TEXT OF PROPOSED ORDINANCE
PROPOSITION I

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

Section 1. Findings.
(a) On November 3, 1998, the voters of San
Francisco demonstrated their support for the
Octavia Boulevard Plan for replacement of the
Central Freeway by passing Proposition E, the
Central Freeway Replacement Project Act of
1998, by more than 10,000 votes.
(b) Proposition E called for the City and
County of San Francisco to authorize the
California Department of Transportation
(CalTrans) to replace the Central Freeway with
an elevated structure from Mission Street to
Market Street and a ground-level boulevard on
Octavia Street, from Market Street to Fell
Street (collectively, the “Central Freeway
Replacement Project.”)
(c) In March of 1999, the Board of
Supervisors of the City and County of San
Francisco established a Central Freeway
Project Office to prepare design, engineering
and environmental review documents neces-
sary to build the Octavia Boulevard portion of
the Central Freeway Replacement Project (the
“Octavia Boulevard Plan”).
(d) In July of 1999, members of the Board of
Supervisors, sitting as the San Francisco
County Transportation Authority (“Transportation Authority”), voted to accept
the conceptual design and preliminary engi-
neering of the Octavia Boulevard Plan.
(e) The replacement of the last four blocks
of the Central Freeway with the Octavia
Boulevard Plan will provide the City with sig-
nificant benefits, including the opportunity
to build more than 500 units of new housing,
improved north-south access for vehicles trav-
eling to and from the Central Freeway, and
substantial revenue for transportation improve-
ments on adjacent corridors.
(f) Construction of the Octavia Boulevard
Plan will free up approximately three hundred
and eighty thousand (380,000) square feet of
land formerly occupied by that portion of
Route 101 containing the elevated freeway
structure north of Market Street and freeway
ramps north of Fell Street (collectively, the
“Excess Central Freeway Parcels”).
(g) The Excess Central Freeway Parcels
include prime residential, commercial and
mixed use lots that could be used for housing,
including much-needed permanently afford-
able housing. Proposition E specifically recog-
nized that, in planning for the uses of the
Excess Central Freeway Parcels, special con-
sideration should be given to the need for
affordable housing.
(h) The California Legislature is cur-
tently considering Senate Bill 798, which
would require that the State transfer to the City
at no cost the Excess Central Freeway Parcels,
with the City to use the proceeds from the sale
and/or disposition of those parcels for trans-
portation improvements to Octavia Boulevard
and along corridors leading to the Central
Freeway, including but not limited to the Oak
Street/Fell Street corridor to the Sunset and
Richmond neighborhoods, South of Market,
the Mission corridor, the Upper Market corri-
dor, and the Franklin/Gough corridor to the
Marina. Senate Bill 798 is similar to Senate
Bill 181, passed by the California Legislature
in the wake of the removal of the Embarcadero
Freeway, which transferred the unused
Embarcadero Freeway right-of-way to the City
and County of San Francisco so that the right-
of-way, or proceeds from the sale thereof,
could be used to create an alternate system of
city streets.
(i) The Excess Central Freeway Parcels are
estimated to have a market value of approxi-
mately thirty-three million dollars
($33,000,000), which is well in excess of the
amount needed to complete the Octavia
Boulevard Plan. The sale and/or disposition of
these parcels will provide the City with much
needed revenue for other transportation
improvements.
(j) The San Francisco Department of City
Planning has undertaken studies with the San
Francisco Redevelopment Agency and the
Hayes Valley neighborhood to determine
appropriate land uses, housing types, densities
design standards for the Excess Central
Freeway Parcels, as summarized in the Hayes
Valley Development Guidelines endorsed by
the City Planning Commission in 1993. The
San Francisco Department of City Planning
is currently in the process of implementing a
“Strategic Neighborhood Action Plan” pur-
suant to funding approved by the Board of
Supervisors in the City’s fiscal year 1999-2000
budget. The Strategic Neighborhood Action
Plan will include the development and imple-
mentation of a community-based, public plan-
ning process to ensure the involvement and
participation of the community in land use and
transit planning. The proposed Strategic
Neighborhood Action Plan would apply to the
Upper Market/Hayes Valley Neighborhood,
which includes the Excess Central Freeway
Parcels.
(k) If a widened freeway structure is
approved and the Board of Supervisors’ ban on
construction of new freeway ramps north of
Fell Street is repealed, the City will not receive
all of the substantial benefits of the Excess
Central Freeway Parcels. A widened structure
will preclude any affordable housing develop-
ment between Market Street and Fell Street;
and realign the ban on construction of new
ramps north of Fell Street will hold the parcels
between Fell Street and Turk Street in limbo
pending the outcome of years of engineering
and environmental review. In either case, the
City will not be able to construct much-needed
housing in this area or sell the land and use the
proceeds for other transportation improve-
ments for the foreseeable future.

Section 2. Title.
This ordinance shall be known as and may
be referred to as “The Central Freeway
Corridor Housing and Transportation
Improvement Act.”

Section 3. Transportation Improvements
Funded by Proceeds from the Disposition
of the Excess Central Freeway Parcels.
(a) Consistent with SB 798 and Article XIX
of the California Constitution, the City shall
first use any proceeds from the sale and/or dis-
position of Excess Central Freeway Parcels
transferred by CalTrans to the City for design,
engineering, construction and maintenance of
the Octavia Boulevard Plan as finally adopted
by the San Francisco Board of Supervisors, sitt-
ing as the Transportation Authority.
(b) The City shall utilize any remaining pro-
ceeds from the sale and/or disposition of the
Excess Central Freeway Parcels for transporta-
tion improvements to corridors on or ancillary
To Octavia Boulevard, including but not limit-
ed to the Oak Street/Fell Street corridor to the
Sunset and Richmond neighborhoods, South of
Market, the Mission corridor, the Upper
Market corridor, and the Franklin/Gough corri-
dor to the Marina.
(c) The Transportation Authority shall allo-
cate remaining revenue from the sale and/or
disposition of Excess Central Freeway Parcels
for transportation improvements to corridors
on or ancillary to Octavia Boulevard, with
advice from its Central Freeway Citizens
Advisory Committee and its Technical
Working Group, which includes the Municipal
Railway, the Department of Parking and
Traffic, the Department of Public Works, the
City Planning Department, the San Francisco
Redevelopment Agency and regional transit
operators. Such revenue shall be allocated to
transportation projects on a competitive basis,
according to the following minimum criteria:
(1) conformance with the priorities expressed
in the San Francisco Long Range Countywide
Transportation Plan (as finally approved by the
Transportation Authority in April, 2000); (2)
Improved transit and traffic flow and pedestri-
an safety along corridors leading to and from
the Central Freeway; (3) cost-effectiveness;
and (4) project eligibility under SB 798 and
Article XIX of the California Constitution.

(Continue on next page)

(a) It is the express intent of the voters that housing, mixed use and/or complimentary developments be constructed on the Excess Central Freeway Parcels. To that end, no competing transportation use, such as the widening of the elevated freeway structure between Market Street and Fell Street, shall prevail. Nothing herein shall be construed to prohibit public transit or alternative transportation use consistent with the Hayes Valley Development Guidelines and the Octavia Boulevard Plan.

(b) The City shall utilize a community-based public planning process, involving representatives from the Hayes Valley and Western Addition neighborhoods, the City Planning Department, the Redevelopment Agency, the Mayor's Office of Housing and the Transportation Authority's Technical Working Group, to determine the mix and type of land uses for the Excess Central Freeway Parcels. Such uses shall include the construction of affordable rental and/or ownership housing on such parcels and shall be consistent with the Octavia Boulevard Plan and related transportation improvements.

(c) The recommendations from this community-based planning process shall be presented to the City Planning Commission and the Redevelopment Commission (as appropriate) for incorporation into the Hayes Valley Development Guidelines to ensure that the future development of the Excess Central Freeway Parcels will reflect the outcome of the planning process.

Section 5. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application. To this end, the provisions of this ordinance shall be deemed severable.