twin Peaks Boulevard presently contains a catch basin
11 owned and operated by the San Francisco Public Utilities Commission ("SFPUC"), which will
12 continue to be accessible to the SFPUC following the effective date of this ordinance; and (6)
13 Twin Peaks Boulevard presently contains utility facilities owned and operated by Pacific Gas
14 and Electric Company ("PG&E"), which will continue to be accessible to PG&E pursuant to
15 that certain franchise granted to PG&E according to Board Bill No. 326, Ordinance No. 414
16 (Series 1939) following the effective date of this ordinance.

17 In addition, in the Order, Public Works approved excavation backfill standards
18 applicable to Eastern Twin Peaks Boulevard, requiring excavators in Eastern Twin Peaks
19 Boulevard to restore surfaces comprised of plant cover, landscaping, or other special
20 materials in kind; and recommended that the Board approve the jurisdictional transfer of
21 Eastern Twin Peaks Boulevard from Public Works to the Recreation and Park Department,
22 apply the Park Code and Regulations and the excavation and backfill requirements of the
23 Public Works Code and associated orders and regulations to Eastern Twin Peaks Boulevard,
24 enabling the Recreation and Park Department to issue excavation permits concerning Eastern
25 Twin Peaks Boulevard, and approve the jurisdictional transfer of Assessor's Parcel Block No.

1 2643, Lot No. 014, which is adjacent to Twin Peaks Boulevard, from Public Works to the
2 Recreation and Park Department.

3 (h) From all the evidence submitted at the public hearing noticed in the Resolution of
4 Intent and the associated materials on file with the Clerk of the Board in File No. 251218, the
5 Board finds Eastern Twin Peaks Boulevard is no longer necessary for the City's present or
6 prospective future use as a public right-of-way for roadway and sidewalk purposes, or as a
7 nonmotorized transportation facility.

8 (i) Following enactment of this ordinance, Public Works, the Recreation and Park
9 Department, and SFPUC intend to enter into a memorandum of understanding ("MOU") to
10 memorialize the departments' agreement to coordinate regarding the SFPUC catch basin and
11 other matters concerning Eastern Twin Peaks Boulevard and to memorialize the departments'
12 agreement that Public Works shall provide technical assistance to the Recreation and Park
13 Department in its review and application of the excavation and backfill requirements of the
14 Public Works Code and associated Orders, regulations, standards, and procedures subject to
15 reimbursement from the Recreation and Park Department for Public Works' costs.

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17 Section 2. Environmental and General Plan Findings.

18 (a) In a letter December 20, 2022 ("Planning Letter"), the Planning Department
19 determined that the vacation of Eastern Twin Peaks Boulevard and the interdepartmental
20 transfer of Eastern Twin Peaks Boulevard and the interdepartmental transfer of Assessor's
21 Parcel Block No. 2643, Lot No. 014 from Public Works to Recreation and Park Department is
22 not a project under the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.); a copy of said letter is on file with the Clerk of the Board in File
24 No. 251220 and is incorporated herein by reference. The Board hereby affirms this
25 determination.

(b) In the Planning Letter, the Planning Department also determined that the proposed vacation of Eastern Twin Peaks Boulevard and other actions contemplated in this ordinance are consistent with the eight priority policies of Planning Code Section 101.1 and are, on balance, in conformity with the City's General Plan. The Board adopts this determination as its own.

Section 3. Street Vacation and Conditions.

(a) California Streets and Highways Code Sections 8300 et seq., and San Francisco Public Works Code Section 787(a) set forth the procedures that the City follows to vacate public streets and public service easements.

(b) The Board adopts as its own and incorporates by reference herein as if fully set forth, the findings, recommendations, and determinations of the Public Works Director as set forth in the Order concerning the vacation of the designation of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk purposes and other actions in furtherance thereof.

(c) The Board finds that the designation of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk purposes is unnecessary for present or prospective public use.

(d) The vacation of the designation of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk purposes is necessary to implement and to fulfill the objectives and requirements of the Project.

(e) The Board finds that the public interest, convenience, and necessity require that the vacation of the designation of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk purposes be done as declared in this ordinance.

(f) The vacation of the designation of Eastern Twin Peaks Boulevard as public right-of-way for roadway and sidewalk shall be subject to the following conditions, which shall take effect following the transfer of jurisdiction of Eastern Twin Peaks Boulevard from Public Works to the Recreation and Park Department:

(1) Eastern Twin Peaks Boulevard shall remain a right-of-way dedicated to public use and shall be re-designated for recreation and park purposes under the jurisdiction of the Recreation and Park Department in perpetuity.

(2) Permits to excavate within Eastern Twin Peaks Boulevard shall be issued by the Recreation and Park Department pursuant to the Public Works Code and the associated Public Works Orders, regulations, standards, and procedures governing excavation; provided, however, that the Recreation and Park Department shall be exempt from complying with the Public Works Code and the associated Public Works Orders, regulations, standards, and procedures governing excavation.

(3) All other permits shall be issued by the Recreation and Park Department pursuant to the Park Code.

Section 4. Interdepartmental Property Transfer.

Notwithstanding the requirements of Administrative Code Chapter 23, the Board hereby approves the interdepartmental property transfer of Eastern Twin Peaks Boulevard and Assessor's Parcel Block No. 2643, Lot No. 014 from Public Works to the Recreation and Park Department, and directs the Director of the Division of Real Estate to modify the City's records concerning City property ownership and jurisdiction accordingly. Until such transfers occur, Eastern Twin Peaks Boulevard and Assessor's Parcel Block No. 2643, Lot No. 014 shall remain under the jurisdiction of Public Works. There shall be no cost to the Recreation

1 and Park Department for the transfer of Eastern Twin Peaks Boulevard and Assessor's Parcel
2 Block No. 2643, Lot No. 014 from Public Works to the Recreation and Park Department.

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4 Section 5. Clarification Regarding Resolution No. 2-25.

5 On January 16, 2025, the Board adopted Resolution No. 2-25 authorizing the
6 Recreation and Park Department to accept and expend grant funding from the California
7 Department of Parks and Recreation in the amount of \$1,493,692 to support the Project.
8 Resolution No. 2-25 states that the Grant Contract requires the City to agree to maintain the
9 area developed with grant funds as public open space in perpetuity, while it also includes
10 language stating that this use restriction was for only 20 years. This Section 5 is intended to
11 clarify and reaffirm that the Board previously agreed and continues to agree to maintain the
12 area developed with grant funds as public open space in perpetuity as stated in the Grant
13 Contract.

14

15 Section 6. Official Acts in Connection with the Ordinance.

16 The Board authorizes the Clerk of the Board, the Director of the Real Estate Division,
17 the County Surveyor, the General Manager of the Recreation and Park Department, and the
18 Public Works Director to take any and all actions which they or the City Attorney may deem
19 necessary or advisable to effectuate the purpose and intent of this ordinance, including,
20 without limitation, the filing of this ordinance in the Official Records of the City and County of
21 San Francisco, confirmation of the satisfaction of the conditions to the effectiveness of the
22 vacation of the roadway and sidewalk designation of Eastern Twin Peaks Boulevard, if any,
23 and execution and delivery of any evidence of the same, which shall be conclusive as to the
24 satisfaction of the conditions.

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1 Section 7. Effective Date.

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

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

9 By: /s/ Christopher T. Tom
10 CHRISTOPHER T. TOM
11 Deputy City Attorney

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