

1 [Amending Ordinance No. 1061 - Sidewalk Width Change - Masonic Avenue at Fulton and  
2 Turk Streets]

3 **Ordinance amending Ordinance No. 1061 entitled “Regulating the Width of Sidewalks”**  
4 **to reduce the official sidewalk width of certain locations along Masonic Avenue at the**  
5 **southwest corner of the intersection of Masonic Avenue and Fulton Street, and the**  
6 **northeast corner of the intersection of Masonic Avenue and Turk Street; affirming the**  
7 **Planning Department’s determination under the California Environmental Quality Act;**  
8 **and making findings of consistency with the General Plan, and the eight priority**  
9 **policies of Planning Code, Section 101.1.**

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

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

18 Section 1. Findings.

19 (a) The Planning Department, in a letter dated April 30, 2015, found the actions  
20 contemplated in this ordinance consistent with the General Plan and in conformance with the  
21 eight priority policies of Planning Code Section 101.1. A copy of said letter is on file with the  
22 Clerk of the Board of Supervisors in File No. 170552 and is incorporated herein by reference.  
23 The Board of Supervisors adopts as its own the findings in said letter.

24 (b) In the same letter, the Planning Department found that the actions contemplated in  
25 this ordinance were evaluated in the San Francisco Bicycle Plan Final Environmental Impact  
Report (FEIR), certified by the Planning Commission by Resolution No. 17912 on June 25,

1 2009, and the FEIR Addendum, which was issued by the Planning Department on June 28,  
2 2012, except for any related sewer work, which is statutorily exempt from the California  
3 Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*) under  
4 Section 15282(k) of the CEQA Guidelines, 14 Cal. Code Regs. Section 15000 *et seq.* The  
5 Board of Supervisors hereby affirms these determinations, incorporates them by reference  
6 herein, and adopts them as its own.

7 (c) By Ordinance No. 182-13, the Board of Supervisors re-adopted the 2009 San  
8 Francisco Bicycle Transportation Plan and in so doing adopted modified environmental  
9 findings, including a statement of overriding benefits and a mitigation monitoring and reporting  
10 program. Said findings are on file with the Clerk of the Board of Supervisors in File No.  
11 130527 and are incorporated herein by reference.

12 (d) The Board has reviewed and considered the FEIR, the FEIR Addendum, and the  
13 record as a whole, and finds that the FEIR is adequate for its use as the decisionmaking body  
14 for the action taken herein. The FEIR is on file with the Clerk of the Board of Supervisors in  
15 File No. 130527, the FEIR Addendum is on file with the Clerk of the Board of Supervisors in  
16 File No. 170552, and both are incorporated herein by reference.

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

23 (e) The Public Works Director issued Public Works' Order No. 185823, dated March  
24 31, 2017, including sidewalk width change drawing Q-20-838, regarding the actions in this  
25 ordinance. The proposed sidewalk changes are associated with the Masonic Avenue

1 Streetscape Improvement Project with the goal to safely and efficiently accommodate the  
2 needs of all roadway users and will provide improvements for pedestrians, bicyclists,  
3 motorists and transit riders. A copy of said Order is on file with the Clerk of the Board of  
4 Supervisors in File No. 170552, and is incorporated herein by reference.

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6 Section 2. In accordance with the Department of Public Works' Order No. 185823,  
7 dated March 31, 2017, Board of Supervisors Ordinance No.1061, entitled "Regulating the  
8 Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of  
9 General Ordinances, in effect May 11, 1910, is hereby amended by adding thereto a new  
10 section to read as follows:

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12 Section 1608. Changing the official sidewalk width of: a) the southwest corner of the  
13 intersection of Masonic Avenue and Fulton Street, and; b) the northeast corner of the intersection of  
14 Masonic Avenue and Turk Street, as shown on Public Works drawing Q-20-838, a copy of which is in  
15 the Clerk of the Board of Supervisors File No. 170552.

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17 Section 3. The San Francisco Infrastructure Division - Streets and Highways Section,  
18 as is necessary as a result of this ordinance, shall make arrangements with public utility  
19 companies and City Departments for the relocation, and/or modification of any affected public  
20 facilities. Any necessary relocation, modification, or both of such facilities shall be at no cost to  
21 the City.

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

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4 APPROVED AS TO FORM:  
5 DENNIS J. HERRERA, City Attorney

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7 By: \_\_\_\_\_  
8 MARLENA BYRNE  
9 Deputy City Attorney

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