

1 [Amending Ordinance No. 1061 - Sidewalk Width Change - Southeast Corner of Mission and  
2 First Streets, First Street, and Fremont Street]

3 **Ordinance amending Ordinance No. 1061, entitled “Regulating the Width of Sidewalks,”**  
4 **to change the official sidewalk width of certain locations along First Street southeast of**  
5 **Mission Street, along Mission Street between First and Fremont Streets, and along**  
6 **Fremont Street southeast of Mission Street, and creating a new sidewalk bulb-out at**  
7 **the east corner of First and Mission Streets; affirming the Planning Department’s**  
8 **determination under the California Environmental Quality Act; and making findings of**  
9 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
10 **Section 101.1.**

11 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
12 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
14 **Board amendment additions** are in double-underlined Arial font.  
15 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
16 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
17 subsections or parts of tables.

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

19 Section 1. Findings.

20 (a) The Planning Department, in a letter dated October 31, 2016, found the actions  
21 contemplated in this ordinance consistent with the General Plan and in conformance with the  
22 eight priority policies of Planning Code Section 101.1. A copy of said letter is on file with the  
23 Clerk of the Board of Supervisors in File No. 170554 and is incorporated herein by reference.  
24 The Board of Supervisors adopts as its own the findings in said letter.

25 (b) In the same letter, the Planning Department found that the actions contemplated in  
this ordinance were evaluated in the Transit Center District Plan and Transit Tower Final

1 Environmental Impact Report (FEIR), certified by the Planning Commission by Motion No.  
2 18628, on May 24, 2012. The Board of Supervisors hereby affirms this determination,  
3 incorporates it by reference herein, and adopts it as its own.

4 (c) On May 24, 2012, the Planning Commission, by Motion No. 18629, adopted  
5 approval findings pursuant to the California Environmental Quality Act, including a statement  
6 of overriding considerations and a mitigation monitoring and reporting program. A copy of  
7 Planning Commission Motion No. 18629, including its attachment and mitigation monitoring  
8 and reporting program, is on file with the Clerk of the Board in File No. 120665.

9 (d) On July, 31, 2012, by Ordinance No. 182-12, the Board of Supervisors approved,  
10 among other approvals, amendments to the Planning Code to implement the Transit Center  
11 District Plan, including the proposed project, and in so doing adopted the Planning  
12 Commission's environmental findings, including a statement of overriding considerations and  
13 a mitigation monitoring and reporting program, as its own. Said findings are on file with the  
14 Clerk of the Board of Supervisors in File No. 120665 and are incorporated herein by  
15 reference.

16 (e) The Board has reviewed and considered the FEIR and the record as a whole, and  
17 finds that the FEIR is adequate for its use as the decision making body for the action taken  
18 herein. The FEIR is on file with the Clerk of the Board of Supervisors in File No. 120696 and is  
19 incorporated herein by reference.

20 (f) The Board finds that since the FEIR was finalized, there have been no substantial  
21 project changes and no substantial changes in project circumstances that would require major  
22 revisions to the FEIR due to the involvement of new significant environmental effects or an  
23 increase in the severity of previously identified significant impacts, and there is no new  
24 information of substantial importance that would change the conclusions set forth in the FEIR.

1 (g) The Public Works Director issued Public Works' Order No. 185948, dated May 9,  
2 2017, including sidewalk width change drawing Q-20-889, regarding the actions in this  
3 ordinance. The proposed sidewalk changes are associated with the Transit Center District  
4 Plan and Transit Center Tower, and specifically the development of the proposed project at  
5 101 First Street (also referred to as the Transbay Tower or Salesforce Tower), and are  
6 intended to promote pedestrian safety and comfort and to enhance predicted pedestrian traffic  
7 circulation around the future Transbay Terminal. A copy of said Order is on file with the Clerk  
8 of the Board of Supervisors in File No. 170554, and is incorporated herein by reference.  
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10 Section 2. In accordance with the Department of Public Works' Order No. 185948,  
11 dated May 9, 2017, Board of Supervisors Ordinance No.1061, entitled "Regulating the Width  
12 of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General  
13 Ordinances, in effect May 11, 1910, is hereby amended by adding thereto a new section to  
14 read as follows:  
15

16 Section 1610. Changing the official sidewalk width of: a) a portion of the southeasterly side of  
17 Mission Street between First Street and Fremont Street; b) the proposed sidewalk reduction shall start  
18 25 feet from the west corner of Assessor's Block 3720, Lot 009 and continue northeastwardly for  
19 approximately 261 feet, and shall decrease the sidewalk width by 5 feet, from a width of 15 feet to 10  
20 feet; c) the proposed sidewalk widening along the southwesterly side of Fremont Street shall increase  
21 the existing sidewalk width by approximately 6 feet, from the existing 15 feet to 21 feet; and d) the  
22 proposed sidewalk widening along the northeasterly side of First Street shall increase the portions of  
23 existing sidewalk widths by approximately 6 feet and 17 feet, from the existing 15 feet to 21 feet and  
24 from the existing 4 feet to a new curb line with varied sidewalk widths ranging from approximately 21  
25

1 feet to 16.93 feet. All of the changes are as shown on Public Works drawing Q-20-889, Revision 1, a  
2 copy of which is in the Clerk of the Board of Supervisors File No. 170554.

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4 Section 3. The project sponsor BKF, on behalf of Boston Properties, as is necessary  
5 as a result of this ordinance, shall make arrangements with public utility companies and City  
6 Departments for the relocation, and/or modification of any affected public facilities. Any  
7 necessary relocation, modification, or both of such facilities shall be at no cost to the City.

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9 Section 4. Effective Date. This ordinance shall become effective 30 days after  
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
12 of Supervisors overrides the Mayor's veto of the ordinance.

13  
14 APPROVED AS TO FORM:  
15 DENNIS J. HERRERA, City Attorney

16  
17 By: \_\_\_\_\_  
18 MARLENA BYRNE  
19 Deputy City Attorney

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