

[Street Vacation Order and Interdepartmental Property Transfer - 1236 Carroll Avenue - Fire Department Fire Training Facility]

**Ordinance ordering the vacation of portions of Hawes Street, Griffith Street, and Bancroft Avenue for the development of the San Francisco Fire Department Training Facility at 1236 Carroll Avenue; reserving public utility and access rights in favor of the City and easement rights for existing PG&E overhead electrical facilities; approving the interdepartmental transfer of the street vacation area from Public Works to the Fire Department; authorizing official acts in connection with this Ordinance; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
**Additions to Codes** are in *single-underline italics Times New Roman font*.  
**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 \_\_\_\_\_, 2025, the Board of Supervisors ("Board") adopted Resolution No. \_\_\_\_\_, a copy of which is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, declaring its intention to order the vacation of portions of (1) Hawes Street, between Carroll and Armstrong Avenues; (2) Griffith Street, between Carroll and Armstrong Avenues; and (3) Bancroft Avenue, between Griffith and Hawes Streets (collectively, the "Vacation Area"). The location and extent of the Vacation Area is shown on the Department of Public

1 Works' ("Public Works") SUR Map No. \_\_\_\_\_, dated \_\_\_\_\_ (the "SUR Map"). A copy of  
2 said map is on file with the Clerk of the Board in File No. \_\_\_\_\_ and is incorporated herein by  
3 reference.

4 (b) The Clerk of the Board has transmitted to the Director of Public Works a certified  
5 copy of the Resolution of Intention, and the Director has caused the notice of adoption of such  
6 Resolution to be posted and published in the manner required by law.

7 (c) When such matter was considered as scheduled by the Board at its regular  
8 meeting held in City Hall, San Francisco, on \_\_\_\_\_, the Board heard all persons interested  
9 in such vacation.

10 (d) The vacation of the Vacation Area is part of the development of the San Francisco  
11 Fire Department ("Fire Department") training facility at 1236 Carroll Avenue ("Project"). The  
12 Project site is bounded by Carroll Avenue, Armstrong Avenue, and Assessor's Parcel Block  
13 Numbers 4851, 4853, and 4876, and consists of approximately eight acres of City-owned real  
14 property. The Project will provide necessary training facilities for effective firefighting,  
15 including live-fire training, classroom training, equipment training, and other forms of training.  
16 The Project will consolidate and replace the Fire Department training facilities currently  
17 located at 649 Avenue N on Treasure Island and at 2310 Folsom Street.

18 (e) The Vacation Area is currently comprised of paper streets that are inaccessible to  
19 the public. The steep grade of the Project site relative to the surrounding area has posed  
20 challenges to the development of the paper streets into physical right-of-way. Development of  
21 the paper streets is also unnecessary to provide access to the Project site or neighboring  
22 sites, which are already served by Carroll Avenue. The Vacation Area will be incorporated  
23 into the Project site.

1 (f) On April 19, 2022, the Board approved the acquisition of various properties for the  
2 Project in Resolution No. 162-22, a copy of which is on file with the Clerk of the Board of  
3 Supervisors in Board File No. 220296.

4 (g) On February 8, 2022, the Board adopted a Final Mitigated Negative Declaration  
5 ("FMND") and Mitigation Monitoring and Reporting Program ("MMRP"), and made findings  
6 pursuant to the California Environmental Quality Act (California Public Resources Code  
7 Sections 21000 et seq.) for the Project. A copy of Motion No. M22-016, the FMND, and  
8 MMRP, is on file with the Clerk of the Board of Supervisors in File No. 220054.

9 (h) Since the adoption of the FMND and the MMRP, Public Works, acting on behalf of  
10 the Fire Department, has made several changes to the Project, including by expanding the  
11 Project site area, changing the Project layout, adding structures, and reducing the heights of  
12 certain previously proposed structures. In Addendum No. 1 to the FMND, the Planning  
13 Department determined that the modifications to the Project will not result in any new  
14 significant impacts or a substantial increase in the severity of previously identified significant  
15 effects that would alter the conclusions reached in the FMND. The Planning Department also  
16 determined that no new information has become available that shows that the modified project  
17 would cause significant environmental impacts. Therefore, the Planning Department found  
18 that no supplemental environmental review is required beyond Addendum No. 1 to the FMND.  
19 A copy of this determination is on file with the Clerk of the Board in File No. \_\_\_\_\_. The  
20 Board affirms this determination.

21 (i) In a letter dated \_\_\_\_\_ (the "Planning Letter"), the Planning Department  
22 determined that the proposed vacation and other actions contemplated herein are consistent,  
23 on balance, with the General Plan and the priority policies of Planning Code, Section 101.1. A  
24 copy of said letter is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.  
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1 and is incorporated by reference as though fully set forth herein. The Board adopts as its own  
2 the consistency findings of the Planning Letter.

3 (j) In Public Works Order No. \_\_\_\_\_, dated \_\_\_\_\_, a copy of which is on file  
4 with the Clerk of the Board in File No. \_\_\_\_\_, the Director of Public Works and the City  
5 Engineer (collectively, the "Public Works Director") determined: (1) vacation of the Vacation  
6 Area is being taken pursuant to California Streets and Highways Code, Sections 8300 et seq.  
7 and Public Works Code, Section 787(a); (2) the Vacation Area is no longer necessary for the  
8 City's present or prospective future public street and sidewalk purposes; (3) in accordance  
9 with Streets and Highways Code, Sections 892 and 8314, the right-of-way and parts thereof  
10 proposed for vacation are not useful as a nonmotorized transportation facility, as defined in  
11 Streets and Highways Code Section 887; (4) Public Works obtained the consent of all  
12 property owners adjacent to the Vacation Area; (5) the Vacation Area presently contains  
13 physical utility facilities owned and operated by the San Francisco Public Utilities Commission  
14 including (i) a subsurface box culvert located within Hawes Street and Bancroft Avenue, (ii) a  
15 subsurface sewer main located within and adjacent to Griffith Street, (iii) one communication  
16 line in Bancroft Avenue, and (iv) maintenance hole and catch basins (collectively "SFPUC  
17 Utilities"); and (6) the Vacation Area presently contains overhead electrical utility facilities  
18 owned and operated by Pacific Gas and Electric ("PG&E Facilities"). A copy of the Public  
19 Works Order is on file with the Clerk of the Board in File No. \_\_\_\_\_. The Board adopts as  
20 its own and incorporates by reference herein as if fully set forth, the recommendations of the  
21 Public Works Director as set forth in Order No. \_\_\_\_\_ concerning the vacation of the  
22 Vacation Area and other actions in furtherance thereof.

23 (k) The Fire Department and the SFPUC have negotiated a memorandum of  
24 understanding ("MOU") to memorialize the agreement to preserve the SFPUC's continued  
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1 access to the Project site for the use, maintenance, repair, and replacement of the SFPUC  
2 Utilities. A copy of the MOU is on file with the Clerk of the Board in File No. \_\_\_\_\_.

3 (l) From all the evidence submitted at the public hearing noticed in Resolution No.  
4 \_\_\_\_\_ and the associated materials on file with the Clerk of the Board in File No. \_\_\_\_\_,  
5 the Board of Supervisors finds that the Vacation Area is no longer necessary for the City's  
6 present or prospective future use as a public street, sidewalk, or nonmotorized transportation  
7 facility.

8 (m) The public interest and convenience require that the vacation be done as declared  
9 in Resolution No. \_\_\_\_\_.

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11 Section 2. Ordering Street Vacation.

12 (a) The Board hereby vacates the Vacation Area, as shown on the SUR Map, pursuant  
13 to California Streets and Highways Code, Sections 8300 et seq. and San Francisco Public  
14 Works Code Section 787(a), and upon satisfaction of the terms, conditions, and reservations  
15 as set forth in this ordinance.

16 (b) The Board of Supervisors finds that the Vacation Area is unnecessary for present  
17 or prospective public use, subject to the conditions described in this ordinance including:

18 (1) On or following the effective date of the ordinance, the vacation of the  
19 Vacation Area shall take effect without any further action by the Board of Supervisors after: (i)  
20 the Fire Department and the SFPUC execute the MOU and (ii) Public Works and the Fire  
21 Department have provided the Director of the Division of Real Estate with written confirmation  
22 that the departments are prepared to have the Vacation Area transferred to the jurisdiction of  
23 the Fire Department.

24 (2) Pursuant to the provisions of Section 8340 of the California Streets and  
25 Highways Code and pursuant to and consistent with that certain franchise granted to Pacific

1 Gas and Electric Company ("PG&E") according to Board Bill No. 326, Ordinance No. 414  
2 (Series 1939), and for the benefit of PG&E, the reservation of a 12-foot-wide temporary  
3 easement along Hawes Street between Carroll and Armstrong Avenues, the center line of  
4 which runs six feet east from and parallel to the westerly boundary of Hawes Street ("PG&E  
5 Easement") including the right, from time to time: (i) to excavate for, construct, reconstruct,  
6 replace, maintain, remove, inspect, and use PG&E's electric facilities; (ii) of ingress to and  
7 egress from the electric facilities; (iii) to trim and cut down trees and other vegetation that may  
8 be a hazard to the electric facilities; and including a requirement that the area shall be kept  
9 open and free of buildings, structures, wells or other obstructions; provided, however, that the  
10 City shall be authorized to install a gate to restrict public access to the PG&E electric facilities  
11 and provided further that the rights conferred under the PG&E Easement shall be equivalent  
12 to, and shall not be greater than, those rights granted under the aforementioned franchise.  
13 The PG&E Easement will terminate effective automatically with no requirement for further  
14 action on the earliest to occur of: (i) the relocation and removal of the PG&E Facilities, with  
15 concurrence of PG&E; (ii) termination of service to customers through the PG&E Facilities; or  
16 (iii) City's acceptance for City maintenance and liability of a new public right-of-way within the  
17 Project site that include equivalent or superior electric facilities.

18 (c) The public interest, convenience, and necessity require that the vacation be done  
19 as declared in this ordinance.  
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21 Section 3. Interdepartmental Property Transfer from Public Works to the Fire  
22 Department.

23 Notwithstanding the requirements of Administrative Code Chapter 23, the Board of  
24 Supervisors hereby approves the interdepartmental property transfer of the Vacation Area  
25 from Public Works to the Fire Department, and directs the Director of the Division of Real

1 Estate to modify the City's records concerning City property ownership and jurisdiction  
2 accordingly. Until such transfer occurs, the Vacation Area shall remain under the jurisdiction  
3 of Public Works.

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5 Section 4. Instructions to Clerk of the Board of Supervisors and Public Works.

6 The Board of Supervisors hereby directs the Clerk of the Board of Supervisors to  
7 transmit to the Director of Public Works a certified copy of this Ordinance, and the Board of  
8 Supervisors hereby urges the Director of Public Works to proceed in the manner required by  
9 law. The Clerk of the Board also is hereby directed to transmit to the Director of Public Works  
10 a certified copy of this Ordinance so that this Ordinance may be recorded together with any  
11 other documents necessary to effectuate this Ordinance.

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13 Section 5. Official Acts in Connection with the Ordinance.

14 (a) The Clerk of the Board, Director of the Real Estate Division, the Fire Chief, County  
15 Surveyor, and Public Works Director are hereby authorized and directed to take any and all  
16 actions that they or the City Attorney may deem necessary or advisable in order to effectuate  
17 the purpose and intent of this ordinance, including, without limitation, revising official public  
18 right-of-way maps if deemed necessary; confirmation of satisfaction of the street vacation  
19 conditions in Section 2 above; and execution and delivery of any evidence of the same, which  
20 shall be conclusive as to the satisfaction of the conditions.

21 (b) The Clerk of the Board of Supervisors is directed to transmit to the Office of the  
22 Assessor-Recorder a certified copy of this ordinance, the legal description of the Vacation  
23 Area, the Assessor's Parcel Block Number(s) or reserved Assessor's Parcel Block Number(s),  
24 and the SUR Map. Promptly upon the effective date of this vacation, the County Recorder  
25 shall record this ordinance, the legal description of the Vacation Area, and the SUR Map.

1           Section 6. Effective Date. This ordinance shall become effective 30 days after  
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
4 of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall be recorded  
5 upon the effective date of this 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  
Deputy City Attorney

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