

**RECORDING REQUESTED BY
AND
WHEN RECORDED MAIL TO:
SF Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room #244
San Francisco, CA 94102
Attn: Angela Calvillo, Clerk of the Board**



San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2018-K611522-00
Acct 28-SFCC Board of Supervisors
Tuesday, MAY 08, 2018 08:52:43
Ttl Pd \$0.00 Rcpt # 0005801662
ofa/FT/1-12

PL 10

10 Niantic Street Block No. 7178 Lot No. 014

TITLE

Ordinance No. 071-18

SEPARATE PAGE PURSUANT TO GOVERNMENT CODE 27361.6



City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

180031 **[Summary Street Vacation - Portion of Panama Street; Sidewalk Acceptance - Niantic Street]**

Ordinance ordering the summary street vacation of a portion of Panama Street tangent to Niantic Street and Interstate Highway 280, in the Oceanview neighborhood; conveying the City's interest in the street vacation area to the owner of 10 Niantic Street (Assessor's Parcel Block No. 7178, Lot No. 014); accepting an irrevocable offer for a public sidewalk on Niantic Street between Panama Street and Saint Charles Avenue; dedicating the public sidewalk for pedestrian use, designating it for public right-of-way and roadway purposes, and accepting it for City maintenance and liability; establishing a new official sidewalk on Niantic Street by amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks;" 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. (Public Works)

4/3/2018 Board of Supervisors - CONTINUED ON FIRST READING

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

4/10/2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

4/17/2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

4/27/2018 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

May 01, 2018

Date


Angela Calvillo
Clerk of the Board

1 [Summary Street Vacation - Portion of Panama Street; Sidewalk Acceptance - Niantic Street]

2

3 **Ordinance ordering the summary street vacation of a portion of Panama Street tangent**
 4 **to Niantic Street and Interstate Highway 280, in the Oceanview neighborhood;**
 5 **conveying the City’s interest in the street vacation area to the owner of 10 Niantic**
 6 **Street (Assessor’s Parcel Block No. 7178, Lot No. 014); accepting an irrevocable offer**
 7 **for a public sidewalk on Niantic Street between Panama Street and Saint Charles**
 8 **Avenue; dedicating the public sidewalk for pedestrian use, designating it for public**
 9 **right-of-way and roadway purposes, and accepting it for City maintenance and liability;**
 10 **establishing a new official sidewalk on Niantic Street by amending Ordinance No. 1061,**
 11 **entitled “Regulating the Width of Sidewalks;” affirming the Planning Department’s**
 12 **determination under the California Environmental Quality Act; and making findings of**
 13 **consistency with the General Plan, and the eight priority policies of Planning Code,**
 14 **Section 101.1.**

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

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

22 Section 1. **Findings.**

23 (a) On September 25, 2017, the owner of 10 Niantic Street (Assessor’s Block No.
 24 7178, Lot No. 014) made an irrevocable offer to the City and County of San Francisco (“City”)
 25 for a public sidewalk along the southerly portion of Niantic Street between Panama Street and

1 (e) In connection with the Offer, the San Francisco Department of Public Works ("PW")
2 prepared drawing Q-20-927, and PW Order No. 186,818, dated December 8, 2017. In the
3 PW Order, the PW Director determined and the City Engineer certified that the Niantic Street
4 sidewalk has been constructed in accordance with all City codes, regulations, and standards,
5 and that it is ready for its intended use, and recommended that the Board: (1) accept the
6 Offer; (2) dedicate this area for pedestrian use; (3) designate this area for right-of-way and
7 roadway purposes; and (4) accept this area for maintenance and liability. Copies of PW
8 Order No. 186,818 and PW drawing Q-20-927 are on file with the Clerk of the Board of
9 Supervisors in File No. 180031 and are incorporated herein by reference.

10 (f) In PW Order No. 186,818, the PW Director and City Engineer also determined: (1)
11 the Vacation Area as shown on PW SUR Map No. 5010 is unnecessary for the City's present
12 or prospective public street, sidewalk, and service easement purposes; (2) the Vacation Area
13 is no longer useful as a nonmotorized transportation facility as there are other such facilities
14 available in close proximity; (3) PW sent notice of the proposed street vacation to the
15 Department of Technology, Municipal Transportation Agency, Fire Department, San Francisco
16 Public Utilities Commission, AT&T, Sprint, and Pacific Gas and Electric, and no City agency or
17 utility objected to the proposed vacation; (4) the owner of 10 Niantic Street obtained the
18 consent of all property owners adjacent to the Vacation Area for the street vacation; (5) the
19 sidewalk built along the southerly portion of Niantic Street between Panama Street and Saint
20 Charles Avenue has been constructed in accordance with all City codes, regulations, and
21 standards, and is ready for its intended use; (6) the width of the Panama Street right-of-way
22 shall be adjusted in the official public right-of-way width maps in accordance with PW SUR
23 Map No. 5010; and (7) it is a policy matter for the Board to quitclaim the City's interest in the
24 Vacation Area.

1 (d) The Street Vacation shall be effective automatically and without the requirement for
2 further action whatsoever as to all of the Vacation Area upon satisfaction of the simultaneous
3 recordation of the City's quitclaim deed in substantially the same form as the deed on file with
4 the Clerk of the Board of Supervisors in File No. 180031.

5 (e) The Board directs the PW Director to modify the official public right-of-way maps for
6 Panama Street to reflect the width change to the street as identified in PW SUR Map No.
7 5010.

8
9 **Section 3. Acceptance of the Offer for Public Sidewalk on Niantic Street,**
10 **Dedication of the Sidewalk Infrastructure for Open Public Right-of-Way and Related**
11 **Actions, and Sidewalk Establishment.**

12 (a) The Board has reviewed and approves PW Order No. 186,818, including the PW
13 Director's recommendation concerning the acceptance of the Offer for a portion of sidewalk
14 on Niantic Street between Panama Street and Saint Charles Avenue.

15 (b) The Board hereby (1) accepts the Offer; (2) dedicates this area for pedestrian use;
16 (3) designates this area for right-of-way and roadway purposes; and (4) accepts this area for
17 maintenance and liability.

18 (c) The Board adopts as its own the General Plan and Planning Code Section 101.1
19 consistency findings of the Planning Letter for purposes of its actions related to the sidewalk
20 establishment.

21 (d) In accordance with PW Order No. 186,818, Board of Supervisors Ordinance No.
22 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board
23 of Supervisors Book of General Ordinances, in effect May 11, 1910, is hereby amended by
24 adding thereto a new section to read as follows:
25

1 County of San Francisco; confirmation of satisfaction of the conditions to the effectiveness of
2 the vacation of the Vacation Area hereunder; and execution and delivery of any evidence of
3 the same).

4
5 Section 6. **Effective Date.** This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor's veto of the ordinance.

9
10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

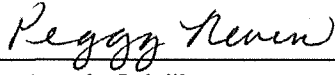
12 By:


13 ANDREW SHEN
Deputy City Attorney

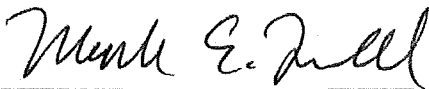
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File No. 180031

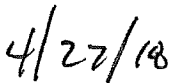
I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/17/2018 by the Board of Supervisors of the City and County of San Francisco.



for Angela Calvillo
Clerk of the Board



Mark E. Farrell
Mayor



Date Approved