

FILE NO. 070489

ORDINANCE NO.

1 [Closing specified streets in Golden Gate Park on Saturdays.]

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3 **Ordinance amending Section 6.13 of the San Francisco Park Code to prohibit motor**
4 **vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between**
5 **Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake**
6 **Drive between Stow Lake Drive East and John F. Kennedy Drive from the first Saturday**
7 **in April to the last Saturday in September; requesting development of an improvement**
8 **plan for Middle Drive West between Transverse Drive and Metson Road; and making**
9 **environmental findings.**

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

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

15 Section 1. The Planning Department has determined that the actions contemplated in
16 this Ordinance are in compliance with the California Environmental Quality Act (California
17 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of
18 the Board of Supervisors in File No. 070489 and is incorporated herein by reference.

19 Section 2. In April 2007, under the auspices of Supervisor McGoldrick and the Mayor,
20 the Mayor's Office brought together stakeholders to explore a compromise solution on the
21 proposal of Saturday closure. These stakeholders agreed on a compromise to close a part of
22 John F. Kennedy Drive on a seasonal basis. Parties to this compromise agreed not to pursue
23 or support additional closure proposals in Golden Gate Park or proposals to decrease road
24 closure in Golden Gate Park during Saturday or Sunday for five (5) years from the date of this
25 agreement. This compromise agreement is on file with the Clerk of the Board of Supervisors
in File No. 070489 and is incorporated by reference herein. For purposes of this legislation,

1 the Board hereby acknowledges and adopts the findings of this agreement as its own. Based
2 on this agreement and discussions among affected stakeholders, elected officials, and City
3 departments, the Board has determined that a closure of a portion of John F. Kennedy Drive
4 in Golden Gate Park on Saturdays is warranted to provide for expanded opportunities for
5 healthy recreational activity and enjoyment of the Park on Saturdays.

6 Section 3. The San Francisco Park Code is hereby amended by amending Section
7 6.13, to read as follows:

8 SEC. 6.13. PROHIBITION ON MOTOR VEHICLE TRAFFIC IN GOLDEN GATE PARK ON
9 SATURDAYS.

10 (a) Findings and Purpose.

11 (i) This legislation supports and is in furtherance of the findings set forth in Section
12 6.12.

13 (ii) The public interest will be served by a *temporary* Saturday closure of John F.
14 Kennedy Drive, between Transverse Drive and the western side of Hagiwara Tea Garden
15 Drive, and closure of Stow Lake Drive East connecting with that portion of John F. Kennedy
16 Drive.

17 (iii) *This specified period of* Saturday road closures *is-are* necessary for the safety and
18 protection of persons who would use these roads during the *temporary* closures.

19 (b) Saturday Road Closures. The following roads in Golden Gate Park shall be closed
20 to motor vehicle traffic on Saturdays, from 6:00 a.m. to 6:00 p.m. Pacific Standard Time and
21 Pacific Daylight Time, subject to the inclement weather condition protocols that apply to the
22 current Sunday road closures, *which involve removal of the road closure barriers at 2:00 p.m. if it is*
23 *raining*: John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara
24 Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy
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1 Drive. The Recreation and Park Department, with the assistance, as needed, of other City
2 departments, shall arrange for appropriate barriers to motor vehicles to be placed within
3 Golden Gate Park so as to effectuate the aforementioned street closures. The Saturday road
4 closures mandated in this subsection (b) shall be in effect ~~on May 26, 2007 and continuing until~~
5 ~~September 29, 2007~~ from the first Saturday in April through the last Saturday in September.

6 (c) The disability access standards, exempt motor vehicles provision, and the
7 emergency authority of the General Manager, as set forth in Sections 6.12(b), (c), and (d),
8 respectively, shall apply to the Saturday road closures established herein. The Saturday
9 closures established herein also shall be subject to the following additional conditions:

10 (i) ~~Notwithstanding Prior to~~ the annual starting date for the closures set forth in
11 subsection (b), ~~such closures shall not be implemented until~~ the Director of the Mayor's Office of
12 on Disability, in consultation with the Recreation and Park Department and the DeYoung
13 Museum Access Division, ~~has confirmed in writing that~~ shall determine whether physical
14 accessibility is provided through the closure area compliant with the Americans with
15 Disabilities Act.

16 (ii) Vehicle deliveries to the DeYoung Museum loading dock during the Saturday and
17 Sunday closure are specifically acknowledged and authorized herein. Such vehicles shall have
18 unimpeded access to the Museum's loading dock from John F. Kennedy Drive through the
19 road closure area. The DeYoung Museum shall develop appropriate protocols that provide for
20 unencumbered delivery access to its loading dock and maintain safety of individuals within the
21 road closure area. The Museum shall evaluate such protocols and delivery activities on a
22 regular basis to ensure that adequate delivery access and public safety are maintained. If
23 necessary, the Recreation and Park Department, in consultation with the Mayor's Office, shall
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1 institute additional or modified methods that ensure adequate delivery access to the Museum
2 and public safety.

3 (iii) The Recreation and Park Department, in consultation with the Mayor's Office of on
4 Disability, shall develop appropriate signage for the Saturday Road closure to minimize any
5 traffic disruption.

6 (d) Effect on Sunday and Holiday Road Closures. This Section is not intended to have
7 any effect on street closures in Golden Gate Park on Sundays and holidays *except for the*
8 *provisions of subsection (c)(ii) concerning delivery access to the DeYoung Museum's loading dock.*

9 (e) Conflict With Other Provisions of Law. If any provision of this Section conflicts with
10 an earlier enacted provision of this Article or of any other earlier enacted provision of law, and
11 the conflict cannot be reasonably reconciled, the provision of this section shall govern.

12 (f) Severability. If any provision, sentence, clause, or other part of this Section is held
13 to be invalid or unlawful, such a holding shall not limit or abrogate other parts of this Section
14 that can be given effect independently of the invalid or unlawful provision, sentence, clause, or
15 part. If the application of a provision, sentence, clause, or other part of this Section to a
16 person or class of persons, or to a specific circumstance, is held to be invalid or unlawful,
17 such a holding shall not limit or abrogate other applications of the same provision, sentence,
18 clause, or part that can be given effect independently of the invalid or unlawful application.

19 Section 4. This Section shall be uncodified.

20 Improvements on and adjacent to Middle Drive West. The Recreation and Park
21 Department, subject to any necessary approvals from the Recreation and Park Commission,
22 shall develop and implement a capital improvement and programmatic plan for Middle Drive
23 West between Transverse Drive and Metson Road (the "Plan"). The intent of such Plan is to
24 enhance the recreational uses in this area for bikers, walkers, skaters, and other park visitors.

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1 The Plan may include, but is not be limited to, road surface repairs, concessions, and
2 restrooms. The Plan shall be prepared in consultation with affected community stakeholders,
3 such as bicyclist and other Park recreational users, persons with disabilities, neighborhood
4 organizations on both the north and south sides of the Park, and the institutions within the
5 Park. In addition, it is anticipated that private philanthropic interests also will participate in this
6 effort and contribute to the capital improvements that the Plan identifies. The Recreation and
7 Park Department shall report to the Recreation and Park Commission on the progress and
8 implementation of the Plan until its completion.

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

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14 By: _____
15 John D. Malamut
16 Deputy City Attorney

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