

1 [Amending Ordinance No. 1061 - Sidewalk Width Change - Portions of De Haro Street
2 Between 15th and 16th Street]

3 **Ordinance amending Ordinance No. 1061, entitled “Regulating the Width of Sidewalks,”**
4 **to change the official sidewalk width along the easterly side of De Haro Street between**
5 **15th Street and 16th Street, fronting Assessor’s Parcel Block No. 3938, Lot No. 001;**
6 **adopting findings under the California Environmental Quality Act; and making findings**
7 **of consistency with the General Plan, and the eight priority policies of Planning Code,**
8 **Section 101.1.**

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

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

17 Section 1. Findings.

18 (a) On September 15, 2010, the Planning Department published a Final Mitigated
19 Negative Declaration (FMND) for the Better Streets Plan. On October 28, 2010, in approving
20 the Better Streets Plan, the Planning Commission adopted findings under the California
21 Environmental Quality Act, by Motion No. 18211, finding that the contents of FMND and the
22 procedures through which the FMND was prepared, publicized, and reviewed complied with
23 the California Environmental Quality Act (California Public Resources Code Sections 21000 et
24 seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (CEQA Guidelines),
25 and Chapter 31 of the San Francisco Administrative Code. The Planning Commission found
that the FMND is adequate, accurate and objective, reflected the independent analysis and

1 judgment of the Department of City Planning and the Planning Commission, and that the
2 summary of comments and responses contained no significant revisions to the Draft MND,
3 and adopted the FMND, as well as a Mitigation Monitoring and Reporting Program (MMRP)
4 for the project. Said Motion and MMRP are on file with the Clerk of the Board of Supervisors
5 in File No. 160954 and are incorporated herein by reference as though fully set forth.

6 (b) By letter dated July 28, 2015, the Planning Department determined that the
7 proposed sidewalk width changes contemplated in this ordinance are within the scope of the
8 Better Streets Plan project and within the scope of the Better Streets Plan Project FMND.
9 Further, the Department found this project to be consistent with the General Plan and the
10 Priority Policies of Planning Code Section 101.1 (b), as set forth in Planning Commission
11 Resolution No. 18212 and Board of Supervisors Ordinance 310-10, approving the Better
12 Streets Plan project. The Board adopts the findings and determinations of the letter as its
13 own. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No.
14 160954, and is incorporated herein by reference.

15 (c) The Board of Supervisors further finds that since the FMND was adopted, there
16 have been no substantial project changes and no substantial changes in project
17 circumstances that would require major revisions to the FMND due to the involvement of new
18 significant environmental effects or an increase in the severity of previously identified
19 significant impacts, and there is no new information of substantial importance that would
20 change the conclusions set forth in the FMND.

21 (d) The Public Works' Director issued Public Works Order No. 184547, dated February
22 3, 2016, including sidewalk width change drawing Q-20-793, regarding the actions in this
23 ordinance. The proposed sidewalk width change will provide a safe and ADA compliant walk
24 way for pedestrians, while at the same time providing the clearance required by emergency
25 vehicles and prevent the loss of the parking spots on the roadway, in conjunction with the

1 renovation of the existing building at 1400 16th Street. A copy of said Order is in the Clerk of
2 the Board of Supervisors File No. 160954 and incorporated herein by reference.

3
4 Section 2. In accordance with the Department of Public Works Order No. 184547,
5 dated February 3, 2016, Board of Supervisors Ordinance No.1061, entitled "Regulating the
6 Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of
7 General Ordinances, in effect May 11, 1910, is hereby amended by adding thereto a new
8 section to read as follows:

9 Section 1605. Changing the official sidewalk width along the easterly side of the intersection of
10 De Haro Street between 15th Street and 16th Street, fronting Assessor's Block 3938, Lot 001, as shown
11 on Department of Public Works drawing Q-20-793, of which is in the Clerk of the Board of Supervisors
12 File No 160954.

13
14 Section 3. Effective Date. This ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor's veto of the ordinance

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: 

22 MARLENA BYRNE
Deputy City Attorney

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City and County of San Francisco

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

Tails
Ordinance

File Number: 160954

Date Passed: November 15, 2016

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to change the official sidewalk width along the easterly side of De Haro Street between 15th Street and 16th Street, fronting Assessor's Parcel Block No. 3938, Lot No. 001; adopting findings 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.

October 24, 2016 Land Use and Transportation Committee - RECOMMENDED

November 01, 2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

November 15, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin and Tang
Excused: 2 - Wiener and Yee

File No. 160954

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/15/2016 by the Board of Supervisors of the City and County of San Francisco.

Signature of Angela Calvillo
for Angela Calvillo
Clerk of the Board

Signature of Mayor
Mayor

11/22/2016
Date Approved