

1 [East Clementina Street - Public Right-of-Way Acceptance - Establishing Official Sidewalk  
2 Widths - Approving Public Sidewalk Easements on Folsom Street]

3 **Ordinance conditionally accepting an offer of dedication and quitclaim deed for real**  
4 **property from the Office of Community Investment and Infrastructure for a segment of**  
5 **East Clementina Street between Beale and Main Streets; conditionally accepting the**  
6 **segment of East Clementina Street for maintenance and liability; delegating to the**  
7 **Public Works Director the authority to: 1) accept this Street segment for City**  
8 **maintenance and liability purposes and 2) take other related actions such as establish**  
9 **official public right-of-way widths and street grades; conditionally accepting offers of**  
10 **improvements from Transbay 2 Family, L.P., and Transbay 2 Senior, L.P., (collectively,**  
11 **“Transbay 2”) for public improvements on Beale, Folsom, and Main Streets and**  
12 **approving Folsom Street public sidewalk easements from Transbay 2; waiving the**  
13 **application of Ordinance No. 1061 entitled “Regulating the Width of Sidewalks” to allow**  
14 **establishment, expansion, and reduction of official sidewalk widths through**  
15 **administrative action associated with the Street Segment and Transbay 2 public**  
16 **improvements; adopting findings under the California Environmental Quality Act;**  
17 **making findings of consistency with the General Plan, and the eight priority policies of**  
18 **Planning Code, Section 101.1; approving a Public Works Order recommending various**  
19 **actions in regard to the segment of East Clementina Street and Transbay 2 public**  
20 **improvements; and authorizing official acts in connection with this Ordinance to be**  
21 **taken by the Public Works Director and other San Francisco officials, as defined herein.**

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

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

2  
3 Section 1. Background and Findings.

4 (a) This legislation involves land dedication and City acceptance for maintenance and  
5 liability of a segment of East Clementina Street between Beale and Main Streets (the “East  
6 Clementina Street Segment” or “Street Segment”) at the site of the temporary Transbay Bus  
7 Terminal, also known as Blocks 2 and 3 in the Transbay Redevelopment Plan Project Area.  
8 The public improvements on the East Clementina Street Segment are not complete at this  
9 time; however, the Successor Agency to the San Francisco Redevelopment Agency, known  
10 as the Office of Community Investment and Infrastructure (“OCII”), has submitted to the City  
11 and County of San Francisco (“City”) an Offer of Dedication and a quitclaim deed for real  
12 property underlying the East Clementina Street Segment, including associated improvements  
13 (“OCII Deed”). OCII’s submission of these documents now will allow the City, on an expedited  
14 basis, to own and accept the Street Segment when the street work is complete. The Offer of  
15 Dedication and draft OCII Deed are on file with the Clerk of the Board of Supervisors in File  
16 No. \_\_\_\_\_ and incorporated herein by reference.

17 (b) Transbay 2 Family, L.P., and Transbay 2 Senior, L.P., (collectively, “Transbay 2”)   
18 have presented Offers of Improvements for public infrastructure on Beale, Folsom, and Main  
19 Streets and related areas. These improvements include but are not limited to: curb and  
20 gutter; sidewalk; curb ramps; minor roadway resurfacing; street trees; permanently affixed  
21 benches; stormwater, sewer, domestic water, recycled water, and auxiliary water systems;  
22 streetlight systems; bike racks; and traffic signal infrastructure. Transbay 2 also has granted  
23 non-exclusive easements for pedestrian access, passage, ingress, and egress for public  
24 sidewalk purposes to the City along two property frontages of Folsom Street between Beale  
25 and Main Streets (the “Transbay 2 Sidewalk Easements”). The Offers of Improvements, draft

1 Transbay 2 Sidewalk Easements, and a diagram showing their location are on file with the  
2 Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and incorporated herein by  
3 reference.

4 (c) In accordance with the California Environmental Quality Act (“CEQA”) (California  
5 Public Resources Code Sections 21000 et seq.), OCII, as the lead agency under Public  
6 Resources Code Section 21067, found and determined that the actions contemplated in this  
7 ordinance were within the scope the Final Environmental Impact Statement/Environmental  
8 Impact Report on the Transbay Redevelopment Plan and related addenda, and require no  
9 additional environmental review pursuant to Public Resources Code Section 21166 and State  
10 CEQA Guidelines Sections 15180, 15168, 15162, and 15163. These findings are found in  
11 OCII Commission Resolution No. 47-2022 adopted on December 6, 2022. A copy of OCII  
12 Commission Resolution No. 47-2022 is on file with the Clerk of the Board of Supervisors in  
13 File No. \_\_\_\_\_ and incorporated herein by reference.

14 (d) In a letter dated \_\_\_\_\_, 2026, OCII determined that the actions  
15 contemplated in this ordinance are consistent with the Transbay Redevelopment Plan and  
16 recommended that the Board of Supervisors accept the East Clementina Street Segment. A  
17 copy of the OCII letter is on file with the Clerk of the Board of Supervisors in File No.  
18 \_\_\_\_\_ and incorporated herein by reference.

19 (e) In a letter dated November 28, 2023, the Planning Department found that actions  
20 related to the creation and City acceptance of the East Clementina Street Segment for  
21 maintenance and liability purposes, and other actions set forth in this ordinance are, on  
22 balance, in conformance with the General Plan and the eight priority policies of Planning Code  
23 Section 101.1. A copy of the Planning Department letter is on file with the Clerk of the Board  
24 of Supervisors in File No. \_\_\_\_\_ and incorporated herein by reference.

25

1 (f) In Public Works Order (“PW Order”) No. \_\_\_\_\_, dated \_\_\_\_\_, 2026,  
2 the Public Works Director, City Engineer, and County Surveyor (collectively, “PW Director”)  
3 recommended that the Board of Supervisors: (1) conditionally accept the Offer of Dedication  
4 and approve the OCII Deed, including the associated public improvements; (2) conditionally  
5 accept for City maintenance and liability purposes the East Clementina Street Segment,  
6 subject to its completion, inspection, and certification that it has been constructed in  
7 accordance with all provisions of the Municipal Code, City regulations, and standards, and is  
8 ready for its intended use; and (3) accept the Offers of Improvements from Transbay 2 for  
9 additional improvements on Beale, Folsom, and Main Streets.

10 (g) In the PW Order, the PW Director also recommended that the Board of Supervisors  
11 delegate the authority to the PW Director to declare the Street Segment as open public right-  
12 of-way; dedicate the Street Segment to public use; designate the Street Segment for street  
13 and roadway purposes; and accept it for City maintenance and liability purposes, subject to  
14 certain exceptions, upon completion of the Street Segment as set forth in subsection (f)  
15 above. The PW Director recommends that the acceptance of the East Clementina Street  
16 Segment for maintenance and liability purposes be subject to the following exceptions: (1) the  
17 portions of the Street Segment being accepted for street and roadway purposes are from back  
18 of sidewalk to back of sidewalk, unless specified otherwise; (2) acceptance of the Street  
19 Segment for City maintenance and liability purposes is from back of curb to back of curb,  
20 unless specified otherwise, and sidewalk maintenance is the responsibility of the adjacent  
21 property owners in accordance with the Public Works Code; and (3) encroachments that are  
22 permitted, not permitted, or both, are excluded from acceptance.

23 (h) In the PW Order, the PW Director further recommended that the Board of  
24 Supervisors delegate the authority to the PW Director to establish public right-of-way widths,  
25 sidewalk widths, and street grades on the East Clementina Street Segment and related areas,

1 at the time of the Street Segment’s completion as set forth in subsection (f) above, and adopt  
2 any associated official maps, such as an A-17 Map for public right-of-way width and Q-20  
3 Drawings for sidewalk width and street grades. As part of this delegation, the PW Director  
4 recommended that the Board of Supervisors waive Ordinance No. 1061 on official sidewalk  
5 widths and authorize the PW Director to administratively establish and change the official  
6 sidewalk widths. The basis for this recommendation to delegate various actions to the PW  
7 Director is to allow for expedited processing of the East Clementina Street Segment public  
8 improvements and to facilitate a timely construction schedule for the upgrade to this Street  
9 Segment and surrounding areas.

10 (i) In the PW Order, the PW Director also recommended that the Board approve the  
11 Transbay 2 Sidewalk Easements for a portion of Folsom Street between Main and Beale  
12 Streets to ensure sufficient width of the adjacent sidewalk area. A copy of the PW Order, draft  
13 A-17 Map and Q-20 Drawings for sidewalk establishment for East Clementina, and various Q-  
14 20 Drawings for public sidewalk width and street grades associated with the Transbay 2  
15 improvements are on file with the Clerk of the Board of Supervisors in File No.

16 \_\_\_\_\_ and incorporated herein by reference.

17 (j) In a letter dated \_\_\_\_\_, 2026, the Director of the Real Estate Division  
18 of the Office of the City Administrator (“Director of Property”) requested that the Board of  
19 Supervisors approve the draft OCII Deed and the Transbay 2 Sidewalk Easements in  
20 substantially the same form as that on file with the Clerk of the Board of Supervisors. A copy  
21 of the Director of Property letter is on file with the Clerk of the Board of Supervisors in File No.

22 \_\_\_\_\_ and incorporated herein by reference.

23  
24 Section 2. Adoptions and Approvals.

1 (a) The Board of Supervisors, acting as a CEQA responsible agency under Public  
2 Resources Code Section 21069, adopts the OCII Commission’s findings from Resolution No.  
3 47-2022 as its own. The Board also adopts as its own the General Plan and Planning Code  
4 Section 101.1 consistency findings in the Planning Department Letter, as referenced in  
5 Sections 1(e) of this ordinance, in connection with the acceptance of the East Clementina  
6 Street Segment and other actions specified in this ordinance.

7 (b) The Board of Supervisors has reviewed and approves PW Order No. \_\_\_\_\_,  
8 including the PW Director’s acknowledgements and recommendations, as referenced in  
9 Sections 1(f)-(i) of this ordinance, concerning the East Clementina Street Segment and public  
10 sidewalk easements, and other actions set forth in the PW Order.

11  
12 Section 3. Conditional Acceptance of the Offer of Dedication and Approval of the OCII  
13 Deed for the East Clementina Street Segment; Conditional Acceptance of the Street Segment  
14 for City Maintenance and Liability; Approval of Public Sidewalk Easements; Related Actions.

15 (a) Pursuant to California Streets and Highways Code Section 1806, San Francisco  
16 Administrative Code Sections 1.51 et seq., and Public Works Order No. \_\_\_\_\_, the Board  
17 of Supervisors hereby conditionally accepts the Offer of Dedication and approves the OCII  
18 Deed to allow completion of the East Clementina Street Segment to occur on City property  
19 and directs the Director of Property to take official acts associated with approving and  
20 recording this deed. In addition, the Board of Supervisors conditionally accepts the East  
21 Clementina Street Segment for City maintenance and liability purposes subject to its  
22 completion, inspection, and certification that it has been constructed in accordance with all  
23 provisions of the Municipal Code, City regulations, and standards, and is ready for its intended  
24 use. This conditional acceptance is subject to the conditions listed in Section 3(b).

1 (b) The Board of Supervisors conditionally accepts the East Clementina Street  
2 Segment pursuant to the terms for delegation set out in Sections 1(f)-(i) and Section 5 of this  
3 ordinance and the following conditions: (1) the portions of the Street Segment being accepted  
4 for street and roadway purposes are constructed from back of sidewalk to back of sidewalk,  
5 unless specified otherwise; (2) acceptance of the Street Segment for City maintenance and  
6 liability purposes is from back of curb to back of curb, unless specified otherwise, and  
7 sidewalk maintenance is the responsibility of adjacent property owners in accordance with the  
8 Public Works Code; and (3) encroachments that are permitted, not permitted, or both, are  
9 excluded from acceptance.

10 (c) The Board of Supervisors approves the Transbay 2 Sidewalk Easements in  
11 substantially the form on file with the Clerk of the Board of Supervisors and delegates to the  
12 Director of Property the authority to approve and record said Easements. The Board hereby  
13 authorizes the Director of Property to modify or amend the terms of the Transbay 2 Sidewalk  
14 Easements in a manner that the Director of Property, in consultation with the City's Risk  
15 Manager and the City Attorney, deems necessary or advisable and in the City's best interests.  
16

17 Section 4. Establishment of Public Right-of-Way Widths, Sidewalk Widths, and Street  
18 Grades; Delegation to the Public Works Director.

19 (a) The Board of Supervisors hereby authorizes the PW Director to establish public  
20 right-of-way widths, sidewalk widths, and street grades for the East Clementina Street  
21 Segment and to expand the sidewalk widths at: (1) Beale Street between East Tehama Street  
22 and Folsom Street; (2) Main Street between East Tehama Street and Folsom Street; (3)  
23 Folsom Street to approximately 60 feet east of Beale Street; and (4) Folsom Street to  
24 approximately 80 feet west of Main Street. In addition, this delegated authority includes the  
25 ability to administratively approve a one-foot sidewalk reduction mid-block on Folsom Street

1 from 60 feet east of Beale Street to 80 feet west of Main Street. This delegation further  
2 includes the authority to administratively adopt the official A-17 Public Right-of-Way Width  
3 Map and Q-20 Drawings for Sidewalk Width in connection with the actions set forth in  
4 Sections 4 and 5 of this ordinance.

5 (b) In furtherance of PW Order No. \_\_\_\_\_, the Board of Supervisors hereby  
6 waives application of Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a  
7 copy of which is in the Clerk of the Board of Supervisors Book of General Ordinances, in  
8 effect May 11, 1910, and authorizes the PW Director to administratively establish official  
9 sidewalk widths for the East Clementina Street Segment and change public sidewalk widths  
10 as described in Section 4(a) at Beale, Main, and Folsom Streets, and record the sidewalk  
11 establishment and sidewalk width changes in the City's official records along with associated  
12 Q-20 Drawings.

13 (c) The sidewalk widths that the PW Director will establish pursuant to subsections (a)  
14 and (b) above for the East Clementina Street Segment and change for the other public  
15 sidewalks at Beale, Main, and Folsom Streets shall not obviate, amend, alter, or in any other  
16 way affect the maintenance obligations of the adjacent property owners as set forth in the  
17 Public Works Code, including its Section 706.

18 (d) Notwithstanding California Streets and Highways Code Sections 8000 et seq., the  
19 Board of Supervisors, in accordance with San Francisco Administrative Code Sections 1.51 et  
20 seq., chooses to follow its own procedures for the establishment of street grades. The Board  
21 of Supervisors authorizes the PW Director to establish the official street grades for the East  
22 Clementina Street Segment and show this on an official map associated with this Street  
23 Segment.

1 Section 5. Delegation to the Public Works Director to Accept the East Clementina  
2 Street Segment.

3 (a) Based on the PW Director recommendation in PW Order No. \_\_\_\_\_, the  
4 Board of Supervisors determines that it would be efficient to eliminate the need for future  
5 Board of Supervisors actions related to accepting the East Clementina Street Segment  
6 through delegation of authority to the PW Director to: (1) dedicate the improvements to public  
7 use and declare it open public right-of-way; (2) designate the improvements for street and  
8 roadway purposes; (3) adopt public right-of-way widths, sidewalk widths, and street grades  
9 and any related official Public Works maps for the Street Segment and the sidewalk areas  
10 mentioned above in Section 4(a) at Beale, Main, and Folsom Streets; and (4) accept the  
11 improvements for City maintenance and liability purposes, subject to the maintenance  
12 responsibility of fronting property owners pursuant to the Public Works Code, including, but  
13 not limited to, Public Works Code Section 706, along with other actions necessary for or  
14 related to acceptance of the public improvements. The PW Director shall take these  
15 delegated actions only after certification regarding the completion of this Street Segment, a  
16 determination that it is ready for its intended use, and the satisfaction of other conditions  
17 described in Sections 1(f)-(i) and 3(b).

18 (b) Notwithstanding Administrative Code Sections 1.51 et seq., and in furtherance of  
19 California Streets and Highways Code Section 1806, the Board of Supervisors hereby  
20 delegates to the PW Director, in consultation with other affected City departments, the  
21 authority to take all official acts in regard to the East Clementina Street Segment that are  
22 identified in Public Works Order No. \_\_\_\_\_ and described above in subsection (a).

23  
24 Section 6. Authorization for Implementation.  
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1 (a) The Mayor, Clerk of the Board of Supervisors, Director of Property, and PW  
2 Director are hereby authorized and directed to take any and all actions that they or the City  
3 Attorney may deem necessary or advisable in order to effectuate the purpose and intent of  
4 this ordinance, including, but not limited to, the filing of the ordinance and the Public Works A-  
5 17 Map and Q-20 Drawings, when completed, in the Official Records of the City.

6 (b) The Board directs the Director of Property to submit a copy of the recorded OCII  
7 Deed and Transbay 2 Sidewalk Easements within 30 days of their recordation to the Clerk of  
8 the Board for its file on this ordinance.

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10 Section 7. Effective Date. This ordinance shall become effective at 12:00 a.m. on the  
11 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor  
12 returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it,  
13 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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16 APPROVED AS TO FORM:  
17 DAVID CHIU, City Attorney

18 By: /s/ John D. Malamut  
19 JOHN D. MALAMUT  
20 Deputy City Attorney

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