

LEGISLATIVE DIGEST

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

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

Existing Law

California Streets and Highways Code sections 8300 et seq. and Public Works Code section 787(a) govern the process for the vacation of City streets and public service easements.

Amendments to Current Law

This ordinance would order the conditional vacation of the designation of portions of Christmas Tree Point Road and the eastern alignment of Twin Peaks Boulevard, generally bounded by Assessor's Parcel Block No. 2719C, Lot No. 021, and Assessor's Parcel Block No. 2643, Lot Nos. 006, 007, 009, and 021 (together, "Eastern Twin Peaks Boulevard") as public right-of-way for roadway and sidewalk purposes, and this ordinance would order the re-designation of Eastern Twin Peaks Boulevard as public right-of-way for recreation and park purposes to facilitate the development of the Twin Peaks Promenade Project (defined below).

In addition, this ordinance would approve the interdepartmental 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, notwithstanding Administrative Code Chapter 23.

Moreover, this ordinance would apply the Park Code and regulations and the excavation and backfill requirements of the Public Works Code and associated orders, regulations, standards, and procedures to Eastern Twin Peaks Boulevard, enabling the Recreation and Park Department to issue excavation permits for Eastern Twin Peaks Boulevard. Under the applicable Public Works Order, with respect to any excavation of Eastern Twin Peaks Boulevard, surfaces comprised of plant cover, landscaping, or other special materials would need to be restored in kind based on specifications to be approved by the Recreation and Park Department.

In addition, this ordinance would clarify that the City has approved a grant-related restriction requiring that the Twin Peaks Promenade be operated as public open space in perpetuity.

Following the adoption of this ordinance, Eastern Twin Peaks Boulevard would remain public right-of-way. Therefore, the San Francisco Public Utilities Commission ("SFPUC") would continue to have access to the SFPUC facilities located within Eastern Twin Peaks Boulevard. In addition, the utility facilities that Pacific Gas and Electric Company ("PG&E") currently owns and operates within Eastern Twin Peaks Boulevard would remain accessible to PG&E pursuant to that certain franchise granted to PG&E according to Board Bill No. 326, Ordinance No. 414 (Series 1939), following the adoption of this ordinance.

Background Information

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 multi-use pathway, removal of a portion of a concrete barrier and a metal guardrail along the eastern side of the pavement to provide more expansive views, and installation of new landscaping, vegetation restoration, erosion control measures, bicycle racks, seating areas, interpretive and wayfinding signage, split-rail fencing, a new parking area with an accessible parking space, and placement of removable bollards at emergency vehicle access points. The Project will support additional recreational opportunities for San Francisco residents, visitors, and persons with disabilities, while concurrently maintaining existing two-way vehicular access along the western alignment of the Twin Peaks Boulevard "Figure 8," which will remain unaltered.

The Recreation and Park Department has developed the Project and the concept for the Project over the course of more than a decade.