

BOARD of SUPERVISORS



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May 19, 2017

File No. 170554

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On May 9, 2017, Supervisor Kim introduced the following proposed legislation:

File No. 170554

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to change the official sidewalk width of certain locations along First Street southeast of Mission Street, along Mission Street between First and Fremont Streets, and along Fremont Street southeast of Mission Street, and creating a new sidewalk bulb-out at the east corner of First and Mission Streets; 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

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. _____ and is incorporated herein by
24 reference. 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 decisionmaking 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.
25

1 (g) The Public Works Director issued Public Works' Order No. _____, dated
2 _____, including sidewalk width change drawing Q-20-889, regarding the actions in
3 this 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. _____, and is incorporated herein by
9 reference.

10
11 Section 2. In accordance with the Department of Public Works' Order No
12 _____, dated _____, Board of Supervisors Ordinance No.1061, entitled
13 "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of
14 Supervisors Book of General Ordinances, in effect May 11, 1910, is hereby amended by
15 adding thereto a new section to read as follows:

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


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. _____.

3
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.

8
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

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17 By:


18 MARLENA BYRNE
19 Deputy City Attorney

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LEGISLATIVE DIGEST

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

Ordinance amending Ordinance No. 1061 entitled “Regulating the Width of Sidewalks” to change the official sidewalk width of certain locations along First Street southeast of Mission Street, along Mission Street between First and Fremont Streets, and along Fremont Street southeast of Mission Street, and creating a new sidewalk bulb-out at the east corner of First and Mission Streets; 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.

Existing Law

Board of Supervisors’ Ordinance No. 1061 established the official sidewalk widths throughout San Francisco. Ordinance No. 1061 is uncodified, but can be located in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910, which is on file with the Clerk of the Board of Supervisors.

Amendments to Current Law

This legislation would amend Ordinance No. 1061 to change the official sidewalk width along the southeast side of Mission Street, the northeast side of First Street, and the southwest side of Fremont Street. The legislation would also provide for a sidewalk bulb-out at the east corner of the intersection of First and Mission Streets. The proposed sidewalk changes are associated with the Transit Center Development Plan and the Transit Center Tower (also referred to as the “Transbay Tower” and the “Salesforce Tower.” The proposed changes are intended to promote pedestrian safety and comfort and enhance pedestrian traffic circulation around the tower.

This legislation would also require the developer BKF, on behalf of Boston Properties, to make arrangements for any necessary relocation and/or modification of any underground public facilities affected by the sidewalk width changes.

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