



BOARD OF APPEALS

Date Filed: February 20, 2024

City & County of San Francisco

REHEARING REQUEST FOR APPEAL NO. 23-062

Sunset Parkside Education and Action Committee (SPEAK), Appellant(s) seeks a rehearing of **Appeal No. 23-062** which was decided on **February 7, 2024**. This request for rehearing will be considered by the Board of Appeals on Wednesday, **March 13, 2024**, at 5:00 p.m. in Room 416 of SF City Hall. The parties are encouraged to attend in-person, but may **also attend remotely via the Zoom video platform**.

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the **response** to the written request for rehearing must be submitted by the opposing party and/or Department no later than **10 days from the date of filing, on or before 4:30 p.m. on March 1, 2024** and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. The brief shall be double-spaced with a minimum 12-point font size. An electronic copy should be e-mailed to: boardofappeals@sfgov.org; julie.rosenberg@sfgov.org and corey.teague@sfgov.org.

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from each side will be allowed. Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.

Based on the evidence and testimony submitted, the Board will make a decision to either grant or deny your request. Four votes are necessary to grant a rehearing. If your request is denied, a rehearing will not be scheduled and the decision of the Board will become final. If your request is granted, a rehearing will be scheduled, the original decision of the Board will be set aside, and after the rehearing, a second decision will be made. Only one request for rehearing and one rehearing are permitted under the Rules of the Board.

Requestor or Agent

Signature: Via Email

Print Name: Evan Rosen, Agent for Appellant

SPEAK SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE

1329 7th Avenue, San Francisco, CA 94122-2507

President Lopez and Commissioners:

February 20, 2024

SPEAK (“Appellant”) requests rehearing of appeal #23-062 of the Coastal Zone Permit approved by the Planning Commission on November 9, 2023 as Motion #21437 and its application –Upper Great Highway “Pilot.” This rehearing request is based on:

1. A showing that **new or different material facts or circumstances have arisen**, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.”
[Board of Appeals Rules § 9 (b)]
2. **Extraordinary case** in which Deputy City Attorney improperly advocated for a particular outcome, namely denial of the appeal. *[Board of Appeals Rules § 9 (b)]*

ARGUMENT

1. **New Material Fact #1:**
Permit Holder Revealed During Hearing Testimony that it Installed New Permanent Hardwood Log Seating on the Upper Great Highway for Supposed “Pilot” Program

For the first time in this matter, permit holder SF Recreation and Parks Department revealed during its appeal testimony for its “pilot” program that Rec & Park had installed new permanent seating for six adults made from the trunk of a reclaimed tree in the median strip of the Upper Great Highway.

[Exhibit A: Pictures of Newly-Installed Seating, pdf page 9]

The appellant and this Board learned of this fact for the first time when Rec & Park turned over its appeal presentation to Supervisor Joel Engardio for a sales pitch or “Ode to Joy” on permit holder’s behalf.

“So everyone in this photo is gathered around a new park bench....So to some, it might just be a bench. But for the Sunset residents in this photo, the simple bench is an essential step for creating a transformational space in their lives.” [Exhibit B, pdf p.13, Bd Appeals Hearing, 2-7-24, SFGOVTV time stamp 1:53:56]

[Exhibit B: Transcript -Permit Holder Rec & Park’s testimony by Sup. Joel Engardio, pdf page 13]

The permit holder’s new seating installation does not exist in its Coastal Zone Permit application or in the materials prepared for the Planning Commission. The new seating was installed on or about January

26, 2024 when permit holder Rec & Park posted an announcement of a “commemoration” event on Instagram. **[Exhibit C: Rec & Park Instagram- Commemoration 1/26/2024 New Seating, pdf page 15]**

This commemoration was nine days after SPEAK filed its appeal brief. Had this material fact and the circumstances been known when SPEAK prepared and submitted its brief and appeal presentation, SPEAK would have made the new fact of installed permanent seating on the median strip of the Upper Great Highway a key element in its appeal. Installing permanent seating calls into question the numerous statements in the application for a Coastal Zone Permit that the closing of the Upper Great Highway to passenger vehicles is merely a “pilot.” Moreover, during the appeal hearing, the Board asked numerous questions regarding the degree to which the “pilot” program is actually a pilot or whether it’s a new reality.

Further, the fact that Rec & Park installed the new seating and moved sand and altered the landscape without a Coastal Zone Permit suggests a pattern of lack of consistency with the certified Local Coastal Program which is the standard by which this Board reviews appeals per § 330.5.1 (b) of the Coastal Zone Permit Review Procedures of the certified Local Coastal Program.

Clearly, installing unpermitted seating in Upper Great Highway median strip presents substantial Local Coastal Program consistency issues, not to mention environmental and safety issues and is a new material fact establishing the necessity of rehearing this matter.

2. New Material Fact #2:

Permit Holder Revealed (During Rebuttal) Existence of San Francisco Estuary Institute Written Report. Report Ties Dune Erosion due to Trampling to Closure of Upper Great Highway. This Relates to Lack of Consistency with Local Coastal Program

For the first time, permit holder revealed the existence of a San Francisco Estuary Institute written report raising substantial concerns about dune erosion due to trampling by people and dogs. Brian Stokle of Rec & Park revealed this new material fact during rebuttal after which appellant had no opportunity to speak. Incredibly, he suggested the report somehow supports permit holder’s point of view:

“I highly recommend that you look at the San Francisco Estuary Institute report on the dunes. They—we are working with our National Park Service colleagues to look for funding to work on some of the recommendations of that report, so that we can address many of the environmental concerns.”
[Board of Appeals Hearing, 2-7-24, SFGOVTV time stamp 3:24:51]

The San Francisco Estuary Institute report entitled “Growing Resilience” was posted only to the library section of its website without any notification or announcement. PDF metadata indicates the file was created on January 8, 2024 at 4:41 p.m. The report was not posted to Rec & Park’s or Planning’s website.

[Exhibit D: Screen shot of metadata of San Francisco Estuary Institute report, pdf page 17]

There is no conceivable way that appellant would have learned of the report’s existence when appellant prepared its appeal brief during approximately the same time frame the report was created. Further, permit holder failed to include any information on an anticipated written report in its response brief, application for Coastal Zone Permit or brief for the Planning Commission. Permit holder merely acknowledged an in-progress “study.” Also, none of the documents prepared by the Planning Department mention a dune study or an anticipated written report.

[Exhibit E: Report by San Francisco Estuary Institute, January 8, 2024, pdf page 19]

In fact, the existence of the written report and the report’s findings are new material facts and circumstances critical to this Board’s determination of whether the project is consistent with the Local Coastal Program which is this Board’s standard of review. The “Trampling Impacts” section of the report states unequivocally:

“The recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed.”

[Exhibit E: Report by SF Estuary Institute “Trampling Impacts” section, p. 21, pdf page 44]

These new facts and circumstances are clearly material to the Board’s standard of review in that Policy 12.4 of the Western Shoreline Area Plan (which is the land use component of the Local Coastal Program) states:

“Public recreational access facilities (e.g. public parks, restroom facilities, parking, bicycle facilities, trails, and paths), public infrastructure (e.g. public roads, sidewalks, and public utilities), and coastal-dependent development shall be sited and designed in such a way as to limit potential impacts.”

[Exhibit F: Policy 12.4 Western Shoreline Area Plan component -certified Local Coastal Program, pdf page 86]

Further, Policy 12.4 lists specific required criteria for siting public recreational access facilities. Policy 12.4 is notably absent from the Coastal Zone Permit’s Finding #6 which includes selected portions of the Western Shoreline Area Plan and General Plan with which the project is purportedly consistent.

For these reasons, the new material fact of the SF Estuary Report's existence and its critical findings related to trampling of dunes are alone a basis for granting appellant's rehearing request.

3. New Material Fact #3: Planning Department Revealed for the First Time During Rebuttal that it has Erroneously Conflated the Current Planning Code with Sections of the Planning Code Certified in 1986 that are Part of the Local Coastal Program

Zoning Administrator Corey Teague testified during rebuttal that:

"I would go back there and say that one hundred percent it's consistent with the Local Coastal Program. It's consistent with the policies, the goals and the objectives in the Western Shoreline Area Plan, and it followed the procedures that are required under the Planning Code."

[Board of Appeals Hearing, 2-7-24, SFGOVTV time stamp 4:06:25]

Yet only sections of the Planning Code as written in 1986 are part of the three implementation plan components of the current Local Coastal Program certified by the Coastal Commission. The Western Shoreline Area Plan (land use plan) is the fourth component of the certified Local Coastal Program. Finding #5 of the Coastal Zone Permit that the project is consistent with only the Western Shoreline Area Plan and the current Planning Code is inadequate. This is because consistency with the current Planning Code is not relevant to consistency with the certified Local Coastal Program. Since 1986, changes have been made to relevant sections of the Planning Code. The reason for the Planning Department's confusion is likely that Planning's coastal planner left the department two years ago and was not replaced.

Therefore, this new material fact that the Planning Department has conflated the current Planning Code with the sections of the Planning Code that are part of the certified Local Coastal Program could have changed the outcome of the hearing in that this material fact further establishes appellant's argument that the Coastal Zone Permit is defective on its face due to inadequate findings per § 330.5.2. of the Coast Zone Permit Review Procedures component of the certified Local Coastal Program.

4. Extraordinary Case: Deputy City Attorney Clearly Advocated Particular Outcome of Appeal Hearing, Namely to Deny the Appeal

Before the Board decided the appeal, Commissioner Swig and Executive Director Rosenberg reasonably requested that Deputy City Attorney Jennifer Huber provide the Board with the relevant legal standard for its decision. Rather than stick to that request and limit her comments to the legal standard, the Deputy City Attorney erred in assuming an advocacy role against the appeal and in favor of upholding the Planning Commission's approval of the Coastal Zone Permit.

Her advocacy against appellant's arguments covered a range of issues.

[Exhibit G: Transcript of remarks by Deputy City Attorney Jennifer Huber, pdf page 88]

A glaring indication of the Deputy City Attorney's improper advocacy is that in response to a question from President Lopez regarding next steps for upholding the appeal, she informed the Board that the easier route was to deny the appeal:

"If the Board were to deny the appeal, it could make that decision this evening by adopting the findings that are set forth in the Planning Commission Motion number 21437."

[Exhibit G, pdf page 89, Board of Appeals Hearing, 2-7-24, SFGOVTV time stamp 5:31:24]

This supposed easy mechanism of simply adopting the findings of the Planning Commission to deny the appeal is not only improper advocacy, but also not consistent with the Local Coastal Program. Planning Commission Motion number 21437 fails to include findings stating consistency with the Local Coastal Program. The motion finds consistency only with the Western Shoreline Area Plan which is only one of four LCP components (three of which comprise the implementation plan). § 330.5.2. of the Coastal Zone Permit Review Procedures component requires "findings of fact establishing that the project conforms to the requirements and objectives of the **[entire]** San Francisco Local Coastal Program."

Therefore, the Deputy City Attorney's advocacy push to adopt the findings that are set forth in Motion number 21437 as an easy way to deny the appeal is not consistent with § 330.5.2.

Further, the Deputy City Attorney improperly suggested to the Board that upholding the appeal would require a laborious and difficult task of writing "detailed" findings and suggested this might even involve the appellants writing draft findings themselves and submitting them to the Board for review.

"So I don't think that it is realistic for the Board to make those detailed findings here. I mean you know it's 10:35 in the evening. Um, one suggestion would be if the Board is inclined to side with the appellants that it could direct them to prepare a draft of written findings."

[Exhibit G, pdf page 90, Board of Appeals Hearing, 2-7-24, SFGOVTV time stamp 5:33:44]

In fact, there is no requirement in the Local Coastal Program for "detailed" findings nor did the Planning Commission include detailed findings in Motion #21437. A sentence that the project is not consistent with the Local Coastal Program would suffice as a factual finding under § 330.5.2. to uphold the appeal.

Another glaring indication of the Deputy City Attorney's improper advocacy is her curious comment regarding the environment:

"There is one reference in the Local Coastal Plan [sic.] with respect to the Great Highway and the ecosystem. And what it says is design parking to afford maximum protection to the Dune ecosystem. So it's not..it doesn't have broad environmental objectives, right?" "

[Exhibit G, pdf page 88 , Board of Appeals Hearing, 2-7-24, SFGOVTV time stamp 4:09:48]

This brief has already established in light of New Material Fact #2 that Policy 12.4 of the Western Shoreline Area Plan component of the certified Local Coastal Program includes specific environmental criteria for the entire Coastal Zone including the Great Highway. ***[Exhibit F, pdf page 86]*** Moreover, the entire reason for the existence of the Local Coastal Program involves the environment.

CONCLUSION

For all of the reasons outlined in this brief, it is clear that different material facts and circumstances have arisen per § 9 (b) of the Rules of this Board. It is also clear that if appellant had known these crucial material facts before writing its brief and preparing its presentation, the new material facts and circumstances could have impacted the outcome of the hearing.

[Exhibit H: Appellant appeal brief-pdf page 92; presentation slides- pdf page 455]

It is also clear that an extraordinary case exists (per § 9 (b) of the Rules) of the Deputy City Attorney advocating a particular outcome, especially that the easier path for the Board would be to deny the appeal. Undoubtedly, had the Deputy City Attorney not advocated for a particular outcome, this could have impacted the outcome of the hearing. Therefore, appellant SPEAK respectfully requests that this Board grant appellant's rehearing request.

Respectfully submitted,



Sunset-Parkside Education and Action Committee ("SPEAK")
Eileen Boken, President

EXHIBITS

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Exhibit H: Appellant Appeal Brief, **page 92**; Presentation Slides, **page 455**

EXHIBIT A



Exhibit A-Picture #1:
New Hardwood Log Seating
Upper Great Highway Median Strip
near Noriega



Exhibit A-Picture #2:

New Hardwood Log Seating
Upper Great Highway Median Strip
near Noriega



Exhibit A-Picture #3:
New Hardwood Log Seating
Upper Great Highway Median Strip
near Noriega

EXHIBIT B

**Permit Holder-San Francisco Recreation & Parks Department
Testimony
Transcript of Excerpted Remarks by Supervisor Joel Engardio
Items 5a, 5b and 5c
San Francisco Board of Appeals
February 7, 2024**

From: https://sanfrancisco.granicus.com/player/clip/45370?view_id=6&redirect=true

[SFGOVTV 1:53:39]

“I want to show you the faces of the Great Highway Pilot Program. So here they are. The people in this photo are ages two to ninety. They’re all different backgrounds. What they have in common is this space on the Great Highway brings joy to their lives.”

[SFGOVTV 1:53:56]

“So everyone in this photo is gathered around a new park bench. The bench gives seniors a place to rest and provides clear views for all to watch glorious ocean sunsets. So to some, it might just be a bench. But for the Sunset residents in this photo, the simple bench is an essential step for creating a transformational space in their lives. These photos I’ve been showing you demonstrate the fundamental ideals that we enshrined in our state Constitution fifty years ago through the Coastal Act. The pilot program expands access and lets people experience our coast in transformative ways. It helps connect people and communities of all ages, incomes and abilities to discover, enjoy and nurture long-term appreciation for the coastal landscape. If this isn’t what we’re supposed to be doing along our coast, what is? So let’s be clear. The people appealing the pilot are upset by the joyful community experience that we see in this photo. They want this to be a full-time highway for cars.”

EXHIBIT C

Instagram

Log In Sign Up



 **sfrecpark** • Follow
Great Highway

 **sfrecpark** Join the Friends of @greathighwaypark for a community celebration to commemorate a new bench, uniquely made from repurposed wood from our parks, coming to the Great Highway. It will take place on Friday, 1/26 from 4-5PM at Noriega Street & will feature live jazz & more!

#sanfrancisco #greathighway #jazz #livemusic

4w

 **goldendenizen** Amazing.
4w 2 likes Reply

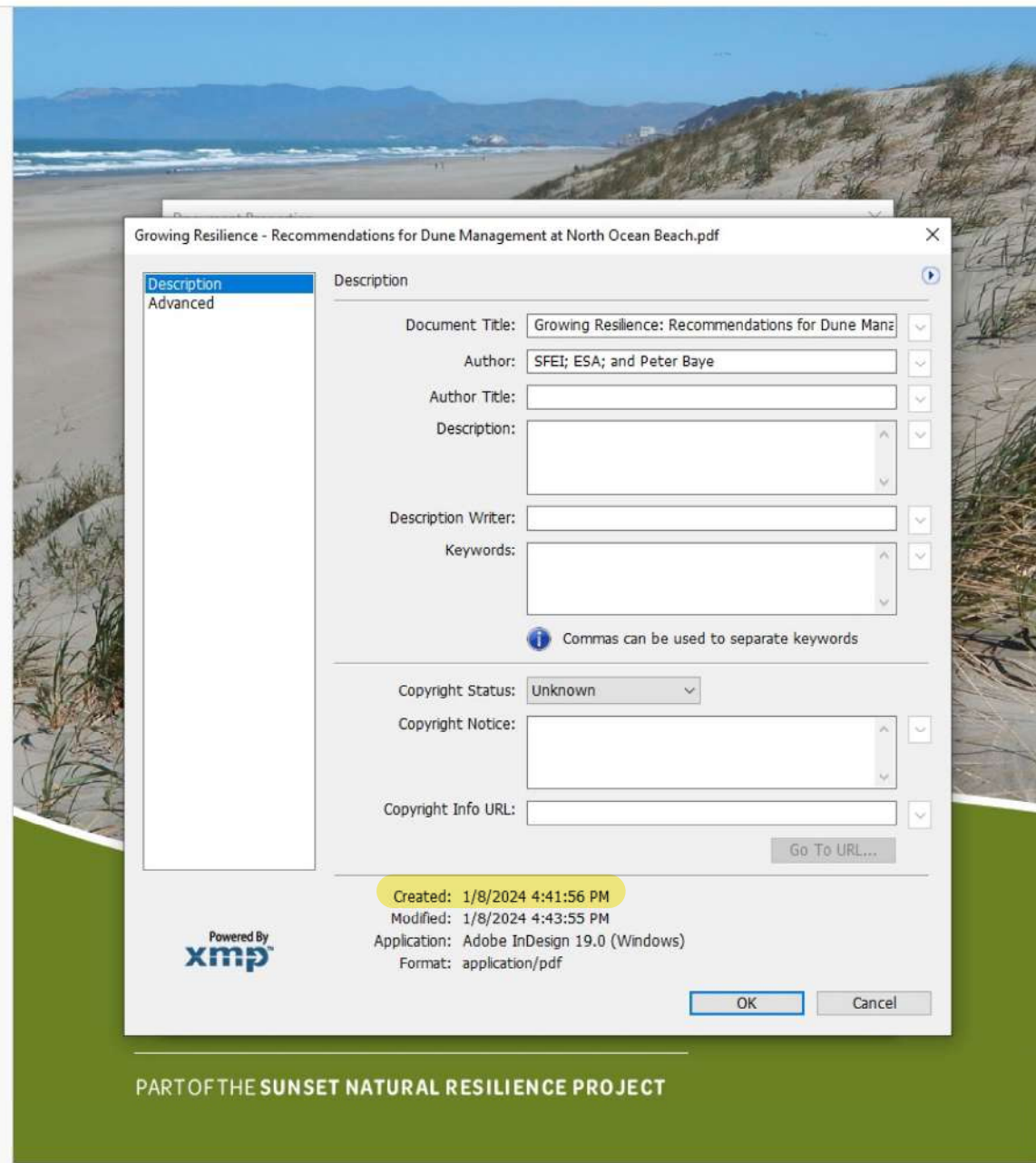
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EXHIBIT D



Growing Resilience - Recommendations for Dune Management at North Ocean Beach.pdf

Description

Advanced

Description

Document Title: Growing Resilience: Recommendations for Dune Manz

Author: SFEI; ESA; and Peter Baye

Author Title:

Description:

Description Writer:

Keywords:

Commas can be used to separate keywords

Copyright Status: Unknown

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PART OF THE SUNSET NATURAL RESILIENCE PROJECT



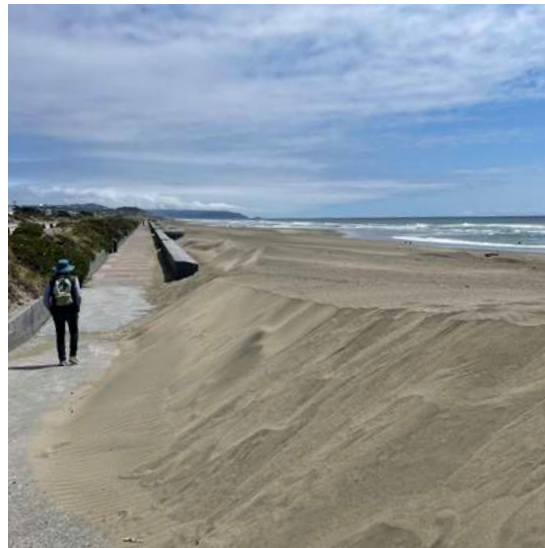
EXHIBIT E



GROWING RESILIENCE

Recommendations for Dune Management at North Ocean Beach

PART OF THE **SUNSET NATURAL RESILIENCE PROJECT**



Growing Resilience: Recommendations for Dune Management at North Ocean Beach

Prepared by

SFEI In partnership with
Ellen Plane Peter Baye (*Coastal Ecologist*)
Jeremy Lowe Bob Battalio (*ESA*)
Kendall Harris
Joe Burg

Funded by

California State Coastal Conservancy

SFEI | San Francisco
Estuary Institute

A PRODUCT OF THE **SUNSET NATURAL RESILIENCE PROJECT**

DECEMBER 2023

SAN FRANCISCO ESTUARY INSTITUTE PUBLICATION #1155

ACKNOWLEDGMENTS

We extend sincere thanks to our project partners at the National Park Service (Golden Gate National Recreation Area) and the City and County of San Francisco (Municipal Transportation Agency, Recreation and Parks Department, National Park Service, Public Utilities Commission, and Department of Public Works). Your participation and guidance were pivotal in shaping the conceptual design.

Special gratitude to Brian Stokle (Recreation and Parks Department), Marilyn Latta (Coastal Conservancy), and Kristen Ward and Brian Aviles (Golden Gate National Recreation Area) for their impactful comments that improved the final report.

We appreciate the many contributions of additional SFEI and ESA staff—Kelly Iknayan, Cate Jaffe, Ruth Askevold, and Melissa Foley from SFEI, and Meagan Flier, Yashar Rafati, Louis White, Lindsey Sheehan, Wes McCullough from ESA. Finally, thank you to the Coastal Conservancy, especially Erica Johnson, Moira McEnespy, and Marilyn Latta, for funding and guiding this effort.

REPORT AVAILABILITY

Report is available at sfei.org

SUGGESTED CITATION

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B: Active Shore Zone Constraint to Dune Enhancement (ESA)

C: Detailed conceptual model of beach-dune interactions at Ocean Beach (Peter Baye)

D: Detailed Conceptual Design Drawings (Peter Baye)

Glossary

Backdune

The landward side of a dune (the part that faces away from the ocean).

Backshore

The area between the beach face and the front of the dune, cliff base, wrack line, or any coastal protection structure.

Bathymetry

The topography or morphology of the seafloor and coastal areas.

Beach Face

The sloping section of beach where the swash and backwash of waves occurs.

Brush Matting

Flat placement of unanchored, overlapping branches (tree trimmings) to stabilize the sand surface. Brush matting is temporary, breaking down in a few years and then fully degrading into organic matter.

Constructed Dune

Engineered structures reproducing the form of natural dunes.

Cusps

Small, uniformly-spaced U-shaped embayments on a beach, each separated by protruding ridges.

Dune Blowouts

Unvegetated, wind-eroded troughs or bowl-shaped depressions in foredunes, with depositional dune lobes downwind.

Dune Field

An area covered by extensive sand dunes.

Dune Lobe

The sand eroded by wind from a blowout is deposited immediately downwind to form depositional lobes.

Embryo Foredune

The earliest stage of dune formation, consisting of pioneer colonies of perennial vegetation.

Fetch

Horizontal distance over which wind blows.

Foredune

Shore-parallel dune landforms formed by the interaction between wind transport of beach sand and sand-trapping, burial-tolerant perennial coastal dune vegetation. Foredunes are the primary topographic feature landward of the backshore.

Lag

Coarser sediment, (e.g. pebbles, shells), that persists on a beach after finer particles have been carried along the shore by waves, winds, and currents. Lag deposits are characterized by their greater resistance to erosion and transport compared to the more mobile sand.

Perched Dune

Dune that forms on top of a cliff, pre-existing dune, or embankment.

Ramp

A seaward-facing slope of sand.

Rip Current

A wave-driven current flowing seaward (away from the beach) through the surf zone.

Runnel

Shore-parallel depression between intertidal sand bars (ridges) that fills with water during high tides.

Sand Backpass

Refers to the procedure of excavating sand from north Ocean Beach and placing it at erosion hotspots at South Ocean Beach (south of Sloat Blvd).

Scarp

A steep slope or cliff adjacent to a flat or gently sloping area.

Slipface

The steep, leeward (away from the wind) side of a sand dune which sand grains slide down due to gravity and wind action.

Slump-block

Cohesive mass of sand that has detached or broken away from the main dune structure due to gravity or erosion.

Swash Zone

The area on a beach where waves rush in before retreating back into the ocean.

Toe

The lower, seaward edge of the dune or berm that is closest to the water's edge.

Wave Refraction

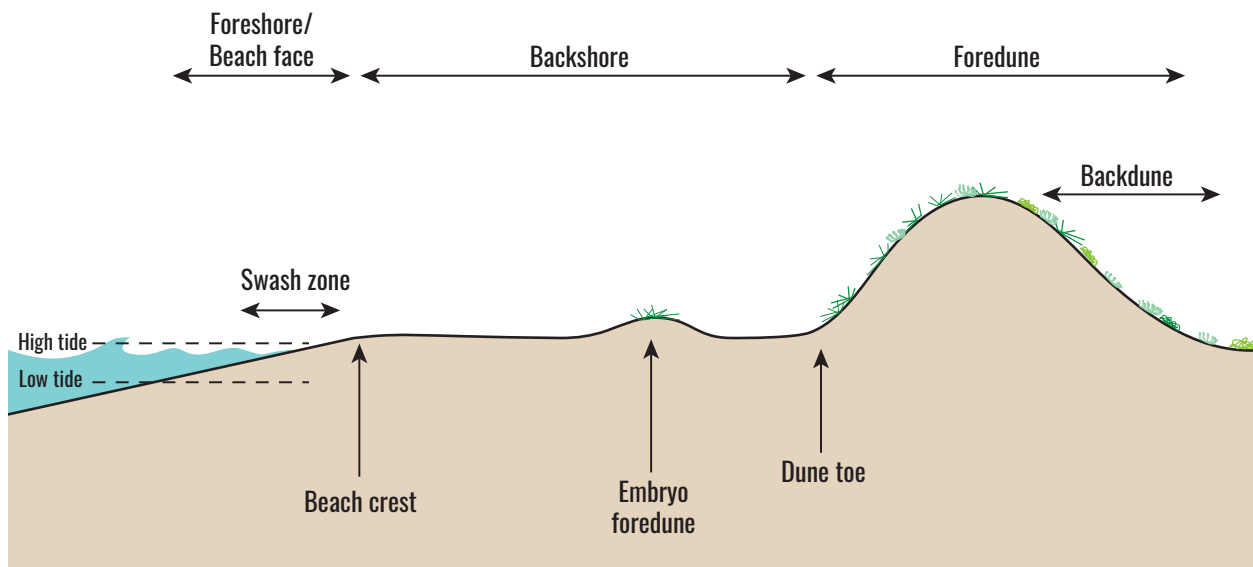
The bending of ocean waves as they approach a coastline, caused by the slowing of the wave as the depth decreases.

Wave Focusing

Concentration of wave energy at certain coastal points, often headlands, due to wave refraction.

Wrack Line

The line or band of debris and organic material, such as seaweed, shells, and driftwood, left behind by the highest tide or wave action.



Executive Summary

Ocean Beach faces escalating dune erosion, primarily due to human-induced factors like informal trails causing trampling, leading to blowouts and destabilization of protective vegetation. Areas affected by blowouts experience wind-driven sand accumulation on the Great Highway, posing safety risks for pedestrians and vehicles and requiring costly maintenance. In addition, rising sea levels pose a significant long-term threat, as increased erosion will only add to management challenges.

This report provides a range of strategies to: (1) help minimize sand deposition on the promenade and Great Highway, (2) reduce maintenance costs and effort, (3) create and enhance native dune habitat, (4) facilitate public access to the beach for recreation, and (5) increase the resilience of the shoreline and dunes to sea-level rise and coastal erosion.

Strategies include:

- Engaging the public in education and outreach efforts to increase understanding among residents and beach-goers about the challenges faced at Ocean Beach and the value of a nature-based adaptation solution like dune revegetation.
- Establishing dune-adapted vegetation. Beach wildrye (*Leymus mollis*) and other native species can trap sand and build up dunes to prevent landward migration of blowing sand. Beach wildrye propagation is a critical path item, and enhancement cannot progress without it. Plantings will need two years to propagate, and one year to establish after out-planting, so starting propagation efforts soon is a key first step.
- Changing future sand removal and placement activities by preventing disturbance in the backshore, which inhibits dune formation, and placing sand in the foreshore, where it can be redistributed by waves. After dune vegetation is established, continuing to place sand seaward of the dunes can nourish the beach and dunes and help slow erosion.
- Preventing trampling of dune vegetation. Trampling by pedestrians leads to blowouts and migration of sand onto the Great Highway and promenade. Examples of strategies for preventing trampling include consolidating trail access locations, placing brush matting (cut branches from trees and shrubs) in revegetation areas, and creating educational signage to encourage beach users to stay on trail.
- Increasing collaboration between local City and County of San Francisco agencies and Golden Gate National Recreation Area (including across jurisdictional boundaries) and with residents and beach-goers to enhance stewardship of the beach and dunes.

The following table provides a summary of the existing conditions, main challenges, proposed conceptual design, and near-term implementation actions at each reach of the beach (reaches shown in Figure 1.1).

Reach	Existing Conditions	Main Challenges	Conceptual Design Summary	Near-term Implementation Ideas
A - North of Lincoln Way	<ul style="list-style-type: none"> Wide, flat backshore with no foredunes nor vegetation. Shore accreted 200 feet from 1992-2021, but is unlikely to sustain much additional seaward expansion due to sea-level rise. 	<ul style="list-style-type: none"> Current grading practices prevent dune formation. The borrow area for the sand backpass to South Ocean Beach is in the backshore and close to the seawall, preventing dune formation. Need to reconcile any conceptual design with existing recreational uses. 	<ul style="list-style-type: none"> Move sand backpass excavation seaward into the runup zone, excavating coarser sand which is better for placement at South Ocean Beach. Allow a new vegetated foredune to form, creating a sheltered recreational area inland in its lee. Place "driftwood" logs to aid foredune development. Create pedestrian access paths to reduce vegetation trampling. 	<ul style="list-style-type: none"> Create updated permits/practices for backpass mining location in Reach A. Halt backshore grading. Allow natural wrack (wood, kelp) to remain on the beach, with the option to also import "driftwood" logs.
B - Lincoln Way to Noriega Street	<ul style="list-style-type: none"> Moderately wide beach with high foredunes accreted over constructed sand berms, vegetated primarily with invasive marram grass. Where vegetated dunes are intact, they prevent onshore sand transport. Shore accreted 140 feet from 1992-2021, but unlikely to sustain much additional seaward expansion due to sea-level rise. 	<ul style="list-style-type: none"> Pedestrian trampling of vegetation initiates blowouts; large unvegetated mobile dunes encroach onto Great Highway. Limited space exists for the further development of embryo foredunes. 	<ul style="list-style-type: none"> Remove invasive iceplant and marram grass from dunes, regrade blowouts, establish native vegetation with primarily dune-stabilizing beach wildrye. Create pedestrian access paths to reduce vegetation trampling and plant a dune scrub buffer along Great Highway to reduce access points. 	<ul style="list-style-type: none"> Place sand cleared from Reach B over iceplant flats near Irving. Winter: Transplant native beach wildrye from adjacent stands to create self-regenerating beach wildrye propagation bed in the backdune area near Irving St. Place brush matting in trampling hotspots (e.g. at Judah and Lawton).

Reach	Existing Conditions	Main Challenges	Conceptual Design Summary	Near-term Implementation Ideas
C - Noriega Street to Santiago Street	<ul style="list-style-type: none"> Moderate to narrow beach width, relatively stable from 1992-2021. Wave focusing amplifies erosion in some sections of this reach, with wave runup occasionally reaching the Noriega seawall. 	<ul style="list-style-type: none"> Wind blows sand onto promenade and Great Highway as sand ramps form against seawall. There is a narrow zone where embryo foredunes can form. Annual maintenance activities prevent vegetation establishment and dune formation. Severe wave events cause erosion and will become more frequent with sea-level rise. 	<ul style="list-style-type: none"> Create a new foredune ramp seaward of the seawall and stabilize with beach wildrye and other native species. Place "driftwood" logs in the winter wrack zone to stabilize the dune toe. Create pedestrian access paths to reduce vegetation trampling. 	<ul style="list-style-type: none"> Place sand cleared from the Great Highway or promenade in foreshore areas where waves can redistribute it. Allow natural wrack (wood, kelp) to remain on the beach, with the option to also import "driftwood" logs.
D - Santiago Street to Sloat Boulevard	<ul style="list-style-type: none"> Narrow erosional shore with minimal foredunes and a high sand berm Progressively eroding, with the high tide shoreline receding 100 feet from 1992-2021; erosion is likely to continue or accelerate with sea-level rise. Iceplant dominates and is ineffective at trapping sand. 	<ul style="list-style-type: none"> Ongoing erosion threatens roadway and infrastructure. Limited space for embryo foredunes. Blowouts and sand movement onto the Great Highway occur due to limited vegetation cover. 	<ul style="list-style-type: none"> Grade sand over the iceplant-dominated perched dunes and scarp. Vegetate dunes with beach wildrye and stabilize at the toe with logs. Once vegetation is established, place sand in the backshore to nourish the dunes and protect the road and infrastructure from wave overtopping. Consolidate pedestrian access as in other reaches to reduce trampling impacts. 	<ul style="list-style-type: none"> Place sand cleared from the Great Highway in foreshore areas where it can be remobilized by waves. Place brush matting in trampling hotspots. Allow natural wrack (wood, kelp) to remain on the beach, with the option to also import "driftwood" logs.

This report outlines an implementation approach in Chapter 9. The first step is the propagation of beach wildrye, followed by the removal of invasive vegetation, grading, and planting. Once vegetation is established, sand can be placed to nourish the beach and dunes. It is crucial that vegetation is established before sand placement to allow natural processes of sand trapping and accretion to proceed. Successful execution depends on consensus and coordination between managing agencies, a robust public engagement strategy, and a clear adaptive management plan. Regular audits of the management and coordination strategy can contribute to the collaborative process, guiding the determination of future steps in this dynamic coastal management initiative.



Site visit with partners at Ocean Beach, May 30, 2023. Photo by Ellen Plane, SFEI.

1. Introduction

The Sunset Natural Resilience Project (SNRP) comprises six distinct yet interconnected projects in western San Francisco that will enhance the ability of human and natural communities to prepare for climate change impacts. Each project aims to further the biodiversity goals of partner organizations while making the city of San Francisco a more livable and enjoyable space. Ocean Beach is one of the six SNRP sites.

This report provides recommendations for sand management and dune restoration at Ocean Beach north of Sloat Boulevard. Recommendations are based on an assessment of the historical evolution of the dunes, existing conditions and management practices, and the anticipated response of the beach and dunes to sea-level rise. This work builds on the information and vision provided by the Ocean Beach Master Plan (OBMP) (SPUR et al., 2012). The conceptual designs proposed here are particularly relevant to the OBMP's Key Move 4: Restore Dunes along the Middle Reach (defined in the plan as the reach from Lincoln Way to Sloat Blvd). The concepts in this report also build on lessons learned from dune vegetation and management conducted as part of San Francisco's Clean Water Program in the 1980s and from projects elsewhere in California and in Oregon (e.g. Surfers Point, Ventura; Pacifica State Beach). Other documents related to past and current sand management practices are described in Section 3, Agency Jurisdictions and Key Agreements.

The study area covers Ocean Beach from its northern terminus at Point Lobos (where the Cliff House is located) to Sloat Boulevard. The study area is divided into four reaches: A (Cliff House to Lincoln), B (Lincoln to Noriega), C (Noriega to Santiago), and D (Santiago to Sloat; Figure 1.1). This area corresponds to the North and Middle Reaches described in the OBMP. The portion of the beach south of Sloat (referred to as South Reach in the OBMP), where erosion issues are most acute, is covered by the ongoing multi-agency Ocean Beach Climate Change Adaptation Project (San Francisco Water Power Sewer, 2023) and is not covered by the Sunset Natural Resilience Project. However, we do consider the mechanical transport of sand from North Ocean Beach to the south of Sloat to address erosion issues in that area.

This report addresses several key management challenges at Ocean Beach:

- 1. Dune erosion.** The existing dunes along Ocean Beach are constructed sand berms capped with naturally deposited dunes, rather than wholly natural coastal dune landforms. They have experienced significant and accelerating erosion in recent years. Erosion has been driven by the creation of informal trails (a.k.a. "social trails" or "use trails") where major streets intersect the Great Highway. The trampling of vegetation destroys protective surface cover and root systems that stabilize the dunes. Wind erosion enlarges bare sand trails over years, forming massive dune blowouts: areas where the wind has removed sand from the dune's surface, creating depressions or openings in the dune. This has led to the growth of large, migrating unvegetated dunes that create a pathway for sand to be blown directly inland from the beach, onto the Great Highway. Trampling, erosion, and blowouts reduce vegetation cover, alter hydrological conditions, and disrupt dune microhabitats which are nesting sites, burrows, food sources, and shelters for a variety of dune organisms. Sand management practices as well as natural processes like erosion, wave focusing and rip currents also contribute to dune erosion.



Figure 1.1. The study area is divided into four reaches: A, B, C, and D. The section of the beach south of Sloat Blvd is outside the study area. The OBMP South Ocean Beach reach is the location of the multi-agency Ocean Beach Climate Change Adaptation Project.

2. **Wind-blown sand.** In portions of the beach without dune features or where there are blowouts, sand is transported inland by the wind and accumulates on the Great Highway and adjacent promenade, interfering with their use by people and cars and causing safety hazards for both. Wind-blown sand on the road also deposits into storm drains, where it causes problems for the city's combined sewer system. After particularly strong wind events, sand can also move further inland, accumulating on nearby neighborhood streets.
3. **Sea-level rise.** Rising sea levels will likely alter wave-driven littoral transport and patterns of beach erosion, resulting in a decrease in the width of the beach seaward of existing hard infrastructure such as seawalls, roadways, and buried utilities. The Ocean Beach Master Plan (SPUR et al., 2012) concluded that the dunes and much of the beach would be eroded by 2070 unless sea-level rise adaptation measures were implemented.

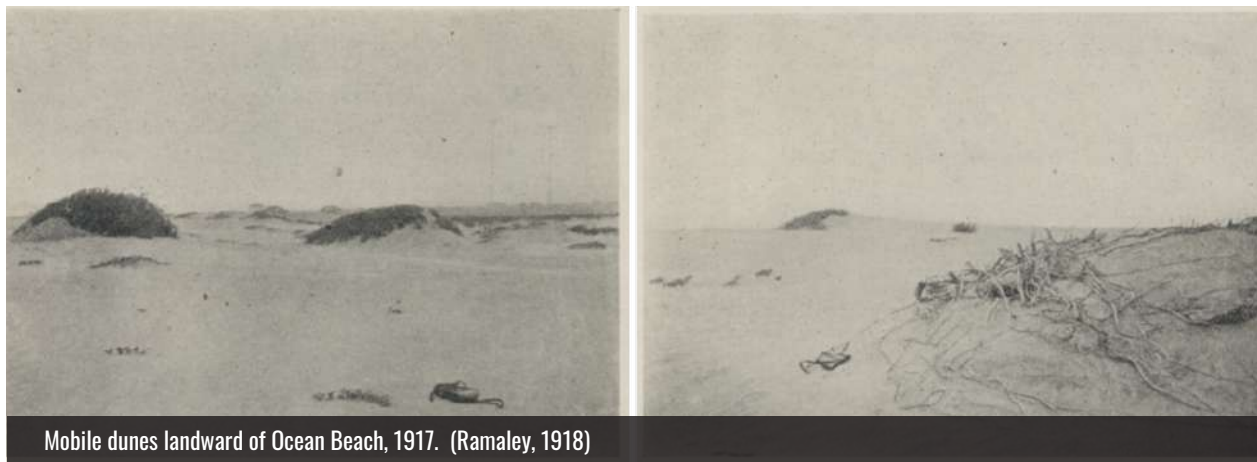
To address these key challenges, it is important to first understand the historical context and the processes driving management decisions and actions at Ocean Beach today. Chapter 2 provides an overview of the historical evolution of beach and dune management at Ocean Beach. Chapter 3 lays out the jurisdictions of each agency and summarizes the key documents and agreements pertinent to future management decisions. Chapter 4 presents general conceptual models explaining the drivers behind today's beach processes, and Chapter 5 goes identifies the main challenges at each of the four reaches identified in Figure 1.1. Chapters 6 and 7 describe management goals, objectives, and strategies in general, and Chapter 8 applies these strategies, describing conceptual designs for each reach of the beach. Finally, Chapter 9 discusses implementation considerations and lays out a possible timeline of actions.

A key management challenge not addressed in this report is the integration of planning for the Great Highway's future with Ocean Beach's future management. Since April 2020, the San Francisco Recreation and Parks Department (RPD)'s Great Highway Pilot Project has closed the Upper Great Highway between Lincoln Way and Sloat Boulevard to car traffic on Friday afternoons, weekends, and holidays, allowing the two-mile segment to transform into a promenade used by pedestrians and bicycles. During weekdays the roadway is open to cars, while pedestrian use is limited to the seaward promenade and the cityside multi-use paved path. This pilot project has been controversial, with strong supporters and opponents in the local community. A separate task of SNRP will examine the future of the Great Highway in terms of enhancing biodiversity planning from Ocean Beach inland to the Sunset District.

2. Historical evolution

PRE-DEVELOPMENT

Before the development of San Francisco by Euro-Americans, Ocean Beach was significantly different from its modern form. The beach's backshore transitioned to dune fields that stretched across much of what is now western San Francisco (Hidden Nature SF; San Francisco Estuary Institute et al., 2023). Historically, there was no defined foredune at Ocean Beach; rather, there was direct transport of sand from the beach to the interior dune field (what is now the Sunset District of San Francisco). Broadleaf native forbs (non-grass herbaceous flowering plants) such as beach-bur (*Ambrosia chamissonis*), yellow sand-verbena (*Abronia latifolia*), and silvery beach pea (*Lathyrus littoralis*) formed scattered dome-shaped vegetated dune mounds (Ramaley, 1918).



LATE 1800s-EARLY 1900s

Stabilization of dunes in western San Francisco began in Golden Gate Park and the Presidio during the 1870s. Due to its ability to build high and narrow foredune ridges under high rates of sand accretion, *Ammophila arenaria* (common names marram grass or European beachgrass) was used for stabilization along Ocean Beach in the vicinity of Golden Gate Park (Reach A) as early as 1905.

Foredunes are different from the dune fields that historically existed at Ocean Beach. Foredunes are the first line of vegetated coastal dunes formed at the back of the beach. They develop from the interaction between wind transport of beach sand and sand-trapping perennial dune vegetation, and regeneration of vegetative cover after sand burial year after year. They can restrict wave runup and release sand back to the beach during storms. Where they existed elsewhere along the pre-development California coast, foredunes stabilized by native vegetation were low, broad dome-shaped dunes; steep rounded hummocks (typical of broadleaf forbs); or broad, undulating ridges or coalesced domes (typical of beach wildrye, *Leymus mollis*).



Looking southeast from Point Lobos bluff (near Cliff House) toward North Ocean Beach (Reach A) and what was called Kelly's Cove, where the shore was naturally hundreds of feet landward of the rocky headland. Circa 1865. Source: Western Neighborhoods Project - wnp71.0617

OpenSFHistory.org
outsidelands.org



Sunset dune fields circa 1910. View west from Near 30th and Pacheco. Radio towers visible at the beach. Source: Western Neighborhoods Project - wnp15.641.

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The width of Ocean Beach has varied along its length over time. From the mid-1800s to mid-1900s, the shore was pushed seaward several hundred feet by the placement of fill, and the Great Highway was constructed on a berm. The O'Shaughnessy Seawall was constructed in the 1920s to prevent the shore from eroding back to its natural position landward of the Great Highway.



Embankment constructed for the Great Highway near Pacheco Street, 1915. Note the shore embayment characteristic of this location, where a seawall was constructed in the 1990s. (Olmsted & Olmsted, 1979).



View north from foot of Cabrillo St during the second phase of construction of the O'Shaughnessy Seawall. Photo from August 1922. Source: Western Neighborhoods Project - wnp36.02888.

GRASS NOMENCLATURE

“Marram” or “marram grass” is the common name for the invasive, non-native *Ammophila arenaria*. The vernacular Pacific Northwest and California name for marram grass is European Beachgrass. “American dunegrass” is a common name used for native *Leymus mollis*. Because “beachgrass” and “dunegrass” are similar, habitat-based descriptive names, **this report uses “marram grass” to refer to *Ammophila arenaria*, and the Washington-Alaska-Canadian name “beach wildrye” for native *Leymus mollis***. This nomenclature also avoids confusion with American beachgrass (*Ammophila breviligulata*), which is native to the Atlantic coast of the U.S. but is an invasive non-native in Oregon and Washington state.

LATE 1900s

The north end of the beach (Reach A) has accreted substantially from the 1970s to today, likely due to maintenance dredging of the San Francisco Shipping Channel, which is thought to have resulted in increased onshore sand transport to Ocean Beach (B. Battalio, 2014; R. T. Battalio & Trivedi, 1996). Since the 1970s when the dredging practices changed, the north end of the beach has remained wide, unvegetated, and nearly flat with low-relief linear mounds shaped by wind action.

In the 1980s-1990s, San Francisco’s combined stormwater and wastewater sewer system was upgraded, which involved realigning the seaward edge of the Great Highway 50 feet landward. Buried rubble was placed at the toe of the embankment supporting the Great Highway. Additionally, a seawall was constructed between Noriega and Santiago cross-streets (Reach C) in response to a natural embayment (area with a recessed shoreline due to wave focusing). Pedestrian access to the beach changed due to this construction; pedestrian tunnels under the Great Highway were closed, and signalized street-level crossings were installed.

As part of the same project, the San Francisco Department of Public Works (DPW) constructed sand berms along Ocean Beach from Lincoln Way to Noriega Street (Reach B). Imported fill material was stabilized by marram grass planted on the seaward face and crest and iceplant (*Carpobrotus edulis*) behind the berms. Both marram grass and iceplant are invasive species. Sand transported from the beach accreted on the seaward face of the berm, although wave runup eroded the dunes, primarily in the southern part of the study area. The dune form created by this project is a steep, narrow, continuous ridge profile that intercepts onshore-blown sand, leading to concentrated deposition in a narrow seaward zone, with the dune building vertically. Like the marram grass used to stabilize it, this geomorphic form is not native to the California coast.

Many examples of artificial linear marram grass foredune ridges have been created elsewhere in California. Lawson’s Landing at the mouth of Tomales Bay, north of Sand Point, is an example of a

marram grass foredune with the same grain size range and orientation to dominant winds as Ocean Beach. Other examples of linear marram foredune ridges in California include Limantour Spit, Point Reyes Beach, Bodega Dunes Beach, Funston Beach, and North Pacifica Beach. True “restoration” of California coastal foredunes would mean re-establishing space to allow landward migration of dunes as opposed to the creation of linear foredune ridges that intercept onshore wind-blown sand to protect landward infrastructure or development.

Where it is still intact, Ocean Beach’s vegetated foredune created in the 1980s has continued to limit blowing sand, as indicated by the presence of the original and unburied iceplant on the landward side of the berms between Lincoln Way and Judah Street in Reach B. The current state of these constructed dunes, including trampling and erosion issues, is discussed in later chapters.

2000s-PRESENT

Shore management since 2000 has consisted primarily of mitigating windblown sand deposition and increasing sand supply to eroding beaches. Mitigating windblown sand along the Great Highway and hardscaped pedestrian areas involves grading sand away from seawalls, with sand removed from hardscapes often placed in high erosion areas at South Ocean Beach. Fine sand is more prone to wind erosion than coarse sand, and there has been an increase in the proportion of finer-grain sand at Ocean Beach. This may be due to the mobilization of finer sands by the maintenance dredging of offshore channels.

In 2012, the Ocean Beach Master Plan (OBMP), a collaborative multi-agency long-term adaptation plan for the beach, was completed in response to erosion and flood hazards, especially in the context of sea-level rise. The plan has primarily been implemented in South Ocean Beach in response to acute erosion issues. This report focuses on the OBMP’s “North Ocean Beach” and “Middle Ocean Beach” reaches (Reach A to D in this report) (Figure 1.1). The OBMP findings for those reaches are summarized below:

- **North Ocean Beach (Reach A):** The beach in the north reach is about 800 feet wide due to increased sand transport from the south. The OBMP recommended no action in this reach to mitigate coastal hazards. Developing vegetated dunes to limit wind-blown sand transport and improve ecology was considered worthy of future investigation, with recognition of potential recreational and management constraints.
- **Middle Ocean Beach (Reach B, C, D):** The shore in this reach has a concave alignment at the high wave focus zone, which conflicts with the straight alignment of the seawall and the Great Highway. Approximately 100,000 cubic yards of sand is estimated to have moved on shore to the beach from the offshore dredge disposal area from the 1970s until 2005. Since 2005, dredging practices have changed and the rate of onshore transport is uncertain. Beach loss is expected by 2050 without intervention. The OBMP recommends the placement of 1.5 million cubic yards of sand to widen the beach and dune berm by 50 feet every 10 to 30 years. The plan also recommends setting the road back by reducing the lanes from four to two if needed as part of a long-term adaptation pathway in response to sea-level rise.

3. Agency jurisdictions

From reviewing agency and department websites, conversing with agency staff, and referencing the OBMP, we have gathered that the jurisdictions form a series of parallel bands, roughly consistent in width, running parallel to the Great Highway. Figure 3.1 shows jurisdictions in Reach A for representative location at Golden Gate Park, and Figure 3.2 shows jurisdictions in Reaches B-D at a representative location at Irving St.

Three agencies have jurisdiction over portions of the study area.

- SF Municipal Transportation Agency (MTA) manages citywide traffic including on the Upper Great Highway (divided highway) and Lower Great Highway (surface street). MTA has been responsible for deploying traffic management tools such as signs and traffic diverters to manage traffic and improve safety during the Great Highway Pilot Project.
- SF Recreation and Parks Department (RPD) - RPD's jurisdiction along Ocean Beach begins at the west curb of Lower Great Highway to 50 feet west of Upper Great Highway. Within their jurisdiction, RPD manages the multi-use north-south trail between Lower Great Highway and



Figure 3.1. Agency jurisdictions, demonstrated at a section of beach in Reach A near Golden Gate Park.



Figure 3.2. Agency jurisdictions, demonstrated at a section of beach in Reach B at Irving Street. Reach C and D jurisdictions are comparable to Reach B.

Upper Great Highway as well as the east-west trails that allow access from the Upper Great Highway to the beach and public restroom facilities. RPD's jurisdiction also includes Golden Gate Park, which is east of the Great Highway between Fulton Street and Lincoln Way.

- National Park Service (NPS) - The Golden Gate National Recreation Area (GGNRA) has jurisdiction over Ocean Beach from the RPD jurisdiction (50 feet west of the western edge of upper Great Highway in Reach B, C, and D, and from the western curb line of the Ocean Beach parking lots in Reach A) to a quarter mile offshore. NPS jurisdiction includes the O'Shaughnessy seawall. The offshore portion of NPS jurisdiction is leased from the CA State Lands Commission.

In addition, two agencies have management responsibilities:

- SF Public Utilities Commission (PUC) - The West Side Transport Box that runs beneath the Upper Great Highway is a key component of the city's combined sewer system and is owned and maintained by PUC. PUC does not have jurisdiction nor management responsibilities on

the surface of Ocean Beach but does have an interest in management outcomes due to the impact of blown sand entering the combined sewer system and the potential for erosion of the beach to impact buried assets. For example, PUC has collaborated with NPS to implement several "sand backpass" operations, moving sand from in front of the O'Shaughnessy Seawall (Reach A) to erosion hotspots at South Ocean Beach to protect the critical Lake Merced Transport Tunnel.

- SF Department of Public Works (DPW) - DPW has jurisdiction over the hardscape of the Lower Great Highway and manages maintenance of the Upper Great Highway roadway, median, and Noriega Seawall Promenade (Reaches B, C, and D) through an Memorandum of Understanding (MOU) with RPD. This maintenance includes keeping the Great Highway and promenade clear of sand. DPW also has a special use permit from NPS to remove and relocate wave and windblown sand from the Great Highway back onto Ocean Beach and to perform annual sand management along the Noriega seawall (see Chapter 5). Timing is coordinated with NPS staff to ensure the work does not disturb western snowy plovers on the beach. This permit has been extended several times.

The US Army Corps of Engineers (USACE) has also been involved with sand management at Ocean Beach. Dredged sediment from San Francisco Bay shipping channels is often placed offshore. If the sediment is primarily sand greater than 0.2mm and is placed on or landward of the south arm of the San Francisco Bar, the sand moves onshore by wave action. This movement results in a wider beach primarily in reaches A and B, and occasionally in reaches C and D. A beneficial use project was recently undertaken to bring dredged sand from the San Francisco Main Ship Channel and place it on GGNRA property on the rapidly eroding South Ocean Beach south of Reach D, as opposed to an offshore disposal site. This initial effort was completed in 2021. The OBMP also called for placement of dredged sand from the shipping channel in Reaches B and C from Lincoln Way to Sloat Boulevard. Future sand placements are being considered per the OBMP and are being planned under the Ocean Beach Climate Change Adaptation Project at South Ocean Beach (Mazzaferro, 2022).

The California Coastal Commission (CCC) is a state agency with primary regulatory jurisdiction along the California coastline, including within 100 feet of the high tide line along Ocean Beach. The CCC plays a crucial role in regulating and overseeing coastal development and land use along the coastline in California (the "Coastal Zone"), including Ocean Beach. The Coastal Zone is defined by the California Coastal Act, and does not include the area of jurisdiction of the SF Bay Conservation and Development Commission.

4. Conceptual Model

Ocean Beach is subject to powerful waves and strong winds shaping its physical form and vegetation. This chapter provides an overview of key processes affecting the beach within the study area.

NATURAL SAND TRANSPORT AND DUNE FORMATION

Ocean Beach receives natural inputs of wave-driven sand from offshore sandbars, building the beach width during summer months when storms are infrequent. During the winter, storms erode the beach and reduce the beach width. For example, a series of El Niño Southern Oscillation (ENSO)-driven storm events in the 1990s caused significant erosion along Ocean Beach, creating wave-cut scarps in the foredunes.

In higher parts of the beach, dry beach sand is transported inland by dominant winds out of the northwest. In the absence of human intervention (mechanical grading), small foredunes would likely develop and store otherwise mobile sand. These foredunes would be eroded by winter storms, releasing sand back to the beach.

Under existing conditions, sand is transported beyond the beach. It accumulates in ramps in front of the seawalls (where present), allowing additional sand to blow over the wall and accumulate on the Great Highway. Where beach sand is blown onshore into the few remaining well-vegetated foredunes, most sand is trapped in the vegetated slope and crest. Where beach sand is blown onshore into trampled, denuded, patchy vegetation or bare blowouts, large migrating dune lobes, often with steep slopes, encroach onto the Great Highway (Figure 4.1). Key locations where dune lobes have developed include Great Highway intersections at Lincoln Way, Judah Street, and Noriega Street. These locations each coincide with a blowout.

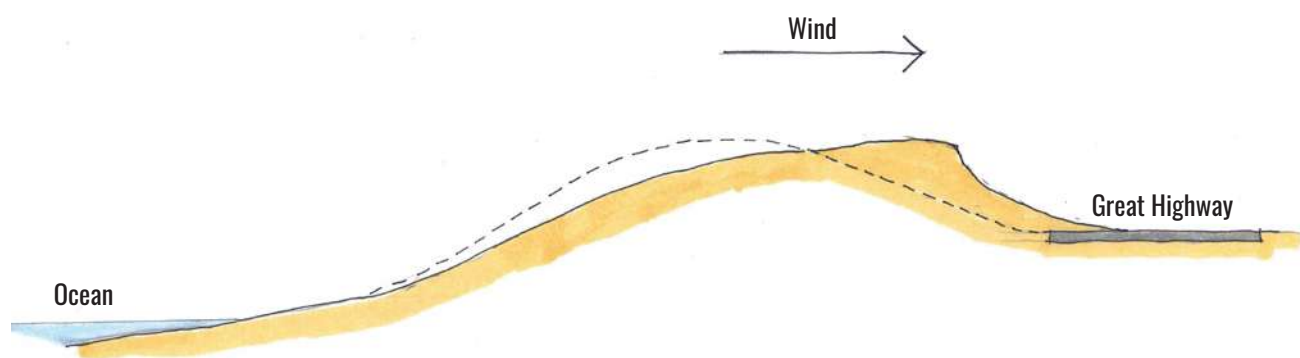


Figure 4.1. Barren dunes migrate landward towards the Great Highway where sand-trapping vegetation cover has been lost from trampling and wind erosion, causing dune blowouts. The dotted line represents an example profile of a vegetated or newly-barren dune, while the shaded dune shows the profile of a barren dune as it migrates landward due to wind erosion.

RIP CURRENTS

Rip currents that form in the nearshore and surf zone affect the width of the beach, erosion patterns, and space available for vegetated foredunes to establish. Rip currents are powerful, localized, and relatively narrow seaward currents that are driven by complex hydrodynamic processes. They typically originate at the shoreline or nearshore regions as a result of wave breaking, changes in seabed topography, and the presence of offshore features such as sandbars and channels. Under certain conditions, rip currents can transport large amounts of sediment offshore when a synergy develops and the rip-wave pattern results in a small embayment where the shoreline erodes.

Wave refraction, starting about 25 miles offshore over the seabed, causes strong wave focus on Ocean Beach. The strongest areas of refraction are in Reaches C and D. Refraction causes a single swell from one direction to cross over itself, which amplifies the wave height, and creates strong seaward rip currents and longshore currents to the north and south. The San Francisco Bar is about three to five miles offshore, about one foot high, and lies below approximately 40-50 feet of water. It is also called the ebb bar, as it is associated with tidal flows out of San Francisco Bay via the Golden Gate. The San Francisco Bar refracts waves and focuses wave energy towards the central area of Ocean Beach. The breaking waves create an onshore flux of water, causing the formation of strong, persistent rip currents that lead to the ephemeral (winter-spring) formation of embayments and a net landward movement of the winter shoreline between the Noriega and Santiago cross-streets (Reach C). The presence of these rip embayments results in a further landward penetration of wave runoff and limits the available space for dunes.

VEGETATION STABILIZATION OF SAND

Dune vegetation plays a substantial role in shaping accumulation of beach sand and intercepting its movement inland. Ocean Beach dune vegetation includes one native foredune stabilizer, beach wildrye, and two noxious invasive dune stabilizing species, iceplant and marram grass. These species have unique growth habits based on their biology that shape the surrounding sand:

- Beach wildrye, which has extensively creeping rhizomes, has a wide, creeping habit and creates gently sloped dunes.
- Marram grass, which has short rhizomes, grows in tall bunches, or “tussocks,” that tend to form steeper hummocks of sand.
- Iceplant is found landward of the beach on the fill used to create berms, where it was planted for stabilization purposes and cannot typically grow fast or high enough to survive sand burial.

Both beach wildrye and marram grass thrive in a dune environment where they are intermittently buried by accumulating sand. Because of these species' high sand trapping efficiency, they can build foredunes vertically in a confined horizontal space. The sand burial tolerance of beach wildrye is second only to marram grass in this region. Planting invasive marram grass is prohibited on NPS lands today.

Vegetated foredunes enhance sand trapping and erosion resilience by capturing sand blown from the beach (Figure 4.2). In winter, waves erode a scarp in the dune, which cuts off the sand supply to the dunes. Later, the scarp slumps, dragging down foredune vegetation that regenerates in place and later becomes buried by wind-blown sand. This process can naturally restore the foredune when erosion rates

are slow or intermittent. If the scarp retreat rate exceeds the rate at which slumps revegetate and accumulate wind-blown sand, the foredune self-repair process breaks down. Accelerated shoreline retreat due to sea-level rise means that the dynamic system may not be as able to self-maintain as it was historically.

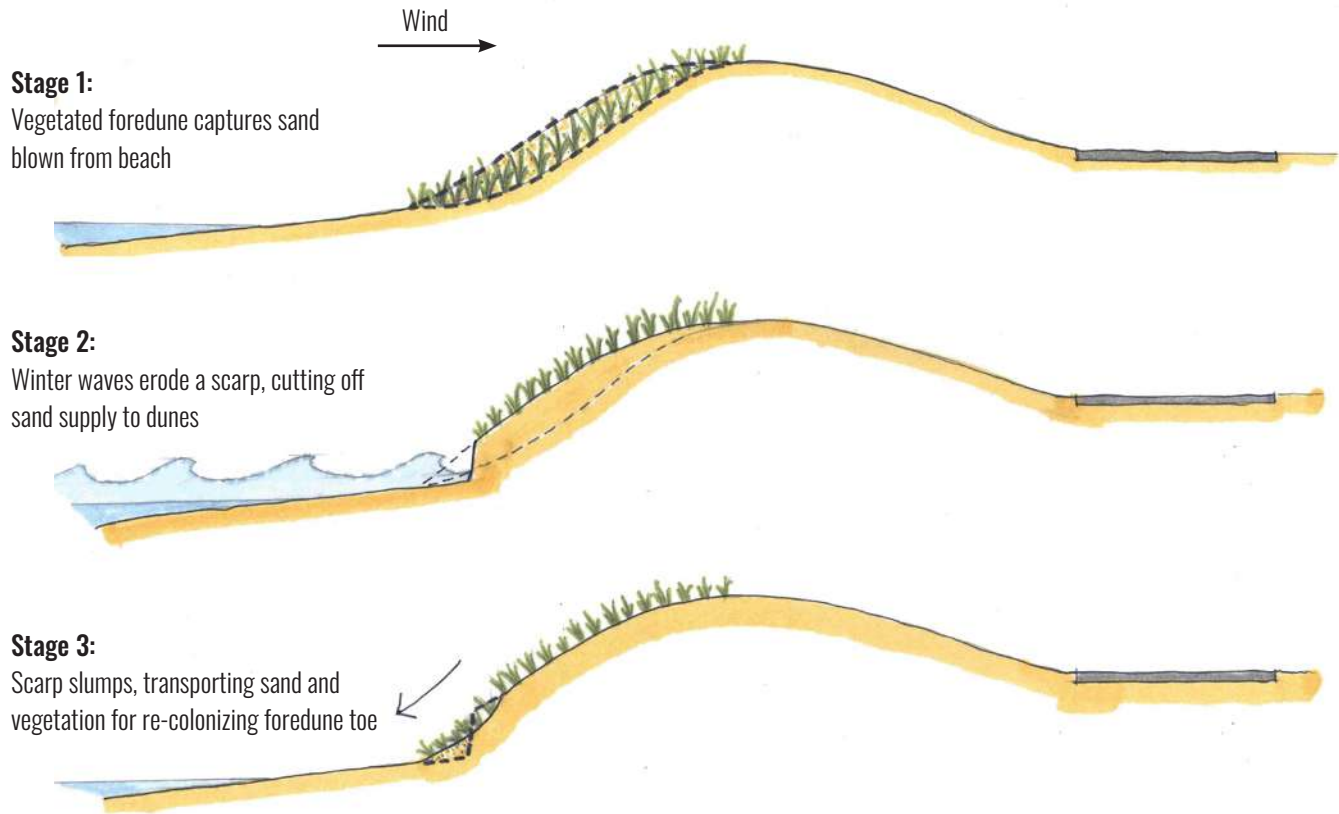


Figure 4.2. Sand trapping and erosion resilience facilitated by a vegetated foredune (slump-block revegetation).



Steep hummocks form as marram grass traps sand (background), and gently sloped, smoother foredunes develop as beach wildrye traps sand (foreground). Photo by Bob Battalio, ESA.

TRAMPLING IMPACTS

Recreation plays a key role in shaping Ocean Beach, primarily through the trampling of vegetation, which leads to erosion of the dunes and increased sand movement. This process is most evident in the evolution of the sand berms that were constructed by DPW in 1985. Following construction, the planted marram grass was protected from disturbance by temporary fencing. However, over time people began crossing the dunes and seeking protection from beach winds, which led to trampled vegetation and the development of informal trails. These trails usually originate from signaled pedestrian crossings on the Great Highway, although smaller trails exist at unsignaled cross streets such as Kirkham Street and Ulloa Street. Most trails seem to provide access over the dunes to the beach, although some are made by pedestrians seeking high points on the dunes to survey the beach and surf. Once established, these trails lead to a fan-shaped area of disturbance seaward of the dunes, as people veer off the trail to either side. This process can be seen in aerial photographs beginning in the late 1990s (Figure 4.3).

The loss of vegetation due to trampling increases the wind transport of sand, transforming fixed dunes into mobile dunes with slipfaces and unvegetated seaward slopes. Sand is blown landward, accumulating in drifts on the promenade and roadway. Continued trampling in the 2000s and 2010s has led to broader gaps in the vegetated dunes and eventually led to permanent blowouts (Figure 4.4). The gaps also gradually oriented to the dominant northwest wind direction, funneling more wind through the gaps and mobilizing more sand, creating a positive feedback loop. Between these blowouts remain the predominantly vegetated foredunes capped with accreting and partially vegetated hummocks. If action is not taken to reduce further trampling, vegetation will continue to be denuded and blowouts will continue to expand, converting much of the existing vegetated foredune area to barren sand.

The beach and foredunes have been subject to wave erosion during this same period, mainly due to El Niño Southern Oscillation events forming wave-cut scarps on the seaward edge of the dunes. However, the co-location of blowouts with pedestrian crossings and the pattern of their evolution indicates that they are primarily caused by trampling. The recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed.

SAND MANAGEMENT

Sand is moved within and out of the study area by various agencies to meet recreation, road maintenance, and erosion prevention goals. Dry sand placement on dunes without additional stabilization measures such as re-vegetation or adding a top layer of coarser material can increase sand movement, leading to further dune erosion and loss of vegetation. This compounds the sand inundation problem along the Great Highway. Because management activities are specific to particular reaches of the study area, they are detailed by reach in Chapter 5.



Figure 4.3. Beginning of informal trails through vegetated dunes at Judah Street (1993). Informal trails begin to fan out at Judah Street and a blowout begins to form (2005).



Figure 4.4. Trail mouth widens and blowouts expand at Judah Street (2015), and Judah Street blowout (2021).

5. Existing conditions and management challenges

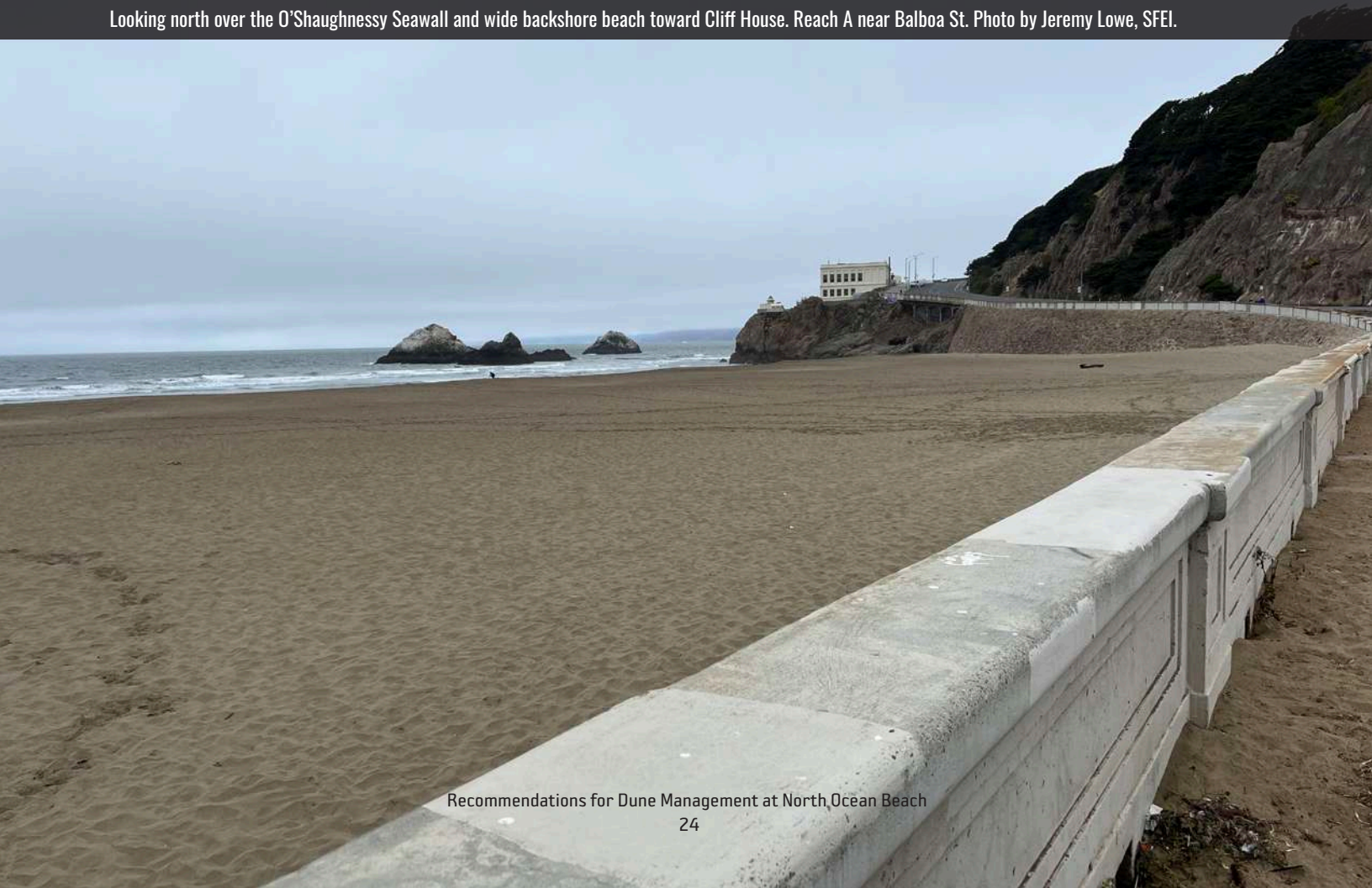
We have chosen to summarize the existing conditions, dominant physical processes, and main challenges for each reach of the beach separately due to key differences in coastal processes, dune-beach geometry, and backshore conditions. This chapter draws heavily on the work led by Bob Battalio of ESA and is described in more detail in Appendix B. These findings inform the reach-by-reach conceptual designs described in Chapter 8. The four reaches are identified in Figure 1.1.

REACH A - NORTH OF LINCOLN WAY

Existing conditions

Reach A has a wide backshore beach with relatively minimal grade change and no foredunes nor vegetation (Figure 5.1). The beach extends back to the O'Shaughnessy Seawall (Fig 1.1) and is about 700 feet wide, with a winter minimum of about 450 feet. The beach has a homogenous erosion/accretion pattern with no beach cusps, rip embayments, etc. Scour near the seawall can create low points along the landward portion of the beach. Behind the seawall and elevated above the beach are the pedestrian promenade and Great Highway.

Looking north over the O'Shaughnessy Seawall and wide backshore beach toward Cliff House. Reach A near Balboa St. Photo by Jeremy Lowe, SFEI.



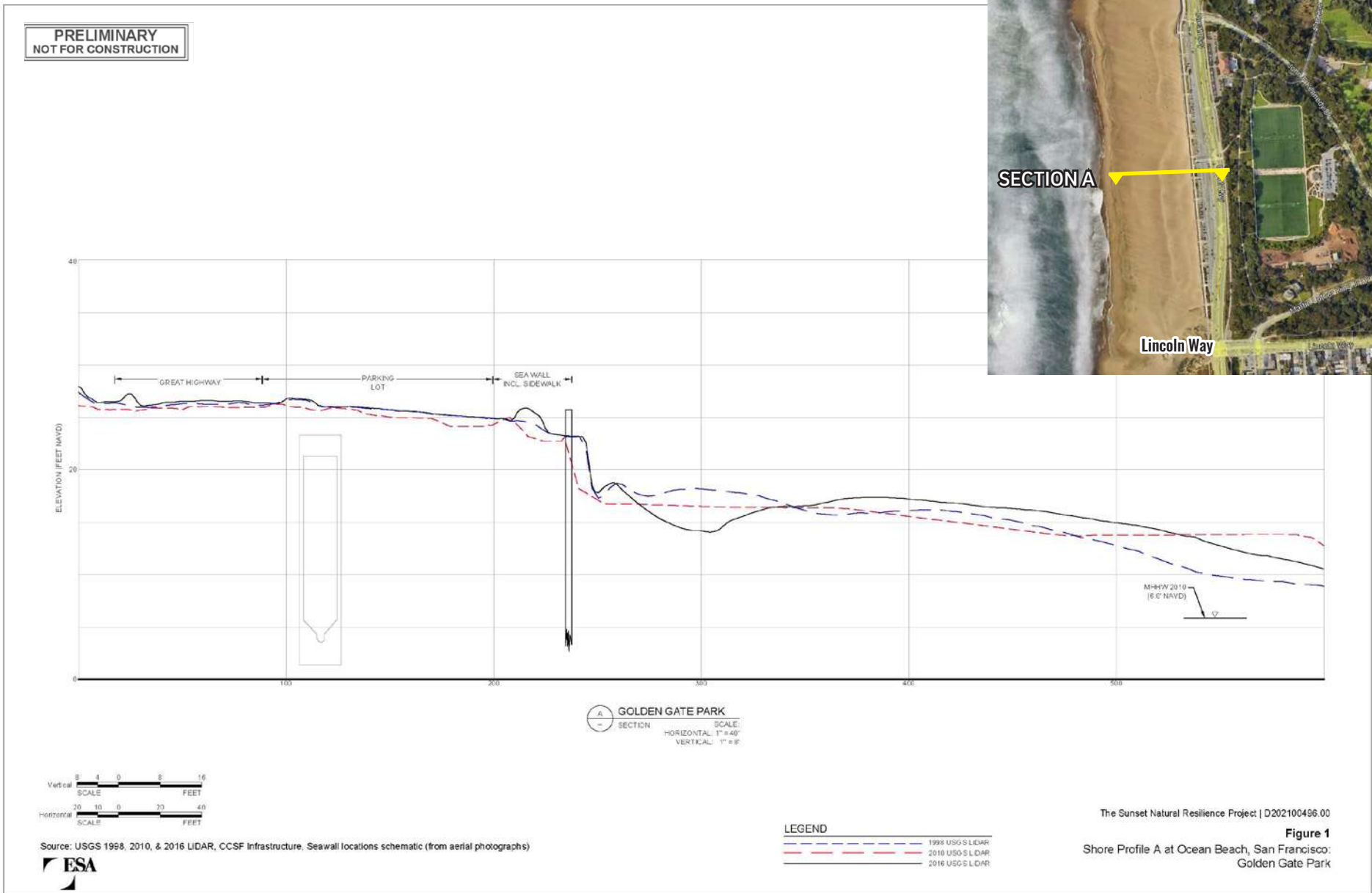


Figure 5.1. Profile of Ocean Beach in Reach A (Golden Gate Park) looking south, showing a wide backshore beach with minimal grade change and no foredunes. The vertical axis has been exaggerated for enhanced readability.

Shoreline change

The shore accreted 200 feet from 1992 to 2021 (an average rate of 6.9 feet per year). It is rare to observe any wave runup at the seawall today due to the increased width of the beach. Our geomorphic interpretation is that the shore accretion is near a maximum due to anticipated sea-level rise (SPUR et al., 2012) and transport to the north past Point Lobos (Battalio, 2014). There is about 400 feet for dunes to persist between the active shore and the seawall.

Current sand management practices

NPS grades sand away from the O'Shaughnessy Seawall annually to prevent sand from blowing onto the promenade and maintain a flat dry beach for recreation. This grading precludes the development of vegetated foredunes in Reach A, although embryo dunes sometimes form in the period between gradings.

Since 2012, sand has been harvested every one to three years from the beach just west of the seawall and transported to South Ocean Beach, south of Sloat Boulevard. This "sand backpass" operation is a collaborative effort between PUC and NPS. The sand from Reach A is placed in an artificial berm to protect the eroding beach scarp south of Sloat Boulevard and the infrastructure behind it. The berm subsequently erodes, releasing sand to the beach and dissipating waves offshore of the fill embankment (where the road and parking exist). Some of this sand moves northward toward North Ocean Beach, resulting in the "backpass" moniker.

Main challenges

We have identified three challenges in Reach A that conceptual designs for dune management can address:

1. Current grading practices prevent dune formation.
2. The borrow area for the sand backpass (close to the seawall) conflicts with dune formation and the borrowed sand is finer, wind-blown sand.
3. Existing recreational uses (e.g., volleyball courts, fire pits) need to be reconciled with dune restoration plans.

REACH B - LINCOLN WAY TO NORIEGA STREET

Existing conditions

Reach B has a moderately wide beach of 300 feet (Figure 5.2). High foredunes have accreted over constructed sand berms and are vegetated primarily with marram grass. This foredune ridge dominates the majority of this reach landward of the beach. The foredunes near Irving Street have been dominated by native beach wildrye since the 1990s (Figure 5.3). Beach wildrye survived with effectively no management for decades; recently, NPS natural resource staff have conducted small-scale removal of marram grass and field-to-field transplants of beach wildrye in Reach B. After well over two decades with only minimal management, the beach wildrye vegetation spread vegetatively, and is performing locally as well as or better than marram grass at preventing sand transport onshore.

The Great Highway segment downwind of the beach wildrye foredune has not been encroached by migrating dunes, as it has around Judah St. Beach wildrye is apparently more resistant to trampling than marram grass (evident due to reduced blowout impacts compared to marram grass-dominated areas). However, both marram- and beach wildrye-covered foredunes are currently subject to substantial trampling damage due to pedestrian access from cross streets. Informal trails have expanded in increasingly large fan-shaped patterns originating at cross streets over the last two decades, eventually resulting in full blowouts transporting sand onto the Great Highway. The largest of these blowouts occurs at Judah Street and extends nearly half a block south to Kirkham Street. Other substantial areas where dunes have mobilized and drift onto the Great Highway occur at Lincoln Way, Lawton Street, and Noriega Street. While the blowouts are mostly caused by expansion of fan-shaped exit points at the main crossings, trampling on informal trails between cross streets also contributes to destabilization of dune vegetation and can increase blowing sand.

The vegetated dune berm in Reach B is approximately 300 feet wide and widening at an average rate of 2.4 feet per year (1992-2021). The berm is wider at the north end of this reach and narrows moving south. The beach accreted about 140 feet from 1992-2021 in the northern part of Reach B, but eroded a comparable amount at the south end of the reach.



Vegetated dune berm at Reach B, looking north from vicinity of Judah St. Photo by Ellen Plane, SFEI.

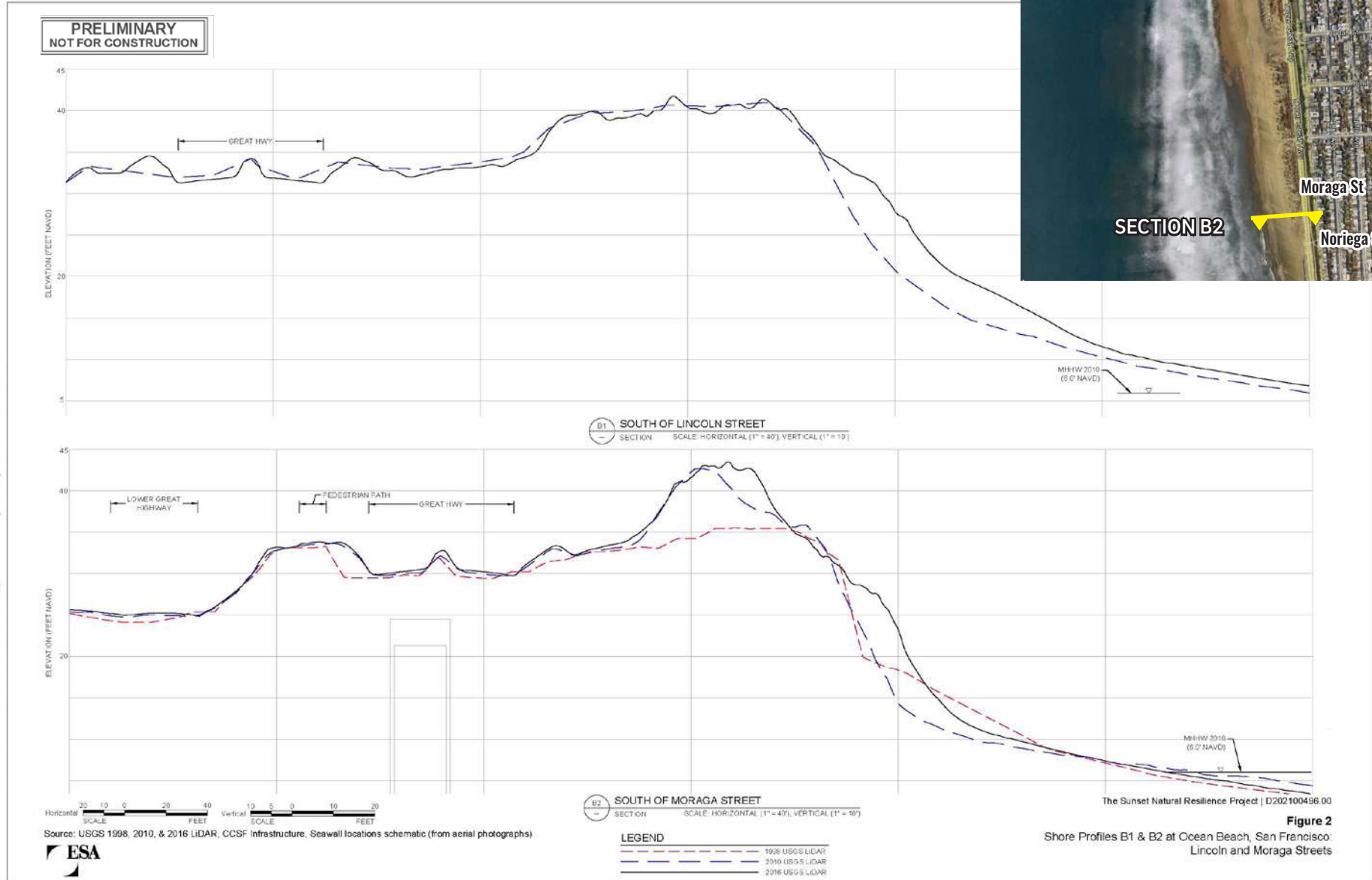


Figure 5.2. Profiles of Ocean Beach in Reach B (south of Lincoln and south of Moraga), looking south, showing the wide and high vegetated dune berm that is the distinctive feature of Reach B. The vertical axes have been exaggerated for enhanced readability.

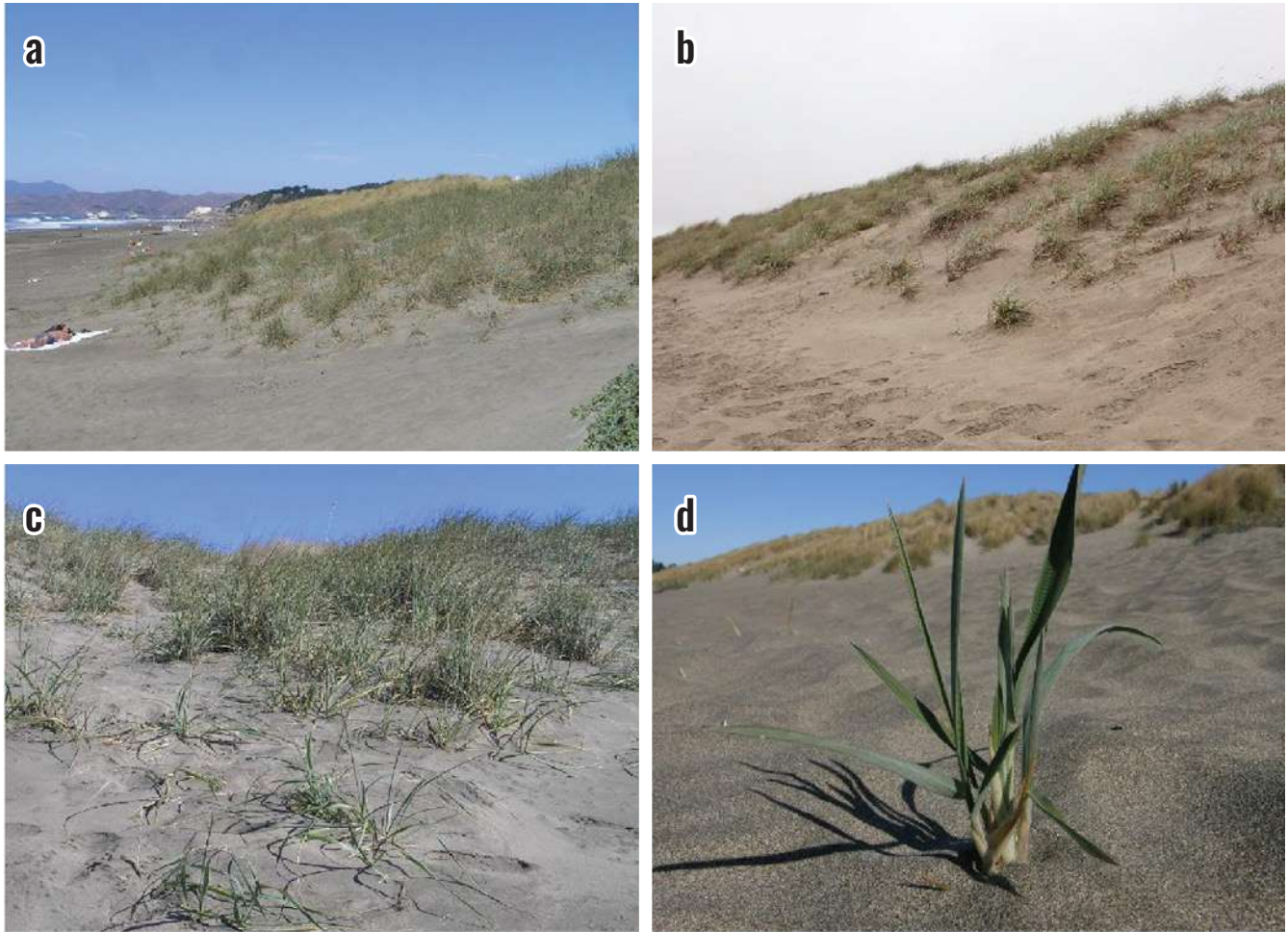


Figure 5.3. (a) Beach wildrye foredune patch near Irving Street in October 2006, over 10 years after establishment in the 1990s. (b) Beach wildrye foredune in July 2022 (matches dimensions and elevations of adjacent marram grass foredunes). (c) Growth habit of beach wildrye: widely spaced, spreading shoot clusters. (d) new beach wildrye shoot cluster emerging from a rhizome tip.

Shoreline change

Despite recent accretion in Reach B, it is unlikely this reach will sustain much additional dune growth seaward due to sea-level rise. Wave refraction due to the offshore bathymetry focuses larger waves between the south end of Reach B and Sloat Boulevard, leading to more erosion in this southern area relative to the northern portion of the Reach B.

Current sand management practices

DPW clears sand from the Great Highway and promenade (such as at the Judah Street blowout), under a 1992 Memorandum of Understanding with RPD. A special use permit from NPS allows DPW to place sand removed from the roadway back onto Ocean Beach. RPD manages sand removal in the multi-use trail running north-south between Lower and Upper Great Highway.

Main challenges

We have identified two challenges in Reach B that conceptual designs for dune management can address:

1. Pedestrian trampling of vegetation initiates blowouts; large unvegetated mobile dunes encroach onto Great Highway.
2. Limited space exists for the further development of embryonic foredunes.

WESTERN SNOWY PLOVER

The western snowy plover has been a federally listed threatened species since 1993. Western snowy plovers are found at Ocean Beach for about ten months of the year (July to May), where they forage to build up energy reserves for mating season. They are typically found in small depressions in the sand just above the high tide line. They do use sparsely vegetated foredunes but generally avoid tall or dense vegetation that can provide cover for predators. Marram grass has a taller and denser form than beach wildrye, which is low and creeping; therefore, removal of marram grass and expansion of beach wildrye is unlikely to be detrimental to plover. GGNRA has designated a Plover Protection Zone from Stairwell 21 (crosswalk from the Beach Chalet soccer fields at Golden Gate Park) south to Sloat Boulevard. In this zone, dogs must be on leash from July to May, though surveys have shown that most dog walkers do not comply with this rule (National Park Service, 2023., 2008, 2020).



Western snowy plover. Photo by USFWS Pacific Southwest, courtesy Creative Commons.

REACH C - NORIEGA STREET TO SANTIAGO STREET

Existing conditions

The beach in Reach C is moderate to narrow in width (Figure 5.4), and beach width decreases moving south. Beach widths are narrow, about 200-300 feet in summer and about 70-100 feet during the winter. The Noriega Seawall, also called the “New” Seawall, was constructed along this reach from 1988 to 1993. The backshore varies in width and has irregular features, including cusps and rip embayments, and has a high frequency of shell/pebble lag and heavy mineral lag, which reduce wind-blown sand accretion and increase winter storm wave impact. There is minimal vegetation to prevent the mobilization of sand. Sand blowing across the beach accumulates against the seawall, forming a ramp that allows sand to blow over the wall and onto the promenade and roadway. When the backshore beach is wide, western snowy plovers establish high tide roost habitats in this reach.

Clearing sand from the promenade on the Noriega Seawall, July 28, 2022. Photo by Ellen Plane, SFEI.



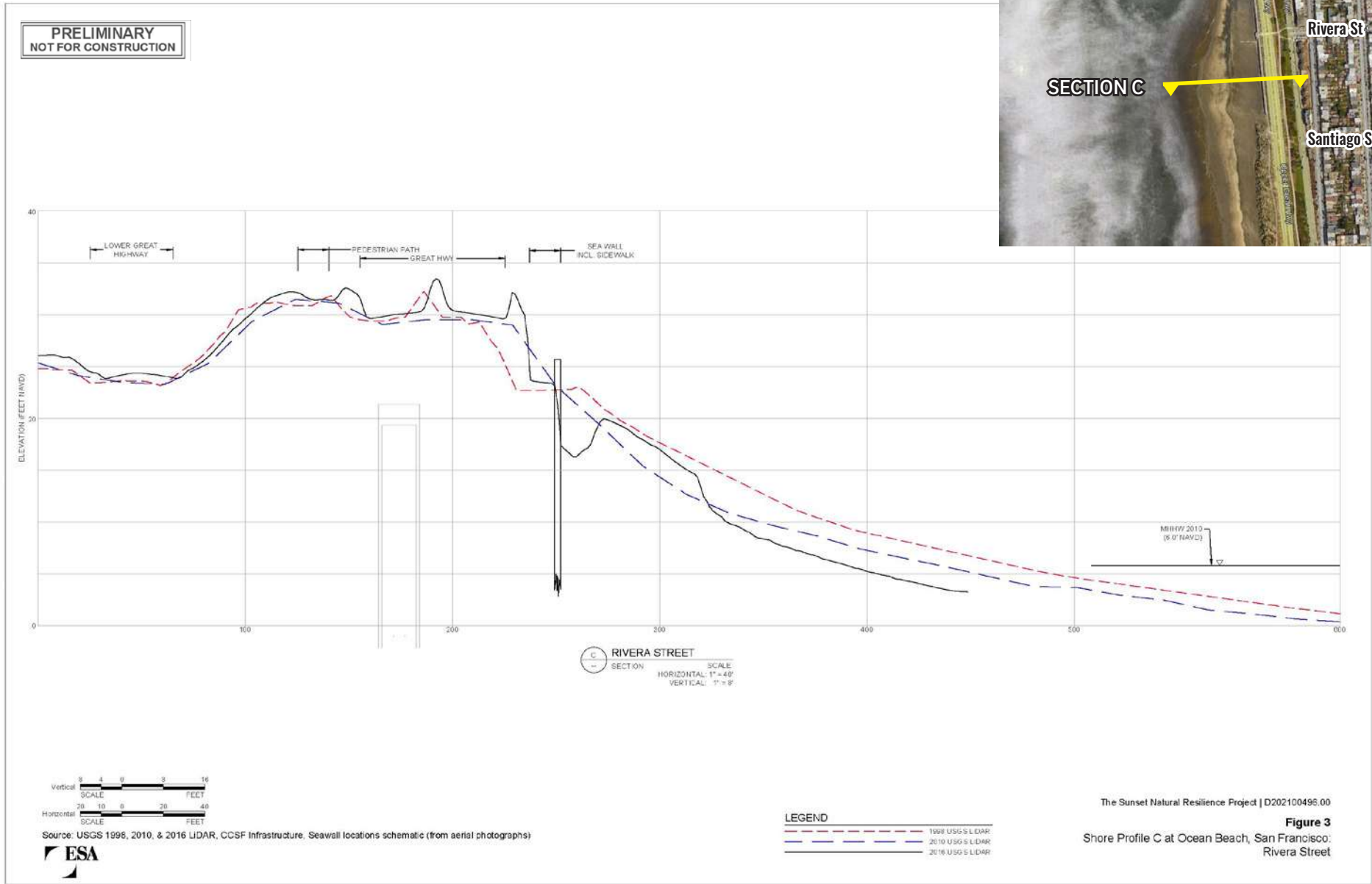


Figure 5.4. Profile of Ocean Beach in Reach C (south of Riviera Street), looking south, showing the lack of foredune and narrower backshore beach than in reaches A and B. The vertical axis has been exaggerated for enhanced readability.

Shoreline change

The average trend in beach width along this reach from 1992-2021 was neutral, with no net accretion nor erosion of the beach. Wave refraction due to the offshore bathymetry results in larger waves roughly from Noriega Street to Sloat Boulevard. Wave focusing causes the high tide shoreline in this area to have a recessed (concave) planform, leading to amplified erosion and the formation of rip embayments during high wave events. During storms, wave runup has reached the seawall; for example, during the storm on January 5, 2023. The artificially wide and unvegetated backshore beach, maintained by sand management as described below, allows for a high rate of wind-blown sand transport from the northwest to the southeast.



Current sand management practices

DPW clears sand from the Great Highway and promenade under a 1992 Memorandum of Understanding (MOU) with RPD and places it back on the beach under a special use permit from NPS. DPW also annually clears a 10-30 foot wide excavation zone west of the Noriega seawall to prevent sand from piling up along the seawall and blowing up and over onto the promenade and Great Highway. Excavated sand is placed in a 10-15 foot wide bench with a sloping seaward edge (Figure 5.5). Annual grading in Reach C unintentionally prevents the establishment of vegetated embryo foredunes that would naturally form seaward of the Noriega Seawall, hindering the ability of the beach and dunes to function as a natural and self-sustaining system.

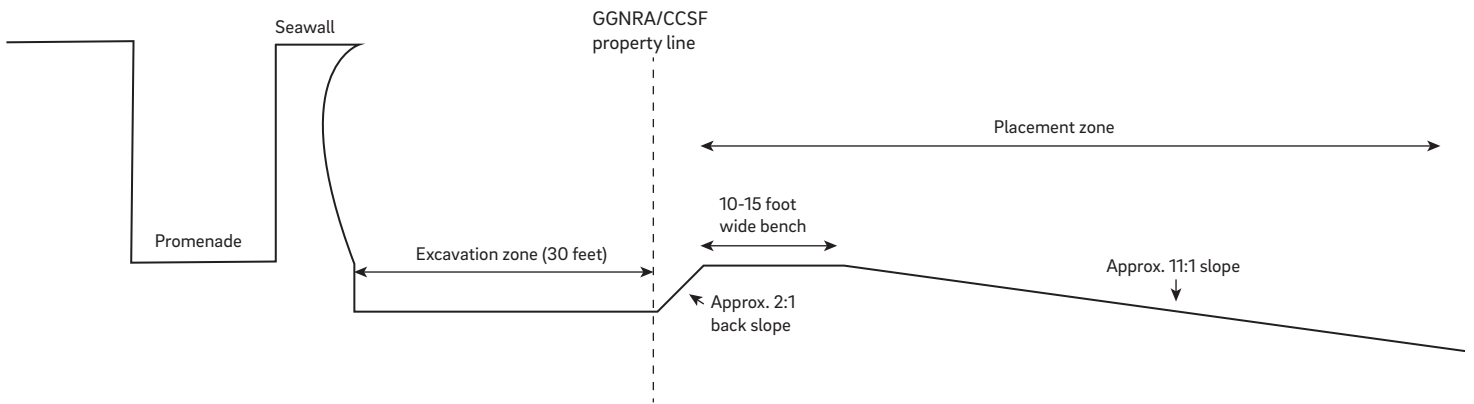


Figure 5.5: Typical Excavation and Placement Diagram in front of the Noriega seawall, as illustrated in NPS Permit # GOGA PLAN_2017_PEPC_66865, Exhibit B.

On a site visit in July 2022, large volumes of non-beach sand were observed by project team members on the beach south of Noriega Street, within the NPS jurisdiction. In conversation with agency staff from NPS and the City and County of San Francisco participating in the Sunset Natural Resilience Project, the origin of the material was not clear.

Main challenges

We have identified four challenges in Reach C that conceptual designs for dune management can address:

1. Sand is transported onto the promenade and Great Highway as dune ramps form against the seawall and wind blows sand into suspension.
2. There is a narrow zone where embryonic foredunes can form.
3. Annual maintenance activities prevent vegetation establishment and dune formation.
4. Severe wave events cause erosion and will become more frequent with sea-level rise.

REACH D - SANTIAGO STREET TO SLOAT BOULEVARD

Existing conditions

Reach D is a narrow erosional shore with a high sand berm (Figure 5.6). The majority of this reach has a narrow beach, only 33-80 feet wide, and minimal foredunes, with the foreshore running up to the toe of the berm. Similar to Reach C, there is variable backshore width, with cusps and rip embayments, and heavy mineral lag soils are common. Erosion due to informal trails also occurs in this reach, particularly at Taraval and Vicente Streets, where sand drifts onto the Great Highway. A short section of seawall, called the Taraval Seawall, was constructed in 1941 and runs from Santiago to Taraval Street. The linear sand berm “dunes” constructed in the 1980s-90s have mostly eroded due to foredune trampling and wave runup, leaving a compacted earth berm covered by a wind-blown sand ramp. Trampling and a period of low sand supply have recently reduced marram grass and increased iceplant dominance in this reach, leading to less resilience to erosion events and reduced ability to trap and intercept onshore-blown sand. This has resulted in increased dune encroachment onto the Great Highway during windstorms.

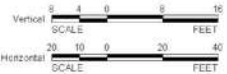
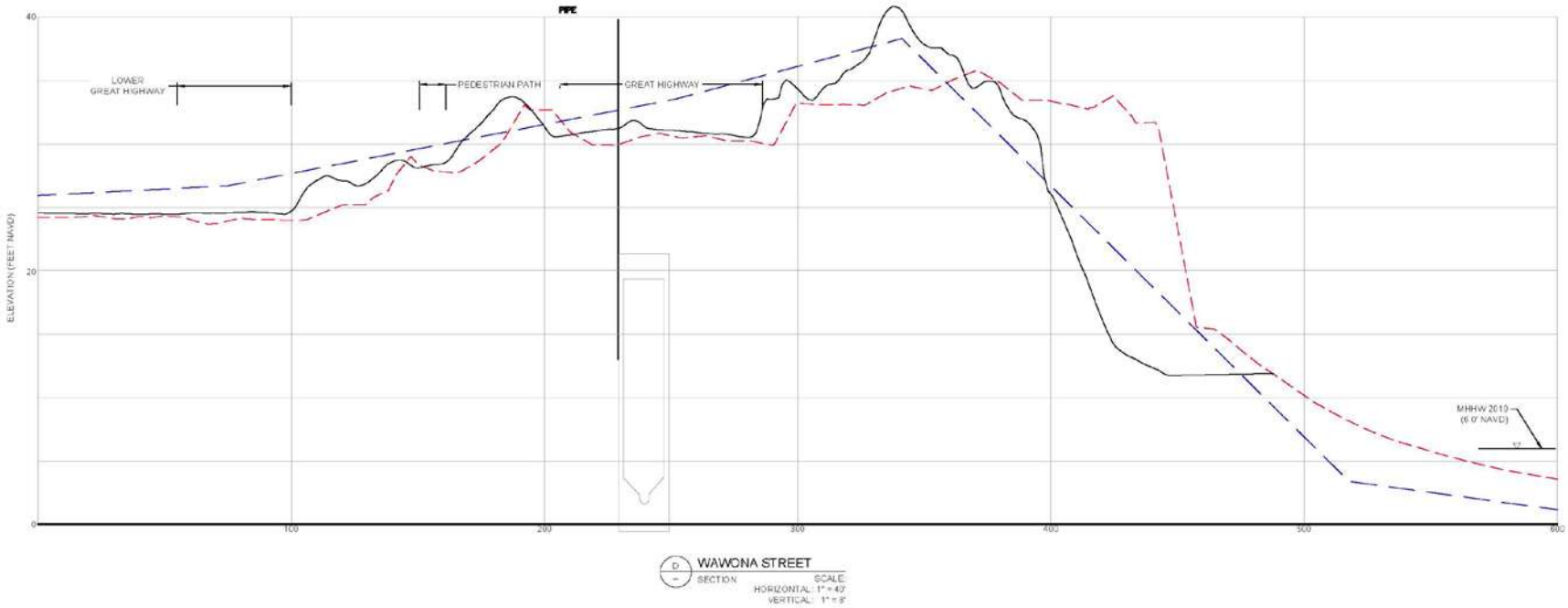
Shoreline change

Reach D is progressively eroding, with the high tide shoreline receding 100 feet from 1992-2021 and the dune toe eroding an average of 66 feet over the same period. In many places and years there is scarp erosion at the toe of the berm. The sand placed in this reach during the 1980s-1990s was mostly eroded by 2016, leaving behind compacted earth and rubble.





**PRELIMINARY
NOT FOR CONSTRUCTION**



Source: USGS 1996, 2010, & 2016 LIDAR, CCSF Infrastructure, Seawall locations schematic (from aerial photographs)



LEGEND	
	1995 USGS LIDAR
	2010 USGS LIDAR
	2016 USGS LIDAR

The Sunset Natural Resilience Project | D202100496.00
Figure 4
 Shore Profile D at Ocean Beach, San Francisco:
 Wawona Street

Figure 5.6. Profile of Ocean Beach in Reach D (Wawona St), looking south, showing the foreshore running up to the toe of the high sand berm. The vertical axis has been exaggerated for enhanced readability.

Current sand management practices

DPW clears sand from the Great Highway and promenade under a 1992 Memorandum of Understanding with RPD and places it back on the beach under a special use permit from NPS. RPD manages sand removal from the multi-use trail between Lower and Upper Great Highway.

Main challenges

We have identified four challenges in Reach D that conceptual designs for dune management can address:

- 1) The narrow beach and berm are eroding progressively over time, and erosion is likely to continue or accelerate with sea-level rise.
- 2) There is limited space for embryo foredunes.
- 3) Blowouts and sand movement onto the Great Highway occurs due to limited vegetation cover. Iceplant is dominant in Reach D and ineffective at spreading and trapping sand.
- 4) Rubble and compacted earth fill are exposed at the base of dunes in winter.

Iceplant dominates on the sand berm in Reach D. Photo by Bob Battalio, ESA.



6. Management goals & objectives

Based on the existing conditions and current challenges described in the preceding sections and conversations with key agency partners, we have identified the following management goals (in no particular order):

- Minimize sand deposition on the promenade and Great Highway,
- Create and enhance native dune habitat to benefit wildlife,
- Facilitate public access to the beach for recreation and guide dune access to designated areas to reduce trampling,
- Reduce maintenance costs and effort, and
- Increase resilience to sea-level rise, storm surge, and coastal erosion.

To achieve these goals, we propose the following objectives:

- Create additional vegetated dunes seaward of the seawalls to trap wind-blown sand by allowing natural accretion of embryonic foredunes, constructing dunes, or a combination of strategies.
- Protect existing and planned dune vegetation from pedestrian trampling; create defined access points for recreational access to the beach.
- Increase collaboration between agencies (including across jurisdictional boundaries) and with residents and beach-goers to enhance stewardship of the beach and dunes.

Subsequent sections describe possible management strategies and conceptual designs to achieve these goals and objectives.

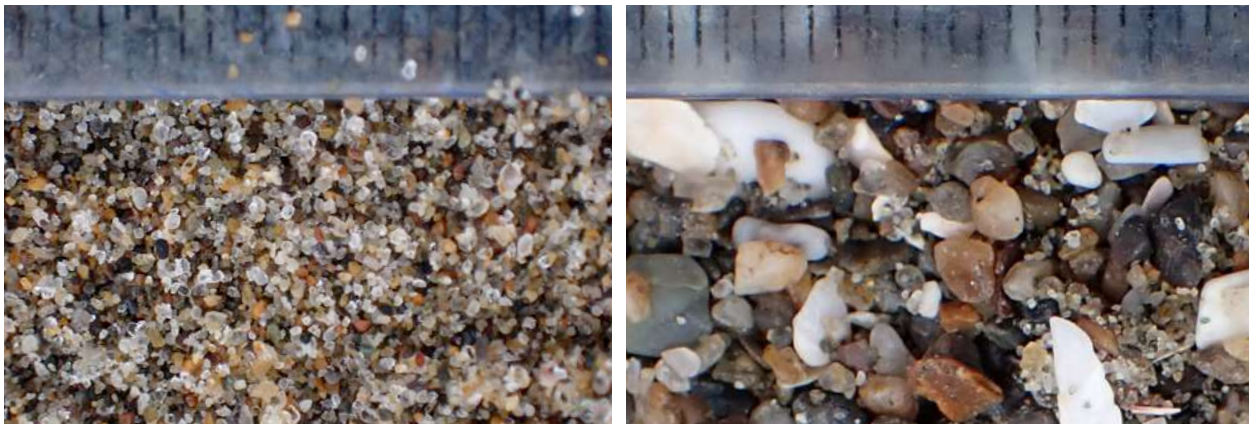
Representatives from partner agencies walk the beach, May 30, 2023. Photo by Ellen Plane, SFEI.



7. Management strategies

Many of the problems related to sand at Ocean Beach are the result of current management practices and could be addressed by allowing dynamic natural beach and dune processes to progress. First, public education and outreach efforts are needed to ensure there is good understanding among residents and beach-goers about the challenges at Ocean Beach and the value of a nature-based adaptation solution like dune revegetation. Dune-adapted vegetation must be established early in the process; plants can trap sand, build up dunes, reduce blowing sand, provide habitat benefits for wildlife, and slow wave erosion. Beach wildrye propagation is a critical path item, and enhancement cannot progress without it. Plantings will need two years to propagate, and one year to establish after out-planting, so starting propagation efforts soon is a key first step. There may be an opportunity to establish propagation beds at a nearby site (for example, the backdune area near Irving Street in Reach B) where beach wildrye could be grown and transplanted to Ocean Beach. Unlike a traditional nursery, the beach wildrye would not be grown in pots, but grown in the ground, with propagules periodically removed and transported to planting locations.

While beach wildrye propagation progresses, the current sand backpass can be modified to reduce the impacts of excavation and increase erosion mitigation benefits. One key change will be shifting future sand removal and placement activities to prevent disturbance in the backshore area where dunes can form. Sand for the backpass can be borrowed from areas exposed to periodic wave runup (but above the high tide line), where sand is coarser and hence more resistant to wind transport. This coarser sand would be better for placement at South Ocean Beach. Sand removed from the Great Highway and promenade can be placed on the beach (foreshore) instead of on the backshore to allow dunes to develop naturally without causing unintended blowing sand impacts. This will allow backshore areas to remain undisturbed so vegetation can establish and thrive. Leaving wrack on the beach can also speed up the process of dune formation. Multi-agency coordination will be needed to achieve these changes to the backpass operation, including action by NPS and SFPUC.



Examples of fine sand (left) compared to coarse sand (right). Coarser sand is more resistant to wind transport and thus is preferred for placement on Ocean Beach. Photos by Peter Baye.

People are integral to the plan's success. A cultural shift is needed to prevent trampling of dune vegetation by people accessing and recreating at the beach, and volunteers can help with revegetation efforts. Early outreach to residents and beach users is key, as are educational signs to explain the changes at the beach. Many other dune revegetation efforts have employed an educational strategy to encourage users to stay on trail. Local advocacy groups may participate in this effort, and a campaign could be developed to encourage dune stewardship. Sinuous pathways connecting the Great Highway to Ocean Beach and reducing wind-blown sand can be developed using coarse sand and symbolic fencing. Symbolic fencing (usually post and rope or post and cable) does not physically prevent entry, but serves as a visible designation encouraging people to stay out of developing dune areas. Reducing trampling at the top of dunes will allow resilient natural processes like slump-block revegetation to progress. Beach fires, dog walking, and other visitor activities should be accounted for during the outreach and implementation of new management strategies. Public engagement is essential, as changes will impact the visual character and usage of the beach.

These dune revegetation strategies will help achieve the goals outlined in the previous section, including reducing blowing sand and maintenance costs, creating native dune habitat, and increasing resilience to coastal erosion. Pairing dune revegetation with management of pedestrian paths and access points will help revegetation efforts succeed while continuing to allow recreational access to the beach. These strategies will require coordination between federal, state, and city partners. Coordination and identification of funding sources are key next steps.

WILDLIFE SUPPORT

Generally, introducing native plants in urban settings benefits local wildlife, and revegetated foredune areas with reduced occupancy by people and dogs would likely attract and support more wildlife. For example, restoration efforts, combined with restricted recreational use of the dunes at Fort Funston, led to an increase in the diversity of native birds, mammals, reptiles, and amphibians. The dunes may also provide temporary refuge. During winter storms, shorebirds may temporarily take high tide refuge in the sparsely vegetated valleys of the foredune edge. Coyotes may also use vegetated foredunes as cover or corridors. Nevertheless, it is important to be aware of potential complications. Given the plentiful food resources on the beach, the revegetated foredunes could also host nest predators like ravens and gulls. Additionally, urban-adapted mammals such as raccoons, rats, and mice could take advantage of the less disturbed foredunes, possibly dispersing from Golden Gate Park and Sunset.



Above: backshore runnels at Ocean Beach (future borrow area for coarser sand). Photos by Peter Baye and Ellen Plane.
Below: post and cable “symbolic” fencing and trail signage at Pillar Point, Half Moon Bay. Photos by Ellen Plane.

8. Conceptual designs

REACH A - NORTH OF LINCOLN WAY

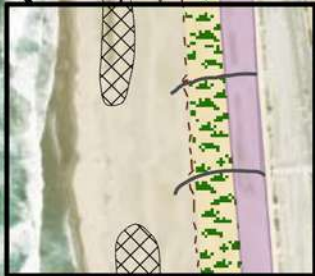
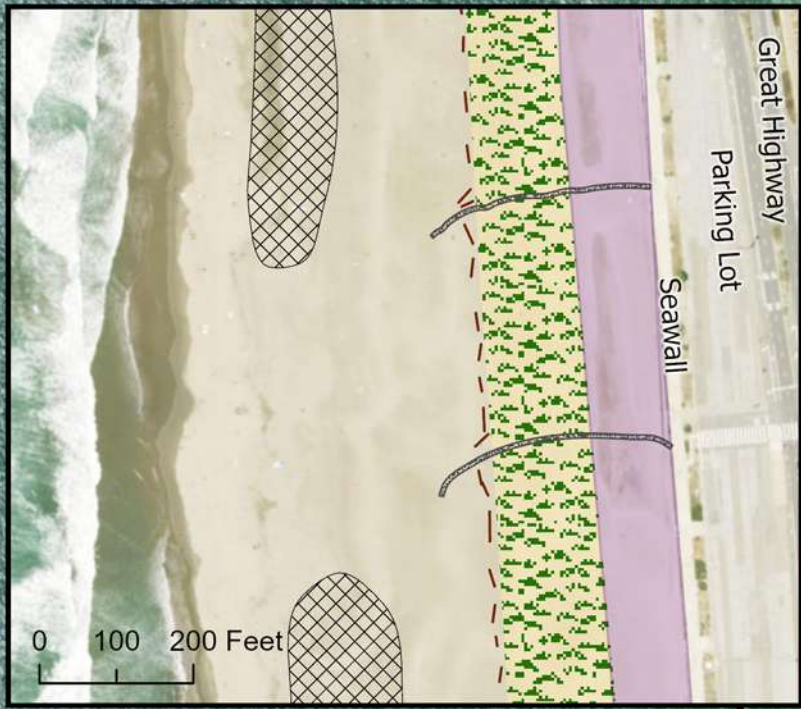
At Reach A, sand backpass excavation is moved shoreward into the runup zone, a new vegetated foredune is allowed to form in line with the current Reach B vegetated berm, a sheltered recreational area is preserved behind the new foredune, and pedestrian access paths are created to prevent vegetation trampling (Figure 8.1). Initially, embryo foredunes in Reach A would likely be less than three feet high and 20-30 feet wide. Initial dune accretion rates would likely be very uneven, up to 4-8 inches per year in the first one to two years after planting, with widely spaced vegetation patches. Annual maximum vertical dune sand accretion rates under fully established dominant beach wildrye stands would probably not significantly exceed one foot per year. Eventually, lateral spread of efficient sand-trapping beach wildrye vegetation may reach 5-6.5 feet per year. For a more detailed drawing of the conceptual design for Reach A, see Appendix D. Further consultation with agency staff including NPS Law Enforcement and Maintenance staff is needed to refine design concepts.

Excavation troughs for sand backpass







Sand for the backpass to South Ocean Beach is currently excavated close to the O'Shaughnessy Seawall where the sand is fine and mobile. Excavating closer to the ocean in the runup zone would provide natural coarser beach sand less prone to wind transport and promote dune formation in the backshore (Figure 8.2). The coarser sand will perform better at the South Ocean Beach placement area because it is less mobile than the finer sands placed there now, meaning that wind-blown transport will be reduced and wave-driven transport will be slowed. Regulatory requirements may be less burdensome for excavation locations above the high tide line, and it is possible to excavate above the high tide line in areas that are still within the wave runup zone where coarse sediment deposits. An additional benefit of excavating just above the high tide line is that excavation troughs may also trap onshore blown sand and reduce local wind fetch. This could reduce the amount of windblown sand migrating across the beach toward the Great Highway. The excavation troughs would emulate natural backshore runnels: elongated pools that form on the beach during particularly high tides. The existing beach access point at Lincoln Way could be used for equipment access to the beach.

New vegetated foredune zone

A new foredune zone is established seaward of the O'Shaughnessy seawall in line with the existing foredune ridge at Reach B (Lincoln Way to Noriega Street) (approximately 150-225' west of the seawall) (Figure 8.3). After public education and outreach efforts, planting and establishing vegetation is the first step; once vegetation is established, then sand will begin to accrete and form the foredune. Beach wildrye can serve as pioneer vegetation, along with additional native San Francisco broadleaf foredune species like beach-bur (*Ambrosia chamissonis*), yellow sand-verbena (*Abronia latifolia*), and silvery beach pea (*Lathyrus littoralis*). These forbs naturally establish embryo foredunes in the beach backshore, starting at the winter wrack line. Winter is the natural time for seedling establishment due to the high moisture in the wet season (see Chapter 9 for more planting information). Once established, the new foredunes will intercept and accrete sand, reducing blown sand and extreme storm wave runup.



Reach A: Concept Design Summary

-  Excavation troughs for sand backpass
-  New vegetated foredune zone
-  Pedestrian access
-  Construction equipment access
-  Log placement
-  Wind-sheltered recreational zone

0 500 1,000 Feet ↑

Concept drawing only: not to scale.



Figure 8.1. Concept design summary for Reach A. Elements can be adjusted based on management and recreational priorities; for instance, spacing of excavation troughs is flexible, and the density of pedestrian access paths can be shifted to accommodate more designated dune-crossing trails in areas with higher foot traffic or fewer trails in areas with lower foot traffic.



Figure 8.2 The backpass excavation is moved shoreward from the current location just seaward of the seawall (excavation pits visible in aerial photo) to the runup zone above the high tide line.



Figure 8.3. Diagram of natural sand transport processes along Ocean Beach. Regular beach grading north of Lincoln interrupts these processes and limits the natural development of embryo foredunes.

Pedestrian access

Without careful management of pedestrian access, vegetation trampling will inhibit foredune formation. To reduce trampling, new pedestrian corridors are established perpendicular to the dominant northwest wind direction to prevent blowouts. Coarse sand mined from San Francisco Bay, which is less mobile, would be placed on the paths. While all stairwells would remain open to access the beach area behind the dunes, the number of shore access points through the dunes could be consolidated, for example with one dune-crossing path for approximately every three stairwells. Symbolic fencing and brush matting can be used to prevent dune crossing and trampling outside the designated paths. Brush matting is a temporary material that degrades in place. Brush can be sourced from Golden Gate Park trimmings (e.g. from eucalyptus, acacia, Monterey cypress) that would otherwise be chipped. There is potential that brush matting could be piled as fuel for beach fires, which could pose a management challenge if used near fire pits. Educational signs can be included in high pedestrian traffic areas to explain the purpose of the new pathways and brush matting and encourage beach-goers to be good stewards of the dune revegetation project. Signs could be placed at the parking lot, along the dune revegetation zone, and at both ends of the dune-crossing trails. Where trampling occurs, maintenance will be required to replace brush matting and prevent further damage.

Log placement

Imported “driftwood” can be used as a sand trap to aid foredune development. Driftwood deposits naturally support development of embryo foredunes by allowing shadow dunes to form downwind in their lee. Local treefall (e.g., eucalyptus, Monterey cypress) could emulate the role of driftwood on the beach. When buried with sand, they are unlikely to pose a predation risk to western snowy

plovers, since they would not be high enough above the beach surface to serve as elevated perches for ravens and other predators. Logs can be approximately 1-2 feet in diameter and 15-20 feet in length, with log stakes used to prevent rolling but allowing release during extreme waves or tides. Driftwood logs are a common feature on state beaches with similar public recreational uses ranging from Waddell Beach (Santa Cruz County) to San Gregorio Beach (San Mateo County), and from Mendocino north. Logs can be placed roughly parallel to the shoreline to protect the dune toe. On each path's western entry/exit point, the logs can be placed roughly parallel to the path to prevent fan-shaped informal trails from forming and help prevent northwest winds from blowing sand onto the paths. These logs would be too large to be used as firewood. For detailed drawings regarding log placement, see Appendix D.

Wind-sheltered recreational zone

Behind the new foredune zone, there will be space (over 100 feet in width) on the beach in Reach A for recreational use (Figure 8.4). The bare area behind the dunes will be sheltered from the wind and compatible with recreational uses like volleyball and beach fires. Maintenance of this area is likely similar to existing requirements at Reach A.

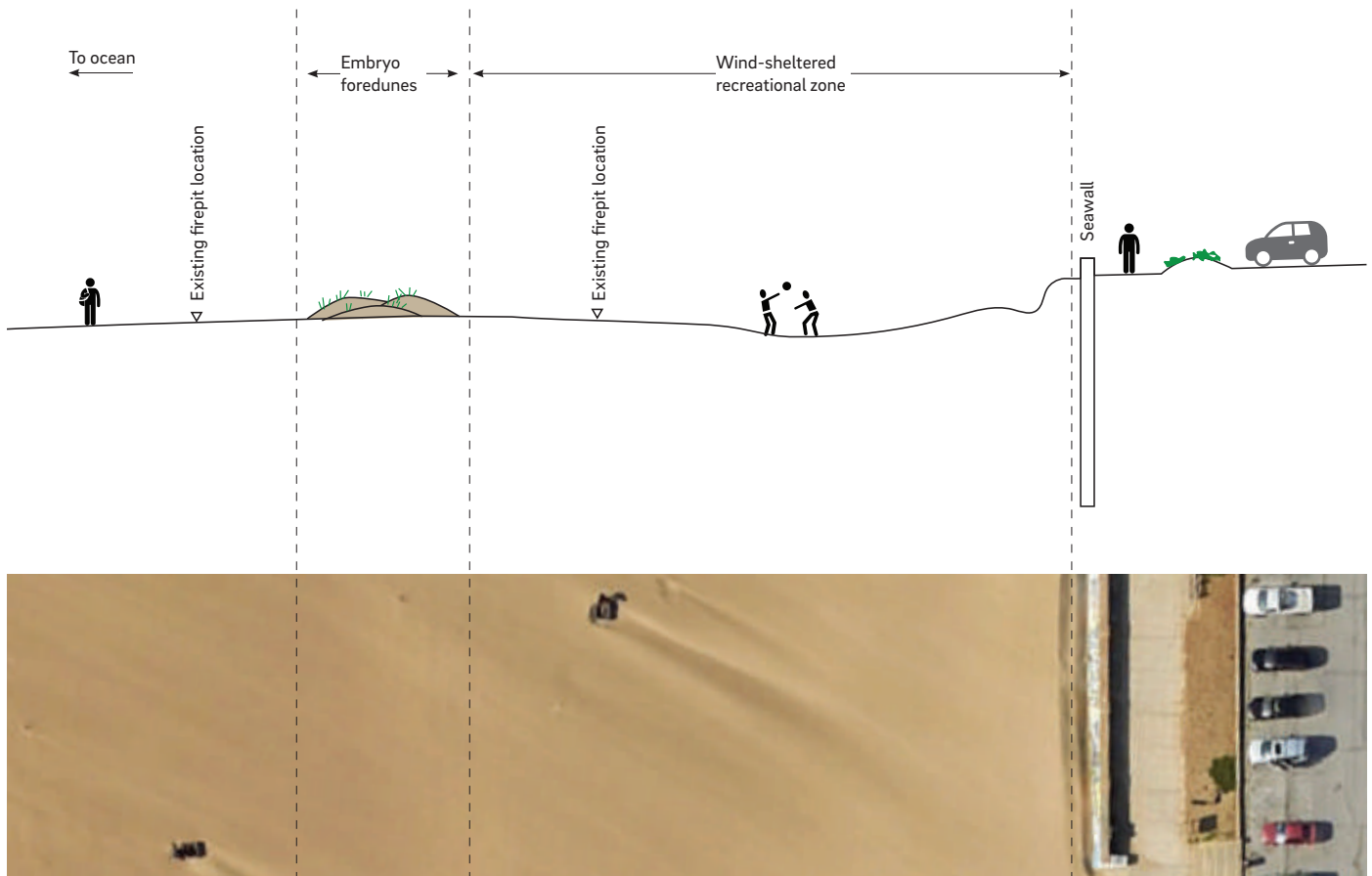


Figure 8.4. The embryo foredune zone would be approximately in line with the existing locations of the fire pits in Reach A, with the wind-sheltered recreational landward.

Timing and implementation

Cultivation of beach wildrye to plant in the new foredune zone is a critical path item; propagation takes two years and another year to establish once planted. Beach wildrye establishes from dormant winter vegetative fragments of shoots with buds. It may be possible to harvest some beach wildrye from Reach B and/or to explore the possibility of applying local California traditional ecological knowledge about sedge harvesting beds to grow self-replenishing supplies of beach wildrye in the backdune area near Irving Street in Reach B or at Golden Gate Park. On-site wildrye propagation beds would be extremely useful for expediting implementation. An on-site growing location must be in the maritime sand and fog zone where beach wildrye thrives. Planting of transplants collected from nearby donor areas must be timed in late fall or early winter to coincide with rains (when soil is already wet). More details on planting are provided in Chapter 9. Each section of the reach that is planted can help provide propagules to plant in other sections or reaches.

Iceplant flats in the backdune area near Irving Street are a potential location to develop on-site beach wildrye propagation beds. Photo by Bob Battalio, ESA.



REACH B - LINCOLN WAY TO NORIEGA STREET

At Reach B, rehabilitation efforts can convert the current degenerated dunes into a vibrant native dune ecosystem (Figure 8.5). Iceplant and marram grass are removed, blowouts regraded, and native vegetation established. Intentional management of pedestrian access and crossings enhance the recreational experience while preventing vegetation trampling and blowing sand impacts. For a more detailed drawing, including a cross-section and a detailed plant palette, see Appendix D.

Foredune rehabilitation (active deposition zone)

To maintain resilience to wave erosion and reduce wind erosion, foredune rehabilitation is needed in Reach B. Beach wildrye and associated broadleaf species (beach-bur, yellow sand-verbena, and silvery beach pea, if approved by NPS), can be planted among brush matting.

Managing trampling damage to vegetation is important throughout this reach, particularly in the higher erosion area south of Lawton Street (see “pedestrian access” section for details). If vegetation is successfully established, it can be resilient to repeated wave erosion events and recolonize through slump-block revegetation after a scarp forms.

Backdune rehabilitation (stabilized zone)

Invasive iceplant and marram grass can be removed by scraping and placing vegetation in pits capped with sand. Pits should be at least 3 feet deep to prevent regrowth. Sand in the backdunes can then be regraded to cover old exposed fill material, smooth out blowouts, and cover unvegetated dune hummocks. The backdune would be graded to create a gentle backslope up to the dune crest, typical of a natural, vegetated foredune. Brush matting can be placed on top of the sand for temporary stabilization and to reduce trampling. This process should be completed during the fall in time for the wet season planting of beach wildrye and associated broadleaf pioneer species. Following planting, it is important to reduce trampling to allow vegetation establishment. When wind-driven blowouts occur, they can be stabilized with brush matting and revegetated. The grading and planting process will occur during a season when snowy plover use the beach; however, the plovers are typically found on the beach and so the backdune efforts are unlikely to impact them.

Once planted, the backdune area at Reach B near Irving Street could serve as a source population of beach wildrye, allowing propagation for use in planting other reaches. See Chapter 9 (implementation considerations) for more information about this pilot project idea.

Once vegetation is established, additional co-dominant dune species like dune sage (*Ambrosia chamissonis*), clonal grasses like Douglas’s dune bluegrass (*Poa douglasii*), and other species can be planted in low-accretion areas of the backdune to provide additional habitat and stabilization benefits. See Appendix A for appropriate plant species.

Dune scrub buffer

To reduce the development of new informal trails and encourage beach access at designated points, a band of thick dune scrub can be planted as a buffer zone between the dunes and the Great Highway. The dune scrub buffer would also create a backstop for the blowing sand. This scrub zone



Figure 8.5. Concept design summary for Reach B. Reach B design elements focus on revitalizing the existing dunes and guiding pedestrian access to designated locations to reduce trampling.



Yellow bush lupine at Bodega Head State Park, Sonoma County. Photo by David A. Hofmann, courtesy Creative Commons.

can be 10-15 feet wide and include shrubs like silvery Chamisso lupine (*Lupinus chamissonis*), yellow bush lupine (*Lupinus arboreus*), and mock-heather (*Ericameria ericoides*), and annual forbs like wild heliotrope (*Phacelia distans*) (see the cross-section in Appendix D). Chamisso lupine is fast-growing and spreading and will establish a thick, soft scrub. After establishment, the dune scrub buffer would be self-sustaining. Watering is not required and management of the dune scrub buffer would be limited to occasional non-native species removal.

Pedestrian access

As in Reach A, entrance points are consolidated, coarse sand is placed on paths to prevent wind erosion, and paths are oriented perpendicular to the dominant northwest wind. Symbolic fencing, brush matting, and educational signs encourage beach-goers to stay on the designated paths.

Viewpoints

Pedestrians tend to seek out topographic high points in the dunes to get a good view of the beach, scope out surfing locations, or take photos. Designated viewpoints can be established at high points to encourage users to visit specific locations rather than trampling vegetation off-trail to seek out new ones. Coarse sand can be placed at these viewpoints, along with symbolic fencing and signage to designate them as appropriate scenic viewing locations.

Timing and implementation

As in Reach A, propagation of beach wildrye is the critical path item. Timing is important in this reach, with marram grass and iceplant removal in fall followed by planting in winter. Multiple phases over multiple years may be needed, with small pilot sites undertaken in the first years and expanding over time to cover the full reach. Another early action that can be undertaken is placing brush matting and educational signage south of Lawton Street, where erosion rates are higher. This section can also be prioritized for early planting.

REACH C - NORIEGA STREET TO SANTIAGO STREET

In Reach C, major vegetative stabilization work is needed, similar to the Judah St crossing in Reach B. A new foredune ramp can be established seaward of the seawall and vegetatively stabilized with native species, if trampling is prevented by concentrating dune-crossings onto designated paths (Figure 8.6). Reducing active sand management activities in this reach can allow natural processes (accretion by dune vegetation) to perform erosion control instead of mechanical removal and placement. See Appendix D for a more detailed drawing.

New foredune zone

The trough immediately seaward of the seawall can be filled with sand and graded to create a gentle slope up to the seawall. This ramp must then be planted with the key dune species identified for other reaches: beach wildrye and others (see Appendix D). It is essential to allow vegetation to establish and create foredunes without disturbance from grading equipment or pedestrian trampling. The seaward side of the new foredune will trap sand and accrete, then erode in episodic storm events. The landward foredune zone provides a source of post-storm recovery vegetation. After a major storm erosion event, rhizomes will re-spread and accrete sand again. The educational signs in Reach C could explain this dynamic process to explain why the dunes may look different at different times of year. In the meantime, brush matting can be placed after an erosion event to mitigate any blown sand.

Pedestrian access

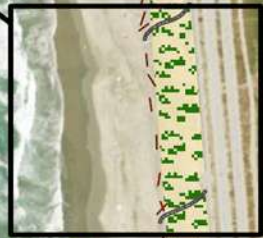
As in Reaches A and B, entrance points are consolidated, coarse sand is placed on paths to prevent wind erosion, and paths are oriented perpendicular to the dominant northwest wind. Symbolic fencing, brush matting, and educational signs are used to encourage beach-goers to stay on designated paths. Logs can be placed parallel to paths at the beach side outlets to reduce fan-shaped informal trails and sand blowing into the path.

Log placement





As in Reach A, imported "driftwood" logs (e.g., eucalyptus, Monterey cypress treefall from Golden Gate Park and other locations) can be placed in the winter wrack zone to stabilize the dune toe and allow the formation of shadow dunes in the lee of the logs. See Reach A description regarding log dimensions and placement. This action will require multi-agency cooperation, with action by RPD and NPS.

Sand placement option

If a location is needed for sand placement in the near term (for example, after removal from the Great Highway or promenade), the rip embayment in Reach C could be a logical location. Rather than placing fine sand in the backshore where it will disturb revegetation efforts and likely blow back into the road, it can be placed below (or within a short distance above) the high tide line in the swash zone where waves can redistribute it. This is a more dynamic and less error-prone strategy than the present placement locations closer to the highway



Reach C: Concept Design Summary

-  New foredune zone
-  Pedestrian access
-  Log placement
-  Sand placement option

0 500 1,000 Feet

Concept drawing only: not to scale.

Figure 8.6. Concept design summary for Reach C, focusing on vegetative stabilization in a new foredune zone.

Timing and implementation

Revegetation can progress from north to south from the existing beach wildrye population in the vegetated dunes in Reach B. As in the other reaches, propagation of beach wildrye two years ahead of time and planting during the winter are the key timing considerations.

Sand migrating onto the Great Highway at Noriega St, looking south across Reach C. Photo by Ellen Plane, SFEI.



REACH D - SANTIAGO STREET TO SLOAT BOULEVARD

A variety of management strategies are possible at Reach D (Figure 8.7). First, sand can be graded into a ramp and a cap over the iceplant-dominated perched dunes and scarp that exist today. After grading, the dunes can be vegetated with beach wildrye and other native species and stabilized at the toe with imported "driftwood." Once vegetation is established, backshore sand placement can help nourish the dunes and protect the road and infrastructure from wave overtopping.

Vegetated foredune ramp / berm cap

The current iceplant hummocks over the old Great Highway and 1984 berm do not trap sand efficiently. Iceplant can be replaced with more suitable and efficient native sand-trapping vegetation. Iceplant should be removed by scraping, then buried in pits (see Reach B description for more detail). Sand can be graded to form an undulating cap over the existing berm, with a gentle slope at the toe of the berm. Then this cap and ramp can be vegetated with beach wildrye and associated pioneer foredune species. As in other reaches, grading should take place in the fall, along with placement of brush matting for temporary erosion control. Then, planting occurs in the winter rainy season. Vegetation establishment is the key first step at Reach D and must occur before sand backpass placement to maximize trapping and accretion.

Dune scrub buffer

As in the other non-seawall reach (Reach B), a 10-15 foot wide buffer zone of dune scrub (e.g., lupine, mock-heather, and others) is planted along Great Highway to encourage access at designated paths and help prevent blowing sand from reaching the road. These dune-adapted plants grow well in sandy soils. Brush matting can be placed during establishment to prevent trampling impacts before the plants grow to form a more substantial barrier.

Pedestrian access

As in Reaches A, B, and C, entrance points are consolidated, coarse sand is placed on paths to prevent wind erosion, and paths are oriented perpendicular to the dominant northwest wind. Symbolic fencing, brush matting, and educational signs are used to encourage beach-goers to stay on the designated paths. Logs can be placed parallel to paths at the beach-side outlets to reduce fan-shaped informal trails and sand blowing into the path.

Log placement

Large wood can be left in place on the beach (if non-creosote) and more fallen wood brought in as artificial "driftwood" to form small log complexes and protect the dune toe as an interim measure while the beach wildrye propagule stock is built up. See Reach A description regarding dimensions and placement for imported logs.

Sand placement

After successful establishment of vegetation, placement of backpassed sand can be extended northward from South Ocean Beach up to Wawona Street. The material mined from the new foreshore location (see Reach A description) will be coarser sand more suitable for dune formation



Figure 8.7. Concept design summary for Reach D. Once vegetation is established, backshore sand placement can help nourish the dunes.

and less prone to blowing. However, this Reach D placement zone could also be appropriate for placement of any blown sand removed from the Great Highway and promenade.

Using the nourishment plan in the Ocean Beach Master Plan as a guide, sand can be placed as a flat-top berm, extending approximately 50 feet out into the surf zone from the beach crest and approximately 50 feet seaward from the dune face. This sand placement is expected to occur less frequently than the existing sand backpass but entail a larger volume of sand, essentially rebuilding and resetting the shore. Sand would migrate out somewhat farther into the surf zone due to wave action. The sand placed here will be trapped by the newly vegetated dunes and help protect the road and infrastructure from erosion.

Windblown sand salvaged from the Great Highway can be accommodated with additional measures to mitigate wind blown transport. Access for sand placement can be via the Sloat-Great Highway intersection. An agreement between the City and County of San Francisco and NPS will be required to accommodate the placement of wind blown sand on the beach at Reach D.

Timing and implementation

Sequencing is key at Reach D. As in other reaches, it is essential to start propagation of beach wildrye and other dune plants as soon as possible. Next, logs can be placed as a temporary stabilization measure. Once beach wildrye is available in sufficient quantities to stabilize graded sand areas, iceplant scraping, sand grading, and planting can commence in fall, ahead of rains. Finally, once vegetation is established, backpassed sand from Reach A can be placed in the backshore. Timing of this sand placement will need to be coordinated with other sand placement activities at South Ocean Beach.



Large wood on the beach in Reach D, late winter 2023. Photo by Bob Battalio, ESA.

9. Implementation Considerations

A general sequence of events, as described in the preceding chapters, is:

1. vegetation propagation
2. invasive removal and grading
3. planting and vegetation establishment
4. sand nourishment (at Reach D).

The actual timing of implementation in the various reaches will depend on management decisions by the various managing agencies. The following section provides a possible implementation timeline.

YEAR 1

» *COORDINATION*

- Create updated inter-agency coordination strategy. Identify key roles and responsibilities for each agency to execute the plan.
- Solicit feedback from key user groups to refine management strategies.
- Start coordinated public outreach and education effort to get the word out about dune revegetation efforts.
- Work with local stewardship groups to onboard volunteers for planting and education efforts.

» *MANAGEMENT*

- Create updated permits/practices for backpass mining location in Reach A. Change backpass mining location to runup zone (if applicable in Year 1) and halt backshore grading.
- Place any sand cleared from roads in rip embayment in Reach C or in other foreshore areas where it can be remobilized by waves, especially in Reach D where dune erosion is severe. Continue in future years.
- Allow natural wrack (untreated wood, kelp) to remain on the beach. Continue in future years.

» *REVEGETATION (PILOT PROJECT)*

- Fall: Place sand cleared from Reach B over iceplant flats near Irving St (3 ft deep) to smother iceplant and create sand platform for beach wildrye bed.
- Winter: Transplant from adjacent native foredune beach wildrye stands to create self-regenerating beach wildrye propagation bed in the backdune area at Reach B near Irving St (see Propagation and Planting box).
- Any season: Place brush matting preventatively in trampling hotspots (e.g. at Judah and Lawton) before windstorms and dune blowout activity occur.

YEAR 2

» *COORDINATION*

- Assess and improve inter-agency coordination and adaptive management strategy.
- Expand education and outreach efforts.

» *MANAGEMENT*

- Reach A: Change backpass mining location to runup zone (if applicable in Year 2). Continue in future years.

» *REVEGETATION (PILOT EXPANSION)*

- Winter: Expand beach wildrye propagation beds in Reach B.
- Any season: Place brush matting in trampling hotspots (Reaches B and D).
- Any season: Develop paths, symbolic fencing, and viewpoints (Reach B).
- Any season: Import "driftwood" logs (Reaches A, C, and/or D).

YEAR 3

» *COORDINATION*

- Assess and improve inter-agency coordination and adaptive management strategy.

» *REVEGETATION (EXPANDED IMPLEMENTATION)*

- Fall: Remove invasive plants and grade sand in Reaches B and D.
- Winter: Plant in Reaches A, B, and D (note that embryo foredune planting, as suggested for Reach A, could occur earlier than Year 3; advance propagation of beach wildrye is not required as only low transplant densities are needed to initiate foredune development).
- Any season: Place brush matting in trampling hotspots (Reaches A, B, and D).
- Any season: Develop paths, symbolic fencing, and viewpoints (Reaches A, B, and D).
- Any season: Import "driftwood" logs (Reaches A, C, and/or D).

YEAR 4

» *COORDINATION*

- Assess and improve inter-agency coordination and adaptive management strategy.

» *REVEGETATION (EXPANDED IMPLEMENTATION)*

- Fall: Regrade sand in Reach C.
- Winter: Plant in Reach C (harvest from propagation beds as well as Reaches A and B).

YEAR 5

» *COORDINATION*

- Assess and improve inter-agency coordination and adaptive management strategy

» *MANAGEMENT*

- Place backpass sand as a flat-top berm in Reach D to widen the beach and dunes.

» *REVEGETATION (EXPANDED IMPLEMENTATION)*

- Winter: Plant additional native vegetation in all reaches.

Changes to the current management regime may increase the pace and effectiveness of implementation. Key to implementation is agreement and coordination between the managing agencies, with regular engagement and surveys to assess which parts of the collaboration are working and which need improvement. One idea is to create a new coordination position for Ocean Beach to coordinate between the multiple overlapping agency jurisdictions and seek cooperatively funded and implemented projects. Working together on regular audits of the management and coordination strategy can help determine next steps.

PROPAGATION AND PLANTING

Planting a source bed of beach wildrye, plus light thinning of existing stands, would support the expansion of vegetative stabilization projects at Ocean Beach. Existing stands at Reach B are large and could be thinned 1-2% with negligible impact, and thinning could be compensated by light applications of fertilizer. During the winter, beach wildrye tillers (shoots growing from the base of a grass plant) and rhizomes (underground stems running horizontally) can be divided and harvested from a source bed, then transplanted. Transplanting must occur during winter when soils are already wet. Drought would preclude transplant, as survivorship would be inhibited by drought conditions.

Transplants should be buried in the sand about 10 centimeters. Setting each transplant over an organic matter patch with added nitrogen would accelerate establishment. Where outplanted for continuous stabilization plantings, 2-3 foot centers is a reasonable density. Outplantings for embryo foredune development in Reach A can be much more sparse. After transplant, brush matting should be placed for temporary surface stabilization.



Little additional management is needed beyond occasional invasive species management. Marram and iceplant are the main weeds that would require management in newly planted beach wildrye areas. Iceplant is easily weeded at its seedling-juvenile first year stage, and marram spreads slowly (it has not displaced beach wildrye at Irving in thirty years).

This report recommends including broadleaf species in addition to beach wildrye in the vegetative stabilization areas. The quantity of founder plants for the broadleaf species is flexible. Even if plantings are limited in number and spaced widely, they will spread clonally from founder plants. Broadleaf species could be grown by coastal nurseries for planting at Ocean Beach. Spacing would depend on availability of stock.

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EXHIBIT F

POLICY 12.4

Develop the Shoreline in a Responsible Manner.

Sea level rise and erosion impacts will worsen over time and could put private and public development in the Western Shoreline Area at risk of flooding. Given these future impacts, development in the Coastal Zone should be sited to avoid coastal hazard areas when feasible. If avoidance is infeasible, development shall be designed to minimize impacts to public safety and property from current or future flooding and erosion without reliance on current or future shoreline protection features.

New development and substantial improvements to existing development located in areas exposed to an increased risk of flooding or erosion due to sea level rise shall be designed and constructed to minimize risks to life and property.

New development and substantial improvements to existing development shall ensure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

New development and substantial improvements to existing development shall not require the construction of shoreline protective devices that would substantially alter natural landforms along bluffs and cliffs. If new development becomes imminently threatened in the future, it shall rely on alternative adaptation measures up to and including eventual removal.

Public recreational access facilities (e.g., public parks, restroom facilities, parking, bicycle facilities, trails, and paths), public infrastructure (e.g., public roads, sidewalks, and public utilities), and coastal-dependent development shall be sited and designed in such a way as to limit potential impacts to coastal resources over the structure's lifetime. As appropriate, such development may be allowed within the immediate shoreline area only if it meets all of the following criteria:

1. The development is required to serve public recreational access and/or public trust needs and cannot be feasibly sited in an alternative area that avoids current and future hazards.
2. The development will not require a new or expanded shoreline protective device and the development shall be sited and designed to be easy to relocated and/or removed, without significant damage to shoreline and/or bluff areas, when it can no longer serve its intended purpose due to coastal hazards.
3. The development shall only be allowed when it will not cause, expand, or accelerate instability of a bluff.

POLICY 12.5

Limit Shoreline Protection Devices

Shoreline protection devices such as rock revetments and seawalls can negatively impact coastal resources by disrupting sand transport

EXHIBIT G

**Transcript of Remarks by Jennifer Huber, Deputy City Attorney
San Francisco Board of Appeals
Agenda Items 5a, 5b and 5c
February 7, 2024**

From: https://sanfrancisco.granicus.com/player/clip/45370?view_id=6&redirect=true

Executive Director Julie Rosenberg:

[SFGOVTV time stamp 4:07:47]

Before we move on to public comment, President Lopez asked Deputy City Attorney Huber to provide—or I'm sorry, it was Commissioner Swig who asked the City Attorney to provide the Board with the relevant legal standards pertaining to these appeals.

Deputy City Attorney Jennifer Huber:

[SFGOVTV time stamp 4:08:09]

“So I think we've probably covered that ad nauseam at this point, but just to make it very clear... this Board's role is to review the permit for consistency with the requirements and objectives of the San Francisco Local Coastal Program, and there are two components of that. It includes the Western Shoreline Area Plan, and it includes the implementation program, which encompasses the applicable planning and zoning provisions. It's a narrow question in that you're looking at the consistency with the requirements and objectives of that program. Budget, funding do not come into play in the Board's consideration of the Local Coastal Program.

But it does include broad objectives, and I think that's sort of what the Board needs to consider, because the objectives which are part of the Local Coastal Program in some ways include—I mean, it's a policy, right? And so it references things like pedestrian use, but it also references parking. It also references the highway. And so it is a determination that the Planning Commission had to make based on policy objectives that are not always in harmony with each other. Mr. Teague mentioned the environmental piece. If you look at the Board of Supervisors record, it did go to the Planning Commission for a CEQA exemption.

[SFGOVTV time stamp 4:09:48]

The reference—there is one reference in the Local Coastal Plan *[sic.]* with respect to the Great Highway and the ecosystem. And what it says is design parking to afford maximum protection to the dune ecosystem. So it's not...it doesn't have broad environmental objectives, right?

It's a very specific plan about this land that is encompassed by the Coastal Zone. The last reference—I just want to sort of clarify the timeline here, because there's been a lot of discussion about what's retroactive. I think this was sort of a bit of a chicken and an

egg problem from a legal perspective. The Rec and Park Department started with this sort of meeting in the summer of 2021. We were still in the midst of the pandemic. A recommendation was made for the pilot program. Approximately a year later the legislation is introduced, right? Because there has to be an amendment to the Rec & Park Code in order to allow this closure. And that legislation took approximately six months before it passed, because it has to be referred to the Planning Commission. There's changes in the legislation. So there's a suggestion that it was sort of late to apply for the permit when, when it occurred which was shortly after the legislation passed. Um, the permit had to describe what the permit was, and the legislation defines that. Um, so you know it is a rather unique circumstance here. But I just want to make sure that there is some clarification around this being unique and that the code had to be amended, um and the ordinance very specifically referenced the necessity of seeking a Coastal Zone Permit and that was what was done immediately after the ordinance became effective."

President Jose Lopez

[SFGOVTV time stamp 5:30:27]

"If you could just clarify that for all of us, what's the next step specifically with respect to findings of fact if we uphold the appeal?"

Deputy City Attorney Jennifer Huber:

[SFGOVTV time stamp 5:30:38]

"So what section 330.5.1 requires is that—find my quote—that the Board shall adopt factual findings that this project is consistent or not consistent with the Local Coastal Program. A Coastal Zone Permit shall be approved only upon the findings of fact establishing that the project conforms to the requirements and objectives of the San Francisco Local Coastal Program. So if the Board were to grant the appeal, yes—it would have to adopt findings that the permit is inconsistent with the, with the Local Coastal Program.

[SFGOVTV time stamp 5:31:24]

If the Board were to deny the appeal, it could make that decision this evening by adopting the findings that are set forth in the Planning Commission Motion number 21437.

[SFGOVTV time stamp 5:31:39]

Um, I want to just clarify something. I was a little bit confused by Commissioner Trasvina's comments that, um—

[SFGOVTV time stamp 5:31:46]

I just want to make sure that I wasn't misunderstood to be offering an opinion on whether those findings did or did not conform to the Local Coastal Program. I, I was careful not to offer an opinion, because that is an ultimate opinion that is up to this Board. I was just—I didn't understand why my comment was taken to, um, reach that conclusion. It, I didn't—I just want it to be clear that I didn't offer an opinion on that. What I offered an opinion on is what the standards are.”

Deputy City Attorney Jennifer Huber:

[SFGOVTV time stamp 5:33:39]

“Well, the Local Coastal Program has a multitude of objections *[sic.]* and policies.

[SFGOVTV time stamp 5:33:44]

So I don't think that it is realistic for the Board to make those detailed findings here. I mean you know it's 10:35 in the evening. Um, one suggestion would be that if the Board is inclined to side with the appellants that it could direct them to prepare a draft of written findings. It could consider those and then make any changes it deems appropriate and then adopt them, um, if, if that is the direction the Board is inclined to go.”

EXHIBIT H

SPEAK SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE

1329 7th Avenue, San Francisco, CA 94122-2507

January 17, 2024

Delivered Electronically

President Rick Swig and Commissioners
San Francisco Board of Appeals
49 South Van Ness, Suite 1475 (14th Floor)
San Francisco, CA 94103

Re: Appellant Brief in Support of Appeal No: 23-062
Determination Type: Review of Coastal Zone Permit per PC §330.5.1(b)
BOA Hearing Date: February 7, 2024

Dear President Swig and Commissioners:

Motion #21437 is one of a series of Coastal Zone Permits the Planning Commission has improperly approved without the City first amending the entire San Francisco Local Coastal Program, including the Western Shoreline Area Plan, and securing Coastal Commission certification. **[Exhibit A: “Planning Commission Motion #21437 - Coastal Zone Permit attached hereto and incorporated by reference]**

Amending the entire Local Coastal Program is an involved public process with input from multiple stakeholders. Instead, the Planning Department and Planning Commission are once again putting the cart before the horse. In this particular matter, the Planning Commission has taken a further improper shortcut by retroactively approving the Coastal Zone Permit nearly a year after the start of the Great Highway Pilot Project.

“SPEAK” -Sunset Parkside Education and Action Committee (“Appellant”) appeals the Coastal Zone Permit approved by the Planning Commission on November 9, 2023 as Motion #21437 (Record No. 2022-007356CTZ) and the Coastal Zone Permit application –Upper Great Highway between Lincoln Way & Sloat Boulevard; plus surrounding streets **[Exhibit B: Coastal Zone Permit application and addendum attached hereto and incorporated by reference].**

Appellant respectfully requests that this Board reverse the Planning Commission’s decision and deny the retroactively-approved Coastal Zone Permit. Appellant requests reversal and denial of the permit for the following reasons:

- 1) The Planning Commission erred in approving the Coastal Zone Permit in that the permit and application are **not consistent with the Local Coastal Program of which the Western Shoreline Area Plan is one component.** Further, the Coastal Zone Permit and its application are not consistent with the public access policies of the Coastal Act.
- 2) The Planning Commission **erred in its findings** that:
 - A) “the project is consistent with the relevant provisions of the Planning Code”
 - B) “the Local Coastal Program shall be the Western Shoreline Area Plan”
 - C) “the project is consistent with the objectives and policies of the Western Shoreline Area Plan.”

[Exhibit A, pdf p. 18, Planning Comm. Motion #21437 Coastal Zone Permit p. 4, Findings #5]

For these reasons, the Planning Commission approved the Coastal Zone Permit in error and this Board must reverse.

A. BOARD OF APPEALS AUTHORITY

Planning Code §330.5.1(b), provides that the Board of Appeals shall review all appeals of coastal zone permit applications. This code section is also part of the Coastal Zone Permit Review Procedures component of the San Francisco Local Coastal Program (LCP) certified by the California Coastal Commission as provided for by the California Coastal Act which is codified in the California Public Resources Code §30108.6, §30355, §30403 and §30500-§30526.

B. STANDARD OF REVIEW

Planning Code §330.5.1(b), included in the Coastal Zone Permit Review Procedures component of the certified Local Coastal Program, provides that the Board of Appeals shall review all appeals of coastal zone permit applications “for consistency with the requirements and objectives of the San Francisco Local Coastal Program.”

Planning Code §330.5.2, also in the Coastal Zone Permit Review Procedures component of the certified Local Coastal Program, provides that the Board of Appeals shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program.

C. LOCAL COASTAL PROGRAM AND CALIFORNIA COASTAL ACT

The Legislature passed the California Coastal Act of 1976 to protect coastal resources and maximize public access to the shoreline. The act made the Coastal Commission a permanent state agency with broad authority to regulate development within a defined coastal zone.

The Coastal Act provides for the Coastal Commission's certification of local coastal programs prepared by counties and cities located in whole or in part within the Coastal Zone. Coastal Act §30108.6 defines a local coastal program as:

“a local government’s (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local level.”

All of these components other than the land use plan are collectively considered implementation components. The statute requires that each of these components be certified by the Coastal Commission before they become operative [*Coastal Act §30501*].

The Coastal Commission certified the San Francisco Local Coastal Program (LCP) on March 14, 1986. The 4 certified LCP components include:

- 1) Coastal Zone Permit Review Procedures [***Exhibit C: Coastal Zone Permit Review Procedures component of certified Local Coastal Program attached hereto and incorporated by reference***]
- 2) Neighborhood Commercial Rezoning with zoning sections of the Planning Code [***Exhibit D: Neighborhood Commercial Rezoning component of certified Local Coastal Program attached hereto and incorporated by reference***],

- 3) Variances section of the Planning Code ***[Exhibit E: Variances section of Planning Code component of certified Local Coastal Program attached hereto and incorporated by reference]*** and
- 4) Land use plan (amended on May 10, 2018). ***[Exhibit F: Land Use Plan/Western Shoreline Area Plan component of certified Local Coastal Program attached hereto and incorporated by reference]***

The Coastal Commission has certified only one amendment to San Francisco's Local Coastal Program. On May 10, 2018, the Coastal Commission certified an amendment only to the land use component of the Local Coastal Program. The amended land use plan component is also known as the Western Shoreline Area Plan which is part of San Francisco's General Plan. The Coastal Commission staff report for the May 10, 2018 hearing on the amendment states:

“Commission staff have discussed the need for a full LCP update with the City...To be clear, however, this amendment is not that update.”
[Exhibit G, California Coastal Commission Staff Report for May 10, 2018, page 2, pdf page 270]

[Exhibit G: California Coastal Commission Staff Report for May 10, 2018 meeting attached hereto and incorporated by reference]

San Francisco has since failed to update its Local Coastal Program, and therefore the Coastal Commission has not certified any additional amendments to the LCP which was originally certified on March 14, 1986. Accordingly, other components including the Neighborhood Commercial Rezoning, Coastal Zone Permit Review Procedures, and Variances section of the Planning Code certified by the Coastal Commission on March 14, 1986 remain components of San Francisco's current Local Coastal Program. Accordingly, applications for coastal zone permits must be consistent with the requirements and objectives of these LCP components.

Once a local coastal program is certified by the Coastal Commission, original coastal zone permit jurisdiction resides with the local government. The exception is certain lands such as tidelands and submerged lands below the mean high tide for which the Coastal Commission retains original jurisdiction.

D. PROJECT



Many elderly and disabled people are unable to walk to Ocean Beach. They access Ocean Beach and the coast by driving along the Upper Great Highway.

The project includes two components:

- 1) **Great Highway Pilot**- The pilot program would close the Upper Great Highway from Lincoln Way to Sloat Boulevard to private vehicles every Friday at noon until 6 a.m. every Monday. The Upper Great Highway would also be closed to vehicles on holidays. This section of the Upper Great Highway is 2 miles long.
- 2) **“Traffic Calming” Tools**- The tools include detour and warning signs, turn restrictions, speed tables, speed cushions, and stop signs. These tools divert traffic to Sunset Boulevard, Lincoln Way, 19th Avenue and Sloat Boulevard.

On November 9, 2023, the Planning Commission retroactively approved a Coastal Zone Permit for the Upper Great Highway project in Motion #21437 [*Exhibit A, pdf p. 15*]. The permit was issued and approved retroactively in that on December 6, 2022, the Board

of Supervisors approved the Great Highway Pilot Project ordinance authorizing the closing of the Great Highway to passenger vehicles from noon on Friday until 6 a.m. on Monday. The ordinance failed to mention that the project is in the Coastal Zone let alone the necessity for a Coastal Zone Permit under the Planning Code, the Local Coastal Program and the Coastal Act. Further, the Recreation and Parks Department failed to apply for a Coastal Zone Permit before the Board of Supervisors considered the ordinance *[Exhibit H, pdf page 310]. [Exhibit H: Executive Summary by Planning staff; Planning Commission Draft Motion with Plans and Renderings; Board of Supervisors Ordinance #258-22 attached hereto and incorporated by reference]*

§ 330.5.1(a) of the Coastal Zone Permit Review Procedures component of the certified Local Coastal Program (also in the Planning Code) requires that the Planning Department review all applications for Coastal Zone Permits within the Coastal Zone for consistency with the requirements and objectives of the Local Coastal Program. Either this review did not occur or this review was flawed or incomplete as the following argument establishes.

[Exhibit C, pdf p. 92, LCP Coastal Zone Permit Review Procedures, § 330.5.1(a)]

E. ARGUMENT

1. Retroactive Coastal Zone Permit and Application Not Consistent with Certified Local Coastal Program and Not Consistent with Planning Code

The certified Local Coastal Program does not authorize retroactive or after-the-fact issuance or approval of Coastal Zone Permits. In particular, the Coastal Zone Permit Review Procedures of the certified Local Coastal Program includes neither express nor implied authorization of retroactive Coastal Zone Permits. Neither does Planning Code § 330 which addresses Coastal Zone Permits. Further, the application for Coastal Zone Permit fails to mention that the permit would be retroactive and the

Notice of Public Hearing improperly fails to inform the public that the Planning Commission would consider the application retroactively.

While the Planning Department's Executive Summary notes that the "Coastal Zone Authorization is being sought retroactively," the Executive Summary cites **no legal authority** as the basis for retroactive action [*Exhibit H: Executive Summary, page 1, 5th sentence, pdf page 285*]. This is because no legal authority exists. Clearly, a retroactive permit is not consistent with the certified Local Coastal Program, and this Board must deny the permit on this basis alone.

2. Project Fails to Conform to Public Access Policies of Coastal Act (Public Resources Code § 30210)

The project would deny or limit access to Ocean Beach and the coast in that many surfers and others who do not live in the immediate vicinity of Ocean Beach drive there on the Upper Great Highway, park and walk to the beach. Further, many elderly and disabled people are unable to walk to Ocean Beach. They access Ocean Beach and the coast by driving along the Upper Great Highway, taking in the view and perhaps rolling down the car window and breathing in fresh air. For many elderly and disabled in San Francisco, a drive along the 2-mile stretch of Ocean Beach from Lincoln to Sloat is a highlight of their week. The Coastal Act § 30210 carries out the requirement for "maximum access" contained in the California Constitution which is rooted in common law (public trust doctrine). This project clearly is not consistent with the public access policies of the Coastal Act.

3. The Coastal Zone Permit and CZP Application are Not Consistent with the Land Use Component of the Certified Local Coastal Program (Western Shoreline Area Plan)

A. Policy 2.1 of the Western Shoreline Area Plan states:

“Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking.

[Exhibit F, pdf page 258]

Nothing in this policy authorizes closing the four-lane highway to passenger vehicles. In fact, Policy 2.1 mentions parking and emphasizes access for recreational use. Likewise, Policy 2.6 states:

“Provide permanent parking for normal use required by beach users in the Great Highway corridor...”

[Exhibit F, pdf page 258]

Even the permit holder admits in the application for a Coastal Zone Permit that the project is not consistent with Policy 2.1. The supplemental attachment to the Coastal Zone Permit states:

“The proposed project is partially consistent with this policy.”

[Exhibit B: Coastal Zone Permit application, addendum page 17, pdf page 54]

Policy 12.4 of the Western Shoreline Area Plan states:

“...Public recreational access facilities..., public infrastructure (e.g. public roads, sidewalks, and public utilities) and coastal-dependent development shall be sited and designed in such a way as to limit potential impacts...”

[Exhibit F, pdf page 266]

Clearly, Policy 12.4 does not provide for closing the Great Highway between Lincoln and Sloat to passenger vehicles. Rather, this policy addresses siting public roads in a responsible manner. This policy maintains rather than limits appropriate access to the coastline and Ocean Beach. Therefore, the Coastal Zone Permit and its application are not consistent with Policy 12.4.

4. The Coastal Zone Permit and the CZP Application are Not Consistent with the Implementation Components of the Certified Local Coastal Program

A. The Coastal Zone Permit Review Procedures component of the certified Local Coastal Program sets out the statutory requirements for reviewing Coastal Zone Permit applications. Specifically, § 330.5.1 requires that the Planning Department review all Coastal Zone Permit applications for consistency with the requirements and objectives of the Local Coastal Program. Further, § 330.5.2 provides that a Coastal Zone Permit shall be approved only upon findings of fact establishing that the project conforms to the requirements and objectives of the San Francisco Local Coastal Program.

Yet Finding #5 of the Coastal Zone Permit (Motion #21437) renders the permit defective on this statutory requirement in that it erroneously states that “the Local Coastal Program shall be the Western Shoreline Area Plan” thereby limiting the finding of fact to consistency only with the land use component and not the entire certified Local Coastal Program which also includes three implementation components [*Exhibit A, pdf page 18*]. The implementation components contain numerous statutory requirements.

B. The Coastal Zone Permit and its application are not consistent with the Neighborhood Commercial Rezoning component of the certified Local Coastal Program. Objective 8 of the Neighborhood Commercial Rezoning states:

“Maintain and strengthen viable neighborhood commercial areas easily accessible to city residents.”
[Exhibit D, pdf page 112]

The project would make NC-2 Small-Scale Commercial areas within the Coastal Zone far more difficult to access which is not consistent with Objective 8. Upper Great Highway is adjacent to NC-2 Small-Scale Neighborhood Commercial zoning within the Coastal Zone. This zoning includes Lincoln to Irving along the lower Great Highway and Sloat Boulevard from 39th Avenue to the lower Great Highway.

The close proximity within the Coastal Zone of the Upper Great Highway to NC-2 Small-Scale Neighborhood Commercial means that closing the Upper Great Highway to passenger vehicles on the weekends has a substantial impact on this zoning.

5. The project is Not Consistent with the Relevant Provisions of the Planning Code

Contrary to Finding #5 of the Coastal Zone Permit (Motion #21437), the project is not consistent with the relevant provisions of the Planning Code including P.C. § 330. P.C. § 330 (a) states: “The purpose of Sections 330 through 330.16 is to implement the process of reviewing projects within the Coastal Zone for consistency with the San Francisco Local Coastal Program as required by the California Coastal Act of 1976 as amended.” Therefore, the lack of consistency with the Local Coastal Program as outlined above also constitutes a lack of consistency with the Planning Code.

Further, Planning Code § 330.6 requires that the Planning Department notify the Coastal Commission in writing within 10 calendar days of the filing of a Coastal Zone Permit application with the Planning Department. This did not occur in violation of this code section.

6. Planning Commission’s Finding is False that “the Local Coastal Program Shall Be the Western Shoreline Area Plan.”

Finding #5 of the Coastal Zone Permit (Motion #21437) inaccurately states that “Pursuant to Planning Code Section 330.2, the Local Coastal Program shall be the Western Shoreline Area Plan, a part of the City’s General Plan.” [*Exhibit A, page 4, pdf page 18*] This is a misleading statement at best in that P.C. § 330.2(d) states:

“The “Local Coastal Program” shall be the San Francisco Western Shoreline Plan, a part of the City’s General Plan, and any of its implementation programs issue papers and any other documents certified by the California Coastal Commission.”

In fact, the Local Coastal Program includes three implementation components not included in Finding #5: Coastal Zone Permit Review Procedures, Neighborhood Commercial Rezoning with zoning sections of the Planning Code, and the Variances section of the Planning Code. This omission is glaring and convenient in that neither the Coastal Zone Permit application nor the permit itself is consistent with these implementation components.

Further, Planning Code § 330.5.2, also part of the Coastal Zone Permit Review Procedures component of the certified Local Coastal Program, states:

A Coastal Zone permit shall be approved only upon findings of fact establishing that the project conforms to the requirements and objectives of the San Francisco Local Coastal Program.
[Exhibit C: pdf page 93]

There was no such finding of fact in that the Coastal Zone Permit (Motion #21437) states that the project is consistent only with the Western Shoreline Area Plan and erroneously states that the Local Coastal Program “shall be” the Western Shoreline Area Plan even though the Western Shoreline Area Plan is but one component of the certified Local Coastal Program. *[Exhibit A, page 4, pdf page 18]* Accordingly, **the Coastal Zone Permit was erroneously approved without a finding of fact establishing that the project conforms to the requirements and objectives of the entire Local Coastal Program in violation of P.C. § 330.5.2. Therefore, this permit must be denied as a matter of law.**

F. FACTUAL FINDINGS

Planning Code §330.5.1(b) of the Coastal Zone Permit Review Procedures of the certified LCP provides that the Board of Appeals shall review all appeals of coastal zone permit applications **for consistency with the requirements and objectives of the San Francisco Local Coastal Program.** *[Exhibit C, pdf p 93]*. Section §330.5.2 provides that **the Board of Appeals shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program.** *[Exhibit C, pdf p. 93]*.

For all of the reasons in this brief, this Board must adopt factual findings that the retroactive Coastal Zone Permit and the permit application herein are not consistent with the Coastal Zone Permit Review Procedures, Neighborhood Commercial Rezoning, and Land Use Plan/Western Shoreline Area Plan components of the certified Local Coastal Program.

G. CONCLUSION

Clearly, the Coastal Zone Permit application, the permit and project fail the Board's standard of review. This retroactive Coastal Zone Permit cannot be approved without first amending both the Western Shoreline Area Plan (land use plan) and the implementation components of the Local Coastal Program and securing Coastal Commission certification per § 330.5 (d)(2) of the Coastal Zone Permit Review Procedures.

Accordingly, appellant respectfully requests that the Board of Appeals adopt factual findings that the Coastal Zone Permit application is not consistent with the certified Local Coastal Program. Appellant further respectfully requests that the Board of Appeals uphold the appeal and overturn the Planning Commission's approval of the Coastal Zone Permit application in Motion #21437 (Record No. 2022-007356CTZ) and the Coastal Zone Permit application –Upper Great Highway between Lincoln Way & Sloat Boulevard; plus surrounding streets and deny a retroactive Coastal Zone Permit for this project.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Eileen Boken".

Sunset Parkside Education and Action Committee ("SPEAK")

Eileen Boken, President

EXHIBITS

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Exhibit F: Land Use Plan/Western Shoreline Area Plan component- certified LCP: **page 254**

Exhibit G: California Coastal Commission Staff Report for May 10, 2018, **page 269**

Exhibit H: Executive Summary by Planning staff, Draft Motion with Plans and Renderings, Board of Supervisors Ordinance #258-22, **page 285**

EXHIBIT A



PLANNING COMMISSION MOTION NO. 21437

HEARING DATE: NOVEMBER 9, 2023

Record No.: 2022-007356CTZ
Project Address: Upper Great Highway between Lincoln Way & Sloat Boulevard; plus surrounding streets
Zoning: Various
Cultural District: Sunset Chinese Cultural District
Block/Lot: N/A
Project Sponsor: Brian Stokle
San Francisco Recreation and Parks Department
49 South Van Ness Ave., Suite 1200
San Francisco, CA
Property Owner: City and County of San Francisco
Staff Contact: Alex Westhoff – (628) 652-7314
alex.westhoff@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO PERMIT TEMPORARY RESTRICTION OF AUTOMOBILE ACCESS TO THE UPPER GREAT HIGHWAY BETWEEN LINCOLN WAY AND SLOAT BOULEVARD (APPROX. 2.0 MILES) FOR A CAR-FREE BICYCLE AND PEDESTRIAN PROMENADE ON WEEKENDS AND HOLIDAYS THROUGH DECEMBER 31, 2025; AS WELL AS THE IMPLEMENTATION OF VARIOUS TRAFFIC CALMING MEASURES ON SURROUNDING STREETS; IN DISTRICTS INCLUDING THE PUBLIC (P), NEIGHBORHOOD COMMERCIAL SMALL-SCALE (NC-2), RESIDENTIAL-MIXED LOW DENSITY (RM-1), RESIDENTIAL-HOUSE, ONE FAMILY (RH-1), RESIDENTIAL-HOUSE, TWO FAMILY (RH-2), AND RESIDENTIAL-HOUSE, THREE FAMILY (RH-3) ZONING DISTRICTS AND OS, 40-X, AND 100-A HEIGHT AND BULK DISTRICTS AND AFFIRMING THE PLANNING DEPARTMENT'S EXEMPT DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On January 18, 2023, the San Francisco Recreation and Parks Department (hereinafter "Project Sponsor") filed Application No. 2022-007356CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Zone Permit for the Great Highway Pilot Project to allow for weekend and holiday closure of the Upper Great Highway to automobile traffic on a temporary basis, and for surrounding traffic calming measures.

The Great Highway Pilot Project is statutorily exempt from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code section 21080.25. The CEQA determination is attached as Exhibit F.

The traffic calming measures are exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption. The CEQA determination is attached as Exhibit G.

On November 9, 2023, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Authorization Application No. 2022-007356CTZ.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-007356CTZ is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-007356CTZ, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The Coastal Zone Permit is required for the Great Highway Pilot Project including related traffic calming measures. In April 2020, the Recreation and Parks Department (RPD) at the recommendation of Supervisor Gordon Mar and in consultation with Mayor London N. Breed, temporarily closed the four-lane Upper Great Highway between Lincoln Way and Sloat Boulevard to automobiles. The closure was a response to the unprecedented COVID-19 pandemic to allow for safe, distanced outdoor recreation. In August 2021, the City modified vehicular restrictions to apply only during weekends, beginning Fridays at noon and ending Monday at 6 a.m., in addition to holidays.

On December 6, 2022, the San Francisco Board of Supervisors (BOS) passed an ordinance (Board File 220875) amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard on weekends and holidays until December 31, 2025. The restriction was proposed as a pilot effort, including studies and analysis of the car-free use of the Upper Great Highway to inform a long-term plan for the future of this space. The ordinance specified:

“Upon enactment of this ordinance, the Recreation and Park Department intends to apply to the Planning Department for a permit to ensure compliance with any coastal development requirements. The Planning Commission will review the application at a public hearing to determine whether the permit will be issued, as required by law.”

Few physical changes related to the Upper Great Highway weekend closures are proposed. Currently there are two existing fixed swing gates, one at the northbound entry and one at the southbound entry. The existing gates are closed when excessive amounts of sand or flood water accumulate on the road and make it unsafe for car travel, as well as when the road functions as a promenade. Traffic cones and moveable gates are currently being placed on the northeast and southwest exits to serve as traffic barriers during the weekends and holidays. RPD is proposing installation of new swing gates installed in a chicane layout (i.e., staggered and on opposite sides of the roadway) to allow emergency vehicles to access the westernmost lanes of the roadway without needing to stop and open the gates. This design supports the continued recreational use of the beach while also enhancing the safe recreational use of the roadway by pedestrians and bicyclists during private vehicular closure times for promenade use, or during sand/water accumulation events.

Related improvements include traffic calming measures constructed by the San Francisco Municipal Transit Agency (SFMTA), for the safety of pedestrian and cyclists. The measures aimed to reduce traffic volumes and speeds on local streets which saw an increase in automobile traffic resulting from the Upper Great Highway closure. In spring 2020, eight detour and warning signs, a road closure barricade, five turn restrictions, and five speed tables were constructed at the intersections of Great Highway along Lincoln Way and Sloat Boulevard and in the adjacent neighborhood to support the Upper Great Highway closure to private vehicles. In April 2021, additional tools were added, including 24 speed cushions, one speed table, and 12 stop signs. In August 2021, when the Upper Great Highway was reopened to weekday vehicular use, some of the tools were no longer necessary and thus removed. In November 2021, additional stop signs were added to the Lower Great Highway at Ortega and Ulloa streets. Exhibit G documents SFMTA approvals of the traffic calming measures.

- 3. Site Description and Present Use.** The Project Site includes a roughly 2-mile stretch of the Upper Great Highway within the Public Zoning District in the Western Shoreline Area plan, bound by Lincoln Way to the North, Sloat Boulevard to the South, Ocean Beach/Pacific Ocean to the West and the Lower Great Highway to the East within the Outer Sunset neighborhood. The Upper Great Highway, developed in 1929, is a four-lane straight highway, divided by a narrow median.
- 4. Surrounding Properties and Neighborhood.** Ocean Beach is a popular recreational hub for surfing and other beach-related activities, and is part of the Golden Gate National Recreation Area, which is administered by the National Park Service. The sloped, vegetated median separating the Upper and Lower Great Highways is managed by the RPD and also includes a 10-foot wide asphalt multi-use recreational pathway.

The traffic calming measures implemented by SFMTA are located throughout the adjacent surrounding neighborhood spanning multiple Zoning Districts including NC-2, RM-1, RH-2, and RH-3. The surrounding neighborhood is predominately residential, characterized by one to two story single- or double- family homes with some larger multi-family apartments.

The Project is also located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San

Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

5. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

The Project falls within the Coastal Zone Permit Area and is subject to Coastal Zone Permit Review pursuant to Planning Code Section 330. Pursuant to Planning Code Section 330.2, the Local Coastal Program shall be the San Francisco Western Shoreline Plan, a part of the City's General Plan. The project is consistent with objectives and policies of the Western Shoreline Plan as outlined in this motion.

6. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

ENVIRONMENTAL PROTECTION ELEMENT

Objectives and Policies

OBJECTIVE 3

MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN, AND SHORELINE AREAS.

Policy 3.1

Cooperate with and otherwise support regulatory programs of existing regional, State, and Federal agencies dealing with the Bay, Ocean, and Shorelines.

Policy 3.2

Promote the use and development of shoreline areas consistent with the General Plan and the best interest of San Francisco.

OBJECTIVE 7

ASSURE THAT THE LAND RESOURCES IN SAN FRANCISCO ARE USED IN WAYS THAT BOTH RESPECT AND PRESERVE THE NATURAL VALUES OF THE LAND AND SERVE THE BEST INTERESTS OF ALL THE CITY'S CITIZENS.

Policy 7.1

Preserve and add to public open space in accordance with the objectives and policies of the Recreation and Open Space Element.

OBJECTIVE 9

REDUCE TRANSPORTATION-RELATED NOISE.

Policy 9.2

Impose traffic restrictions to reduce transportation noise.

OBJECTIVE 15

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

Policy 15.1
Increase the use of transportation alternatives to the automobile.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

Policy 1.4

Prioritize the better utilization of McLaren Park, Ocean Beach, the Southeastern Waterfront and other underutilized significant open spaces.

OBJECTIVE 2

INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BAY REGION.

Policy 2.2

Provide and promote a balanced recreation system which offers a variety of high quality recreational opportunities for all San Franciscans.

Policy 2.4

Support the development of signature public open spaces along the shoreline.

Policy 2.7

Expand partnerships among open space agencies, transit agencies, private sector and nonprofit institutions to acquire, develop and/or manage existing open spaces.

OBJECTIVE 3

IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE.

Policy 3.1

Creatively develop existing publicly owned right-of-ways and streets into open space.

Policy 3.3

Develop and enhance the City's recreational trail system, linking to the regional hiking and biking trail system and considering restoring historic water courses to improve stormwater management.

Policy 3.4

Encourage non-auto modes of transportation – transit, bicycle and pedestrian access—to and from open spaces while reducing automobile traffic and parking in public open spaces.

Policy 3.5

Ensure that, where feasible, recreational facilities and open spaces are physically accessible, especially for those with limited mobility.

SAFETY AND RESILIENCY ELEMENT

Objectives and Policies

OBJECTIVE 2.1

CLIMATE RESILIENCE. PURSUE SYNERGISTIC EFFORTS THAT BOTH ELIMINATE GREENHOUSE GASES (CLIMATE MITIGATION) AND PROTECT PEOPLE, THE BUILT ENVIRONMENT, AND NATURE FROM THE UNAVOIDABLE IMPACTS OF THE CLIMATE CRISIS (CLIMATE ADAPTATION).

Policy 2.1.2

Direct City actions to reduce local contributions towards the climate crisis by mitigating greenhouse gasses and by increasing carbon sequestration.

Policy 2.1.4

Ensure that City projects and private developments provide multi-benefit solutions that mitigate hazard risk and contribute to a zero-emission future.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.2

Ensure the safety and comfort of pedestrians throughout the city.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2
Reduce pollution, noise and energy consumption.

Policy 2.3
Design and locate facilities to preserve the historic city fabric and the natural landscape, and to protect views.

OBJECTIVE 8

MAINTAIN AND ENHANCE REGIONAL PEDESTRIAN, HIKING AND BIKING ACCESS TO THE COAST, THE BAY AND RIDGE TRAILS.

Policy 8.1
Ensure that the Coast Trail, the Bay Trail and the Ridge Trail remain uninterrupted and unobstructed where they pass through San Francisco.

OBJECTIVE 19

ESTABLISH A STREET HIERARCHY SYSTEM IN WHICH THE FUNCTION AND DESIGN OF EACH STREET ARE CONSISTENT WITH THE CHARACTER AND USE OF ADJACENT LAND.

Policy 19.4
Discourage high-speed through traffic on local streets in residential areas through traffic "calming" measures that are designed not to disrupt transit service or bicycle movement.

Policy 19.5
Mitigate and reduce the impacts of automobile traffic in and around parks and along shoreline recreation areas.

OBJECTIVE 27

EMPLOY A MULTI-DISCIPLINARY APPROACH TO IMPROVING PEDESTRIAN SAFETY

Policy 27.4
Apply best practices in street design and transportation engineering to improve pedestrian safety across the City.

OBJECTIVE 29

ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.

Policy 29.1
Expand and improve access for bicycles on city streets and develop a well-marked, comprehensive system of bike routes in San Francisco.

Policy 29.8
Encourage biking as a mode of travel through the design of safer streets, education programs and targeted enforcement.

Policy 29.9
Identify and expand recreational bicycling opportunities.

OBJECTIVE 31

CITY GOVERNMENT SHOULD PLAY A LEADERSHIP ROLE IN INCREASING BICYCLE USE.

Policy 31.1
Consider the needs of bicycling and the improvement of bicycle accommodations in all city decisions.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.1
Protect residential areas from the noise, pollution and physical danger of excessive traffic.

Policy 4.8
Provide convenient access to a variety of recreation opportunities.

Policy 4.9
Maximize the use of recreation areas for recreational purposes.

WESTERN SHORELINE AREA PLAN

Land Use
Objectives and Policies

OBJECTIVE 2

REDESIGN THE GREAT HIGHWAY TO ENHANCE ITS SCENIC QUALITIES AND RECREATIONAL USE.

Policy 2.1
Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

OBJECTIVE 3

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE.

Policy 3.1

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

OBJECTIVE 6

MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.

Policy 6.1

Continue Ocean Beach as a natural beach area for public recreation.

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

Policy 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

The Project offers a myriad of public benefits aligned with various policies of the General Plan and Western Shoreline Area Plan. It improves public access to and along Ocean Beach, opening a new paved path as a safe outdoor recreational corridor for persons of all socioeconomic circumstances and varying physical abilities. The Project helps achieve one of the California Coastal Commission's basic goals and associated policies of public coastal access and recreation as mandated by the California Coastal Act of 1976. Moreover, the Upper Great Highway runs adjacent to the Great Highway Dune Trail, a segment of the California Coastal Trail which is an integrated trail network being developed for over 1,230 miles of California's coastline. Ultimately the Great Highway Pilot Project bolsters the capacity of the area for cyclists and pedestrians; enhancing Ocean Beach's existing recreational qualities as a destination that can be appreciated by both local residents and international tourists alike. The Project encourages non-motorized vehicle traffic, which ultimately results in less carbon emissions than private automobiles, helping to reduce San Francisco's contributions to the climate crisis and thus aligning with the City's Climate Action Plan. The City's Transit-First policy prioritizes safe and accessible biking and walking over private automobiles, which this Project also supports. Given the pilot is only temporary, the Upper Great Highway will ultimately remain a four-lane highway, thus consistent with the Western Shoreline Area Plan which states that the Upper Great Highway should be developed as a four-lane highway. Furthermore, even during the pilot period, the Upper Great Highway will remain a four-lane highway during nearly all weekdays. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

7. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the Project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project site does not possess any neighborhood-serving retail uses. However, increased visitors to Ocean Beach resulting from the Project can bolster patronage to nearby businesses including cafes, restaurants, food trucks, shops, and more.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project includes few physical improvements, thus having virtually no impact on the neighborhood's built form. Reduced automobile usage can help improve the neighborhood's physical and visual connection to Ocean Beach and the Pacific Ocean.

- C. That the City's supply of affordable housing be preserved and enhanced.

The Project does not affect affordable housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project Site is served by nearby public transportation options including the N-Judah, L-Taraval, and 7, 48, and 23 bus lines. To support the pilot Project, RPD and SFMTA are collecting and analyzing data such as visitor usage and traffic conditions. No new parking is provided by the Project. Currently Ocean Beach visitors can park their vehicles in the vicinity and walk to the beach using Upper Great Highway crosswalks.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development and does not eliminate any industrial or service uses.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project does not include any structural or seismic improvements.

- G. That landmarks and historic buildings be preserved.

The Project Site does not contain or impact any City Landmarks or historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project fundamentally enhances the City's open space amenities. It does not propose any development that would inhibit the access to sunlight and vistas for existing parks and open space. Reduced automobile usage on the Upper Great Highway can improve visual access to Ocean Beach.

8. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
9. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Coastal Zone Permit Application No. 2022-007356CTZ** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated December 9, 2022, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

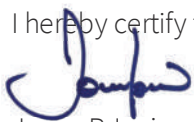
APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave., Suite 1475, San Francisco, CA 94103.

Additionally, any aggrieved person may appeal this Coastal Zone Permit to the California Coastal Commission within ten (10) working days after the California Coastal Commission receives notice of final action from the Planning Department pursuant to the provisions of Section 330.9. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a). An applicant is required to exhaust local appeals before appealing to the California Coastal Commission. For further information about appeals to the California Coastal Commission, including current fees, contact the North Central Coast District Office at (415) 904 - 5260.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the Project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 9, 2023.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2023.11.21 15:17:24 -08'00'

AYES: Braun, Ruiz , Diamond, Imperial, Koppel, Moore, Tanner

NAYS: None

ABSENT: None

ADOPTED: November 9, 2023

EXHIBIT A

Authorization

This authorization is for a Coastal Zone Permit to allow the temporary restriction of automobile access on weekends and holidays to the Upper Great Highway between Lincoln Way and Sloat Boulevard (approximately 2.0 miles) for a car-free bicycle and pedestrian promenade on weekends and holidays through December 31, 2025 and installation of new swing gates at the north and south ends of the Upper Great Highway; as well as the implementation of various traffic calming measures on surrounding streets subject to conditions of approval reviewed and approved by the Commission on **November 9, 2023** under Motion No. **21437**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the Project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **November 9, 2023** under Motion No. **21437**.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **21437** shall be reproduced on the Index Sheet of construction plans submitted with the permit application for the Project. The Index Sheet of the construction plans shall reference the Coastal Zone Permit authorization and any subsequent amendments or modifications.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

- 1. Expiration and Renewal.** This Coastal Zone Permit shall expire on December 31, 2025. Pursuant to Planning Code Section 330.13(a) a final decision on an application for an appealable Project shall become effective after a 10 working day appeal period to the California Coastal Commission has expired, unless either of the following occur: (1) a valid appeal is filed in accordance with City and State regulations, or (2) local government requirements are not met per Section 330.6(b). When either of the above occur, the California Coastal Commission shall, within five calendar days of receiving notice of that circumstance, notify the local government and the applicant that the local government action has been suspended. The applicant shall cease construction immediately if that occurs.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 2. Extension.** The Zoning Administrator may extend a Coastal Zone Permit prior to its expiration for up to 12 months from its original date of expiration. Coastal Zone Permit extensions may be granted upon findings that the Project continues to be in conformance with the Local Coastal program.

All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the Project is delayed by a public agency, an appeal, or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

- 3. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

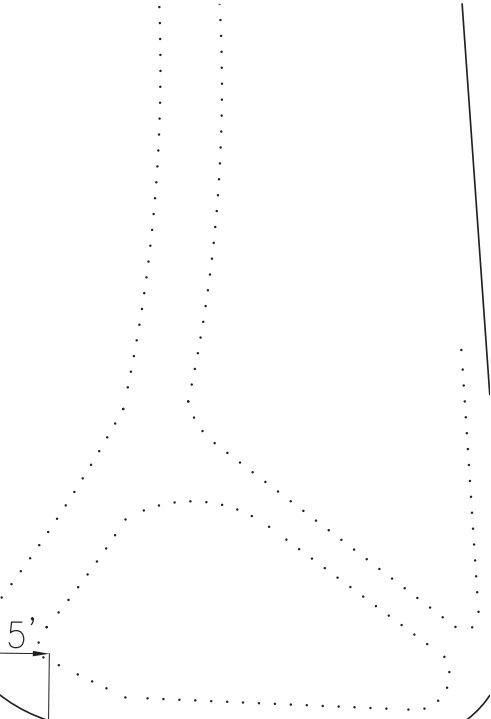
- 4. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

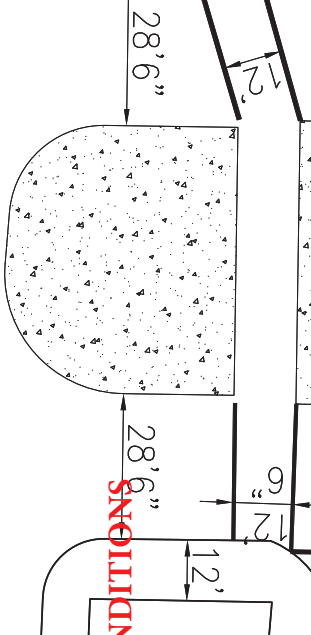
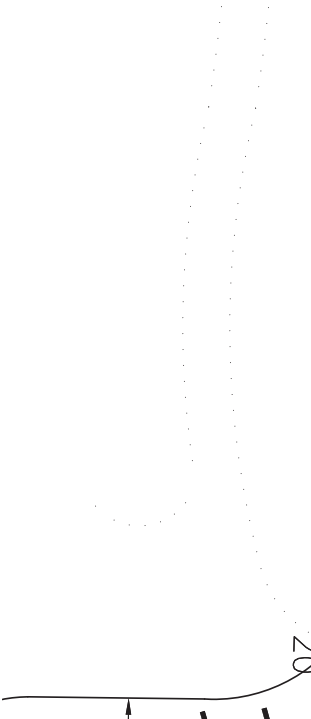
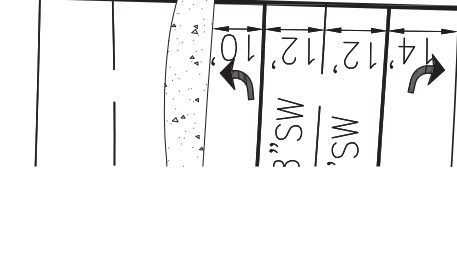
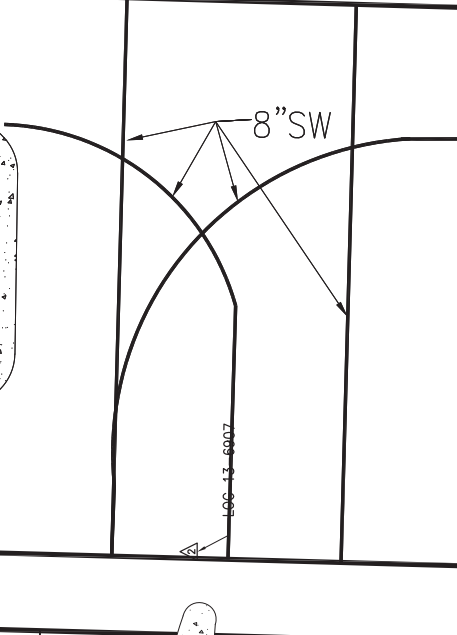
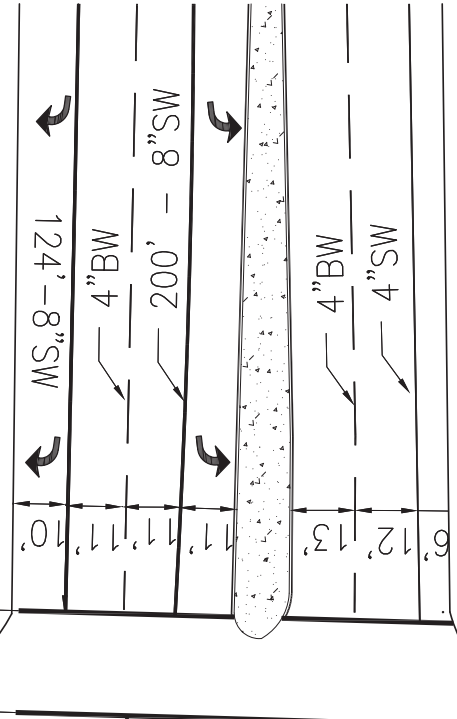
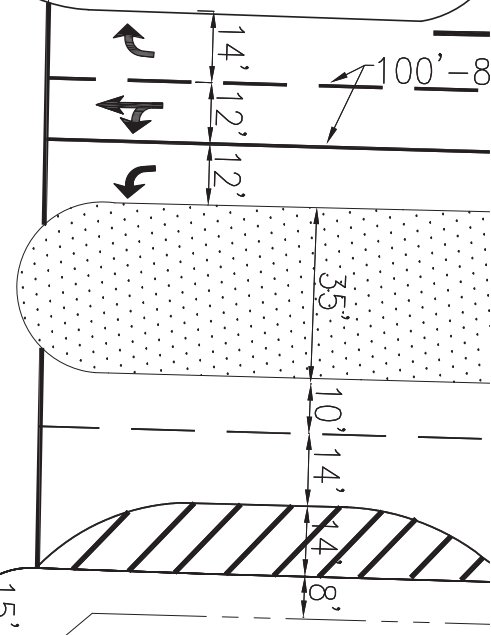


- RPD Parks
- Non-RPD Parks
- Great Highway Pilot
- Turn Restriction
- Stop Sign
- Speed Table
- Speed Hump
- Speed Cushion
- Signage/Detour
- Detour Warning
- Barricade
- Coastal Zone
- One Way
- Bike Lane
- Car Free Street
- Partially Car Free Street
- Additional Car Free Streets (pre 2022)





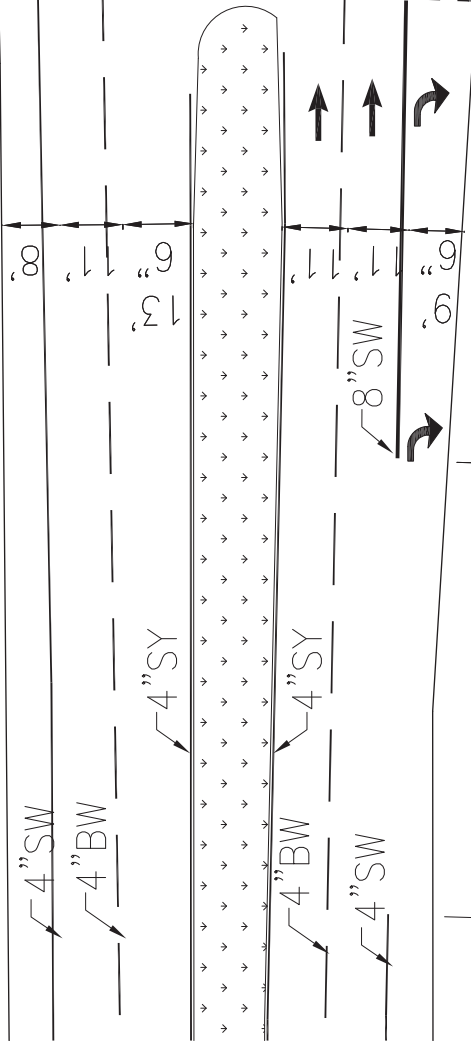
SLOAT
BOULEVARD



EXISTING CONDITIONS

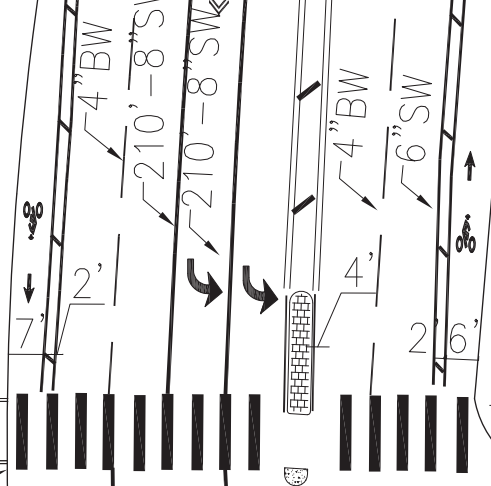
EXISTING CONDITIONS

GREAT HIGHWAY

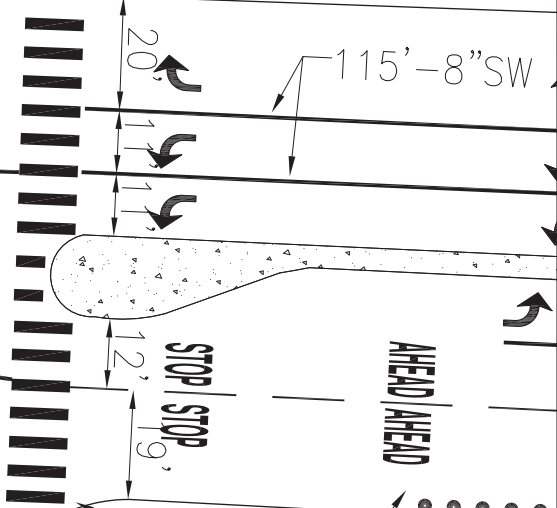


WHITE STAGGERED
CONTINENTAL

LINCOLN WAY



MATCH LINE "L"
SEE STR-7856.7

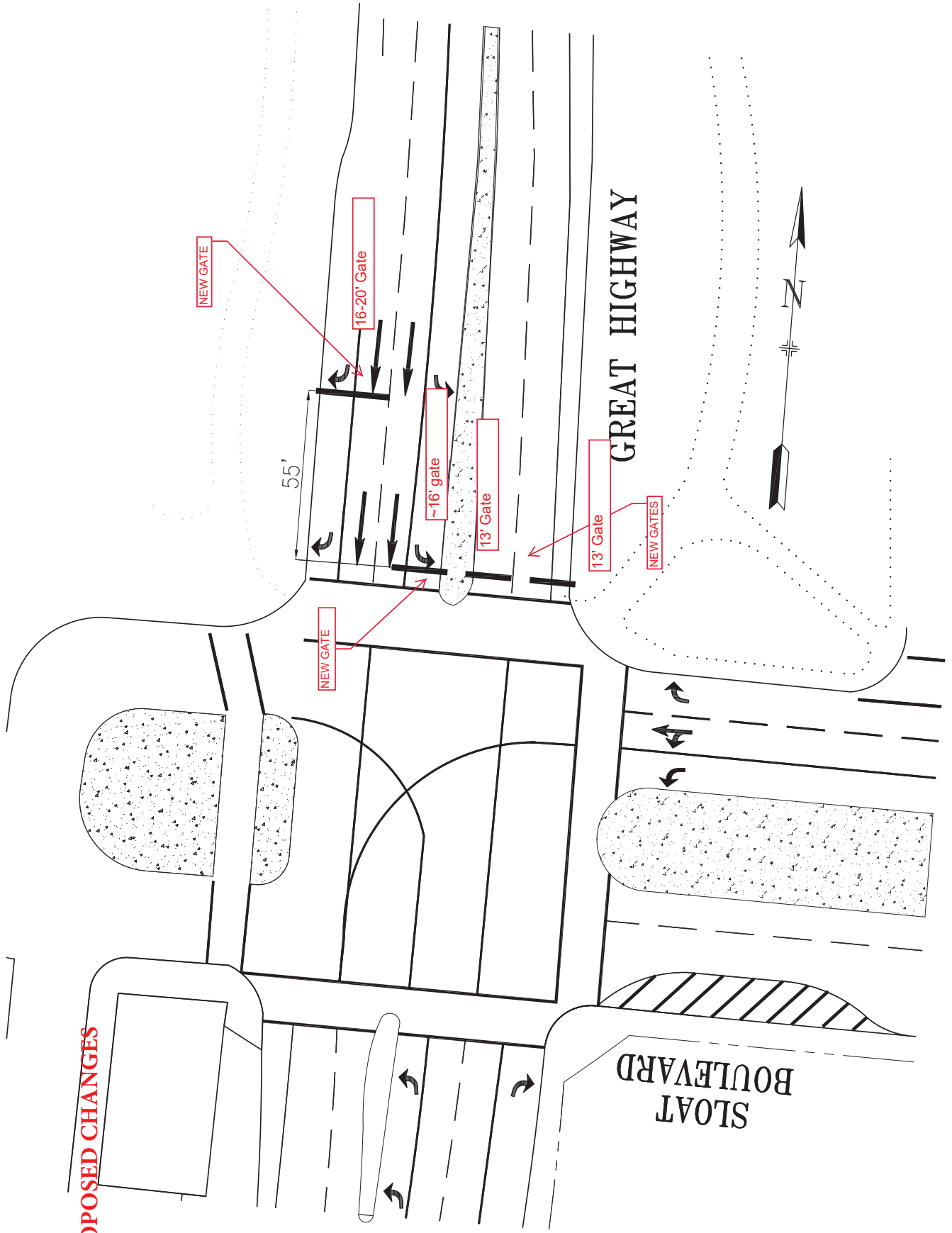


WHITE STAGGERED

LOWER GREAT HIGHWAY

MATCH LINE "K"

PROPOSED CHANGES



55'

NEW GATE

16-20' Gate

~16' gate

13' Gate

GREAT HIGHWAY

13' Gate

NEW GATES

NEW GATE

SLOAT BOULEVARD



PROPOSED CHANGES

GREAT HIGHWAY

NEW GATES
14'-16'

NEW GATE
14'-16'

NEW GATE
16'-18'

RECTANGULAR
PAVEMENT
MARKERS

2 NEW
THRU ARROWS

LINCOLN WAY

STOP STOP

AHEAD AHEAD

LOWER GREAT HIGHWAY

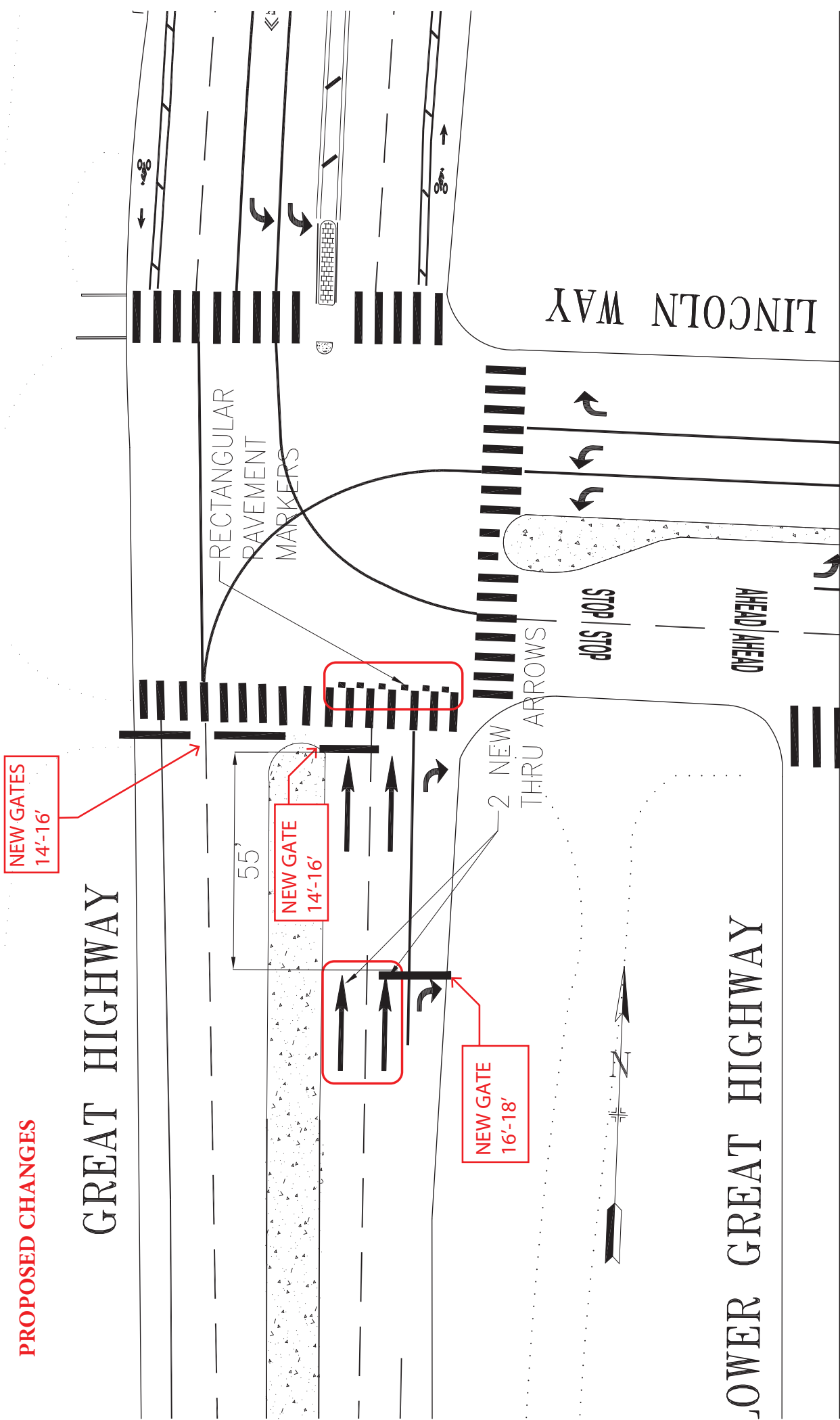


EXHIBIT B



COASTAL ZONE PERMIT (CTZ)

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

Pursuant to Planning Code Section 330, all projects within San Francisco's Coastal Zone Area may be required to apply for a Coastal Zone Permit for projects involving demolition, new construction, reconstruction, alteration, change of use, change of occupancy, condominium conversion, and public improvement.

For questions, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A COASTAL ZONE PERMIT?

The California Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the designated coastal zone. Certain development activities, defined by the California Coastal Act of 1976, generally require a Coastal Zone Permit from either the California Coastal Commission or the local government. These include, but are not limited to: new construction, demolition, or alterations of structures, divisions of land, activities that change the intensity of use of land or public access to coastal waters, rip-rap repair, dredging, repair or maintenance to structures located in an environmentally sensitive habitat area, and alterations of land forms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation. See Planning Code Section 330 for additional information.

Projects that require a Coastal Zone Permit from the Planning Department shall be reviewed for consistency with the City's Western Shoreline Plan, within the San Francisco General Plan. A public hearing is not required unless the proposed project is within the California Coastal Commission appealable subarea or if the Zoning Administrator determines that the project has a significant impact on the Coastal Zone. The applicant shall be notified as to whether the application requires a public hearing. For more information about the Coastal Commission, please visit the following website: <http://www.coastal.ca.gov>.

WHEN IS A COASTAL ZONE PERMIT NECESSARY?

San Francisco's Coastal Zone Area is shown in Section Maps CZ4, CZ5, and CZ13 of the Zoning Map and in the City Zoning Block Books. Projects within the following City Assessor's blocks may be required to apply for a Coastal Permit Application. Blocks: 1481*, 1483*, 1590, 1591, 1592, 1593, 1595, 1596, 1597, 1598, 1689, 1690, 1691, 1692, 1700*, 1701, 1702, 1703, 1802, 1803, 1804, 1805, 1806, 1893, 1894, 1895, 1896, 2001, 2085, 2086, 2168, 2169, 2301, 2314, 2377, 2513, 2515, 2516, 7281, 7283, 7309*, 7309A*, 7333*, 7334*, 7337*, 7380*, 7384*.

**Only a portion of these blocks are within the Coastal Zone. Consult the City Zoning Block Books to determine whether your property is within the Coastal Zone.*

Applicants of projects over tidelands, Lake Merced, the Olympic Country Club, and the Pacific Ocean shore extending 3 miles out to sea are required to apply to the California Coastal Commission for a Coastal Zone Permit.

FEES

Please refer to the [Planning Department Fee Schedule](#) available at www.sfplanning.org. For questions related to the Fee Schedule, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.



COASTAL ZONE PERMIT (CTZ)

SUPPLEMENTAL APPLICATION

Property Information

Project Address: Upper Great Highway between Lincoln and Sloat Block/Lot(s): n/a

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- The undersigned is the owner or authorized agent of the owner of this property.
- The information presented is true and correct to the best of my knowledge.
- Other information or applications may be required.
- I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature

01/18/2023 (revised 10/19/2023)

Date

Applicant

Relationship to Project
(i.e. Owner, Architect, etc.)

(628) 652-6610

Phone

Stacy Radine Bradley

Name (Printed)

stacy.bradley@sfgov.org

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Coastal Zone Permit (CTZ) Application: Great Highway Pilot, and Outer Sunset Traffic Management Tools

Project Narrative

On December 6, 2022, the San Francisco Board of Supervisors (BOS) approved the Great Highway Pilot legislation, creating a protected bicycle and pedestrian facility on weekends and holidays for a three-year pilot period, ending December 31, 2025. The purpose of the pilot study is to analyze the car-free use of the Upper Great Highway and establish a long-term plan for the future of this space. During the pilot, the San Francisco Recreation and Parks Department (RPD) and the San Francisco Municipal Transportation Agency (SFMTA) will collect and analyze data such as visitor usage and traffic conditions, while also gathering feedback from the public.

The Great Highway Pilot is located within the coastal zone in the Western Shoreline Area Plan, San Francisco's Local Coastal Program. A coastal zone permit (CTZ) is required for change of use of the roadway. Additional changes separate but related to the Great Highway Pilot have been made to roadways within the coastal zone, which also require a coastal zone permit. These changes are described below under *Project Description*.

Project Description

The RPD and MTA propose the following changes to use of roadways within the coastal zone in the Western Shoreline Area Plan:

1. **Great Highway Pilot:** The Great Highway project would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends that begins on Friday at noon and ends on Monday at 6 a.m. Vehicle restrictions also occur on holidays. During that time private vehicles are restricted from accessing Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday at 6 a.m. to the Friday closure time.
2. **Traffic calming tools:** In response to San Francisco's COVID-19 shelter-in-place order, the SFMTA constructed traffic calming measures in 2020 and 2021 to reduce traffic volumes and speeds on local streets that encountered changes in traffic after the Upper Great Highway was repurposed as a car-free corridor and public open space. To preserve and protect quieter neighborhood streets, the measures divert traffic to larger capacity roadways such as Sunset Boulevard, Lincoln Way, 19th Avenue, and Sloat Boulevard. The measures include detour and warning signs, turn restrictions, speed tables, speed cushions, and stop signs. Some of these traffic calming measures are located within the coastal zone.

The RPD and SFMTA seek after-the-fact approvals for these two changes to roadway use. Below under *Background* is an explanation of the timing of implementation of the two roadway use changes.

Exhibit 1. *Great Highway Pilot and Coastal Zone Traffic Calming*, illustrates the location of these two project elements.

Background

Upper Great Highway. In April 2020, the Upper Great Highway was closed to private vehicles by the RPD General Manager (GM) under an emergency ordinance. This was in response to the COVID-19-related

Coastal Zone Permit (CTZ) Application: Great Highway Pilot, and Outer Sunset Traffic Management Tools

shelter-in-place order to provide people more space to recreate outdoors while social distancing. In August 2021, the GM issued a directive reopening the Upper Great Highway to private vehicles weekdays starting Monday at 6:00am through Friday at 12:00pm.

The Upper Great Highway is a four-lane vehicular roadway. Existing swing gates are located at Sloat Boulevard to block entry to the northbound lanes and at Lincoln Way to block entry to the south bound lanes. The existing gates are closed when excessive amounts of sand blown onto the road make it unsafe for car travel. An existing multi-use asphalt pathway located within the median between the Upper and Lower Great Highways is used by pedestrians and bicyclists. An existing primarily dirt pathway is located approximately 20 to 30 feet west of the Upper Great Highway along the shoreline.

Traffic Calming Tools. In spring 2020, the Phase 1 Great Highway Traffic Management tools were constructed at the intersections of Great Highway along Lincoln Way and Sloat Boulevard and in the adjacent neighborhood to support the Upper Great Highway closure to private vehicles. These included eight detour and warning signs, a road closure barricade, five turn restrictions, and five speed tables. In April 2021, additional tools were added, including 24 speed cushions, one speed table, and 12 stop signs. In August 2021, the Upper Great Highway was reopened to weekday vehicular use, which resulted in the removal of some of the tools. In November 2021, additional stop signs were added to the Lower Great Highway at Ortega and Ulloa streets. Exhibit 1 includes the Great Highway Traffic Management tools in place as of December 2022 and the coastal zone boundary.

Impact Analysis

Traffic. The SFMTA conducted traffic counts in the Outer Sunset during the following time periods:

- (1) Prior to the COVID-19 pandemic.
- (2) During the period the Upper Great Highway was fully closed to private vehicles (April 2020 to August 2021).
- (3) During the period when the roadway was closed to vehicles only on weekends (August 2021 to present).

The objective was to study how vehicle travel patterns have changed because of the car-free Great Highway. The SFMTA analyzed vehicle volume changes from pre-COVID to Winter 2021. Overall, vehicle volumes decreased on almost all roads studied. In a 2022 SFMTA traffic study during the promenade configuration on Fridays, vehicle traffic on Lower Great Highway and Sunset Boulevard are still below pre-pandemic levels, indicating that diversion from the Upper Great Highway is not significantly impacting these roadways on Fridays.

As discussed above, the SFMTA provided a comprehensive traffic-calming strategy that included seven key intersections adjacent to the Great Highway. This was done to address anticipated safety concerns with the closure of Upper Great Highway, evenly disperse traffic that would have used the Upper Great Highway, maintain safety and access along adjacent local streets, and preserve the neighborhood character of the Outer Sunset. All seven intersections saw a decrease in traffic volume between January and June 2021. These findings indicate that the traffic calming measures were successful in helping to reduce both traffic speed and volume throughout the Outer Sunset.

Coastal Zone Permit (CTZ) Application: Great Highway Pilot, and Outer Sunset Traffic Management Tools

Beach Access. No change to access to the beach would result from the project. Currently, there is no parking on the Upper Great Highway. Visitors can park their vehicles in the vicinity and walk to the beach using the crosswalks that cross Upper Great Highway. During the promenade periods, beach access will be facilitated by easier roadway crossings.

The Pilot will facilitate greater access to outdoor recreation space along the coast. Compared to the visit experienced by a private vehicle on the Upper Great Highway, which lasts approximately five minutes, the visit experienced by a walker or cyclist would last 15 to 45 minutes. The increase in time spent along the coast by promenade visitors results in increased access to a coastal recreation area.

Emergency response access. The proposed project includes swing gates installed in a chicane layout (i.e., staggered and on opposite sides of the roadway). This would allow emergency vehicles to access the western-most lanes of the roadway without needing to stop and open the gates. Emergency vehicles will be able to respond to calls from Ocean Beach more quickly compared to gates that are not staggered. This design supports the continued safe recreational use of Ocean Beach while enhancing the safe recreational use of the roadway by pedestrians and bicyclists during private vehicular closure times.

Litter. The Upper Great Highway vicinity experienced increased litter resulting from increased visitation to the promenade when the highway was closed to vehicles in April 2020. The existing trash cans were overflowing, which led to complaints to RPD. In response, RPD and Recology added waste receptacles within the median at each of the intersections with a crosswalk to the beach. Recology also increased the frequency of collection service to further address the increased volume of waste. Since adding the bins and increased collection, the RPD Zero Waste Coordinator has not received additional complaints regarding trash accumulation at over-full trash cans. RPD's Zero Waste Coordinator and the Park Service Area staff communicate with Recology staff to resolve 311 complaints regarding garbage and to advise of increased service during and after warm weekends for all RPD parks. This communication process will continue with the Great Highway Pilot and RPD believes this will be adequate to address the increase in garbage brought by weekend promenade visitors. In addition, the RPD volunteers' division will explore scheduling periodic beautification along the Great Highway.

Dune and sand management. Over the last several years, the dunes located between the Upper Great Highway and the beach have experienced reduced plant cover and erosion, which over time and in combination with the natural forces of wind and high tides, has led to sand blowing into the roadway. The San Francisco Public Works Department (DPW) annually reduces the size of the dunes to move sand away from the roadway and towards the ocean. The most recent sand relocation project occurred in June 2022.¹ Sporadic closures of the Great Highway due to the buildup of windblown sand on the roadway occur every year during the winter and spring months. The city spends \$300,000 annually to remove sand for an average of 27 closures per year. Since December 2021, the Great Highway has shut 30 times due to sand and other events. Over the past 10 years, the city has spent a total of \$2.6 million. The Great Highway Pilot project will not interfere with this existing sand management program, however, sand on the roadway may be an inconvenience for promenade visitors. As part of the Great Highway Pilot, the DPW will develop a sand management plan.

The Sunset Natural Resiliency Project, led by the SF Estuary Institute and funded by the Coastal Conservancy, is working with a team of public agencies to develop long-term strategies for dune

¹ <https://www.sfpublishworks.org/calendar/annual-ocean-beach-sand-relocation-project-starts-week>

Coastal Zone Permit (CTZ) Application: Great Highway Pilot, and Outer Sunset Traffic Management Tools

management. The goal of this project is to identify best management practices for stabilizing the dune vegetation. SFRPD is a partner within the project and will pursue implementation of the measures developed by the project. In the meantime, the department employs low post and rope fencing along the inland side of the dunes that discourage visitors from creating social paths on the dunes. The department will repair deteriorated post and rope fencing and add signage along the existing pathways encouraging walkers to use the official beach entrances where there are crosswalks on the Upper Great Highway.

Exhibit 2. *Ocean Beach Dune Retreat at Judah, 2002-2022*, shows how over time wind and high tides have led to dune erosion.

Achieving our Citywide Goals

There are many public benefits in using the Upper Great Highway as an open space, which aligns with shared city goals and adopted policies. These include:

- The **Transit-First Policy**, which prioritizes public transit and promotes access and safety for transit, bicycling, walking, and other alternatives to individual vehicles, and is built upon in **SFMTA's Strategic Plan** and the **Vision Zero Action Plan**.
- Ongoing work to update the **Climate Action Plan**, which charts a pathway to achieve net zero greenhouse gas (GHG) emissions by 2050 by shifting trips from vehicles to walking, biking, and other active transportation modes to promote access and safety.
- Builds on the **Western Shoreline Area Plan** and supports numerous policy goals outlined in the **General Plan**, particularly the **Recreation and Open Space Element** and strategies in **RPD's Strategic Plan** to increase access to open space.

The department has reviewed consistency of these roadway changes with the applicable sections of the Western Shoreline Area Plan and the Coastal Act. Analysis of project consistency with relevant policies is attached.

Conclusion

Whether it is a playground, promenade or open green field, **parks and open spaces are a respite**, people value them as an extension of their community. A recent survey by the National Recreation and Park Association found that 83% of American adults agree that visiting their local parks, trails, and open spaces are essential for their mental and physical well-being. The benefits of parks are long-lasting and planning for better days ahead will ensure that our open spaces are resilient.

The Great Highway Pilot will provide a more consistent experience for park visitors and allow more robust data collection on the Great Highway's usage as a roadway and promenade.

Coastal Zone Permit (CTZ) Application: Great Highway Pilot, and Outer Sunset Traffic Management Tools

Exhibits

1. Great Highway Pilot and Coastal Zone Traffic Calming
2. Ocean Beach Dune Retreat at Judah, 2002-2022

Attachments

- A. Great Highway Pilot: project description, map, pictures, and plans
- B. Consistency with the Western Shoreline Area Plan and Coastal Act Policies
- C. CEQA Exemption Determination for the Great Highway Pilot, Case No. 2022-007356ENV
- D. General Plan Referral for the Great Highway Pilot, Case No: 2022-008878GPR
- E. GM directive for Upper Great Highway, August 15, 2021
- F. CEQA Exemption Determination for GM directive, weekday reopening, August 15, 2021



- RPD Parks
- Non-RPD Parks
- Great Highway Pilot
- Turn Restriction
- Stop Sign
- Speed Table
- Speed Hump
- Speed Cushion
- Signage/Detour
- Detour Warning
- Barricade
- Coastal Zone
- One Way
- Bike Lane
- Car Free Street
- Partially Car Free Street
- Additional Car Free Streets (pre 2022)



EXHIBIT 2

Ocean Beach Dune Retreat: 2002-2022 @ Judah St



Attachment A: Great Highway Pilot Project Information

Pilot Project Summary

The Great Highway project would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles¹. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time.

- Promenade: Friday at 12 noon to Monday at 6:00am, plus holidays
- Vehicular Roadway: Monday 6:00am to Friday 12 noon, excluding holidays

At the time the roadway is closed to private motor vehicles, the roadway would become a bicycle and pedestrian promenade, used for active transportation modes, including bicycles, walkers, runners, scooter riders, skateboarders, and motorized wheelchairs, etc.

The location of the project is shown in Map 1.

Approval Action and Pilot Period

The San Francisco Board of Supervisors approval of legislation for the pilot (board file number 220875) constituted the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code section 31.04(h). The pilot began upon such legislative approval, approved by the Board of Supervisors on December 13, 2022, and would end on December 31, 2025, unless extended by ordinance. The project would include data collection during this pilot period, as described below.

Project Background

The Great Highway has been under the jurisdiction of the Recreation and Park Commission since the 1870s. The Upper Great Highway is a four-lane vehicular roadway. There are existing swing gates located at the intersection of Sloat Boulevard and Upper Great Highway to block the northbound lanes and at the intersection of Lincoln Way and Upper Great Highway to block the southbound lanes. The gates are closed when excessive amounts of sand blown onto the road make it unsafe for car travel. An existing multi-use pathway located within the median between the Upper and Lower Great Highway is used by walkers and cyclists. An existing dirt pathway located west of the Upper Great Highway along Ocean Beach is used by walkers.

In April 2020, the roadway was closed to private vehicles by the Recreation and Park Department (RPD) General Manager under an emergency ordinance. This was in response to the COVID-19-related shelter-in-place order to provide people more space outdoors while social distancing. In August 2021, the

¹ Examples of permitted vehicles include official City, State, or federal vehicles being used to perform official City, State, or federal business (e.g., sand removal), intra-park shuttle busses, paratransit vans, and others as defined by the legislation.

General Manager issued a directive reopening the Upper Great Highway to private vehicles weekdays starting Monday at 6:00am through Friday at 12:00pm (noon), excluding holidays.

The Great Highway extension south of Sloat Boulevard is currently open to vehicular traffic; however, this stretch is planned to be permanently closed to vehicular traffic in 2024 as part of the Ocean Beach Climate Change Adaptation Project (Planning Department case number 2019-020115ENV).

The San Francisco County Transportation Authority conducted a “Great Highway Concepts Evaluation Report” (September 2022) for the long-term future of the Upper Great Highway. This pilot would be an extension of that report and would support pedestrian and bicyclist usage based on an evaluation in the report.²

Pilot Physical Changes:

To create a protected bicycle and pedestrian facility on weekends and holidays, and to prevent vehicles from entering the roadway during sand closures, flooding and promenade days, the project would install new swing gates with road closure signage on Upper Great Highway to restrict private vehicle access. The existing swing gates may be modified for reuse with this project or removed and replaced.

At the intersection with Sloat Boulevard and Upper Great Highway, the project would install swing gates at the entry of the northbound lanes. The new swing gates would be arranged in a chicane layout (i.e., staggered and on opposite sides of the roadway) at the exit of the south-bound lanes.

At the intersection with Lincoln Way and Upper Great Highway, there would be a similar “chicane” design. See Existing and Proposed illustrations of the two intersections, attached.

The chicane layouts would allow emergency vehicles and other permitted vehicles to access the Upper Great Highway without needing to stop and open the gates. This would allow emergency vehicles to better respond to calls from Ocean Beach and would support the continued safe recreational use of Ocean Beach while enhancing the safe recreational use of the roadway by pedestrians and bicyclists during private vehicular closure times.

The project would maintain vehicle access on the Great Highway north of Lincoln Way, along the Lower Great Highway, and other areas (e.g., throughout the Sunset District). The project would not change the existing multi-use pathway within the median between the Upper and Lower Great Highway or the dirt path west of Upper Great Highway along Ocean Beach.

² For example, section 2.2 of the report evaluates the bicycle and pedestrian usage of five different concepts for the Great Highway. The section identifies a four-lane roadway for vehicles projected to have the lowest bicycle and pedestrian usage of the concepts (which is pre-COVID-19 conditions), and a timed promenade (which is this pilot) having a medium amount of bicycle and pedestrian usage, or more bicycle and pedestrian usage than a four-lane roadway. https://www.sfcta.org/sites/default/files/2022-09/SFCTA_Great-Highway-Evaluation-Report_2021-07-13_FINAL_a.pdf.

Pilot Data Collection

Throughout the duration of the pilot program, RPD and San Francisco Municipal Transportation Agency (SFMTA) staff would collect and publicly report data on pedestrian and cyclist usage and vehicular traffic on the Upper Great Highway and surrounding streets at regular intervals. The pilot does not propose any changes to traffic management (e.g., changing traffic signal timings) or parking. The pilot would collect data on promenade users (detailed list below), conduct public outreach, and conduct network analysis of the broader circulation system to inform recommendations for the future use of the Upper Great Highway, including consideration of data collected because of permanent closure of vehicular traffic on the Great Highway extension south as part of the Ocean Beach Climate Change Adaptation Project (anticipated in 2024). Data collection would include:

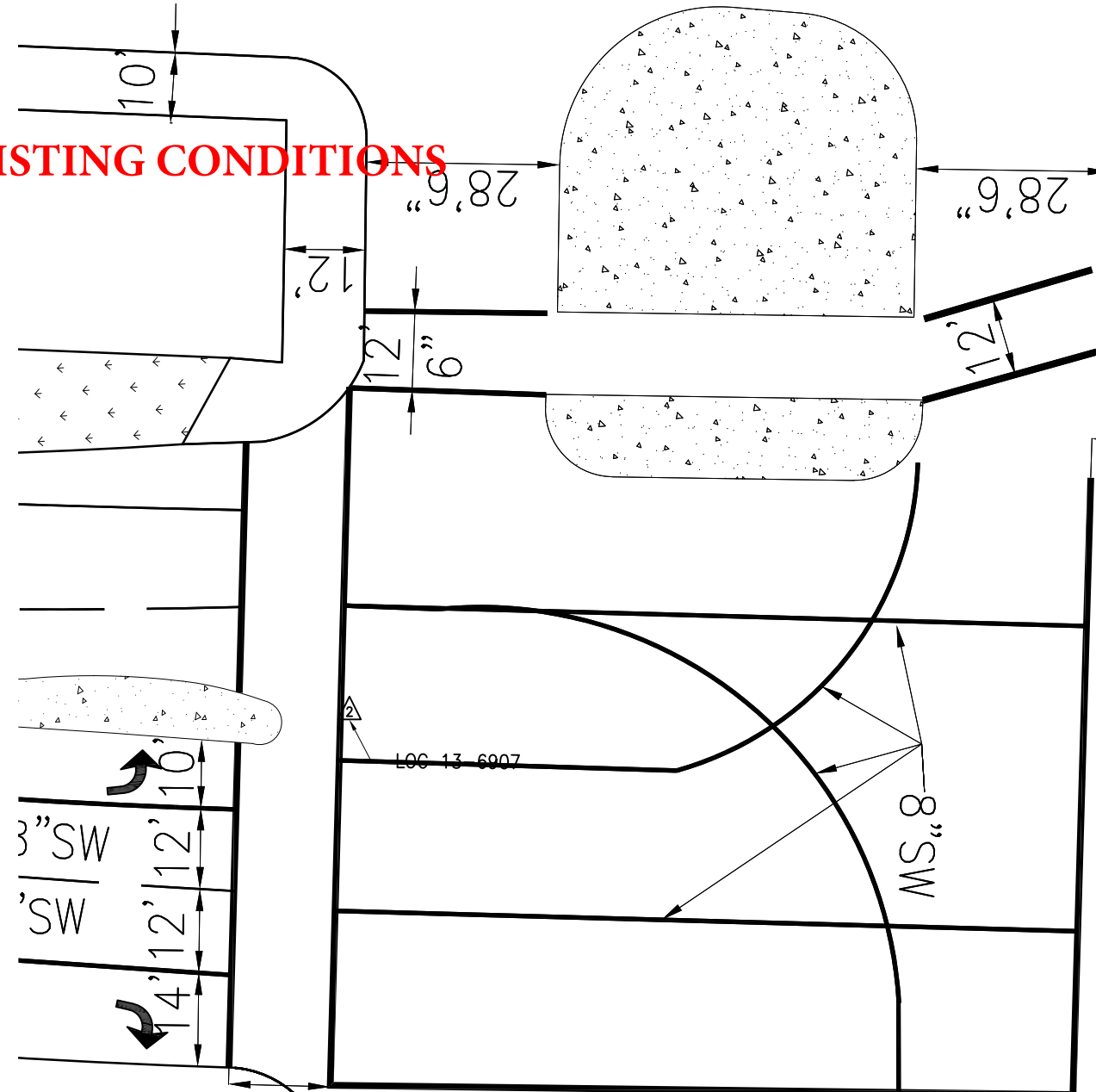
1. Vehicular traffic counts, speeds, travel times, and turning movements using tube counts, video counts, and/or disaggregated cellular data along the Great Highway and nearby intersections and side streets.
2. Bicycle counts using tube counts, video counts, infrared counters, and/or disaggregated cellular data along the Great Highway and nearby intersections and side streets.
3. Pedestrian and other mode counts using video counts, infrared counters, observation, and/or disaggregated cellular data along the Great Highway and nearby intersections.
4. Length of stay by all modes using cellular data, intercept surveys, and/or public life study methodology.
5. Design efficacy and safety assessing whether vehicles are yielding to pedestrians and pedestrians and bicyclists are complying with traffic signals using video data and/or observation.
6. Surveys of non-motorized users and drivers; solicit suggestions from all users; solicit user demographics.

RPD and SFMTA would determine exact locations for data collection after the San Francisco Board of Supervisors approval of the pilot.

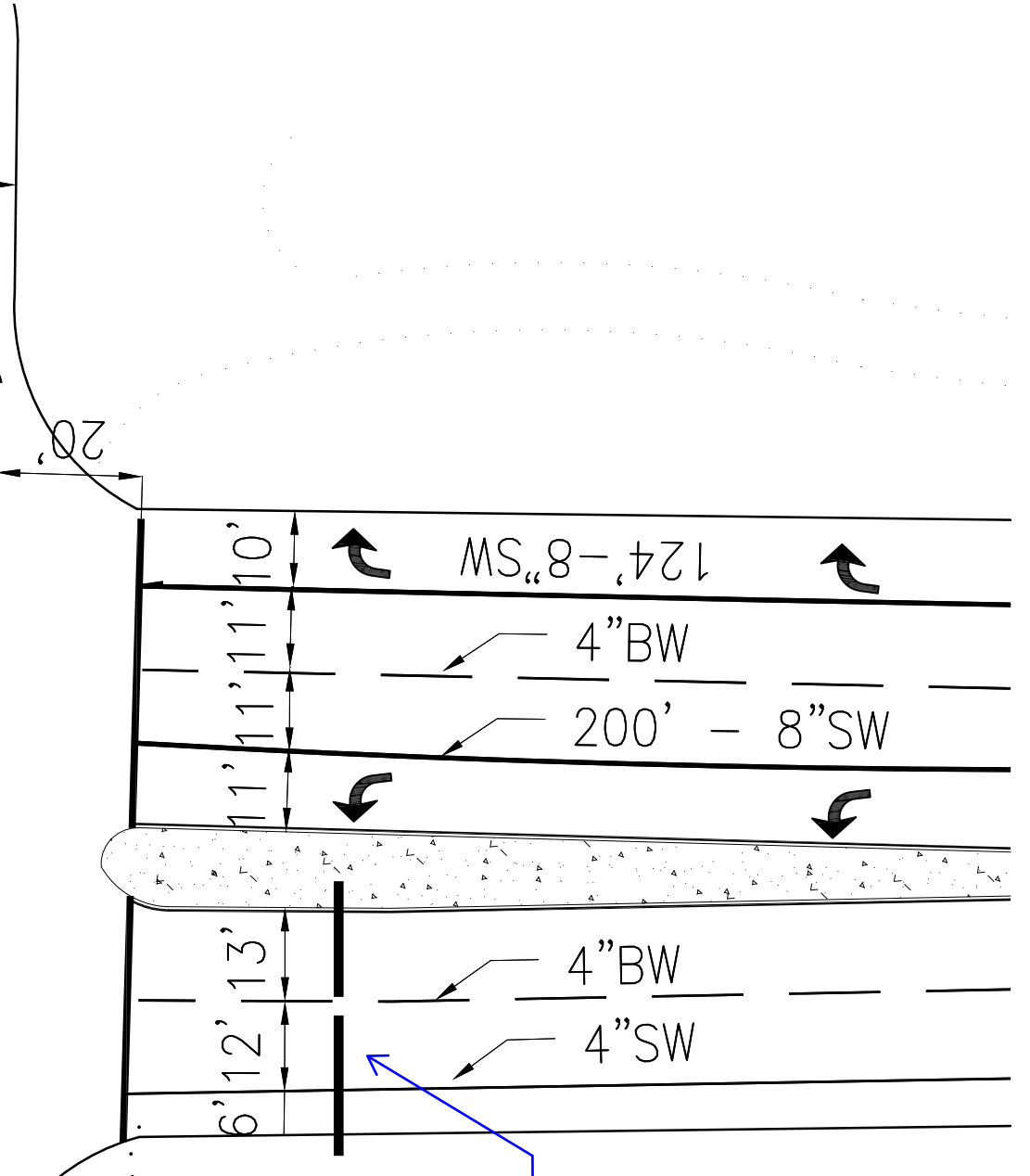
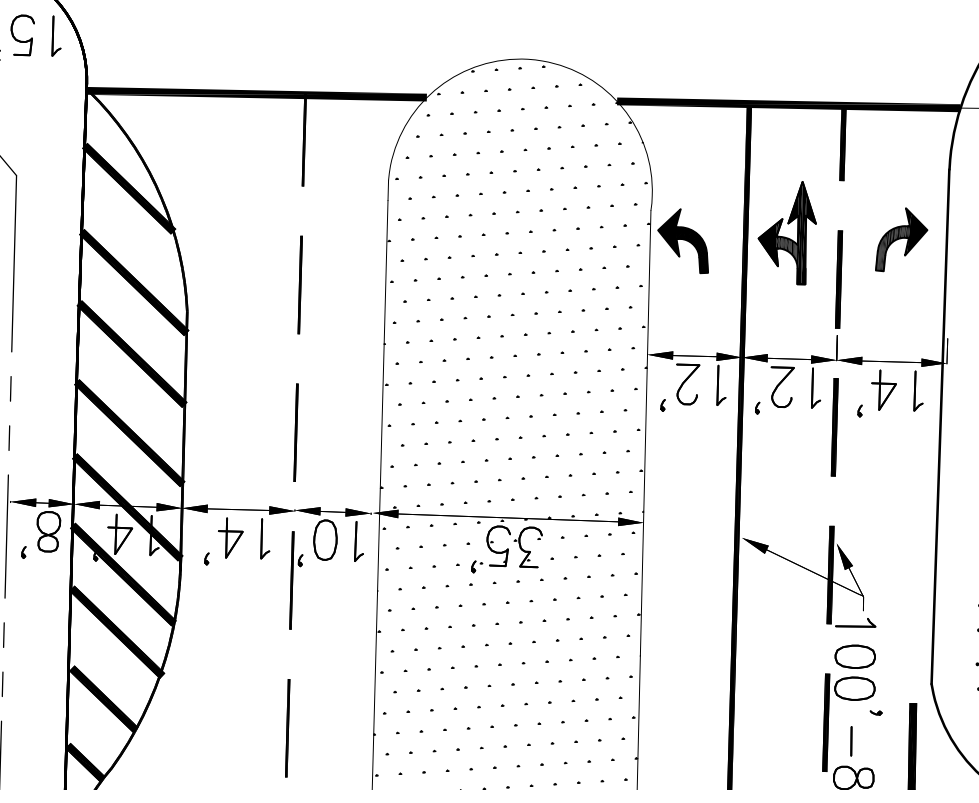
Map 1: Great Highway Project Location



EXISTING CONDITIONS



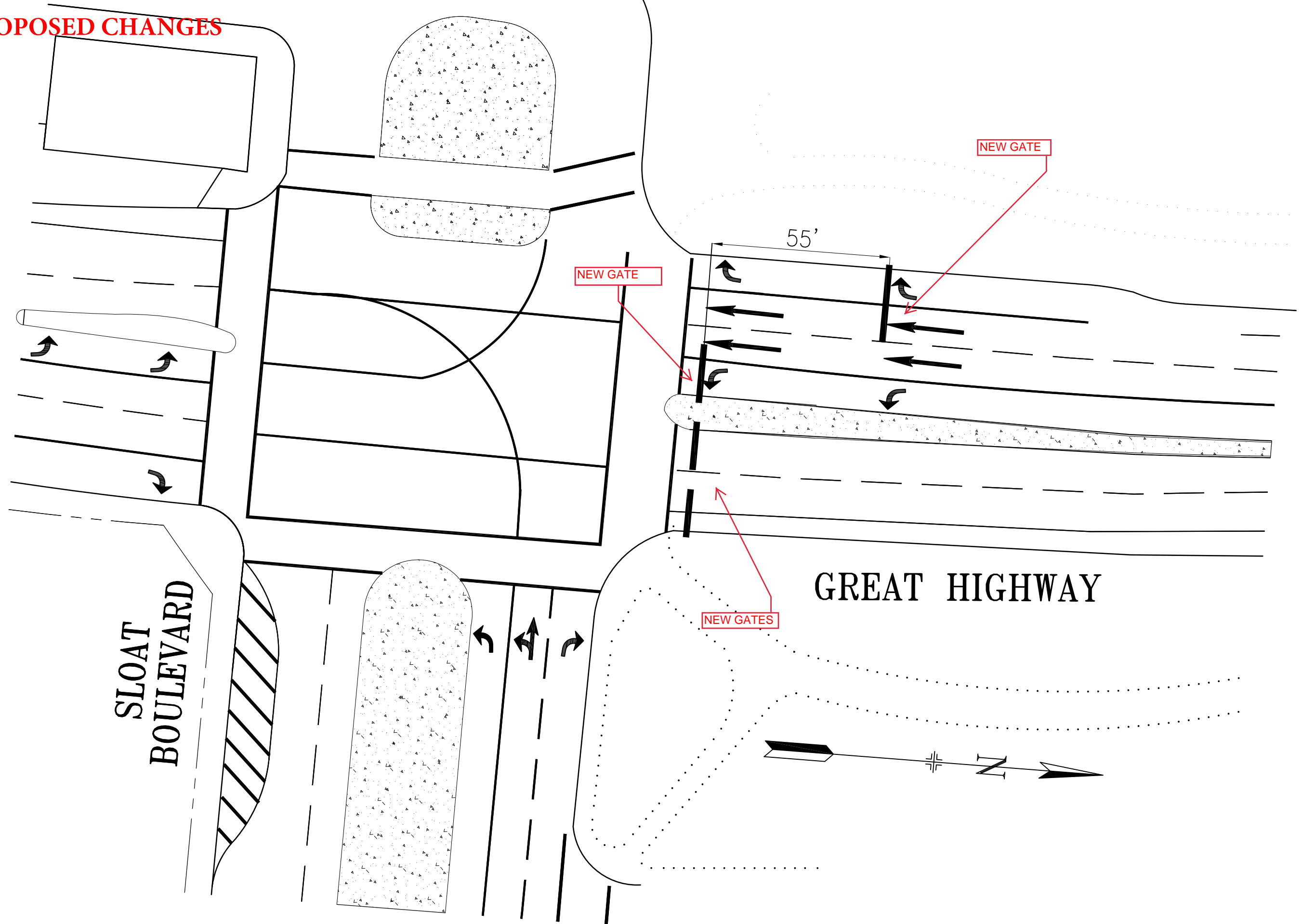
SLOAT BOULEVARD



EXISTING GATES

GREAT HIGHWAY

PROPOSED CHANGES



**SLOAT
BOULEVARD**

GREAT HIGHWAY

NEW GATE

NEW GATE

NEW GATES

55'

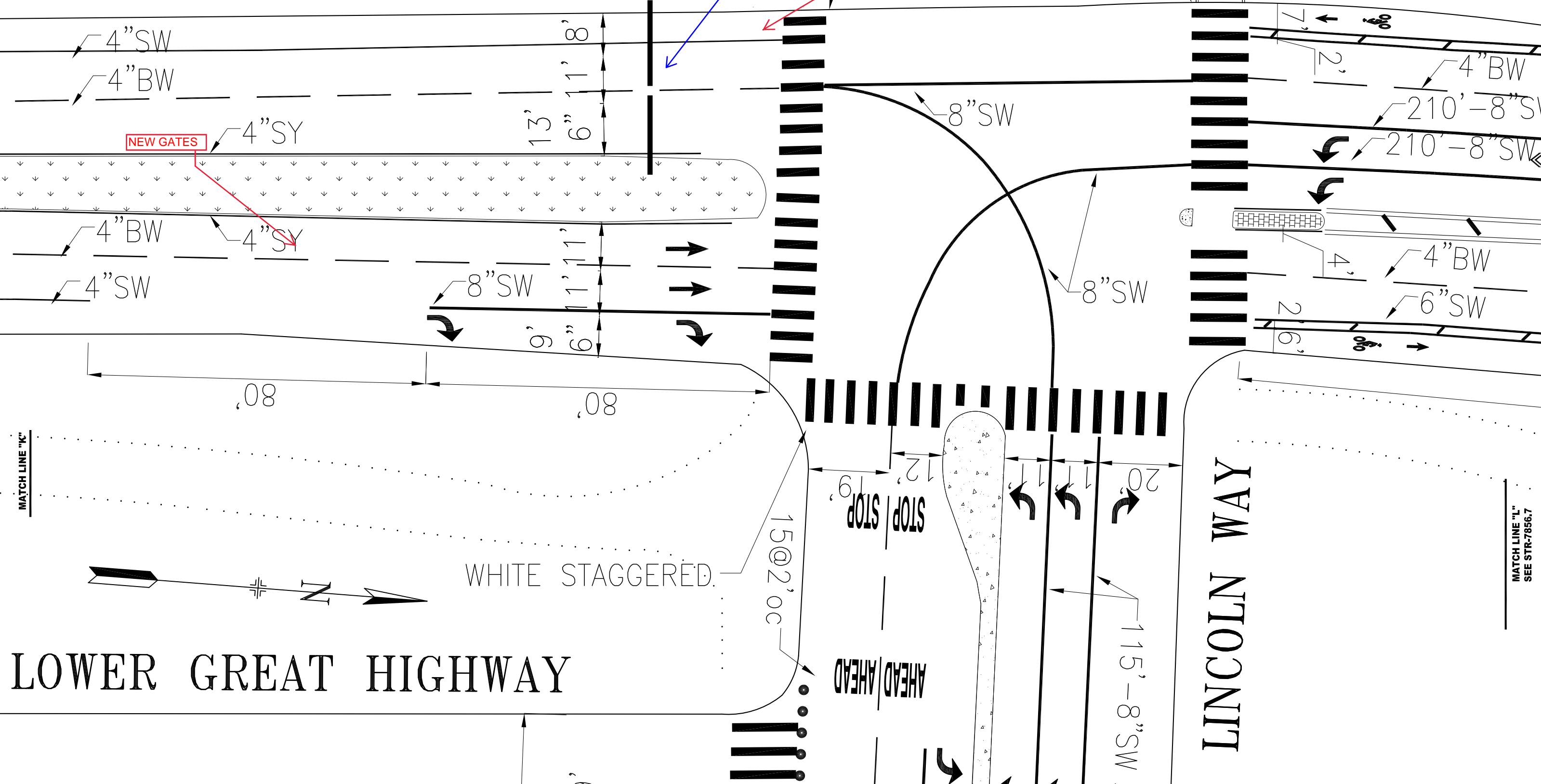
EXISTING CONDITIONS

GREAT HIGHWAY

EXISTING GATES

NEW GATES

WHITE STAGGERED
CONTINENTAL



LOWER GREAT HIGHWAY

LINCOLN WAY

MATCH LINE "L"
SEE STR-7856.7

PROPOSED CHANGES

GREAT HIGHWAY

NEW GATES
14'-16'

NEW GATE
14'-16'

NEW GATE
16'-18'

55'

2 NEW
THRU ARROWS

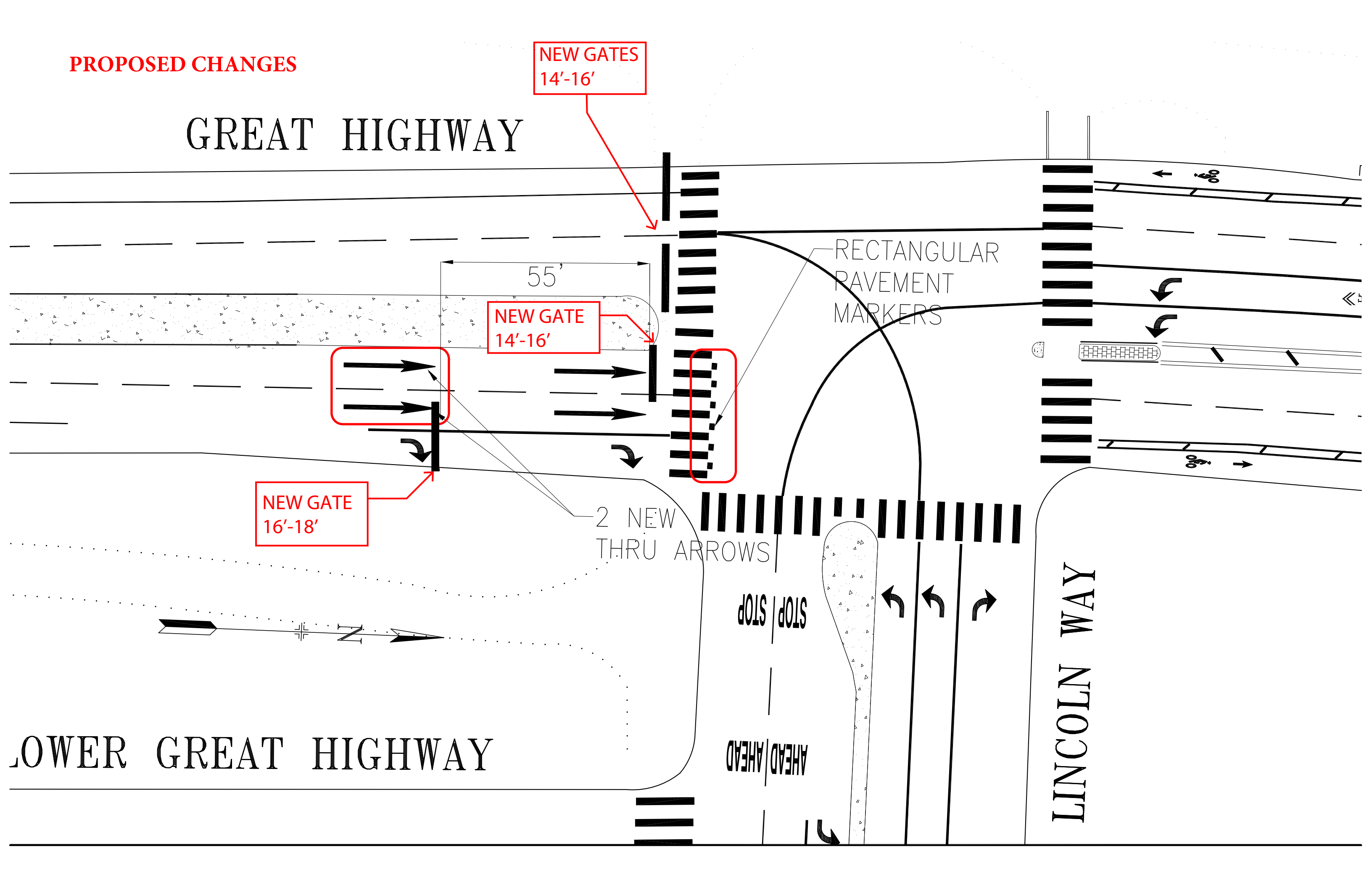
RECTANGULAR
PAVEMENT
MARKERS

STOP / STOP

AHEAD / AHEAD

LINCOLN WAY

LOWER GREAT HIGHWAY



GREAT HIGHWAY AT SLOAT BOULEVARD (looking north)



GREAT HIGHWAY AT LINCOLN WAY (looking south)



Western Shoreline Area Plan

Objective 2

REDESIGN THE GREAT HIGHWAY TO ENHANCE ITS SCENIC QUALITIES AND RECREATIONAL USE.

POLICY 2.1

Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

Discussion.

The proposed project is partially consistent with this policy. The proposed change of use of the Upper Great Highway from exclusive vehicles use seven days a week to allowing only pedestrians, bicycles and other non-automobile recreational use on the weekends would increase the public's access to outdoor recreation space within the coastal zone, consistent with the policy goal of providing recreational trails for bicycles and pedestrians. The policy emphasis on slow pleasure traffic indicates the policy does not intend the roadway for through traffic. Existing vehicular traffic on the Upper Great Highway is primarily regular or through traffic, which is not supported by policies in the Western Shoreline Area Plan.

This policy proposes multiple recreational "trails." Closure of the Great Highway to vehicular traffic on weekends would enhance the existing capacity of the area for bicycles and pedestrians. The current 10-foot multi-use trail on the median between the upper and lower Great Highway is not adequate for both bicycles and pedestrians. The shoulders on the Great Highway do not provide for comfortable bicycle travel due to the vehicular speeds facilitated by a straight four-lane highway. This pilot project would significantly enhance Great Highway's scenic quality and recreational use, improve safe pedestrian access to the beach, and make no changes to public vehicular parking access.

Objective 6

MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.

POLICY 6.1

Continue Ocean Beach as a natural beach area for public recreation.

POLICY 6.2

Improve and stabilize the sand dunes where necessary with natural materials to control erosion.

POLICY 6.3

Keep the natural appearance of the beach and maximize its usefulness by maintaining the beach in a state free of litter and debris.

Discussion.

The proposed project would enhance the recreational use of the Ocean Beach shoreline by opening a new paved path for bicycles, pedestrians, and other recreational users on weekends. The Ocean Beach area will remain a natural beach area; the project will allow more people to enjoy outdoor recreation within the coastal zone adjacent to the beach. The project does not propose any changes to the sand

Attachment B - Consistency with the Western Shoreline Area Plan and Coastal Act Policies

dunes. The department is participating in the Sunset Natural Resiliency Project, led by the SF Estuary Institute, and funded by the Coastal Conservancy. The project is working with a team of public agencies to develop long-term strategies for dune management. The goal of this project is to identify best management practices for stabilizing the dune vegetation. SFRPD is a partner within the project and will pursue implementation of the measures developed by the project. Additionally, the department employs low post and rope fencing along the inland side of the dunes that discourage visitors from creating social paths on the dunes. The department will repair deteriorated post and rope fencing and add signage along the existing pathways encouraging walkers to use the official beach entrances where there are crosswalks on the Upper Great Highway.

The project would not result in changes to the natural appearance of the beach; physical changes include replacement of two existing and installation of two new access-control gates on the Upper Great Highway. The project will allow more park visitors to enjoy views of the beach during the weekend promenade. Regarding litter and debris, RPD and Recology added waste receptacles within the median at each of the intersections of the Great Highway with a crosswalk to the beach. Recology also increased the frequency of collection service to address the increased volume of waste from promenade visitors.

Objective 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

POLICY 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

Discussion.

As part of the project, the SFMTA provided a comprehensive traffic-calming strategy that included seven key intersections adjacent to the Great Highway. This was done to address anticipated safety concerns with the closure of Upper Great Highway, evenly disperse traffic that would have used the Upper Great Highway, maintain safety and access along adjacent local streets, and preserve the neighborhood character of the Outer Sunset. All seven intersections saw a decrease in traffic volume between January and June 2021. These findings indicate that the traffic calming measures were successful in helping to reduce both traffic speed and volume in the Outer Sunset, thereby maintaining the neighborhood environment. The traffic calming measures include detour and warning signs, a road closure barricade, turn restrictions, speed tables, speed cushions, and stop signs. As discussed above, as part of this project RPD and Recology added waste receptacles and increased the frequency of collection service to address the increased volume of waste from promenade visitors.

Coastal Act Policies

Article 2. Public Access

Policy 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse

Policy 30214

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Discussion.

The proposed change of use of the Upper Great Highway roadway from exclusive vehicles use to allowing pedestrians, bicycles and other non-automobile recreation use on the weekends would increase the public's access to outdoor recreation space within the coastal zone, consistent with these Public Access policies.

Article 5. Land Resources

Policy 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

Attachment B - Consistency with the Western Shoreline Area Plan and Coastal Act Policies

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Discussion.

The proposed change of use of the Upper Great Highway roadway from exclusive vehicles use to allowing pedestrians, bicycles and other recreation use on the weekends would not result in a disruption of environmentally sensitive habitat. The area of change of use, Upper Great Highway roadway, is not a sensitive habitat. Adjacent to the Upper Great Highway are sand dune and coastline habitat of the coastal zone. Outdoor recreation is an appropriate use adjacent to this coastal habitat and existing recreation area.

Article 6. Development

Policy 30251.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Discussion.

The proposed project, a change of use on the Upper Great Highway to allow pedestrians, bicycles and other recreational uses on the weekends, would not result in the construction of new buildings or structures or alteration of land forms. Existing vehicle access control gates on the roadway would be replaced, and two new gates would be installed. These physical changes would not result in impacts to views of the ocean and would not change the existing visual quality of the area.

Policy 30252.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development

Discussion.

The proposed project, a change of use on the Upper Great Highway to allow pedestrians, bicycles and other recreational uses on the weekends, would not result in the construction of new buildings or structures. The project would enhance public access to the coast by increasing non-automobile outdoor recreation in the coastal area. The increase recreational area will serve both existing and new residents.

Policy 30253.

Attachment B - Consistency with the Western Shoreline Area Plan and Coastal Act Policies

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Discussion.

The proposed change of use to weekend non-automobile recreation access and construction of vehicle access control gates, would not introduce risks to life or property, create nor contribute significantly to erosion or geologic instability, destroy the site or surrounding area, or require construction of coastal protective devices. The project would not result in any air quality impacts because it does not introduce new emission sources. The project does not increase energy consumption or vehicle miles traveled as the project promotes non-motorized recreation and transportation. The project would enhance the recreational value of the area by creating a new, safe space for pedestrians and bicyclists to experience the coastal area on weekends. The project installed a comprehensive traffic calming strategy including stop signs, speed cushions, and speed tables within Outer Sunset in Spring 2021. These traffic calming measures preserve safety and divert traffic to higher capacity streets such as Lincoln Way and Sunset Boulevard, thereby maintaining the neighborhood quality of smaller roadways.

Policy 30255.

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Discussion.

The project does not propose development per-se, but the proposed change of use to allow recreational activities on the Upper Great Highway on weekends is dependent on the proximity of the existing roadway to the shoreline. The location of the roadway within a coastal area provides a desirable location for outdoor recreation. The project would not affect any wetlands.



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
The Great Highway Project		
Case No.		Permit No.
2022-007356ENV		
<input checked="" type="checkbox"/> Addition/Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval.</p> <p>The San Francisco Recreation and Parks Department (RPD) proposes the Great Highway Project, which would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time.</p> <p>See attachments for a full project description and project plans.</p> <p>Attachment A, project description and project plans, omitted to reduce redundancy in CZT application</p>		

STEP 1: EXEMPTION TYPE

The project has been determined to be exempt under the California Environmental Quality Act (CEQA).	
<input type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input checked="" type="checkbox"/>	<p>Other _____</p> <p>Statutory Exemption per Public Resources Code section 21080.25 as demonstrated in the attached Senate Bill 288 Eligibility Checklist</p>
<input type="checkbox"/>	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment. FOR ENVIRONMENTAL PLANNING USE ONLY

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? <i>(refer to The Environmental Information tab on the San Francisco Property Information Map)</i></p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant. (refer to The Environmental Information tab on the San Francisco Property Information Map)</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to The Environmental Information tab on the San Francisco Property Information Map)</i> If box is checked, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? <i>(refer to The Environmental Planning tab on the San Francisco Property Information Map)</i> If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone:</p> <p>Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? <i>(refer to The Environmental tab on the San Francisco Property Information Map)</i> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional):</p> 	

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Property Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. NOT APPLICABLE
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. <i>(Attach HRER Part I)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify):</i> <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i>
<input type="checkbox"/>	2. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required)</i> :
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

**STEP 6: EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input checked="" type="checkbox"/>	No further environmental review is required. The project is exempt under CEQA.	
	Project Approval Action: Approval via majority YES Vote of Board of Supervisors	Signature: Ryan Shum 09/28/2022
<p>Once signed or stamped and dated, this document constitutes a n exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.</p>		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed to the Environmental Review Officer within 10 days of posting of this determination.	
Planner Name:	Date:



Eligibility Checklist: Senate Bill 288 (SB288) and Public Resources Code Section 21080.25

Date of Preparation: September 28, 2022
Record No.: 2022-007356ENV, **The Great Highway Project**
Project Sponsor: Jordan Harrison, San Francisco Recreation and Parks Department
Staff Contact: Ryan Shum, ryan.shum@sfgov.org, (628) 652-7542

PROJECT DESCRIPTION

The Great Highway project would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time.

The full project description and additional project information is attached to this checklist as Attachment A. Project plans are included as Attachment B.

Constructed by:
 Public Works
 SFMTA
 RPD

Contracted through:
 Public Works
 SFMTA
 RPD

Attachment A,
project description
and project plans,
omitted to reduce
redundancy in
CZT application

SB288 ELIGIBILITY CHECKLIST

This project, as proposed, would be eligible for a Statutory Exemption per Public Resources Code section 21080.25 as demonstrated below.

<p>Table 1: Project Type Checklist – Public Resources Code Section 21080.25(b)</p> <p>The project must meet at least one project type to qualify for this Statutory Exemption. See Attachment 1 below for definitions of terms.</p>	
<input checked="" type="checkbox"/>	(1) Pedestrian and bicycle facilities, including new facilities. For purposes of this paragraph, “bicycle facilities” include, but are not limited to, bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code.
<input type="checkbox"/>	(2) Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians.
<input type="checkbox"/>	(3) Transit prioritization projects.
<input type="checkbox"/>	(4) On highways with existing public transit service or that will be implementing public transit service within six months of the conversion, a project for the designation and conversion of general purpose lanes or highway shoulders to bus-only lanes, for use either during peak congestion hours or all day.
<input type="checkbox"/>	(5) A project for the institution or increase of new bus rapid transit, bus, or light rail service, including the construction of stations, on existing public rights-of-way or existing highway rights-of-way, whether or not the right-of-way is in use for public mass transit.
<input type="checkbox"/>	(6) A project to construct or maintain infrastructure to charge or refuel zero-emission transit buses, provided the project is carried out by a public transit agency that is subject to, and in compliance with, the State Air Resources Board’s Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations) and the project is located on property owned by the transit agency or within an existing public right-of-way.
<input type="checkbox"/>	(7) The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in items (1) to (6) above, inclusive.
<input type="checkbox"/>	(8) A project that consists exclusively of a combination of any of the components of a project identified in items (1) to (7) above, inclusive.
<input type="checkbox"/>	(9) A project carried out by a city or county to reduce minimum parking requirements.

(continued on the following page)

Table 2: Other Project Eligibility Criteria – Public Resources Code Section 21080.25(c)	
The project must meet all the criteria listed below to qualify for this Statutory Exemption. See Attachment 1 below for definitions of terms. Note: Table 2 does not apply to a project carried out by a city or county to reduce minimum parking requirements.	
<input checked="" type="checkbox"/>	(1) A public agency is carrying out the project and is the lead agency for the project.
<input checked="" type="checkbox"/>	(2) The project is located in an urbanized area.
<input checked="" type="checkbox"/>	(3) The project is located on or within an existing public right-of-way (or on property owned by the transit agency per Table 1, Item 6 above).
<input checked="" type="checkbox"/>	(4) The project shall not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles, such as extended merging lanes. The project shall not include the addition of any auxiliary lanes.
<input checked="" type="checkbox"/>	(5) The construction of the project shall not require the demolition of affordable housing units.
<input checked="" type="checkbox"/>	(6) The project would not exceed one hundred million dollars (\$100,000,000) in 2020 United States dollars. ¹
¹ If the project exceeds \$100,000,000, then Section 21080.25(c)(6) imposes additional requirements. Please consult with the Planning Department staff.	
Table 3: Project Labor Requirements – Public Resources Code Section 21080.25(d)	
In addition to meeting the criteria in Table 2, the project must meet labor requirements to qualify for a Statutory Exemption. See Attachment 1 below for definitions of terms. Note: Table 3 does not apply to a project carried out by a city or county to reduce minimum parking requirements.	
<input type="checkbox"/>	(1) Before granting an exemption under this section, the lead agency shall certify that the project will be completed by a skilled and trained workforce. (2) (A) Except as provided in subparagraph (B), for a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. (B) Subparagraph (A) does not apply if any of the following requirements are met: (i) The lead agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project or the lead agency has contracted to use a skilled and trained workforce and the entity has agreed to be bound by that project labor agreement. (ii) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the lead agency before January 1, 2021. (iii) The lead agency has entered into a project labor agreement that will bind the lead agency and all its subcontractors at every tier performing the project or the lead agency has contracted to use a skilled and trained workforce.
<input type="checkbox"/>	A portion of the project would be constructed by SFMTA and/or Public Works Shops and this portion would not require the use of contractors for labor.
<input checked="" type="checkbox"/>	Not Applicable. The project would be entirely constructed by RPD, SFMTA and/or Public Works Shops and would not require the use of contractors for labor.

ATTACHMENT 1: DEFINITIONS

Definitions for terms 1 through 8 are the same as provided in the text of Senate Bill 288.

- (1) **“Affordable housing”** means any of the following:
 - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents or sales prices to levels affordable, as defined in Section 50052.5 or 50053 of the Health and Safety Code, to persons and families of moderate, lower, or very low income, as defined in Section 50079.5, 50093, or 50105 of the Health and Safety Code, respectively.
 - (B) Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.
 - (C) Housing that had been occupied by tenants within five years from the date of approval of the development agreement by a primary tenant who was low income and did not leave voluntarily.

- (2) **“Highway”** means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. “Highway” includes a street.

- (3) **“New automobile capacity”** means any new lane mileage of any kind other than sidewalks or bike lanes.

- (4) **“Project labor agreement”** has the same meaning as defined in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

- (5) **“Skilled and trained workforce”** has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

- (6) **“Transit lanes”** means street design elements that delineate space within the roadbed as exclusive to transit use, either full or part time.

- (7) **“Transit prioritization projects”** means any of the following transit project types on highways:
 - (A) Signal coordination.
 - (B) Signal timing modifications.
 - (C) Signal phasing modifications.
 - (D) The installation of wayside technology and onboard technology.
 - (E) The installation of ramp meters.
 - (F) The installation of dedicated transit or very high occupancy vehicle lanes, and shared turning lanes.

- (8) **“Very high occupancy vehicle”** means a vehicle with six or more occupants.

- (9) For the purpose of this statutory exemption, **bikeway** is defined the same way as in Section 890.4 of the California Streets and Highways Code. “Bikeway” means all facilities that provide primarily for, and promote, bicycle travel. Bikeways shall be categorized as follows:
 - (a) Bike paths or shared use paths (Class I bikeways) provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows

by motorists minimized.

(b) Bike lanes (Class II bikeways) provide a restricted right-of-way designated for the exclusive or semi exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.

(c) Bike routes (Class III bikeways) provide a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. In San Francisco, many of these routes are marked with shared lane markings referred to as sharrows.

(d) Cycle tracks or separated bikeways (Class IV bikeways) promote active transportation and provide a right-of-way designated exclusively for bicycle travel adjacent to a roadway and which are separated from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

(10) Pedestrian Facilities as a term is not defined in Senate Bill 288. The Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) is a national standard approved by the Federal Highway Administrator in accordance with Title 23 of the U.S. Code. In the MUTCD, **Pedestrian Facilities** is “a general term denoting improvements and provisions made to accommodate or encourage walking.”² This definition will be used by San Francisco Planning Department to determine if a project or project component includes a pedestrian facility and meets the eligibility criteria of SB288.

² U.S. Department of Transportation, Federal Highway Administration. 2009. *Manual on Uniform Traffic Control Devices for Streets and Highways*. See page 17. Online at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. Accessed December 21, 2020



GENERAL PLAN REFERRAL

September 28, 2022

Case No.: 2022-008878GPR
Block/Lot No.: Upper Great Highway between Lincoln and Sloat
Project Sponsor: City and County of San Francisco, Recreation and Parks Dept
Applicant: Jordan Harrison (628) 652-6614
 jordan.harrison@sfgov.org
Staff Contact: Trent Greenan (415) 575-9097
trent.greenan@sfgov.org

Recommended By:


 AnMarie Rddgets, Director of Citywide Policy for
 Rich Hillis, Director of Planning

Recommendation: Finding the project, on balance, is **in conformity** with the General Plan

Project Description

The Great Highway Pilot project will transition the current temporary status of “car-free” Great Highway during specified times into a permanent designation. The project would create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed, the roadway will be available to pedestrians, bicyclists, maintenance vehicles, permitted vehicles, and emergency vehicles. The roadway will continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time. This Pilot is proposed as a three-year study to enable more recreational use and data gathering that could inform future actions.

The Great Highway has been under the jurisdiction of the Recreation and Park Commission since the 1870s. In March 2020, the roadway was closed to private vehicles by the RPD General Manager (GM) under an emergency ordinance. This was in response to the COVID-19-related shelter-in-place order to provide people more space to recreate outdoors while social distancing. Ultimately, the road was incorporated into part of the Slow Streets initiative, which continues as a temporary emergency response while San Francisco remains under a [State-of-Emergency](#) amidst the ongoing COVID-19 pandemic. In August 2021, the GM issued a directive reopening the

Upper Great Highway to private vehicles weekdays starting Monday at 6:00am through Friday at 12:00pm. This pilot will maintain these hours of closure and will begin upon legislative approval of the private vehicle restrictions by the SF BOS (anticipated Fall 2022) and end on December 31, 2025.

The re-purposing of the Great Highway during the previous closures has resulted in surge in walking and bicycling along the Great Highway, breaking the record for daily visits three times and setting a record at 11,661 people accessing the promenade in a single day.

Please see attachment A for project description narrative.

Attachment A, project description and project plans, omitted to reduce redundancy in CZT application

Environmental Review

On 9/28/2022, the project was determined to be statutorily exempt from the CEQA per Public Resources Code section 21080.25 (Planning Case No. 2022-007356ENV).

General Plan Compliance and Basis for Recommendation

As described below, the temporary closure of the Great Highway between Lincoln and Sloat is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the Objectives and Policies of the General Plan.

RECREATION AND OPEN SPACE ELEMENT

OBJECTIVE 1

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

POLICY 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

The continued closure of the Great Highway maintains the transformation of a high-speed auto thoroughfare (45 mph speed limit) into a dynamic, inviting promenade with an intimate relationship with Ocean Beach that does not otherwise exist. The project maintains car-free usage during peak recreational times and accommodates a large volume of residents and visitors with for a range of recreational opportunities.

POLICY 1.5

Prioritize the better utilization of McLaren Park, Ocean Beach, the Southeastern Waterfront and other underutilized significant open spaces.

Ocean Beach is one of the city's great open spaces but is currently underutilized. Opening the Great Highway to pedestrians and bicycles on a pilot basis improves the physical and experiential link between the city and beach, encouraging more activity and utilization of an immense public amenity.

POLICY 1.10

Ensure that open space is safe and secure for the City's entire population.

Keeping the Great Highway open to pedestrians and cyclists during peak recreational hours will reduce the risk of injury that would otherwise result from walking across four lanes of traffic to reach the beach. Additionally, the large number of visitors that the closure attracts fosters a safer environment by making pedestrians more visible and therefore more anticipated user of the roadway. Emergency vehicles will continue to have access to the roadway while closed to autos.

OBJECTIVE 2

INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BAY REGION

POLICY 2.2

Provide and promote a balanced recreation system which offers a variety of high quality recreational opportunities for all San Franciscans.

Ocean Beach is the closest major open space for much of the west side of the city. When the Great Highway is dedicated to fast-moving vehicular traffic, a barrier is created between the communities and beach. The project will greatly improve this connection.

POLICY 2.4

Support the development of signature public open spaces along the shoreline.

The permanent closure creates a type of open space that does not currently exist in the city. The project provides a vast, paved promenade enabling a wide range of recreational opportunities and furthers the city's goal of creating continuous open spaces along the ocean.

OBJECTIVE 3

IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE.

POLICY 3.1

Creatively develop existing publicly-owned rights-of-way and streets into open space.

The Great Highway closure is a milestone in furthering the city's goals to use city owned streets as open space. The need to create additional open space to accommodate social distancing during the pandemic identified a larger opportunity to capture public roadway as an amenity for residents and visitors. The closure demonstrated a demand beyond the original intent for dynamic new type of open space.

POLICY 3.2

Establish and implement a network of Green Connections that increases access to parks, open spaces, and the waterfront.

The closure provides a crucial pedestrian and cycling linkage between the Golden Gate Park and the extensive coastal open space to the south.

POLICY 3.4

Encourage non-auto modes of transportation – transit, bicycle and pedestrian access—to and from open spaces while reducing automobile traffic and parking in public open spaces.

The opening up of the roadway to pedestrians and cyclists will substantially encourage non-auto modes of transportation. San Francisco has a transit first policy emphasizing the importance of providing and prioritizing transportation via transit, walking, and bicycling for all trips in the City including to parks and open spaces. The Project would open up walking and cycling along one of the city's biggest open spaces. The current Great Highway endangers pedestrians, limits access to open space, and endangers plant and animal life.

TRANSPORTATION ELEMENT

OBJECTIVE 1

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

POLICY 1.2

Ensure the safety and comfort of pedestrians throughout the city.

The project improves pedestrian safety and comfort by eliminating the need for individuals to cross four lanes of high-speed traffic to reach Ocean Beach during closure hours.

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.2

Reduce pollution, noise, and energy consumption.

By promoting cycling and walking over auto use during the closure the project will reduce pollution, noise, and energy consumption, however, by maintaining automobile use the peak commute hours the project does not advance this policy as much as a complete transition would.

POLICY 2.4

Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.

OBJECTIVE 10

DEVELOP AND EMPLOY METHODS OF MEASURING THE PERFORMANCE OF THE CITY'S TRANSPORTATION SYSTEM THAT RESPOND TO ITS MULTI-MODAL NATURE.

POLICY 10.1

Assess the performance of the city's transportation system by measuring the movement of people and goods rather than merely the movement of vehicles.

The pilot will examine how the Upper Great Highway between Lincoln Way and Sloat Boulevard is used by pedestrians, bicyclists, vehicles, and other modes during the pilot period. The pilot does not propose any changes to traffic management or parking. The pilot will collect promenade user data, conduct public outreach, and will conduct network analysis of the broader circulation system to inform recommendations for future use of the Upper Great Highway. The pilot is proposed from late 2022 through December 2025 to provide a comparison of the data both before and after the Great Highway Extension is permanently closed as part of the Ocean Beach Climate Change Adaptation Project (estimated in 2024). Data collection will begin in 2023 and continue during the length of the pilot. The schedule and frequency of data collection is to be determined. The data will be used by the supervisor and RPD to develop recommendations for the use of the Upper Great Highway after the pilot is finished, based on a combination of how well used the promenade is and what effects it might have on neighboring streets.

OBJECTIVE 12

DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.

POLICY 12.1

Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.

The pilot project does not directly advance this policy as it avoids disruptions to automobile traffic during peak commute hours. However, as a pilot project, that includes an assessment phase, information gained from this pilot may be used to inform more transformative designs, policies and outcomes in the future.

OBJECTIVE 18

ACHIEVE STREET SAFETY FOR ALL

POLICY 18.1

Prioritize safety in decision making regarding transportation choices and ensure safe mobility options for all in line with the City's commitment to eliminate traffic fatalities and severe injuries.

San Francisco adopted Vision Zero in 2014, a policy that commits us to ending traffic fatalities. "Vision Zero San Francisco commits city agencies to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives." This project supports this goal by separating cyclists and

pedestrians from automobiles, eliminating potential conflicts during closure. Care should be given to ensure that safety is prioritized during during commute hours as well as during hours of closure to vehicular traffic.

OBJECTIVE 19

ESTABLISH A STREET HIERARCHY SYSTEM IN WHICH THE FUNCTION AND DESIGN OF EACH STRET ARE CONSISTENT WITH THE CHARATER AND USE OF ADJACENT LAND.

Table 3, “Guide to the Vehicle Circulation Plan” under Objective 19 describes the design policy for the Great Highway: “The design capacity of this road should be reduced substantially to correspond with its recreational function; emphasis to be on slow pleasure traffic, bicycles and safe pedestrian crossings.” The pilot program will further the goal of enabling the Great Highway to meet its recreational function and test the right-of-way uses and configuration proposed for the pilot period.

POLICY 19.1

Wherever feasible, divert through automobile and commercial traffic from residential neighborhoods onto major and secondary arterials, and limit major arterials to nonresidential streets wherever possible.

While partial closure of the subject segment of the Great Highway represents taking intermittent reductions of a major road facility for vehicles, it intermittently opens the same facility for other non-vehicular users, and thereby providing recreational and other benefits to those users as described throughout this General Plan Referral. Moreover, in addressing the need to limit through traffic on nearby residential streets, the City implemented a series of traffic calming measures in 2020 and 2021 which were delivered to improve safety conditions for all users and to encourage traffic to use other high-capacity arterials, such as Lincoln Way, Sunset Boulevard and Sloat Boulevard.

POLICY 19.5

Mitigate and reduce the impacts of automobile traffic around parks and along shoreline recreation areas.

Closing the segment of the Great Highway between Sloat and Lincoln to vehicular traffic on a pilot basis will reduce the impacts of auto traffic to pedestrians and bicyclists.

OBJECTIVE 29

ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.

POLICY 29.1

Expand and improve access for bicycles on city streets and develop a well-marked, comprehensive system of bike routes in San Francisco.

The project greatly expands bicycle access on the west side of the city and combined with other routes creates a more comprehensive cycling network.

POLICY 29.9

Identify and expand recreational bicycling opportunities.

The project creates an expansive ocean-front cycling and pedestrian promenade during peak recreational hours that does not exist in the city.

OBJECTIVE 31

CITY GOVERNMENT SHOULD PLAY A LEADERSHIP ROLE IN INCREASING BICYCLE USE.

POLICY 31.1

Consider the needs of bicycling and the improvement of bicycle accommodations in all city decisions.

The proposed three-year pilot study continues the re-use of the roadway as public open space that originated from a need to provide for safe, physically distant exercise during the city emergency that subsequently became part of the Slow Streets Program.

POLICY 31.4

Encourage non-cyclists to become cyclists and encourage cyclists to ride more often.

The Great Highway closure allows for new cyclists or those that may not be comfortable riding on city streets the opportunity to enjoy an extensive ride without the concern for conflict with automobiles. These new riders may subsequently incorporate cycling into their daily routing as part of commuting or recreation. It also encourages existing cyclists to take advantage of closure to ride more often.

WESTERN SHORELINE AREA PLAN

OBJECTIVE 3

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE.

POLICY 3.1

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

The project will add gates or other physical control devices and signage/ paint to direct vehicular, pedestrian and bike traffic at Lincoln Way and Sloat Boulevard, improving the connection between Golden Gate Park and Ocean Beach.

Planning Code Section 101 Findings

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed changes would not remove existing retail uses or impact future opportunities for resident employment. Increased bicycle and pedestrian activity as a result of the improvements is expected to increase patronage of local businesses relative to private vehicles passing-through.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed changes would not change the existing housing and neighborhood character surrounding the Upper Great Highway because the Project's physical changes are limited in nature and do not substantially change the appearance the roadway.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed changes would not affect the supply of affordable housing surrounding the Upper Great Highway or in the City because the Project would not negatively impact, remove, or prevent construction of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed changes would not impede Muni transit service as they would not reroute or introduce any obstructions to existing Muni service to the area. The project would not result in the removal of any parking spaces.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed changes would not affect the industrial or service sectors because there is no proposal for, or inducement of, commercial office development associated with the Project.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed changes would not negatively impact the City's preparedness in the event of an earthquake. The Project may create additional safe spaces to reconvene post-earthquake.

7. That the landmarks and historic buildings be preserved;

There are no identified landmark or historic buildings affected by the Project.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The Project would not impede access to sunlight or vistas. The Project would increase the opportunity for visitors to gain access to sunlight and vistas in the vicinity by increasing the area available for outdoor

recreation.

Recommendation: Finding the project, on balance, is in conformity with the General Plan



London N. Breed, Mayor
Philip A. Ginsburg, General Manager

General Manager Directive 21-002
Motor Vehicles On Great Highway
August 15, 2021

To: Mayor's Office, Municipal Transportation Agency, RPD Operations Staff

From: Philip A. Ginsburg, General Manager

In March 2020, at the recommendation of Supervisor Gordon Mar and in consultation with Mayor London N. Breed and the San Francisco Municipal Transportation Agency, and pursuant to Park Code Section 3.03, I approved the closure of the Great Highway (from Lincoln to Sloat) to motor vehicle traffic except as permitted, to allow members of the public an opportunity for safe, socially-distanced recreation due to the COVID-19 emergency. The County Health Officer had imposed a shelter-in-place order that generally required people to stay indoors but allowed people to leave to engage in the essential activity of outdoor recreation. The closure was due to the emergency, in furtherance of the public interest, and necessary for the safety and protection of the many members of the public who sought out recreational opportunities along the Great Highway, to enable them to recreate in a safe and socially distanced manner.

The City has begun to make significant progress in response to the COVID-19 pandemic. Many people are vaccinated, and the City has developed protocols to allow recreational facilities that were initially closed, such as playgrounds and recreation centers, to reopen. In parallel, many businesses that were initially closed have also begun to return to normal operations. And schools are also reopening. These changes indicate that fewer people will be needing to recreate on the Great Highway, which is normally a major transportation artery, during the week. But based on usage patterns from the past year, there is still a clear public interest, and a continuing need in this emergency, to ensure the safety and protection of the many members of the public who will be engaging in recreational uses of the Great Highway on the weekends. Therefore, at the request of Supervisors Mar, Chan and Melgar and Mayor London N. Breed, I direct pursuant to Park Code Section 3.03 that the Great Highway shall be closed to motor vehicle traffic between Friday 12 pm until Monday 6 am, and on holidays, beginning on August 16, 2021 at 6 am, and until further notice.



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
RPD: Great Highway Weekday Reopening		
Case No.		Permit No.
2021-008237ENV		
<input type="checkbox"/> Addition/Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval.</p> <p>The Recreation and Parks Department (RPD) General Manager proposes to direct that the Great Highway be closed to motor vehicle traffic between Friday 12 pm until Monday 6 am, and on holidays, until further notice. The General Manager is proposing to take this action pursuant to Park Code Section 3.03. In March 2020, at the recommendation of Supervisor Gordon Mar and in consultation with Mayor London N. Breed and the San Francisco Municipal Transportation Agency, and pursuant to Park Code Section 3.03, the RPD General Manager approved the closure of the Great Highway (from Lincoln Way to Sloat Boulevard) to motor vehicle traffic, except as permitted. He did so to allow members of the public the opportunity to recreate in a safe, socially-distanced manner, in the context of the COVID-19 emergency. The County Health Officer had imposed a shelter-in-place order that generally required people to stay indoors but allowed outdoor recreation as an essential activity. The closure was due to the emergency, in furtherance of the public interest, and necessary for the safety and protection of the many members of the public who sought out recreational opportunities along the Great Highway, to enable them to recreate in a safe and socially-distanced manner. The City has begun to make significant progress in response to the COVID-19</p> <p>FULL PROJECT DESCRIPTION ATTACHED</p>		

STEP 1: EXEMPTION TYPE

The project has been determined to be exempt under the California Environmental Quality Act (CEQA).	
<input type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p>
<input checked="" type="checkbox"/>	Other _____ Section 15269 - Emergency Projects
<input type="checkbox"/>	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment.

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? <i>(refer to the Environmental</i></p>
<input type="checkbox"/>	<p>Hazardous Materials: <input type="checkbox"/> Maher or <input type="checkbox"/> Cortese Is the project site located within the Maher area or on a site containing potential subsurface soil or groundwater contamination and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use? Is the project site located on a Cortese site or would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with current or former underground storage tanks? <i>if Maher box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant.</i> Note that a categorical exemption shall not be issued for a project located on the Cortese List</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities? Would the project involve the intensification of or a substantial increase in vehicle trips at the project site or elsewhere in the region due to autonomous vehicle or for-hire vehicle fleet maintenance, operations or</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Don Lewis</p>	

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input checked="" type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. (Attach HRER Part I) <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other (specify): <input type="checkbox"/> Reclassify to Category C (No further historic review)
<input type="checkbox"/>	2. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required)</i> :
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

**STEP 6: EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input checked="" type="checkbox"/>	No further environmental review is required. The project is exempt under CEQA.	
	Project Approval Action: Issuance of RPD General Manager Directive	Signature: Don Lewis 08/15/2021
	<p>Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link. Once signed or stamped and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.</p>	

Full Project Description

The Recreation and Parks Department (RPD) General Manager proposes to direct that the Great Highway be closed to motor vehicle traffic between Friday 12 pm until Monday 6 am, and on holidays, until further notice. The General Manager is proposing to take this action pursuant to Park Code Section 3.03.

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STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code; |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312; |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)? |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

If at least one of the above boxes is checked, further environmental review is required

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- | | |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can

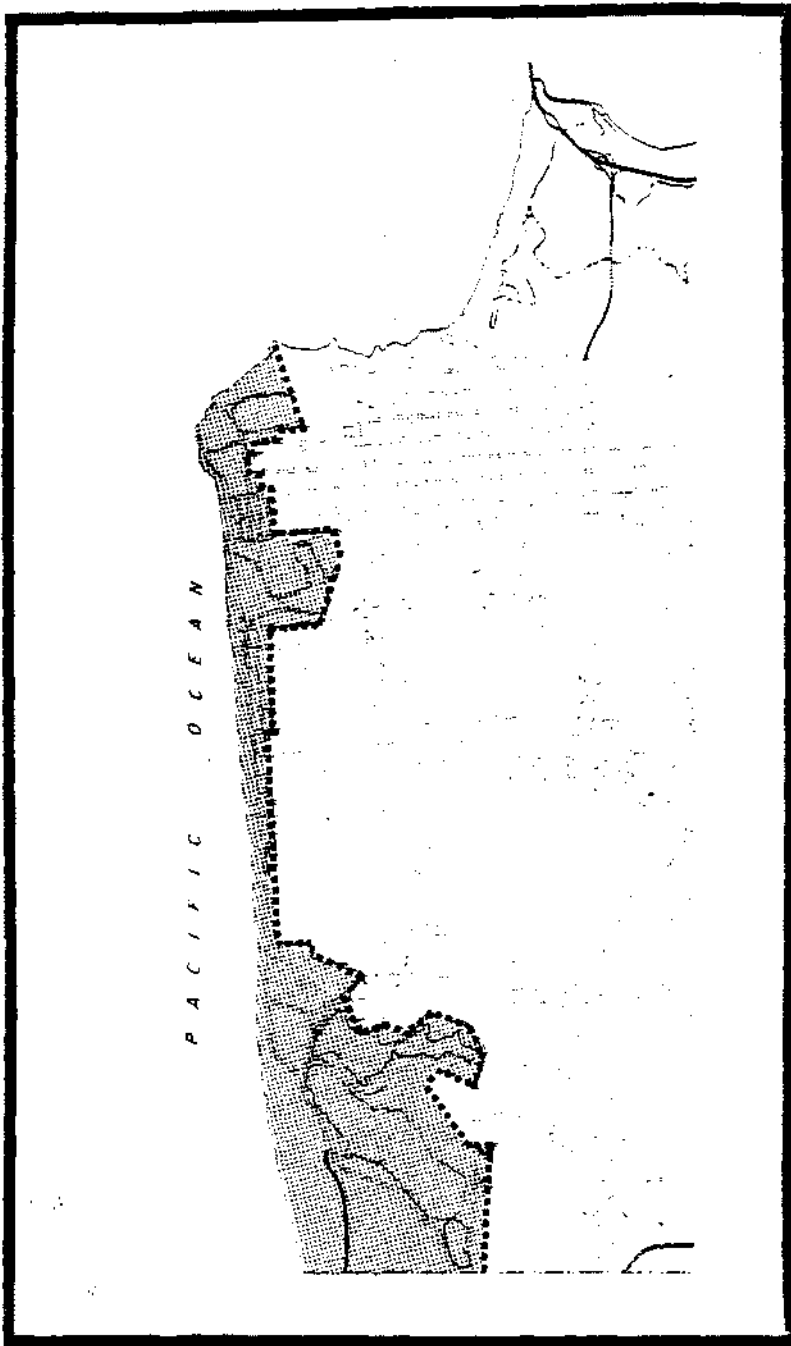
Planner Name:

Date:

EXHIBIT C

COASTAL ZONE PERMIT REVIEW PROCEDURES

SAN FRANCISCO CITY
PLANNING CODE



CERTIFIED AS LEGALLY ADEQUATE
BY THE CALIFORNIA COASTAL
COMMISSION ON 3/14/86
(A Portion of the Zoning
Ordinance)

SAN FRANCISCO DEPARTMENT OF CITY PLANNING

SAN FRANCISCO CITY PLANNING CODE

COASTAL ZONE PERMIT PROCEDURES

- Sec. 330. Purpose and Coastal Zone Permit Area.
- Sec. 330.1 Projects Requiring Coastal Zone Permit Review.
- Sec. 330.2 Definitions.
- Sec. 330.3 Projects Exempt from Coastal Zone Permit Review.
- Sec. 330.4 Projects Subject to Coastal Zone Permit Review.
- Sec. 330.4.1 Projects Requiring a Coastal Zone permit from the California Coastal Commission.
- Sec. 330.5 Application for a Coastal Zone Permit.
- Sec. 330.5.1 Permit Application Review for Consistency with the Local Coastal Program.
- Sec. 330.5.2 Findings.
- Sec. 330.5.3 Determination of Permit Jurisdiction.
- Sec. 330.5.4 Planning Commission Review of Coastal Zone Permits.
- Sec. 330.6 Coastal Commission Notification.
- Sec. 330.7 Public Notice.
- Sec. 330.8 Emergency Coastal Zone Permits.
- Sec. 330.9 Appeal Procedures.
- Sec. 330.10 Appealable Projects.
- Sec. 330.11 Who May Appeal a Coastal Zone Permit.
- Sec. 330.12 Permit Approval by Operation of Law.
- Sec. 330.13 Effective Date of Approved Projects.
- Sec. 330.14 Expiration Date and Extensions.
- Sec. 330.15 Coastal Zone Permit Fees.
- Sec. 330.16 Procedural Permit Review Changes.

SEC. 330. PURPOSE AND COASTAL ZONE PERMIT AREA.

- (a) **Purpose.** The purpose of Section 330 through 330.16 is to implement the process of reviewing projects within the Coastal Zone for consistency with the San Francisco Local Coastal Program as required by the California Coastal Act of 1976 as amended.
- (b) **Coastal Zone Permit Area.** The following regulations pertain to the San Francisco Coastal Zone Area designated on Section Maps CZ4, CZ5, and CZ13 of the Zoning Map.
(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.1. PROJECTS REQUIRING COASTAL ZONE PERMIT REVIEW.

All private projects, except those specifically exempt, shall be required to apply to the San Francisco Department of City Planning for a Coastal Zone Permit for demolition, construction, reconstruction, alterations, change of use, change of occupancy, condominium conversions or any other development on or affecting real property located within the designated boundary of the Coastal Zone.

All public projects, except those specifically exempt, shall be required to apply to the San Francisco Department of City Planning for a Coastal Zone Permit, including any development project or change of use in the coastal zone area of Golden Gate Park, the Zoo, or the Lake Merced area:

A Coastal Zone Permit shall be required in addition to any other permit application which may be required elsewhere by the Planning Code, Building Code, or other Municipal Code.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.2. DEFINITIONS.

For the purposes of this Section 330 through 330.16, the following definitions shall apply:

- (a) An "aggrieved person" for the purpose of appeals to the California Coastal Commission shall be any person who appears at a public hearing in connection with a decision or action appealed to the California Coastal Commission, or who by other appropriate means informed in writing the Zoning Administrator, Planning Commission, or Board of Permit Appeals.
- (b) "Emergency" is defined as a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

- (c) "Environmentally sensitive habitat" is any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.
- (d) The "Local Coastal Program" shall be the San Francisco Western Shoreline Plan, a part of the City's Master Plan, and any of its implementation programs, issue papers and any other documents certified by the California Coastal Commission.
- (e) A "project" shall be any of the following:
1. Construction, reconstruction, demolition, or alteration of the size of any building, including any facility of any private, public or municipal utility.
 2. Change in the density or intensity of use of land, including but not limited to subdivision(s) and any other division of land, including lot splits, except where the land is for the purchase of such land by a public agency for public recreational use.
 3. The placement, building or construction of any solid material or structure, including but not limited to, any building, road pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
 4. Grading, removing, dredging, mining, or extraction of any material.
 5. Discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste, and the mining or extraction of any material.
 6. Change in the intensity or use of a body of water or stream, or access thereto.
 7. The removal or harvesting of major trees, rare or endangered species, and permanently established riparian vegetation other than for agricultural purposes.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.3. PROJECTS EXEMPT FROM COASTAL ZONE PERMIT REVIEW.

No Coastal Zone Permit shall be required for the following projects:

- (a) Enlargement, alteration or reconstruction of any existing single-family residence.

- (b) Enlargement or alteration of any structure other than a single-family residence or a public structure or facility, provided that these improvements do not have an adverse environmental effect, adversely affect public access, or involve a change in use contrary to any policy of the Local Coastal Program.
- (c) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of a structure or use, provided that it does not fall within the requirement in Sec. 330.4 (e), (h), and (i).
- (d) The replacement of any structure, other than a public structure or facility, destroyed by natural disaster. Such replacement structure shall (1) conform to applicable Building Code, other standards of this Code and zoning requirements, and other applicable Municipal Code, (2) shall be for the same use as the destroyed structure, (3) shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and (4) shall be sited in the same location on the affected property as the destroyed structure.
- (e) The conversion of any existing multiple-unit residential structure to a time-share project, resort club, vacation club, estate, or other short-term use.
- (f) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this Code.
- (g) Recreation and Park tree trimming, reforestation and support services, landscaping improvements, vegetation removal and seasonal planting, replacement planting, maintenance, and other park landscaping and planting improvements, provided that this activity does not involve a change contrary to any policy of the Coastal Program.
- (h) Recreation and Park Department road maintenance, repairs, facilities and street lighting, and road and circulation improvements as proposed in the Golden Gate Park Transportation Management Plan.
- (i) Recreation and Park Department play structures, maintenance, and any other Park and Recreation activity that requires no building permit or is subject to section 330.4 (a) through (h) of this Code.
- (j) Maintenance dredging of existing navigation channels or moving dredged materials from such channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers.

- (k) Maintenance, improvements, and any other projects within the United States Federal lands in designated Golden Gate National Recreation Areas.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.4. PROJECTS SUBJECT TO COASTAL ZONE PERMIT REVIEW.

A Coastal project as defined in Section 330.2(e).

- (a) Construction of any residential or commercial building, structure, or project as defined in Section 330.2(d).
- (b) Any alteration, enlargement or reconstruction of a structure or building which increases the intensity of use of the structure or building.
- (c) Any alteration, enlargement or reconstruction made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion, motel/hotel or time-sharing conversion.
- (d) An enlargement or alteration that would result in an increase of 10 percent or more of internal floor area of the existing structure, or increase in height by more than 10 percent of an existing structure on property located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resource areas as designated by the California Coastal Commission.
- (e) Any repair or maintenance to facilities, structures or public works located in an environmentally sensitive habitat area, any sand area within 50 feet of the edge of a coastal waters or streams that include the placement or removal, whether temporary or permanent, of rip-rap rocks, sand or other beach materials or any other forms of solid materials.
- (f) Alteration or reconstruction of any structure on a beach, wetland, stream, or lake seaward of the mean high tide line; where the structure or proposed improvement would encroach within 50 feet of the edge of a coastal bluff.
- (g) Any significant alteration of land forms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation.

- (h) Any method of routine maintenance dredging that involves:
1. The dredging of 100,000 cubic yards or more within a twelve month period.
 2. The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, or a sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.
 3. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the California Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.
- (i) Any repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
1. Repair or maintenance involving substantial alteration of the protective work including pilings and other surface or subsurface structures.
 2. The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other form of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries.
 3. The replacement of 20 percent or more of the structural materials of an existing structure with materials of a different kind.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.4.1. PROJECTS REQUIRING A COASTAL ZONE PERMIT FROM THE CALIFORNIA COASTAL COMMISSION.

The California Coastal Commission shall retain coastal permit review jurisdiction over all tidelands, submerged lands below the mean high tide, and any other area so designated on Sectional Maps CZ4, CZ5, and CZ13 of the Zoning Map, including the Olympic Country Club, Lake Merced, and the Pacific Ocean shore extending 3 miles out to sea from the mean high tide.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.5. APPLICATION FOR A COASTAL ZONE PERMIT.

A Coastal Zone Permit shall be applied for at the Department of City Planning concurrent with other necessary project permit(s).

- (a) An application for a Coastal Zone Permit where a conditional use authorization is required shall be reviewed subject to the procedures for reviewing conditional use applications in Section 303 of the City Planning Code.
- (b) An application for a Coastal Zone Permit where a variance application is required shall be reviewed subject to the procedures for variances in Section 305 of the City Planning Code.
- (c) An application for a Coastal Zone Permit where a building permit authorization is required shall be reviewed subject to the procedures set forth in the Planning Code, Building Code and part III of the Municipal Code.
- (d) City Planning Code amendments and changes to the Zoning Map shall be conducted according to Section 302 of the City Planning Code.
 - 1. Amendments to the Local Coastal Program, include, but are not limited to, any action by the Planning Commission, or Board of Supervisors which authorizes a use of a parcel of land other than that designated in the certified Local Coastal Program as a permitted use of such parcel.
 - 2. Any proposed amendments, set-back proceedings, zoning map changes or interim zoning controls which may alter the Local Coastal Program shall be submitted as a request for an amendment of the Local Coastal Program for review by the California Coastal Commission. No more than three submittals may be made per calendar year. Such amendment shall take effect only after it has been certified by the California Coastal Commission.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.5.1. PERMIT APPLICATION REVIEW FOR CONSISTENCY WITH THE LOCAL COASTAL PROGRAM.

- (a) The City Planning Department shall review all Coastal Zone Permit Applications, Building Permit Applications, Conditional Use Applications, Variances, City Planning Code Amendments, and Zoning Map changes within the Coastal Zone for consistency with the requirements and objectives of the San Francisco Local Coastal Program.

(b) The Board of Permit Appeals shall review all appeals of coastal zone permit applications. Any appeals shall be reviewed by the Board of Permit Appeals for consistency with the requirements and objectives of the San Francisco Local Coastal Program.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.5.2. FINDINGS.

The Zoning Administrator or the City Planning Commission, or Board of Permit Appeals in reviewing a Coastal Zone Permit Application or an appeal thereof shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program. A Coastal Zone permit shall be approved only upon findings of fact establishing that the project conforms to the requirements and objectives of the San Francisco Local Coastal Program.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.5.3. DETERMINATION OF PERMIT JURISDICTION.

The Zoning Administrator shall determine whether or not a project is exempt or subject to a Coastal Permit Application pursuant to Section 330.2 through 330.4 of the City Planning Code. If the project requires a Coastal Zone Permit Application, the Zoning Administrator shall determine whether the project may be appealed to the California Coastal Commission, or whether the project can only be appealed locally to the Board of Permit Appeals.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.5.4. PLANNING COMMISSION REVIEW OF COASTAL ZONE PERMITS.

The City Planning Commission shall hold a public hearing on any Coastal Zone Permit Application for which the Zoning Administrator has determined from the findings that the project has a significant impact on the Coastal Zone. Any projects which may be appealed to the California Coastal Commission shall be scheduled for review by the Planning Commission. The City Planning Commission may schedule a public hearing on any Coastal Zone Permit Application on its own motion.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.6. COASTAL COMMISSION NOTIFICATION.

The Department of City Planning shall notify the California Coastal Commission of each Coastal Zone Permit Application received as follows:

- (a) A written notice to the California Coastal Commission shall be mailed within ten (10) calendar days of filing of a Coastal Zone Permit Application with the Department of City Planning. This notice shall include the application number, address or location, the nature of the project, determination of whether the project is exempt, or appealable to the California Coastal Commission, and schedule for permit review.
- (b) A written notice to the California Coastal Commission shall be mailed within seven (7) calendar days after a final decision has been made by the Zoning Administrator or City Planning Commission. Notice of approval shall include the findings, the action taken by the Zoning Administrator or City Planning Commission, conditions of approval if any, and procedures for appeal.
- (c) The Department of City Planning shall notify in writing the California Coastal Commission of any appeal of a Coastal Zone Permit Application to the Board of Permit Appeals. This notification shall take place within ten (10) calendar days of filing the appeal. A notice of final action on the appeal shall be mailed by the Department of City Planning to the California Coastal Commission within seven (7) calendar days of such action.
- (d) A local decision on a Coastal Zone Permit shall not be deemed complete until (1) the local decision on the application has been made and all required findings have been adopted, including specific factual findings supporting the legal conclusions that the proposed development is or is not consistent with the Local Coastal Program and (2) when all local rights of appeal have been exhausted.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.7. PUBLIC NOTICE.

In addition to the notice standards of Section 306 through 306.5 in this Code, and any other notice requirement by the Building Code or any other notice required by the Municipal Code, the Zoning Administrator shall mail notice of a Coastal Zone Permit Application to residents within 100 feet of the subject property, and mail notice to any person or group who specifically requests notice. The notice shall identify the nature of the project, its location within the coastal zone, the time and date of hearing if any, and appeal procedures.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.8.

EMERGENCY COASTAL ZONE AUTHORIZATION.

In case of an emergency, temporary emergency authorization to proceed may be given by the Director of Planning or his designee until such time as a full Coastal Zone Permit Application shall be filed.

- (a) An applicant may request an Emergency Coastal Zone Authorization by letter to the Director of Planning, in person or by telephone, if time does not allow. The following information shall be included in the request:
1. The nature of the emergency.
 2. The cause of the emergency, insofar as this can be established.
 3. The location of the emergency.
 4. The remedial, protective, or preventive work required to deal with the emergency.
 5. The circumstances during the emergency that appeared to justify the cause(s) of action taken, including the probable consequences of failing to take action.
- (b) The Director shall verify the facts, including the existence and the nature of the emergency, insofar as time allows. The Director shall provide public notice of the emergency work, with the extent and type of notice determined on the basis of the nature of emergency. If time does not allow for public notice to be given before the emergency work begins, the Director shall provide public notice of the action taken soon thereafter. The Director may grant emergency authorization upon reasonable terms and conditions, including an expiration date and the necessity for a regular permit application later, if the Director finds that:
1. An emergency exists that requires action more quickly than permitted by the procedures for administrative permits or for regular permits and the work can and will be completed within 30 days unless otherwise specified by the terms of the authorization.
 2. Public comment on the proposed emergency action has been reviewed, if time allows.
 3. The work proposed would be consistent with the requirements of the Local Coastal Program.

- (c) The Director shall not grant an Emergency Coastal Zone Authorization for any work that falls within an area that the Coastal Commission retains direct permit review authority as designated on Section Maps CZ4, CZ5, and CZ13 of the Zoning Map. In such areas, an applicant may request emergency authorization from the California Coastal Commission.
- (d) The Director shall report, in writing, to the Coastal Commission and to the Planning Commission, at its first scheduled meeting after authorizing the emergency work, the nature of the emergency and the work involved. Copies of this report shall be available at the meeting and shall be mailed to all persons who have requested such notification in writing. The report of the Director shall be informational only; the decision to grant an Emergency Coastal Zone Authorization is at the discretion of the Director of City Planning or his designee.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.9. APPEAL PROCEDURES.

- (a) All Coastal Zone Permits Applications may be appealed to the Board of Permit Appeals as described in Sections 308.2 of this Code. Local appeal of a Coastal Zone Permit is not subject to the aggrieved party provisions in Section 330.2(a) of this Code, but must comply with the appeal review procedures of Section 330.5.1(b) and Section 330.5.2 of this Code.
- (b) Appeal to the California Coastal Commission is available only for approved projects in the appealable area of the Coastal Zone, as designated in Sectional Maps CZ4, CZ5, and CZ13 of the Zoning Map. Disapproved Coastal Zone Permit Applications are not appealable to the California Coastal Commission.
- (c) A Coastal Zone Permit which may be appealed to the California Coastal Commission can be appealed by filing with the California Coastal Commission within 10 working days after the California Coastal Commission receives notice of final action from the Department of City Planning. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a).
- (d) An applicant is required to exhaust local appeals before appealing to the California Coastal Commission.
- (e) Major public works and energy facilities within the Coastal Zone may be appealed to the California Coastal Commission whether approved or not by the local government.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.10. APPEALABLE PROJECTS.

The following projects may be appealed to the California Coastal Commission:

- (a) Projects approved between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, or as otherwise indicated in Sectional Maps CZ4, CZ5, and CZ13 of the Zoning Map.
- (b) Projects approved and located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.
- (c) Any project which constitutes a major public works project or a major energy facility, including the following:
 1. All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.
 2. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities. A railroad whose primary business is the transportation of passengers shall not be considered public works nor a development if at least 90 percent of its routes located within the coastal zone utilize existing rail or highway rights-of-way.
 3. All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.
 4. All community college facilities.
 5. Major public works or energy facility with an estimated cost of \$100,000 or more.
 6. Energy facilities is any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.11. WHO MAY APPEAL A COASTAL ZONE PERMIT TO THE CALIFORNIA COASTAL COMMISSION.

Appeal of a local decision may be filed by: (1) an applicant; (2) any aggrieved person as defined in Section 330.2(a); or (3) any two members of the California Coastal Commission. In the case of appeal by two Coastal Commission members local appeal need not be exhausted.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.12. PERMIT APPROVAL BY OPERATION OF LAW.

- (a) If the City Planning Department has failed to act on a Coastal Zone Permit Application within a one year period from the date of which the application has been accepted as complete, the person claiming a right to proceed shall notify in writing the Zoning Administrator of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to be approved.
- (b) When an applicant claims that a Coastal Zone Permit Application has been approved by operation of law, a written notice shall be mailed by the Zoning Administrator within seven (7) calendar days of such action to the California Coastal Commission and any person entitled to receive notice that the application has been approved by operation of law. Approval of a Coastal Zone Permit Application by expiration of time limitation may be appealed to the California Coastal Commission.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.13. EFFECTIVE DATE OF APPROVED PROJECTS.

- (a) A final decision on an application for an appealable project shall become effective after a ten (10) working day appeal period to the California Coastal Commission has expired, unless either of the following occur: (1) a valid appeal is filed in accordance with City and State regulations, or (2) local government requirements are not met per section 330.6(b). When either of the above occur, the California Coastal Commission shall, within five (5) calendar days of receiving notice of that circumstance, notify the local government and the applicant that the local government action has been suspended. The applicant shall cease construction immediately if that occurs.
- (b) Coastal Zone Permits for projects not appealable to the California Coastal Commission shall become effective only after other required planning or building permit applications have been issued.

(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.14. EXPIRATION DATE AND EXTENSIONS.

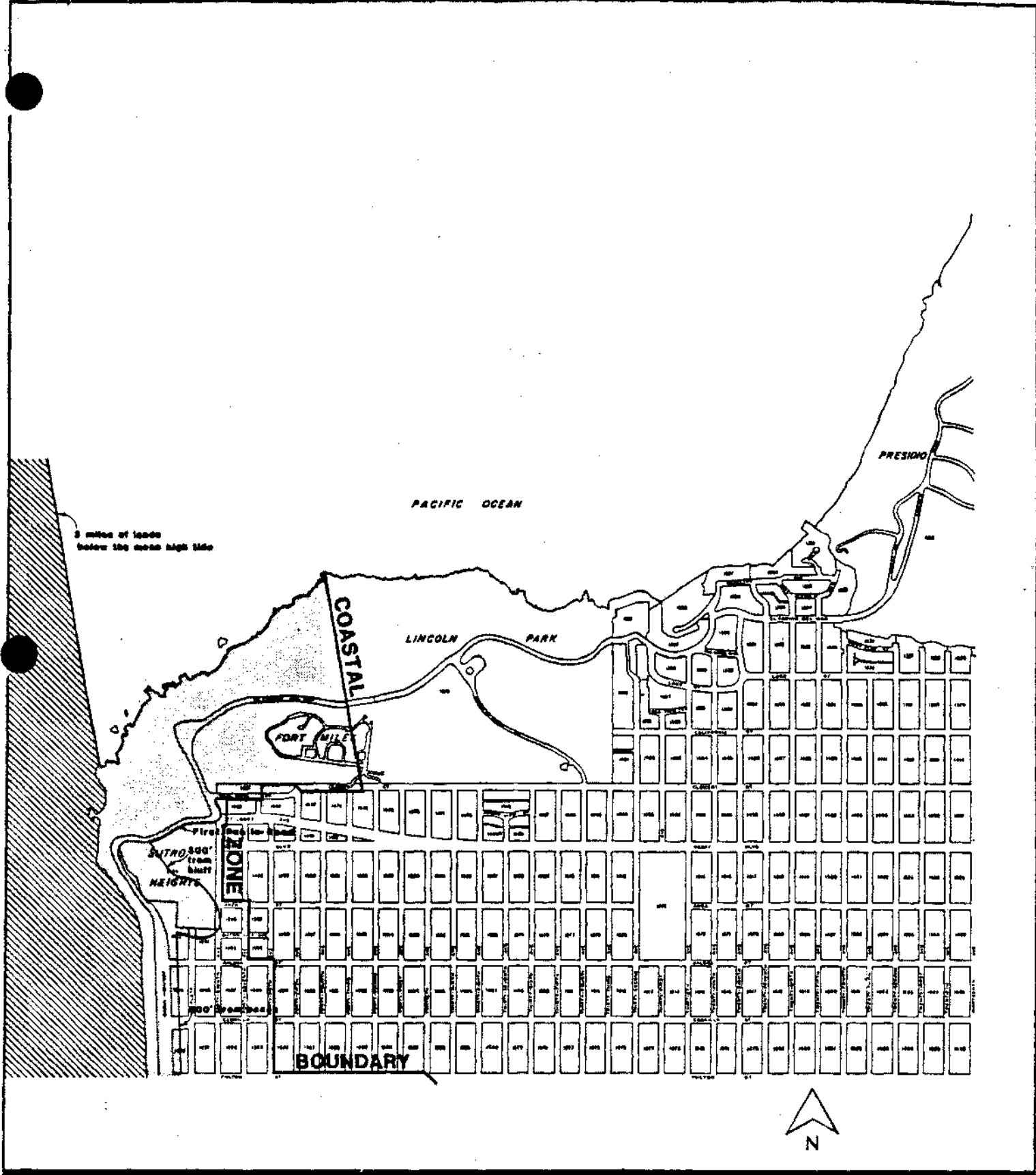
A Coastal Zone Permit shall expire one year from the date of issuance unless otherwise explicitly modified by approval conditions for the project. The Zoning Administrator may extend a Coastal Zone Permit prior to its expiration for up to 12 months from its original date of expiration. Coastal Zone Permit extensions may be granted upon findings that the project continues to be in conformance with the Local Coastal Program.
(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.15. COASTAL ZONE PERMIT FEES.

Before accepting any Coastal Zone Permit Application for filing, the Department of City Planning shall charge and collect a fee as set forth in Section 351(d) for processing a Coastal Zone Permit Application. No fees shall be established for appealing any Coastal Zone Permit.
(Added Ord. 509-85, Approved 11/22/85)

SEC. 330.16. PROCEDURAL PERMIT REVIEW CHANGES.




Any proposed changes in the Coastal Zone Permit procedures specified in Sections 330 through 330.16, or any subsequent action by the Board of Supervisors, Planning Commission or Zoning Administrator pertaining to the permit review process of Coastal Zone Permits shall be submitted to the California Coastal Commission for its review prior to final approval. The California Coastal Commission shall take action on any such amendments within a reasonable time period after the submittal of any such proposals.
(Added Ord. 509-85, Approved 11/22/85)



COASTAL ZONE AREA

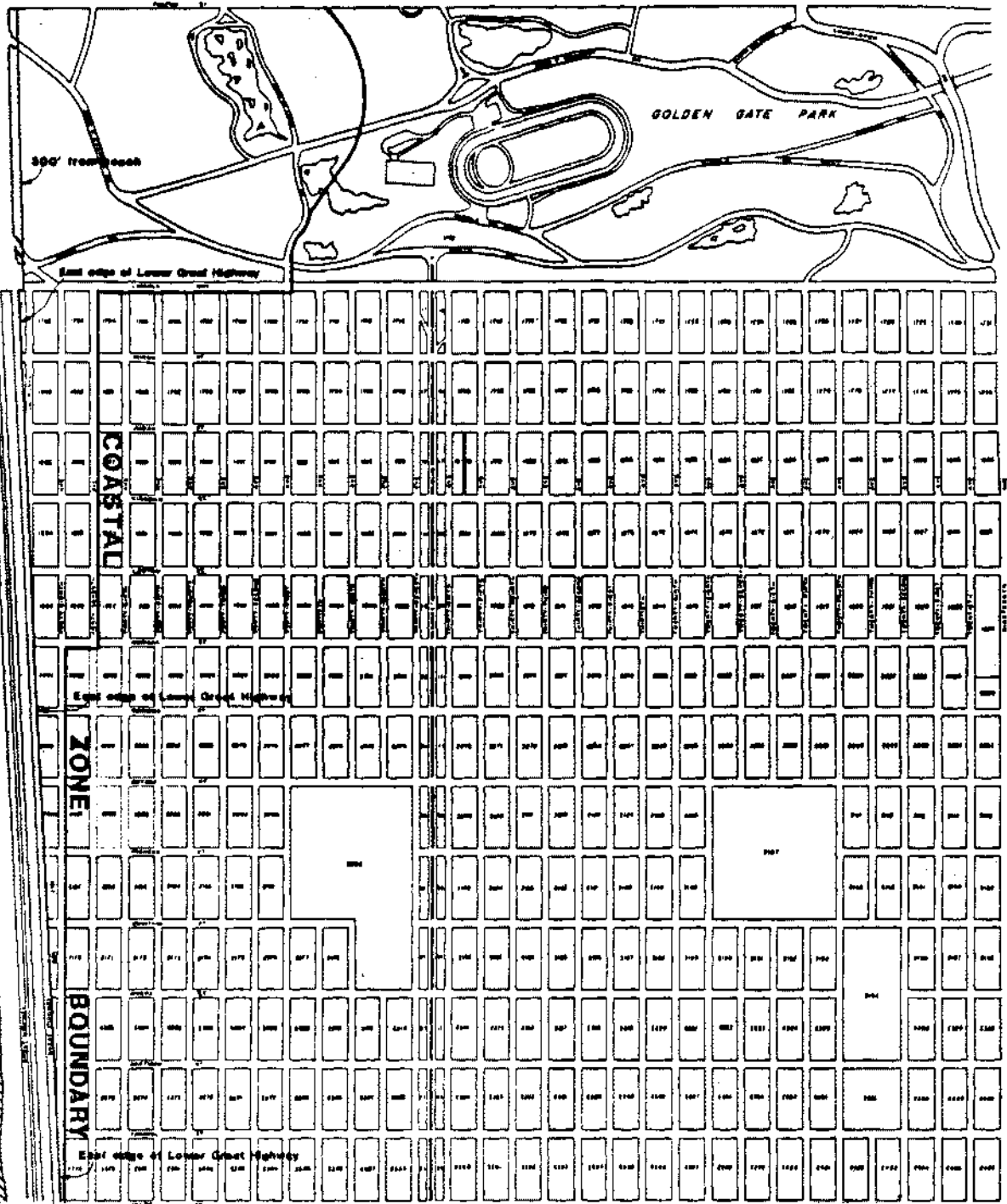
SHEET

CZ4

-  Local Coastal Zone Permit Area
-  Area appealable to the California Coastal Commission*
-  Jurisdiction retained by the California Coastal Commission

San Francisco Municipal Code
 Part II, Chapter II, Section 330
 through 330.16, 1985




* If a parcel is bisected by the appeal area boundary, only that portion of the parcel within the appeal area is subject to appeal to the California Coastal Commission



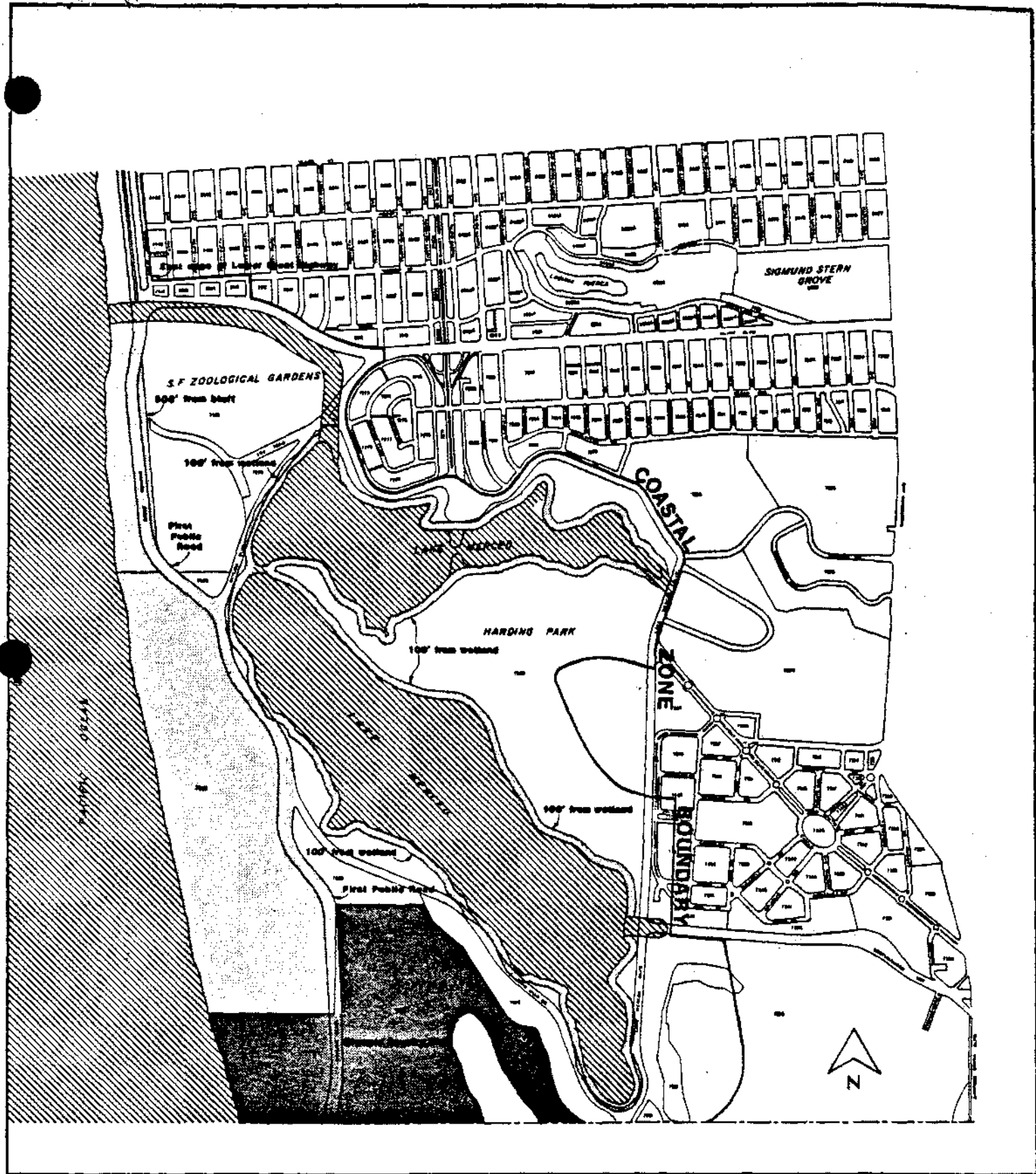
COASTAL ZONE AREA

SHEET

CZ5

-  Local Coastal Zone Permit Area
-  Area appealable to the California Coastal Commission
-  Jurisdiction retained by the California Coastal Commission





San Francisco Municipal Code
Part II, Chapter II, Section 330
through 330.16, 1985



COASTAL ZONE AREA

SHEET

CZ13

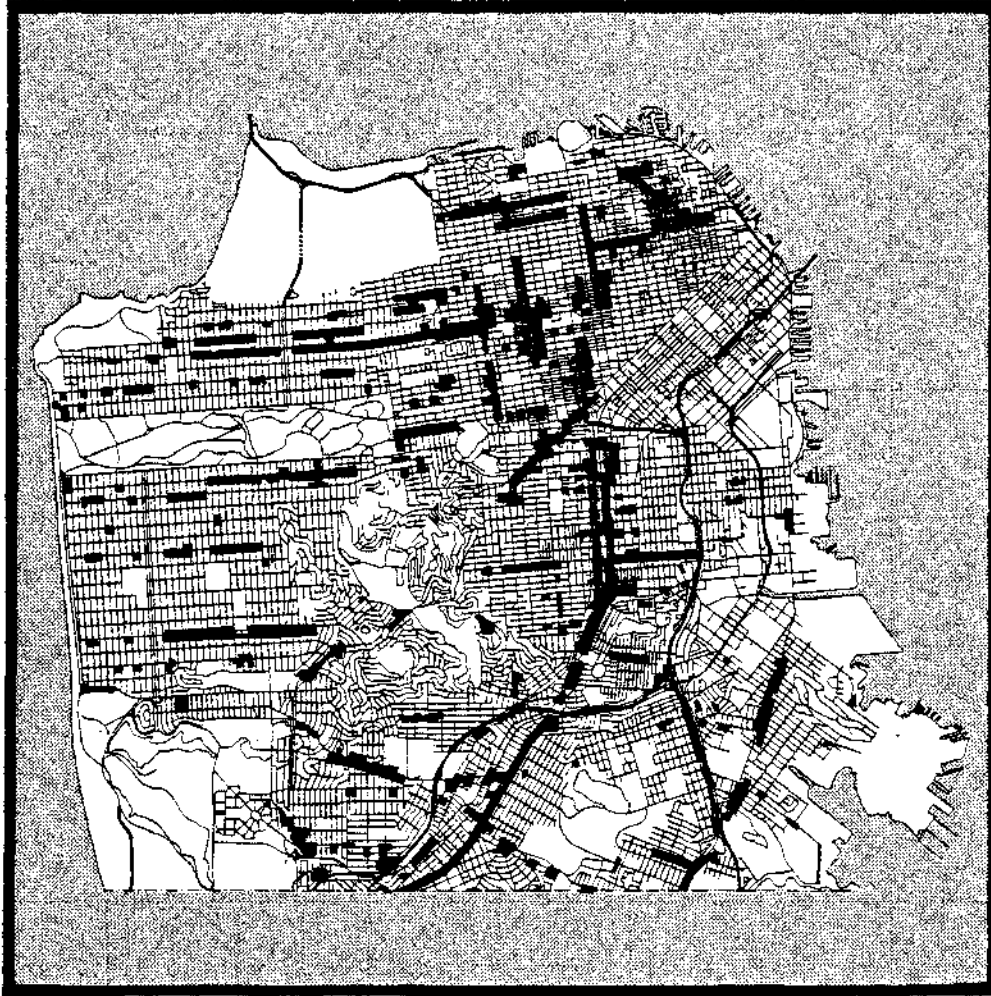
-  Local Coastal Zone Permit Area
-  Area appealable to the California Coastal Commission
-  Jurisdiction retained by the California Coastal Commission
-  Segmentation of Olympic Country Club Area by the California Coastal Commission

San Francisco Municipal Code
Part II, Chapter II, Section 330
through 330.16, 1985

EXHIBIT D

NEIGHBORHOOD

NEIGHBORHOOD



COMMERCIAL

COMMERCIAL

CERTIFIED AS LEGALLY ADEQUATE
BY THE CALIFORNIA COASTAL
COMMISSION ON 3/14/86

(A Portion of the Zoning
Ordinance)

SAN FRANCISCO DEPARTMENT OF CITY PLANNING
FEBRUARY 1985



NEIGHBORHOOD COMMERCIAL REZONING

PROPOSAL FOR ADOPTION

Department of City Planning
City and County of San Francisco
February 1985

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INTRODUCTION

This volume contains proposed amendments to the Master Plan and the text and maps of the City Planning Code necessary for the comprehensive revision of zoning controls for San Francisco's neighborhood commercial districts.

BACKGROUND

Detailed investigation of neighborhood commercial planning issues began in 1978, based on concerns raised during Department studies leading to adoption of new residential zoning controls and the Commerce and Industry Element of the Master Plan. At the request of neighborhood residents and local merchants, the Board of Supervisors passed a resolution calling for a zoning study and establishing a temporary moratorium on approval of permits for bars, restaurants, take-out foods, and branch banks on Union Street. Recommendations for Special Use District zoning controls on Union Street were adopted by the City Planning Commission in 1979. Further work led to adoption of similar controls for eleven other neighborhood commercial special use districts and moratoria on bars, restaurants, financial institutions and/or other uses for six other streets. These Special Use Districts and moratoria were adopted pending completion of a citywide neighborhood commercial rezoning study. This report completes that study and contains its recommendations for changes in the City's Master Plan and Planning Code, which is the City's zoning ordinance.

SUMMARY OF PROPOSAL

This Proposal for Adoption contains Master Plan amendments, Planning Code text and Zoning Map amendments for approximately 220 neighborhood commercial areas ranging from large active districts, such as North Beach and Polk Street, to small corner clusters of grocery and convenience stores. Existing zoning for most commercial areas currently zoned C-1, C-2, RC-1, RC-2, and RC-3 is proposed to be replaced by the following new districts:

- NC-1 Neighborhood Commercial Cluster (e.g. small corner grocery stores)
- NC-2 Small-Scale Neighborhood Commercial District (e.g. Chestnut Street)
- NC-3 Moderate-Scale Neighborhood Commercial District (e.g. Outer Geary Boulevard, Inner Mission Street)
- NC-S Neighborhood Shopping Center (e.g. Laurel Village, Petrini Plaza)

In addition, separate individual zoning districts are recommended for 15 neighborhood commercial areas which have been the subject of careful evaluation as interim Special Use Districts and moratorium areas. Permanent controls designed to meet unique conditions are proposed for the following districts:

- | | | |
|-----------------------|---------------------|------------------------|
| Broadway | Haight Street | Sacramento Street |
| Castro Street | Hayes-Gough | Union Street |
| Inner Clement Street | Upper Market Street | Valencia Street |
| Outer Clement Street | North Beach | 24th Street-Mission |
| Upper Fillmore Street | Polk Street | 24th Street-Noe Valley |

Some main provisions contained in the proposed program are:

- New controls for eating and drinking establishments in all neighborhood , commercial districts including:
 - Prohibition of new eating and drinking establishments in seven districts,
 - Conditional use review of eating and drinking establishments in three districts,
 - Conditional use review of fast-food restaurants and take-out food uses in the remaining districts;
- Review of development on lots which exceed certain size thresholds and review of uses which exceed certain size thresholds;
- Regulation of residential conversions and demolitions by story;
- Controls of entertainment uses;
- Guidelines for location and design of financial services;
- Separate controls of upper-story medical, personal and business services;
- Rear yard requirements by story;
- Exclusion of residential space from the floor area ratio calculation;
- Controls on outdoor activities, drive-up facilities, walk-up facilities, and general treatment of street frontage in new buildings and alterations to existing buildings;
- Limits on hours of operation of commercial uses in most districts;
- Requirements for street trees for new development in all districts;
- Higher maximum residential densities in about 40 district locations;
- Controls on awnings, marquees and canopies, and limits on the size and location of signs.

REPORT CONTENTS

Master Plan amendments necessary to implement the Neighborhood Commercial rezoning proposal include thorough revisions of policies of Objective 8 of the Commerce and Industry Element (with detailed guidelines for land use, conversion and demolition of residential units, and urban design) and minor additions to Objective 2, Policy 4 of the Residence Element.

The main feature of the rezoning proposal is Article 7, a new part of the Planning Code, which establishes a comprehensive, flexible system of neighborhood commercial zoning controls. It contains four general area districts and fifteen individual area districts with controls which embrace the full range of land use issues in each district. A description and purpose statement for each district is accompanied by a chart which displays all applicable zoning controls, either directly or by reference to other sections of the Code. Article 7 also includes sections describing standards, permitted uses, definitions, and references to other Code sections. Two fold-out charts at the end of the report summarize the existing and proposed controls for neighborhood commercial districts.

All other sections of the Code which are to be modified to implement the neighborhood commercial zoning proposal are also presented in the report. These include amendments to Articles 1, 1.2, 1.5, 1.7, 2, 2.5, 3, and 6. This volume also contains maps showing existing and proposed zoning boundaries for neighborhood commercial districts and a complete index of recommended zoning map changes by street name.



MASTER PLAN AMENDMENTS

INTRODUCTION

This chapter presents revisions to the Master Plan necessary to implement the Neighborhood Commercial rezoning proposal. In conjunction with the development of new zoning controls, each element of the Master Plan was thoroughly reviewed for consistency with the new zoning and, if appropriate, updated, revised or expanded. Only those elements which directly address neighborhood commercial districts or require changes are addressed in this report.

The Commerce and Industry Element, dating from 1975, has been updated to reflect current land use patterns and planning goals. Objective 8 is thoroughly revised and now contains seven policies, including guidelines for land use, conversion and demolition of residential units, and urban design for use by the Planning Commission in its review of permit applications.

Other Master Plan elements address various other aspects relating to neighborhood commercial districts, either in general policies applicable citywide or in specific policies pertinent to neighborhood commercial districts. Specific policies in the Transportation and Residence Elements are listed for reference. One policy in the Residence Element is expanded to include reference to the proposed new neighborhood commercial zoning districts.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 8

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

San Francisco is well known as a city with many distinct neighborhoods whose diverse characteristics are expressed on their commercial streets. Many of these neighborhood shopping areas reflect the surrounding neighborhood's ethnic and lifestyle characteristics, building scale and architectural style, topography, and historical development.

Neighborhood commercial districts also constitute an important part of the city's economic base, contributing to the city's fiscal stability through business taxes, and providing employment opportunities for local residents. They create a public domain where individuals can choose from a wide array of activities as well as have opportunities for leisure, cultural activities and entertainment. Many districts maintain an active street life and pedestrian character which enhances the city's stature as a walking city.

The continuing viability of a neighborhood commercial district is dependent primarily on its ability to provide required services and maintain customer patronage. The successful district provides a variety of goods and services in an atmosphere of safety, convenience, and attractiveness.

POLICY 1

Ensure and encourage the provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

One of the unique charms and features of San Francisco is the diversity of its neighborhoods and their shopping areas. Neighborhood commercial areas vary widely in function, trade area, form, design and character; but they all serve a common purpose in providing goods and services to meet the needs of City residents. In particular, convenience goods and services, such as groceries, personal toiletries, shoe repair, hair cutting, film processing, laundry and dry cleaning, should be readily available to residents in nearby shopping areas. Residents require easy access to such goods and services in order to satisfy their basic personal and household needs.

While all neighborhood commercial districts provide for the convenience needs of residents in adjacent neighborhoods, many also provide specialty and comparison goods and services to a larger, often citywide trade area. A district may specialize in uses which cater to its surrounding neighborhood's lifestyle. However, as a district becomes more specialized, it may need to draw from a broader geographical market area in order to sustain itself with sufficient customer patronage. The function of a district is also influenced by its proximity to other commercial areas. Some relatively isolated districts may serve nearly all the retail and service needs for a residential neighborhood. Other districts may serve a community in conjunction with other nearby commercial districts, each with varying degrees of specialization.

Neighborhood shopping areas also differ in the size, scale, and configuration of their lots and buildings. They range from a small cluster of lots to linear shopping districts, extending two or more blocks along arterials or thoroughfares. Neighborhood shopping centers and supermarkets with extensive on-site parking are also scattered throughout the city. The differing sizes of lots and blocks, which are determined in part by the neighborhood's topography, influence the configuration of the commercial district and its surrounding lots. The variation in topography, lot size and juxtaposition with surrounding uses, in addition to the district's historic development, all contribute to the variety in size, shape, and architectural style of a district's buildings.

The scale and extent of commercial activity, relative to other uses, also varies among districts. Commercial uses may occupy from one to four stories, in a continuous series or interspersed among residential buildings. In many linear shopping districts, the commercial activity is often concentrated on a primary street or streets, with side streets or alleys containing a mix of commercial and residential uses.

The variation in function and character of commercial districts should be maintained through controls on building form, scale, ground story and upper story commercial and residential uses, and operation which reflect the differences between districts and reinforce the variations in individual land use patterns.

The essential character of neighborhood commercial districts should be maintained by encouraging uses which are compatible in scale or type with the district in which they are to be located. However, districts also should be allowed to evolve over time in response to changes in the neighborhoods they serve and changes in consumer tastes and preferences.

The determination of the appropriateness of various land uses in neighborhood commercial districts should consider the following basic aspects:

- Individual district character;
- Customer orientation of the district;
- Residential community living within and adjacent to the district;
- Necessity and desirability of the use to the community; and
- Environmental impacts of the use.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications which require case by case review and City Planning Commission approval. In general, commercial uses should be encouraged which meet the guidelines; conversely, commercial uses should be discouraged which do not.

Guidelines for All Uses

- The use should be consistent with the purpose of the district in which it is located as stated in the Planning Code.
- The use primarily should serve the local community and not attract a major part of its clientele from outside the district in which it is located. (This guideline should not apply to districts specifically intended to serve a citywide or regional clientele.)
- The use should contribute to the variety of commercial goods and services offered in the district and avoid an undesirable concentration of one type of use in a certain location. In low-intensity districts, a balanced mix of various neighborhood-serving uses, with no concentration of a particular use, is desirable. In higher-intensity districts with a special orientation to one type of use (such as antique stores), clustering of such specialty uses may be appropriate. However, one type of use should not occupy an entire block frontage.
- The size of the use should not be larger than necessary to serve the district's trade area. Individual use sizes may vary depending on the type of merchandise offered. For example, a supermarket may require a larger floor area than a shoe repair shop in order to serve the same trade area.
- The use should not detract from the livability of the district or adjacent residential areas by causing offensive noise, odors, or light, particularly in the late night or very early morning hours. Establishments operating in the late night or early morning hours should be of a type which provide goods and services which it is necessary and desirable to make available to the community at those hours. For example, longer hours of operation may be appropriate for neighborhood-serving convenience stores such as groceries or pharmacies.
- If locating at the ground story, the use should contribute to an active retail frontage. In districts with continuous active retail frontage, individual uses which do not serve the general public during regular business hours, such as churches, are encouraged to share ground story space with more active uses. This guideline may not apply in those districts or parts of a district where retail uses are interspersed with fully residential buildings and institutional facilities. However, in most areas, provisions should be made to allow future conversion of non-commercial ground story space in order to accommodate future commercial growth in the district.
- The use should fully utilize available floor area. Uses which occupy a limited amount of ground story frontage, such as limited financial services and hotel lobbies, should provide access to remaining space for use by other establishments.
- The use should not significantly increase traffic congestion or parking demand (See Auto-Oriented or Drive-Up Facilities section for more specific guidelines on parking).

Guidelines for Specific Uses

In some districts, the balanced mix of commercial activities has been upset by the proliferation of certain uses such as financial services, restaurants and bars, take-out food and quick-stop establishments and entertainment uses.. The concerns are not limited to the number and concentration of these uses but also include the related nuisances they create and their impacts on the neighborhood. Other uses, such as automotive repair and principal non-accessory parking, also can create noise and traffic problems. Special controls should be adopted for these uses in districts where they are a particular problem. These uses should adhere to the following guidelines, in addition to those general guidelines noted above.

Financial Services

- Financial offices should not be located near other financial uses. It is preferable that they be at least 300 feet apart. In districts where the number of financial services has seriously upset the balance of commercial uses, the distance may be increased for additional financial services. Also, the distribution pattern of existing financial services and the form of the district may be considered in increasing the distance factor. For example, to provide for the same number of additional financial establishments, a non-linear district with a concentration of financial services might warrant greater distances between existing and proposed uses than a linear district with an even distribution of financial services.
- Financial services should provide retail banking services to serve the business community as well as the residential community.
- The location of new or expanding financial services should, if feasible, avoid the demolition of sound buildings which are compatible in scale and character with other buildings in the district.
- If new construction is necessary, inclusion of other commercial uses and/or residential units is desirable. New structures should have continuous retail frontage along the shopping street or mall except where access to upper-level uses, accessory parking, loading or public open space is necessary. New development should be compatible in scale, design and use with the rest of the district.
- In neighborhood commercial districts where drive-up facilities are not permitted, financial offices should be pedestrian-oriented. In cases where drive-up facilities are permitted or parking is required, interruptions of the continuous retail frontage should be kept to a minimum.

Eating and Drinking Establishments

Eating and drinking establishments include bars, restaurants, fast food restaurants, and take-out food. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.

The regulation of eating and drinking establishments should consider the following:

- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

In districts where the proliferation of eating and drinking establishments could generate problems, the following guidelines should be employed in the consideration of new establishments:

- The balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage. Proposals for eating and drinking establishments which would increase the proportion of total occupied commercial frontage above 20% should be reviewed to ensure that they would not reduce the variety of neighborhood-serving uses; nor create substantial noise, traffic, parking problems, or other nuisances in the district or surrounding neighborhood. Those establishments that would do the above should not be permitted. Except in districts primarily designed to accommodate a strong eating and drinking trade, such as North Beach, such establishments should not occupy more than 25% of the total commercially-occupied frontage in a district.
- It is preferable that the proposed new use be at least 100 feet from the nearest eating and drinking establishment. Two or more uses within that distance may be troublesome.
- In most cases, accessory parking should not be provided unless the Planning Code requires parking for the use. Where the district's parking supply cannot adequately accommodate the demand generated by the use and traffic and parking congestion is expected to increase significantly, then the establishment should not be permitted (See Auto-Oriented or Drive-Up Facilities section for more specific guidelines on parking).

Fast Food Restaurants, Take-Out Food, Convenience Stores, and Similar Quick-Stop Establishments

Quick-stop establishments include fast food restaurants and take-out food, convenience stores and other quick-stop establishments which may or may not involve food service. These latter uses may include small or medium-sized grocery stores, film processing stores, video rental outlets, dry cleaners, and other establishments which primarily provide convenience goods and services and generate a high volume of customer trips.

- These uses should be interspersed with other retail businesses and avoid undue concentration of one type of product.
- Fast food restaurants usually include large kitchens, service counter(s), customer queuing areas and other features which are intended to serve more customers than the use can physically accommodate for eating on-site. New or expanding fast food restaurants should be evaluated for their anticipated customer volumes. If high customer volumes are anticipated, the use should be designed to avoid concomitant traffic and other nuisance problems for the surrounding neighborhood.
- The site should provide adequate waiting space for either walk-in or drive-in patrons.
- The site should be equipped with sufficient outdoor trash receptacles to avoid litter problems in the surrounding neighborhood.

Entertainment and Adult Entertainment Uses

Adult entertainment uses are generally inappropriate in most neighborhood commercial districts because:

- Neighborhood commercial districts are located near family-oriented residential areas; since adult entertainment uses may attract criminal activity, their proximity to residential areas, parks, schools, and churches may introduce criminal activity in such neighborhoods, or may tend to reduce property values;
- They appeal to a more specialized clientele, drawing customers from outside the neighborhood who may drive and create or add to parking congestion, and occupy space that could be devoted to uses which serve a broader segment of the immediate neighborhood.
- There is adequate provision of space for these uses in other areas of the city.

Adult entertainment and entertainment uses in other districts may be appropriate in certain districts or parts of districts. The following guidelines should be used in their review:

- Except in the Broadway district, entertainment uses should not be open after 2:00 a.m. in order to minimize disruption to residences in and around a district. For uses involving liquor service, potentially loud music, dancing or large patron volumes, earlier closing hours may be necessary.

- Entertainment uses should be sufficiently insulated for noise and operated so as to reasonably protect surrounding residences. Fixed source equipment noise should not exceed the decibel levels specified in the San Francisco Noise Control Ordinance. Ventilation systems should be adequate to permit doors to stay closed during performances.
- Except for movie theaters, entertainment uses should not involve electronic amplification after midnight, in order to minimize disruption to surrounding residences.
- New adult entertainment uses should be at least 1000 feet from the nearest existing adult entertainment use.

Auto Repair Services

- When converting a gas station with minor repair facilities to an auto repair service, adequate building space should be provided for carrying out all repair services inside the building.
- Auto repair facilities should be large enough to accommodate all cars on site and avoid on-street parking of cars before or after repair work is done. If temporary on-site storage of cars must be outside the building, suitable landscaping or screening should be provided.

Auto-Oriented or Drive-Up Facilities

The following guidelines apply to auto-oriented facilities which include those designed primarily for drive-to or drive-through trade, providing service to patrons in automobiles and providing off-street parking, such as gas and service stations, car washes, auto-repair facilities, supermarkets, and principal parking facilities:

- Non-thoroughfare transit-preferential streets, collector, local and recreational streets which are located in residential areas, as designated in the Transportation Element of the Master Plan, are not considered appropriate for auto-oriented facilities. Certain other major and secondary thoroughfares are appropriate for auto-oriented or drive-up facilities.
- Auto-oriented or drive-up facilities should not be located in areas of heavy pedestrian concentration. To avoid potential pedestrian-vehicle conflicts where large numbers of children are present, the site should not be within 500-foot walking distance of an elementary or secondary school.
- Potential traffic demand generated by the use should be evaluated. Sufficient parking to provide for the parking demand should be located on-site or within easy walking distance of the site and should be designed to prevent traffic congestion. Parking should not be provided unless the Planning Code requires parking for the use, or it can be shown that such parking is necessary and will be sufficient to meet all demand generated on site without disrupting retail and pedestrian continuity, or causing circulation congestion, or violating other guidelines in this objective. If parking is required, the number of spaces provided generally should be limited to the amount defined in the Planning Code for accessory parking. If such off-street parking is expected to be insufficient to provide for the anticipated parking demand and could thereby lead to increases in traffic and parking congestion, more parking

may be necessary. As an alternative to, or in addition to, providing parking on or near the site, other measures such as carpooling for employees or shuttle bus service for patrons to existing or new parking facilities elsewhere in the district may be necessary and appropriate to reduce or provide for the expected parking demand. If no parking is provided or other measures are not taken to address parking or traffic congestion, the location of the use on the subject site should not be permitted.

- To avoid cumulative impacts of auto-oriented facilities and drive-up facilities on the traffic flow, sites should not be within 500-foot walking distance of another auto-oriented establishment, unless specific traffic volumes and patterns could accommodate such facilities.
- Preferable sites are those which are vacant or already devoted to an open use such as a service station or parking lot.
- To avoid underutilization of land, accessory parking should be made available for general public use when not being utilized by the facility.
- The site plan and operating policy of the drive-in use should allow vehicles to enter promptly without having to wait in line on the street or across the sidewalk.
- Ingress or egress for parking should not occur on streets or alleys having predominantly residential use.
- Parking areas, if provided, should not be placed at the commercial street frontage if such placement would disrupt a continuous streetwall with an active retail frontage. Parking areas should be well screened or landscaped, and easily monitored so as not to encourage loitering or vandalism.

POLICY 2

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

Most neighborhood commercial districts contain dwelling units in addition to commercial uses. Flats, apartments, and residential hotels are frequently located above ground-story commercial uses; fully residential buildings are common in some districts. The retention of this mix is desirable. Among other things, it ensures the presence of people on the streets at different times which increases safety and business vitality on evenings and weekends. Residents in commercial areas help to create an active street life, which promotes interaction between people in the neighborhood.

The mixed residential-commercial character of neighborhood commercial districts should be promoted by encouraging new construction of upper-story residential units above commercial development in mixed-use buildings. In order to make feasible such mixed-use projects, higher residential density and/or reductions in required parking may be warranted in districts with a reduced need for auto ownership or where anticipated parking demand can be accommodated off-site.

Existing residential units in neighborhood commercial districts comprise a valuable affordable housing resource which provides for the needs of San Francisco's diverse population. Most of these units are in sound or rehabilitable wood-frame structures and they are among the least expensive rental units in the city.

On the other hand, conversion of this housing is an important means of providing competitive and affordable commercial space. Conversions of ground-story residential units should be permitted in all neighborhood commercial districts without special review. In many neighborhood commercial districts, the physical location and structural aspects of the upper-story housing units make it attractive and feasible to convert them to commercial use. Due to the limited supply of vacant land, some commercial expansion into the residential space may be the only feasible way to adequately meet the commercial needs of the trade area served by the district.

The amount of commercial space necessary and desirable to serve the retail and service function of a district varies depending on the size of the trade area, proximity to other commercial districts, and competition from other land uses.

In neighborhood commercial districts consisting of a small cluster of lots, commercial uses at the ground story only can provide for the convenience needs (such as groceries and laundry) of nearby residents. In these districts no new commercial use should be permitted above the ground story, nor should conversions of existing residential units above the ground story be permitted.

In small-scale neighborhood commercial districts most of the anticipated demand for commercial growth can be accommodated through new construction at the first two stories on vacant or underused parcels without the necessity to convert upper story residential units. However in some of these districts where demand for commercial space is particularly strong, allowing commercial uses above the second story in new construction and allowing some conversion of existing residential units above the ground story may be appropriate as long as the general equilibrium between retail, office, and residential uses is maintained.

In larger, moderate-scale neighborhood commercial districts which are intended to provide a wider range of goods and services to a larger trade area, growth opportunities through new construction at the first two stories on vacant or underused parcels may be insufficient to meet the demand for commercial space. While the retention of mixed use buildings and the construction of new mixed use buildings is desirable in these districts, construction of new, fully commercial structures, and some conversion of existing upper story residential units may be appropriate to meet demand if the increased commercial activity would not adversely affect existing traffic or parking congestion.

Because the appropriateness of residential conversions depends on many factors which vary from district to district, land use controls should be adjusted to reflect the different needs of each district. In most districts certain conversions, such as those at the ground story or third story, can be regulated by permitting or prohibiting them without special review, while those at the second story may need case-by-case review by the City Planning Commission. In other districts, however, proposed conversions at all stories may need case-by-case review. A balance must be struck between the need to retain the housing and the need to provide for commercial expansion. Some upper-story conversions may be appropriate, if based on a review of an individual case, it is found that the need for commercial expansion clearly outweighs the need to preserve affordable housing. In that case-by-case review the following guidelines should be employed:

Guidelines for Residential Conversions

- The need for the proposed commercial use in the district should be clearly established. The need to preserve affordable housing may be presumed in light of the citywide shortage of such housing and established policy in the Residence Element.
- The conversion should be disallowed if commercial space suitable for occupancy by the proposed commercial use is available elsewhere in the district.
- Many small businesses providing personal, medical, professional and business services to neighborhood residents and the general public seek affordable space in the upper stories; they should be accommodated as long as the conversions are not so numerous as to upset the general equilibrium between commercial and residential uses or to constitute a substantial loss of housing. Commercial and institutional uses which do not primarily serve the general public usually are not appropriate in neighborhood commercial areas unless they are minor uses ancillary to those which do serve the general public, such as a small dental laboratory or small business accountant.
- Conversions are more appropriate if the units are located in an active commercial district and are isolated from other residential units.
- Along secondary side streets and alleys of linear or areawide districts, conversions are inappropriate. The more residential character of the secondary streets should be protected to provide a transition between the commercial and surrounding residential districts.
- Conversion may be appropriate if the unit(s) is unsuitable for residential occupancy because offensive noise, especially from traffic or late night activity, is generated on the same site or near the unit; or a building adjacent to or near the unit(s) blocks the residents' access to light and air.
- Conversion may be appropriate if the housing unit is declared by the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention to be unsafe and/or incapable of being made habitable for residential occupancy. However, if the property owner has shown possible willful neglect or a pattern of negligence in performing ordinary maintenance, thereby resulting in uninhabitable or unsafe units, the conversion should not be permitted, or the property owner should add other replacement rental units to the city's housing supply.
- Conversions should not adversely impact the livability of any remaining units in the building. In buildings where re-conversion back to dwelling units may be desirable, the kitchens should be retained.
- In evaluating proposed conversions, consideration should be given to economic hardships which might result from the denial of the conversion application.
- Tenants should be notified prior to filing the application to convert the unit(s) and for any conversion that is permitted relocation assistance should be made available to displaced tenants, i.e. efforts to identify housing comparable in size, price, and location; and the provision of a relocation allowance, particularly in the case of units occupied by low or moderate income residents.

The same considerations that apply to conversions apply to demolition of housing units. Therefore, demolitions should be reviewed on a case-by-case basis using the same guidelines that are to be used in reviewing conversions. Demolition permits should be reviewed in conjunction with the permits for the replacement structures whenever possible. When this is not possible, conditions applying to future buildings permits may be attached to the demolition permit or the new building permit may require further review. The replacement structure should include housing units, for which there is an exhibited demand, or replacement rental units should be added to the city's housing supply. In order to encourage prompt replacement of demolished structures, permits should not be approved for temporary uses, such as general advertising signs or parking, unless such uses are appropriate permanent uses.

POLICY 3

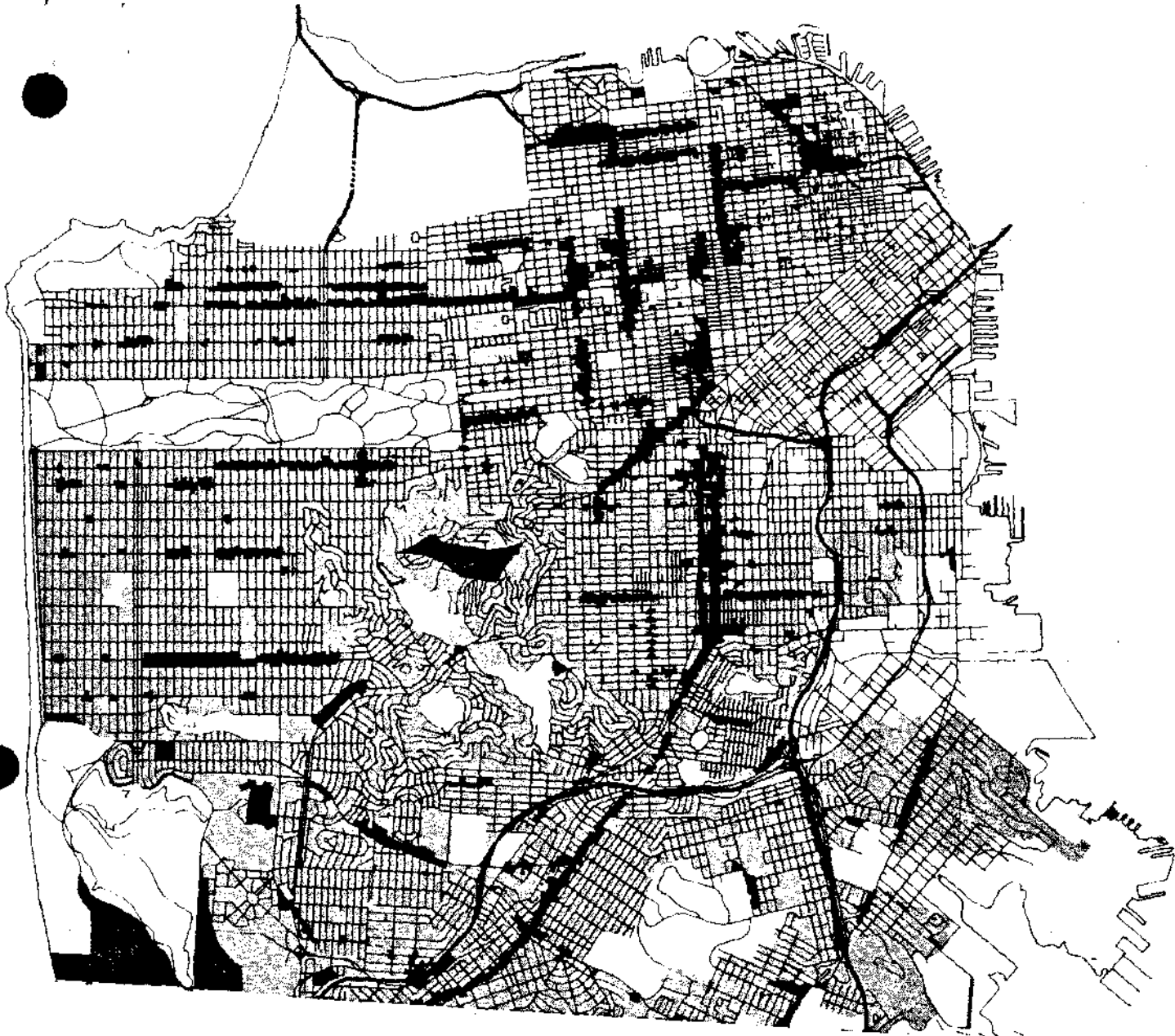
Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

Neighborhood shopping districts should be distributed throughout the city so that all residential areas are within a service radius of one-quarter to one-half mile, depending upon the population density and topography of the area served. Most residential areas meet this service area standard, as can be seen on Map 1. Some remaining residential areas which are not served by commercial districts within these distances are served by individual commercial uses located within a quarter of a mile. These individual uses are typically corner grocery stores which are open long hours, providing a range of food and household convenience goods. The few remaining residential areas, which are neither served by neighborhood commercial districts nor by individual commercial uses, are typically of such low density that they cannot economically support nearby commercial activity. It would be appropriate to revise the zoning to allow a smaller convenience commercial use in those areas if a market demand develops, as long as the location meets the criteria of Objective 6, Policy 2 of the Residence Element.

POLICY 4

Discourage the creation of major new commercial areas except in conjunction with new supportive residential development and transportation capacity.

Economic growth exhibited in any given commercial area, when viewed from a citywide or regional perspective may not represent "real" or absolute growth, but rather a relocation of economic activity from another commercial area, contributing to its decline. "Real" growth of retail activity requires an actual increase in expenditures which is directly linked to increases in disposable personal income. Because there are opportunities for business expansion within existing commercial areas, the creation of major new commercial areas should be discouraged unless a significant new market is being created to support the proposed development.



**RESIDENTIAL SERVICE AREAS OF NEIGHBORHOOD
COMMERCIAL DISTRICTS AND USES**

- NEIGHBORHOOD OR GENERAL COMMERCIAL DISTRICT**
 Service Radius : 1/2 Mile
- COMMERCIAL SERVICE AREAS**
- RESIDENTIAL AREAS OUTSIDE SERVICE BOUNDARIES**

Map 1



POLICY 5

Adopt specific zoning districts which conform to a generalized neighborhood commercial land use plan.

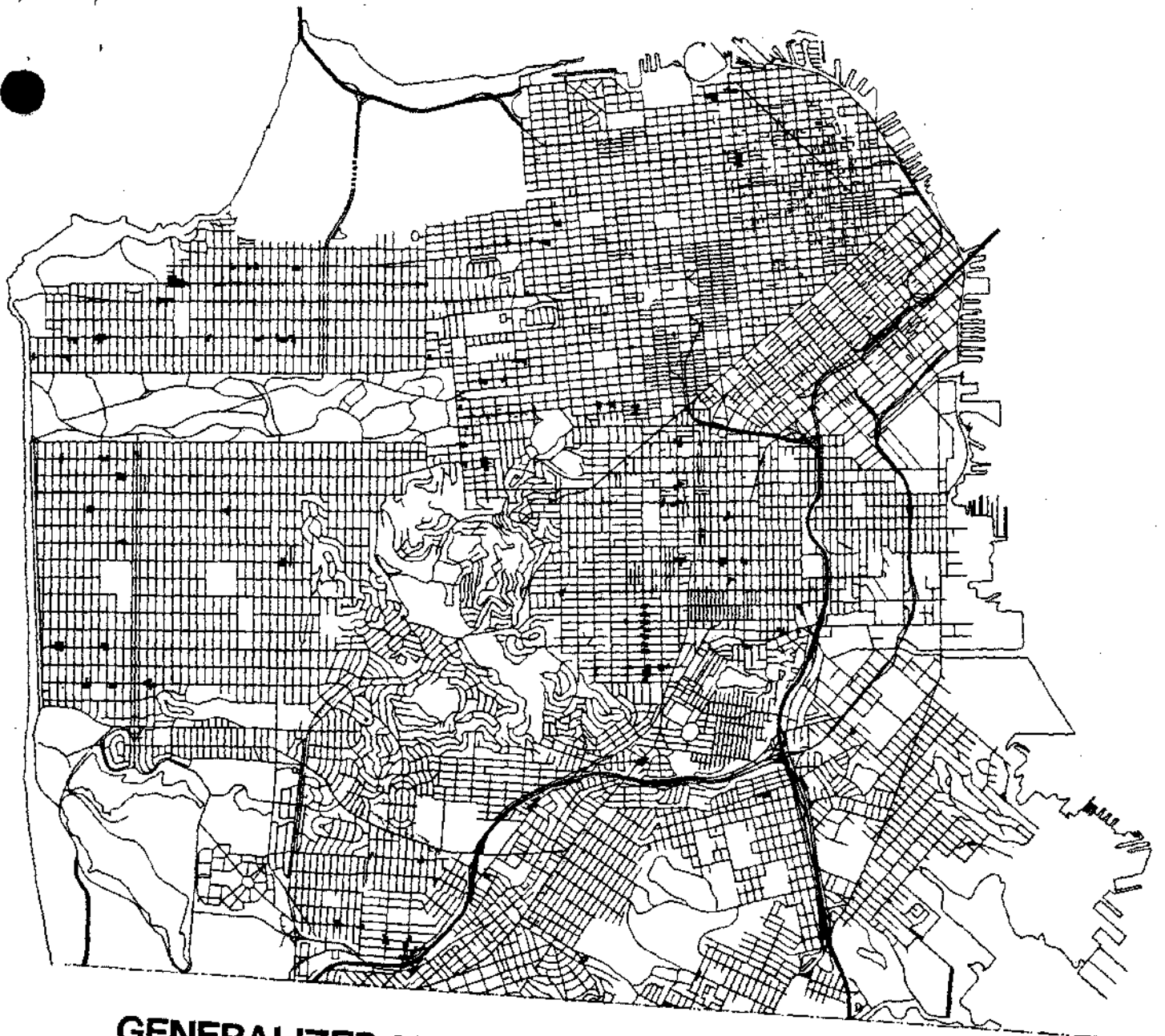
The application of other policies under this "neighborhood commercial" objective results in land use distribution patterns shown on the Generalized Neighborhood Commercial Land Use Plan Maps. Neighborhood Commercial zoning districts should conform to the map, although minor variations consistent with the policies may be appropriate. The Generalized Neighborhood Commercial Land Use Plan provides for the following categories of neighborhood commercial districts:

Neighborhood Commercial Clusters. These districts provide a limited range of convenience retail goods and services to residents in the immediate neighborhood typically during daytime hours. In general, these districts should be limited to no more than one or two blocks and commercial uses should be limited to the ground floor. The upper stories should be generally residential. These districts are intended to be located in neighborhoods which do not have the need for or capacity to handle larger-scale commercial activities.

Small-Scale Neighborhood Commercial Districts. These districts provide convenience goods and services to the local neighborhood as well as limited comparison shopping to a wider market area. The size of these districts may vary from one to three blocks to several blocks in length. Commercial building intensity should be limited to the first two stories with residential development occasionally interspersed. Upper stories should be reserved for residential use. These districts are typically linear and should be located along collector and arterial streets which have transit routes.

Moderate-Scale Neighborhood Commercial Districts. These districts provide a wide range of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to local residents. These districts can be quite large in size and scale and may include up to four stories of commercial development, although most districts have less. They may include residential units on the upper stories. Due to the moderately-large scale and levels of activity, these districts should be located along heavily-trafficked thoroughfares which also serve as major transit routes.






Neighborhood Shopping Centers. These districts provide retail goods and services for car-oriented shoppers. Goods and services can range from groceries for local residents to a full range of merchandise for a citywide clientele. Commercial building intensity can approach up to four times the lot area, but is much lower in most cases because a substantial amount of each lot is devoted to automobile parking and building heights generally are limited to prevailing heights in surrounding areas. Residential uses are permitted but are uncommon. Because these districts provide an alternative building format with more parking opportunities than the traditional linear shopping districts, they should be located where their design is compatible with existing neighborhood scale and where they compatibly supplement other traditional commercial districts in serving new or low-density residential areas.



GENERALIZED NEIGHBORHOOD COMMERCIAL LAND USE PLAN

Map 2



-  NEIGHBORHOOD CLUSTER
-  SMALL SCALE NEIGHBORHOOD DISTRICT
-  MODERATE SCALE NEIGHBORHOOD DISTRICT
-  NEIGHBORHOOD SHOPPING CENTER
-  INDIVIDUAL NEIGHBORHOOD DISTRICT

COMMERCIAL INTENSITY (Stories)

- 1
- 1 - 2
- 1 - 4
- 1 - 4
- 1 - 4

Individual Neighborhood Commercial Districts. These districts are generally small or moderate scale commercial districts generally located in neighborhoods undergoing rapid economic change. Separate zoning controls specific to each district's particular needs and characteristics are needed to deal with the economic growth and land use changes which each area is experiencing. In some districts, eating and drinking uses have proliferated, displacing other types of retail goods and services needed by the neighborhood. Financial institutions, such as banks and savings and loan associations, have multiplied in certain districts, displacing other types of businesses, tending to concentrate and create nodes of congestion, and sometimes detracting from the visual and design character of the district. In many individual districts, special controls are necessary to protect existing housing from conversion to commercial use and encourage the development of new housing.

POLICY 6

Promote high quality urban design on commercial streets.

Most of San Francisco's neighborhood commercial districts were developed concurrently with residential development and have physical forms which relate to the needs and tastes prevalent during the first half of this century. During this period, commercial units were built along streetcar lines and at major street intersections, often with residential flats on the upper floors, thus creating the familiar "linear" or "strip" commercial districts.

The small lot pattern prevalent at that time also encouraged the development of small buildings and businesses. The resulting scale has come to characterize San Francisco's attractive and active neighborhood commercial districts. The small-scale character should be maintained through the regulation of the size of new buildings and commercial uses.

Continuous commercial frontage at the street level is especially important. It prevents the fragmentation and isolation of fringe areas, improves pedestrian accessibility, and enhances the physical and aesthetic cohesiveness of the district. The design of new buildings should harmonize with the scale and orientation of existing buildings. Additionally, a correspondence of building setbacks, proportions, and texture helps establish visual coherence between new development and existing structures on a commercial street.

The appeal and vitality of a neighborhood commercial district depends largely on the character, amenities, and visual quality of its streets. The main function of neighborhood commercial streets is to provide retail goods and services in a safe, comfortable, and attractive pedestrian environment.

Urban Design Guidelines

The following guidelines for urban design are intended to preserve and promote positive physical attributes of neighborhood commercial districts and facilitate harmony between business and residential functions. The pleasant appearance of an individual building is critical to maintaining the appeal and economic vitality of the businesses located in it, as

well as of the whole neighborhood commercial district. An individual project's building design and site layout should be compatible with the character of surrounding buildings and the existing pattern of development in neighborhood commercial districts.

The physical characteristics of the property and district which should be considered in the design of new development include:

- Overall district scale;
- Individual street character and form;
- Lot development patterns;
- Adjacent property usage;
- Proposed site development and building design;
- Potential environmental impacts; and
- Feasible mitigation measures.

Site Layout

- The site plan of a new building should reflect the arrangement of most other buildings on its block, whether set back from, or built out to its front property lines.
- In cluster and linear districts with continuous street building walls, front set-backs are discouraged, in order to maintain a continuous block facade line. However, outdoor activities such as sidewalk cafes and walk-up windows may be accommodated by recessing the ground story. Front set-back areas of existing buildings may be used for outdoor activities.
- New development should respect open space corridors in the interior of blocks and not significantly impede access of light and air nor block views of adjacent buildings.
- On irregularly shaped lots, through-lots or those adjacent to fully-built lots, open space located elsewhere than at the rear of a property may improve the access of light and air to residential units.
- Outdoor activities associated with an eating and drinking or entertainment establishment which abut residentially-occupied property should be discouraged.

Scale, Height and Bulk

- In most cases, small lots with narrow building fronts should be maintained in districts with this traditional pattern.
- When new buildings are constructed on large lots, the facades should be designed in units which are compatible with the existing scale of the district.

- The height of a proposed development should relate to the individual neighborhood character and the height and scale of adjacent buildings to avoid an overwhelming or dominating appearance of new structures. On a street of varied building heights, transitions between high and low buildings should be provided. While three- and four-story buildings are appropriate in most locations, two-story facades with upper stories set back from the street wall may be preferable in some areas with lower-scale development.
- The height and bulk of new development should be designed to maximize sun access to nearby parks, plazas, and major pedestrian corridors.

Frontage

- Facades of new development should be consistent with design features of adjacent facades that contribute to the visual qualities of the neighborhood commercial district.
- To encourage continuity of "live" retail sales and services, at least one-half of the total width of any new or reconstructed building, parallel to and facing the commercial street, should be devoted to entrances, show windows, or other displays. Where a substantial length of windowless wall is found to be unavoidable, eye-level display, a contrast in wall treatment, offset wall line, outdoor seating and/or landscaping should be used to enhance visual interest and pedestrian vitality.
- Clear, untinted glass should be used at and near the street level to allow maximum visual interaction between sidewalk areas and the interior of buildings. Mirrored, highly reflective glass or densely-tinted glass should not be used except as an architectural or decorative accent.
- Where unsightly walls of adjacent buildings become exposed by new development, they should be cleaned, painted or screened by appropriate landscaping.
- Walk-up facilities should be recessed and provide adequate queuing space to avoid interruption of the pedestrian flow.

Architectural Design

- The essential character of neighborhood commercial districts should be preserved by discouraging alterations and new development which would be incompatible with buildings which are architecturally significant or which contribute to the scale and character of the district as a whole. Specifically, the facades and building lines of existing buildings should be continued, and the details, material, texture or color of existing architecturally significant or distinctive buildings should be complemented by new development.
- Existing structures in sound or rehabilitable condition and of worthwhile architectural character should be reused where feasible to retain the unique character of a given neighborhood commercial district.

- The design of new buildings, building additions and alterations, and facade renovations should reflect the positive aspects of the existing scale and design features of the area. Building forms should complement and improve the overall neighborhood environment.

Materials

- The materials, textures and colors of new or remodeled structures should be visually compatible with the predominant materials of nearby structures. In most neighborhood commercial districts, painted wood or masonry are the most appropriate and traditional exterior facade materials.

Details

- Individual buildings in the city's neighborhood commercial districts are rich in architectural detailing, yet vary considerably from building to building, depending upon the age and style of their construction. Despite their stylistic differences, Victorian, Classical and Art Deco buildings share some design motifs. Vertical lines of columns or piers, and horizontal lines of spandrels or cornices are common to many styles as are mouldings around windows and doors. These elements add richness to a flat facade wall, emphasizing the contrast of shapes and surfaces.
- A new building should relate to the surrounding area by displaying scale and textures derived from existing buildings. Nearby buildings of architectural distinction can serve as primary references. Existing street rhythms should also be continued on the facade of a new building, linking it to the rest of the district. This can be accomplished in part by incorporating prevailing cornice and belt course lines.

Rooftop Mechanical Equipment

- Rooftop mechanical equipment which may create disturbing noises or odors should be located away from areas of residential use and screened and integrated with the design of the building.

Signs

- The character of signs and other features attached to or projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. Neighborhood commercial districts are typically mixed-use areas with commercial units on the ground or lower floors and residential uses on upper floors. As much as signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residences within the neighborhood commercial district or in adjacent residential districts. Sign sizes and design should relate and be compatible with the character and scale of the neighborhood commercial district. Unless otherwise allowed in the Planning Code, facades of residentially-occupied stories should not be used for attaching signs nor should the illumination of signs be directed into windows of residential units.

Landscaping and Street Design

- Street trees should be provided in each new development. If a district tree planting program or streetscape plan exists, new development should be landscaped in conformity with such plans. In places where tree planting is not appropriate due to inadequate sidewalk width, interference with utilities, undesirable shading, or other reasons, other means such as window boxes, planter boxes or trellises may be chosen.
- A permanent underground sprinkler system should be installed in landscaped areas which will provide sufficient water for plant material used. Automatic timing devices may be required. Container plants which cannot adequately be watered by an underground sprinkler system should have adequate hose bibs installed to permit watering.
- Open uses such as parking lots should be visually screened along the street frontage by low walls, earth berms and/or landscaping. However, the safety of the lots should not be reduced through these measures.
- A landscaped buffer of trees and shrubs should be used along those edges of a parking lot bordering residential properties.
- In addition to landscaping at the periphery of the parking lot, planting islands between parked vehicles should be located within the lot, whenever feasible. Trees and other plantings provide shade and variety to the visual monotony of parked automobiles, especially when the lot is viewed from adjacent residences.

POLICY 7

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

While most commercial districts have healthy economies, some districts have declined. The latter areas are underused, and are often characterized by vacant lots and boarded up or deteriorating storefronts. As a consequence, there is inadequate provision of convenience goods and services to nearby residents. The City should participate in a variety of efforts to revitalize these districts.

However, the ultimate success of a neighborhood commercial district depends upon factors which are beyond the scope of the public sector. Almost all successful neighborhood commercial revitalization efforts are initiated by local businessmen with a strong desire and commitment to upgrade their businesses, property, and neighborhoods. Because revitalization of an entire commercial district requires diligence and cooperation of all merchants and property owners sustained over a long period of time, a strong merchants' association is essential. The City should provide businessmen who have exhibited a strong commitment to upgrade their areas with assistance in organizing or strengthening their merchants' association and preparing and carrying out their improvements.

For its part the City should provide the physical improvements and public services necessary to ensure confidence in local investors. These include police and fire protection, adequate maintenance of streets, sidewalks and sanitation services, as well as proper enforcement of zoning, health, and building codes to ensure the health and safety of merchants, residents, and shoppers. Capital improvements should be made as required, including lighting, street furnishings, public spaces, and mini-parks. Traffic circulation, transit, and parking availability should be managed to allow maximum accessibility to the retail corridor with a minimum of congestion and disruption to the neighborhood.

Community development corporations can also assist in revitalization efforts by providing employment and community services to local residents through community-owned local business enterprises. Encouragement and assistance should be given to organizations having the potential of successfully carrying out local economic development projects.

Efforts to upgrade neighborhood commercial districts should occur in conjunction with efforts to improve the quality of the surrounding community, with respect to physical condition of the housing stock, recreation and open space, and delivery of services.

TRANSPORTATION ELEMENT

Objectives and policies of the Transportation Element (as amended by Resolution No. 9434, June 24, 1982, reprinted January 1983) which specifically refer to neighborhood commercial districts are listed below. No amendments are proposed.

	<u>Page</u>
● General Objectives and Policies	
Criteria for Priority for Walking, Bicycling, or Short Distance Transit Vehicles, Number 3	13
● Pedestrian Circulation Plan, Policy 4	32
● Bicycle Plan, Objective 2, Policy 1	36
● Citywide Parking Plan	
Objective 1, Policy 1, Criterion 14	49
Objective 4, Policy 1	52

RESIDENCE ELEMENT

Objectives and policies of the Residence Element (as amended by Resolution 10045, June 28, 1984) which specifically refer to neighborhood commercial districts are listed below. No amendments to these policies are proposed.

	<u>Page</u>
● Objective 1, Policy 4, 3rd bullet	2.2
● Objective 2, Policy 2, 2nd paragraph	2.4
● Objective 3, Policies 1 and 2	2.8
● Objective 6, Policy 2	2.16
● Objective 8, Policy 1	2.25

In addition, the residential density table and Map B in Objective 2, Policy 4 should be amended as shown below.

- Policy 4

Adopt Specific Zoning Districts Which Conform to a Generalized Residential Land Use Plan.

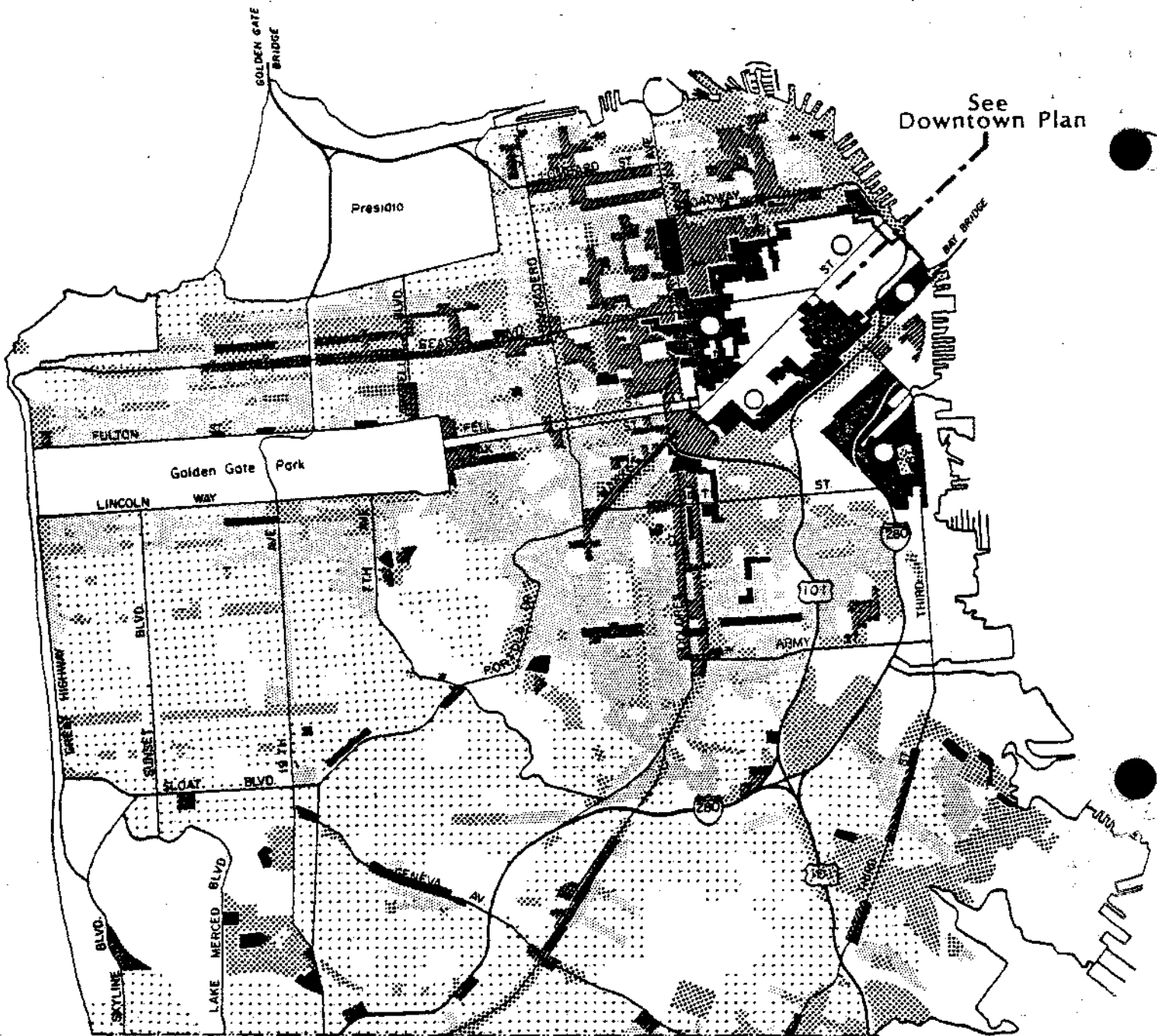
Applying policies under this Objective 2 results in density patterns shown on the accompanying Generalized Residential Land Use Plan Map. Specific zoning districts should conform generally to this map, although minor variations consistent with the general density policies may be appropriate.

The Generalized Residential Land Use Plan provides for five density categories:

Potential Residential and Population Density
By Zoning Districts

Classification	Zoning Districts	Average Units Per Acre	Average Persons Per Acre*	General Location
Low Density	RH-1	14	24-31	Appropriate in areas for single families, located predominantly in the southern and western parts of the city.
Moderately-Low Density	RH-2 RH-3	36	64-94	Appropriate in the central hills areas, along Diamond Heights, Twin Peaks, and Potrero Hill, around Golden Gate Park in the Richmond, and northern part of the Sunset districts and in the Marina district.
Medium Density	RM-1, RC-1 C-1, C-2 M-1, M-2, <u>NC-1, NC-2,</u> <u>Sacramento,</u> <u>Street</u>	54	118	Appropriate for <u>some low-intensity neighborhood commercial districts and mixed-use ((non-))residential-commercial and industrial districts,</u> and certain areas adjacent to the commercial zones.
Moderately-High Density	RM-2, RM-3, RC-2, RC-3, NC-3, NC-S, <u>Broadway,</u> <u>Castro Street,</u> <u>Inner Clement Street,</u> <u>Outer Clement Street,</u> <u>Upper Fillmore Street,</u> <u>Haight Street,</u> <u>Hayes-Gough,</u> <u>Upper Market Street,</u> <u>North Beach NCD,</u> <u>Polk Street NCD,</u> <u>Union Street NCD,</u> <u>Valencia Street,</u> <u>24th Street-Mission,</u> <u>24th Street-Noe Valley</u>	91	160-240	Appropriate for the more intensely developed north-eastern part of the city, <u>certain neighborhood commercial districts with moderately high existing residential development and good transit accessibility,</u> for major transit corridors such as Van Ness Avenue, in major redevelopment areas such as the Western Addition and the Golden Gateway areas, and in Nob Hill, Chinatown and North Beach.
High Density	RM-4, RC-4 C-3, C-M	283	475-760	Appropriate for certain areas in the northeastern part of the city, including downtown districts as well as heavy-commercial districts.

* Based on city-wide average household size of 2.19. See map on following page for average household size by Census Tract.



RESIDENCE ELEMENT MAP B : RESIDENTIAL DENSITY

↑
**NCRS
Map 3**

<p>●●●●●● LOW DENSITY Average 12 units per acre</p> <p>●●●●●● MODERATELY LOW DENSITY Average 36 units per acre</p> <p>●●●●●● MEDIUM DENSITY Average 54 units per acre</p>	<p>▨▨▨▨▨ MODERATELY HIGH DENSITY Average 91 units per acre</p> <p>■ ■ ■ ■ HIGH DENSITY Average 283 units per acre</p> <p>□ PUBLIC AND HEAVY INDUSTRIAL AREAS</p>
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○ **AREAS PROPOSED FOR REZONING**
See Map A (Appropriate densities will be determined
in the rezoning studies)



PLANNING CODE TEXT AMENDMENTS

INTRODUCTION

This chapter presents language to establish Article 7, a new part of the City Planning Code, which establishes a comprehensive, flexible system of neighborhood commercial zoning controls. It contains four general area districts and fifteen individual area districts with controls which embrace the full range of land use issues in each district. A description and purpose statement for each district is accompanied by a chart which displays all applicable zoning controls, either directly or by reference to other sections of the Code. Article 7 also includes sections describing standards, permitted uses, definitions, and references to other Code sections.

All other sections of the Code to be modified are also presented in this chapter. These include all amendments to Articles 1, 1.2, 1.5, 1.7, 2, 2.5, 3, and 6, including minor references to neighborhood commercial (NC) districts and amendments which restructure or repeat provisions which already apply to the affected lots. These sections are presented in ordinance form appropriate for legislative action by the Board of Supervisors; code sections are included in their entirety, regardless of the extent of amendment to the section. Additions are indicated by underlined text. Deletions are indicated by ((double parentheses)) and in the case of large portions of text, by lines crossed through the deleted portions. Amendments which are in effect on an interim basis for the Downtown (C-3) districts are also indicated for the sections presented.

ARTICLE 7

NEIGHBORHOOD COMMERCIAL DISTRICTS

SEC. 701	NEIGHBORHOOD COMMERCIAL DISTRICT PROVISIONS
SEC. 702	CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS
SEC. 703	NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS
SEC. 709	GUIDE TO UNDERSTANDING THE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROLS
SEC. 710	NC-1—NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT
SEC. 711	NC-2—SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 712	NC-3—MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 713	NC-S—NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT
SEC. 714	BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 715	CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 716	INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 717	OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 718	UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 719	HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 720	HAYES-GOUGH NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 721	UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 722	NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 723	POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 724	SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 725	UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 726	VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 727	24TH STREET-MISSION NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 728	24TH STREET-NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT
SEC. 790	DEFINITIONS FOR NEIGHBORHOOD COMMERCIAL DISTRICTS
SEC. 799	REFERENCES TO OTHER SECTIONS OF THE CITY PLANNING CODE

ARTICLE 7

NEIGHBORHOOD COMMERCIAL DISTRICTS

SEC. 701 NEIGHBORHOOD COMMERCIAL DISTRICT PROVISIONS.

This Article is adopted specifically for Neighborhood Commercial districts, as shown on the Zoning Map of the City and County of San Francisco. The provisions set forth or referenced in Article 7 shall apply to any use, property, structure, or development which is located in a Neighborhood Commercial district, unless otherwise provided for within this Code. In the event of conflict between provisions of Article 7 and other provisions of this Code, the provisions of Article 7 shall prevail.

SEC. 701.1 Purpose of Article 7. This Article is intended to provide a comprehensive and flexible zoning system for Neighborhood Commercial districts which is consistent with the objectives and policies set forth in the San Francisco Master Plan. More specifically, the purposes of this Article are:

- (a) To provide in one article a complete listing of or cross-reference to all of the zoning categories, definitions, control provisions, and review procedures which are applicable to properties or uses in Neighborhood Commercial districts.
- (b) To establish a zoning system which will accommodate all classes of Neighborhood Commercial districts including general districts for citywide area groupings and individual districts which are tailored to the unique characteristics of specific areas.
- (c) To provide zoning control categories which embrace the full range of land use issues in all Neighborhood Commercial districts, in order that controls can be applied individually to each district class to address particular land use concerns in that district.

SEC. 702 CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS.

SEC. 702.1 Neighborhood Commercial Use Districts. The following districts are established for the purpose of implementing the Commerce and Industry element and other elements of the Master Plan, according to the objective and policies stated therein. Description and Purpose Statements outline the main functions of each Neighborhood Commercial (NC) district in the Zoning Plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

The description and purpose statements and land use controls applicable to each of the general and individual area districts are set forth in Sections 710 through 728 for each district class. The boundaries of the various Neighborhood Commercial districts are shown on the Zoning Map referred to in Section 105, subject to the provisions of Section 105.

General Area Districts	<u>Section Number</u>
NC-1—Neighborhood Commercial Cluster District	§ 710
NC-2—Small-Scale Neighborhood Commercial District	§ 711
NC-3—Moderate-Scale Neighborhood Commercial District	§ 712
NC-S—Neighborhood Commercial Shopping Center District	§ 713

Individual Area Districts	<u>Section Number</u>
Broadway Neighborhood Commercial District	§ 714
Castro Street Neighborhood Commercial District	§ 715
Inner Clement Street Neighborhood Commercial District	§ 716
Outer Clement Street Neighborhood Commercial District	§ 717
Upper Fillmore Street Neighborhood Commercial District	§ 718
Haight Street Neighborhood Commercial District	§ 719
Hayes-Gough Neighborhood Commercial District	§ 720
Upper Market Street Neighborhood Commercial District	§ 721
North Beach Neighborhood Commercial District	§ 722
Polk Street Neighborhood Commercial District	§ 723
Sacramento Street Neighborhood Commercial District	§ 724
Union Street Neighborhood Commercial District	§ 725
Valencia Street Neighborhood Commercial District	§ 726
24th Street-Mission Neighborhood Commercial District	§ 727
24th Street-Noe Valley Neighborhood Commercial District	§ 728

SEC. 702.2

Special Use Districts. In addition to the Neighborhood Commercial use districts established by Section 702.1 of this Code, certain special use districts established in Sections 236 through 245 are located within certain Neighborhood Commercial district boundaries. The designations, locations, and boundaries of the special use districts are as provided below.

	<u>Section Number</u>
Garment Shop Special Use District	§ 236
Northern Waterfront Special Use District	§ 240
Ocean Avenue Affordable Housing Special Use District	§ 243
Monterey Boulevard Affordable Housing Special Use District	§ 244

SEC. 703

NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.

The Neighborhood Commercial district zoning control categories consist of building standards listed in Section 703.1 and permitted uses listed in Section 703.2. The controls are either stated, or summarized and cross-referenced to the Sections in other Articles of this Code containing the requirements, in Sections 710 through 728, for each of the district classes listed in Section 702.1.

SEC. 703.1

Building Standards. Building standards are controls which regulate the general size, shape, character, and design of development in Neighborhood Commercial districts. They are set forth or summarized and cross-referenced in the zoning control categories as listed in paragraph (a) below in Sections 710 through 728 for each district class.

- (a) **Building Standard Categories.** The building categories which govern Neighborhood Commercial districts are listed below by zoning control category and number and cross-referenced to the Code Section containing the standard and the definition.

<u>No.</u>	<u>Zoning Control Categories for Building Standards</u>	<u>Section Number of Standard</u>	<u>Section Number of Definition</u>
.10	Height and Bulk	Zoning Map	§ 102.11
.11	Lot Size [Per Development]	§ 121.5	§ 790.56
.12	Rear Yard	§ 134(a)(e)	§ 134
.13	Street Frontage	§ 145.1	
.14	Awning	§ 136.1(a)	§ 790.20
.15	Canopy	§ 136.1(b)	§ 790.26
.16	Marquee	§ 136.1(c)	§ 790.58
.17	Street Trees	§ 143	
.20	Floor Area Ratio	§§ 123-124	§ 102.8-.10
.21	Use Size [Non-Residential]	§ 121.7	§ 790.130
.22	Off-Street Parking, Commercial and Institutional	§ 151	§ 150
.23	Off-Street Freight Loading	§ 152	§ 150
.30	General Advertising Sign	§ 607.1(c)	§ 602.7
.31	Business Sign	§ 607.1(d)	§ 602.3
.91	Residential Density, Dwelling Units	§ 207.2	§ 207
.92	Residential Density, Other	§ 208	§ 208
.93	Usable Open Space	§ 135(d)	§ 135
.94	Off-Street Parking, Residential	§ 151	§ 150

SEC. 703.2

Uses Permitted in Neighborhood Commercial Districts. A use is the specific purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific district is set forth or summarized and cross-referenced in the zoning control categories as listed in paragraph (a) below in Sections 710 through 728 for each district class.

- (a) **Use Categories.** The uses, functions, or activities, which are permitted in each Neighborhood Commercial district class are listed below by zoning control category and number and cross-referenced to the Code Section containing the definition.

<u>No.</u>	<u>Zoning Control Categories for Uses</u>	<u>Section Number of Use Definition</u>
.24	Outdoor Activity Area	§ 790.70
.25	Drive-Up Facility	§ 790.30
.26	Walk-Up Facility	§ 790.140
.27	Hours of Operation	§ 790.48
.38	Residential Conversion	§ 790.84
.39	Residential Demolition	§ 790.86
.40	Other Retail Sales and Services	§ 790.102
.41	Bar	§ 790.22

.42	Full-Service Restaurant	\$ 790.92
.43	Fast Food Restaurant	\$ 790.90
.44	Take-Out Food	\$ 790.122
.45	Movie Theater	\$ 790.64
.46	Adult Entertainment	\$ 790.36
.47	Other Entertainment	\$ 790.38
.48	Amusement Game Arcade	\$ 790.4
.49	Financial Service	\$ 790.110
.50	Limited Financial Service	\$ 790.112
.51	Medical Service	\$ 790.114
.52	Personal Service	\$ 790.116
.53	Business or Professional Service	\$ 790.108
.54	Massage Establishment	\$ 790.60
.55	Tourist Hotel	\$ 790.46
.56	Automobile Parking	\$ 790.8
.57	Automotive Gas Station	\$ 790.14
.58	Automotive Service Station	\$ 790.17
.59	Automotive Repair	\$ 790.15
.60	Automotive Wash	\$ 790.18
.61	Automobile Sale or Rental	\$ 790.12
.62	Animal Hospital	\$ 790.6
.63	Ambulance Service	\$ 790.2
.64	Mortuary	\$ 790.62
.65	Trade Shop	\$ 790.124
.70	Administrative Service	\$ 790.106
.71	Light Manufacturing or Wholesale Sales	\$ 790.54
.80	Hospital or Medical Center	\$ 790.44
.81	Other Institutions	\$ 790.50
.82	Public Use	\$ 790.80
.90	Residential Use	\$ 790.88
.95	Community Residential Parking	\$ 790.10

(b) **Use Limitations.** The uses set forth in Paragraph (a) above, are permitted in Neighborhood Commercial districts as either principal, conditional, accessory, or temporary uses as stated in this Section, and as set forth or summarized and cross-referenced in the zoning control categories as listed in Paragraph (a) below in Sections 710 through 728 for each district class.

1. **Permitted Uses.** All permitted uses shall be conducted within an enclosed building in Neighborhood Commercial districts, unless otherwise specifically allowed in this Code.

If there are two or more uses in a structure and none is classified below under Section 703.2(b)1.(C) as accessory, then each of these uses will be considered separately as independent principal or conditional uses.

(A) **Principal Uses.** Principal uses are permitted as of right in a Neighborhood Commercial district, when so indicated in Sections 710 through 728 for each district class.

(B) **Conditional Uses.** Conditional uses are permitted in a Neighborhood Commercial district when authorized by the City Planning Commission; whether a use is

conditional in a given district is indicated in Sections 710 through 728. Conditional uses are subject to the provisions set forth in Section 315.

- (C) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Residential Uses) and 204.5 (Parking and Loading as Accessory), a related minor use which is either necessary to the operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental and subordinate to any such use, shall be permitted as an accessory use when located on the same lot.

No use will be considered accessory to a permitted principal or conditional use which involves or requires any of the following:

- (i) Any restaurant, take-out food, other entertainment, or other retail establishment which establishment serves liquor for consumption on-site, as defined in Section 790.22.
- (ii) Any deli counter operating as a fast food restaurant or take-out food service within a retail grocery or specialty food store when such store occupies less than 3500 square feet of gross floor area.
- (iii) The wholesaling, manufacturing or processing of foods, goods, or commodities on the premises of an establishment which does not also operate as a retail storefront that is open during normal business hours to the general public.

- (D) **Temporary Uses.** Temporary uses are permitted uses, subject to the provisions set forth in Section 205 of this Code.

2. Not Permitted Uses.

- (A) Uses which are not specifically listed in this Article are not permitted unless determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.
- (B) No use, even though listed as a permitted use, shall be permitted in a Neighborhood Commercial District which, by reason of its nature or manner of operation, creates conditions that are hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

GUIDE TO UNDERSTANDING THE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROLS.

Neighborhood Commercial district controls are set forth in the Zoning Control Tables in Sections 710 through 728 of this Code.

- (a) The first column in the Zoning Control Table, titled "No." provides a category number for each zoning control category.
- (b) The second column in the table, titled "Zoning Control Category," lists each zoning control category which is regulated in Article 7.
- (c) The third column, titled "\$ References," contains numbers of other sections in the Planning Code and other City codes, in which additional control provisions, including definitions, are contained.
- (d) In the fourth column, the controls applicable to the various Neighborhood Commercial districts are indicated either directly or by reference to other Code sections which contain the controls.

The following symbols are used in this table:

- P — Permitted as a principal use.
- C — Permitted as a conditional use, subject to the provisions set forth in Section 315.
- A blank space on the table indicates that the use or feature is not permitted. Unless a use or feature is specifically listed as permitted or required, such use or feature is prohibited.
- # — See specific provisions listed by Section and Zoning Category number at the end of the table.
- 1st — 1st story and below
- 2nd — 2nd story
- 3rd — 3rd story and above

SEC. 710.1

NC-1—Neighborhood Commercial Cluster District.

NC-1 districts are intended to serve as local neighborhood shopping clusters, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours.

These NC-1 districts are characterized by their location in residential neighborhoods, often in outlying areas of the city. These districts have the lowest intensity commercial development in the city, generally consisting of less than one or two blocks and in most cases having less than 600 feet of commercial frontage. The NC-1 districts include small clusters with three or more commercial establishments, commonly grouped around a corner; and in some cases short linear commercial strips with low-scale, interspersed mixed-use (residential-commercial) development.

Building controls for the NC-1 district promote low intensity development which is compatible with the existing scale and character of these neighborhood areas within the predominant 40-foot height district. Commercial development is limited to one story. Rear yard requirements at all levels preserve existing backyard space.

NC-1 commercial use provisions encourage the full range of neighborhood commercial convenience retail sales and services at the first story provided that the use size is limited to 2,500 square feet. However, commercial uses and features which could impact residential livability are prohibited, such as auto uses, financial services, general advertising signs, drive-up facilities, hotels, and late night activity; eating and drinking establishments are restricted, depending upon the intensity of such uses in nearby commercial districts.

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by prohibitions of conversions above the ground story and limitations on demolitions.

**SEC. 710
NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT
NC-1 ZONING CONTROL TABLE**

			SEC. 710
			NC-1
No.	Zoning Category	§ References	Controls

BUILDING STANDARDS

.10	Height and Bulk	§§ 102.11, 105, 106, 250-252, 260 270, 271	40-X See Zoning Map
.11	Lot Size [Per Development]	§§ 790.56, 121	P up to 5000 sq.ft., C 5001 sq.ft. & above § 121.5
.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a)(e)
.13	Street Frontage		Required § 145.1
.14	Awning	§ 790.20	P § 136.1(a)
.15	Canopy	§ 790.26	
.16	Marquee	§ 790.58	
.17	Street Trees		Required § 143

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

.20	Floor Area Ratio	§§ 102.8, 102.10, 123	1.8 to 1 § 124(a)(b)
.21	Use Size [Non-Residential]	§ 790.130	P up to 2500 sq.ft., C 2501 sq.ft. & above § 121.7
.22	Off-Street Parking, Commercial and Institutional	§§ 150, 153-157, 159-160, 204.5	Generally, none required if occupied floor area is less than 5000 sq.ft. §§ 151, 161(g)

			SEC. 710
			NC-1
No.	Zoning Category	§ References	Controls
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 790.70	P in front; C elsewhere
.25	Drive-Up Facility	§ 790.30	
.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 790.48	P: 6 a.m. - 11 p.m. C: 11 p.m. - 2 a.m.
.30	General Advertising Sign	§§ 602-604,608.1 608.2,608.5-.8	
.31	Business Sign	§§ 602-604,608.1 608.2,608.5-.8	P § 607.1(d)

			Controls by Story		
			1st	2nd	3rd +
		§ 790.118			
.38	Residential Conversion	§ 790.84	P		
.39	Residential Demolition	§ 790.86	C	C	C

Retail Sales and Services

.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P		
.41	Bar	§ 790.22	P#		
.42	Full-Service Restaurant	§ 790.92	P#		
.43	Fast Food Restaurant	§ 790.90	C#		
.44	Take-Out Food	§ 790.122	C#		

SEC. 710

NC-1

Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.45	Movie Theater	§ 790.64			
.46	Adult Entertainment	§ 790.36			
.47	Other Entertainment	§ 790.38	C		
.48	Amusement Game Arcade	§ 790.4 § 1036 Police Code			
.49	Financial Service	§ 790.110			
.50	Limited Financial Service	§ 790.112	P		
.51	Medical Service	§ 790.114	P		
.52	Personal Service	§ 790.116	P		
.53	Business or Professional Service	§ 790.108	P		
.54	Massage Establishment	§ 790.60 § 2700 Police Code			
.55	Tourist Hotel	§ 790.46			
.56	Automobile Parking	§§ 790.8, 156, 160	C		
.57	Automotive Gas Station	§ 790.14			
.58	Automotive Service Station	§ 790.17			
.59	Automotive Repair	§ 790.15			
.60	Automotive Wash	§ 790.18			
.61	Automobile Sale or Rental	§ 790.12			
.62	Animal Hospital	§ 790.6			
.63	Ambulance Service	§ 790.2			
.64	Mortuary	§ 790.62			

SEC. 710
NC-1
Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.65	Trade Shop	§ 790.124	P		

Non-Retail Sales and Services

.70	Administrative Service	§ 790.106			
.71	Light Manufacturing or Wholesale Sales	§ 790.54			

Institutions

.80	Hospital or Medical Center	§ 790.44			
.81	Other Institutions	§ 790.50	C	C	
.82	Public Use	§ 790.80	C	C	C

RESIDENTIAL STANDARDS AND USES

.90	Residential Use	§ 790.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 790.88(a)	Generally, 1 unit per 800 sq.ft. lot area § 207.2		
.92	Residential Density, Group Housing	§§ 207.1,208, 790.88(b)	Generally, 1 bedroom per 275 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	Generally, either 100 sq.ft. if private, or 133 sq.ft. if common § 135(d)		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(g)		
.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR NC-1 DISTRICTS

<u>Section</u>	<u>Zoning Controls</u>
710.41 710.42	P if located more than one-quarter mile from any district with more restrictive controls; otherwise, same as more restrictive control
710.43 710.44	C if located more than one-quarter mile from any district with more restrictive controls; otherwise, same as more restrictive control

SEC. 711.1

NC-2—Small-Scale Neighborhood Commercial District.

The NC-2 district is intended to serve as the city's small-scale neighborhood commercial district. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 districts are commonly located along both collector and arterial streets which have transit routes.

These districts range in size from two or three blocks to many blocks, although the commercial development in longer districts may be interspersed with housing or other land uses. Buildings typically range in height from two to four stories with occasional one-story commercial buildings.

The small-scale district controls provide for mixed-use buildings which approximate or slightly exceed the standard development pattern. Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks.

Most new commercial development is permitted at the ground and second stories. Eating and drinking, entertainment, and financial service uses, however, are confined to the ground story. The second story may be used by some retail stores, personal services, and medical, business and professional offices. Parking and hotels are monitored at the first and second stories. Limits on late-night activity, drive-up facilities, and other automobile uses protect the livability within and around the district, and promote continuous retail frontage.

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions.

**SEC. 711
SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT
NC-2 ZONING CONTROL TABLE**

			SEC. 711
			NC-2
No.	Zoning Category	§ References	Controls

BUILDING STANDARDS

.10	Height and Bulk	§§ 102.11, 105, 106, 250-252, 260, 270, 271	Generally, 40-X See Zoning Map
.11	Lot Size [Per Development]	§§ 790.56, 121	P up to 10,000 sq.ft., C 10,001 sq.ft. & above § 121.5
.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a)(e)
.13	Street Frontage		Required § 145.1
.14	Awning	§ 790.20	P § 136.1(a)
.15	Canopy	§ 790.26	P § 136.1(b)
.16	Marquee	§ 790.58	P § 136.1(c)
.17	Street Trees		Required § 143

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

.20	Floor Area Ratio	§§ 102.8, 102.10, 123	3.6 to 1 § 124(a)(b)
.21	Use Size [Non-Residential]	§ 790.130	P up to 3500 sq.ft., C 3501 sq.ft. & above § 121.7
.22	Off-Street Parking, Commercial and Institutional	§§ 150, 153-157, 159-160, 204.5	Generally, none required if occupied floor area is less than 5000 sq.ft. §§ 151, 161(g)

			SEC. 711
			NC-2
No.	Zoning Category	§ References	Controls
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 790.70	P in front; C elsewhere
.25	Drive-Up Facility	§ 790.30	
.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 790.48	P: 6 a.m. - 2 a.m. C: 2 a.m. - 6 a.m.
.30	General Advertising Sign	§§ 602-604,608.1 608.2,608.5-.7	P § 607.1(c)
.31	Business Sign	§§ 602-604,608.1 608.2,608.5-.7	P § 607.1(d)

			Controls by Story		
			1st	2nd	3rd +
		§ 790.118			
.38	Residential Conversion	§ 790.84	P	C	
.39	Residential Demolition	§ 790.86	C	C	C

Retail Sales and Services

.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
.41	Bar	§ 790.22	P		
.42	Full-Service Restaurant	§ 790.92	P		
.43	Fast Food Restaurant	§ 790.90	C		
.44	Take-Out Food	§ 790.122	C		

SEC. 711

NC-2

Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.45	Movie Theater	§ 790.64	P		
.46	Adult Entertainment	§ 790.36			
.47	Other Entertainment	§ 790.38	P		
.48	Amusement Game Arcade	§ 790.4 § 1036 Police Code			
.49	Financial Service	§ 790.110	P		
.50	Limited Financial Service	§ 790.112	P		
.51	Medical Service	§ 790.114	P	P	
.52	Personal Service	§ 790.116	P	P	
.53	Business or Professional Service	§ 790.108	P	P	
.54	Massage Establishment	§ 790.60 § 2700 Police Code	P	P	
.55	Tourist Hotel	§ 790.46	C	C	
.56	Automobile Parking	§§ 790.8, 156, 160	C	C	
.57	Automotive Gas Station	§ 790.14			
.58	Automotive Service Station	§ 790.17			
.59	Automotive Repair	§ 790.15			
.60	Automotive Wash	§ 790.18			
.61	Automobile Sale or Rental	§ 790.12			
.62	Animal Hospital	§ 790.6	C		
.63	Ambulance Service	§ 790.2			
.64	Mortuary	§ 790.62			

SEC. 711
NC-2
Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd +
.65	Trade Shop	§ 790.124	P	C	

Non-Retail Sales and Services

.70	Administrative Service	§ 790.106	C	C	
.71	Light Manufacturing or Wholesale Sales	§ 790.54	C#	#	

Institutions

.80	Hospital or Medical Center	§ 790.44			
.81	Other Institutions	§ 790.50	C	C	
.82	Public Use	§ 790.80	C	C	C

RESIDENTIAL STANDARDS AND USES

.90	Residential Use	§ 790.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 790.88(a)	Generally, 1 unit per 800 sq.ft. lot area # § 207.2		
.92	Residential Density, Group Housing	§§ 207.1,208, 790.88(b)	Generally, 1 bedroom per 275 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	Generally, either 100 sq.ft. if private, or 133 sq.ft. if common § 135(d)		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(g)		
.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR NC-2 DISTRICTS

<u>Section</u>	<u>Zoning Controls</u>
§ 711.71	§ 236 - Garment Shop Special Use District Applicable only for portions of the Pacific Avenue NC-2 District as mapped on Sectional Map No. 1 SUa P for garment shops on the 1st and 2nd story
§ 711.91	§ 244 - Monterey Boulevard Affordable Housing Special Use District Applicable only for portions of the Monterey Boulevard NC-2 District as mapped on Sectional Map 12 SU 1 unit per 600 sq.ft. lot area by Conditional Use

SEC. 790 **DEFINITIONS FOR NEIGHBORHOOD COMMERCIAL DISTRICTS.**

This Section provides the definitions for Neighborhood Commercial districts. In case of conflict between the following definitions and those set forth in Section 102, the following definitions shall prevail for Neighborhood Commercial districts.

SEC. 790.2 **Ambulance Service.** A retail use which provides medically-related transportation services.

SEC. 790.4 **Amusement Game Arcade. (Mechanical Amusement Devices)** A retail use which provides amusement games such as video games, pinball machines, pool tables, or other such similar mechanical and electronic amusement devices, as regulated in Section 1036 of the Police Code.

SEC. 790.6 **Animal Hospital.** A retail use which provides medical care and accessory boarding services for animals, not including a commercial kennel as specified in Section 224(c) of this Code.

SEC. 790.8 **Automobile Parking.** A use which provides temporary parking accommodations for private vehicles whether conducted within a garage or on an open lot, excluding community residential parking, as defined in Section 790.10. Provisions regulating automobile parking are set forth in Sections 155, 156, 157 and other provisions of Article 1.5 of this Code.

SEC. 790.10 **Automobile Parking, Community Residential.** A use which provides parking accommodations, including a garage or lot for the overnight storage of private passenger automobiles for residents of the vicinity or meeting the requirements of Section 159 and other sections in Article 1.5 of this Code.

SEC. 790.12 **Automobile Sale or Rental.** A retail use which provides vehicle sales or rentals whether conducted within a building or on an open lot.

SEC. 790.14 **Automotive Gas Station.** A retail automotive service use which provides motor fuels, lubricating oils, air, and water directly into motor vehicles and without providing automotive repair services, including self-service operations which sell motor fuel only.

SEC. 790.15 **Automotive Repair.** A retail automotive service use which provides any of the following automotive repair services when conducted within an enclosed building having no openings, other than fixed windows or exits required by law, located within 50 feet of any R district: minor auto repair, engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying.

- SEC. 790.16** **Automotive Service.** A retail use which provides services for motor vehicles including automotive gas station, automotive service station, automotive repair, and automotive wash.
- SEC. 790.17** **Automotive Service Station.** A retail automotive service use which provides motor fuels and lubricating oils directly into motor vehicles and minor auto repairs (excluding engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying) which remain accessory to the principal sale of motor fuel. Repairs shall be conducted within no more than three enclosed service bays in buildings having no openings, other than fixed windows or exits required by law, located within 50 feet of any R district .
- SEC. 790.18** **Automotive Wash.** A retail automotive service use which provides cleaning and polishing of motor vehicles, including self-service operations, when such cleaning and polishing are conducted within an enclosed building having no openings, other than fixed windows or exits required by law, and which has an off-street waiting and storage area outside the building which accommodates at least one-fourth the hourly capacity in vehicles of the enclosed operations.
- SEC. 790.20** **Awning.** A light roof-like structure, supported entirely by the exterior wall of a building; consisting of a fixed or moveable frame covered with cloth, plastic or metal; extending over doors, windows, and show windows; with the purpose of providing protection from sun and rain and/or embellishment of the facade; as further regulated in Sections 4506 and 5211 of the Building Code.
- SEC. 790.22** **Bar.** A retail use which provides on-site alcoholic beverage sales for drinking on the premises, serving beer, wine and/or liquor to the customer, including bars where no person under 21 years is admitted (with Alcoholic Beverage Control [ABC] licenses 42, 48, or 61) and drinking establishments (with ABC licenses 47 or 60) in conjunction with other uses which admit minors, such as restaurants, movie theaters, and other entertainment.
- SEC. 790.26** **Canopy.** A light roof-like structure, supported by the exterior wall of a building and on columns or wholly on columns, consisting of a fixed or moveable frame covered with approved cloth, plastic or metal, extending over entrance doorways only, with the purpose of providing protection from sun and rain and embellishment of the facade, as further regulated in Sections 4505, 4506, 4508, and 5213 of the Building Code.
- SEC. 790.30** **Drive-Up Facility.** A structure designed primarily for drive-to or drive-through trade which provides service to patrons while in private motor vehicles; excluding gas stations, service stations, and auto repair garages, as defined in Sections 790.14, 790.15, and 790.17.

- SEC. 790.34** **Eating and Drinking Use.** A retail use which provides food and spirits for either on- or off-site food consumption including bars, full-service restaurants, fast food restaurants, and take out food.
- SEC. 790.36** **Entertainment, Adult.** A retail use which includes the following: adult bookstore, as defined by Section 791 of the Police Code; adult theater, as defined by Section 791 of the Police Code; and encounter studio, as defined by Section 1072.1 of the Police Code. Such use shall be located no less than 1,000 feet from another adult entertainment use.
- SEC. 790.38** **Entertainment, Other.** A retail use which provides live entertainment, including dramatic and musical performances, and dance halls which provide amplified taped music for dancing on the premises, including but not limited to those defined in Section 1060 of the Police Code.
- SEC. 790.44** **Hospital or Medical Center.** A public or private institutional use which provides medical facilities for in-patient care, including medical offices, clinics, and laboratories. It shall also include employee or student dormitories adjacent to medical facilities when the dormitories are operated by and affiliated with a medical institution.
- SEC. 790.46** **Hotel, Tourist.** A retail use which provides tourist services including guest rooms or suites. A tourist guest room is intended or designed to be used, rented, or hired out to guests (transient visitors) intending to occupy the room for less than 32 consecutive days. A hotel does not include a tourist motel, which provides tourist services, including guest rooms or suites which are independently accessible from the outside, with garage or parking space located on the lot, and designed for, or occupied by, automobile-traveling transient visitors. Hotels are further regulated by the Residential Hotel Conversion and Demolition Ordinance, Chapter 41 of the San Francisco Administrative Code.
- SEC. 790.48** **Hours of Operation.** The permitted hours during which any commercial establishment, not including automated teller machines, may be open for business. Other restrictions on the hours of operation of movie theaters, adult entertainment, and other entertainment uses, as defined in Sections 790.64, 790.36., and 790.38, respectively, shall apply pursuant to provisions in Section 303(c)4, when such uses are permitted as conditional uses.
- SEC. 790.50** **Institutions, Other.** A public or private, commercial or non-commercial use which provides services to the community excluding hospitals and medical centers and including but not limited to the following:
- (a) Assembly and Social Service.** A use which provides social, fraternal, counseling or recreational gathering services to the community. It includes a private non-commercial club house, lodge, meeting hall,

recreation building, or community facility not publicly owned. It also includes an unenclosed recreation area or non-commercial horticulture area not publicly owned.

- (b) **Child Care.** A use which provides less than 24-hour care for children by licensed personnel and which meets the requirements of the State of California and other authorities.
- (c) **Educational Service.** A use certified by the State Educational Agency which provides educational services. It may include, on the same premises, employee or student dormitories and other housing operated by and affiliated with the institution.
- (d) **Religious Facility.** A use which provides religious services to the community. It may include on the same lot, the housing of persons who engage in supportive activity for the institution.
- (e) **Residential Care.** A medical use which provides lodging, board, and care 24 hours or more to persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services; including but not limited to, a board and care home, rest home, or home for the treatment of the addictive, contagious, or other diseases or physiological disorders.

SEC. 790.54

Light Manufacturing, Wholesale Sales. Non-retail sales and services use, including light manufacturing or wholesale sales, as defined in subsections (a) and (b) below.

- (a) **Light Manufacturing.** A non-retail use which provides for the fabrication or production of goods, by hand or machinery, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials, when conducted in an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. Light manufacturing uses include production and custom activities where items are made to order, usually involving individual or special design, or handiwork, such as the following fabrication or production activities defined by the Standard Industrial Classification Code Manual as light manufacturing uses:

1. Food processing
2. Apparel and other garment products
3. Furniture and fixtures
4. Printing
5. Leather products
6. Pottery
7. Glass blowing
8. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks.

(b) **Wholesale Sales.** A non-retail use which provides merchant middleman services, providing goods or commodities for resale or business use, not including a non-accessory storage warehouse.

SEC. 790.56 **Lot Size [Per development].** The permitted gross lot area for new construction or expansion of existing development. Lot is defined in Section 102.12.

SEC. 790.58 **Marquee.** A permanent roofed structure attached to and supported entirely by a building; including any object or decoration attached to or part of said marquee; no part of which shall be used for occupancy or storage; with the purpose of providing protection from sun and rain or embellishment of the facade; as further regulated in Sections 414 and 4506 of the Building Code.

SEC. 790.60 **Massage Establishment.** A retail use as defined in Section 2700 of the Police Code provided that the use is located no less than 1000 feet from the premises of any other massage establishment; except that this requirement shall not apply where massage services are incidental to the institutional uses permitted in Sections 217(a)-(c) or to the use by an individual member of the facilities of a health club, gymnasium, or other facility with a regular membership which health club, gymnasium or other facility is used primarily for instruction and training in body building, exercising, reducing, sports, dancing, or other similar physical activities.

SEC. 790.62 **Mortuary.** A retail use which provides funeral services, funeral preparation, or burial arrangements.

SEC. 790.64 **Movie Theater.** A retail use which displays motion pictures, slides, or closed circuit television pictures.

SEC. 790.70 **Outdoor Activity Area.** An area, not including primary circulation space or any public street, located outside of a building or in a courtyard which is provided for the use or convenience of patrons of a commercial establishment including, but not limited to, sitting, eating, drinking, dancing, and food service activities.

SEC. 790.80 **Public Use.** A publicly- or privately-owned use which provides public services to the community and which has operating requirements which necessitate location within the district, including civic structures, public libraries, police stations, transportation facilities, utility installations (excluding service yards, machine shops, garages, and incinerators), and wireless transmission facilities.

SEC. 790.84 **Residential Conversion.** The change in occupancy (as defined and regulated by the Building Code) of any residential use to a non-residential use.

SEC. 790.86 Residential Demolition. The demolition (as defined by the Building Code) of any building or structure or portion thereof containing a residential use.

SEC. 790.88 Residential Use. A use which provides housing for San Francisco residents, rather than visitors, including a dwelling unit, group housing, or residential hotel as defined in Subsections (a) and (b) below.

- (a) **Dwelling Unit.** A residential use which consists of a suite of two or more rooms and includes sleeping, bathing, cooking, and eating facilities, but has only one kitchen.
- (b) **Group Housing.** A residential use which provides lodging or both meals and lodging without individual cooking facilities for a week or more at a time in a space not defined as a dwelling unit. Group housing includes, but is not limited to, a rooming house, boarding house, guest house, lodging house, residence club, commune, fraternity and sorority house, monastery, nunnery, convent, and ashram. It also includes group housing operated by a medical or educational institution when not located on the same lot as such institution.

SEC. 790.90 Restaurant, Fast Food. A retail eating or eating and drinking use with tables and chairs which provides ready-to-eat cooked foods generally served in disposable wrappers or containers, for consumption on or off the premises.

This use provides a public service area, including counter and queuing areas designed specifically for the sale and distribution of foods and beverages.

This definition is applicable to most franchise fast food restaurants and to independent businesses such as delis, taquerias, and bagelries.

This use may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). If the use serves liquor for drinking on the premises (with ABC licenses 42, 47, 48, or 61), or does not admit minors, then the use shall also be considered a bar, as defined in Section 790.20.

SEC. 790.92 Restaurant, Full Service. A retail eating or eating and drinking use with tables and chairs which provides customers with table service for the consumption of prepared, ready-to-eat cooked foods on the premises.

This use provides suitable kitchen facilities necessary for the preparing, cooking and serving of meals to restaurant guests.

This use may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). If the use serves liquor for

drinking on the premises (with ABC licenses 42, 47, 48, or 61), or does not admit minors, then the use shall also be considered a bar, as defined in Section 790.20.

- SEC. 790.100** **Sales and Services, Non-Retail.** A commercial use which provides sales or services to the business community rather than to the general public, including light manufacturing, wholesale sales, and administrative services, as defined in Sections 790.54 and 790.106, respectively.
- SEC. 790.102** **Sales and Services, Other Retail.** A retail use which provides goods and services but is not listed as a separate zoning category in subsections .41 through .63 of Sections 710 through 728, including but not limited to sale or provision of the following goods and services:
- General groceries;
 - Specialty groceries such as cheese, coffee, meat, produce;
 - Pharmaceutical drugs and personal toiletries;
 - Personal items such as tobacco and magazines;
 - Self-service laundromats and dry cleaning;
 - Household goods and services (including hardware); and
 - Variety merchandise.
- SEC. 790.104** **Sales and Services, Retail.** A commercial use which sells goods or provides services directly to the consumer and is accessible to the general public during business hours.
- SEC. 790.106** **Service, Administrative.** A non-retail use, as defined in Section 790.100, which provides organizational services to the business community and is not available to the general public.
- SEC. 790.108** **Service, Business or Professional.** A retail use which provides general business or professional services including, but not limited to, architects, accountants, attorneys, consultants, realtors, and travel agents.
- SEC. 790.110** **Service, Financial.** A retail use which provides banking services and products to the public, such as banks, savings and loans, and credit unions, when occupying less than 15 feet of linear frontage or 200 square feet of gross floor area.
- SEC. 790.112** **Service, Limited Financial.** A retail use which provides banking services, when not occupying more than 15 feet of linear frontage or 200 square feet of floor area. Automated teller machines, if installed within such a facility or on an exterior wall as a walk-up facility, are included in this category; however, these machines are not subject to the hours of operation, as defined in Section 790.48 and set forth in zoning category number .27 of Sections 710 through 728 for each district.

SEC. 790.114 Service, Medical. A retail use which provides health services to the individual by physicians, surgeons, dentists, podiatrists, psychologists, psychiatrists, acupuncturists, chiropractors, or any other health-care professionals when licensed by a State-sanctioned Board overseeing the provision of medically-oriented services.

SEC. 790.116 Service, Personal. A retail use which provides grooming services to the individual, including salons, cosmetic services, tattoo parlors, and health spas, or instructional services not certified by the State Educational Agency, such as art, dance, exercise, martial arts, and music classes.

SEC. 790.118 Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

For purposes of this definition, grade is the point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. Provisions in Section 102.11 of this Code shall apply in defining the point of measurement at grade.

(a) **Story, First.** For structures existing at the effective date of Ordinance No. (this ordinance), the lowest story of a building which qualifies as a story, as defined herein, except that a story in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade for more than 50 percent of the total perimeter, or more than 8 feet below grade at any point. If the finished floor level directly above a basement or unused under-floor space is more than 6 feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such basement or unused under-floor space shall be considered as a story.

For new structures or alterations which involve changing the elevation of any story, the floor level of the first story shall be within 1 foot of grade at the primary retail frontage.

(b) **Story, Second.** The story above the first story.

(c) **Story, Third and Above.** The story or stories of a building above the second story and below the ceiling of the topmost story of a building.

SEC. 790.122 Take-Out Food. A retail use which without tables and chairs primarily sells prepared, ready-to-eat foods in disposable wrappers for immediate consumption on or off the premises.

This use may provide off-site beer, wine, and/or liquor sales for consumption off the premises (with ABC licenses 20, 21, or 40).

This definition is applicable to bakeries, cookie and candy stores, as well as carry out sandwich and deli counters without seating on the premises. This definition is not applicable to general grocery stores or specialty grocery stores, subject to accessory use provisions in Section 703.2(b)1.(C)ii.

- SEC. 790.124 Trade Shop.** A retail use which provides custom crafted goods and services for sale directly to the consumer, reserving some storefront space for display and retail service; if conducted within an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. A trade shop includes, but is not limited to, repair and upholstery services, carpentry, printing, blueprinting, tailoring and other artisan craft uses.
- SEC. 790.130 Use Size [Non-Residential].** The permitted gross floor area allowed each individual non-residential use. Gross floor area is defined in Section 102.8 of this Code.
- SEC. 790.140 Walk-Up Facility.** A structure designed for provision of pedestrian-oriented services when located on an exterior building wall, including window service, self-service operations, and automated bank teller machines (ATMs).

OTHER APPLICABLE SECTIONS OF THE CITY PLANNING CODE.

Reference should be made to other sections which also apply to neighborhood commercial districts. These sections and their titles are listed below.

General Provisions

- Section 101 Purposes
- Section 109 Severability

Definitions

- Section 102 Definitions

Zoning Map

- Section 104 Zoning Map
- Section 106 Zoning Map Incorporated Herein

Building Standards

- Section 122 Height and Bulk
- Section 250 Height and Bulk Districts Established
- Section 251 Height and Bulk Districts - Purpose
- Section 252 Classes of Height and Bulk Districts
- Section 260 Height Limits - Method of Measurement
- Section 262 Additional Height Limits - Applicable to Signs
- Section 270 Bulk limits - Measurement
- Section 271 Bulk Limits - Special Exceptions
- Section 121 Minimum Lot Width
- Section 130 Yard and Setback Requirements
- Section 131 Legislated Setback Line
- Section 136 Obstructions over Street and Alleys
- Section 140 All Dwelling Units to Face and Open Area
- Section 141 Screening of Rooftop Features
- Section 142 Screening of Parking Areas

Parking

- Section 153 Rules for Calculation of Required Spaces
- Section 154 Minimum Dimensions for Required Off-Street Parking & Loading Spaces
- Section 155 General Standards as to Location & Arrangement of Off-Street Parking and Loading Spaces
- Section 156 Parking Lots
- Section 157 Conditional Use Applications for Parking Exceeding Accessory Amounts

Signs

- Section 602 Definitions
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ARTICLE 1

GENERAL ZONING PROVISIONS

[Section 101 is unchanged.]

SEC. 102 DEFINITIONS.

For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable only to Article 7, Neighborhood Commercial Districts, are set forth in Section 790. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission of the City and County of San Francisco, State of California herein referred to as the City: Assessor, Board of Supervisors, Department of City Planning, Department of Public Works, Director of Planning, City Planning Commission, Zoning Administrator. In each case the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department.

[Sections 102.1 through 102.3 are unchanged.]

SEC. 102.4 **District.** A portion of the territory of the city, as shown on the Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of this Code. The term "district" shall include any use, special use, height and bulk, or special sign district. The term "R district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RC-1, RC-2, RC-3, or RC-4 district. The term "C district" shall mean any C-1, C-2, C-3, or C-M district. The term "M district" shall mean any M-1 or M-2 district. The term "RH district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 district. The term "RM district" shall mean any RM-1, RM-2, RM-3, or RM-4 district. The term "RC district" shall mean any RC-1, RC-2, RC-3, or RC-4 district. The term "C-3 district" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S district. The term "NC district" shall mean any NC-1, NC-2, NC-3, NC-S, and any neighborhood commercial district identified by street name in Section 702.1.

[Sections 102.5 through 109 are unchanged.]

ARTICLE 1.2

DIMENSIONS, AREAS AND OPEN SPACES

[Section 121 is unchanged.]

SEC. 121.5 Development on Large Lots, Neighborhood Commercial Districts.

In order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction or enlargement of existing buildings on lots larger than the square footage stated in the table below shall be permitted as conditional uses subject to the provisions set forth in Section 315.

<u>District</u>	<u>Lot Size Limits</u>
<u>NC-1, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, North Beach, Sacramento Street, Union Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>5000 sq.ft.</u>
<u>NC-2, NC-3, Hayes-Gough, Upper Market Street, Polk Street, Valencia Street</u>	<u>10,000 sq.ft.</u>
<u>NC-S</u>	<u>Not Applicable</u>

In addition to the criteria of Section 303(c) the City Planning Commission shall find that the following criteria are met:

1. The mass and facade of the proposed structure are compatible with the existing scale of the district.
2. The facade of the proposed structure is consistent with design features of adjacent facades that contribute to the positive visual quality of the district.
3. The site plan of the proposed structure reflects the arrangement of most other buildings on its block. In cluster and linear districts with continuous street building walls, the proposed structure maintains a continuous block facade line.

SEC. 121.7

Use Size Limits (Non-Residential), Neighborhood Commercial Districts.

In order to protect and maintain a scale of development appropriate to each district, non-residential uses which exceed the square footage stated in the table below may be permitted only as conditional uses subject to the provisions set forth in Section 315. The use area shall be measured as the gross floor area for each individual non-residential use.

<u>District</u>	<u>Use Size Limits</u>
<u>NC-1, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, North Beach, Sacramento Street, Union Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>2500 sq.ft.</u>
<u>Broadway, Hayes-Gough, Upper Market Street, Polk Street, Valencia Street</u>	<u>3000 sq.ft.</u>
<u>NC-2</u>	<u>3500 sq.ft.</u>
<u>NC-3, NC-5</u>	<u>5000 sq.ft.</u>

In addition to the criteria of Section 303(c), the Commission shall find that the following criteria are met:

1. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.
2. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.
3. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

[Sections 122 and 123 are unchanged.]

BASIC FLOOR AREA RATIO.

- (a) Except as provided in Subsections (b), (c), (d), and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE I

Basic Floor Area Ratio Limits

District	Basic Floor Area Ratio Limits
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2,	1.8 to 1
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1
<u>NC-1</u>	<u>1.8 to 1</u>
<u>NC-2, NC-3, NC-S, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Hayes-Gough, Upper Market Street, North Beach, Polk Street, Sacramento Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>3.6 to 1</u>
C-1, C-2	3.6 to 1

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

C-3-O	10.0 to 1
C-3-R, C-3-G, C-3-O (SD)	6.0 to 1
C-3-S	5.0 to 1

C-M	9.0 to 1
M-1, M-2	5.0 to 1

- (b) In R and NC districts, the above floor area ratio limits shall not apply to dwellings.
- (c) In a C-2 district, the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.
- (d) In the Automotive Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be 10.0 to 1.
- (e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (f) In C-3-G and C-3-S districts, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for dwellings, in accordance with the conditional use procedures and criteria as provided in Section 303 of this Code.
- (g) In the mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.
- (h) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by this Section.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently not effective as an interim control.

- (i) In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is made to meet the standards of Section 1109(c), and the existing structure is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.

- (j) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

SEC. 125

FLOOR AREA PREMIUMS, DISTRICTS OTHER THAN C-3 AND NC.

In any district other than a C-3 or NC district in which a floor area ratio limit applies, the following premiums, where applicable, may be added to the basic floor area ratio limit to determine the maximum floor area ratio for a building or development.

- (a) **Corner Lot.** For a lot or portion thereof which is defined by this Code as a corner lot, a floor area premium may be added by increasing the area of the lot or portion, for purposes of floor area computation, by 25 percent.
- (b) **Interior Lot.** For a lot or portion thereof which is defined by this Code as an interior lot, and which abuts along its rear lot line upon a street or alley, a floor area premium may be added by increasing the depth of the lot or portion along such street or alley, for purposes of floor area ratio computation, by one-half the width of such street or alley or 10 feet, whichever is the lesser.

[Sections 126 through 133 are unchanged.]

SEC. 134

REAR YARDS, R, NC, C AND M DISTRICTS.

The following requirements for rear yards shall apply to every building in an R, NC-1, or NC-2 district and to every dwelling in a(n) NC-2, NC-3, Individual Neighborhood Commercial District where noted in Subsection (a), C or M district. Rear yards shall not be required in NC-S districts. These requirements are intended to assure the protection and continuation of established mid-block, landscape open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

- (a) **Basic requirements.** The basic rear yard requirements shall be as follows for the districts indicated. ((Such rear yards shall be provided at grade level and at each succeeding level or story of the building; except that in RC-2, RC-3, RC-4, C and M districts such rear yards shall be provided at the lowest story occupied as a dwelling at the rear of the building, and at each succeeding story of the building.))

1. RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C and M districts. The minimum rear yard depth shall be equal to 25 per cent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

- (A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley districts. Rear yards shall be provided at grade level and at each succeeding level or story of the building.
- (B) NC-2, Castro Street, Inner Clement Street, Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission districts. Rear yards shall be provided at the second story, and at each succeeding story of the building, and at the first story if it contains a dwelling unit.
- (C) RC-2, RC-3, RC-4, NC-3, Broadway, Hayes-Gough, Upper Market Street, Polk Street, C and M districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding story of the building.

2. **RH-2, RH-2, RM-1 and RM-2 districts.** The minimum rear yard depth shall be equal to 45 per cent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of the building.

(b) **Permitted obstructions.** Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

(c) **Reduction of requirements in RH-2, RH-3, RM-1 and RM-2 districts.** The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 districts, as stated in Paragraph (a)2 above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less than a depth equal to 25 per cent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.

1. **General rule.** In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.

2. **Alternative method of averaging.** If, under the rule stated in Paragraph (c)1 above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)1 above times the reduction in depth of rear yard permitted by Paragraph (c)1; and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open area behind the adjacent building having the lesser depth of its rear building wall.
3. **Method of measurement.** For purposes of this Subsection (c), an adjacent building shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least 1/2 the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less; excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, NC, C, M or P district, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.
4. **Applicability to special lot situations.** In the following special lot situations, the general rule stated in Paragraph (c)1 above shall be applied as provided in this Paragraph (c)4, and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.
 - (A) **Corner lots and lots at alley intersections.** On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.
 - (B) **Lots abutting properties with buildings that front on another street or alley.** In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line

on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.

- (C) **Through lots abutting properties that contain two buildings.** Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)4(C) is applied, the requirements of Section 132 of this Code for front set-back areas shall be applicable along both street or alley frontages of the subject through lot.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (d) **Reduction of requirements in C-3 districts.** In C-3 districts, an exception to the rear yard requirements of this section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

- (e) **Reduction of Requirements in NC districts.** The rear yard requirement may be modified or waived by the Zoning Administrator if all of the following criteria are met:

1. Dwelling units are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents; and
2. The proposed new or expanding structure will not significantly impede the access of light and air to and views from abutting properties; and
3. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of abutting properties.

This provision shall be administered pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

SEC. 135

USABLE OPEN SPACE, R, NC, C AND M DISTRICTS.

Except as provided in Section 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in R, NC, C and M districts according to the standards set forth in this section.

- (a) **Character of space provided.** Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing).
- (b) **Access.** Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:
 1. Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, with no more than one story above or below such floor level with convenient private access.
 2. Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.

- (c) **Permitted obstructions.** In the calculation of either private or common usable open space, those obstructions listed in Section 136 of this Code for usable open space shall be permitted.
- (d) **Amount required.** Usable open space shall be provided for each building in the amounts specified herein and in the following table for the district in which the building is located.
1. For dwellings, except as provided in Paragraph (d)3 below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.
 2. For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as specified in Paragraph (d)1 above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.
 3. For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be 1/2 the amount required for each dwelling unit as specified in Paragraph (d)1 above.
- (e) **Slope.** The slope of any area credited as either private or common usable open space shall not exceed five percent.
- (f) **Private usable open space: additional standards.**
1. **Minimum dimensions and minimum area.** Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.
 2. **Exposure.** In order to be credited as private usable open space, an area must be kept open in the following manner:

Table 3
Minimum Usable Open Space

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1	100	1.33
RM-2, RC-2	80	1.33
RM-3, RC-3	60	1.33
RM-4, RC-4	36	1.33
<u>Sacramento</u>	<u>100</u>	<u>1.33</u>
<u>Castro Street,</u> <u>Inner Clement Street,</u> <u>Outer Clement Street,</u> <u>Upper Fillmore Street,</u> <u>Haight Street,</u> <u>Union Street,</u> <u>Valencia Street,</u> <u>24th Street-Mission,</u> <u>24th Street-Noe Valley,</u>	<u>80</u>	<u>1.33</u>
<u>Broadway, Hayes-Gough,</u> <u>Upper Market Street,</u> <u>North Beach,</u> <u>Polk Street</u>	<u>60</u>	<u>1.33</u>
C-3, C-M, M-1, M-2	36	1.33
<u>NC-1, NC-2, NC-3,</u> <u>NC-S, C-1, C-2</u>	Same as for the R district establishing the dwelling unit density ratio for the <u>NC-1, NC-2, NC-3,</u> <u>NC-S, C-1 or C-2</u> district property	

- (A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.
 - (B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 135(g)1 below.
 - (C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)2(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 135(c) above.
3. **Fire escapes as usable open space.** Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

In C-3 districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter; and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(g) **Common usable open space: additional standards.**

- 1. **Minimum dimensions and minimum area.** Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

2. **Use of inner courts.** The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 135(c) above) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.
3. **Use of solariums.** The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area.

SEC. 136

OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SETBACKS, YARDS AND USABLE OPEN SPACE.

- (a) The following obstructions shall be permitted, in the manner specified, as indicated by the symbol "X" in the columns at the left, within the required open areas listed herein:
 1. Projections from a building or structure extending over a street or alley as defined by this Code. Every portion of such projections over a street or alley shall provide a minimum of 7-1/2 feet of vertical clearance from the sidewalk or other surface above which it is situated, or such greater vertical clearance as may be required by the San Francisco Building Code, unless the contrary is stated below. The permit under which any such projection over a street or alley is erected over public property shall not be construed to create any perpetual right but is a revocable license.
 2. Obstructions within legislated set-back lines and front set-back areas, as required by Sections 131 and 132 of this Code.
 3. Obstructions within side yards and rear yards, as required by Sections 133 and 134 of this Code.
 4. Obstructions within usable open space, as required by Section 135 of this Code.
- (b) No obstruction shall be constructed, placed or maintained in any such required open area except as specified in this section.

Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X
X	X	X	X

(c) The permitted obstructions shall be as follows:

1. Overhead horizontal projections (leaving at least 7-1/2 feet of headroom) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than:

- (A) At roof level, three feet over streets and alleys and into set-backs, or to a perimeter in such required open areas parallel to and one foot outside the surfaces of bay windows immediately below such features, whichever is the greater projection;
- (B) At every other level, one foot over streets and alleys and into set-backs; and
- (C) Three feet into yards and usable open space, or 1/6 of the required minimum dimensions (when specified) of such open areas, whichever is less.

2. Bay (Projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)3 below shall be permitted as an alternative to those specified in this Paragraph (c)2.

- (A) The minimum headroom shall be 7-1/2 feet.
- (B) Projection into the required open area shall be limited to three feet; provided that projection over streets and alleys shall be further limited to two feet where the sidewalk width is nine feet or less, and the projection shall in no case be closer than eight feet to the center line of any alley.
- (C) The glass areas of each bay window, and the open portions of each balcony, shall be not less than 50 per cent of the sum of the areas of the vertical surfaces of such bay window or balcony above the required open area. At least 1/3 of such required glass area of such bay window, and open portions of such balcony, shall be on one or more vertical surfaces situated at an angle of not less than 30 degrees to the line establishing the required open area. In addition, at least 1/3 of such required glass area or open portions shall be on the vertical surface parallel to, or most nearly parallel to, the line establishing each open area over which the bay window or balcony projects.

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	X

(D) The maximum length of each bay window or balcony shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15-foot dimension, reaching a maximum of nine feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(E) Where a bay window and a balcony are located immediately adjacent to one another, and the floor of such balcony in its entirety has a minimum horizontal dimension of six feet, the limitations of Subparagraph (c)2(D) above shall be increased to a maximum length of 18 feet at the line establishing the required open area, and a maximum of 12 feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(F) The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies (except where a bay window and a balcony are located immediately adjacent to one another, as provided for in Subparagraph (c)2(E) above), shall be two feet at the line establishing the required open area, and shall be increased in proportion to the distance from such line by means of 135 degree angles drawn outward from the ends of such two-foot dimension, reaching a minimum of eight feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(G) Each bay window or balcony over a street or alley, set-back or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135 degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

3. Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and

Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X
			X
		X	

usable open space, the bay windows and balconies specified in Paragraph (c)2 above shall be permitted as an alternative to those specified in this Paragraph (c)3.

- (A) The minimum headroom shall be 7-1/2 feet.
 - (B) Projection into the required open area shall be limited to three feet, or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less.
 - (C) In the case of bay windows, the maximum length of each bay window shall be 10 feet, and the minimum horizontal separation between bay windows shall be five feet, above all parts of the required open area.
 - (D) The aggregate length of all bay windows and balconies projecting into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line; in the case of yards, these limits on aggregate length shall apply to the aggregate of all bay windows, balconies, fire escapes and chimneys.
4. Fire escapes, leaving at least 7-1/2 feet of headroom exclusive of drop ladders to grade, and not projecting more than necessary for safety or in any case more than four feet six inches into the required open area. In the case of yards, the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line.
 5. Overhead horizontal projections other than those listed in Paragraphs (c)1, 2, 3 and 4 above, leaving at least 7-1/2 feet of headroom, where the depth of any such projection is no greater than the headroom it leaves, and in no case is greater than 10 feet; and provided that, in the case of common usable open space at ground level, the open space under the projection directly adjoins uncovered usable open space that is at least 10 feet in depth and 15 feet in width.
 6. Chimneys not extending more than three feet into the required open area or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less; provided, that the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area is no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line.

Streets and Alleys	Setbacks	Yards	Usable Open Space
X			
X			
X	X		
X	X		
X	X		
X	X		
	X	X	X
	X	X	X
X	X	X	X
	X	X	X
	X	X	X
	X	X	X

7. Temporary occupancy of street and alley areas during construction and alteration of buildings and structures, as regulated by the Building Code and other portions of the Municipal Code.
8. Space below grade, as regulated by the Building Code and other portions of the Municipal Code.
9. Building curbs and buffer blocks at ground level, not exceeding a height of nine inches above grade or extending more than nine inches into the required open area.
10. Signs as regulated by Article 6 of this Code, at locations and to the extent permitted therein.
11. Flag poles for projecting flags permitted by Article 6 of this Code.
12. Marquees, awnings and canopies in P, NC, C, and M districts, as regulated by the Building Code and as further limited by this Code.
13. Retaining walls that are necessary to maintain approximately the grade existing at the time of construction of a building. Other retaining walls and the grade maintained by them shall be subject to the same regulations as decks (see Paragraphs (c)24 and (c)25 below).
14. Steps of any type not more than three feet above grade, and uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and, in the case of yards and usable open space, extending no more than six feet into the required open area for any portion that is more than three feet above grade, provided that all such stairways and landings shall occupy no more than 2/3 the buildable width of the lot along a front or rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line.
15. Railings no more than three feet six inches in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.
16. Decorative railings and decorative grille work, other than wire mesh, at least 75 percent open to perpendicular view and no more than six feet in height above grade.
17. Fences no more than three feet in height above grade.
18. Fences and wind screens no more than six feet in height above grade.

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	
		X	X
	X	X	X
		X	X
		X	
		X	

19. Fences and wind screens no more than 10 feet in height above grade.
20. Normal outdoor recreational and household features such as play equipment and drying lines.
21. Landscaping and garden furniture.
22. Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land.
23. Other structures commonly used in gardening activities, such as greenhouses and sheds for storage of garden tools, if no more than eight feet in height above grade and covering no more than 100 square feet of land.
24. Decks, whether attached to a building or not, at or below the adjacent first floor of occupancy, if developed as usable open space and meeting the following requirements:
 - (A) Slope of 15 percent or less. The floor of the deck shall not exceed a height of three feet above grade at any point in the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area.
 - (B) Slope of more than 15 percent and no more than 70 percent. The floor of the deck shall not exceed a height of three feet above grade at any point along any lot line bordering the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area, except that when two or more lots are developed with adjacent decks whose floor levels differ by not more than three feet, whether or not the lots will remain in the same ownership, each deck may come all the way to the lot line adjacent to the other deck. In addition, the vertical distance measured up from grade to the floor of the deck shall not exceed seven feet at any point in the required open area.
 - (C) Slope of more than 70 percent. Because in these cases the normal usability of the required open area is seriously impaired by the slope, a deck covering not more than 1/3 the area of the required open area may be built exceeding the heights specified above, provided that the light, air, view, and privacy of adjacent lots are not seriously affected. Each such case shall be considered on its individual merits. However, the following points shall be considered guidelines in these cases:

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	
			X
	X		

- (i) The deck shall be designed to provide the minimum obstruction to light, air, view and privacy.
- (ii) The deck shall be at least two feet inside all side lot lines.
- (iii) On downhill slopes, a horizontal angle of 30 degrees drawn inward from each side lot line at each corner of the rear building line shall be maintained clear and the deck shall be kept at least 10 feet inside the rear lot line.

25. Except in required side yards, decks, and enclosed and unenclosed extensions of buildings, when limited as specified herein.
- (A) The structure shall extend no more than 12 feet into the required open area; and shall not occupy any space within the rear 25 percent of the total depth of the lot, or within the rear 15 feet of the depth of the lot, or within the rear 15 feet of the depth of the lot, whichever is greater.
 - (B) Within all parts of the required open area, the structure shall be limited in height to either:
 - (i) 10 feet above grade; or
 - (ii) A height not exceeding the floor level of the second floor of occupancy, excluding the ground story, at the rear of the building on the subject property, in which case the structure shall be no closer than five feet to any interior side lot line.
 - (C) Any fence or wind screen extending above the height specified in Subparagraph (C)25(B) shall be limited to six feet above such height; shall be no closer to any interior side lot line than one foot for each foot above such height; and shall have not less than 80 percent of its surfaces above such height composed of transparent or translucent materials.

26. Garages which are under ground, or under decks conforming to the requirements of Paragraph (c)24 or (c)25 above, if their top surfaces are developed as usable open space, provided that no such garage shall occupy any area within the rear 15 feet of the depth of the lot.
27. Garages, where the average slope of the required open area ascends from the street lot line to the line of the set-back and exceeds 50 percent, provided the height of the garage is limited to 10 feet above grade, or the floor level of the adjacent first floor of occupancy on the subject property, whichever height is less.

Streets and Alleys	Setbacks	Yards	Usable Open Space
	X		
		X	
	X	X	

28. Garages, where both adjoining lots (or the one adjoining lot where the subject property is a corner lot) contain a garage structure within the required set-back line or front set-back area on the same street or alley frontage, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or extension into the required set-back.
29. Garages, where the subject property is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots (or the one adjoining lot where the subject property is also a corner lot) contain a garage structure adjacent to the required rear yard on the subject property, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or encroachment upon the required rear yard.
30. Driveways, for use only to provide necessary access to required or permitted parking that is located on the subject property other than in a required open area, and where such driveway has only the minimum width needed for such access.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (d) Notwithstanding the limitations of subsection (c) of this section, the following provisions shall apply in C-3 districts.
 - I. **Decorative Architectural Features.** Decorative architectural features not increasing the interior floor area or volume of the space enclosed by the building are permitted over streets and alleys and into setbacks within the maximum vertical and horizontal dimensions described as follows:
 - (A) At roof level, decorative features such as cornices, eaves, and brackets may project four feet with a maximum vertical dimension no greater than 6 feet.
 - (B) At all levels above the area of minimum vertical clearance required in subsection (a)1 above, decorative features, such as belt courses, entablatures, and bosses, may project 2 feet with a maximum vertical dimension of 4 feet.
 - (C) At all levels above the area of minimum vertical clearance required by subsection (a)1 above, vertical

decorative features, such as pilasters, columns, and window frames (including pediment and sills), with a cross-sectional area of not more than 3 square feet at midpoint, may project 1 foot horizontally.

2. **Bay Windows.** Notwithstanding the provisions of subsections (c)2, (D) and (F) of this section, bay windows on non-residential floors of a structure are permitted only if the width of the bay is at least two times its depth, the total width of all bays on a facade plane does not exceed one-half of the width of the facade plane, and the maximum horizontal (plan) dimensions of the bay fit within the dimensions set forth in the diagram below.

SEC. 136.1

Obstructions over Streets and Alleys and in Required Set-Backs, Yards, and Usable Open Space in NC Districts.

In addition to the limitations of Section 136, especially Paragraph 136(c)12, the following provisions shall apply in NC districts.

- (a) **Awnings.** All portions of any permitted awning shall be not less than 8 feet above the finished grade, excluding any valance which shall not be less than 7 feet above the finished grade. No portion of any awning shall be higher than the window-sill level of the lowest story (if any) that has a window or windows on the building facade to which the awning is attached, exclusive of the ground story and mezzanine, provided that no such awning shall in any case exceed a height of 16 feet or the roofline of the building to which it is attached, whichever is lower.

1. **NC-1 districts.** The horizontal projection of any awning shall not exceed 4 feet from the face of a building. The vertical distance from the top to the bottom of any awning shall not exceed 4 feet, including any valance.
2. **All other NC districts.** When the width of all awnings is less than 10 feet along the direction of the street, the horizontal projection of such awnings shall not exceed 6 feet from the face of any supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed 6 feet, including any valance. When the width of all awnings exceeds 10 feet measured along the direction of the street, the horizontal projection of such awnings shall not exceed 4 feet from the face of the supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed 4 feet, including any valance.

(b) Canopies.

1. **NC-1 Districts.** No canopy shall be permitted in any NC-1 district.

2. All other NC districts. The maximum width of any canopy shall be 10 feet. The horizontal projection of any canopy may extend to a point 2 feet from the curb. The outer column support shall be located in the outer one-third of the sidewalk. The vertical distance from the top to the bottom of the canopy shall not exceed 2 feet, including any valance. All portions of any canopy, excluding the column supports and excluding any valance which may be not less than 7 feet above the finished grade, shall be not less than 8 feet above the finished grade. Canopies shall not be spaced closer than 20 feet from each other, measured from center line to center line.

(c) Marquees.

1. NC-1 Districts. No marquee shall be permitted in any NC-1 district.

2. All other NC districts. The vertical distance from the top to the bottom of any marquee shall not exceed 3 feet and the horizontal projection shall not extend beyond a point 2 feet from the curb.

A. A marquee projecting more than two-thirds of the distance from the property line to the curb line shall not exceed 10 feet or 50 percent of the length of the building, along the direction of the street, whichever is less. All portions of such marquee shall be not less than 12 feet nor more than 16 feet in height above the finished grade, nor higher than the window-sill level or windows on the building facade on which the marquee is placed, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

B. A marquee projecting less than two-thirds of the distance from the property line to the curb line shall not exceed 25 feet or 50 percent of the length of the building along the direction of the street, whichever is less. All portions of such marquee shall be not less than 10 feet nor more than 16 feet above the finished grade, nor higher than the window-sill level or windows on the building facade on which the marquee is placed, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

SEC. 140

ALL DWELLING UNITS TO FACE ON OPEN AREA, R, C, NC, AND M DISTRICTS.

(a) In each dwelling unit in an R, C, NC, or M district, the required windows (as defined by Section 501.4 of the San Francisco Housing Code) of at least one room that meets the 120-square foot minimum superficial floor area requirement of Section 501.1 of the Housing Code shall face directly on an open area of one of the following types:

1. A public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of this Code; provided that if such windows are on an outer court whose width is less than 25 feet the depth of such court shall be no greater than its width; or
2. An open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than 4 feet 6 inches, chimneys, and those obstructions permitted in Sections 136(c)14, 15, 16, 19, 20 and 29 of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

SEC. 141

SCREENING OF ROOFTOP FEATURES R, C, NC, AND M DISTRICTS.

(a) In R, C, NC, and M districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (b) In C-3 districts, whenever the enclosure of mechanical equipment and appurtenances will become a prominent feature on the skyline, modifications may, in accordance with provisions of Section 309, be required in order to insure that:
1. The enclosure is designed as a logical extension of the building form and an integral part of the overall building design;
 2. Its cladding and detailing is comparable in quality to that of the rest of the building;
 3. If screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and

4. The additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

SEC. 142

SCREENING OF PARKING AREAS, R DISTRICTS AND ALL NC DISTRICTS EXCEPT NC-3 AND NC-S DISTRICTS.

Off-street parking areas in R districts, and all NC except NC-3 and NC-S districts, shall be screened as provided in this section.

- (a) Every off-street parking space within a building, where not enclosed by solid building walls, shall be screened from view from all streets and alleys through use of garage doors or by some other means.
- (b) Along rear yard areas and other interior open spaces, all off-street parking spaces, driveways and maneuvering areas within buildings shall be screened from view and confined by solid building walls.
- (c) Off-street parking spaces in parking lots shall meet the requirements of Section 156 and other applicable provisions of Article 1.5 of this Code. Such parking areas shall be screened from view as provided in Section 156(d) of this Code.

SEC. 143

STREET TREES, R, NC, AND C-3 DISTRICTS.

- (a) In any R, NC, or C-3 District, street trees shall be

installed by the owner or developer in the case of construction of a new building, relocation of a building, or addition of floor area equal to 20 per cent or more of an existing building.

- (b) The street trees installed shall be a minimum of one tree of 15 gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located within a set-back area on the lot or within the public right-of-way along such lot.
- (c) The species of trees selected shall be suitable for the site, and in the case of trees installed in the public right-of-way, the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance, and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

- (d) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities, or other reasons regarding the public welfare, and where installation of such tree on a lot itself is also impractical, the requirements of this Section 143 may be modified or waived by the Zoning Administrator to the extent necessary.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (e) In C-3 districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the Master Plan, such as the policy favoring unobstructed pedestrian passage.

[Sections 144 and 145 are unchanged.]

SEC. 145.1

Street Frontages, Neighborhood Commercial Districts.

In order to preserve, enhance and promote attractive, clearly defined street frontages which are appropriate and compatible with the buildings and uses in Neighborhood Commercial districts and adjacent districts, the following requirements shall apply to new structures or alterations to existing structures involving a change in the level of the first story or a change in the facade at the street frontage, where such structure is located along any block frontage that is entirely within an NC district.

- (a) In all NC districts other than NC-5 districts, the width of such new or altered structure, parallel to and facing such street, shall abut the front property line or legislated set-back, as regulated in Section 131, except for entrance doors, outdoor activity areas as defined in Section 790.70, or walk-up facilities as defined in Section 790.140, which may be indented.
- (b) In all NC districts other than NC-5 districts, no more than one-third the width of such new or altered structure, parallel to and facing such street, shall be devoted to ingresses to parking.
- (c) The floor level of the ground story shall be within one foot of grade, as defined in Section 790.118, for a horizontal distance of 10 feet from the front building wall at the retail frontage.

- (d) If such structures contain at the ground story any of the permitted uses in the Sections listed below, at least one-half the total width of such new or altered structures, parallel to and facing such street, shall be devoted to the ground story to entrances, windows or display space at the pedestrian eye-level. Such windows shall use clear, untinted glass, except for decorative or architectural accent. Any decorative railings or decorative grille work, other than wire mesh, which is placed in front of or behind such windows, shall be at least 75 per cent open to perpendicular view and no more than six feet in height above grade.

<u>§ 703.40</u>	<u>Other Retail Sales and Services</u>
<u>§ 703.41</u>	<u>Bar</u>
<u>§ 703.42</u>	<u>Full-Service Restaurant</u>
<u>§ 703.43</u>	<u>Fast-Food Restaurant</u>
<u>§ 703.44</u>	<u>Take Out Food</u>
<u>§ 703.45</u>	<u>Movie Theater</u>
<u>§ 703.48</u>	<u>Amusement Game Arcade</u>
<u>§ 703.49</u>	<u>Financial Service</u>
<u>§ 703.50</u>	<u>Limited Financial Service</u>
<u>§ 703.51</u>	<u>Medical Service</u>
<u>§ 703.52</u>	<u>Personal Service</u>
<u>§ 703.53</u>	<u>Business or Professional Service</u>
<u>§ 703.55</u>	<u>Tourist Hotel</u>
<u>§ 703.61</u>	<u>Automobile Sale or Rental</u>
<u>§ 703.62</u>	<u>Animal Hospital</u>
<u>§ 703.65</u>	<u>Trade Shop</u>
<u>§ 703.70</u>	<u>Administrative Service</u>

ARTICLE 1.5

OFF-STREET PARKING AND LOADING

[Sections 150 through 155 are unchanged.]

SEC. 156

PARKING LOTS.

- (a) A parking lot is hereby defined as an off-street open area or portion thereof solely for the parking of passenger automobiles. Such an area or portion shall be considered a parking lot whether or not on the same lot as another use, whether or not required by this Code for any structure or use, and whether classified as an accessory, principal or conditional use.
- (b) Where parking lots are specified in Article 2 of this Code as a use for which conditional use approval is required in a certain district, such conditional use approval shall be required only for such parking lots in such district as are not qualified as accessory uses under Section 204.5 of this Code. The provisions of this Section 156 shall, however, apply to all parking lots whether classified as accessory, principal or conditional uses.
- (c) In considering any application for a conditional use for a parking lot for a specific use or uses, where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5 of this Code, the City Planning Commission shall consider the criteria set forth in Section 157.
- (d) Any parking lot for the parking of two or more automobiles which adjoins a lot in any R district, or which faces a lot in any R district across a street or alley, shall be screened from view therefrom, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.
- (e) Any parking lot for the parking of 10 or more automobiles within the C-3-0, C-3-R, C-3-S, or C-3-G district shall be screened from view from every street, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.
- (f) All artificial lighting used to illuminate a parking lot for any number of automobiles in any R ((district)), NC, or C district shall be so arranged that all direct rays from such lighting fall entirely within such parking lot.

- (g) No parking lot for any number of automobiles shall have conducted upon it any dead storage or dismantling of vehicles, or any repair or servicing of vehicles other than of an emergency nature.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

- (h) No permanent parking lot shall be permitted in C-3-O, C-3-R, and C-3-G Districts; temporary parking lots may be approved as conditional uses pursuant to the provisions of Section 303 for a period not to exceed two years; permanent parking lots in C-3-S Districts shall be permitted only as a conditional use.

[Sections 157 through 161 are unchanged.]

ARTICLE 1.7

COMPLIANCE

[Sections 170 through 176 are unchanged.]

SEC. 178

CONDITIONAL USES.

The following provisions shall apply to conditional uses:

- (a) Definition. For the purposes of this Section, a permitted conditional use shall refer to:
1. Any use or feature authorized as a conditional use pursuant to Article 3 of this Code, provided that such use or feature was established within a reasonable time from the date of authorization; or
 2. Any use or feature which is classified as a conditional use in the district in which it is located and which lawfully existed either on the effective date of this Code, or on the effective date of any amendment imposing new conditional use requirements upon such use or feature; or
 3. Any use deemed to be a permitted conditional use pursuant to Section 179 of this Code.
- (b) Continuation. Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any permitted conditional use may continue in the form in which it was authorized, or in the form in which it lawfully existed either on the effective date of this Code or the effective date of any amendment imposing new conditional use requirements upon such use or feature, unless otherwise provided in this Section or in Article 2 of this Code.
- (c) Enlargements or Alteration. A permitted conditional use may not be significantly altered, enlarged, or intensified, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.
- (d) Abandonment. A permitted conditional use which is discontinued for a period of three years, or otherwise abandoned, shall not be restored, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.
- (e) Changes in Use. A permitted conditional use shall not be changed to another use or feature that is classified as a conditional use in the district in which it is located, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

USES LOCATED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The following provisions shall govern with respect to uses and features located in Neighborhood Commercial districts to the extent that there is a conflict between the provisions of this section and other sections contained in this Article 1.7.

- (a) Any use or feature which lawfully existed on the effective date of Ordinance No. (this ordinance) which is classified as a conditional use by the enactment of Ordinance No. (this ordinance), shall be subject to the provisions of Section 178 of this Code.
- (b) Any use or feature which lawfully existed on the effective date of Ordinance No. (this ordinance) which use or feature is not permitted by the enactment of Ordinance No. (this ordinance) is hereby deemed to be a permitted conditional use subject to the provisions of Section 178. In addition, a conditional use authorization may be sought, pursuant to the provisions of Article 3, for any change in use described below:
1. Any use described in zoning categories .41, .42, .43, or .44, as defined in Sections 790.22, 790.92, 790.90, and 790.122, respectively, may change to another use described in zoning categories .41, .42, .43, or .44 even though such other use is not permitted in that Neighborhood Commercial district,
 2. Any use described in zoning categories .51, .52, or .53, as defined in Sections 790.114, 790.116, and 790.108, respectively, may change to another use described in zoning categories .51, .52, or .53, even though such other use is not permitted in that Neighborhood Commercial district,
 3. Any use described in zoning categories .57, .58, and .59, as defined in Sections 790.14, 790.17, and 790.15, respectively, may change to another use described in zoning categories .57, .58, and .59, even though such other use is not permitted in that Neighborhood Commercial district.
- (c) Any use located on the second story or above, in a structure located within a Neighborhood Commercial district, which use existed on the effective date of Ordinance No. (this ordinance) and was permitted as a conditional use prior to the adoption of Ordinance No. (this ordinance), but for which the required permits and conditional use authorization had not been obtained, and which use is not permitted by operation of Ordinance No. (this ordinance), will be deemed to be a permitted conditional use if:
1. Within two years of the effective date of Ordinance No. (this ordinance) an application for conditional use authorization is filed pursuant to the provisions of Article 3 of this Code, and if an application is filed for all other permits necessary to bring the use into compliance with applicable Codes; and

2. The conditional use is authorized and all other necessary permits are granted; and
3. Within one year of final administrative action on the granting of the necessary permits, or within such alternate period which the City Planning Commission deems reasonable and necessary, all work which is required for code compliance under all applicable codes is substantially completed.

(d) Any use located on the second story or above, in a structure located within a Neighborhood Commercial District, which use existed on the effective date of Ordinance No. (this ordinance) and was permitted as a principal use prior to the adoption of Ordinance No. (this ordinance), but for which the required permits had not been obtained, and which use is either not permitted or permitted only with conditional use authorization by operation of Ordinance No. (this ordinance) will be deemed to be a permitted conditional use if:

1. Within two years of the effective date of Ordinance No. (this ordinance) an application is filed for all other permits necessary to bring the use into compliance with applicable Codes; and
2. Within one year of final administrative action on the granting of the necessary permits, all work which is required for code compliance under all applicable codes is substantially completed.

[Sections 180 through 183 are unchanged.]

SEC. 184

SHORT-TERM CONTINUANCE OF CERTAIN NONCONFORMING USES.

The period of time during which the following nonconforming uses may continue or remain shall be limited to five years from the effective date of this Code (May 2, 1960), or of the amendment thereto which caused the use to be nonconforming. Every such nonconforming use shall be completely eliminated within 90 days after the expiration of such period.

- (a) Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

, except for permanent off-street parking lots in the C-3-O, C-3-R and C-3-G districts existing on the effective date of Ordinance No. __, provided that such lots are screened in the manner required by Section 156(e).

- (b) Any use of a type first permitted as a principal or conditional use in an NC, C or M district or in a Residential Commercial Combined district, when occupying a building in an R district other than a Residential Commercial Combined district that has an assessed valuation not in excess of \$500 on the effective date of this Code or such later date as the use becomes nonconforming, with the following exceptions:
1. Any lawful use in this category in a building having an assessed valuation of \$250 or more on the effective date of this Code, or such later date as the use becomes nonconforming, shall have a period of permitted continuance of 10 years from the date at which the property was placed in a Residential zoning classification, if such a period of continuance produces an expiration date which is later than the expiration date stated above; or
 2. Any lawful use in this category which is of a type first permitted in a C-1 district; or of a type first permitted in any other district and supplying commodities at retail, or offering personal services, primarily to residents of the immediate vicinity; shall have a period of permitted continuance of 10 years from the effective date of this Code, or of the amendment thereto which caused the use to be nonconforming. After five years of such period have elapsed, any use as described in this Paragraph (b)2 shall, upon application, be qualified for consideration by the City Planning Commission as a conditional use as regulated in Section 303 of this Code.

SEC. 185 CONTINUANCE OF OTHER NONCONFORMING USES.

The purpose of this section is to provide for the gradual elimination or conversion, after a reasonable allowance of time for the amortization of investments therein, of certain classes of nonconforming uses in buildings, in order to encourage and promote the orderly and beneficial development of the land and buildings with conforming uses. The section is intended to apply to obsolescent buildings whose use is widely at variance with the regulations of this Code, and is safeguarded against unnecessary hardship in application by provision for a minimum period of continuance of 20 years, by procedures for extension and exceptions, and by the requirement of repeated notice as the buildings approach an age indicative of obsolescence. It is further declared that the requirement of eventual removal, or conversion to conforming use of such buildings, subject to the exceptions set forth, is in the public interest and is intended to promote the general welfare.

- (a) This section shall apply only to nonconforming uses occupying buildings in R districts, other than Residential-Commercial Combined districts, when such uses would first be permitted as a principal or conditional use in an NC, C or M district or in a Residential-Commercial Combined district. It shall not apply to exempt limited commercial uses meeting the requirements of Section 186, or to any nonconforming use of land or a building whose continuance is more strictly limited by the provisions of Section 184.

- (b) Every such building to which this section applies may be continued in such use for at least 20 years from the effective date of this Code (May 2, 1960), or of the amendment thereto which causes it to be nonconforming, and may be continued for a longer period if it has not yet reached the age hereinafter specified, computed from the date the building was erected. For buildings of Type 1 or Type 2, as defined in the Building Code of the City, the specified age shall be 50 years; for Type 3 buildings it shall be 40 years; and for Type 4 and Type 5 buildings it shall be 30 years.
- (c) Upon the expiration of the period specified for each such building, it shall be completely removed or altered and converted to a conforming use, except as hereinafter provided.
- (d) Where special circumstances apply to any such building and use, which do not apply generally to others affected hereby, extension of time may be granted under the variance procedure as regulated in Section 305, but no such extension shall be for a period in excess of one year. Successive extensions, subject to the same limitations, may be granted upon new application.
- (e) Any unconforming use affected by this section shall be qualified for consideration by the City Planning Commission as a conditional use as regulated in Section 303, upon application filed at any time during the period of permitted continuance specified above. In the event that a conditional use is authorized by the City Planning Commission for any such use, the provisions of Sections 180 through 183 shall continue to apply to such use except as specifically provided in the action of the Commission, and no enlargement, intensification or extension of the nonconforming use shall be permitted by the Commission.
- (f) The Zoning Administrator shall give notice by mail of the date of expiration of the periods of permitted continuance specified herein to each owner of record within four years of the effective date of this Code, or of the date of the amendment which caused the use to become nonconforming, and shall repeat such notice at approximate intervals of four years thereafter. A final notice shall be given one year before said date of expiration in each instance. The notices shall set forth all pertinent provisions of this section, including the declared purposes thereof. Failure to send notice by mail to any such owner where the address of such owner is not a matter of public record, or where no Permit of Occupancy for a nonconforming use covered by this section has been issued as provided in Section 171 of this Code, shall not invalidate any proceedings under this section.

SEC. 186

EXEMPTION OF LIMITED COMMERCIAL NON-CONFORMING USES.

The purposes of this section is to provide for the further continuance in R districts of nonconforming uses of a limited commercial character, as herein described, which are beneficial to, or can be accommodated within, the residential areas in which they are located. It is hereby found and

declared that, despite the general incompatibility of non-conforming uses with the purposes of this Code, and with other nearby uses, these limited commercial uses may be tolerated in residential areas, and tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes. These uses tend to be small in scale, to serve primarily a walk-in trade, and to cause a minimum of interference with nearby streets and properties. Accordingly, this section recognizes the public advantages of these uses and establishes conditions for their continued operation.

(a) The following nonconforming uses in R districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in Subsection (b) below:

1. ((In all RH districts and RM-1 districts, any use that would be permitted as a principal or conditional use in an RC-1 district.))

Basic Requirement. Nonconforming uses located in Residential districts are subject to the NC-1 District provisions, as set forth in Section 710. These NC-1 provisions are intended to provide for retail sales and services of a limited commercial character which will benefit the immediate community and will be compatible with the Residential district in which the nonconforming use is located.

2. ((In all other RM districts: any use that would be permitted as a principal or conditional use in an RC-2 district.))

Additional Requirements. Any nonconforming use which is not more than one-quarter mile from an Individual Area Neighborhood Commercial district, set forth in Sections 714 through 728, shall be regulated by the controls applicable in that Individual Area Neighborhood Commercial district if those controls are more restrictive than the NC-1 district controls.

(b) The limited commercial nonconforming uses described above shall meet the following conditions:

1. The building shall be maintained in a sound and attractive condition, consistent with the general appearance of the neighborhood;
2. Any signs on the property shall be made to comply with the requirements of Article 6 of this Code applying to nonconforming uses;
3. The hours during which the use is open to the public shall be limited to the period between 6:00 a.m. and 10:00 p.m.;
4. No public sidewalk space shall be occupied in connection with the use;

5. Truck loading shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features;
 6. Noise, odors and other nuisance factors shall be adequately controlled; and
 7. All other applicable provisions of this Code shall be complied with.
- (c) Any use affected by this section which does not comply with all of the conditions herein specified shall be subject to termination in accordance with Section 185 at the expiration of the period specified in that section, but shall be qualified for consideration as a conditional use under Section 185(e). Any such use which is in compliance with such conditions at the expiration of such period but fails to comply therewith at any later date shall be subject to termination when it ceases to comply with any of such conditions.
- (d) The provisions for nonconforming uses contained in Section 180 through 183 shall continue to apply to all uses affected by this Section 186, except that the cost limit for structural alterations contained in Section 181(b)4 shall not be applicable thereto.

SEC. 187

GARMENT SHOPS AND GARMENT FACTORIES AS NONCONFORMING USES.

- (a) A garment shop or a garment factory (as defined in the Building Code), existing on January 1, 1960, and located either in a commercial district or in a building having legal nonconforming commercial status under provisions of the City Planning Code in force on that date, shall be regarded as a legal nonconforming use under provisions of the City Planning Code becoming effective on May 2, 1960, if such shop or factory was brought into compliance with all applicable codes and ordinances prior to January 1, 1961. Permits of Occupancy must have been obtained prior to January 1961, by such shop or factory, and any shop or factory which failed to comply with all applicable codes and ordinances prior to that date shall have closed and discontinued all operations.
- (b) Garment shops and garment factories located in an R district, except those having legal nonconforming status, shall have closed and ceased all operations by January 1, 1961.
- (c) Garment shops and garment factories having legal nonconforming status in R districts, NC, and C districts shall be subject to the provisions of Sections 180 through 185 of this Code as nonconforming uses. No such use shall be intensified by installation of additional machines.

[Sections 188 and 189 are unchanged.]

ARTICLE 2
USE DISTRICTS

NC Districts are located in Article 7 of this Code.

SEC. 201

CLASSES OF USE DISTRICTS. In order to carry out the purposes and provisions of this Code, the city is hereby divided into the following classes of use districts:

- P Public Use Districts
- RH-1(D) Residential, House Districts, One-Family (Detached Dwellings)
- RH-1 Residential, House Districts, One-Family
- RH-1(S) Residential, House Districts, One-Family with Minor Second Unit
- RH-2 Residential, House Districts, Two-Family
- RH-3 Residential, House Districts, Three-Family
- RM-1 Residential Mixed Districts, Low Density
- RM-2 Residential Mixed Districts, Moderate Density
- RM-3 Residential, Mixed Districts, Medium Density
- RM-4 Residential, Mixed Districts, High Density
- RC-1 Residential-Commercial Combined Districts, Low Density
- RC-2 Residential-Commercial Combined Districts, Moderate Density
- RC-3 Residential-Commercial Combined Districts, Medium Density
- RC-4 Residential-Commercial Combined Districts, High Density

NEIGHBORHOOD COMMERCIAL DISTRICTS (Also see Article 7)

General Area Districts

- NC-1 Neighborhood Commercial Cluster District
- NC-2 Small-Scale Neighborhood Commercial District
- NC-3 Moderate-Scale Neighborhood Commercial District
- NC-5 Neighborhood Commercial Shopping Center District

Individual Area Districts

- Broadway Neighborhood Commercial District
- Castro Street Neighborhood Commercial District
- Inner Clement Street Neighborhood Commercial District
- Outer Clement Street Neighborhood Commercial District
- Upper Fillmore Street Neighborhood Commercial District
- Haight Street Neighborhood Commercial District
- Hayes-Gough Neighborhood Commercial District
- Upper Market Street Neighborhood Commercial District
- North Beach Neighborhood Commercial District
- Polk Street Neighborhood Commercial District
- Sacramento Street Neighborhood Commercial District
- Union Street Neighborhood Commercial District
- Valencia Street Neighborhood Commercial District
- 24th Street-Mission Neighborhood Commercial District
- 24th Street-Noe Valley Neighborhood Commercial District

- C-1 Neighborhood Shopping Districts
- C-2 Community Business Districts
- C-M Heavy Commercial Districts

C-3-0	Downtown Office District
C-3-R	Downtown Retail District
C-3-G	Downtown General Commercial District
C-3-S	Downtown Support District
M-1	Light Industrial Districts
M-2	Heavy Industrial Districts

SEC. 202

USES PERMITTED BY THIS CODE.

- (a) The use limitations of this Code shall be set forth in this Article 2 for the use districts of the city, as established by Section 201 of this Code and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The uses permitted under this Code shall consist of the following:
1. Principal uses, permitted as of right in each established district where listed for that class of districts in this Article 2, as regulated herein and elsewhere in this Code.
 2. Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 of this Code, where listed for that class of districts in this Article 2 and as regulated herein and elsewhere in this Code.
 3. Accessory uses for such permitted principal and conditional uses, as defined and regulated in Sections 204 through 204.5 of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use.
 - ((4. Special uses, permitted in Neighborhood Commercial Special Use Districts, when authorized by the Zoning Administrator or the City Planning Commission, where listed for that class of districts in this Article 2 and as regulated herein and elsewhere in this Code.))
- (b) Permitted uses shall include in each established district such uses not specifically listed in this Article 2 as are from time to time determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.
- (c) No use shall be permitted in any R district, C district or M-1 district which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.
- (d) Except as specifically provided herein to the contrary, the provisions of this Article 2 shall apply to all uses, properties and developments, both public and private, including those of the City and County of San Francisco.

[Sections 203 through 207.1 are unchanged.]

SEC. 207.2

DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The density of dwelling units in Neighborhood Commercial districts shall be as stated in the following Subsections. The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in Neighborhood Commercial districts, except that any remaining fraction of one-half or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.

(a) Dwelling Unit Density, General Area Districts.

The dwelling unit density in Neighborhood Commercial General Area Districts shall be at a density ratio not exceeding the number of dwelling units permitted in the nearest Residential district, provided that the maximum density ratio shall in no case be less than the amount set forth in the following table. The distance to each Residential district shall be measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever permits the greater density.

<u>General Area District</u>	<u>Residential Density Limits</u>
<u>NC-1, NC-2</u>	<u>One dwelling unit for each 800 sq.ft. of lot area.</u>
<u>NC-3, NC-S</u>	<u>One dwelling unit for each 600 sq.ft. of lot area.</u>

(b) Dwelling Unit Density, Individual Area Districts.

The dwelling unit density in Individual Area Neighborhood Commercial districts shall be at a density ratio not exceeding the amounts set forth in the following table.

<u>Individual Area District</u>	<u>Residential Density Limits</u>
<u>Sacramento Street</u>	<u>One dwelling unit for each 800 sq.ft. of lot area.</u>
<u>Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley</u>	<u>One dwelling unit for each 600 sq.ft. of lot area.</u>
<u>Broadway, Hayes-Gough Upper Market Street North Beach, Polk Street</u>	<u>One dwelling unit for each 400 sq.ft. of lot area.</u>

DENSITY LIMITATIONS FOR GROUP HOUSING.

The density limitations for group housing as described in Sections 209.2(a), (b), and (c) of this Code shall be as follows:

- (a) The maximum number of bedrooms on each lot shall be as specified in the following table for the district in which the lot is located.

TABLE 5A

Maximum Density for Group Housing

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
RH-2	415
RH-3, RM-1, RC-1	275
RM-2, RC-2	210
RM-3, RC-3	140
RM-4, RC-4	70
<u>NC-1, NC-2, Sacramento Street</u>	<u>275</u>
<u>NC-3, NC-S, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission 24th Street-Noe Valley</u>	<u>210</u>
<u>Broadway, Hayes-Gough Upper Market Street, North Beach Polk Street</u>	<u>140</u>

- (b) For purposes of calculating the maximum density for group housing as set forth herein, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.
- (c) The rules for calculation of dwelling unit densities as set forth in Section 207.1 shall also apply in calculation of the density limitations for group housing, except that in NC districts, any remaining fraction of one-half or more of the maximum amount of lot area per bedroom shall be adjusted upward to the next higher whole number of bedrooms.

ARTICLE 3
PROCEDURES

[Sections 301 through 302 are unchanged.]

SEC. 303 CONDITIONAL USES.

- (a) **General.** The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this section and in Sections 306 through 306.~~(5)~~6, except that Planned Unit Developments shall in addition be subject to Section 304, ~~((and))~~ medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use applications filed pursuant to Article 7, or otherwise required by this Code for uses in Neighborhood Commercial districts shall be subject to the provisions set forth in Section 315, in lieu of those provided for in Sections 306.2 and 306.3, with respect to scheduling and notice of hearings.
- (b) **Initiation.** A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought.
- (c) **Determination.** After its hearing on the application, or upon the recommendation of the Zoning Administrator if the application is filed pursuant to Section 315 and no hearing is required, the City Planning Commission ((may)) shall approve the application and authorize a conditional use if the facts presented are such to establish:
1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
 2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - (A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

- (B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - (D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use of feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan; and
4. With respect to applications filed pursuant to Article 7 of this Code; that such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Neighborhood Commercial district, as set forth in Sections 710.1 through 728.1, and
5. (A) With respect to applications filed pursuant to Article 7, Section 703.2(a), use categories .45, .46, and .47, in lieu of the criteria set forth above in Section 303(c)1-4, that such use or feature will:
- (i) Not be located within 1000 feet of another such use, if the proposed use or feature is included in use category .46 as defined by Section 790.36; and/or
 - (ii) Not be open between 12 midnight and 6 a.m. except in the Broadway Neighborhood Commercial District, as regulated in Section 714, where such uses shall not be open between 2 and 6 a.m.; and
 - (iii) Not use electronic amplification between 10 p.m. and 6 a.m.; and
 - (iv) Be sufficiently insulated for noise and operated so that fixed source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.
- (B) Notwithstanding the above, the City Planning Commission may authorize a conditional use which does not satisfy the criteria set forth in 5(A)ii and/or 5(A)iii above, if facts presented are such to establish that the use will be operated in such a way as to minimize disruption to residences in and around the district with respect to noise and crowd control.

(d) **Conditions.** When authorizing a conditional use as provided herein the City Planning Commission, or the Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in this Code, as are in its opinion necessary to secure the objectives of the Code. Once any portion of the conditional use authorization is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the conditional use authorization. Such conditions may include time limits for exercise of the conditional use authorization; otherwise, any exercise of such authorization must commence within a reasonable time.

(e) **Modification of Conditions.** Authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. Such procedures shall also apply to applications for modification or waiver of conditions set forth in prior stipulations and covenants relative thereto continued in effect by the provisions of Section 174 of this Code.

(f) **(Continuation.**

1. Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any conditional use that has been established as authorized by the City Planning Commission may continue as authorized so long as it is not changed to another use or feature, or discontinued for a continuous period of three years, or otherwise abandoned.
2. A conditional use shall not be restored when so abandoned, or changed to another use or feature that is classified as a conditional use in the district in which it is located, or significantly altered or intensified, except upon approval of a new conditional use application by the City Planning Commission.
3. Where a use or feature classified as a conditional use in the district in which it is located lawfully exists at the effective date of this Code, or at the effective date of any amendment imposing new conditional use requirements upon such use or feature in such district, such use or feature shall be deemed to be a permitted conditional use in the form in which it exists on such date, without further authorization except as provided in this subsection or in Section 205 of Article 2 of this Code.

(((g))) **Delegation of Hearing.** The City Planning Commission may delegate to a committee of one or more of its members, or to the Zoning Administrator, the holding of the hearing required by this Code for a conditional use action. The delegate or delegates shall submit to the City Planning Commission a record of the hearing, together with a report of findings and recommendations relative thereto, for the consideration of the Commission in reaching its decision in the case.

PLANNED UNIT DEVELOPMENTS.

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is currently effective as an interim control.

In districts other than NC and C-3,

the City Planning Commission may authorize as conditional uses, in accordance with the provisions of Section 303, Planned Unit Developments subject to the further requirements and procedures of this section. After review of any proposed development, the City Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). The development as authorized shall be subject to all conditions so imposed and shall be excepted from other provisions of this Code only to the extent specified in the authorization.

- (a) **Objectives.** The procedures for Planned Unit Developments are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the city as a whole. In cases of outstanding over-all design, complementary to the design and values of the surrounding area, such a project may merit a well reasoned modification of certain of the provisions contained elsewhere in this Code.
- (b) **Nature of site.** The tract or parcel of land involved must be either in one ownership, or the subject of an application filed jointly by the owners of all the property included or by the Redevelopment Agency of the City. It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than 1/2 acre, exclusive of streets, alleys and other public property that will remain undeveloped.
- (c) **Application and plans.** The application must describe the proposed development in detail, and must be accompanied by an over-all development plan showing, among other things, the use or uses, dimensions and locations of structures, parking spaces, and areas, if any, to be reserved for streets, open spaces and other public purposes. The application must include such pertinent information as may be necessary to a determination that the objectives of this section are met, and that the proposed development warrants the modification of provisions otherwise applicable under this Code.
- (d) **Criteria and limitations.** The proposed development must meet the criteria applicable to conditional uses as stated in Section 303(c) and elsewhere in this Code. In addition, it shall:
 - 1. Affirmatively promote applicable objectives and policies of the Master Plan;

2. Provide off-street parking adequate for the occupancy proposed;
3. Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;
4. Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;
5. In R districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for RC districts under this Code; and
6. Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

[Sections 304.5 through 306.1 are unchanged.]

SEC. 306.2 Scheduling of Hearings.

When an action for an amendment, conditional use or variance has been initiated by application or otherwise, the Zoning Administrator shall set a time and place for a hearing thereon within a reasonable period. In the case of an application for a variance, such period shall not exceed 30 days from the date upon which the application is accepted for filing. The procedures for scheduling of hearings on conditional use applications where such authorization is required pursuant to zoning categories .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 728 for each Neighborhood Commercial district, are set forth in Section 315.

SEC. 306.3 Notice of Hearings.

- (a) Except as indicated in Subsection (b) below, and except as provided in Section 315 for conditional use applications where such authorization is required pursuant to Zoning Categories .10, .11, .21, .24 through .27, .38 through .90 and .95 of Sections 710 through 728 for each Neighborhood Commercial district, notice of the time, place and purpose of the hearing on an action for an amendment, conditional use or variance shall be given by the Zoning Administrator as follows:

1. By mail to the applicant or other person or agency initiating the action.
2. By mail, except in the case of proposed amendments to change the text of the Code, not less than 10 days prior to the date of the hearing to the owners of all real property within the area that is the subject of the action and within 300 feet of all exterior boundaries of such area, using for this purpose the names and addresses of the owners as shown on the latest city-wide assessment roll in the office of the Tax Collector. Failure to send notice by mail to any such property owner where the address of such owner is not shown on such assessment roll shall not invalidate any proceedings in connection with such action.
3. By publication, except in variance cases, at least once in a newspaper of general circulation in the city not less than 20 days prior to the date of the hearing.
4. Such other notice as the Zoning Administrator shall deem appropriate.

(b) In the following situations, notice of hearings shall be given as indicated:

1. In the case of variance applications involving a less than 10 per cent deviation as described in Section 305(c), the Zoning Administrator need give only such notice as the Zoning Administrator deems appropriate in cases in which a hearing is actually held.
2. In the case of amendments to reclassify land on the basis of general zoning studies for one or more zoning districts, which studies either are city-wide in scope or cover a major sub-area of the city as determined by the City Planning Commission, and where the total area of land so proposed for reclassification, excluding the area of public streets and alleys, is 30 acres or more, the notice given shall be as described in Subsection (a) above, except that:
 - A. The newspaper notice shall be published as an advertisement in all editions of such newspaper, and need contain only the time and place of the hearing and a description of the general nature of the proposed amendment together with a map of the area proposed for reclassification.
 - B. The notice by mail need contain only the time and place of the hearing and a general description of the boundaries of the area proposed for reclassification.

[Section 306.4 is unchanged.]

Reconsideration.

- (a) Whenever any application for an amendment, ((conditional use)) or variance, or any part thereof, has been disapproved by the City Planning Commission or Zoning Administrator, or by the Board of Supervisors or the Board of Permit Appeals on appeal as described in Section 308, no application proposing an amendment, ((conditional use)) or variance, the same or substantially the same as that which was disapproved, shall be resubmitted to or reconsidered by the City Planning Commission or Zoning Administrator within a period of one year from the effective date of final action upon the earlier application.
- (b) Whenever any application for a conditional use, or any part thereof, has been disapproved by the City Planning Commission, or by the Board of Supervisors on appeal as described in Section 308, no application proposing a conditional use, the same or substantially the same as that which was disapproved, shall be resubmitted to or reconsidered by the City Planning Commission within a period of eighteen months from the effective date of final action upon the earlier application.

[Sections 306.6 through 310 are unchanged.]

((SEC. 312

SPECIAL USES.

- (a) **General.** The Zoning Administrator and the City Planning Commission shall make determinations regarding applications for authorization of special uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for special uses shall be as specified in this section.
- (b) **Purpose.** The special use authorization procedure is intended to facilitate the orderly processing of applications for alteration and enlargement of existing uses and for establishment of uses in Neighborhood Commercial Special Use Districts through a procedure which allows for efficient and thorough review of applications using criteria and requirements as set forth in this Code and guidelines as adopted from time to time by the City Planning Commission so as to insure fairness to each applicant and adequate and reasonable regulation of commercial development. Except as provided in Subdivision (d), no special use authorization may be approved pursuant to this Chapter which is not consistent with the policies and objectives of the Comprehensive Plan of San Francisco, the purposes of this Code, the general purposes of Neighborhood Commercial Special Use Districts (Section 242(a)), and the purposes of the particular special use district. In considering such authorizations, the Zoning Administrator and the Planning Commission shall also consider the needs of the owners of property, operators of businesses, residents of surrounding areas, users of the area, and the community in general.))

SEC. 315

PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN
NEIGHBORHOOD COMMERCIAL DISTRICTS.

In addition to the provisions of Section 306.1 and 306.4, the following procedures shall govern applications for conditional use authorization where this authorization is required pursuant to zoning categories .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 728 for each Neighborhood Commercial district. The criteria for determinations on such applications are set forth in Section 303(c). Additional criteria for determinations on applications pursuant to zoning categories .10, .11, and .21 are set forth in the Section containing the control.

SEC. 315.1

Applications and Filing Fees.

The provisions set forth in Section 306.1 shall govern with respect to applications and filing fees.

SEC. 315.2

Zoning Administrator Review, Scheduling of Hearing, and Recommendation.

The Zoning Administrator will review and schedule applications for conditional use authorization for City Planning Commission determination; either on Consent Calendar, with a recommendation regarding action on the application; or at a public hearing, without a recommendation.

- (a) Scheduling of Determination. After an application for conditional use is filed at the Department, the Zoning Administrator will review the application, make a recommendation for determination, and set a time and place for determination of that application within a reasonable period.
- (b) Consent Calendar with Recommendation. After reviewing an application, the Zoning Administrator shall determine if the facts presented establish that the proposed use or feature is in conformity with the criteria set forth in Section 303(c), as applicable, and in Sections 253.1, 121.5, and 121.7 for zoning categories .10, .11, and .21, respectively, and may recommend approval or approval with conditions, placing that recommendation on Consent Calendar.
- (c) Public Hearing. After reviewing an application, the Zoning Administrator may determine that the public interest would best be served by a City Planning Commission review of the application and shall in that event schedule the application for a public hearing.
- (d) Report and Recommendation. In all actions involving a Consent Calendar or public hearing, the Zoning Administrator will make necessary investigations and studies and submit proposed findings to the Director of the Department of City Planning. The report and any recommendation will be submitted at the Consent Calendar or public hearing.

SEC. 315.3

Notice of Recommendation and Determination.

After review of an application subject to these procedures and scheduling of the matter for Planning Commission determination the Zoning Administrator shall provide notice of any recommendation to be placed on the Consent Calendar and of the date and time that the matter will be considered by the Commission; or, in the event of a public hearing, shall provide notice of the time, place, and purpose of the hearing, as follows:

- (a) By mail to the applicant or other person or agency initiating the action; and
- (b) By posting on the subject property; and
- (c) By publication at least once in a newspaper of general circulation in the city not less than 20 days prior to the scheduled date of the appearance of the item on the City Planning Commission Consent Calendar or of the public hearing; and
- (d) By mail at least 20 days prior to the date that the matter is scheduled for determination by the City Planning Commission to property owners within 300 feet of the property that is the subject of the action as well as groups or individuals requesting such notice in writing; and
- (e) Such other notice as the Zoning Administrator shall deem appropriate.

SEC. 315.4

Request for Reconsideration of Consent Calendar Items at a Public Hearing.

- (a) Requests. Any application which is the subject of a consent calendar recommendation will be scheduled for a full public hearing if a request is made in writing prior to the date that the matter is scheduled for determination by the City Planning Commission or at the Commission meeting by any of of the following:
 - 1. The applicant; or
 - 2. Ten or more property owners or tenants of the residential or commercial property within 300 feet of the exterior boundaries of the subject property; or
 - 3. Any City Planning Commissioner.
- (b) Rescheduling. An item for which a request for public hearing has been made pursuant to subsection (a), above, will be rescheduled for City Planning Commission review and determination at a public hearing. Notice of the time, place and purpose of the public hearing shall be provided as follows:

1. By mail to the applicant or other person or agency initiating the action; and
2. By posting on the subject property; and
3. By publication at least once in a newspaper of general circulation in the city not less than 10 days prior to the scheduled date of the public hearing; and
4. By mail at least 10 days prior to the scheduled date of the public hearing to all persons requesting such notice in writing; and
5. Such other notice as the Zoning Administrator shall deem appropriate.

SEC. 315.5

Conduct of Consent Calendar and Determination.

On applications placed on the Consent Calendar, the City Planning Commission will make determinations regarding the authorization of conditional uses, as follows.

The City Planning Commission will consider the Zoning Administrator's recommendation, as shown on Consent Calendar, and make a determination regarding authorization of the conditional use.

- (a) Determination. After considering the Zoning Administrator's recommendation regarding the application, the City Planning Commission may concur with that recommendation, as shown on consent calendar, without public testimony unless there is request for public hearing or the item is called off calendar as provided for in Section 315.4.
- (b) Decision. Such action taken by the City Planning Commission to approve or approve with conditions, as shown on the Consent Calendar, shall be final except upon filing of an appeal as provided for in Section 315.8.

SEC. 315.6

Conduct of Public Hearings and Determination.

The provisions set forth in Section 306.4 with respect to conduct of hearings shall govern whenever a full public hearing is required pursuant to Section 315.2 or 315.4.

SEC. 315.7

Reconsideration.

Whenever an application for a conditional use is authorized by the City Planning Commission, or by the Board of Supervisors pursuant to Section 308.1, no application which proposes a further intensification of that use or feature, or change to another related use, will be considered by the City Planning Commission within a period of eighteen months from the effective date of final action on the earlier application, if such intensification or change in use was specifically restricted in the action on the earlier application.

Whenever an application for a conditional use is denied by the City Planning Commission or by the Board of Supervisors pursuant to Section 308.1, no application which proposes a conditional use which is the same authorization or essentially the same as that which was denied will be considered by the City Planning Commission within a period of eighteen months from the effective date of final action on the earlier application.

SEC. 315.8

Appeal.

A final determination by the City Planning Commission on an application for conditional use authorization may be appealed to the Board of Supervisors pursuant to the provisions of Section 308.1.

ARTICLE 3.5

FEEES

SEC. 350 FEES, GENERAL.

In order to compensate the Department of City Planning for a part of the cost of processing permit applications for the establishment, abolition or modification of a set-back line, for reclassification of property, for conditional use authorization, for a variance, ((or for a special use authorization,)) and in order to compensate the Department of City Planning for a part of the cost of reviewing permit applications filed in and issued by other City departments, fees shall be charged and collected as indicated for each class of application or permit listed in Sections 351 through 353 below.

SEC. 351 FEES FOR APPLICATIONS TO ESTABLISH, ABOLISH OR MODIFY A SETBACK LINE, TO RECLASSIFY PROPERTY, TO AUTHORIZE A CONDITIONAL USE, TO CONSIDER A VARIANCE ((OR TO AUTHORIZE A SPECIAL USE)).

Before accepting any application for filing, the Department of City Planning shall charge and collect a fee as follows:

- (a) For each application to establish, abolish or modify a set-back line, the fee shall be \$300 for each block frontage, or portion thereof, affected by the proposed application.
- (b) For each application to reclassify property, the fee shall be:

Assessor's Block or Portion Thereof	Fee	Assessor's Block or Portion Thereof	Fee
1	\$ 500	21	\$3600
2	750	22	3650
3	1000	23	3700
4	1250	24	3750
5	1400	25	3800
6	1550	26	3850
7	1700	27	3900
8	1850	28	3950
9	2000	29	4000
10	2150	30	4050
11	2300	31	4100
12	2450	32	4150
13	2600	33	4200
14	2750	34	4250
15	2900	35	4300
16	3050	36	4350
17	3200	37	4400
18	3350	38	4450
19	3500	39	4500
20	3550	40	4550

Assessor's Block or Portion Thereof	Fee	Assessor's Block or Portion Thereof	Fee
41	\$3600	47	\$4900
42	3650	48	4950
43	3700	49	5000
44	3750	50	5020
45	3800	51	— add \$20 per block or portion thereof
46	3850		

- (c) For each application to authorize a conditional use, including planned unit development, the fee shall be,
1. Where the total estimated construction cost as defined by the San Francisco Building Code is less than \$50,000, \$200;
 2. Where said total estimated construction cost is \$50,000 or more, but less than \$200,000, \$300;
 3. Where said total estimated construction cost is \$200,000 or more, but less than \$1,000,000, \$300 plus one tenth of one percent of the cost over \$200,000;
 4. Where said total estimated construction cost is \$1,000,000 or more, but less than \$10,000,000, \$2,200 plus one hundred seventy-five thousandths of one per cent of the cost over \$1,000,000;
 5. Where said total estimated construction cost is \$10,000,000 or more, but less than \$20,000,000, \$17,950 plus one tenth of one per cent of the cost over \$10,000,000;
 6. Where said total estimated construction cost is \$20,000,000 or more, but less than \$30,000,000, \$27,950 plus five hundredths of one per cent of the cost over \$20,000,000;
 7. Where said total estimated construction cost is \$30,000,000 or more, but less than \$100,000,000, \$32,950 plus twenty-five thousandths of one per cent of the cost over \$30,000,000;
 8. Where said total estimated construction cost is \$100,000,000 or more, \$50,250.
- (d) For each application to consider a variance, the fee shall be:
1. Where the total estimated construction cost as defined by the San Francisco Building Code is less than \$10,000, \$100;
 2. Where said total estimated construction cost is \$10,000 or more, but less than \$50,000, \$200 plus one tenth of one per cent of the cost over \$10,000;

3. Where said total estimated construction cost is \$50,000 or more, but less than \$200,000, \$250 plus one-tenth of one per cent of the cost over \$50,000;
4. Where said total estimated construction cost is \$200,000 or more, but less than \$1,000,000, \$500 plus one-tenth of one per cent of the cost over \$200,000;
5. Where said total estimated construction cost is \$1,000,000 or more, but less than \$10,000,000, \$2,180 plus two-tenths of one per cent of the cost over \$1,000,000;
6. Where said total estimated construction cost is \$10,000,000 or more, but less than \$30,000,000, \$20,180 plus one-tenth of one percent of the cost over \$10,000,000;
7. Where said total estimated construction cost is more than \$30,000,000, \$40,180 plus five-hundredths of one per cent of the cost over \$30,000,000;

(((e) For each application for authorization of a special use pursuant to Sections 242 et seq. of this Code, the fee shall be \$200 for those applications which can be approved by the Zoning Administrator and \$350 for those applications which require review by the Planning Commission.))

- (f) **Exemption.** Any fraternal, charitable, benevolent or any other non-profit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the non-profit purposes of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States as a bonafide fraternal, charitable, benevolent or other non-profit organization, shall be exempt from paying the fees specified in paragraphs (a) through (e) inclusive of this section.

[Sections 352 and 353 are unchanged.]

ARTICLE 6

SIGNS

[Sections 601 and 602 are unchanged.]

SEC. 602.1 Area (Of a Sign).

- (a) The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed but including any sign tower. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
- (b) On windows. The area of any sign painted directly on a window shall be the area within a rectangular perimeter formed by extending lines around the extreme limits of writing, representation, or any figure of similar character depicted on the surface of the window. The area of any sign placed on or behind the window glass shall be as described above in paragraph (a).
- (c) On awnings, canopies or marquees. The area of any sign on an awning, canopy or marquee shall be the total of all signage on all faces of the structure. All sign copy on each face shall be computed within one rectangular perimeter formed by extending lines around the extreme limits of writing, representation, or any figure of similar character depicted on the surface of the face of the awning, canopy or marquee.

[Sections 602.2 through 602.8 are unchanged.]

- SEC. 602.9 **Identifying Sign.** A sign for a use listed in Article 2 of this Code as either a principal or a conditional use permitted in an R district, regardless of the district in which the use itself may be located, which sign serves to tell only the name, address and lawful use of the premises upon which the sign is located, or to which it is affixed. A bulletin board of a public, charitable or religious institution, used to display announcements relative to meetings to be held on the premises, shall be deemed an identifying sign.

With respect to shopping malls containing five or more stores or establishments in NC districts, and shopping centers containing five or more stores or establishments in NC-S districts, identifying signs shall include signs which tell the name of and/or describe aspects of the operation of the mall or center. Shopping malls, as that term is used in this section, are characterized by a common pedestrian passageway which provides access to the businesses located therein.

[Sections 602.10 through 602.20 are unchanged.]

SEC. 602.21 Wall Sign. A sign placed flat against a building wall with its copy parallel to the wall to which it is attached and not protruding more than the thickness of the sign cabinet.

SEC. ((602.21))

SEC. 602.22 Wind Sign. Any sign composed of two or more banners, flags, or other objects, mounted serially and fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

SEC. 602.23 Window Sign. A sign painted directly on the surface of a window glass or placed behind the surface of the glass inside the building.

[Section 603 is unchanged.]

SEC. 604 PERMITS AND CONFORMITY REQUIRED.

- (a) Any application for a permit for a sign that conforms to the provisions of this Code shall be approved by the Department of City Planning without modification or disapproval by the Department of City Planning or the City Planning Commission, pursuant to the authority vested in them by Section 26, Part III, of the San Francisco Municipal Code or any other provision of said Municipal Code

NOTE: To implement the Downtown Plan, the following amendment is proposed. It is not currently effective as an interim control.

; provided, however, that signs subject to the regulations set forth in ((with the exception of)) Article 10 of the City Planning Code, Preservation of Historical, Architectural and Aesthetic Landmarks and Article 11, Preservation of Buildings and Districts of Architectural, Historical and Aesthetic Importance in the C-3 Districts shall be governed by the relevant provisions thereof.

No sign, other than those signs exempted by Section 603 of this Code, shall be erected, placed, replaced, reconstructed or relocated on any property, intensified in illumination or other aspect, or expanded in area or in any dimension except in conformity with the provisions of this Code. No such erection, placement, replacement, reconstruction, relocation, intensification, or expansion shall be undertaken without a permit having been duly issued therefor, except as specifically provided otherwise in this Section 604.

(b) The provisions of this Section 604 shall apply to work of the above types on all signs unless specifically exempted by this Code, whether or not a permit for such sign is required under the San Francisco Building Code. In cases in which permits are not required under the Building Code, applications for permits shall be filed with the Central Permit Bureau of the Department of Public Works on forms prescribed by the Department of City Planning, together with a permit fee of \$5 for each sign, and the permit number shall appear on the completed sign in the same manner as required by the Building Code.

(c) No permit shall be required under this Code for a sign

NOTE: To implement the Downtown Plan, the following amendments are proposed. It is currently effective as an interim control.

- (i) painted or repainted directly on a door or window in a C or M district, or
- (ii) painted or repainted directly on a wall of a building or structure in a C

district (except for Significant and Contributory buildings and buildings in conservation districts subject to the provisions of Article 11)

or M district and not exceeding 100 square feet in area. Permits shall be required for all other painted signs in C and M districts, and for all painted signs in P and R districts. Repainting of any painted sign shall be deemed to be a replacement of the sign, except as provided in Subsection (f) below.

- (d) Except as provided in Subsection (c) above, no permit shall be required under this Code for ordinary maintenance and minor repairs which do not involve replacement, alteration, reconstruction, relocation, intensification or expansion of the sign.
- (e) No permit shall be required under this Code for temporary sale or lease signs, temporary signs of persons and firms connected with work on buildings under actual construction or alteration, and temporary business signs, to the extent that such signs are permitted by this Code.

- (f) A mere change of copy on a sign the customary use of which involves frequent and periodic changes of copy shall not be subject to the provisions of this Section 604, except that a change from general advertising to non-general advertising sign copy or from non-general advertising to general advertising sign copy shall in itself constitute a new sign subject to the provisions of this Section 604. In the case of signs the customary use of which does not involve frequent and periodic changes of copy, a change of copy shall in itself constitute a new sign subject to the provisions of this Section 604 if the new copy concerns a different person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry.
- (g) Each application for a permit for a sign shall be accompanied by a scaled drawing of the sign, including the location of the sign on the building or other structure or on the lot, and including (except in the case of a sign the customary use of which involves frequent and periodic changes of copy) such designation of the copy as is needed to determine that the location, area and other provisions of this Code are met.
- (h) Unless otherwise provided in this Code or in other Codes or regulations, a lawfully existing sign which fails to conform to the provisions of this Article 6 may remain until the end of its normal life. Such sign may not, however, be replaced, altered, reconstructed, relocated, intensified or expanded in area or in any dimension except in conformity with the provisions of this Code. Ordinary maintenance and minor repairs shall be permitted, but such maintenance and repairs shall not include replacement, alteration, reconstruction, relocation, intensification or expansion of the sign. A sign which is damaged or destroyed by fire or other calamity shall be governed by the provisions of Sections 181(c) and 188(b) of this Code. A sign which is voluntarily destroyed or removed by its owner or which is required by law to be removed may be restored only in fully conformity with the provisions of this Code.
- (i) Nothing in this Article 6 shall be deemed to permit any use of property that is otherwise prohibited by this Code, or to permit any sign that is prohibited by the regulations of any special sign district or the standards or procedures of any Redevelopment Plan or any other Code or legal restriction.

[Sections 605 through 606 are unchanged.]

SEC. 607

COMMERCIAL AND INDUSTRIAL DISTRICTS.

Signs in C and M districts, other than those signs exempted by Section 603 of this Code, shall conform to the following provisions:

- (a) **General advertising signs.** No general advertising sign shall be permitted in any C-1 district.

- (b) **Roof signs.** No roof sign shall be permitted in any C-1 district. In all other C and M districts no roof sign shall be permitted; except that a roof sign may be erected in such other C and M districts if:
1. The sign does not extend more than 25 feet above the roof line of the building on or over which the sign is placed; and
 2. All parts of the sign are within 25 feet of, and the sign is mounted at not more than a 45 degree angle from, a wall of a building the roof line of which is at least as high as the top of the sign; and
 3. Such wall forms a complete backdrop for the sign, as the sign is viewed from all points from which the sign is legible from a public street or alley.

The limitations upon roof signs in this Subsection 607(b) shall not apply to signs located within 200 feet of the park known as Union Square and facing said park.

- (c) **Wind signs.** No wind sign shall be permitted in any C or M district.
- (d) **Moving parts.** No sign shall have or consist of any moving, rotating, or otherwise physically animated part (as distinguished from lights that give the appearance of animation by flashing, blinking or fluctuating), except as follows:
1. Moving or rotating or otherwise physically animated parts may be used for the rotation of barber poles and the indication of time of day and temperature.
 2. In the case of a general advertising sign in C-2, C-3, C-M, M-1 and M-2 districts, except signs located so as to be primarily viewed by persons traveling on any portion of a freeway, moving or rotating or otherwise physically animated parts may be used if such parts do not exceed a velocity of one complete cycle in a four-second period where such parts constitute less than 30 percent of the area of the sign or if, where such parts constitute a greater area of the sign, they do not exceed a velocity of one complete cycle in a four-second period and are stationary at least half of each eight-second period.
- (e) **Illumination.** Any sign may be non-illuminated or indirectly or directly illuminated. Signs in C-3, C-M, M-1 and M-2 districts shall not be limited in any manner as to type of illumination, but no sign in a C-1 or C-2 district shall have or consist of any flashing, blinking, fluctuating or otherwise animated light except in each of the following special districts, all as specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, described in Section 608 of this Code:

- ((1. Along the main commercial frontage in the C-2 areas on Mission Street from Seventeenth Street to Randall Street, Geary Boulevard from Masonic Avenue to Twenty-eighth Avenue, and Lombard Street from Van Ness Avenue to Broderick Street.))
- ((2.))
 - 1. In the C-2 area consisting of five blocks in the vicinity of Fisherman's Wharf.
- ((3.))
 - 2. In the C-2 area in the vicinity of Van Ness Avenue from Golden Gate Avenue and Eddy Street to Sacramento Street, and Polk Street from Eddy Street to Geary Street, also known as the Automotive Special Use District.
- ((4.))
 - 3. In the C-2 area in the vicinity of Stockton, Washington and Kearny Streets and Broadway, also known as Washington-Broadway Special Use District Number 1.
- (f) **Projection.** No sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line and in no case shall a sign project more than 10 feet beyond the street property line or building set-back line in C-1 districts, or 12 feet beyond the street property line or building set-back line in any other C or M district.
- (g) **Height and extension above roof line.**
 - 1. **Signs attached to buildings.** No sign attached to a building shall extend or be located above the roof line of the building to which it is attached; except that up to one-half the area of a business sign attached to the street wall of a building may extend above the roof line, up to the maximum height permitted for free standing signs in the same district or 10 feet above the roof line, whichever is the lesser. In addition, no sign attached to a building shall under any circumstances exceed the following maximum heights:
 - in C-1: 40 feet;
 - in C-3: 100 feet;In all other C and M districts: 60 feet.

The 100-foot height limitation stated herein shall not apply to signs located within 200 feet of the park known as Union Square and facing said park.

2. Free standing signs. The maximum height for free standing signs shall be as follows:

In C-1: 24 feet;

In C-2: 36 feet;

In all other C and M districts: 40 feet.

- (h) **Special standards for automobile service stations.** For automobile service stations, only the following signs are permitted, subject to the standards in this Subsection (h) and to all other standards in this Section 607.

1. A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed the maximum height permitted for free standing signs in the same district if free standing. The area of any such sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line or building set-back line. The areas of other permanent and temporary signs as covered in Paragraph 607(h)2 below shall not be included in the calculation of the areas specified in this paragraph.
2. Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.
3. General advertising signs meeting the provisions of this Section 607.

SEC. 607.1

Neighborhood Commercial Districts.

Signs located in Neighborhood Commercial districts shall be regulated as provided herein, except for those signs which are exempted by Section 603. Signs not specifically regulated in this Section 607.1 shall be prohibited. In the event of conflict between the provisions of Section 607.1 and other provisions of Article 6, the provisions of Section 607.1 shall prevail in Neighborhood Commercial districts, provided that with respect to properties also located in the Upper Market Special Sign District the provisions of Section 608.10 shall prevail.

(a) Purposes and Findings. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to Neighborhood Commercial districts. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

1. As Neighborhood Commercial districts change, they need to maintain their attractiveness to customers and potential new businesses alike. Physical amenities and a pleasant appearance will profit both existing and new enterprises.
2. The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of Neighborhood Commercial districts.
3. Neighborhood Commercial districts are typically mixed-use areas with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within a Neighborhood Commercial district or in adjacent residential districts.
4. The scale of most Neighborhood Commercial districts as characterized by building height, bulk, and appearance, and the width of streets and sidewalks differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(b) Identifying Signs. Identifying signs, as defined in Section 602.9, shall be permitted in all Neighborhood Commercial Districts subject to the limits set forth below.

1. One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting

sign shall be mounted on the first story level; a freestanding sign shall not exceed 15 feet in height. Such sign may be non-illuminated, indirectly illuminated, or directly illuminated.

2. One sign identifying a shopping center or shopping mall shall be permitted subject to the conditions in Paragraph 1, but shall not exceed 30 square feet in area. Any sign identifying a permitted use listed in Sections 603.40 through 703.71 in an NC district shall be considered a business sign and subject to Section 607.1(d) of this Code. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated during the hours of operation of the businesses in the shopping center or shopping mall.

(c) General Advertising Signs. General advertising signs, as defined in Section 602.7, shall be permitted in Neighborhood Commercial districts as provided for below. In NC districts where such signs are permitted, general advertising signs may be either a wall sign or freestanding, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. In either case, the building wall shall form a complete backdrop for the sign, as the sign is viewed from all points from a street or alley from which it is legible.

1. NC-2 Districts. No more than one general advertising sign shall be permitted per lot. Such sign shall not exceed 50 square feet in area nor exceed 12 feet in height. Such sign may be either non-illuminated or indirectly illuminated.

2. NC-3, NC-S and Broadway Districts. No more than two general advertising signs shall be permitted per lot, or in NC-S districts, per district. The area of any such sign shall not exceed 100 square feet, and the total area of all such signs on the lot shall not exceed 200 square feet. The height of any such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sills on the wall to which it is attached if a wall sign, or the adjacent wall or the top of the adjacent wall if a freestanding sign, whichever is lower.

(A) NC-3 and NC-S Districts. Signs may be either non-illuminated or indirectly illuminated.

(B) Broadway Neighborhood Commercial District. Signs may be either non-illuminated, indirectly or directly illuminated.

(d) Business Signs. Business signs, as defined in Section 602.3 shall be permitted in all Neighborhood Commercial districts subject to the limits set forth below.

1. NC-1 Districts.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(a), shall not exceed one-third the area of the window on or in which the signs are located.

Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 100 square feet, whichever is less. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 20 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is attached. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. The sign may be non-illuminated or indirectly illuminated, or during business hours, may be directly illuminated.

(D) Signs on Awnings. Sign copy may be located on permitted awnings in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 20 square feet. Such sign copy may be non-illuminated or indirectly illuminated.

3. NC-2, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Hayes-Gough, Upper Market Street, North Beach, Polk Street, Sacramento Street, Union Street, Valencia Street, 24th Street-Mission, and 24th Street-Noe Valley Neighborhood Commercial Districts.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(a), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 20 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

(D) Signs on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be non-illuminated or indirectly illuminated; except that sign copy on marquees for movie theatres or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

4. NC-3, NC-S, Broadway Neighborhood Commercial Districts.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(a), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 3 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 30 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated, indirectly, or directly illuminated.

(D) Sign Copy on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be non-illuminated or indirectly illuminated; except that sign copy on marquees for movie theatres or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated, or during business hours, may be directly illuminated.

5. Special Standards for Automotive Gas and Service Stations.

For automotive gas service stations in Neighborhood Commercial districts, only the following signs are permitted, subject to the standards in this Paragraph (d)(5) and to all other standards in this Section 607.1.

(A) A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed the maximum height permitted for free standing signs in the same district if free standing. The area of any such sign shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line. The areas of other permanent and temporary signs as covered in sub-paragraph (B) below shall not be included in the calculation of the areas specified in this sub-paragraph.

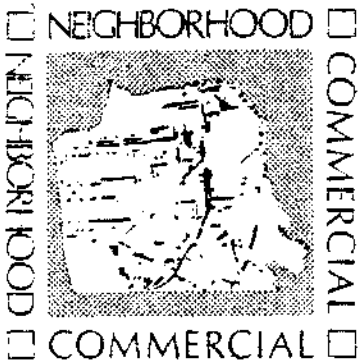
- (B) Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.
- (e) Special Sign Districts. Additional controls apply to certain Neighborhood Commercial districts that are designated as Special Sign Districts. The designations, locations, and boundaries of these Special Sign Districts are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and are described within Sections 608.1 through 608.10. of this Code.
- (f) Special Districts for Sign Illumination. Signs in Neighborhood Commercial districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except in the following special districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and described in Section 607(e) of this Code.
1. Broadway Neighborhood Commercial District. Along the main commercial frontage of Broadway between Wayne and Osgood.
 2. NC-3. NC-3 district along Lombard Street from Van Ness Avenue to Broderick Street.
- (g) Other Sign Requirements. Within Neighborhood Commercial districts, the following additional requirements shall apply:
1. Public Areas. No sign shall be placed upon any public street, alley, or public plaza, or in any portion of a transit system, except such signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities.
 2. Temporary Signs. Temporary signs such as sale or lease signs as defined in Section 602.17 and regulated in Sections 606(b)3 and 608.8(f)2, and construction signs as regulated in Section 606(b)4 are permitted in Neighborhood Commercial districts.
 3. Maintenance. Every sign pertaining to an active establishment shall be adequately maintained in its appearance, or else removed or obscured. When the space occupied by any establishment has been vacated, all signs pertaining to such establishment shall be removed within 180 days following the date of vacation.

[Section 608 is unchanged.]

SEC. 608.1

Near R Districts. No general advertising sign, and no other sign exceeding 100 square feet in area, shall be located in an NC, C or M district within 100 feet of any R district in such a manner as to be primarily viewed from residentially-zoned property or from any street or alley within an R district; any sign of which the face is located parallel to a street property line and lies for its entire width opposite an NC, C or M district shall be deemed prima facie not to be primarily so viewed. No sign of any size within 100 feet of any R district shall project beyond the street property line or building set-back line of any street or alley leading off the main commercial frontage into the R district.

[Sections 608.2 through 609.12 are unchanged.]



PLANNING CODE MAP AMENDMENTS

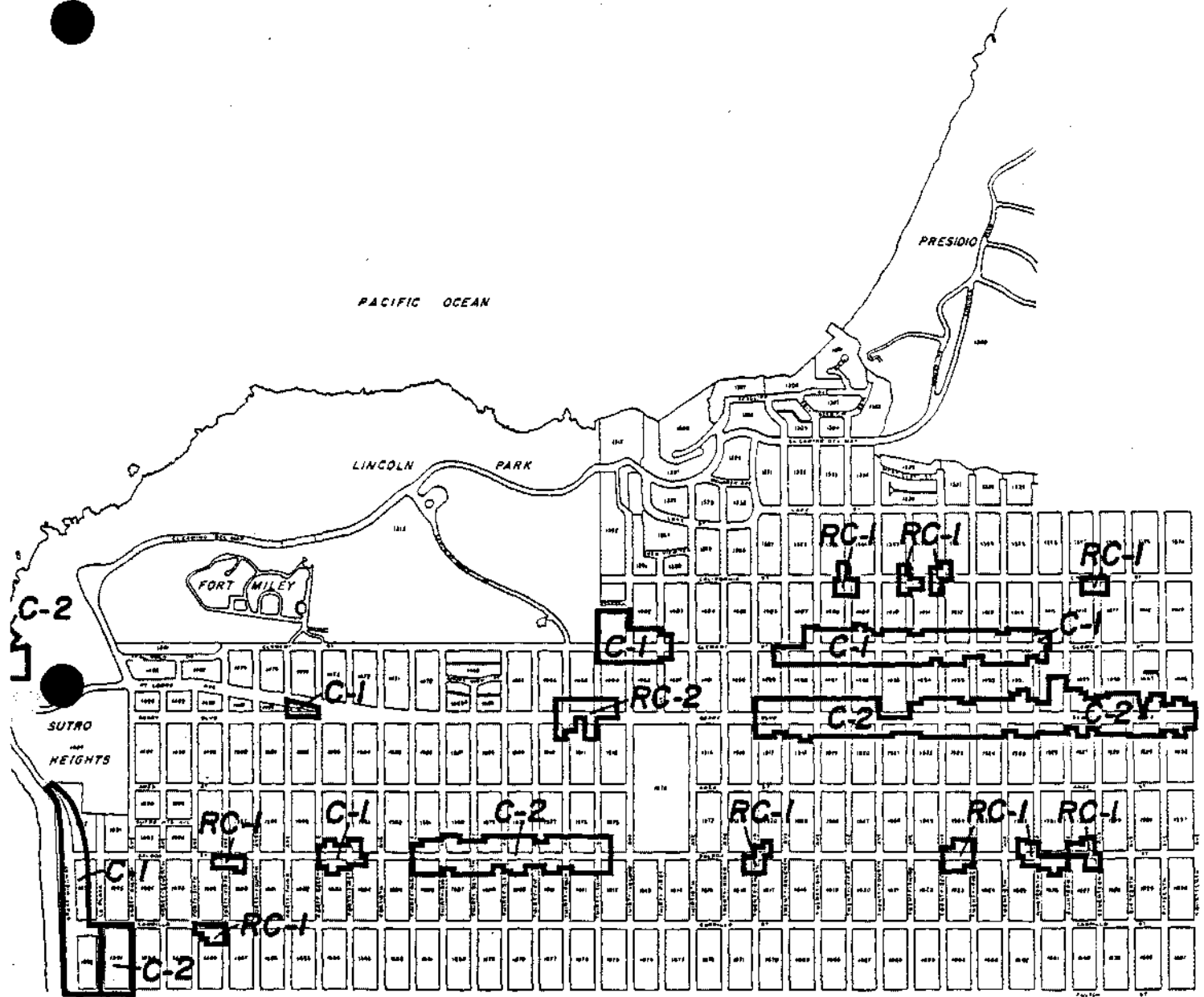
INTRODUCTION

This chapter presents zoning map amendments proposed to establish four new general area neighborhood commercial use districts, fifteen new individual area neighborhood commercial use districts, including minor amendments to abutting residential use districts, to amend or delete certain Special Use and Special Sign District boundaries, and to establish a new 65-A-1 height and bulk district in the North Beach and Broadway Neighborhood Commercial districts.

Detailed maps showing block and lot changes are included for the fifteen individual area use districts and the North Beach and Broadway 65-A-1 height and bulk district. Similarly detailed maps for all affected districts are on file at the Department of City Planning, 450 McAllister Street, Room 405, 558-2104.

Existing zoning use district boundaries are also presented for all areas to be maintained as C-2, RC-2, RC-3, RC-4, and CM.

An index of all proposed district changes presented alphabetically by street name follows this chapter.

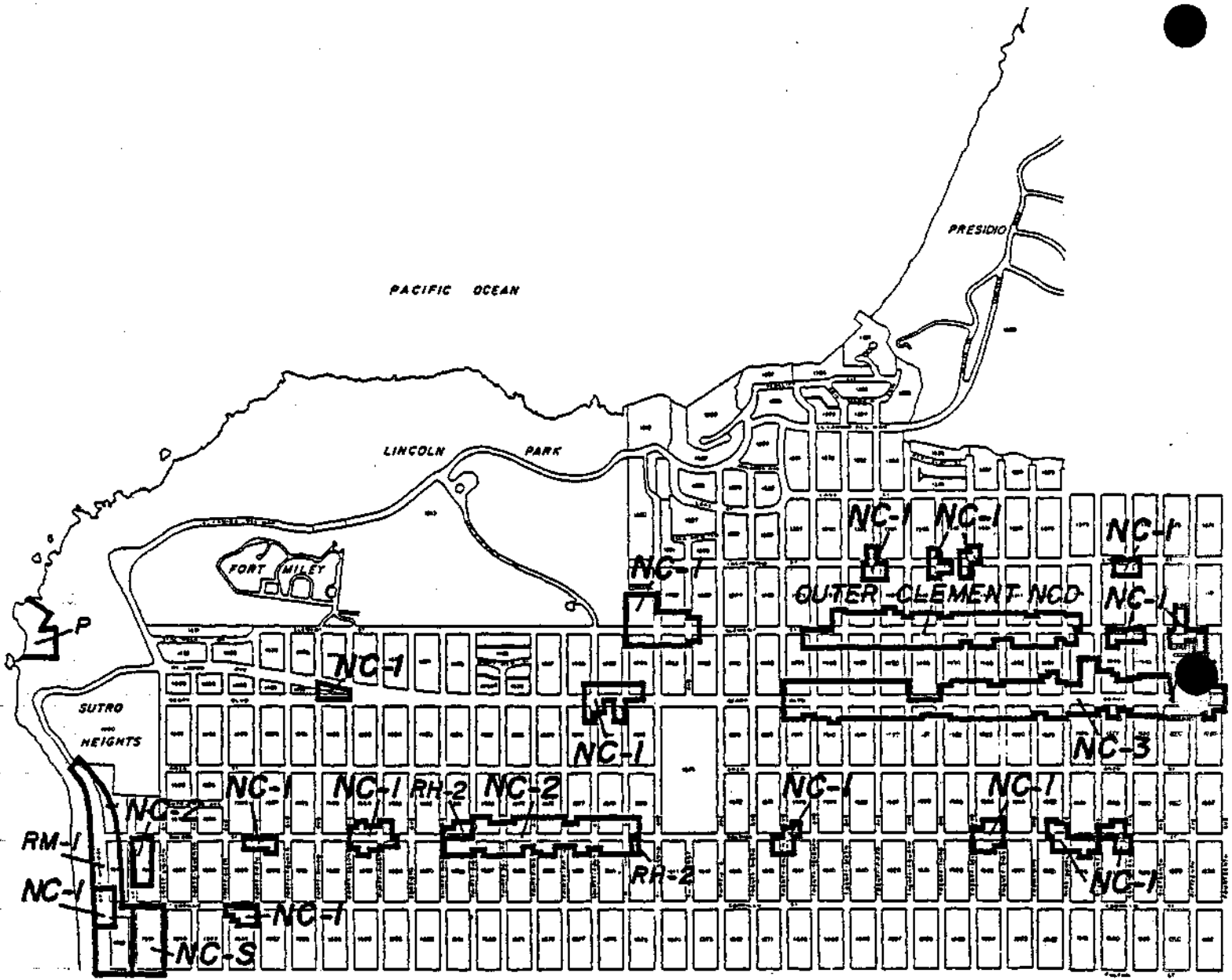


EXISTING ZONING
(Schematic Boundary Only)

- C-1 C-2 C-M
Commercial Districts
- RC-1 RC-2 RC-3 RC-4
Residential-Commercial Combined Districts

Map 10





PROPOSED ZONING
(Schematic Boundary Only)

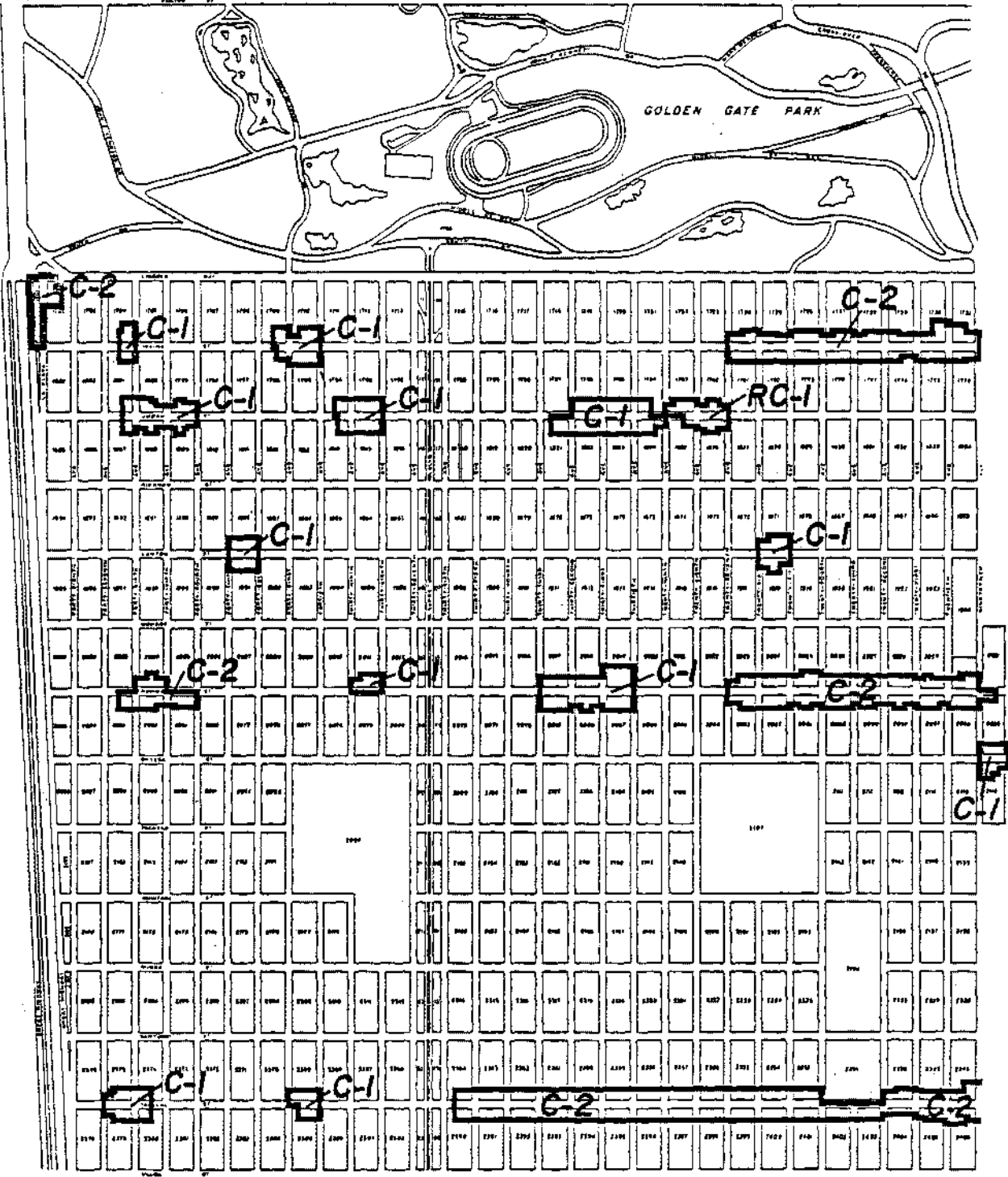
- NC-1 NC-2 NC-3 NC-S NCD
Neighborhood Commercial Districts
- C-2 C-M
Commercial Districts
- RC-3 RC-4
Residential-Commercial Districts
- RH-1 RH-2 RH-3 RM-1 RM-2 RM-3 P
Residential And Public Districts



Map 11



Exhibit 4

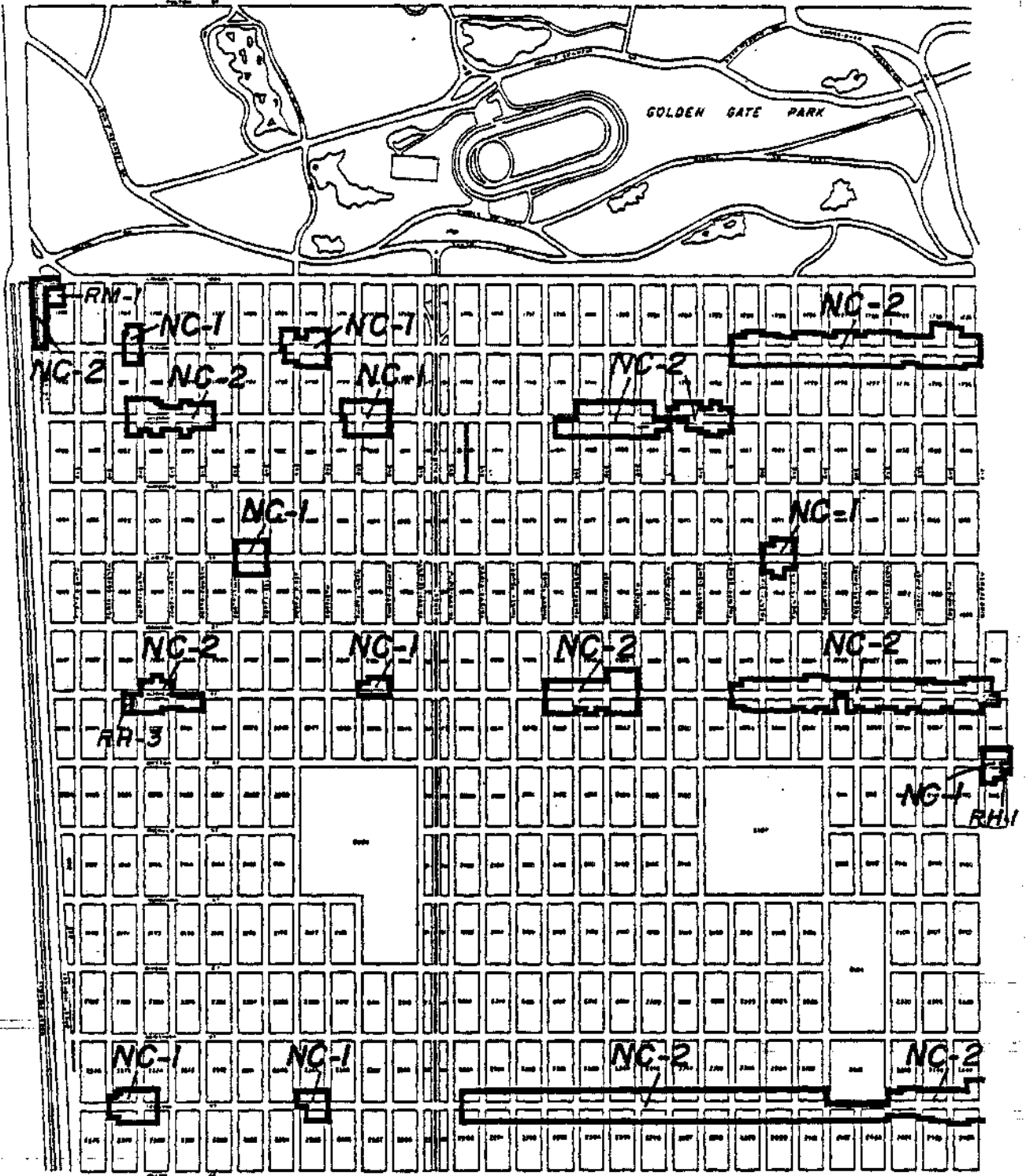


EXISTING ZONING
(Schematic Boundary Only)

C-1 C-2 C-M
Commercial Districts
RC-1 RC-2 RC-3 RC-4
Residential-Commercial Combined Districts

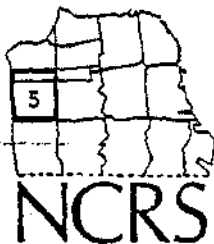
Map 12





PROPOSED ZONING
(Schematic Boundary Only)

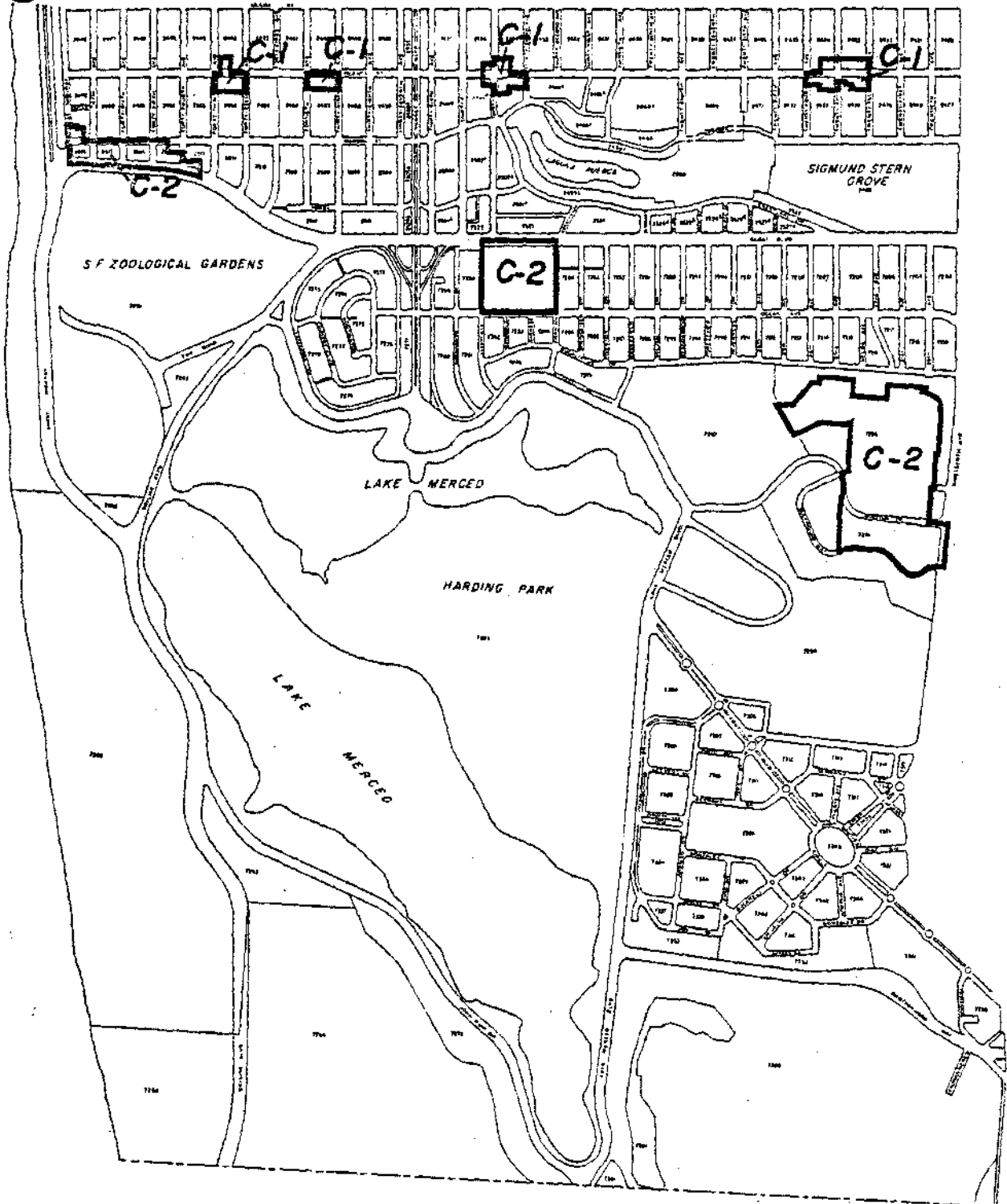
- NC-1 NC-2 NC-3 NC-S NCD
Neighborhood Commercial Districts
- C-2 C-M
Commercial Districts
- RC-3 RC-4
Residential-Commercial Districts
- RH-1 RH-2 RH-3 RM-1 RM-2 RM-3
Residential Districts



Map 13



Exhibit 5

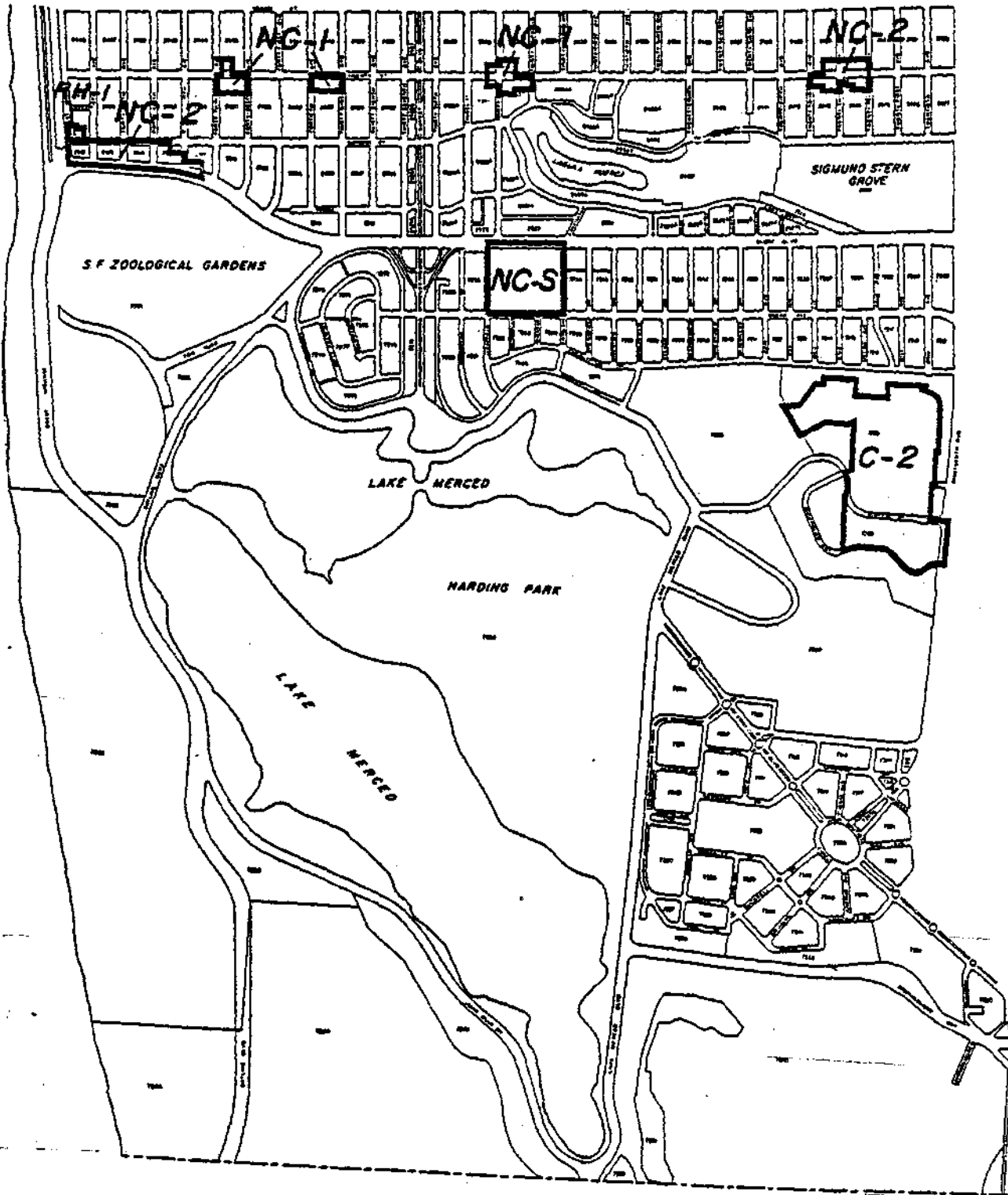


EXISTING ZONING
(Schematic Boundary Only)

- C-1 C-2 C-M
Commercial Districts
- RC-1 RC-2 RC-3 RC-4
Residential-Commercial Combined Districts

Map 26





PROPOSED ZONING
(Schematic Boundary Only)

- NC-1 NC-2 NC-3 NC-S NCD
Neighborhood Commercial Districts
- C-2 C-M
Commercial Districts
- RC-3 RC-4
Residential-Commercial Districts
- RH-1 RH-2 RH-3 RM-1 RM-2 RM-3
Residential Districts

Map 27



Exhibit 12



INDEX OF RECOMMENDED ZONING MAP CHANGES BY STREET NAME

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Alemany Blvd.	U.S. 101 to Putnam St.	C-M	NC-S
	Putnam to Banks Sts.	C-2	NC-S
	Banks to Ellsworth Sts.	C-2	RM-1
	at Ocean Ave.	C-2	NC-3
	Whipple to Lawrence Aves.	C-2	NC-S
	Lawrence to Sickles Aves.	C-2	RH-2
	at Sickles Ave.	C-2	NC-1
	at Sickles Ave.	C-1	NC-1
	at San Jose Ave.	C-1	NC-1
Worcester to St. Charles Aves.	C-2	NC-S	
Alemany Plaza	Shopping Center	C-2	NC-S
Arguello Blvd.	at McAllister St.	C-1	NC-1
Army St.	at Hampshire St.	C-2	NC-1
	at Bryant St.	C-1	NC-1
	Shotwell to Valencia Sts.	C-2	NC-3
	Bartlett to Guerrero Sts.	C-2	Valencia
Balboa St.	3rd to 7th Aves.	C-1	NC-2
	17th to 20th Aves.	RC-1	NC-1
	21st to 22nd Aves.	RC-1	NC-1
	at 28th Ave.	RC-1	NC-1
	33rd to 39th Aves.	C-2	NC-2
	41st to 42nd Aves.	C-1	NC-1
	at 45th Ave.	RC-1	NC-1
Banks St.	Crescent Ave. to Alemany Blvd.	C-2	RH-1
Bayshore Blvd.	at Silver Ave.	C-1	NC-1
	at Thornton Ave.	C-1	NC-1
	at Hester Ave.	C-1	C-2
	at Blanken Ave.	C-1	NC-1
	Arleta to Visitacion Aves.	C-2	NC-2
Visitacion Ave. to County Line	C-2	NC-3	
Brazil Ave.	at Paris St.	RC-1	NC-1
	Paris to Edinburgh Sts.	RC-1	RM-1
Broadway	Sansome to Powell Sts.	C-2	Broadway
Buchanan St.	Post to Bush Sts.	C-2	NC-2
	Bay to Beach Sts.	C-2	NC-2
	North Point St. to Marina Blvd.	C-2	NC-S

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Bush St.	Larkin to Polk Sts.	C-2	Polk
	Fillmore to Steiner Sts. [south side]	C-2	NC-2
	Scott to Broderick Sts. [south side]	C-2	NC-3
Cabrillo St.	at 7th Ave.	C-1	NC-1
	at 10th Ave.	RC-1	NC-1
	45th to 46th Aves.	RC-1	NC-1
California St.	Hyde to Polk Sts.	RC-3	Polk
	Fillmore to Steiner Sts.	C-2	Upper Fillmore
	Divisadero to Broderick Sts.	C-2	NC-2
	Lyon St. to Presidio Ave.	C-2	NC-2
	at Presidio Ave.	RM-1	NC-2
	Laurel St. to Parker Ave.	C-2	NC-5
	4th to 6th Aves.	C-1	NC-2
	6th to 7th Aves.	RC-1	NC-2
	at 17th Ave.	RC-1	NC-1
	at 22nd Ave.	RC-1	NC-1
at 23rd Ave.	RC-1	NC-1	
at 25th Ave.	RC-1	NC-1	
Cambon Dr.	at Castelo Ave.	C-1	NC-5
Capitol Ave.	at Broad St.	RC-1	NC-1
Carroll Ave.	Thornton Ave. to Quint St.	C-1	NC-1
Castro St.	17th to 19th Sts.	C-2	Castro
	24th to 25th Sts.	RC-1	24th-Noe Valley
Chestnut St.	Powell to Mason Sts.	RC-3	North Beach
	Mason to Jones Sts.	C-2	North Beach
	Fillmore to Divisadero Sts.	C-2	NC-2
	Divisadero to Broderick Sts.	C-2	RH-3
Church St.	Hermann to Market Sts.	C-2	NC-3
	Duboce Ave. to 15th Sts.	C-2	Upper Market
	at 25th St.	RC-1	NC-1
	at Clipper St.	RC-1	NC-1
	at 26th St.	RC-1	NC-1
	at Army St.	RC-1	NC-1
	at 27th St.	RC-1	NC-1
	at Duncan St.	RC-1	NC-1
at 28th St.	RC-1	NC-1	
Valley to 30th Sts.	C-1	NC-1	
Clement St.	Arguello Blvd. to Funston Ave.	C-2	Inner Clement
	14th to 16th Aves.	RM-1	NC-1
	17th to 18th Aves.	RH-3	NC-1
	19th to 27th Aves.	C-1	Outer Clement
	31st to 33rd Aves.	C-1	NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Cole St.	Carl St. to Parnassus Ave.	RC-1	NC-1
Columbus Ave.	Pacific Ave. to Broadway Broadway to Francisco St.	C-2 C-2	Broadway North Beach
Cortland St.	Bonview to Folsom Sts.	C-2	NC-2
Dewey Blvd.	at Laguna Honda Blvd.	C-1	NC-1
Diamond St.	Chenery to Bosworth Sts.	C-2	NC-2
Diamond Heights	Shopping Center	C-1	NC-5
Diamond Heights Blvd.	Duncan St. to Gold Mine Dr.	C-1	NC-5
Divisadero St.	Haight St. to Golden Gate Ave. Golden Gate Ave. to Turk St. Turk to Eddy Sts. Eddy to O'Farrell Sts. O'Farrell to Bush Sts. Bush to Sacramento Sts.	C-2 C-2 C-2 C-2 C-2 C-2	NC-2 RM-1 RM-3 NC-2 NC-3 NC-2
Duboce Ave.	Guerrero to Church Sts.	C-2	NC-3
Eddy St.	Gough to Laguna Sts. at Buchanan St. at Pierce St.	C-1 C-1 RC-2	NC-5 NC-5 NC-1
Farmer's Market	Area	C-M/C-2	NC-5
Fillmore St.	Germania to Haight Sts. McAllister to Bush Sts. Bush to Jackson Sts. Union to Moulton Sts.	RC-1 C-2 C-2 C-2	NC-1 NC-3 Upper Fillmore Union
Fitzgerald Ave.	at Ingalls St.	C-1	NC-1
Francisco St.	Powell to Mason Sts. [north side] Powell to Mason Sts. [south side] Mason to Jones Sts.	RC-4 RC-3 C-2	North Beach North Beach North Beach
Franklin St.	Market to Oak Sts. Hickory to Ivy Sts. Ivy to Turk Sts. Myrtle to California Sts.	C-M C-2 C-2 C-2	NC-3 Hayes-Gough NC-3 NC-3
Frederick St.	at Stanyan St. [NW corner] at Stanyan St. [NE,SW,SE corners]	C-2 RC-1	NC-1 NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Fulton St.	Franklin to Gough Sts.	C-2	NC-3
	Gough to Octavia Sts.	C-M	NC-3
	Octavia to Laguna Sts.	C-M	RM-2
	at Fillmore St.	RC-4	NC-1
	Central to Masonic Aves. [south side]	C-1	NC-1
	Central to Masonic Aves. [north side]	C-1	NC-5
	at Masonic Ave. [SW corner] at 8th Ave.	RH-3 C-1	NC-1 RM-3
Geary Blvd.	Franklin to Gough Sts.	C-2	NC-3
	Laguna to Fillmore Sts.	C-2	NC-5
	Fillmore to Steiner Sts.	C-2	NC-3
	Scott St. to Funston Ave.	C-2	NC-3
	Lyon St. to Presidio Ave.	RC-3	NC-3
	14nd to 28th Aves.	C-2	NC-3
	33rd to 34th Aves.	RC-2	NC-1
Geneva Ave.	at San Jose Ave.	RC-1	NC-1
	Alemanly Blvd. to Paris St.	C-2	NC-3
	Paris to Edinburgh Sts.	RC-1	RH-1
	Edinburgh to Vienna Sts.	C-2	NC-2
	at Prague St.	C-1	NC-1
	at Walbridge Ave. Carrizal to Pasadena Sts.	C-2 C-1	NC-5 NC-1
G.E.T.	Shopping Center	C-2	NC-5
Gilman Ave.	Griffith to Fitch Sts.	C-1	NC-1
Glen Park	Area	C-2	NC-2
Gough St.	Market to Lily Sts.	C-M	NC-3
	Lily to Grove Sts.	C-2	Hayes-Gough
	Ivy to Turk Sts.	C-2	NC-3
	Geary to Fern Sts.	C-2	NC-3
Grant Ave.	Broadway to Filbert St.	C-2	North Beach
Great Hwy.	Balboa to Fulton Sts.	C-1	RM-1
	at Cabrillo St.	C-1	NC-1
	Lincoln Wy. to Irving St.	C-2	NC-2
Green St.	Grant Ave. to Powell St.	C-2	North Beach
Grove St.	Franklin to Octavia Sts.	C-2	NC-3
Guerrero St.	Market St. to Duboce Ave.	C-2	NC-3
	at 14th St.	RC-1	NC-1
	at 17th St.	RC-1	NC-1
	at 18th St.	RC-1	NC-1
	at 22nd St.	RC-1	NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Haight St.	Webster to Steiner Sts. at Pierce St. at Scott St. Central Ave. to Stanyan St.	C-2 RC-1 RC-1 C-2	NC-2 NC-1 NC-1 Haight
Hayes-Gough	Area	C-2/C-M	Hayes-Gough
Hayes St.	Frankin to Laguna Sts. at Ashbury St. at Cole St.	C-2 C-1 RC-1	Hayes-Gough NC-1 NC-1
Holloway Ave.	at Brighton Ave. at Ashton Ave.	RC-1 RC-1	NC-1 NC-1
Hunters Point Blvd.	Hudson to Innes Aves.	C-1	C-M
Hyde St.	Jackson St. to Pacific Ave. Green to Union Sts. at Union St.	RC-2 RM-1 C-1	NC-2 NC-1 NC-1
Irving St.	5th to 6th Aves. 6th to 27th Aves. 40th to 41st Aves. at 46th Ave.	RH-2 C-2 C-1 C-1	NC-2 NC-2 NC-1 NC-1
Japan Center	Shopping Center	C-2	NC-S
Judah St.	8th to 10th Aves. 27th to 29th Aves. 29th to 33rd Aves. 38th to 39th Aves. 44th to 46th Aves.	C-2 RC-1 C-1 C-1 C-1	NC-2 NC-2 NC-2 NC-1 NC-2
La Playa	Balboa to Cabrillo Sts. Cabrillo to Fulton Sts. Lincoln Wy. to Irving St.	RM-1 C-2 C-2	NC-2 NC-S NC-2
Laurel Village	Shopping Center	C-2	NC-S
Lawton St.	25th to 26th Aves. 42nd to 43rd Aves.	C-1 C-1	NC-1 NC-1
Leland Ave.	Bayshore Blvd. to Cora St.	C-2	NC-2
Lombard St.	Van Ness to Richardson Aves. Richardson Ave. to Baker St. Baker to Lyon Sts.	C-2 C-2 C-2	NC-3 RH-3 NC-2
Lyon St.	Greenwich to Lombard Sts.	RC-1	NC-2

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Mansfield Ave.	Avalon Ave. to Ina Ct.	C-1	NC-1
Marina Blvd.	Laguna to Buchanan Sts.	C-2	NC-5
Market St.	Franklin to Octavia Sts. Octavia to Church Sts. Church to Castro Sts.	C-M C-2 C-2	NC-3 NC-3 Upper Market
Mason St.	Washington St. to Pacific Ave. Chestnut to Pacific Aves.	RC-3 RC-3	NC-2 North Beach
Masonic Ave.	Wood to O'Farrell Sts. at Fulton St.	C-2 C-1	NC-3 NC-5
McAllister St.	Gough and Laguna Sts. at Buchanan St.	RC-2 RC-2	RM-2 NC-1
Mendell St.	Fairfax to Hudson Aves.	C-M	P
Miraloma Park	Shopping Center	C-1	NC-5
Mission St.	14th to 17th Sts. 17th to 24th Sts. at 24th St. 24th St. to Precita Ave. Precita Ave. to Randall St. Highland to College Aves. at Bosworth St. Alemany Blvd. to Silver Ave. Silver to Niagara Aves. Niagara Ave. to County Line	C-M C-2 C-2 C-2 C-2 C-2 C-2 C-2 C-2 C-2 C-2	NC-3 NC-3 24th-Mission NC-3 NC-2 NC-2 NC-1 NC-2 NC-3 NC-2
Monterey Blvd.	at Joost Ave. Edna St. to Ridgewood Ave.	C-1 C-1	NC-2 NC-2
Naples St.	Geneva Ave. to Rolph St.	C-2	NC-2
Nihonmachi	Shopping Center	C-2	NC-2
Noriega St.	19th to 27th Aves. 30th to 33rd Aves. 38th to 39th Aves. 44th to 46th Aves.	C-2 C-1 C-1 C-2	NC-2 NC-2 NC-1 NC-2
North Beach	Area	C-2	North Beach
North Point St.	Leavenworth to Hyde Sts. at Hyde St. Larkin to Polk Sts.	C-2 RC-1 RC-1	RH-3 NC-1 NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Ocean Ave.	Mission St. to Cayuga Ave.	C-2	NC-3
	Otsego to San Jose Aves.	C-2	NC-2
	Phelan Ave. to Manor Dr.	C-2	NC-3
	Paloma Ave. to Junipero Serra Blvd.	C-2	NC-2
	Junipero Serra Blvd. to 19th Ave.	C-2	NC-3
	Everglade to Clearfield Drs.	C-2	NC-5
Ogden Ave.	Putnam to Bradford Sts.	C-M	NC-5
Ortega St.	18th to 19th Aves.	C-1	NC-1
Pacific Ave.	Powell to Taylor Sts.	RC-3	NC-2
	Taylor to Polk Sts.	RC-2	NC-2
Page St.	Franklin to Gough Sts.	C-M	NC-3
Palou Ave.	at Crisp Rd.	C-1	NC-1
Parkmerced	Shopping Center	C-1	NC-5
Parkside	Shopping Center	C-2	NC-5
Peralta Ave.	Jarboe to Tompkins Aves.	C-2	NC-5
Petrini Plaza	Shopping Center	C-1	NC-5
Pierce St.	at Post St.	C-2	RH-3
Pine St.	Larkin to Polk Sts.	C-2	Polk
	Fillmore to Steiner Sts.	C-2	Upper Fillmore
Plymouth Ave.	San Jose Ave. to Farallones St.	C-1	NC-1
	Sagamore to Broad Sts. [east side]	C-1	RH-2
Point Lobos Ave.	42nd to 43rd Ave.	C-1	NC-1
	at El Camino del Mar	C-2	P
Polk St.	Post to Filbert Sts.	C-2	Polk
Portola Dr.	O'Shaughnessy Blvd to Evelyn Wy.	C-1	NC-5
Post St.	Larkin to Polk Sts. [north side]	C-2	Polk
	Van Ness Ave. to Gough St.	C-2	NC-3
	Laguna to Webster Sts. [north side]	C-2	NC-2
	Laguna to Fillmore Sts. [south side]	C-2	NC-5
	Fillmore to Pierce Sts.	C-2	RM-3
	Scott to Broderick Sts.	C-2	NC-3
Potrero Ave.	at 25th St.	C-2	NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Powell St.	Broadway to Greenwich St. Chestnut to Francisco Sts.	C-2 C-2	North Beach North Beach
Precita Ave.	Folsom to Treat Sts. at Hampshire St.	C-1 C-2	NC-1 NC-1
Randolph St.	at Orizaba St. Victoria to Ramsell Sts.	RC-1 C-1	NC-1 NC-1
Sacramento St.	at Baker St. Lyon to Spruce Sts.	RC-1 C-2	NC-1 Sacramento
San Bruno Ave.	Hale to Woolsey Sts. Dwight to Olmstead Sts. at Wilde Ave.	C-2 C-2 C-1	NC-2 NC-2 NC-1
San Jose Ave.	Standish to Nantucket Aves.	C-1	NC-1
Sanchez St.	at 26th St.	RC-1	NC-1
Scott St.	Geary Blvd. to Bush St.	C-2	NC-3
Silver Ave.	Holyoke to Goettingen Sts.	C-1	NC-1
Sloat Blvd.	Everglade to Clearfield Drs. 44th Ave. to Great Hwy.	C-2 C-2	NC-5 NC-2
South Van Ness Ave.	at 19th St. 23rd to 24th Sts.	C-2 C-2	NC-1 NC-1
Stanyan St.	at Page St. Page to Waller Sts. Waller to Beulah Sts. at Frederick St. at Parnassus Ave.	RC-2 C-2 RC-1 RC-1 C-1	NC-1 Haight Haight NC-1 NC-1
Steiner St.	Golden Gate Ave. to O'Farrell St. Geary Blvd. to Bush St.	C-2 C-2	RM-3 RM-3
Stockton St.	Broadway to Greenwich St.	C-2	North Beach
Sunnydale Ave.	at Hahn St.	C-1	NC-1
Sutter St.	Larkin to Polk Sts. Van Ness Ave. to Gough St. Steiner to Pierce Sts. Scott to Broderick Sts.	C-2 C-2 C-2 C-2	Polk NC-3 NC-2 NC-3
Taraval St.	12th to 36th Aves. 40th to 41st Aves. 46th to 47th Aves.	C-2 C-1 C-1	NC-2 NC-1 NC-1

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
Thornton Ave.	at Bridgeview Dr.	C-1	NC-1
Tunnel Ave.	Bayshore Blvd. to Blanken Ave.	C-1	NC-1
Union St.	Van Ness Ave. to Steiner St.	C-2	Union
Valencia St.	14th to 20th Sts. 20th to Army Sts.	C-M C-2	Valencia Valencia
Vallejo St.	Grant Ave. to Powell St. Polk St. to Van Ness Ave.	C-2 C-2	North Beach RH-3
Vandewater St.	Powell to Mason Sts. [south side]	RC-4	North Beach
Vicente St.	22nd to 24th Aves. 34th to 35th Aves. 39th to 40th Aves. 42nd to 43rd Aves.	C-1 C-1 C-1 C-1	NC-2 NC-1 NC-1 NC-1
Waller St.	Octavia to Laguna Sts.	C-2	NC-3
Washington St.	at Broderick St.	RC-1	NC-1
Webster St.	Ellis to Post Sts.	C-2	NC-5
West Portal Ave.	Ulloa St. to 15th Ave.	C-2	NC-3
Williams Ave.	Newhall to Phelps Sts.	C-2	NC-5
3rd St.	22nd to 23rd Sts. Innes to La Salle Aves. La Salle to Yosemite Aves. Gilman to Key Aves. Key to Meade Aves.	RC-2 C-M C-2 C-2 C-2	NC-2 NC-3 NC-3 NC-3 RH-1
7th Ave.	Cabrillo to Fulton Sts.	C-1	NC-1
9th Ave.	Lincoln Wy. to Judah St.	C-2	NC-2
14th St.	Dolores to Church Sts. Church to Belcher Sts.	C-2 C-2	NC-3 Upper Market
15th St.	Natoma to Julian Sts. Church to Sanchez Sts.	C-M C-2	NC-3 Upper Market
16th St.	Capp to Valencia Sts. Valencia to Dolores Sts. Sanchez to Noe Sts.	C-M C-2 C-2	NC-3 Valencia Upper Market

Street or Area	Generalized District Boundaries	Existing Zoning	Proposed Zoning
17th St.	Capp to Valencia Sts.	C-M	NC-3
	Hartford to Castro Sts. [north side]	C-2	Upper Market
	Hartford to Castro Sts. [south side]	C-2	Castro
18th St.	Texas to Connecticut Sts.	C-2	NC-2
	Capp to San Carlos Sts.	C-2	NC-3
	Guerrero to Oakwood Sts. at Dolores St.	RC-1	NC-1
	Noe to Hartford Sts.	RC-1	NC-1
	Hartford to Diamond Sts.	RC-1	Castro
		C-2	Castro
19th Ave.	Junipero Serra Blvd. to Randolph St.	C-2	NC-2
19th St.	Capp to San Carlos Sts.	C-2	NC-3
20th St.	Missouri to Arkansas Sts.	C-2	NC-2
	Treat St. to South Van Ness Ave.	C-2	NC-2
	Capp to San Carlos Sts.	C-2	NC-3
	San Carlos to Lexington Sts.	RC-1	NC-1
21st St.	Capp to Valencia Sts.	C-2	NC-3
22nd St.	3rd to Minnesota Sts. at Folsom St.	RC-2	NC-2
		RC-1	NC-1
	South Van Ness Ave. to Capp St.	RC-1	NC-1
	Capp to Bartlett Sts.	C-2	NC-3
23rd St.	Arkansas to Wisconsin Sts.	RC-1	NC-1
	Capp to Bartlett Sts.	C-2	NC-3
24th St.	Vermont St. to San Bruno Ave.	C-2	RH-2
	San Bruno Ave. to Bartlett St.	C-2	24th-Mission
	Chattanooga to Diamond Sts. at Douglass St.	RC-1	24th-Noe Valley
		RC-1	NC-1.
26th St.	Shotwell to Bartlett Sts.	C-2	NC-3
29th St.	Mission St. to San Jose Ave. at Dolores St.	C-2	NC-2
		RC-1	NC-1
	at Sanchez St.	RC-1	NC-1

EXHIBIT E

pursuant to Sections 1513, 1523 and 1604 of Public Law 93-641 or Sections 437 and 438 of the California Health and Safety Code, if such approval is found by the reviewing agencies to be required under those Sections.

(g) **Permit Applications.** Commencing on January 1, 1977, the Department of City Planning shall not approve any building permit application for any construction pertaining to any development of any institution subject to this Section, with the exception of minor alterations necessary to correct immediate hazards to health or safety, unless that institution has complied with all the applicable requirements of Subsections (b) and (c) above with regard to its filing of an institutional master plan or revisions thereto. (Amended Ord. 443-78, App. 10/6/78)

SEC. 305. VARIANCES. (a) **General.** The Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in this Code. He shall have power to grant only such variances as may be in harmony with the general purpose and intent of this Code and in accordance with the general and specific rules contained herein, and he shall have power to grant such variances only to the extent necessary to overcome such practical difficulty or unnecessary hardship as may be established in accordance with the provisions of this Section. No variance shall be granted in whole or in part which would have an effect substantially equivalent to a reclassification of property; or which would permit any use, any height or bulk of a building or structure, or any type of sign not expressly permitted by the provisions of this Code for the district or districts in which the property in question is located; or which would grant a privilege for which a conditional use procedure is provided by this Code; or which would change a definition in this Code. The procedures for variances shall be as specified in this Section and in Sections 306 through 306.5.

(b) **Initiation.** A variance action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the variance is sought.

(c) **Determination.** The Zoning Administrator shall hold a hearing on the application, provided, however, that if the variance requested involves a deviation of less than 10 percent from the Code requirement, the Zoning Administrator may at his option either hold or not hold such a hearing. No variance shall be granted in whole or in part unless there exist, and the Zoning Administrator specifies in his findings as part of a written decision, facts sufficient to establish:

(1) That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

(2) That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

(3) That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

(4) That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and

(5) That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

Upon issuing his written decision either granting or denying the variance in whole or in part, the Zoning Administrator shall forthwith transmit a copy thereof to the applicant. The action of the Zoning Administrator shall be final and shall become effective 10 days after the date of his written decision except upon the filing of a valid appeal to the Board of Permit Appeals as provided in Section 308.2.

(d) **Conditions.** In granting any variance as provided herein, the Zoning Administrator, or the Board of Permit Appeals on appeal, shall specify the character and extent thereof, and shall also prescribe such conditions as are necessary to secure the objectives of this Code. Once any portion of the granted variance is utilized, all such specifications and conditions pertaining to such authorization shall become immediately operative. The violation of any specification or condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the variance. Such conditions may include time limits on the exercise of the granted variance; otherwise, any exercise of such variance must commence within a reasonable time. (Amended Ord. 234-72, App. 8/18/72)

SEC. 306. APPLICATIONS AND HEARINGS. In case of an amendment, interim control, conditional use or variance action described in Sections 305 through 306.7 of this Code, the procedures for applications and hearings shall be as described in Sections 306 through 306.7. In addition, the Zoning Administrator and the City Planning Commission may from time to time establish policies, rules and regulations which further define these procedures. (Amended Ord. 210-84, App. 5/4/84)

SEC. 306.1. APPLICATIONS AND FILING FEES. (a) **Who May Initiate.** The persons and agencies that may file or otherwise initiate actions for amendments, conditional uses and variances are indicated in Sections 302 through 305.

(b) **Where To File.** Applications shall be filed in the office of the Department of City Planning.

(c) **Content of Applications.** The content of applications shall be in accordance with the policies, rules and regulations of the Zoning Administrator and the City Planning Commission. All applications shall be upon forms prescribed therefor, and shall contain or be accompanied by all information required to assure the presentation of pertinent facts for proper consideration of the case and for permanent record. The applicant may be required to file with his application the information needed for the preparation and mailing of notices as specified in Section 306.3.

(d) **Verification.** Each application filed by or on behalf of one or more property owners shall be verified by at least one such owner or his authorized agent attesting to the truth and correctness of all facts, statements and information presented.

(e) **Fees.** Before accepting any application for filing, the Department of City Planning shall charge and collect a fee as specified in Article 3.5 of this Code. (Amended Ord. 259-81, App. 5/15/81)

EXHIBIT F

Western Shoreline Area Plan

INTRODUCTION

The conservation of the California coast has always been of interest and concern to San Francisco. From the early years of the city's history, the coastal beach and cliff areas have been an important recreational and natural resource to the people of San Francisco and the Bay Area. There has always been an intense interest among the city's citizens in maintaining the area for the use and enjoyment of the public. This position was underscored by the enthusiastic participation of the City in establishing the Golden Gate National Recreation Area and the overwhelming voter support for Proposition 20 in 1972 which led to the passage of the Coastal Act of 1976. Pursuant to that act San Francisco prepared a Local Coastal Program adopted by the City Planning Commission, and the Board of Supervisors, and certified by the California Coastal Commission on April 26, 1984.

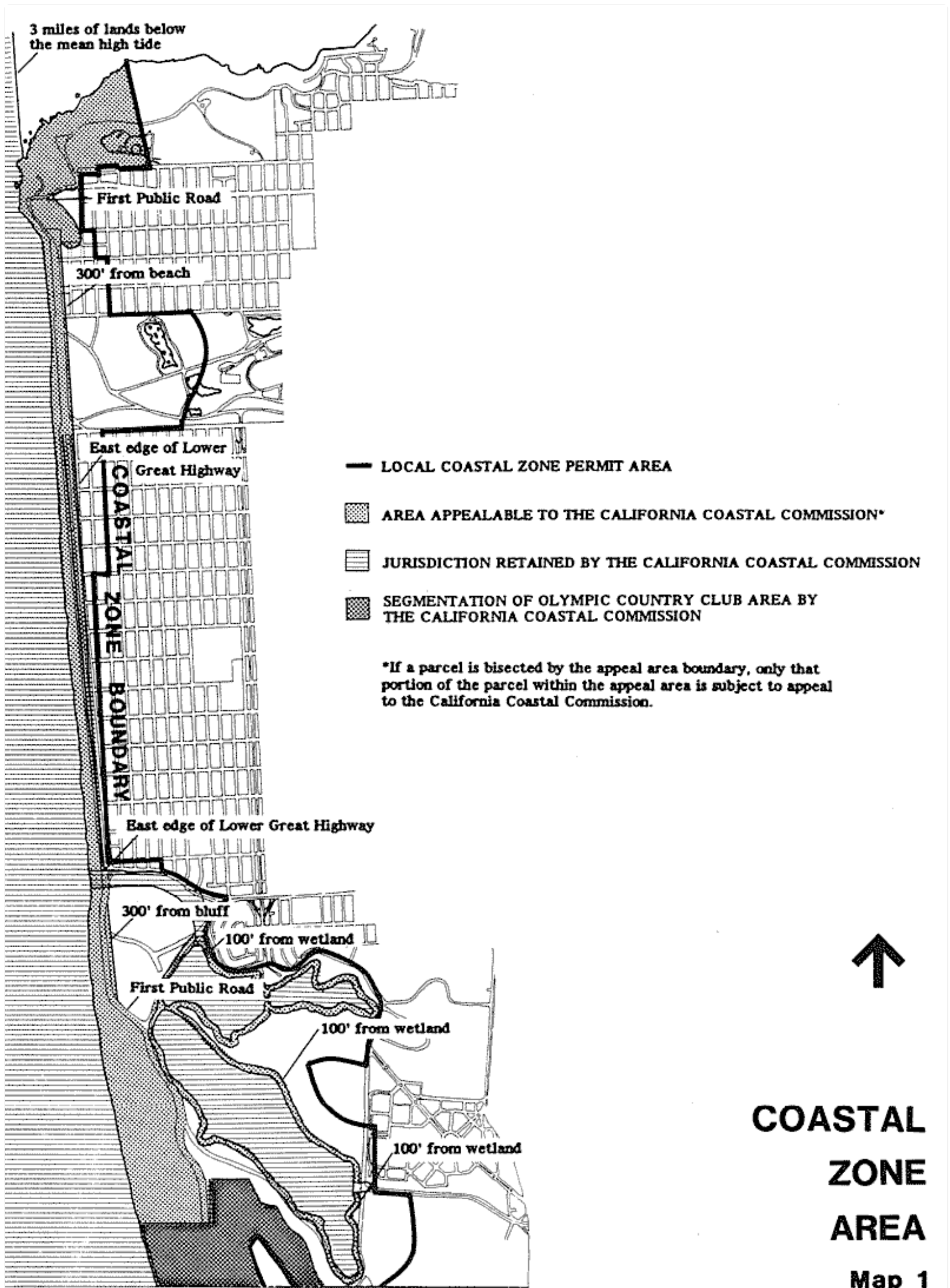
The City Planning Commission is responsible for adopting and maintaining a comprehensive long-term general plan for future development of the City and County of San Francisco known as the Master Plan. The Plan is divided into a number of functional elements, including Urban Design, Residence, Recreation and Open Space, Commerce and Industry, Environmental Protection, Transportation, and a number of subarea plans, including the Civic Center Plan, Northeastern Waterfront Plan and the Central Waterfront Plan.

The policies of the Local Coastal Program, together with the addition of summary objectives to the various section readings to make it compatible with other area plans, are being incorporated in the City's Master Plan, as an area plan under the title Western Shoreline Plan.

The San Francisco Coastal Zone extends approximately 6 miles along the western shoreline from the Fort Funston cliff area in the south to the Point Lobos recreational area in the north. The south end of the Coastal Zone includes the Lake Merced area, the Zoo, the Olympic Country Club, and the seashore and bluff area of Fort Funston. The Coastal Zone spans the Ocean Beach shoreline and includes Golden Gate Park west of Fortieth Avenue, the Great Highway corridor and the adjacent residential blocks in the Sunset and Richmond districts. The north end of the seashore includes the Cliff House and Sutro Baths area, Sutro Heights Park, and Point Lobos recreational area.

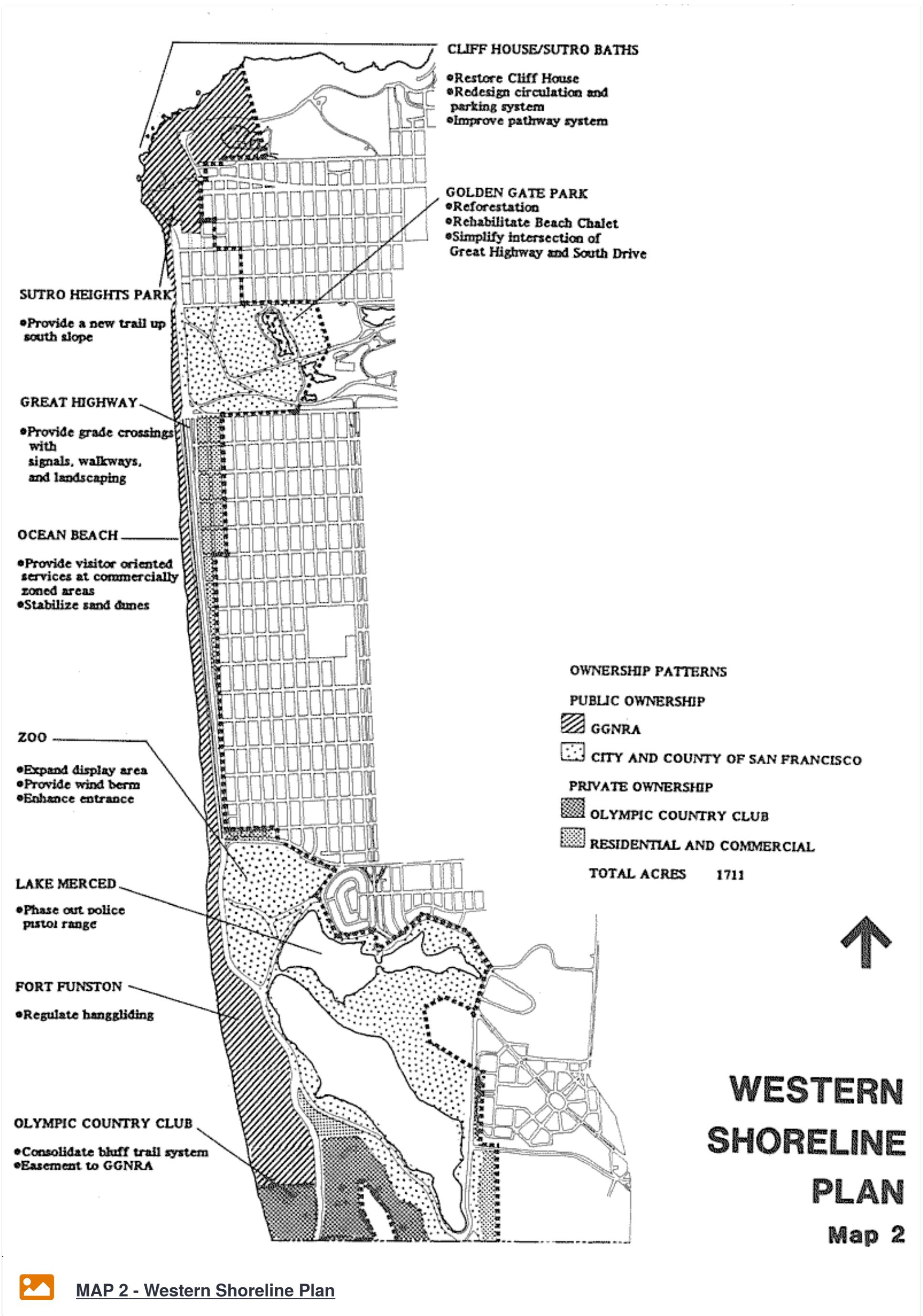
Most of the San Francisco western shoreline is publicly owned. Golden Gate Park, the Zoo, and Lake Merced contain 60% of the 1,771 acres which comprise the Coastal Zone area. Another 25% of the Coastal Zone is within the Golden Gate National Recreation Area (GGNRA). Only 14% of the land is privately owned, and 9% of this land is within the Olympic Country Club area. The remainder 5% is private residential and commercial property which fronts or lies in close proximity to the seashore.

The Coastal Zone is the area shown on Map 1.



 **MAP 1 - Coastal Zone Area**

The area covered by the Western Shoreline Plan is divided into ten subareas as listed below and shown on Map 2.



MAP 2 - Western Shoreline Plan

- [The Great Highway](#)
- [Golden Gate Park](#)

- [The Zoo](#)
- [Lake Merced](#)
- [Ocean Beach](#)
- [Sutro Heights Park](#)
- [Cliff House Sutro Baths](#)
- [Fort Funston](#)
- [Olympic Country Club](#)
- [Richmond and Sunset Residential Neighborhoods](#)

The Plan consists of transportation policies for the entire Coastal Zone and of specific policies relating to the ten subareas.

OBJECTIVES AND POLICIES

Transportation

OBJECTIVE 1

IMPROVE PUBLIC TRANSIT ACCESS TO THE COAST.

POLICY 1.1

Improve crosstown public transit connections to the coastal area, specifically Ocean Beach, the Zoo and the Cliff House.

POLICY 1.2

Provide transit connections amongst the important coastal recreational destinations

POLICY 1.3

Connect local transit routes with regional transit, including BART, Golden Gate Transit, and the Golden Gate National Recreation Transit.

POLICY 1.4

Provide incentives for transit usage.

POLICY 1.5

Consolidate the Municipal Railway turnaround at the former Playland-at-the-Beach site.

POLICY 1.6

Provide transit shelters at the beach for transit patrons.

The Great Highway

OBJECTIVE 2

REDESIGN THE GREAT HIGHWAY TO ENHANCE ITS SCENIC QUALITIES AND RECREATIONAL USE.

POLICY 2.1

Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

POLICY 2.2

Maintain the landscaped recreational corridor adjacent to the development at the former Playland-at-the-Beach site to provide a link between Golden Gate park and Sutro Heights park.

POLICY 2.3

Provide for a continuation of the bicycle trail by an exclusive bicycle lane on public streets between the Great Highway and Point Lobos.

POLICY 2.4

Improve public access to Ocean Beach from Golden Gate Park by providing a landscaped bridge over vehicular underpass, if funds are not available improve public access by providing grade crossings with signals, walkways, lighting and landscaping.

POLICY 2.5

Locate parking for users of Ocean Beach and other coastal recreational areas so that the Great Highway need not be crossed. Provide limited parking east of the highway for park use. Design parking to afford maximum protection to the dune ecosystem.

POLICY 2.6

Provide permanent parking for normal use required by beach users in the Great Highway corridor (taking into account the increased accessibility by transit); provide multiple use areas which could be used for parking at peak times, but could be used for recreational uses when not needed for parking.

POLICY 2.7

improve pedestrian safety by providing clearly marked crossings and installing signalization.

POLICY 2.8

Enhance personal safety by lighting parking areas and pedestrian crossings.

POLICY 2.9

Improve public access to Ocean Beach south of Lincoln Way by providing grade crossing with signals and walkways at every other block.

Golden Gate Park

OBJECTIVE 3

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE.

POLICY 3.1

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

POLICY 3.2

Continue to implement a long-term reforestation program at the western portion of the park.

POLICY 3.3

Develop and periodically revise a Master Plan for Golden Gate Park to include specific policies for the maintenance and improvement of recreational access in the western portion of the park.

POLICY 3.4

Rehabilitate the Beach Chalet for increased visitor use.

The Zoo

OBJECTIVE 4

IMPROVE THE QUALITY OF THE ZOO AND ITS RELATIONSHIP TO THE COASTAL ZONE RECREATIONAL SYSTEM.

POLICY 4.1

Maintain the landscaped park-like atmosphere of the Zoo.

POLICY 4.2

Enhance visitor interest in the Zoo by pursuing a specific Zoo Master Plan for modernization and improvement of Zoo facilities and enhancement of the animal collection.

POLICY 4.3

Allow location of a sewage treatment plant and a pump station to serve the western area of San Francisco on Zoo property. Locate and design the facilities to maximize their joint use by the Zoo.

POLICY 4.4

Expand the existing Zoo area west toward the Great Highway and south toward Skyline Boulevard.

POLICY 4.5

Provide a wind berm along the Great Highway for protection and public viewing of Ocean Beach and the Pacific Ocean.

POLICY 4.6

Enhance the entrance to the Zoo by providing visitor amenities at the northwest corner.

POLICY 4.7

Provide parking near the entrance to the Zoo for those visitors who cannot reasonably use public

transportation.

POLICY 4.8

Provide for the reasonable expansion of the Recreation Center for the Handicapped for recreation purposes. Accommodate that expansion in a way that will not inhibit the development of either the Zoo or the treatment plant.

Lake Merced

OBJECTIVE 5

PRESERVE THE RECREATIONAL AND NATURAL HABITAT OF LAKE MERCED.

POLICY 5.1

Preserve in a safe, attractive and usable condition the recreational facilities, passive activities, playgrounds and vistas of Lake Merced area for the enjoyment of citizens and visitors to the city.

POLICY 5.2

Maintain a recreational pathway around the lake designed for multiple use.

POLICY 5.3

Allow only those activities in Lake Merced area which will not threaten the quality of the water as a standby reservoir for emergency use.

POLICY 5.4

As it becomes obsolete, replace the police pistol range on the southerly side of South Lake with recreational facilities.

Ocean Beach

OBJECTIVE 6

MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.

POLICY 6.1

Continue Ocean Beach as a natural beach area for public recreation.

POLICY 6.2

Improve and stabilize the sand dunes where necessary with natural materials to control erosion.

POLICY 6.3

Keep the natural appearance of the beach and maximize its usefulness by maintaining the beach in a state

free of litter and debris.

POLICY 6.4

Maintain and improve the physical condition and appearance of the Esplanade between Lincoln Way and the Cliff House.

POLICY 6.5

Enhance the enjoyment of visitors to Ocean Beach by providing convenient visitor-oriented services, including take-out food facilities.

POLICY 6.6

Extend the seawall promenade south to Sloat Boulevard as funds become available.

Sutro Heights Park

OBJECTIVE 7

PRESERVE AND RESTORE SUTRO HEIGHTS PARK.

POLICY 7.1

Continue the use of Sutro Heights Park as a park, preserve its natural features, and retain its quiet neighborhood orientation.

POLICY 7.2

Restore elements of the historic garden and landscaping and include minor interpretive displays and seating areas.

POLICY 7.3

Improve access between Golden Gate Park and Sutro Heights Park by providing a new trail system up the south slope of Sutro Heights Park within the La Playa Street right-of-way for equestrians, pedestrians and joggers.

POLICY 7.4

Protect the natural bluffs below Sutro Heights Park. Keep the hillside undeveloped in order to protect the hilltop landform, and maintain views to and from the park. Acquire the former Playland-at-the-Beach site north of Balboa if funds become available.

Cliff House - Sutro Baths

OBJECTIVE 8

MAINTAIN THE VISITOR ATTRACTIVENESS OF THE CLIFF HOUSE AND SUTRO BATH COMPLEX.

POLICY 8.1

Develop the Cliff House/Sutro Bath area as a nature-oriented shoreline park. Permit limited commercial-recreation uses if public ownership is retained and if development is carefully controlled to preserve the natural characteristics of the site.

POLICY 8.2

Restore the Cliff House to its 1909 appearance or, if financially feasible, to an accurate replica of the original 1890 structure.

POLICY 8.3

Insure hiker safety by providing a clearly marked and well maintained pathway system.

POLICY 8.4

Redesign parking and vehicular circulation in the area to relieve congestion and provide for the safety of pedestrians crossing Point Lobos.

POLICY 8.5

To increase visitor enjoyment, mitigate the noise and air pollution caused by tour buses by relocating bus waiting areas.

Fort Funston

OBJECTIVE 9

CONSERVE THE NATURAL CLIFF ENVIRONMENT ALONG FORT FUNSTON.

POLICY 9.1

Maximize the natural qualities of Fort Funston. Conserve the ecology of entire Fort and develop recreational uses which will have only minimal effect on the natural environment.

POLICY 9.2

Permit hanggliding but regulate it so that it does not significantly conflict with other recreational and more passive uses and does not impact the natural quality of the area.

Olympic Country Club

OBJECTIVE 10

RETAIN THE OPEN SPACE QUALITY OF THE OLYMPIC COUNTRY CLUB AREA.

POLICY 10.1

If the private golf course use is discontinued, acquire the area for public recreation and open space, if

feasible.

POLICY 10.2

Maintain the existing public easement along the beach. Encourage the granting of an additional easement by the Olympic Country Club to the National Park Service for public use and maintenance of the sensitive bluff area west of Skyline Boulevard as part of the Golden Gate National Recreation Area.

POLICY 10.3

Protect the stability of the westerly bluffs by consolidating the informal trails along the bluff area into a formal trail system which would be clearly marked. Coordinate the lateral trail system along the bluff with the San Mateo trail system south of the San Francisco boundary.

Richmond and Sunset Residential Neighborhoods

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

POLICY 11.1

Preserve the scale and character of existing residential neighborhoods by setting allowable densities at the density generally prevailing in the area and regulating new development so its appearance is compatible with adjacent buildings.

POLICY 11.2

Develop the former Playland-at-the-Beach site as a moderate density residential apartment development with neighborhood commercial uses to serve the residential community and, to a limited extent, visitors to the Golden Gate National Recreation Area.

POLICY 11.3

Continue the enforcement of citywide housing policies, ordinances and standards regarding the provision of safe and convenient housing to residents of all income levels, especially low- and moderate-income people.

POLICY 11.4

Strive to increase the amount of housing units citywide, especially units for low- and moderate-income people.

POLICY 11.5

Work with federal and state funding agencies to acquire subsidy assistance for private developers for the provision of low- and moderate-income units.

POLICY 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

POLICY 11.7

Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.

Coastal Hazards

OBJECTIVE 12

PRESERVE, ENHANCE, AND RESTORE THE OCEAN BEACH SHORELINE WHILE PROTECTING PUBLIC ACCESS, SCENIC QUALITY, NATURAL RESOURCES, CRITICAL PUBLIC INFRASTRUCTURE, AND EXISTING DEVELOPMENT FROM COASTAL HAZARDS.

POLICY 12.1

Adopt Managed Retreat Adaptation Measures Between Sloat Boulevard and Skyline Drive.

Erosion of the bluff and beach south of Sloat Boulevard has resulted in damage to and loss of beach parking and portions of the Great Highway, and threatens existing critical wastewater system infrastructure. Sea level rise will likely exacerbate these hazards in the future. The City shall pursue adaptation measures to preserve, enhance, and restore public access, scenic quality, and natural resources along Ocean Beach south of Sloat Boulevard and to protect existing wastewater and stormwater infrastructure from impacts due to shoreline erosion and sea level rise. Federal projects in the Coastal Zone are not subject to city-issued coastal development permits. Local Coastal Program policies regarding adaptation within Golden Gate National Recreation Area simply provide guidance to both the National Park Service and California Coastal Commission, which review federal projects under the Coastal Zone Management Act. All non-federal development on federal lands is subject to coastal development permit review by the California Coastal Commission.

Implementation Measures:

- (a) As the shoreline retreats due to erosion and sea level rise, incrementally remove shoreline protection devices, rubble that has fallen onto the beach, roadway surfaces, and concrete barriers south of Sloat Boulevard.
- (b) Relocate public beach parking and public restrooms to areas that will not be affected by shoreline erosion or sea level rise for their expected lifespan given current sea level rise projections and mapping. The relocated facilities should not require the construction of shoreline protection devices and should be relocated if they are threatened by coastal hazards in the future.
- (c) Close the Great Highway between Sloat and Skyline boulevards and make circulation and safety improvements along Sloat and Skyline boulevards to better accommodate bicyclists, pedestrians, and vehicles.
- (d) Import sand to restore the beach and construct dunes. Stabilize dunes with vegetation, beach grass straw punch, brushwood fencing, or other non-structural methods.
- (e) Extend the coastal trail to Fort Funston and Lake Merced by constructing a multi-use public access pathway along the shoreline from Sloat Boulevard to Skyline Boulevard.
- (f) Permit shoreline protection devices if necessary to protect coastal water quality and public health by preventing damage to existing wastewater and stormwater infrastructure due to shoreline erosion only when less environmentally damaging alternatives are determined to be infeasible.
- (g) Maintain service vehicle access necessary for the continued operation and maintenance of existing wastewater and stormwater infrastructure systems.

POLICY 12.2

Develop and Implement Sea Level Rise Adaptation Plans for the Western Shoreline.

Sea level rise and erosion threaten San Francisco's coastal resources and their impacts will worsen over time. San Francisco shall use the best available science to support the development of adaptation measures to protect our coastal resources in response to sea level rise and coastal hazards.

Implementation Measures:

- (a) Conduct detailed sea level rise vulnerability assessments and develop adaptation plans to minimize risks to life, property, essential public services, public access and recreation, and scenic and natural resources from shoreline erosion, coastal flooding and sea level rise for the Western Shoreline Area.
- (b) The vulnerability assessments shall be based on sea level rise projections for likely and worst-case mid-century and end-of-century sea level rise in combination with a 100-year storm event, and shall include one or more scenarios that do not rely on existing shoreline protection devices.
- (c) Adaptation measures shall be designed to minimize impacts on shoreline sand supply, scenic and natural resources, public recreation, and coastal access.
- (d) The adaptation plans shall consider a range of alternatives, including protection, elevation, flood proofing, relocation or partial relocation, and reconfiguration.
- (e) Adaptation measures that preserve, enhance, or restore the sandy beach, dunes, and natural and scenic resources such as beach nourishment, dune restoration, and managed retreat shall be preferred over new or expanded shoreline protection devices.
- (f) The adaptation plans shall consider the recommendations contained in the SPUR Ocean Beach Master Plan.
- (g) Create and maintain sea level rise hazard maps to designate areas within the coastal zone that would be exposed to an increased risk of flooding due to sea level rise. The maps shall include likely and worst case mid-century and end-of-century sea level rise projections in combination with a 100-year storm event. The maps shall include a scenario that does not include existing shoreline protection devices. The maps shall be updated when new information warranting significant adjustments to sea level rise projections becomes available.

POLICY 12.3

Develop and Implement a Beach Nourishment Program to Sustain Ocean Beach.

Shoreline erosion has substantially narrowed the sandy beach south of Sloat Boulevard. Sea level rise will likely exacerbate the loss of sandy beach south of Sloat Boulevard and may extend this effect to the north towards the Cliff House. The City shall pursue the development and implementation of a long-term beach nourishment program to maintain a sandy beach along the western shoreline to preserve Ocean Beach as a public recreational resource for future generations and to protect existing public infrastructure and development from coastal hazards.

Implementation Measure:

Work with the U.S. Army Corps of Engineers to develop and implement a beach nourishment program involving the placement of sand dredged from the San Francisco bar navigation channel offshore of the Golden Gate onto Ocean Beach. Other sources of suitable sand for beach nourishment may also be identified and permitted. Sand shall not be removed from stable dunes.

POLICY 12.4

Develop the Shoreline in a Responsible Manner.

Sea level rise and erosion impacts will worsen over time and could put private and public development in the Western Shoreline Area at risk of flooding. Given these future impacts, development in the Coastal Zone should be sited to avoid coastal hazard areas when feasible. If avoidance is infeasible, development shall be designed to minimize impacts to public safety and property from current or future flooding and erosion without reliance on current or future shoreline

protection features.

New development and substantial improvements to existing development located in areas exposed to an increased risk of flooding or erosion due to sea level rise shall be designed and constructed to minimize risks to life and property.

New development and substantial improvements to existing development shall ensure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

New development and substantial improvements to existing development shall not require the construction of shoreline protective devices that would substantially alter natural landforms along bluffs and cliffs. If new development becomes imminently threatened in the future, it shall rely on alternative adaptation measures up to and including eventual removal.

Public recreational access facilities (e.g., public parks, restroom facilities, parking, bicycle facilities, trails, and paths), public infrastructure (e.g., public roads, sidewalks, and public utilities), and coastal-dependent development shall be sited and designed in such a way as to limit potential impacts to coastal resources over the structure's lifetime. As appropriate, such development may be allowed within the immediate shoreline area only if it meets all of the following criteria:

1. The development is required to serve public recreational access and/or public trust needs and cannot be feasibly sited in an alternative area that avoids current and future hazards.
2. The development will not require a new or expanded shoreline protective device and the development shall be sited and designed to be easy to relocated and/or removed, without significant damage to shoreline and/or bluff areas, when it can no longer serve its intended purpose due to coastal hazards.
3. The development shall only be allowed when it will not cause, expand, or accelerate instability of a bluff.

POLICY 12.5

Limit Shoreline Protection Devices

Shoreline protection devices such as rock revetments and seawalls can negatively impact coastal resources by disrupting sand transport and fixing the shoreline in a specific location, leading to the eventual narrowing and ultimate loss of sandy beaches. Such structures are expensive to construct and maintain, may be incompatible with recreational uses and the scenic qualities of the shoreline, and may physically displace or destroy environmentally sensitive habitat areas associated with bluffs, dunes, beaches, and intertidal areas. Because of these impacts, shoreline protection devices shall be avoided and only implemented where less environmentally damaging alternatives are not feasible.

Shoreline protection devices such as rock revetments and seawalls shall be permitted only where necessary to protect existing critical infrastructure and existing development from a substantial risk of loss or major damage due to erosion and only where less environmentally damaging alternatives such as beach nourishment, dune restoration and managed retreat are determined to be infeasible. New or expanded shoreline protection devices should not be permitted solely to protect parking, restrooms, or pedestrian or bicycle facilities.

POLICY 12.6

Minimize Impacts of Shoreline Protection Devices.

Shoreline protection devices may be necessary to protect existing critical infrastructure or development. These shoreline protection devices shall be designed to minimize their impacts on coastal resources while providing adequate protection for existing critical infrastructure and existing development.

All shoreline protection devices shall be designed and constructed to avoid, minimize, and mitigate impacts on shoreline sand supply, environmentally sensitive habitat areas, scenic quality, public recreation, and coastal access.

Shoreline protection devices shall be designed to blend visually with the natural shoreline, provide for public recreational access, and include proportional mitigation for unavoidable coastal resource and environmentally sensitive habitat impacts.

Coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices shall include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources and the potential for removal or relocation based on

changed conditions. Coastal permits issued for shoreline protection devices shall authorize their use only for the life of the structures they were designed to protect.

Amendment by Board of Supervisors [Ordinance 0009-18](#) Adopted 01/23/2018.

Amendment by Board of Supervisors [Ordinance 0009-18](#) adopted on 5/10/2018.

San Francisco Planning Department
sfplanning.org

Questions or comments on the General Plan? Please email us at pic@sfgov.org.



San Francisco
Planning

EXHIBIT G

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



Th9a

Prepared April 20, 2018 for the May 10, 2018 Hearing

To: Commissioners and Interested Persons

From: Jeannine Manna, District Manager
Stephanie Rexing, District Supervisor
Patrick Foster, Coastal Planner

Subject: San Francisco LCP Amendment Number LCP-2-SNF-18-0028-1 (Western Shoreline Area Plan)

SUMMARY OF STAFF RECOMMENDATION

The City and County of San Francisco (“the City”) proposes to amend its Local Coastal Program (LCP) Land Use Plan (LUP), also referred to as the Western Shoreline Area Plan, by adding new policies related to coastal hazards. The proposed amendment primarily addresses erosion, flooding, and sea level rise along the Ocean Beach shoreline in San Francisco’s coastal zone and transforms some of the broad visions on these points developed through the Ocean Beach Master Plan planning process¹ into a set of LCP policies that provide direction at a similarly broad level of detail. The proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City’s overall intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to the review of development proposed in potentially hazardous areas. As a whole, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

The proposed amendment is the outcome of an LCP Local Assistance Grant Award received by the City from the Commission and the State Ocean Protection Council in November 2014, and

¹ The Ocean Beach Master Plan (SPUR, 2012) is a collaborative document that represents the cooperation and involvement of the City/County of San Francisco and a host of federal, state, and local agencies, as well as community stakeholders in an 18-month planning process. The Plan presents recommendations for the management and protection of San Francisco’s Ocean Beach, addressing seven focus areas related to land use in San Francisco’s coastal zone: ecology, utility infrastructure, coastal dynamics, image and character, program and activities, access and connectivity, and management and stewardship.

the proposed policy language has been developed in close coordination with Commission staff, local stakeholders and the public. It is also the City's first attempt at an LCP amendment since the LCP was originally certified in 1986. Given that the original LCP lacks specificity on a range of coastal issues, including issues that have become more pronounced in over three decades since certification, Commission staff have discussed the need for a full LCP update with the City, including one that could transform the conclusions and recommendations of the full Ocean Beach Master Plan into LCP policies. To be clear, however, this amendment is not that update. Rather, it should be considered a first step, and one that is focused on at least providing a baseline of LCP policy language designed to address some of the most pressing issues facing the San Francisco shoreline, which will ultimately lead to the City's long-term goal of a more comprehensive LCP update to respond to changes in circumstances and understandings since original LCP preparation and adoption in the 1980s.

Staff believes that the proposed amendment can be found consistent with the coastal resource policies of Chapter 3 of the Coastal Act, and that it reflects the recommendations of the Commission's 2015 Sea Level Rise Policy Guidance. Indeed, some of the proposed policies codify Coastal Act language directly, including permitting requirements related to armoring and new development in the coastal zone. For example, the proposed text explicitly recognizes the threat posed by coastal hazards and the need to identify appropriate siting out of harm's way, while ensuring that armoring is avoided wherever feasible and that it be accompanied by appropriate mitigation when required to protect existing structures in danger from erosion. Also in line with the Coastal Act's mandate to protect coastal resources, and in light of the fact that the San Francisco shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, the amendment discourages new development in areas subject to an increased risk of coastal hazards by limiting new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require new or expanded shoreline armoring, and will not contribute to bluff instability.

In short, the proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. No changes to the existing LUP or IP policies and procedures are proposed, so existing policies pertaining to other issues (e.g., coastal access, public recreation, transportation, land use, and habitat protection) remain entirely intact. The proposed text strengthens the LCP, is the result of a healthy collaboration between City and Commission staff, and staff recommends that the Commission approve the amendment as submitted. The motion and resolution are found on page 4 below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on March 30, 2018. It amends the LUP only, and thus the 90-day action deadline is June 30, 2018 (pursuant to Coastal Act Sections 30512 and 30514(b)). Therefore, unless the Commission extends the action deadline (it may be extended by up to one year per Coastal Act Section 30517), the Commission has until June 30, 2018 to take a final action on this LCP amendment.

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APPENDICES

Appendix A – Substantive File Documents

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EXHIBITS

Exhibit 1 – City of San Francisco’s Proposed LCP Amendment

I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, approve the proposed LCP Land Use Plan (LUP) amendment as submitted. This amendment applies to the LUP only, so the Commission needs to make only a single motion in order to act on this recommendation. Thus, staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP amendment as submitted and adoption of the following resolution and findings. The motion passes only upon an affirmative vote of the majority of the appointed Commissioners.

Motion: *I move that the Commission certify Land Use Plan Amendment LCP-2-SNF-18-0028-1 as submitted by the City and County of San Francisco, and I recommend a yes vote.*

Resolution: *The Commission hereby certifies Land Use Plan Amendment LCP-2-SNF-18-0028-1 as submitted by the City and County of San Francisco and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.*

II. FINDINGS AND DECLARATIONS

A. BACKGROUND

The City and County of San Francisco prepared its Local Coastal Program (LCP), comprised of the Western Shoreline Area Plan and implementing policies of the City's Planning Code, in the early 1980s, and the City's LCP was originally certified by the Coastal Commission on March 14, 1986. There have been no amendments since that time, and thus this current amendment is the City's first attempt at modifying the LCP since it was certified over three decades ago.

In light of issues related to coastal hazards, including as informed by Commission CDP decisions in the late 2000s, the City began to explore options for a planning framework to address erosion and coastal access along the shoreline through the Ocean Beach Task Force and the Ocean Beach Vision Council, culminating in 2012 with the completion of the Ocean Beach Master Plan, prepared by the San Francisco Planning and Urban Research Association (SPUR), an urban planning nonprofit organization. The Ocean Beach Master Plan represents the cooperation and involvement of the City and the Coastal Commission, among other federal, state, and local agencies, as well as community stakeholders in an 18-month planning process addressing seven focus areas: ecology, utility infrastructure, coastal dynamics, image and character, program and activities, access and connectivity, and management and stewardship. In November of 2014, the City was awarded a LCP Local Assistance Grant Award from the Commission to amend its LCP in accordance with the Coastal Act to both better address and account for erosion and sea level rise, as well as to convert the vision presented in the Ocean Beach Master Plan into actionable LCP policies.

The proposed LCP amendment would lay the foundation for implementation of some of the recommendations of the Ocean Beach Master Plan, including those related to the stated goals of addressing sea level rise, protecting infrastructure, restoring coastal ecosystems and improving public access. Specifically, the proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City's broad intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to the review of development proposed in potentially hazardous areas. Overall, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

Work conducted by the City under the LCP Assistance Grant included a public and agency involvement strategy consisting of regular meetings with an Interagency Advisory Committee, the Ocean Beach Community Advisory Committee, and the general public, to solicit input and address questions or concerns. Existing data and analyses on coastal vulnerability and the potential impacts of sea level rise to the City's coastal zone were integrated to provide a baseline understanding of current and future risk to inform development of LCP policies. Coastal Commission staff worked closely with City staff and stakeholders throughout the grant term,

participating in the public and interagency meetings, as well as individual meetings with City staff, to ensure that LCP policy language reflects the objectives of the Coastal Act and recommendations in the Commission’s Sea Level Rise Policy Guidance. The proposed policies are also best designed to fit the unique landscape of development in San Francisco’s coastal zone where the immediate shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, and thus presents a different set of challenges and objectives than those faced by other local governments, where much, if not most of the shoreline is fronted by private development and houses.

In addition, another unique fact set here is that the City’s LCP has been untouched since it was originally certified in the 1980s. Given that the original LCP lacks specificity on a range of coastal issues, including issues that have become more pronounced in over three decades since certification, Commission staff have discussed the need for a full LCP update with the City, including one that could transform the conclusions and recommendations of the full Ocean Beach Master Plan into LCP policies. To be clear, however, this amendment is not that update. Rather, it should be considered a first step, and one that is focused on at least providing a baseline of LCP policy language designed to address some of the most pressing issues facing the San Francisco shoreline, which will ultimately lead to the City’s long-term goal of a more comprehensive LCP update to respond to changes in circumstances and understandings since original LCP preparation and adoption in the 1980s.

B. DESCRIPTION OF PROPOSED LCP AMENDMENT

The proposed amendment will add a “Coastal Hazards” section to the existing LUP, comprised of an objective and policies that seek to address hazards unique to the coastal zone, including erosion, coastal flooding, and sea level rise. The amendment would transform some of the broad visions on these points developed through the Ocean Beach Master Plan planning process into a set of LCP policies that also provide direction at a similarly broad level of detail. The proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City’s overall intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to review of development proposed in potentially hazardous areas. As a whole, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

The proposed amendment’s overarching objective, which each of the six proposed policies is designed to implement, states:

Objective 12. Preserve, enhance, and restore the Ocean Beach shoreline while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards.

Subsequently, each of the proposed policies is directed towards that broader vision. Specifically, LCP Policy 12.1 outlines specific managed retreat adaptation measures that the City will pursue in response to impacts from shoreline erosion and sea level rise between Sloat and Skyline Boulevards, including incremental removal of shoreline protection devices and other beach obstructions, relocation of public beach parking and restrooms to areas that will not require shoreline protective devices to ensure the safety of those structures, eventual closure of the Great Highway in the area, importation of sand for beach/dune restoration, extension of the coastal trail to Fort Funston and Lake Merced through construction of a multi-use pathway along the shoreline, and consideration of shoreline armoring to prevent damage to wastewater and stormwater infrastructure only when no feasible less environmentally damaging alternatives exist and subject to Coastal Act criteria in other proposed policies.

LCP Policy 12.2 provides an overarching framework for the City as they develop future adaptation measures for the entire shoreline. This policy directs the City to develop sea level rise adaptation measures using the best available science, including preparation of sea level rise vulnerability assessments, hazard maps, and related adaptation plans. The policy requires that such vulnerability assessments and maps be based on sea level rise projections for worst-case mid-century and worst case end-of-century sea level rise in combination with a 100-year storm event, and includes a scenario that does not rely on existing shoreline protection devices. According to this policy, adaptation plans must be designed to minimize coastal resource impacts and prioritize measures that preserve, enhance or restore sandy beach areas (e.g., nourishment, dune restoration, and managed retreat) over new or expanded shoreline armoring. Such plans must also consider a wide range of non-armoring alternatives, as well as the recommendations contained in the Ocean Beach Master Plan.

To further promote soft shoreline protection measures and maintain a sandy beach, LCP Policy 12.3 requires the City to pursue the development and implementation of a long-term beach nourishment program to preserve Ocean Beach as a public recreational resource and protect existing public infrastructure. The City is actively nourishing south Ocean Beach currently through the provisions of CDP 2-15-1357, and is exploring additional options and opportunities, specifically related to use of dredge spoils from the main Golden Gate Bridge channel dredging operations, that could significantly expand such efforts in the future.

Recognizing that sea level rise and erosion are expected to worsen over time, proposed LCP Policy 12.4 describes requirements to ensure that the Ocean Beach shoreline is developed in a responsible manner, including limiting new public development in the immediate shoreline area to that which is required to serve public recreational access and/or public trust needs only if certain criteria are met. The policy also requires that new development and substantial improvements to existing development be sited and designed to minimize risks to life and property, ensure stability and structural integrity, not contribute to geologic instability, and not require protective devices that would alter the natural bluff and shoreline landforms.

The proposed amendment also addresses the potential impacts of proposed shoreline armoring with a policy specifically entitled “Limit Shoreline Protective Devices” that provides stringent requirements for when such armoring may and may not be allowed. Specifically, LCP Policy 12.5 requires shoreline protection devices be avoided, allowing for them only where less

environmentally damaging alternatives are not feasible and where necessary to protect existing structures from a substantial risk of loss or major damage due to erosion. In addition, according to this proposed policy, new or expanded shoreline protection devices are discouraged to solely protect parking, restrooms, or other pedestrian or bicycle facilities. Further, LCP Policy 12.6 outlines measures to minimize impacts of otherwise allowable shoreline armoring, including a requirement that coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources, and the potential for removal or relocation based on changed conditions. In addition, the policy requires that such protective devices be designed and constructed to avoid, minimize and mitigate impacts to sand supply, sensitive habitat areas, the area's scenic qualities, and coastal access.

Thus, some of the proposed policies codify Coastal Act language directly, including permitting requirements related to armoring and new development in the coastal zone. For example, the proposed text explicitly recognizes the threat posed by coastal hazards and the need to identify appropriate siting out of harm's way, while ensuring that armoring is avoided wherever feasible and that it be accompanied by appropriate mitigation when required to protect existing structures in danger from erosion. Also in line with the Coastal Act's mandate to protect coastal resources, and in light of the fact that San Francisco's immediate shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, the proposed policies discourage new development in areas subject to an increased risk of coastal hazards by limiting new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require a new or expanded shoreline armoring, and will not contribute to bluff instability.

In short, the proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. No changes to the existing LUP or IP policies and procedures are proposed, so existing policies pertaining to other issues (e.g., coastal access, public recreation, transportation, land use, and habitat protection) remain entirely intact. The proposed text is thereby designed to strengthen the LCP, and should be understood in that context.

Please see **Exhibit 1** for full text of the policies proposed for addition to the LCP through this amendment.

C. CONSISTENCY ANALYSIS

Standard of Review

The proposed amendment affects only the LUP component of the San Francisco LCP. Pursuant to Coastal Act Section 30512.2, the standard of review for LUP amendments is that they must conform with the Chapter 3 policies of the Coastal Act. Applicable Coastal Act policies include:

Section 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall

be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253. *New development shall do all of the following:*

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. ...

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212(a)(1)(2) *(in relevant part). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby...*

Section 30213 *(in relevant part). Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

The Coastal Act recognizes that development along the California shoreline can be affected by a wide variety of coastal hazards, ranging from strong storms and wave uprush to erosion, landslides and liquefaction. Therefore, the Act places a strong emphasis on minimizing risks associated with such hazards, and ensuring stability for development over time in such a way as to avoid adverse impacts to natural processes and coastal resources. The latter concept is particularly important at the shoreline and bluff interface where shoreline-altering development is often undertaken to protect private and public development, oftentimes with significant coastal resource consequences. Such shoreline altering development can lead to coastal resource impacts of many types, including adverse effects on sand supply and ecology, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site. Thus, the Coastal Act prohibits most shoreline protective devices with new development, and only allows armoring in limited circumstances, subject to impact avoidance and mitigation.

Coastal Act Section 30235 acknowledges that certain types of development (such as seawalls, revetments, retaining walls, groins and other such structural or “hard” methods designed to forestall erosion) can alter natural shoreline processes. Accordingly, along with coastal-dependent uses, Section 30235 authorizes such construction if “required to protect existing structures or public beaches in danger from erosion.” More specifically, Coastal Act Section 30235 requires approval of shoreline protective devices when specified criteria are met. Namely, when 1) they are necessary, 2) to protect existing structures or coastal-dependent uses, 3) in danger of erosion, 4) are designed to eliminate or mitigate adverse impacts to sand supply, 5) mitigate for other coastal resource impacts, and 6) are the least environmentally damaging feasible alternative. Therefore, in cases where shoreline protection can be approved, the coastal permit authorization must preserve public beach access, sand supply, coastal ecosystems, natural landforms, and other coastal resource values.

Relatedly, Coastal Act Section 30253 requires that risks be minimized, long-term stability and structural integrity be provided, and that new development be sited, designed, and built in such a way as to not require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. Thus, new development must be sited and designed in such a way as to avoid shoreline armoring over its lifetime that would substantially alter these key natural shoreline landforms while also ensuring that the public will not be exposed to hazardous structures or be held responsible for any future stability issues that may affect the development.

The Coastal Act’s access and recreation policies provide significant direction regarding not only protecting public recreational access, but also ensuring that access is provided and maximized. Specifically, Coastal Act Section 30210 requires that maximum public access and recreational opportunities be provided. This direction to maximize access and recreational opportunities represents a different threshold than to simply provide or protect such access, and is fundamentally different from other like provisions in this respect. In other words, it is not enough to simply provide access to and along the coast, and not enough to simply protect such access; rather such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects, and provides fundamental direction with respect to significant public recreational areas along the California coast that raise public access issues, such as at Ocean Beach.

Beyond the fundamental mandate that public recreational access opportunities be maximized for all in the coastal zone, the Coastal Act provides a series of mechanisms designed to meet that objective and to ensure public access under appropriate time, manner, and place considerations. For example, Section 30211 prohibits development from interfering with the public's right of access to the sea when acquired by legislative authorization or by use. In approving new development, Section 30212(a) requires new development to provide access from the nearest public roadway to the shoreline and along the coast, except in certain limited exceptions, such as when there is existing adequate access nearby. Section 30212.5 identifies that public facilities are to be appropriately distributed throughout an area so as to help mitigate against overcrowding and overuse at any single location. Importantly, Section 30213 requires that lower-cost visitor and recreational access facilities be protected, encouraged, and provided, while giving a stated preference to development that provides public recreational access opportunities. Coastal Act Section 30220 requires that areas that provide water-oriented recreational activities, such as the offshore areas in this case, be protected, while Section 30221 states that oceanfront land suitable for recreational use shall be protected for recreational use and development. Similarly, Section 30223 protects upland areas necessary to support coastal recreational uses. All of these policies are implicated by the proposed coastal hazards policies in one form or another in this case.

Finally, the Coastal Act's various other policies protecting coastal resources such as water quality, sensitive habitat, and visual character are also affected by the proposed coastal hazard policies, especially when considering development (such as armoring) with the potential to affect such resources in potentially hazardous areas. Thus, as a whole, Chapter 3 of the Coastal Act requires that the proposed LUP amendment provide for initial siting and design of development out of harm's way, along with direction on what to do when existing development is endangered by erosion and how best to protect all of the significant coastal resources implicated by coastal hazards along San Francisco's shoreline at Ocean Beach. In short, the proposed LUP text must effectively translate these Coastal Act requirements in a way that addresses the range of coastal hazard issues present in San Francisco's coastal zone.

Coastal Act Consistency Analysis

The City's current 1986 LCP covers coastal access, public recreation, transportation, land use, and habitat protection within the coastal zone. However, the current LCP does not explicitly address coastal hazards or sea level rise at a policy level. The primary intent of the proposed LCP text is to provide a coastal hazards framework given coastal hazards are already impacting public access, recreation, and habitat resources along the San Francisco shoreline. Such hazards are also currently endangering critical public infrastructure and public recreational facilities, while existing shoreline armoring is leading to its own resource impacts, especially in the south Ocean Beach area.

In recent years, erosion of South Ocean Beach damaged the Great Highway and resulted in the loss of public beach parking and related public facilities, and now threatens to damage critical wastewater system infrastructure. Going forward, sea level rise and the increased frequency and severity of coastal storms anticipated due to global climate change is expected to continue to exacerbate these effects, demonstrating a need to approach the management of coastal hazards in a more proactive way. The proposed amendment is designed to help address such hazards by providing measures to begin to implement some of the recommended adaptation methods

identified in the collaborative Ocean Beach Master Plan for south of Sloat Boulevard, which focus on avoiding armoring in favor of nature-based solutions that will enhance public access, recreation, and scenic and visual qualities while still providing protection to important infrastructure. Further, the amendment outlines a framework for the development of future adaptation strategies based on best available science, includes requirements for evaluating and planning future development proposed in hazard areas, and addresses the impacts of new and existing shoreline protective devices for the City's coastal zone.

The large majority of San Francisco's western shoreline is publicly owned. Approximately 85 percent of the 1,771 acres which comprise the coastal zone area are owned and operated either by the City (Golden Gate Park, San Francisco Zoo, and Lake Merced), or the Federal Government (Golden Gate National Recreation Area, which includes all of Ocean Beach itself). The remaining land is privately owned, though this also includes the Olympic Club, which remains an area of deferred certification not subject to the LCP. Thus, San Francisco's LCP does not apply to either the Olympic Club or to areas managed by the National Park Service as part of the Golden Gate National Recreation Area, both of which are directly subject to Commission oversight (through CDP processes for the former, and through federal consistency processes for the latter). Due to San Francisco's unique shoreline configuration, there are no private property owners along the immediate shoreline, and although such inland private properties may indirectly benefit from the existing O'Shaughnessy, Taraval, and Noriega seawalls currently fronting the Great Highway, the City owns and maintains those facilities for public purposes. In addition, the City determined that no buildings are exposed to current coastal flood risk and only seven buildings (including public facilities) are predicted to experience temporary flooding through 2050 based on a high-end estimate of 24 inches of sea level rise by that time. Therefore, the proposed coastal hazard and sea level rise adaptation policies are not expected to affect private development in the City's coastal zone unless and until existing public infrastructure is abandoned or redeveloped to the extent that shoreline armoring is no longer necessary.

Although shoreline protective devices may offer protection to existing structures from ocean waves and storms, the devices can have negative impacts on recreational beach uses, scenic resources, natural landforms, and the supply of sand to shoreline areas, as well as the character of the City's coastal zone. The proposed amendment allows San Francisco's LCP to explicitly acknowledge these issues for the first time, and makes clear that the use of shoreline-altering protective devices must be avoided wherever feasible, while including appropriate mitigations when armoring is necessary and allowable. The LCP amendment also sets up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of armoring in favor of nature-based adaptation strategies including managed retreat and soft shoreline protection. The amendment further ensures impacts of shoreline protective devices are minimized by including a requirement that coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources, and the potential for removal or relocation based on changed conditions.

As described above, Coastal Act Section 30235 limits the circumstances when armoring must be approved. The proposed LUP policies carry out the requirements of 30235. In particular,

proposed Policy 12.5 states: “Shoreline protection devices such as rock revetments and seawalls shall be permitted only where necessary to protect existing critical infrastructure and existing development from a substantial risk of loss or major damage due to erosion and only where less environmentally damaging alternatives such as beach nourishment, dune restoration and managed retreat are determined to be infeasible.” Policy 12.6, in turn, ensures that any permitted protective devices are designed to avoid, minimize, and mitigate their impacts.

Accordingly, as with Section 30235, shoreline armoring will only be allowed under the LCP when necessary to protect certain existing structures at risk of erosion, where there are no feasible less damaging alternatives, and when impacts are avoided (and where unavoidable they are minimized and mitigated for). San Francisco’s coastal zone has a unique development pattern, and its approach to addressing hazards is also unique. In fact, there is very limited private development in the vulnerable area of San Francisco’s coastal zone (which was largely built out prior to the Coastal Act), and a distinct lack of any residential development in danger from current or reasonably foreseeable future erosion. Thus, the development that is or could become in danger from shoreline hazards in the future is all public infrastructure, such as the Great Highway which extends along the entire beach and which was originally built over a century ago, well before the Coastal Act. The Great Highway has been explicitly recognized by the Commission as a pre-Coastal Act structure that qualifies for consideration of shoreline armoring under the Coastal Act (see, for example, CDP 2-15-1357), and has been deemed in the past to meet the first test for when a shoreline armoring can be allowed consistent with Section 30235. As indicated, the Great Highway runs the length of Ocean Beach, and decisions relative to hazards and armoring will all be understood in that context, as well as in light of prior City commitments and requirements.²

² For example, in the South Ocean Beach area where significant public wastewater treatment infrastructure is in place, decisions must be understood in the context of CDP 2-15-1357 approved by the Commission in 2015. Specifically, in that CDP the Commission approved Phase I of a two-phased project to implement temporary coastal protection measures and a management strategy for the area south of Sloat Boulevard with the simultaneous goal of protecting critical public infrastructure and the coastal environment. Phase I involved temporary authorization of some revetment areas and sand bag structures, as well annual sand relocation from accreting areas of North Ocean Beach to the erosion hotspots identified at South Ocean Beach south of Sloat, and the placement of stacked sandbags on an as-needed basis. Phase I was designed as an interim project to be implemented while the Phase II long-term solution is developed for submittal and Coastal Commission action. The long-term solution envisions narrowing and ultimately abandoning the Great Highway south of Sloat, removing temporary armoring, and ultimately managing shoreline retreat in this area differently, all as called out in the Ocean Beach Master Plan. CDP 2-15-1357 requires the San Francisco Public Utilities Commission (PUC) to develop their preferred long term plan for Coastal Commission consideration consistent with the deadlines established in the California Coastal Protection Network and the City and County of San Francisco Settlement Agreement, and no later than the end of 2021 when authorization of the temporary measures expires, and to permit and implement the plan thereafter. The PUC’s preliminarily identified preferred approach would involve the removal of existing revetments and other shoreline protection measures that are currently in place, the restoration of the bluffs and beach, and the phased construction of a low-profile shoreline protection device landward of the current bluff face and adjacent to the Lake Merced Tunnel (SPUR/ESA PWA, April 24, 2015). However, the PUC is in the midst of an alternatives analysis and assessment that includes a variety of options, including relocation of affected infrastructure inland, and their plans may change moving forward. The main point, though, is that the adaptation discussion and project for South Ocean Beach is in process under those CDP provisions, all of which dovetails with the City’s proposed LCP on these points.

The second factor unique to San Francisco is that even though such development may qualify for protection under Section 30235, the City has gone further to set up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of existing armoring in favor of nature-based adaptation strategies for managed retreat and soft shoreline protection. Finally, the amendment includes a robust framework for requiring mitigation, not only for sand supply impacts, but also for other impacts to public access caused by shoreline protection. These factors, together, properly address the provisions of Section 30235, particularly given the development context in San Francisco.

Likewise, the proposed policies ensure consistency with Coastal Act Section 30253 by prohibiting new development that would require shoreline armoring for protection and requiring new development to ensure structural stability without the use of shoreline armoring that alters natural landforms. Furthermore, new development is discouraged in areas that would be exposed to an increased risk of coastal hazards through policies that limit new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require a new or expanded shoreline protective device, and will not contribute to bluff instability. Finally, in developing policies that implement some of the primary goals and approaches outlined in the Ocean Beach Master Plan, the proposed LCP will set up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of armoring in favor of nature-based adaptation strategies. In combination with this phased approach, the proposed LCP commits the City to develop sea level rise vulnerability assessments, adaptation plans, sea level rise hazard maps, and a long term beach nourishment program, thereby ensuring that Ocean Beach and the recreational opportunities it affords will be preserved over short-, medium-, and long-term horizons.

Overall, the proposed amendment adds adaptation policies to the LUP, recognizes the unique pattern of development and hazards in the City's coastal zone, and provides a framework for implementation in both the short and long term. The proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. For these reasons, the proposed LUP amendment conforms with the policies of Chapter 3 of the Coastal Act. While not the standard of review, certification of this amendment will additionally satisfy requirements of grants awarded to the City by the Coastal Commission and State Ocean Protection Council, and will help San Francisco's LCP implement the recommendations within the Coastal Commission's 2015 Sea Level Rise Policy Guidance.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City and County of San Francisco determined that adoption of this LCP amendment is exempt from environmental review under CEQA pursuant to Public Resources Section 21080.9. Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP as amended conforms with CEQA provisions. This report has discussed the relevant coastal resource issues with the proposed amendment and concludes that the amendment would not result in an intensification of land uses, or have adverse impacts on coastal resources. The proposed LCP amendment promotes consideration of a variety of adaption measures and solutions to avoid and minimize hazards, as well as to minimize impacts of shoreline armoring. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Ocean Beach Master Plan (SPUR, 2012)
- Sea Level Rise Adopted Policy Guidance (CCC, 2015)
- Sea Level Rise Existing Data and Analyses Technical Memorandum (ESA, 2016)

APPENDIX B – STAFF CONTACT WITH AGENCIES AND GROUPS

- City and County of San Francisco Planning Department
- City and County of San Francisco Public Utilities Commission
- Surfrider Foundation, San Francisco Chapter
- San Francisco Bay Area Planning and Urban Research Association (SPUR)
- San Francisco Recreation and Parks Department
- San Francisco Zoo
- San Francisco Municipal Transportation Agency
- San Francisco County Transportation Agency
- San Francisco Public Works
- Sierra Club San Francisco Bay Chapter
- United States National Park Service - Golden Gate National Recreation Area (GGNRA)

EXHIBIT H



EXECUTIVE SUMMARY COASTAL ZONE PERMIT

HEARING DATE: November 9, 2023

Record No.: 2022-007356CTZ

Project Address: Upper Great Highway between Lincoln Way & Sloat Boulevard; plus surrounding streets

Zoning: Various

Cultural District: Sunset Chinese Cultural District

Block/Lot: N/A

Project Sponsor: Brian Stokle
San Francisco Recreation and Parks Department
49 South Van Ness Ave., Suite 1200
San Francisco, CA

Property Owner: City and County of San Francisco

Staff Contact: Alex Westhoff – (628) 652-7314
alex.westhoff@sfgov.org

Environmental Review: Exempt

Recommendation: Approval with Conditions

Project Description

The Great Highway Pilot Project restricts automobile access, on a temporary basis, to the Upper Great Highway between Lincoln Way and Sloat Boulevard (approximately 2.0 miles), for a car-free bicycle and pedestrian promenade on weekends and holidays. This stretch of the Upper Great Highway was originally closed to automobiles full-time in April 2020 to offer an outdoor recreational corridor where users could safely distance during the COVID-19 pandemic. In August 2021, the City modified the closure to apply only between Fridays at noon and Mondays at 6 a.m., and on holidays. In December 2022 the Park Code was amended through an ordinance passed by the Board of Supervisors (File No. 220875) to extend the restrictions instituted in 2021 for a pilot period expiring December 31, 2025. This Coastal Zone Authorization is being sought retroactively for the current pilot closure and also for related traffic calming measures which have been implemented on surrounding streets, including detour and warning signs, turn restrictions, speed tables, speed cushions, and stop signs.

Required Commission Action

Pursuant to Planning Code Section 330, the Commission must grant a Coastal Zone Permit. The Great Highway Pilot Project area lies fully within San Francisco's Coastal Zone Area, as do most of the traffic calming measures.

Issues and Other Considerations

- **Sunset Chinese Cultural District:** The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

Environmental Review

The Great Highway Pilot Project was issued an exemption from the California Environmental Quality Act ("CEQA") as a statutory exemption pursuant to Public Resources Code section 21080.25 (case no. 2022-007356ENV). The Traffic Calming measures occurred through a separate independent action by the San Francisco Municipal Transportation Agency (SFMTA) and were issued an exemption from CEQA as a Class 1 categorical exemption (case no. 2021-001354ENV).

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with applicable zoning and land use controls and the Objectives and Policies of the General Plan, including the Western Shoreline Area Plan. The Project offers increased safe public access to and along Ocean Beach for pedestrians and cyclists, while ultimately maintaining the Upper Great Highway for automobile use due to the temporary nature of the Project.

Attachments:

- Draft Motion – Coastal Zone Permit with Conditions of Approval
- Exhibit B – Plans and Renderings
- Exhibit C – Park Code Amendment Ordinance – Upper Great Highway Pilot (File No. 220875)
- Exhibit D – Maps and Context Photos
- Exhibit E – Statutory Exemption (Great Highway Pilot Project)
- Exhibit F – Categorical Exemption with SFMTA Public Hearing Agenda (Traffic Calming Measures)
- Exhibit G - Project Sponsor Brief



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: November 9, 2023

Record No.: 2022-007356CTZ
Project Address: Upper Great Highway between Lincoln Way & Sloat Boulevard; plus surrounding streets
Zoning: Various
Cultural District: Sunset Chinese Cultural District
Block/Lot: N/A
Project Sponsor: Brian Stokle
San Francisco Recreation and Parks Department
49 South Van Ness Ave., Suite 1200
San Francisco, CA
Property Owner: City and County of San Francisco
Staff Contact: Alex Westhoff – (628) 652-7314
alex.westhoff@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO PERMIT TEMPORARY RESTRICTION OF AUTOMOBILE ACCESS TO THE UPPER GREAT HIGHWAY BETWEEN LINCOLN WAY AND SLOAT BOULEVARD (APPROX. 2.0 MILES) FOR A CAR-FREE BICYCLE AND PEDESTRIAN PROMENADE ON WEEKENDS AND HOLIDAYS THROUGH DECEMBER 31, 2025; AS WELL AS THE IMPLEMENTATION OF VARIOUS TRAFFIC CALMING MEASURES ON SURROUNDING STREETS; IN DISTRICTS INCLUDING THE PUBLIC (P), NEIGHBORHOOD COMMERCIAL SMALL-SCALE (NC-2), RESIDENTIAL-MIXED LOW DENSITY (RM-1), RESIDENTIAL-HOUSE, ONE FAMILY (RH-1), RESIDENTIAL-HOUSE, TWO FAMILY (RH-2), AND RESIDENTIAL-HOUSE, THREE FAMILY (RH-3) ZONING DISTRICTS AND OS, 40-X, AND 100-A HEIGHT AND BULK DISTRICTS AND AFFIRMING THE PLANNING DEPARTMENT’S EXEMPT DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On January 18, 2023, the San Francisco Recreation and Parks Department (hereinafter "Project Sponsor") filed Application No. 2022-007356CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Zone Permit for the Great Highway Pilot Project to allow for weekend and holiday closure of the Upper Great Highway to automobile traffic on a temporary basis, and for surrounding traffic calming measures.

The Great Highway Pilot Project is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code section 21080.25. The CEQA determination is attached as Exhibit E.

The traffic calming measures are exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. The CEQA determination is attached as Exhibit F.

On November 9, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Authorization Application No. 2022-007356CTZ.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-007356CTZ is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-007356CTZ, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The Coastal Zone Permit is required for the Great Highway Pilot Project including related traffic calming measures. In April 2020, the Recreation and Parks Department (RPD) at the recommendation of Supervisor Gordon Mar and in consultation with Mayor London N. Breed, temporarily closed the four-lane Upper Great Highway between Lincoln Way and Sloat Boulevard to automobiles. The closure was a response to the unprecedented COVID-19 pandemic to allow for safe, distanced outdoor recreation. In August 2021, the City modified vehicular restrictions to apply only during weekends, beginning Fridays at noon and ending Monday at 6 a.m., in addition to holidays.

On December 6, 2022, the San Francisco Board of Supervisors (BOS) passed an ordinance (Board File 220875) amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard on weekends and holidays until December 31, 2025. The restriction was proposed as a pilot effort, including studies and analysis of the car-free use of the Upper Great Highway to inform a long-term plan for the future of this space. The ordinance specified:

“Upon enactment of this ordinance, the Recreation and Park Department intends to apply to the Planning Department for a permit to ensure compliance with any coastal development requirements. The Planning Commission will review the application at a public hearing to determine whether the permit will be issued, as required by law.”

Few physical changes related to the Upper Great Highway weekend closures are proposed. Currently there are two existing fixed swing gates, one at the northbound entry and one at the southbound entry. The existing gates are closed when excessive amounts of sand or flood water accumulate on the road and make it unsafe for car travel, as well as when the road functions as a promenade. Traffic cones and moveable gates are currently being placed on the northeast and southwest exits to serve as traffic barriers during the weekends and holidays. RPD is proposing installation of new swing gates installed in a chicane layout (i.e., staggered and on opposite sides of the roadway) to allow emergency vehicles to access the westernmost lanes of the roadway without needing to stop and open the gates. This design supports the continued recreational use of the beach while also enhancing the safe recreational use of the roadway by pedestrians and bicyclists during private vehicular closure times for promenade use, or during sand/water accumulation events.

Related improvements include traffic calming measures constructed by the San Francisco Municipal Transit Agency (SFMTA), for the safety of pedestrian and cyclists. The measures aimed to reduce traffic volumes and speeds on local streets which saw an increase in automobile traffic resulting from the Upper Great Highway closure. In spring 2020, eight detour and warning signs, a road closure barricade, five turn restrictions, and five speed tables were constructed at the intersections of Great Highway along Lincoln Way and Sloat Boulevard and in the adjacent neighborhood to support the Upper Great Highway closure to private vehicles. In April 2021, additional tools were added, including 24 speed cushions, one speed

table, and 12 stop signs. In August 2021, when the Upper Great Highway was reopened to weekday vehicular use, some of the tools were no longer necessary and thus removed. In November 2021, additional stop signs were added to the Lower Great Highway at Ortega and Ulloa streets. Exhibit F documents SFMTA approvals of the traffic calming measures.

3. **Site Description and Present Use.** The Project Site includes a roughly 2-mile stretch of the Upper Great Highway within the Public Zoning District in the Western Shoreline Area plan, bound by Lincoln Way to the North, Sloat Boulevard to the South, Ocean Beach/Pacific Ocean to the West and the Lower Great Highway to the East within the Outer Sunset neighborhood. The Upper Great Highway, developed in 1929, is a four-lane straight highway, divided by a narrow median.
4. **Surrounding Properties and Neighborhood.** Ocean Beach is a popular recreational hub for surfing and other beach-related activities, and is part of the Golden Gate National Recreation Area, which is administered by the National Park Service. The sloped, vegetated median separating the Upper and Lower Great Highways is managed by the RPD and also includes a 10-foot wide asphalt multi-use recreational pathway.

The traffic calming measures implemented by SFMTA are located throughout the adjacent surrounding neighborhood spanning multiple Zoning Districts including NC-2, RM-1, RH-2, and RH-3. The surrounding neighborhood is predominately residential, characterized by one to two story single- or double- family homes with some larger multi-family apartments.

The Project is also located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

5. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

The Project falls within the Coastal Zone Permit Area and is subject to Coastal Zone Permit Review pursuant to Planning Code Section 330. Pursuant to Planning Code Section 330.2, the Local Coastal Program shall be the San Francisco Western Shoreline Plan, a part of the City's General Plan. The project is consistent with objectives and policies of the Western Shoreline Plan as outlined in this motion.

6. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

ENVIRONMENTAL PROTECTION ELEMENT

Objectives and Policies

OBJECTIVE 3

MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN, AND SHORELINE AREAS.

Policy 3.1

Cooperate with and otherwise support regulatory programs of existing regional, State, and Federal agencies dealing with the Bay, Ocean, and Shorelines.

Policy 3.2

Promote the use and development of shoreline areas consistent with the General Plan and the best interest of San Francisco.

OBJECTIVE 7

ASSURE THAT THE LAND RESOURCES IN SAN FRANCISCO ARE USED IN WAYS THAT BOTH RESPECT AND PRESERVE THE NATURAL VALUES OF THE LAND AND SERVE THE BEST INTERESTS OF ALL THE CITY'S CITIZENS.

Policy 7.1

Preserve and add to public open space in accordance with the objectives and policies of the Recreation and Open Space Element.

OBJECTIVE 9

REDUCE TRANSPORTATION-RELATED NOISE.

Policy 9.2

Impose traffic restrictions to reduce transportation noise.

OBJECTIVE 15

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

Policy 15.1

Increase the use of transportation alternatives to the automobile.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

Policy 1.4

Prioritize the better utilization of McLaren Park, Ocean Beach, the Southeastern Waterfront and other underutilized significant open spaces.

OBJECTIVE 2

INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BAY REGION.

Policy 2.2

Provide and promote a balanced recreation system which offers a variety of high quality recreational opportunities for all San Franciscans.

Policy 2.4

Support the development of signature public open spaces along the shoreline.

Policy 2.7

Expand partnerships among open space agencies, transit agencies, private sector and nonprofit institutions to acquire, develop and/or manage existing open spaces.

OBJECTIVE 3

IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE.

Policy 3.1

Creatively develop existing publicly owned right-of-ways and streets into open space.

Policy 3.3

Develop and enhance the City's recreational trail system, linking to the regional hiking and biking trail system and considering restoring historic water courses to improve stormwater management.

Policy 3.4

Encourage non-auto modes of transportation – transit, bicycle and pedestrian access—to and from open spaces while reducing automobile traffic and parking in public open spaces.

Policy 3.5

Ensure that, where feasible, recreational facilities and open spaces are physically accessible, especially for those with limited mobility.

SAFETY AND RESILIENCY ELEMENT

Objectives and Policies

OBJECTIVE 2.1

CLIMATE RESILIENCE. PURSUE SYNERGISTIC EFFORTS THAT BOTH ELIMINATE GREENHOUSE GASES (CLIMATE MITIGATION) AND PROTECT PEOPLE, THE BUILT ENVIRONMENT, AND NATURE FROM THE UNAVOIDABLE IMPACTS OF THE CLIMATE CRISIS (CLIMATE ADAPTATION).

Policy 2.1.2

Direct City actions to reduce local contributions towards the climate crisis by mitigating greenhouse gasses and by increasing carbon sequestration.

Policy 2.1.4

Ensure that City projects and private developments provide multi-benefit solutions that mitigate hazard risk and contribute to a zero-emission future.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.2

Ensure the safety and comfort of pedestrians throughout the city.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2

Reduce pollution, noise and energy consumption.

Policy 2.3

Design and locate facilities to preserve the historic city fabric and the natural landscape, and to protect views.

OBJECTIVE 8

MAINTAIN AND ENHANCE REGIONAL PEDESTRIAN, HIKING AND BIKING ACCESS TO THE COAST, THE BAY AND RIDGE TRAILS.

Policy 8.1

Ensure that the Coast Trail, the Bay Trail and the Ridge Trail remain uninterrupted and unobstructed where they pass through San Francisco.

OBJECTIVE 19

ESTABLISH A STREET HIERARCHY SYSTEM IN WHICH THE FUNCTION AND DESIGN OF EACH STREET ARE CONSISTENT WITH THE CHARACTER AND USE OF ADJACENT LAND.

Policy 19.4

Discourage high-speed through traffic on local streets in residential areas through traffic "calming" measures that are designed not to disrupt transit service or bicycle movement.

Policy 19.5

Mitigate and reduce the impacts of automobile traffic in and around parks and along shoreline recreation areas.

OBJECTIVE 27

EMPLOY A MULTI-DISCIPLINARY APPROACH TO IMPROVING PEDESTRIAN SAFETY

Policy 27.4

Apply best practices in street design and transportation engineering to improve pedestrian safety across the City.

OBJECTIVE 29

ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.

Policy 29.1

Expand and improve access for bicycles on city streets and develop a well-marked, comprehensive system of bike routes in San Francisco.

Policy 29.8

Encourage biking as a mode of travel through the design of safer streets, education programs and targeted enforcement.

Policy 29.9

Identify and expand recreational bicycling opportunities.

OBJECTIVE 31

CITY GOVERNMENT SHOULD PLAY A LEADERSHIP ROLE IN INCREASING BICYCLE USE.

Policy 31.1

Consider the needs of bicycling and the improvement of bicycle accommodations in all city decisions.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.1

Protect residential areas from the noise, pollution and physical danger of excessive traffic.

Policy 4.8

Provide convenient access to a variety of recreation opportunities.

Policy 4.9

Maximize the use of recreation areas for recreational purposes.

WESTERN SHORELINE AREA PLAN

Land Use

Objectives and Policies

OBJECTIVE 2

REDESIGN THE GREAT HIGHWAY TO ENHANCE ITS SCENIC QUALITIES AND RECREATIONAL USE.

Policy 2.1

Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

OBJECTIVE 3

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE.

Policy 3.1

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

OBJECTIVE 6

MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.

Policy 6.1

Continue Ocean Beach as a natural beach area for public recreation.

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

Policy 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

The Project offers a myriad of public benefits aligned with various policies of the General Plan and Western Shoreline Area Plan. It improves public access to and along Ocean Beach, opening a new paved path as a safe outdoor recreational corridor for persons of all socioeconomic circumstances and varying physical abilities. The Project helps achieve one of the California Coastal Commission's basic goals and associated policies of public coastal access and recreation as mandated by the California Coastal Act of 1976. Moreover, the Upper Great Highway runs adjacent to the Great Highway Dune Trail, a segment of the California Coastal Trail which is an integrated trail network being developed for over 1,230 miles of California's coastline. Ultimately the Great Highway Pilot Project bolsters the capacity of the area for cyclists and pedestrians; enhancing Ocean Beach's existing recreational qualities as a destination that can be appreciated by both local residents and international tourists alike. The Project encourages non-motorized vehicle traffic, which ultimately results in less carbon emissions than private automobiles, helping to reduce San Francisco's contributions to the climate crisis and thus aligning with the City's Climate Action Plan. The City's Transit-First policy prioritizes safe and accessible biking and walking over private automobiles, which this Project also supports. Given the pilot is only temporary, the Upper Great Highway will ultimately remain a four-lane highway, thus consistent with the Western Shoreline Area Plan which states that the Upper Great Highway should be developed as a four-lane highway. Furthermore, even during the pilot period, the Upper Great Highway will remain a four-lane highway during nearly all weekdays. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

7. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the Project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project site does not possess any neighborhood-serving retail uses. However, increased visitors to Ocean Beach resulting from the Project can bolster patronage to nearby businesses including cafes, restaurants, food trucks, shops, and more.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project includes few physical improvements, thus having virtually no impact on the neighborhood's built form. Reduced automobile usage can help improve the neighborhood's physical and visual connection to Ocean Beach and the Pacific Ocean.

- C. That the City's supply of affordable housing be preserved and enhanced.

The Project does not affect affordable housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project Site is served by nearby public transportation options including the N-Judah, L-Taraval, and 7, 48, and 23 bus lines. To support the pilot Project, RPD and SFMTA are collecting and analyzing data such as visitor usage and traffic conditions. No new parking is provided by the Project. Currently Ocean Beach visitors can park their vehicles in the vicinity and walk to the beach using Upper Great Highway crosswalks.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development and does not eliminate any industrial or service uses.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project does not include any structural or seismic improvements.

- G. That landmarks and historic buildings be preserved.

The Project Site does not contain or impact any City Landmarks or historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project fundamentally enhances the City's open space amenities. It does not propose any development that would inhibit the access to sunlight and vistas for existing parks and open space. Reduced automobile usage on the Upper Great Highway can improve visual access to Ocean Beach.

8. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
9. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Coastal Zone Permit Application No. 2022-007356CTZ** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated December 9, 2022, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave., Suite 1475, San Francisco, CA 94103.

Additionally, any aggrieved person may appeal this Coastal Zone Permit to the California Coastal Commission within ten (10) working days after the California Coastal Commission receives notice of final action from the Planning Department pursuant to the provisions of Section 330.9. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a). An applicant is required to exhaust local appeals before appealing to the California Coastal Commission. For further information about appeals to the California Coastal Commission, including current fees, contact the North Central Coast District Office at (415) 904 - 5260.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the Project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 9, 2023.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: November 9, 2023

EXHIBIT A

Authorization

This authorization is for a Coastal Zone Permit to allow the temporary restriction of automobile access on weekends and holidays to the Upper Great Highway between Lincoln Way and Sloat Boulevard (approximately 2.0 miles) for a car-free bicycle and pedestrian promenade on weekends and holidays through December 31, 2025 and installation of new swing gates at the north and south ends of the Upper Great Highway; as well as the implementation of various traffic calming measures on surrounding streets subject to conditions of approval reviewed and approved by the Commission on November 9, 2023 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the Project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on November 9, 2023 under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the permit application for the Project. The Index Sheet of the construction plans shall reference the Coastal Zone Permit authorization and any subsequent amendments or modifications.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

- 1. Expiration and Renewal.** This Coastal Zone Permit shall expire on December 31, 2025. Pursuant to Planning Code Section 330.13(a) a final decision on an application for an appealable Project shall become effective after a 10 working day appeal period to the California Coastal Commission has expired, unless either of the following occur: (1) a valid appeal is filed in accordance with City and State regulations, or (2) local government requirements are not met per Section 330.6(b). When either of the above occur, the California Coastal Commission shall, within five calendar days of receiving notice of that circumstance, notify the local government and the applicant that the local government action has been suspended. The applicant shall cease construction immediately if that occurs.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 2. Extension.** The Zoning Administrator may extend a Coastal Zone Permit prior to its expiration for up to 12 months from its original date of expiration. Coastal Zone Permit extensions may be granted upon findings that the Project continues to be in conformance with the Local Coastal program.

All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the Project is delayed by a public agency, an appeal, or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

- 3. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 4. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission,

after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Exhibit B:

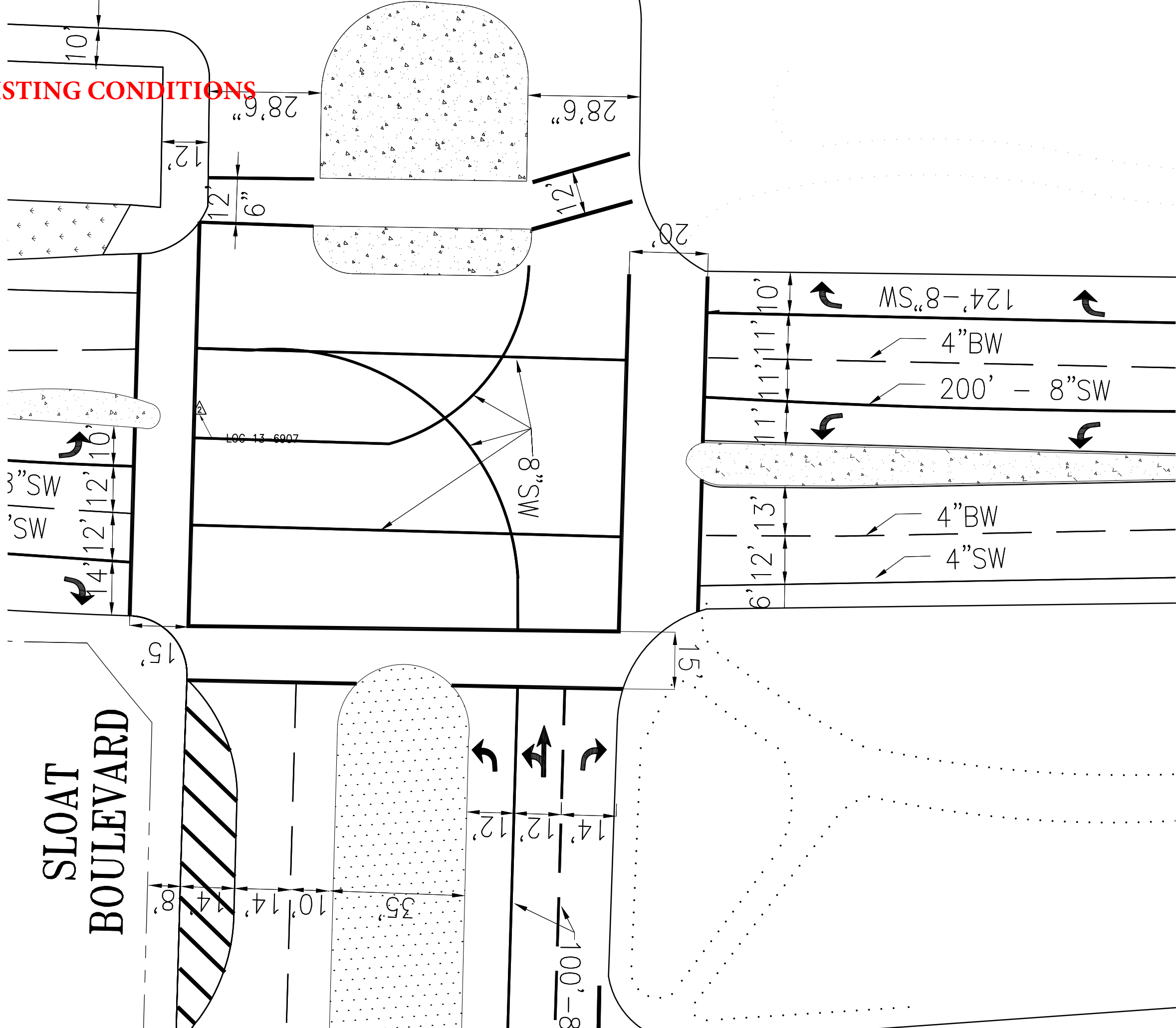
Plans and Renderings



- RPD Parks
- Non-RPD Parks
- Great Highway Pilot
- Turn Restriction
- Stop Sign
- Speed Table
- Speed Hump
- Speed Cushion
- Signage/Detour
- Detour Warning
- Barricade
- Coastal Zone
- One Way
- Bike Lane
- Car Free Street
- Partially Car Free Street
- Additional Car Free Streets (pre 2022)



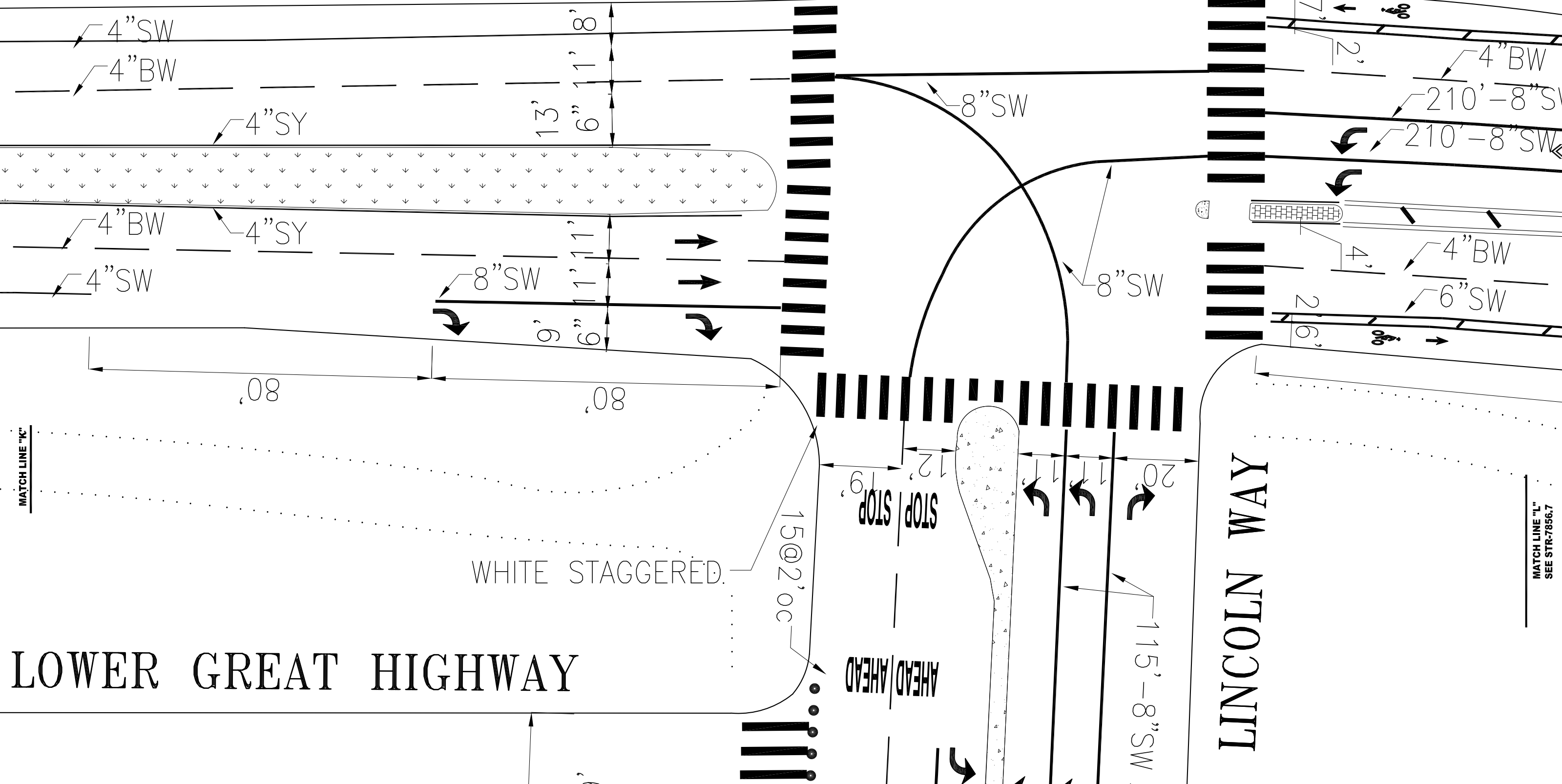
EXISTING CONDITIONS



EXISTING CONDITIONS

GREAT HIGHWAY

WHITE STAGGERED
CONTINENTAL

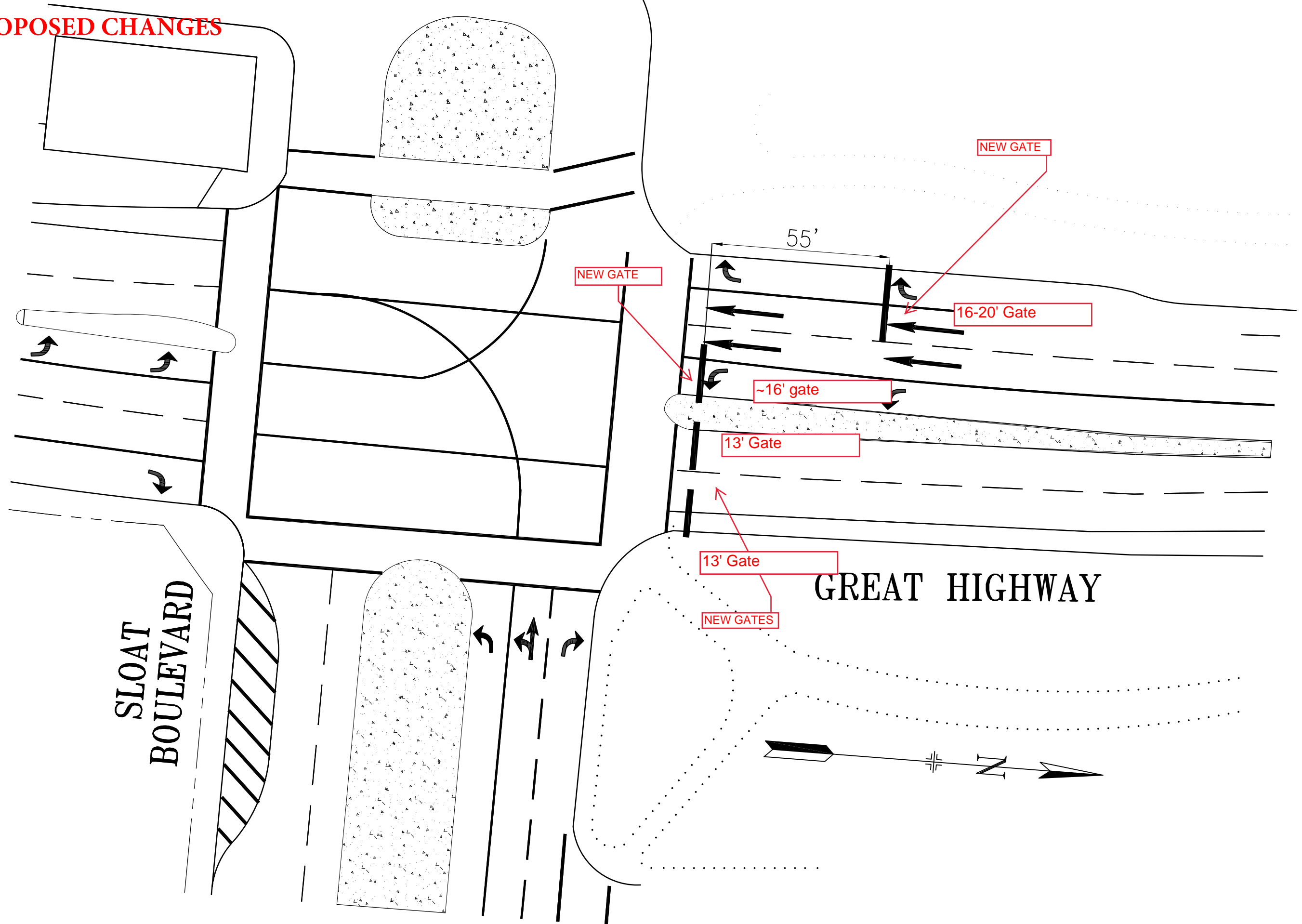


LOWER GREAT HIGHWAY

LINCOLN WAY

MATCH LINE "L"
SEE STR-7856.7

PROPOSED CHANGES



PROPOSED CHANGES

GREAT HIGHWAY

NEW GATES
14'-16'

NEW GATE
14'-16'

NEW GATE
16'-18'

55'

2 NEW
THRU ARROWS

RECTANGULAR
PAVEMENT
MARKERS

STOP / STOP

AHEAD / AHEAD

LINCOLN WAY

LOWER GREAT HIGHWAY

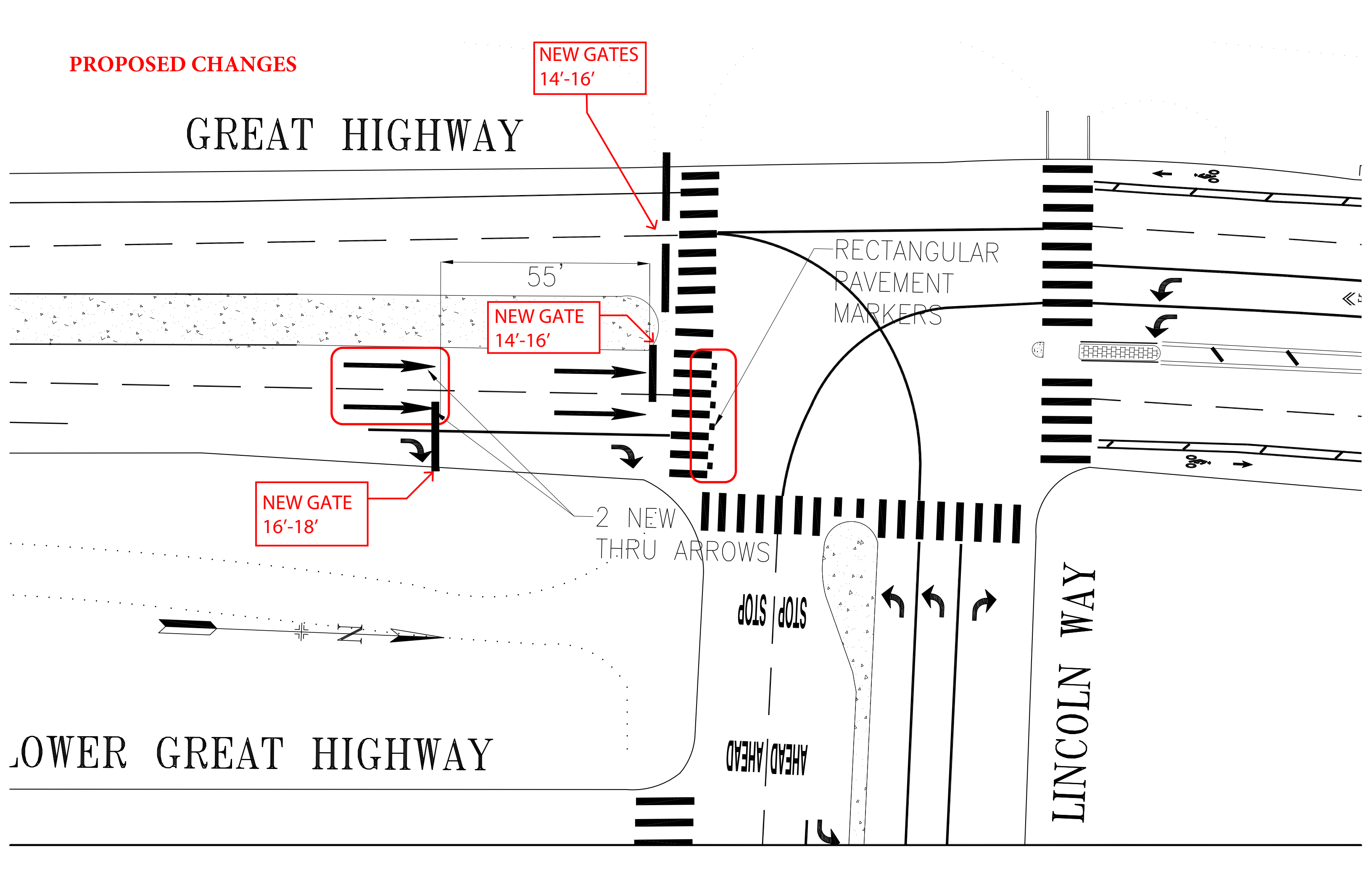


Exhibit C:

Great Highway Pilot Project Ordinance

Planning Commission Hearing
Case Numbers 2022-007356CTZ
Great Highway Pilot Project

1 [Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]

2
3 **Ordinance amending the Park Code to restrict private vehicles on the Upper Great**
4 **Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and**
5 **holidays until December 31, 2025; making associated findings under the California**
6 **Vehicle Code; affirming the Planning Department's determination under the California**
7 **Environmental Quality Act; and making findings of consistency with the General Plan,**
8 **and the eight priority policies of Planning Code, 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 *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough 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. Background and Findings.

18 (a) In April 2020, the City temporarily closed the four-lane limited access Upper
19 Great Highway between Lincoln Way and Sloat Boulevard (hereafter, "the Upper Great
20 Highway") to private motor vehicles, in response to the unprecedented COVID-19 pandemic,
21 to ensure the safety and protection of persons using the Upper Great Highway to safely
22 recreate. On August 15, 2021, with reduced pandemic restrictions and people resuming in-
23 person work and school, the City modified the vehicular restrictions to apply only between
24 Fridays at noon and Mondays at 6 a.m., and on holidays.

25 (b) The restrictions on private motor vehicles have enabled people of all ages and
all walks of life to safely use the Upper Great Highway as a recreational promenade for

1 walking, jogging, biking, scooting, and rolling. From April 2020 until May 2022, there were an
2 estimated two million visits or more to the Upper Great Highway, with a total of 3,700 average
3 daily visits during the period when the Upper Great Highway was closed to private vehicles
4 and the recreational promenade was open at all times. There have been an estimated 3,300
5 average daily weekend visits since August 2021 when the weekend and Friday afternoon
6 promenade was instituted. The New York Times listed the promenade as one of 52 places to
7 go in the world in 2022, writing that a “Great Highway has become a unique destination – in a
8 city full of them – to take in San Francisco’s wild Pacific Ocean coastline by foot, bike, skates
9 or scooter, sample food trucks and explore local cafes, restaurants, record stores, bookstores
10 and more.”

11 (c) In 2012, the Ocean Beach Master Plan was released, calling for six key
12 infrastructure improvements for the City to implement for a sustainable “managed retreat” on
13 the length of Ocean Beach needed as a result of the anticipated impacts of climate change to
14 the western waterfront. As a result, the San Francisco Public Utilities Commission is planning
15 the Ocean Beach Climate Change Adaptation Project (“OBCCAP”), to improve the City’s
16 stormwater infrastructure near Ocean Beach and make it resilient to climate change and
17 erosion. This project includes converting the Great Highway Extension roadway between
18 Sloat Boulevard and Skyline Boulevard to a multi-use pathway. The project will protect key
19 stormwater infrastructure with a buried seawall, and will enhance recreational access to the
20 corridor with a multi-use path bridging a link in the Coastal Trail between Fort Funston and
21 Ocean Beach, new beach access points, and a new parking lot.

22 (d) Under this ordinance, the weekend and holiday vehicle restrictions on the Upper
23 Great Highway that were instituted on August 15, 2021 would be extended for a pilot period
24 expiring December 31, 2025. These proposed restrictions are consistent with the following
25 policies:

1 (1) Section 4.113 of the Charter, which states that park land, which includes the
2 Upper Great Highway, shall be used for recreational purposes.

3 (2) The Recreation and Park Department Strategic Plan, which calls for
4 developing more open space and improving access to existing facilities to address population
5 growth in high-need and emerging neighborhoods; and strengthening the City's climate
6 resiliency by protecting and enhancing San Francisco's precious natural resources through
7 conservation, education, and sustainable land and facility management practices.

8 (3) The Transit First Policy, codified at Section 8A.115 of the Charter, which
9 encourages the use of public right-of-way by pedestrians, bicyclists, and public transit, and
10 strives to reduce traffic and improve public health and safety; calls for enhanced pedestrian
11 areas, to improve the safety and comfort of pedestrians and to encourage travel by foot; and
12 promotes bicycling by encouraging safe streets for riding, convenient access to transit, bicycle
13 lanes, and secure bicycle parking.

14 (4) San Francisco's General Plan Transportation Element, which classifies the
15 Great Highway as a recreational street under Objective 18 with the major function to provide
16 for slow pleasure drives and cyclist and pedestrian use; more highly valued for recreational
17 use than for traffic movement. According to Objective 18, the order of priority for these streets
18 should be to accommodate: 1) pedestrians, hiking trails, or wilderness routes, as appropriate;
19 2) cyclists; 3) equestrians; 4) automobile scenic driving. The General Plan specifies that the
20 design capacity of the Great Highway should be reduced substantially to correspond with its
21 recreational function; emphasis to be on slow pleasure traffic, bicycles, and safe pedestrian
22 crossings.

23 (5) The 2021 Climate Action Plan, which calls for creating a complete and
24 connected active transportation network that shifts trips from automobiles to walking and
25 biking; and restoring and enhancing parks, natural lands, and large open spaces.

1 (e) On June 10, 2021, the Recreation and Park Commission and the San Francisco
2 Municipal Transportation Agency Board of Directors held a joint meeting regarding the
3 weekend and holiday restrictions on private vehicles using the Upper Great Highway. After
4 considering staff presentations and public comment, each body recommended that staff
5 pursue a pilot closure of the Upper Great Highway. Based on the foregoing and on the further
6 information presented to the Board of Supervisors, the Board finds that the closures set forth
7 herein are consistent with California Vehicle Code Section 21101, and that:

8 (1) The pilot project leaves a sufficient portion of the streets in the surrounding
9 area for other public uses, including vehicular, pedestrian, and bicycle traffic.

10 (2) The pilot project is necessary for the safety and protection of persons who
11 are to use those parts of the streets during the closure or traffic restriction.

12 (3) Staff have done outreach and engagement for abutting residents and
13 property owners, including facilities located along the Upper Great Highway and surrounding
14 neighbors of the project.

15 (4) The City maintains a publicly available website with information about the
16 pilot program that identifies the streets being considered for closure and provides instructions
17 for participating in the public engagement process.

18 (5) Prior to implementing the pilot project, the Recreation and Park Department
19 shall provide advance notice of the pilot project to residents and owners of property abutting
20 those streets and shall clearly designate the closures and restrictions with appropriate
21 signage consistent with the California Manual on Uniform Traffic Control Devices.

22 (f) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
25

1 Supervisors in File No. 220875 and is incorporated herein by reference. The Board affirms
2 this determination.

3 (g) On September 28, 2022, the Planning Department determined that the actions
4 contemplated in this ordinance are consistent, on balance, with the City's General Plan and
5 eight priority policies of Planning Code Section 101.1. The Board adopts this determination
6 as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in
7 File No. 220875, and is incorporated herein by reference.

8 (h) Upon enactment of this ordinance, the Recreation and Park Department intends
9 to apply to the Planning Department for a permit to ensure compliance with any applicable
10 coastal development requirements. The Planning Commission will review the application at a
11 public hearing to determine whether the permit will be issued, as required by law.

12 (i) In conjunction with the restrictions on private vehicular traffic imposed by this
13 ordinance, the Recreation and Park Department and the Municipal Transportation Agency
14 shall study transportation and recreational impacts of weekend and holiday vehicle
15 restrictions, including multi-modal transportation usage, open-space usage, and traffic impacts
16 to adjacent intersections. City staff shall engage in public outreach and collect data, to inform
17 a final decision by the Board of Supervisors at or near the end of the pilot program established
18 by this ordinance.

19
20 Section 2. Article 6 of the Park Code is hereby amended by adding Section 6.13, to
21 read as follows:

22
23 **SEC. 6.13. RESTRICTING MOTOR VEHICLES ON THE UPPER GREAT HIGHWAY.**

24 **(a) Findings and Purpose. In 2022, following the temporary closure of the Great Highway**
25 **between Lincoln Way and Sloat Boulevard (hereafter, the "Upper Great Highway") due to the COVID-**

1 19 pandemic, and on recommendation of the Recreation and Park Commission and San Francisco
2 Municipal Transportation Agency ("SFMTA") Board of Directors, the Board of Supervisors found that
3 it would be appropriate to restrict private vehicles from the four-lane limited-access Upper Great
4 Highway at certain times, as described herein, due to the need to ensure the safety and protection of
5 persons who are to use those streets; and because the restrictions would leave a sufficient portion of
6 the streets in the surrounding area for other public uses including vehicular, pedestrian, and bicycle
7 traffic.

8 (b) **Restrictions on Private Vehicles.** The Recreation and Park Department shall restrict
9 private vehicles from the Upper Great Highway from Fridays at 12:00 p.m. ~~afternoons~~ until Monday
10 mornings at 6:00 a.m., and on holidays, as set forth herein. These closures shall remain in effect until
11 December 31, 2025, unless extended by ordinance. The temporary closure of the Upper Great
12 Highway due to the COVID-19 pandemic from April 2020 until the commencement of the pilot project
13 is hereby ratified.

14 (c) **Public Notice and Engagement.**

15 (1) The Recreation and Park Department shall include on its website a map depicting
16 the street segments subject to the street closures and traffic restrictions authorized in subsection (b),
17 and such other information as it may deem appropriate to assist the public; and shall provide advance
18 notice of any changes to these street closures or traffic restrictions to residents and owners of property
19 abutting those streets.

20 (2) The Recreation and Park Department and SFMTA shall collect and publicly report
21 data on pedestrian and cyclist usage and vehicular traffic on the Upper Great Highway and
22 surrounding streets at regular intervals throughout the duration of the pilot program established in this
23 Section 6.13.

24 (3) SFMTA shall develop and release draft recommendations for traffic management no
25 later than July 31, 2023. The draft recommendations shall build upon past traffic management

1 measures and past traffic studies, and shall be updated during the pilot program based on data
2 monitoring, traffic conditions, and community outreach. SFMTA shall also develop final
3 recommendations which may propose traffic management measures for after the pilot period, with a
4 description of potential improvements to the surrounding circulation system, cost estimates, and an
5 implementation schedule for accommodating any future vehicular traffic restrictions that may be in the
6 public interest.

7 (4) The Recreation and Park Department, in coordination with SFMTA, shall engage in
8 community outreach during the pilot period to gain public input on the effectiveness of the pilot
9 program and inform the development of the Westside Traffic Management Plan.

10 (5) Public Works or its successor agency shall develop an Upper Great Highway Sand
11 Management Plan by no later than ~~January~~ March 1, 2023. This plan shall detail how Public Works
12 will manage and maintain an Upper Great Highway free of sand incursions, along with any resource
13 or policy changes needed to accomplish this.

14 (d) **Exempt Motor Vehicles.** The following motor vehicles are exempt from the restrictions
15 in subsection (b):

16 (1) Emergency vehicles, including but not limited to police and fire vehicles.

17 (2) Official City, State, or federal vehicles, or any other authorized vehicle, being used
18 to perform official City, State, or federal business pertaining to the Upper Great Highway or any
19 property or facility therein, including but not limited to public transit vehicles, vehicles of the
20 Recreation and Park Department, and construction vehicles authorized by the Recreation and Park
21 Department.

22 (3) Authorized intra-park transit shuttle buses, paratransit vans, or similar authorized
23 vehicles used to transport persons along the Upper Great Highway.

24 (4) Vehicles authorized by the Recreation and Park Department in connection with
25 permitted events and activities.

1 (e) **Emergency Authority.** The General Manager of the Recreation and Park Department
2 shall have the authority to allow vehicular traffic on segments of the Upper Great Highway that would
3 otherwise be closed to vehicles in accordance with this Section 6.13 in circumstances which in the
4 General Manager's judgment constitute an emergency such that the benefit to the public from the
5 vehicular street closure is outweighed by the traffic burden or public safety hazard created by the
6 emergency circumstances.

7 (f) **Promotion of the General Welfare.** In enacting and implementing this Section 6.13, the
8 City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it
9 imposing on its officers and employees, an obligation for breach of which it is liable in money damages
10 to any person who claims that such breach proximately caused injury.

11 (g) **Severability.** If any subsection, sentence, clause, phrase, or word of this Section 6.13 or
12 any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
13 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
14 portions or applications of Section 6.13. The Board of Supervisors hereby declares it would have
15 passed this Section and each and every subsection, sentence, clause, phrase, and word not declared
16 invalid or unconstitutional without regard to whether any other portions of Section 6.13 or application
17 thereof would be subsequently declared invalid or unconstitutional.

18 (h) **Sunset Clause.** This Section 6.13, and the temporary closures of the Upper Great
19 Highway authorized herein, shall expire by operation of law on December 31, 2025, unless extended by
20 ordinance. If not extended by ordinance, upon expiration the City Attorney is authorized to remove this
21 Section 6.13 from the Code.

22
23 Section 3. Effective Date. This ordinance shall become effective 30 days after
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
25

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.

3
4 APPROVED AS TO FORM:
DAVID CHIU, City Attorney

5
6 By: /s/
MANU PRADHAN
Deputy City Attorney
7 n:\egana\as2022\2200412\01617615.docx



City and County of San Francisco
Tails
Ordinance

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

File Number: 220875

Date Passed: December 13, 2022

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

November 28, 2022 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

November 28, 2022 Land Use and Transportation Committee - DUPLICATED AS AMENDED

November 28, 2022 Land Use and Transportation Committee - REFERRED WITHOUT RECOMMENDATION AS AMENDED

December 06, 2022 Board of Supervisors - NOT AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 3 - Chan, Melgar and Walton

Noes: 8 - Dorsey, Mandelman, Mar, Peskin, Preston, Ronen, Safai and Stefani

December 06, 2022 Board of Supervisors - PASSED ON FIRST READING

Ayes: 9 - Dorsey, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani and Walton

Noes: 2 - Chan and Melgar

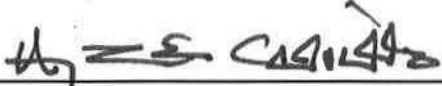
December 13, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Dorsey, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani and Walton

Noes: 2 - Chan and Melgar

File No. 220875

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 12/13/2022 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

12/22/22

Date Approved

Exhibit D:

Maps and Context Photos

Planning Commission Hearing
Case Numbers 2022-007356CTZ
Great Highway Pilot Project

Map 1: Great Highway Project Location



GREAT HIGHWAY AT SLOAT BOULEVARD (looking north)



GREAT HIGHWAY AT LINCOLN WAY (looking south)



Exhibit E:
Statutory Exemption
Great Highway Pilot Project

Planning Commission Hearing
Case Numbers 2022-007356CTZ
Great Highway Pilot Project



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
The Great Highway Project		
Case No.		Permit No.
2022-007356ENV		
<input checked="" type="checkbox"/> Addition/Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval.</p> <p>The San Francisco Recreation and Parks Department (RPD) proposes the Great Highway Project, which would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time.</p> <p>See attachments for a full project description and project plans.</p>		

STEP 1: EXEMPTION TYPE

The project has been determined to be exempt under the California Environmental Quality Act (CEQA).	
<input type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input checked="" type="checkbox"/>	<p>Other _____</p> <p>Statutory Exemption per Public Resources Code section 21080.25 as demonstrated in the attached Senate Bill 288 Eligibility Checklist</p>
<input type="checkbox"/>	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment. FOR ENVIRONMENTAL PLANNING USE ONLY

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant. (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>) If box is checked, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? (refer to <i>The Environmental Planning tab on the San Francisco Property Information Map</i>) If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone:</p> <p>Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? (refer to <i>The Environmental tab on the San Francisco Property Information Map</i>) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional):</p>	

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Property Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. NOT APPLICABLE
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. <i>(Attach HRER Part I)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify):</i> <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i>
<input type="checkbox"/>	2. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (Analysis required):
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

STEP 6: EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input checked="" type="checkbox"/>	No further environmental review is required. The project is exempt under CEQA.	
	Project Approval Action: Approval via majority YES Vote of Board of Supervisors	Signature: Ryan Shum 09/28/2022
	Once signed or stamped and dated, this document constitutes a n exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

If at least one of the above boxes is checked, further environmental review is required

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed to the Environmental Review Officer within 10 days of posting of this determination.	
Planner Name:	Date:



Eligibility Checklist: Senate Bill 288 (SB288) and Public Resources Code Section 21080.25

Date of Preparation: September 28, 2022
Record No.: 2022-007356ENV, **The Great Highway Project**
Project Sponsor: Jordan Harrison, San Francisco Recreation and Parks Department
Staff Contact: Ryan Shum, ryan.shum@sfgov.org, (628) 652-7542

PROJECT DESCRIPTION

The Great Highway project would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time.

The full project description and additional project information is attached to this checklist as Attachment A. Project plans are included as Attachment B.

Constructed by:	Contracted through:
<input type="checkbox"/> Public Works	<input type="checkbox"/> Public Works
<input type="checkbox"/> SFMTA	<input type="checkbox"/> SFMTA
<input checked="" type="checkbox"/> RPD	<input checked="" type="checkbox"/> RPD

SB288 ELIGIBILITY CHECKLIST

This project, as proposed, would be eligible for a Statutory Exemption per Public Resources Code section 21080.25 as demonstrated below.

Table 1: Project Type Checklist – Public Resources Code Section 21080.25(b)	
The project must meet at least one project type to qualify for this Statutory Exemption. See Attachment 1 below for definitions of terms.	
<input checked="" type="checkbox"/>	(1) Pedestrian and bicycle facilities, including new facilities. For purposes of this paragraph, “bicycle facilities” include, but are not limited to, bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code.
<input type="checkbox"/>	(2) Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians.
<input type="checkbox"/>	(3) Transit prioritization projects.
<input type="checkbox"/>	(4) On highways with existing public transit service or that will be implementing public transit service within six months of the conversion, a project for the designation and conversion of general purpose lanes or highway shoulders to bus-only lanes, for use either during peak congestion hours or all day.
<input type="checkbox"/>	(5) A project for the institution or increase of new bus rapid transit, bus, or light rail service, including the construction of stations, on existing public rights-of-way or existing highway rights-of-way, whether or not the right-of-way is in use for public mass transit.
<input type="checkbox"/>	(6) A project to construct or maintain infrastructure to charge or refuel zero-emission transit buses, provided the project is carried out by a public transit agency that is subject to, and in compliance with, the State Air Resources Board’s Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations) and the project is located on property owned by the transit agency or within an existing public right-of-way.
<input type="checkbox"/>	(7) The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in items (1) to (6) above, inclusive.
<input type="checkbox"/>	(8) A project that consists exclusively of a combination of any of the components of a project identified in items (1) to (7) above, inclusive.
<input type="checkbox"/>	(9) A project carried out by a city or county to reduce minimum parking requirements.

(continued on the following page)

Table 2: Other Project Eligibility Criteria – Public Resources Code Section 21080.25(c)	
The project must meet all the criteria listed below to qualify for this Statutory Exemption. See Attachment 1 below for definitions of terms. Note: Table 2 does not apply to a project carried out by a city or county to reduce minimum parking requirements.	
<input checked="" type="checkbox"/>	(1) A public agency is carrying out the project and is the lead agency for the project.
<input checked="" type="checkbox"/>	(2) The project is located in an urbanized area.
<input checked="" type="checkbox"/>	(3) The project is located on or within an existing public right-of-way (or on property owned by the transit agency per Table 1, Item 6 above).
<input checked="" type="checkbox"/>	(4) The project shall not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles, such as extended merging lanes. The project shall not include the addition of any auxiliary lanes.
<input checked="" type="checkbox"/>	(5) The construction of the project shall not require the demolition of affordable housing units.
<input checked="" type="checkbox"/>	(6) The project would not exceed one hundred million dollars (\$100,000,000) in 2020 United States dollars. ¹
¹ If the project exceeds \$100,000,000, then Section 21080.25(c)(6) imposes additional requirements. Please consult with the Planning Department staff.	
Table 3: Project Labor Requirements – Public Resources Code Section 21080.25(d)	
In addition to meeting the criteria in Table 2, the project must meet labor requirements to qualify for a Statutory Exemption. See Attachment 1 below for definitions of terms. Note: Table 3 does not apply to a project carried out by a city or county to reduce minimum parking requirements.	
<input type="checkbox"/>	(1) Before granting an exemption under this section, the lead agency shall certify that the project will be completed by a skilled and trained workforce. (2) (A) Except as provided in subparagraph (B), for a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. (B) Subparagraph (A) does not apply if any of the following requirements are met: (i) The lead agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project or the lead agency has contracted to use a skilled and trained workforce and the entity has agreed to be bound by that project labor agreement. (ii) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the lead agency before January 1, 2021. (iii) The lead agency has entered into a project labor agreement that will bind the lead agency and all its subcontractors at every tier performing the project or the lead agency has contracted to use a skilled and trained workforce.
<input type="checkbox"/>	A portion of the project would be constructed by SFMTA and/or Public Works Shops and this portion would not require the use of contractors for labor.
<input checked="" type="checkbox"/>	Not Applicable. The project would be entirely constructed by RPD, SFMTA and/or Public Works Shops and would not require the use of contractors for labor.

ATTACHMENT 1: DEFINITIONS

Definitions for terms 1 through 8 are the same as provided in the text of Senate Bill 288.

- (1) **“Affordable housing”** means any of the following:
 - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents or sales prices to levels affordable, as defined in Section 50052.5 or 50053 of the Health and Safety Code, to persons and families of moderate, lower, or very low income, as defined in Section 50079.5, 50093, or 50105 of the Health and Safety Code, respectively.
 - (B) Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.
 - (C) Housing that had been occupied by tenants within five years from the date of approval of the development agreement by a primary tenant who was low income and did not leave voluntarily.

- (2) **“Highway”** means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. “Highway” includes a street.

- (3) **“New automobile capacity”** means any new lane mileage of any kind other than sidewalks or bike lanes.

- (4) **“Project labor agreement”** has the same meaning as defined in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

- (5) **“Skilled and trained workforce”** has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

- (6) **“Transit lanes”** means street design elements that delineate space within the roadbed as exclusive to transit use, either full or part time.

- (7) **“Transit prioritization projects”** means any of the following transit project types on highways:
 - (A) Signal coordination.
 - (B) Signal timing modifications.
 - (C) Signal phasing modifications.
 - (D) The installation of wayside technology and onboard technology.
 - (E) The installation of ramp meters.
 - (F) The installation of dedicated transit or very high occupancy vehicle lanes, and shared turning lanes.

- (8) **“Very high occupancy vehicle”** means a vehicle with six or more occupants.

- (9) For the purpose of this statutory exemption, **bikeway** is defined the same way as in Section 890.4 of the California Streets and Highways Code. “Bikeway” means all facilities that provide primarily for, and promote, bicycle travel. Bikeways shall be categorized as follows:
 - (a) Bike paths or shared use paths (Class I bikeways) provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows

by motorists minimized.

(b) Bike lanes (Class II bikeways) provide a restricted right-of-way designated for the exclusive or semi exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.

(c) Bike routes (Class III bikeways) provide a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. In San Francisco, many of these routes are marked with shared lane markings referred to as sharrows.

(d) Cycle tracks or separated bikeways (Class IV bikeways) promote active transportation and provide a right-of-way designated exclusively for bicycle travel adjacent to a roadway and which are separated from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

(10) Pedestrian Facilities as a term is not defined in Senate Bill 288. The Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) is a national standard approved by the Federal Highway Administrator in accordance with Title 23 of the U.S. Code. In the MUTCD, **Pedestrian Facilities** is “a general term denoting improvements and provisions made to accommodate or encourage walking.”² This definition will be used by San Francisco Planning Department to determine if a project or project component includes a pedestrian facility and meets the eligibility criteria of SB288.

² U.S. Department of Transportation, Federal Highway Administration. 2009. *Manual on Uniform Traffic Control Devices for Streets and Highways*. See page 17. Online at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. Accessed December 21, 2020

Attachment A: Great Highway Project Information

Pilot Project Summary

The Great Highway project would implement a pilot program to create a car-free bicycle and pedestrian promenade on weekends, holidays, and a portion of Fridays by restricting private vehicle access to the Upper Great Highway between Lincoln Way and Sloat Boulevard (2.0 miles). When closed to private vehicles, the roadway would become a separated right-of-way promenade for the exclusive use of pedestrians, bicyclists, emergency vehicles, and other permitted vehicles¹. The roadway would continue to operate as a four-lane vehicular roadway on weekdays from Monday to the Friday closure time.

- Promenade: Friday afternoons (exact time of private vehicular closure to be determined) to Monday at 6:00am, plus holidays
- Vehicular Roadway: Monday 6:00am to Friday closure time

At the time the roadway is closed to private motor vehicles, the roadway would become a bicycle and pedestrian promenade used for active transportation modes, including bicycles, walkers, runners, scooter riders, skateboarders, and motorized wheelchairs, etc.

The location of the project is shown in Map 1.

Approval Action and Pilot Period

The San Francisco Board of Supervisors approval of legislation for the pilot (board file number 220875) would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code section 31.04(h). The pilot would begin upon such legislative approval, which is anticipated Fall 2022 and would end on December 31, 2025, unless extended by ordinance. The project would include data collection during this pilot period, as described below.

Project Background

The Great Highway has been under the jurisdiction of the Recreation and Park Commission since the 1870s. The Upper Great Highway is a four-lane vehicular roadway. There are existing swing gates located at the intersection of Sloat Boulevard and Upper Great Highway to block the northbound lanes and at the intersection of Lincoln Way and Upper Great Highway to block the southbound lanes. The gates are closed when excessive amounts of sand blown onto the road make it unsafe for car travel. An existing multi-use pathway located within the median between the Upper and Lower Great Highway is used by walkers and cyclists. An existing dirt pathway located west of the Upper Great Highway along Ocean Beach is used by walkers.

In April 2020, the roadway was closed to private vehicles by the Recreation and Parks Department (RPD) General Manager under an emergency action. This was in response to the COVID-19-related shelter-in-

¹ Examples of permitted vehicles include official City, State, or federal vehicles being used to perform official City, State, or federal business (e.g., sand removal), intra-park shuttle busses, paratransit vans, and others as defined by the legislation.

place order to provide people more space outdoors while social distancing. In August 2021, the General Manager issued a directive reopening the Upper Great Highway to private vehicles weekdays starting Monday at 6:00am through Friday at 12:00pm, excluding holidays.

The Great Highway extension south of Sloat Boulevard is currently open to vehicular traffic; however, this stretch is planned to be permanently closed to vehicular traffic in 2024 as part of the Ocean Beach Climate Change Adaptation Project (Planning Department case number 2019-020115ENV).

The San Francisco County Transportation Authority conducted a “Great Highway Concepts Evaluation Report” (September 2022) for the long-term future of the Upper Great Highway. This pilot would be an extension of that report and would support pedestrian and bicyclist usage based on an evaluation in the report.²

Pilot Physical Changes:

To create a protected bicycle and pedestrian promenade on weekends and holidays, the project would install new swing gates with road closure signage on Upper Great Highway to restrict private vehicle access. The existing swing gates may be modified for reuse with this project, or removed and replaced.

At the intersection with Sloat Boulevard and Upper Great Highway, the project would install swing gates at the entry of the northbound lanes. The new swing gates would be arranged in a chicane layout (i.e., staggered and on opposite sides of the roadway) at the exit of the south-bound lanes.

At the intersection with Lincoln Way and Upper Great Highway, there are two options being considered, a chicane and the median pass through. With the “chicane” option, the project would install new gates in a chicane layout at the exit of the south-bound lanes. With the “median pass through” option, the project would install swing at the entry of the southbound lanes and about 100 feet south of the exit of the northbound lanes. The project would install a paved segment in the median between the north and southbound lanes just north of the new gates in the northbound lanes. The median pass through would also include hatching in the newly paved median, delineators along the east side, a pair of double yellow lines on each side of median, and thru arrows on the northbound approach to the intersection. The project may install red rectangular pavement markers along the outside of crosswalk facing the intersection. See Existing and Proposed illustrations of the two intersections, attached.

The chicane and median would allow emergency vehicles and other permitted vehicles to access the western-most lanes of the roadway without needing to stop and open the gates. This would allow emergency vehicles to better respond to calls from Ocean Beach and would support the continued safe recreational use of Ocean Beach while enhancing the safe recreational use of the roadway by pedestrians and bicyclists during private vehicular closure times.

² For example, section 2.2 of the report evaluates the bicycle and pedestrian usage of five different concepts for the Great Highway. The section identifies a four-lane roadway for vehicles projected to have the lowest bicycle and pedestrian usage of the concepts (which is pre-COVID-19 conditions), and a timed promenade (which is this pilot) having a medium amount of bicycle and pedestrian usage, or more bicycle and pedestrian usage than a four-lane roadway. https://www.sfcta.org/sites/default/files/2022-09/SFCTA_Great-Highway-Evaluation-Report_2021-07-13_FINAL_a.pdf.

The project would maintain vehicle access on the Great Highway north of Lincoln Way, along the Lower Great Highway, and other areas (e.g., throughout the Sunset District). The project would not change the existing multi-use pathway within the median between the Upper and Lower Great Highway or the dirt path west of Upper Great Highway along Ocean Beach.

Pilot Data Collection

Throughout the duration of the pilot program, RPD and San Francisco Municipal Transportation Agency (SFMTA) staff would collect and publicly report data on pedestrian and cyclist usage and vehicular traffic on the Upper Great Highway and surrounding streets at regular intervals. The pilot does not propose any changes to traffic management (e.g., changing traffic signal timings) or parking. The pilot would collect data on promenade users (detailed list below), conduct public outreach, and conduct network analysis of the broader circulation system to inform recommendations for the future use of the Upper Great Highway, including consideration of data collected because of permanent closure of vehicular traffic on the Great Highway extension south as part of the Ocean Beach Climate Change Adaptation Project (anticipated in 2024). Data collection would include:

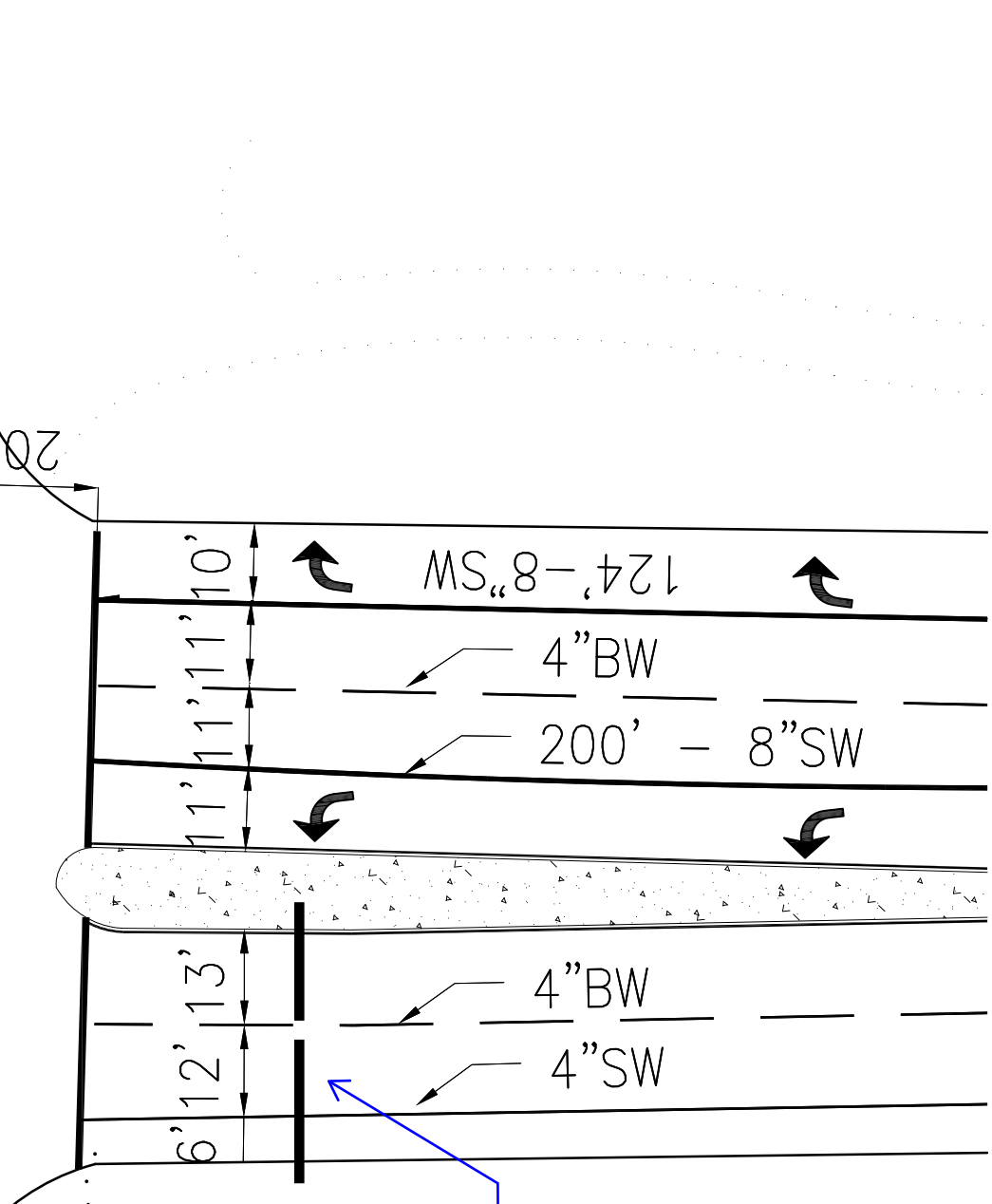
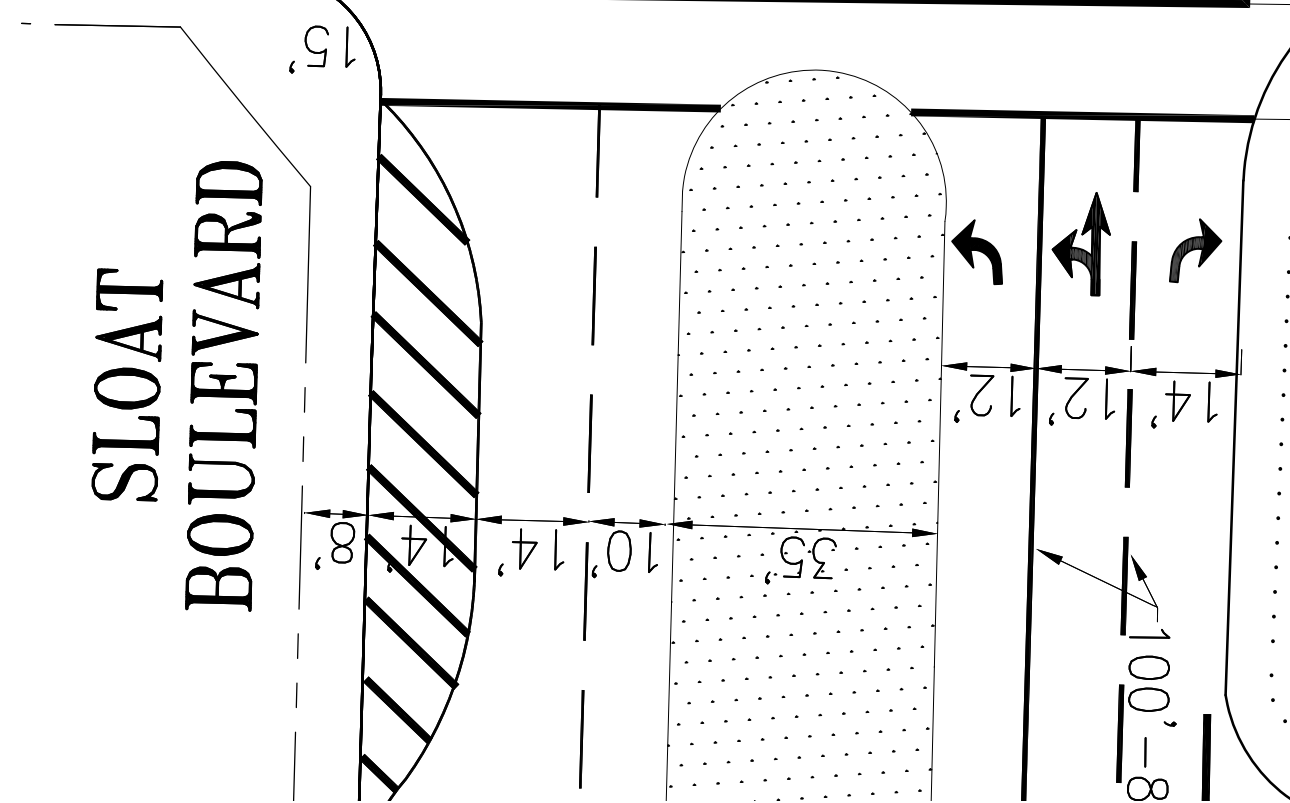
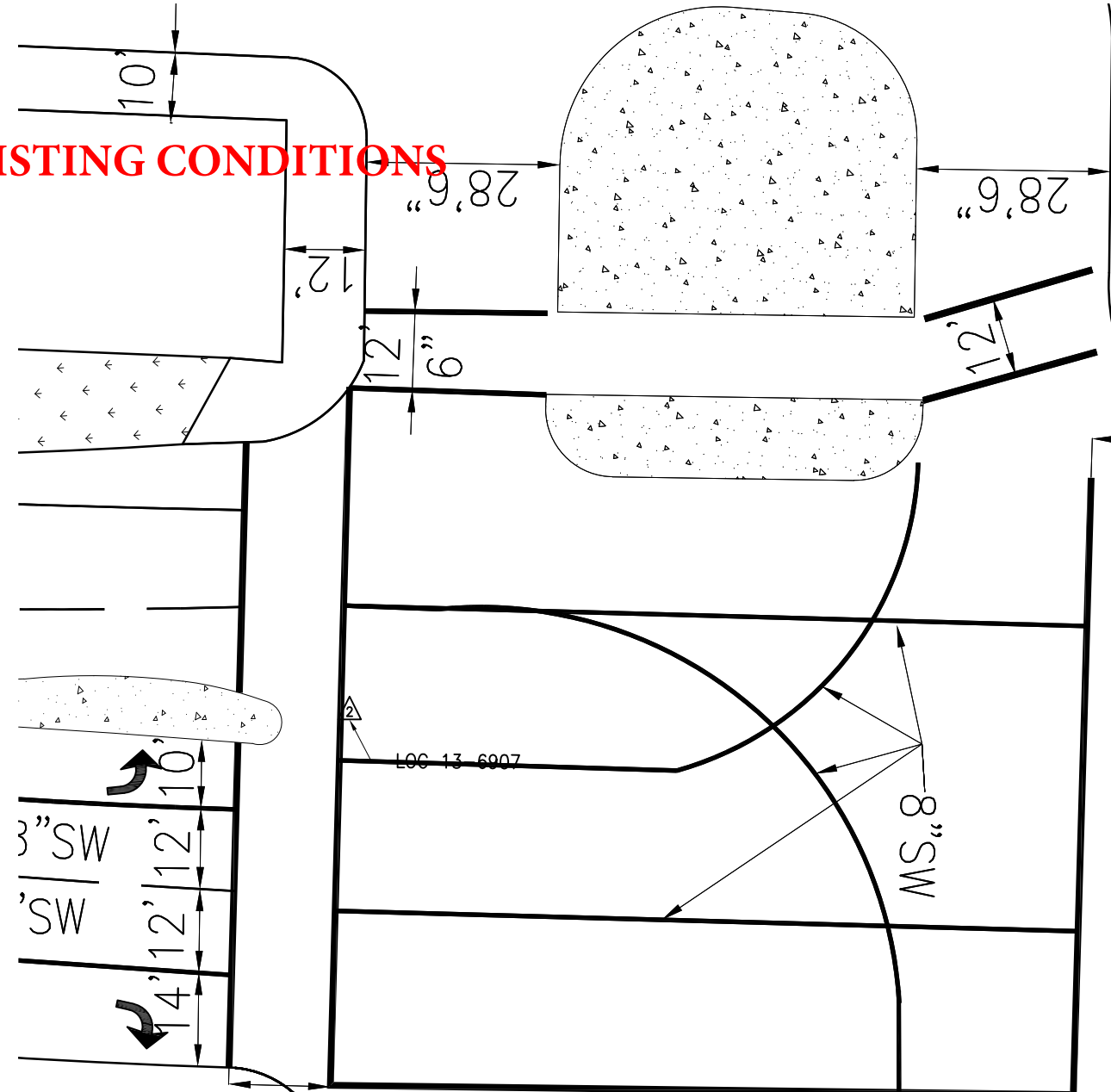
1. Vehicular traffic counts, speeds, travel times, and turning movements using tube counts, video counts, and/or disaggregated cellular data along the Great Highway and nearby intersections and side streets.
2. Bicycle counts using tube counts, video counts, infrared counters, and/or disaggregated cellular data along the Great Highway and nearby intersections and side streets.
3. Pedestrian and other mode counts using video counts, infrared counters, observation, and/or disaggregated cellular data along the Great Highway and nearby intersections.
4. Length of stay by all modes using cellular data, intercept surveys, and/or public life study methodology.
5. Design efficacy and safety assessing whether vehicles are yielding to pedestrians and pedestrians and bicyclists are complying with traffic signals using video data and/or observation.
6. Surveys of non-motorized users and drivers; solicit suggestions from all users; solicit user demographics.

RPD and SFMTA would determine exact locations for data collection after the San Francisco Board of Supervisors approval of the pilot.

Map 1: Great Highway Project Location



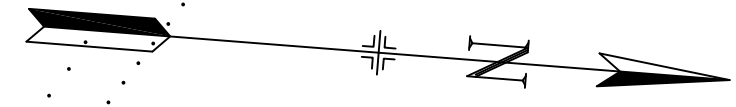
EXISTING CONDITIONS



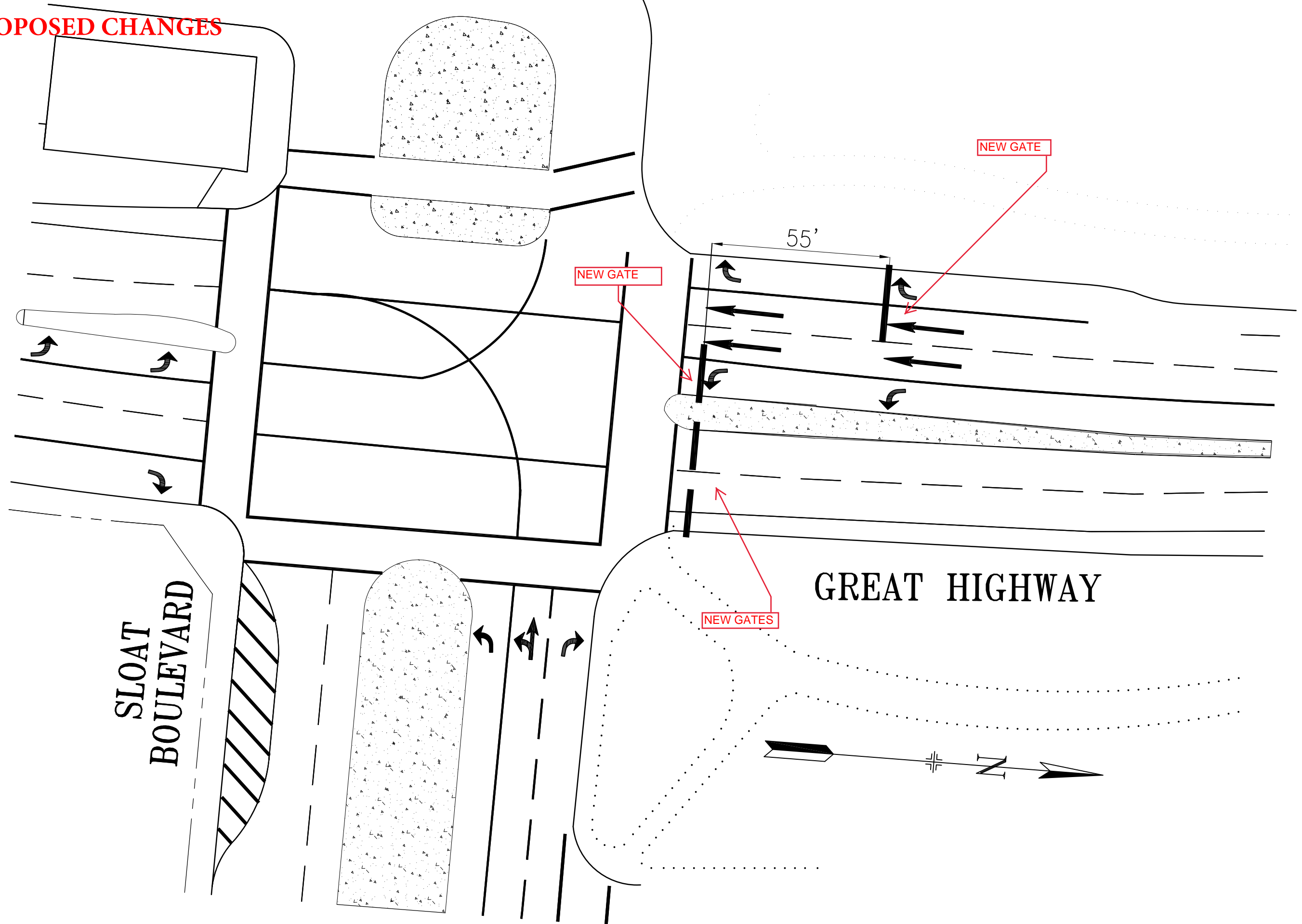
EXISTING GATES

GREAT HIGHWAY

SLOAT BOULEVARD



PROPOSED CHANGES



**SLOAT
BOULEVARD**

GREAT HIGHWAY

NEW GATE

NEW GATE

NEW GATES

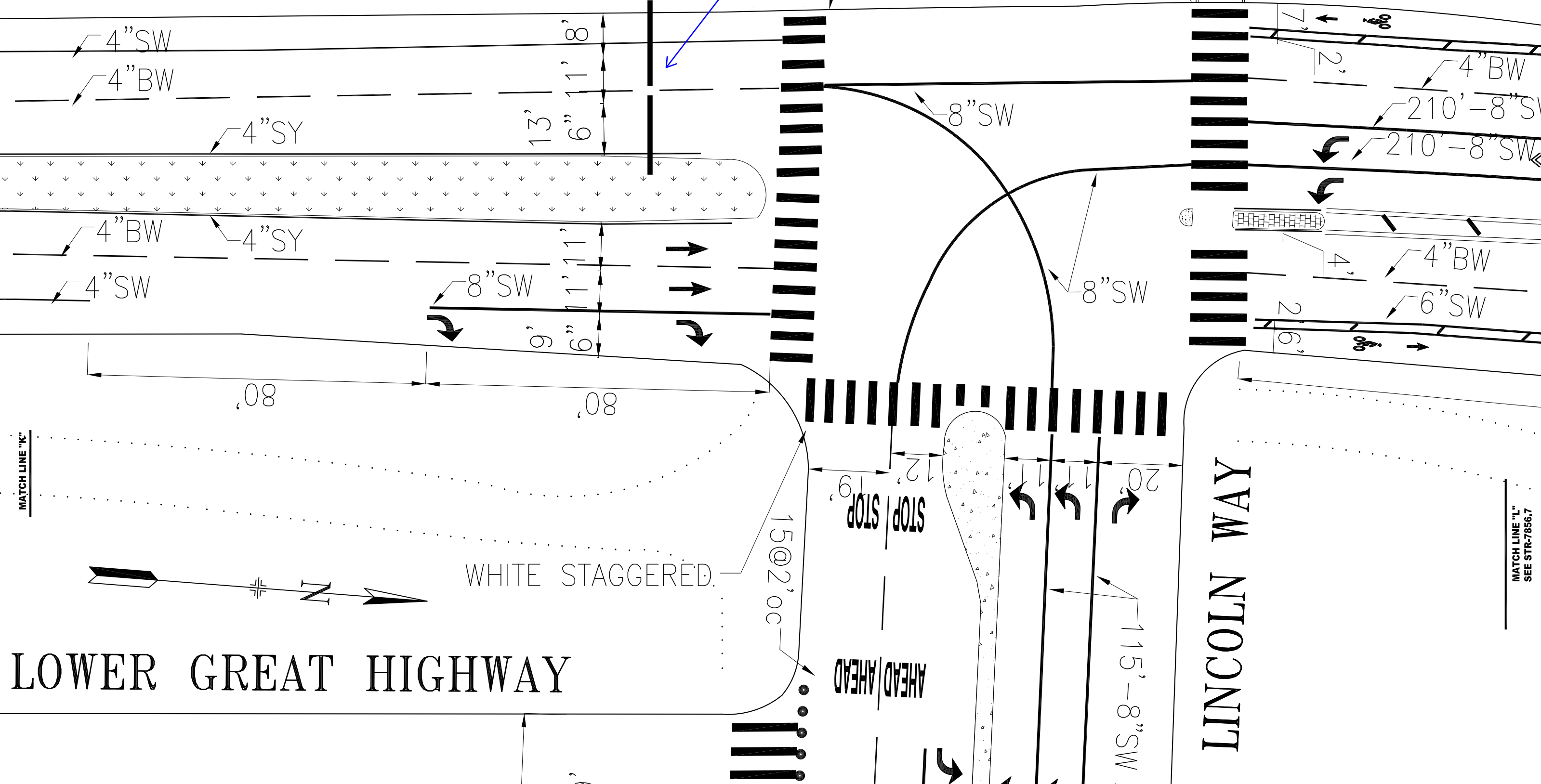
55'

EXISTING CONDITIONS

GREAT HIGHWAY

EXISTING GATES

WHITE STAGGERED CONTINENTAL



LOWER GREAT HIGHWAY

LINCOLN WAY

PROPOSED CHANGES

GREAT HIGHWAY

NEW GATES

NEW GATES

55'

45'

RECTANGULAR PAVEMENT MARKERS

NEW 8" YELLOW CROSS HATCHING INSIDE DOUBLE YELLOW LINES

2 NEW THRU ARROWS

NEW MOUNTABLE DELINEATORS

STOP / STOP

AHEAD / AHEAD

LINCOLN WAY

LOWER GREAT HIGHWAY

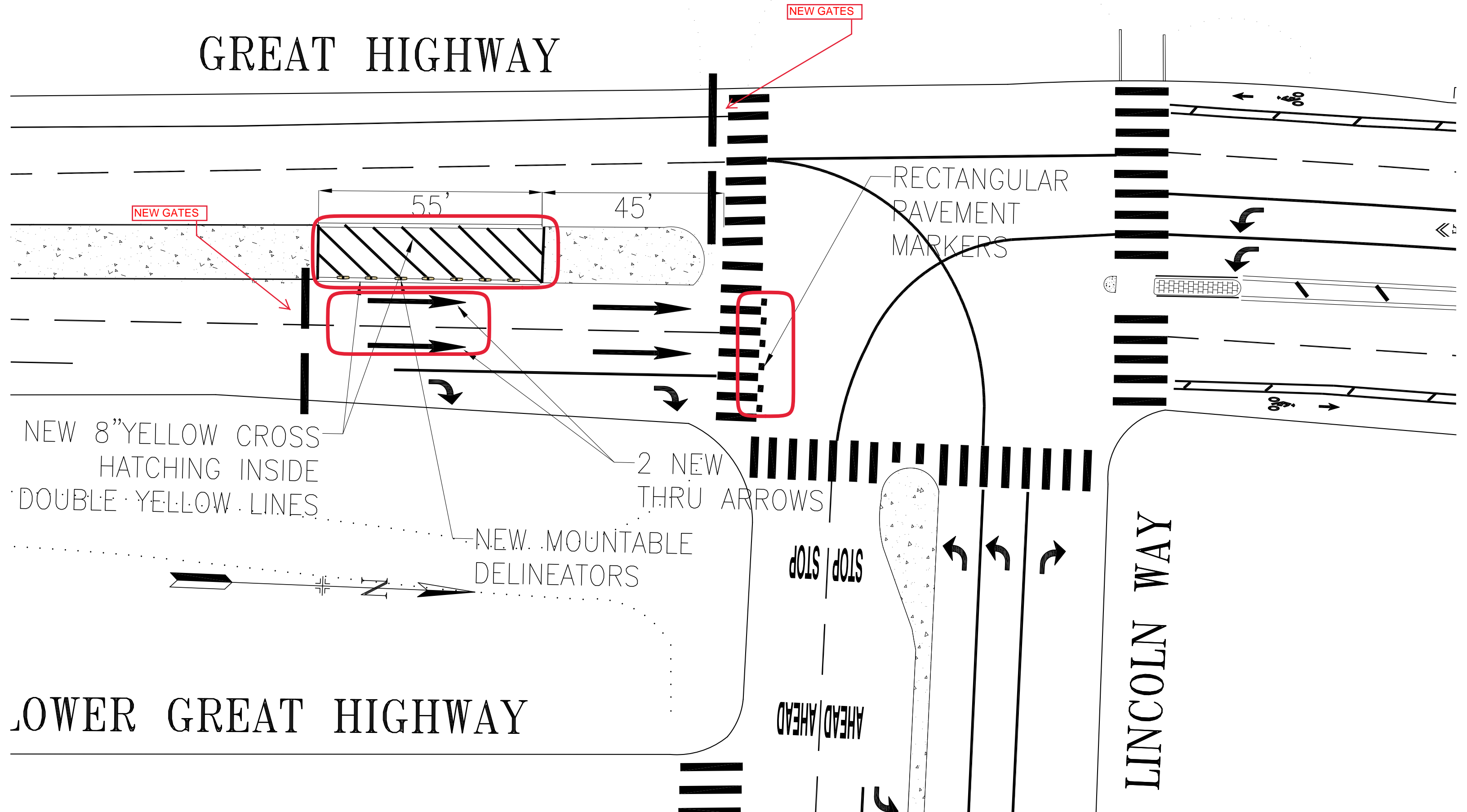


Exhibit F:
Categorical Exemption
with SFMTA Public Hearing Agenda
(Traffic Calming Measures)

Planning Commission Hearing
Case Numbers 2022-007356CTZ
Great Highway Pilot Project



SAN FRANCISCO PLANNING DEPARTMENT

2021-001354ENV

ENVIRONMENTAL EVALUATION APPLICATION COVER MEMO - PUBLIC PROJECTS ONLY

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.

Please attach this memo along with all necessary materials to the Environmental Evaluation Application.

Project Address and/or Title:	SFMTA Order 6358 for Public Hearing 2/19/2021
Project Approval Action:	SFMTA City Traffic Engineer
Will the approval action be taken at a noticed public hearing? <input type="checkbox"/> YES* <input checked="" type="checkbox"/> NO	
* If YES is checked, please see below.	

IF APPROVAL ACTION IS TAKEN AT A NOTICED PUBLIC HEARING, INCLUDE THE FOLLOWING CALENDAR LANGUAGE:

End of Calendar: CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code If the Commission approves an action identified by an exemption or negative declaration as the Approval Action (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA decision prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department’s Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Individual calendar items: This proposed action is the Approval Action as defined by S.F. Administrative Code Chapter 31.

THE FOLLOWING MATERIALS ARE INCLUDED:

- 2 sets of plans (11x17)
- Project description
- Photos of proposed work areas/project site
- Necessary background reports (specified in EEA)
-



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

The Sustainable Streets Division of the San Francisco Municipal Transportation Agency will hold an on-line public hearing on Friday, February 19, 2021, at 10:00 AM to consider the various matters listed on the agenda below.

The purpose of the public hearing will be to get public feedback on these proposals. **No decisions will be made on these items at the public hearing.** Based upon all public feedback received, the SFMTA will make and post the decision on these items by 5 pm. the following Friday on the SFMTA website.

Public opinion about these proposals can be shared in any of the following ways:

- Online Skype Meeting: [SFMTA.com/ENGhearing](https://www.sfmta.com/ENGhearing)
- To speak about any items, please follow the phone-in instructions.
- Phoning during the public hearing: please dial **888-398-2342** and enter the code 8647385. When public comment is open key in "1" and then "0" to join the queue of people wishing to comment.
- Sending an email to Sustainable.Streets@SFMTA.com with the subject line "Public Hearing."

Online Participation	1. For the best online experience, join the Skype session and select "Don't join audio". For the audio, use the phone instructions below. This will allow you to listen and participate through the same audio experience.
Phone Participation	1. When prompted, dial "1 - 0" to be added to the speaker line. The auto-prompt will indicate callers are entering "Question and Answer" time; this is the "Public Comment" period. 2. Callers will hear silence when waiting for your turn to speak. 3. When prompted, callers will have the standard two minutes to provide comment.

For clarification about any items before the public hearing, the responsible staff person is listed, along with an email address.

Irving Street, south side, between 8th Avenue and 9th Avenue

- 1. ESTABLISH – RESIDENTIAL PERMIT PARKING ELIGIBILITY, AREA J**
Irving Street, south side, between 8th Avenue and 9th Avenue
(Supervisor District 5) Kathryn Studwell, kathryn.studwell@sfmta.com

Extension of RPP Area J will enable residents to obtain RPP permits for Area J.



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

Monterey Boulevard, both sides, at Hazelwood Avenue – Red Zones

2. ESTABLISH - RED ZONES

- A. Monterey Boulevard, north side, 26 feet to 30 feet east of Hazelwood Avenue (Engineer)
- B. Monterey Boulevard, north side, from Hazelwood Avenue to 20 feet westerly (removes 1 parking space) (Engineer)
- C. Monterey Boulevard, south side, 15 feet to 35 feet west of Hazelwood Avenue (removes 1 parking space) (Engineer)
- D. Monterey Boulevard, south side, 14 feet to 30 feet east of Hazelwood Avenue (removes 1 parking space) (Engineer)
(Supervisor District 7) David Sindel, david.sindel@sfmta.com

Additional daylighting requested by SFMTA to address pattern of left-turn collisions.

Joice Street, between Clay Street and Sacramento Street – Speed Hump

3. ESTABLISH – SPEED HUMP

Joice Street, between Clay Street and Sacramento Street (1 speed hump)
(Supervisor District 3) Daniel Carr, daniel.carr@sfmta.com

This proposal installs a traffic calming speed hump on the block at the request of the community.

Minnesota Street between 23rd & 25th Streets; 24th Street between Minnesota & Tennessee Streets- One-Way Street, Red Zone & Sidewalk

4. ESTABLISH – ONE WAY STREET

24th Street, eastbound, from Minnesota Street to Tennessee Street
(Supervisor District 10) Shahram Shariati, Shahram.shariati@sfmta.com

This project is designed to improve safety and convert the street from a two way into a one way street.

Cole Street, both sides, between Haight Street and Waller Street – Residential Permit Parking Extension

5(a). ESTABLISH – RESIDENTIAL PERMIT PARKING AREA J

Cole Street, both sides, between Haight Street and Waller Street

5(b). ESTABLISH – 2-HOUR PARKING, 8AM TO 5PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA J PERMITS

Cole Street, east side, from 76 feet south of Haight Street to Waller Street
Cole Street, west side, from 113 feet south of Haight Street to Waller Street
(Supervisor District 5) Kathryn Studwell, kathryn.studwell@sfmta.com

This proposal will extend RPP Area J to the 600 block of Cole Street.



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

Polk Street/Pacific Ave – Red Zone

**6(a). RESCIND - YELLOW METERED LOADING ZONE
(30 MIN LIMIT 8AM-1PM, MON-FRI)**

Polk Street, west side, from 7 feet to 47 feet north of Pacific Avenue
(meter space #2001 & 2003). (Engineer)

**6(b). RESCIND – YELLOW METERED LOADING ZONE
(30 MIN LIMIT 10AM-1PM, MON-FRI)**

Polk Street, east side, from 104 feet to 148 feet south of Broadway Street
(meter space #2024 & 2020). (Engineer)

6(c). RESCIND - RED ZONE

Polk Street, west side, from 64 feet to 68 feet north of Pacific Avenue. (Engineer)
Polk Street, west side from 86 feet to 89 feet north of Pacific Avenue. (Engineer)

6(d). ESTABLISH - RED ZONE

Polk Street, west side, from 7 feet to 20 feet north of Pacific Avenue.
(Engineer)

**6(e). ESTABLISH - YELLOW METERED LOADING ZONE
(30 MIN LIMIT 8AM-6PM, MON-SAT)**

Polk Street, west side, from 20 feet to 47 feet north of Pacific Avenue
(extends yellow meter space #2003 from 22 feet to 27 feet) (Engineer)
Polk Street, west side, from 64 feet to 89 feet north of Pacific Avenue
(converts general meter space #2011 into a 25-foot yellow metered
space). (Engineer)

**6(f). ESTABLISH – YELLOW METERED LOADING ZONE
(30 MIN LIMIT 10AM-6PM, MON-SAT)**

Polk Street, east side, from 104 feet to 148 feet south of Broadway Street
(meter space #2024 & 2020) (Engineer) (Supervisor District 3) Shahram Shariati,
Shahram.Shariati@sfmta.com

This project is designed to improve pedestrian safety by daylighting the intersection.

Tenderloin – Speed Limit

RESCIND – 25 MPH SPEED LIMIT

7. ESTABLISH – 20 MPH SPEED LIMIT

- A. Grove Street, between Van Ness Avenue and Market Street
- B. McAllister Street, between Van Ness Avenue and Market Street
- C. Golden Gate Avenue, between Van Ness Avenue and Market Street
- D. Turk Street, between Van Ness Avenue and Market Street
- E. Eddy Street, between Van Ness Avenue and Mason Street
- F. Ellis Street, between Van Ness Avenue and Mason Street
- G. O'Farrell Street, between Van Ness Avenue and Mason Street
- H. Geary Street, between Van Ness Avenue and Mason Street



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

- I. Post Street, between Van Ness Avenue and Mason Street
 - J. Sutter Street, between Van Ness Avenue and Mason Street
 - K. Polk Street, between Sutter Street and Grove Street
 - L. Larkin Street, between Sutter Street and Grove Street
 - M. Hyde Street, between Sutter Street and Market Street
 - N. Leavenworth Street, between Sutter Street and Market Street
 - O. Jones Street, between Sutter Street and Market Street
 - P. Taylor Street, between Sutter Street and Market Street
 - Q. Mason Street, between Sutter Street and Market Street
- (Supervisor Districts 3 and 6) Tom Folks, tom.folks@sfmta.com

These streets are all part of the City's High Injury Vision Zero Network, with either the entire street segment or a substantial portion included. The signal timing progression in this area was set at 20 mph in the recent NOMA/SOMA area-wide retiming effort.

Tenderloin – No Turn on Red

8. ESTABLISH – NO TURN ON RED

- A. Sutter Street, westbound, at Larkin Street (Engineer)
- B. Sutter Street, westbound, at Hyde Street (Engineer)
- C. Sutter Street, westbound, at Leavenworth Street (Engineer)
- D. Sutter Street, westbound, at Jones Street (Engineer)
- E. Sutter Street, westbound, at Taylor Street (Engineer)
- F. Sutter Street, westbound, at Mason Street (Engineer)
- G. Post Street, eastbound, at Larkin Street (Engineer)
- H. Post Street, eastbound, at Hyde Street (Engineer)
- I. Post Street, eastbound, at Leavenworth Street (Engineer)
- J. Post Street, eastbound, at Jones Street (Engineer)
- K. Post Street, eastbound, at Taylor Street (Engineer)
- L. Post Street, eastbound, at Mason Street (Engineer)
- M. Geary Street, westbound, at Larkin Street (Engineer)
- N. Geary Street, westbound, at Hyde Street (Engineer)
- O. Geary Street, westbound, at Leavenworth Street (Engineer)
- P. Geary Street, westbound, at Jones Street (Engineer)
- Q. Geary Street, westbound, at Taylor Street (Engineer)
- R. Geary Street, westbound, at Mason Street (Engineer)
- S. O'Farrell Street, eastbound, at Larkin Street (Engineer)
- T. O'Farrell Street, eastbound, at Hyde Street (Engineer)
- U. O'Farrell Street, eastbound, at Leavenworth Street (Engineer)
- V. O'Farrell Street, eastbound, at Jones Street (Engineer)
- W. O'Farrell Street, eastbound, at Taylor Street (Engineer)
- X. O'Farrell Street, eastbound, at Mason Street (Engineer)
- Y. Ellis Street, westbound, at Larkin Street (Engineer)
- Z. Ellis Street, eastbound, at Hyde Street (Engineer)
- AA. Ellis Street, westbound, at Leavenworth Street (Engineer)
- BB. Ellis Street, westbound, at Taylor Street (Engineer)
- CC. Ellis Street, westbound, at Mason Street (Engineer)



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

- DD.** Eddy Street, westbound, at Larkin Street (Engineer)
- EE.** Eddy Street, eastbound, at Hyde Street (Engineer)
- FF.** Eddy Street, westbound, at Leavenworth Street (Engineer)
- GG.** Eddy Street, eastbound, at Mason Street (Engineer)
- HH.** Turk Street, westbound, at Larkin Street (Engineer)
- II.** Turk Street, westbound, at Taylor Street (Engineer)
- JJ.** Golden Gate Avenue, eastbound, at Larkin Street (Engineer)
- KK.** McAllister Street, eastbound and westbound, at Larkin Street (Engineer)
- LL.** McAllister Street, westbound, at Leavenworth Street (Engineer)
- MM.** McAllister Street, eastbound, at Charles J. Brenham Place (Engineer)
- NN.** Fulton Street, westbound, at Larkin Street (Engineer)
- OO.** Fulton Street, eastbound, at Hyde Street (Engineer)
- PP.** Grove Street, westbound, at Larkin Street (Engineer)
- QQ.** Larkin Street, northbound, at Post Street (Engineer)
- RR.** Larkin Street, northbound, at Geary Street (Engineer)
- SS.** Larkin Street, northbound, at O'Farrell Street (Engineer)
- TT.** Larkin Street, northbound, at Ellis Street (Engineer)
- UU.** Larkin Street, northbound, at Eddy Street (Engineer)
- VV.** Larkin Street, northbound, at Turk Street (Engineer)
- WW.** Larkin Street, northbound, at Golden Gate Avenue (Engineer)
- XX.** Larkin Street, northbound, at McAllister Street (Engineer)
- YY.** Larkin Street, northbound, at Fulton Street (Engineer)
- ZZ.** Larkin Street, northbound and southbound, at Grove Street (Engineer)
- AAA.** Hyde Street, southbound, at Sutter Street (Engineer)
- BBB.** Hyde Street, southbound, at Post Street (Engineer)
- CCC.** Hyde Street, southbound, at Geary Street (Engineer)
- DDD.** Hyde Street, southbound, at O'Farrell Street (Engineer)
- EEE.** Hyde Street, southbound, at Ellis Street (Engineer)
- FFF.** Hyde Street, southbound, at Eddy Street (Engineer)
- GGG.** Hyde Street, southbound, at Fulton Street (Engineer)
- HHH.** Leavenworth Street, northbound, at Sutter Street (Engineer)
- III.** Leavenworth Street, northbound, at Post Street (Engineer)
- JJJ.** Leavenworth Street, northbound, at Geary Street (Engineer)
- KKK.** Leavenworth Street, northbound, at O'Farrell Street (Engineer)
- LLL.** Leavenworth Street, northbound, at Ellis Street (Engineer)
- MMM.** Leavenworth Street, northbound, at Eddy Street (Engineer)
- NNN.** Charles J. Brenham Place, northbound, at McAllister Street (Engineer)
- OOO.** Jones Street, southbound, at Sutter Street (Engineer)
- PPP.** Jones Street, southbound, at Post Street (Engineer)
- QQQ.** Jones Street, southbound, at Geary Street (Engineer)
- RRR.** Jones Street, southbound, at O'Farrell Street (Engineer)
- SSS.** Taylor Street, northbound, at Post Street (Engineer)
- TTT.** Taylor Street, northbound, at Geary Street (Engineer)
- UUU.** Taylor Street, northbound, at O'Farrell Street (Engineer)
- VVV.** Taylor Street, northbound, at Ellis Street (Engineer)
- WWW.** Taylor Street, northbound, at Eddy Street (Engineer)



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

- XXX.** Mason Street, southbound, at Sutter Street (Engineer)
 - YYY.** Mason Street, southbound, at Post Street (Engineer)
 - ZZZ.** Mason Street, southbound, at Geary Street (Engineer)
 - AAAA.** Mason Street, southbound, at O'Farrell Street (Engineer)
 - BBBB.** Mason Street, southbound, at Ellis Street (Engineer)
 - CCCC.** Mason Street, southbound, at Eddy Street (Engineer)
 - DDDD.** Sutter Street, westbound, at Polk Street (Engineer)
 - EEEE.** Post Street, eastbound, at Polk Street (Engineer)
 - FFFF.** Geary Street, westbound, at Polk Street (Engineer)
 - GGGG.** O'Farrell Street, eastbound, at Polk Street (Engineer)
 - HHHH.** Ellis Street, westbound, at Polk Street (Engineer)
 - IIII.** Eddy Street, eastbound, at Polk Street (Engineer)
 - JJJJ.** Eddy Street, westbound, at Polk Street (Engineer)
 - KKKK.** Turk Street, westbound, at Polk Street (Engineer)
 - LLLL.** Golden Gate Street, eastbound, at Polk Street (Engineer)
 - MMMM.** McAllister Street, eastbound, at Polk Street (Engineer)
 - NNNN.** Grove Street, eastbound, at Polk Street (Engineer)
 - OOOO.** Grove Street, westbound, at Polk Street (Engineer)
 - PPPP.** Polk Street, southbound, at Sutter Street (Engineer)
 - QQQQ.** Polk Street, northbound, at Post Street (Engineer)
 - RRRR.** Polk Street, northbound, at O'Farrell Street (Engineer)
 - SSSS.** Polk Street, northbound, at Ellis Street (Engineer)
 - TTTT.** Polk Street, northbound, at Eddy Street (Engineer)
 - UUUU.** Polk Street, northbound, at Golden Gate Street (Engineer)
 - VVVV.** Polk Street, northbound, at McAllister Street (Engineer)
 - WWWW.** Polk Street, southbound, at McAllister Street (Engineer)
 - XXXX.** Polk Street, southbound, at Grove Street (Engineer)
 - YYYY.** Polk Street, southbound, at Hayes Street (Engineer)
 - ZZZZ.** Cyril Magnin Street, northbound, at Ellis Street (Engineer)
 - AAAAA.** Cyril Magnin Street, southbound, at Ellis Street (Engineer)
 - BBBBB.** Cyril Magnin Street, northbound, at O'Farrell Street (Engineer)
 - CCCCC.** Eddy Street, westbound, at Taylor Street (Engineer)
(Supervisor Districts 3 and 6) (Engineer)
- David Sindel, david.sindel@sfmta.com & Amy Chun, amy.chun@sfmta.com

Adding NO TURN ON RED restrictions in the Tenderloin.

43rd Avenue, between Irving Street and Judah Street – Speed Cushions

9. ESTABLISH – SPEED CUSHIONS

43rd Avenue, between Irving Street and Judah Street (2 3-Lump Speed Cushions)
(Engineer) (Supervisor District 4) Daniel Carr, daniel.carr@sfmta.com

This proposal installs two traffic calming speed cushions on the block at the request of the community. Installation will follow the construction of SFUSD teacher housing at the Francis Scott Key Annex (Playland Community Park) property.



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

37th Avenue, between Rivera Street and Santiago Street – Speed Humps

10. ESTABLISH – SPEED HUMPS

37th Avenue, between Rivera Street and Santiago Street (2 speed humps) (Engineer)
(Supervisor District 4) Jeff Banks, jeffrey.banks@sfmta.com

This proposal installs traffic calming devices on the block at the request of SFMTA. SFMTA collected data and confirmed that typical motorist speeds exceed agency thresholds to qualify for traffic calming.

37th Avenue, between Vicente Street and Wawona Street – Speed Humps

11. ESTABLISH – SPEED HUMPS

37th Avenue, between Vicente Street and Wawona Street (2 speed humps) (Engineer)
(Supervisor District 4) Jeff Banks, jeffrey.banks@sfmta.com

This proposal installs traffic calming devices on the block at the request of block residents. SFMTA collected data and confirmed that typical motorist speeds exceed agency thresholds to qualify for traffic calming.

46th Avenue, between Lincoln Way and Irving Street – Speed Cushions

12. ESTABLISH - SPEED CUSHIONS

46th Avenue, between Lincoln Way and Irving Street (Two 5-lump speed cushions)
(Engineer) (Supervisor District 4) Philip Louie, philip.louie@sfmta.com

Supervisor requested speed cushions on this block to address speeding concerns.

Various Outer Sunset Intersections from 46th Avenue to La Playa – STOP Signs

13(a). ESTABLISH - STOP SIGNS (Converting 2-Way to All-Way Controlled)

- A. 46th Avenue northbound and southbound at Pacheco Street (Engineer)
- B. Lawton Street westbound and eastbound at 47th Avenue (Engineer)
- C. Moraga Street westbound and eastbound at 47th Avenue (Engineer)
- D. Santiago Street westbound and eastbound at 47th Avenue (Engineer)
- E. Taraval Street westbound and eastbound at 47th Avenue (Engineer)
- F. Ulloa Street westbound and eastbound at 47th Avenue (Engineer)
- G. Lawton Street at westbound and eastbound 48th Avenue (Engineer)
- H. Moraga Street westbound and eastbound at 48th Avenue (Engineer)
- I. Santiago Street westbound and eastbound at 48th Avenue (Engineer)
- J. Irving Street westbound and eastbound at La Playa (Engineer)
- K. Lower Great Highway, northbound and southbound, at Moraga Street (Engineer)
- L. Lower Great Highway, northbound and southbound, at Quintara Street (Engineer)
(Supervisor District 4) Maurice Growney, maurice.growney@sfmta.com

Various along Lower Great Highway, La Playa and Outer Avenues – Speed Cushions

13(b). ESTABLISH – SPEED CUSHIONS

- A. Lower Great Highway, Lincoln Way to Irving Street (Engineer)
- B. Lower Great Highway, Irving Street to Judah Street (Engineer)



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

- C. Lower Great Highway, Judah Street to Kirkham Street (Engineer)
- D. Lower Great Highway, Lawton Street to Moraga Street (Engineer)
- E. Lower Great Highway, Moraga Street to Noriega Street (Engineer)
- F. Lower Great Highway, Noriega Street to Ortega Street (Engineer)
- G. Lower Great Highway, Ortega Street to Pacheco Street (Engineer)
- H. Lower Great Highway, Pacheco Street to Quintara Street (Engineer)
- I. Lower Great Highway, Quintara Street to Rivera Street (Engineer)
- J. Lower Great Highway, Rivera Street to Santiago Street (Engineer)
- K. Lower Great Highway, Santiago Street to Taraval Street (Engineer)
- L. Lower Great Highway, Taraval Street to Ulloa Street (Engineer)
- M. Lower Great Highway, Ulloa Street to Vicente Street (Engineer)
- N. Lower Great Highway, Cutler Avenue to Wawona Street (Engineer)
- O. La Playa Street, Lincoln Way to Irving Street (Engineer)
- P. La Playa Street, Irving Street to Judah Street (Engineer)
- Q. La Playa Street, Judah Street to Kirkham Street (Engineer)
- R. Irving Street, 47th Avenue to 48th Avenue (Engineer)
- S. Irving Street, 48th Avenue to La Playa Street (Engineer)
- T. 47th Avenue, Lincoln Way to Irving Street (Engineer)
- U. 47th Avenue, Wawona Street to Sloat Boulevard (Engineer)
- V. 48th Avenue, Lincoln Way to Irving Street (Engineer)
- W. 48th Avenue, Rivera Street to Santiago Street (Engineer)
- X. 48th Avenue, Santiago Street to Taraval Street (Engineer)

13(c). ESTABLISH – SPEED TABLE

Lower Great Highway at Moraga Street (Engineer)
(Supervisor District 4) Maurice Growney, maurice.growney@sfmta.com

Addressing traffic diversion due to the Upper Great Highway vehicular closure and increasing pedestrian safety and comfort along the Lower Great Highway and surrounding neighborhood.

Categorically exempt from Environmental Review:
CEQA Guidelines Section 15301 Class 1(c): Operation, repair, maintenance, or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

Andrea Contreras 2/5/2021
Andrea Contreras, SFMTA Date

The following items have been environmentally cleared by the Planning Department on January 14, 2021 Case No. 2011.1323E:

Avalon Avenue, Lisbon Street, and Mission Street – Tow-Away, No Stopping Anytime, Red Zone



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

**14(a). ESTABLISH – TOW-AWAY NO STOPPING ANYTIME
ESTABLISH – SIDEWALK WIDENING**

Avalon Avenue – north side, from 123 feet to 246 feet east of Mission Street,
(sidewalk widening for 6-foot-wide bulb, removes 6 parking spaces)
Lisbon Street – west side, from 27 feet to 131 feet south of Silver Street,
(sidewalk widening for 4-foot-wide bulb, removes 4 parking spaces)

TOW AWAY NO STOPPING ANYTIME due to the sidewalk improvements for the 302 Silver Street project

**14(b). ESTABLISH – RED ZONE
ESTABLISH – SIDEWALK WIDENING**

Mission Street – east side, from 10 feet to 49 feet north of Avalon Avenue, (sidewalk widening for 6-foot-wide bulb, removes 2 metered parking spaces #4359 and #4357)
Lisbon Street - west side, from 60 feet to 72 feet north of Avalon Avenue,
(sidewalk widening for 6-foot-wide bulb, removes 1 parking space)

RED ZONE due to sidewalk improvements for the 302 Silver Street project

♦ Items denoted with (Engineer) can be given approval by the City Traffic Engineer after the public hearing. Otherwise, the SFMTA Board will make the final approval at a later date based on the outcome at the public hearing.

California Environmental Quality Act (CEQA) Appeal Rights under Chapter 31 of the San Francisco Administrative Code: For Approval Actions, the Planning Department has issued a CEQA exemption determination or negative declaration, which may be viewed online at <http://www.sf-planning.org/index.aspx?page=3447>. Following approval of the item by the SFMTA City Traffic Engineer, the CEQA determination is subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16, typically within 30 calendar days of the Approval Action. For information on filing a CEQA appeal, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Whether the City Traffic Engineer’s decision is considered a Final SFMTA Decision is determined by Division II, Section 203 of the Transportation Code. If the City Traffic Engineer approves a parking or traffic modification, this decision is considered a Final SFMTA Decision. If a City Traffic Engineer disapproves a parking or traffic modification and a member of the public requests SFMTA review of that decision, the additional review shall be conducted pursuant to Division II, Section 203 of the Transportation Code. City Traffic Engineer decisions will be posted on <https://www.sfmta.com/committees/engineering-public-hearings> by 5 p.m. on the Friday following the public hearing. Final SFMTA Decisions involving certain parking or traffic modifications, whether made by the City Traffic Engineer or the SFMTA Board, can be reviewed by the Board of Supervisors pursuant to Ordinance 127-18. Information about the review process can be found at: https://sfbos.org/sites/default/files/SFMTA_Action_Review_Info_Sheet.pdf.

Approved for Public Hearing by:

Ricardo Olea
Ricardo Olea
City Traffic Engineer



2021-001354ENV

SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
Order # 6358
FOR PUBLIC HEARING

Sustainable Streets Division

cc: James Lee, SFMTA Parking and Enforcement
Matt Lee, SFMTA Service Planning

RO:TF:ND
ISSUE DATE: 2/5/21

Exhibit G:

Project Sponsor Brief



London N. Breed, Mayor
Philip A. Ginsburg, General Manager

Date: October 27, 2023

To: San Francisco Planning Commission

From: Brian Stokle, Planner, San Francisco Recreation and Parks

Cc: Yael Golan, Deputy Director of Planning, San Francisco Recreation and Parks
Stacy Bradley, Director of Capital and Planning, San Francisco Recreation and Parks
Thalia Leng, Senior Transportation Planner, SFMTA
Adrienne Heim, Transportation Planner, SFMTA

Re: Great Highway Pilot Coastal Zone Permit PROJECT SPONSOR BRIEF

The Great Highway Pilot Project restricts automobile access, on a temporary basis, to the Upper Great Highway between Lincoln Way and Sloat Boulevard (approximately 2.0 miles), for a car-free bicycle and pedestrian promenade on weekends and holidays in the (P) Public Zoning District. This stretch of the Upper Great Highway was originally closed to automobiles full-time in April 2020 to offer an outdoor recreational corridor where users could safely distance during the COVID-19 pandemic. In August 2021, the City modified the vehicular restrictions to apply only between Fridays at noon and Mondays at 6 a.m., and on holidays. In December 2022 the Park Code was amended through an ordinance passed by the Board of Supervisors (File No. 220875) to extend the restrictions instituted in 2021 for a pilot period expiring December 31, 2025. Authorization is also being sought for related traffic calming measures which have been developed on surrounding streets, including detour and warning signs, turn restrictions, speed tables, speed cushions, and stop signs.

Background

In April 2020, the Upper Great Highway was closed to private vehicles by the RPD General Manager (GM) in response to the COVID-19-related shelter-in-place order to provide people more space to recreate outdoors while social distancing. In August 2021, the GM issued a directive reopening the Upper Great Highway to private vehicles weekdays from Monday at 6:00am through to Friday at 12:00 noon.

During both the 13 ½ month period of 24-hour promenade, and the subsequent 2 years of weekend promenade, there have been over 2.8 million visits to the Great Highway promenade. In that time, various community members and groups have held numerous activities and events at the promenade, ranging from the Great Hauntway Halloween event to political protests, yoga classes, and music performances.

A median of over 3,800 visits to the promenade occurred per weekend day from December 2022 to October 2023. Based on vehicular counts performed in 2022 by SFTMA, average daily vehicular trips on the Upper Great Highway have diminished from the pre-pandemic 18,000 daily vehicles to 12,000 vehicles per day in 2022. A new count planned for Fall of 2023 will determine whether counts have gone up or down compared to 2022, and to pre-pandemic averages.

By counting both visitors using the promenade, and vehicle usage on and near the Upper Great Highway, the City can determine how to best manage vehicular traffic while also providing a new active transportation and recreational space. For more qualitative measurements, the City will soon be conducting in-person intercept surveys on the promenade to determine how people reach the promenade, how they use it, and how often.

Figure 1: Map of Project Area



Existing Conditions: The Upper Great Highway is a four-lane vehicular roadway. Existing swing gates are located at Sloat Boulevard to block entry to the northbound lanes and at Lincoln Way to block entry to the southbound lanes. The existing gates are closed when excessive amounts of sand, or flood water, accumulates on the road and make it unsafe for car travel, as well as when the road functions as a promenade. An existing multi-use asphalt pathway located within the approximately 85-foot-wide park space between the Upper and Lower Great Highways is used by pedestrians and bicyclists. An existing pathway system west of the Upper Great Highway is located approximately 20 to 30 feet west of the Upper Great Highway along the back of the dunes and beside the beach within RPD jurisdiction, very close to the National Park Service boundary.

The Lower Great Highway is a neighborhood street with houses and apartment buildings on its east side. The streets with traffic calming features added are part of the Outer Sunset neighborhood. Streets from the Outer Sunset running east-west only intersect the Lower Great Highway, but not the Upper Great Highway, apart from Lincoln Way and Sloat Boulevard. Vehicles cannot access the Upper Great Highway from Irving Street south to Cutler Avenue, but pedestrians and people biking may use paths to reach crosswalks across the Upper Great Highway.

Traffic Installations

Traffic Calming Tools: In spring 2020, the Phase 1 Great Highway Traffic Management tools were constructed at the intersections of Great Highway along Lincoln Way and Sloat Boulevard and in the adjacent neighborhood to support the Upper Great Highway closure to private vehicles. These included eight detour and warning signs, a road closure barricade, five turn restrictions, and five speed tables. In April 2021, additional tools were added, including 24 speed cushions, one speed table, and 12 stop signs. On August 16, 2021, the Upper Great Highway was reopened to weekday vehicular use, which resulted in the removal of some of the tools. In November 2021, additional stop signs were added to the Lower Great Highway at Ortega and Ulloa streets. **Exhibit 1** includes the Great Highway Traffic Management tools in place as of October 2023 and the coastal zone boundary.

Traffic Impact Analysis:

Vehicular Traffic - The SFMTA conducted traffic counts in the Outer Sunset in order to study how vehicle travel patterns have changed following implementation of the car-free Great Highway during the following time periods:

1. Prior to the COVID-19 pandemic.
2. During the period the Upper Great Highway was fully closed to private vehicles (April 2020 to August 2021).
3. During the period when the roadway was closed to vehicles only on weekends (August 2021 to present).

The SFMTA analyzed vehicle volume changes from pre-COVID to Winter 2021. Overall, vehicle volumes decreased on almost all roads studied. In a 2022 SFMTA traffic study during the

promenade configuration on Fridays, vehicle traffic on Lower Great Highway and Sunset Boulevard were still below pre-pandemic levels, indicating that diversion from the Upper Great Highway was not significantly impacting these roadways on Fridays.

Beach Access - No change to formal access to the beach has resulted from the project. Currently, nine signal-controlled crosswalks provide access from the adjacent Sunset District to Ocean Beach, as well as to the adjoining dunes and Noriega seawall promenade. During the promenade periods, beach access is facilitated by easier roadway crossings.

Parking – vehicular and bicycle - The Upper Great Highway has no vehicular nor bicycle street parking. Designated bike racks exist at both the Taraval and Judah restroom building sites, as well as at the intersection of Lincoln and Great Highway. Visitors may park their vehicles in the vicinity and walk to the beach using the crosswalks or from parking facilities to the north and south of the Upper Great Highway, especially like the O’Shaughnessy Ocean Beach Parking lot near Golden Gate Park, or Sloat Boulevard parking.

With the installation of the Golden Gate Park JFK Promenade, which ends near the Great Highway at MLK Drive and Lincoln Way, access to the Great Highway via bicycle has greatly improved and is now a popular way to reach the Great Highway from the east.

Visit experience by mode - The Pilot facilitates greater access to outdoor recreation space along the coast. Compared to a visit by a private vehicle on the Upper Great Highway, which lasts approximately five minutes, the visit experienced by a walker or cyclist lasts 15 to 45 minutes. The increase in time spent along the coast by promenade visitors results in increased access to a coastal recreation area. In addition, the flat and wide nature of the Great Highway in its promenade format makes for a very accessible experience for people using wheelchairs, walkers and other mobility devices.



Person in a rolling mobility device entering the Great Highway. Person pushing a walker.

Great Highway Pilot Site Management and Installations

To support the Great Highway’s operation and use as a vehicular roadway on weekdays, and a park for walking and biking spaces on weekends and Friday afternoons, as well as required sand-related closures, RPD is partnering with other agencies including SFMTA, Public Works (PW), and the NPS to monitor and manage the Great Highway.

Access to Emergency Responders - The pilot project includes the proposed installation of new swing gates installed in a chicane layout (i.e., staggered and on opposite sides of the roadway). This would allow emergency vehicles to access the western-most lanes of the roadway without needing to stop and open the gates. Emergency vehicles will be able to respond to calls from Ocean Beach more quickly compared to gates that are not staggered. This design supports the continued recreational use of Ocean Beach while enhancing the safe recreational use of the roadway by pedestrians and bicyclists during private vehicular closure times for promenade use, or during sand accumulation events.

Interagency Coordination of Great Highway and Ocean Beach - RPD, in coordination with its partner agencies is developing a more comprehensive approach to address litter, pilot new uses along the Great Highway, and develop improved visitor services and experiences. RPD has met with the California Coastal Commission (CCC) to address some of the staff concerns around litter, visitor management and access. The harsh conditions of the site include strong winds, sand movement and salt. The department is working with its city, state and federal partners in the following ways:

Litter - Trash is currently collected seven days per week from the 32-gallon cans and totes. Department staff cleans trash and site litter daily. Service is also increased during special occasions and events. RPD and Recology have added toter recycling receptacles at each of the intersections with marked crosswalks. Recology has also increased the frequency of collection service to further address the increased volume of waste. RPD and PW custodial teams work together to manage trash collection within the constraints of available City resources. In addition, RPD will be converting bins at major intersections to larger, dual stream (land fill and recycling) “bear saver” trash receptacles in fiscal year 2023/24.



Recology truck collecting trash, Recology employee emptying trash receptacle

Dune and sand management - The Sunset Natural Resiliency Project, led by the San Francisco Estuary Institute and funded by the California Coastal Conservancy is an effort led by a team of coastal and dune scientists, along with public agencies, to develop long-term strategies for improved dune health, dune habitat, beach/coastal erosion and sand

management in this area. The goal of this project is to identify best management practices for stabilizing dune vegetation. The Department is participating in the study, along with the National Park Service (NPS) and other partners.

With the anticipated release of the coastal beach and dune management recommendations in November 2023, RPD will work with the NPS, who has jurisdiction over most dune areas, to evaluate and pilot improved dune and habitat management practices and seek funding for such pilots.

Achieving our Citywide Goals

Use of the Upper Great Highway as a partial promenade aligns with many City goals and adopted policies, including:

- The **Transit-First Policy**, which prioritizes public transit and promotes access and safety for transit, bicycling, walking, and other alternatives to individual vehicles, and is built upon in **SFMTA's Strategic Plan** and the **Vision Zero Action Plan**.
- Ongoing work to update the **Climate Action Plan**, which charts a pathway to achieve net zero greenhouse gas (GHG) emissions by 2050 by shifting trips from vehicles to walking, biking, and other active transportation modes.
- Builds on the **Western Shoreline Area Plan** and supports numerous policy goals outlined in the **General Plan**, particularly the **Recreation and Open Space Element** and strategies in **RPD's Strategic Plan** to increase access to open space.

The department has reviewed consistency of these roadway changes with the applicable sections of the Western Shoreline Area Plan and the Coastal Act.

Public Outreach

The Great Highway has had a promenade format starting in April 2020. Since then, a series of public meetings and hearings focusing on the near- and medium-term future of the Great Highway have taken place:

- SFCTA Great Highway Concepts Evaluation District 4 Town Hall Meetings (2020-2021)
- SFRPD & SFMTA Joint Commission Hearing: June 2021
- Board of Supervisor Land Use and Transportation Committee Hearing: November 2022

Concerns raised by the public at these meetings included: slower traffic through the neighborhood when the promenade in place - this was addressed by adding more flashing signs to show when Great Highway was inaccessible to vehicles; concerns about the timing and speed of sand removal on Great Highway, which were relayed by RPD staff to PW, who is developing an updated sand management plan; and concerns regarding additional trash, which have been addressed by installing additional receptacles and increasing trash collection as described above.

Elements of the Project were also included in a ballot measure in 2022, Proposition I, which called for restoring 24/7 vehicular access to the Great Highway. The proposition failed with 65%

voting “NO”, showing strong support for the weekend promenade configuration that was in place at the time.

Conclusion

Whether it is a playground, promenade or open green field, parks and open spaces are a respite, people value them as an extension of their community. The Great Highway Pilot is enhancing and facilitating access to the beach, as well as to accessible and active recreation along the promenade, while also supporting several City goals and policies around active transportation and climate resiliency. The changes to use of roadways resulting from implementation of the pilot project are consistent with several Coastal Act, Western Area Shoreline Plan objectives, and Citywide and policies, including:

- *Coastal Act (30001.5):*
 - *(b) Ensure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.*
 - *(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.*

Therefore, the approval of this CZP application is consistent with CCC requirements. RPD is working with other City and non-City partners to continue studying, monitoring and addressing the impacts of the pilot project to conditions at the site and its vicinity, including traffic, litter, dune health and sand management, and to collaborate across departments and with non-City partners to effectively manage the space across its various jurisdictions. RPD plans to continue engaging its partners as the pilot project progresses and more information is collected, to improve management practices of the Upper Great Highway and its surroundings.

Coastal Zone Permit Closing Upper Great Highway

Board of Appeals **Standard of Review** per LCP
Coastal Zone Permit Review Procedures/ Planning
Code § 330.5.1(b):

*“consistency with the requirements
and objectives of the San Francisco
Certified Local Coastal Program.”*

Coastal Zone Permit Closing Upper Great Highway

- **Permit Defective on its Face**
- Permit **Not Consistent** with San Francisco **Local Coastal Program** certified by the California Coastal Commission

Certified Local Coastal Program

4 Components

1. Western Shoreline Area Plan (land use plan)
2. Coastal Zone Permit Review Procedures
3. Neighborhood Commercial Rezoning
4. Variances section of the SF Planning Code
(2, 3 and 4 = implementation plan)

***Certified Local Coastal Program
and SF Planning Code
Require Findings of Fact***

**LCP Coastal Zone Permit Review
Procedures component § 330.5.2**

***“A Coastal Zone permit shall be approved
only upon findings of fact establishing
that the project conforms to the
requirements and objectives of the San
Francisco Local Coastal Program.”***

Defective Coastal Zone Permit

Planning Code § 330.2(d)

“The ‘**Local Coastal Program**’ shall be the San Francisco Western Shoreline Plan, a part of the City's General Plan, and any of its implementation programs issue papers and any other documents certified by the California Coastal Commission.

Coastal Zone Permit

Defective Finding #5

Not Consistent with LCP CZP Permit Review Procedures § 330.5.2

*“Pursuant to Planning Code Section 330.2, the Local Coastal Program **shall be** the San Francisco Western Shoreline Plan...The project is consistent with objectives and policies of the Western Shoreline Plan...”*

Certified Local Coastal Program

4 Components

1. Western Shoreline Area Plan (land use plan)
 2. Coastal Zone Permit Review Procedures
 3. Neighborhood Commercial Rezoning
 4. Variances section of the SF Planning Code
- (2, 3 and 4 = implementation plan)

Defective Coastal Zone Permit

- No authority for **retroactive** Coastal Zone Permit
- Certified Local Coastal Program:
 - No express or implied** authorization for retroactive Coastal Zone Permit

Coastal Zone Permit and Application

Not Consistent:

Western Shoreline Area Plan

component of certified Local Coastal Program

Policy 2.1

“Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking.

Permit Holder’s addendum - Coastal Zone Permit application:

“The proposed project is partially consistent with this policy [Policy 2.1].”

SF Planning Appeal Brief: Misleading, Squishy

- *“The approved CTZ will maintain the Great Highway as a four-lane vehicular street for more than **half each week**”*

Fact Check: Great Highway open partial week not consistent with certified Local Coastal Program

- *“**On balance**, consistent with the WSAP (including Policy 2.1)” [Planning Brief, Key Point #2]*

Fact Check: “On balance” means not consistent with certified Local Coastal Program

- *Brief’s Conclusion states project is “consistent with the City’s Local Coastal **Project.**”*

Fact Check: The standard is not consistency with Rec & Park’s project. The standard is consistency with certified Local Coastal Program

SF Planning Appeal Brief

Misleading, Squishy

SF Planning Brief Key Point #3:

- *“**It is the City’s position that** the Project is consistent with the Coastal Act’s policies on public access.”*
- *The project will... “**shift the type of access** available...”*

Fact check: Shift access means reduce public access for many elderly and disabled people who access Ocean Beach by driving along the Upper Great Highway.

Permit Holder's Appeal Brief Irrelevant to Standard of Review

- Fails to address appellant briefs
- States project merely “builds on Western Shoreline Area Plan”
- Claims consistency only with irrelevant plans: SFMTA Strategic Plan, Vision Zero Action Plan, Recreation & Parks Strategic Plan, Climate Action Plan
- Fails to address **standard of review: consistency with certified Local Coastal Program**

Upholding *SPEAK* Appeal = Upholding certified Local Coastal Program

- Coastal Zone Permit **defective** on its face
- Coastal Zone Permit application **not consistent** with certified Local Coastal Program
- SF Planning and Permit Holder briefs fail to address fatal deficiencies
- Coastal Zone Permit application fails Board's standard of review per PC § 330.5.1 (b)
- Adopt **factual findings per PC §330.5.2:**
Coastal Zone Permit application is not consistent with certified **Local Coastal Program**



BOARD OF APPEALS

Date Filed: February 20, 2024

City & County of San Francisco

REHEARING REQUEST FOR APPEAL NO. 23-064

Geoffrey Moore, Appellant(s) seeks a rehearing of **Appeal No. 23-064** which was decided on **February 7, 2024**. This request for rehearing will be considered by the Board of Appeals on Wednesday, **March 13, 2024**, at 5:00 p.m. in Room 416 of San Francisco City Hall. The parties are encouraged to attend in-person but may also attend **via the Zoom video platform**.

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the **response** to the written request for rehearing must be submitted by the opposing party and/or Department no later than **10 days from the date of filing, on or before 4:30 p.m. on March 1, 2024** and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. The brief shall be double-spaced with a minimum 12-point font size. An electronic copy should be e-mailed to: boardofappeals@sfgov.org julie.rosenberg@sfgov.org corey.teague@sfgov.org and moore_geoffrey@yahoo.com

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from each side will be allowed. Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.

Based on the evidence and testimony submitted, the Board will make a decision to either grant or deny your request. Four votes are necessary to grant a rehearing. If your request is denied, a rehearing will not be scheduled and the decision of the Board will become final. If your request is granted, a rehearing will be scheduled, the original decision of the Board will be set aside, and after the rehearing, a second decision will be made. Only one request for rehearing and one rehearing are permitted under the Rules of the Board.

Requestor or Agent

Signature: Via Email

Print Name: Geoffrey Moore, Appellant

February 20, 2024

Appeal Title: Geoffrey Moore vs. PC; **Subject Property:** Upper Great Highway between Lincoln Way and Sloat Blvd. ; **Determination Type:** Coastal Zone Permit; **Record No.:** 2022-007356CTZ (Motion No. 21437), submitted to the San Francisco Board of Appeals, with copies to Brian Stokle, Agent for Permit Holder(s), and associated parties. (“Time stamp”) references are to the February 7, 2024 meeting video. Capitalized terms may correspond to terms in the Application. Certain documents noted below are in numbered exhibits that should be incorporated by reference.

We seem to be sailing in a directionless pilot of compliance issues, adrift in a sea of missing, contradictory, unclear, and evolving information - but with easy recourse to a compass of *requirements*. Given the materiality and unmitigated impacts of the unreconciled environmental issues for the western edge of the city, I am respectfully requesting that the Board please consider new facts that have come to light. My prayer for relief is that the Board take the matter under submission to investigate further, solidify legal guidance, establish a clear factual administrative record, and ensure compliance with LCP *requirements* (given that the LCP is a derivative of the Coastal Act, not a substitute, and a limited rather than full grant of jurisdiction). These actions would require a permit suspension until a comprehensive and documented plan exists to fully address the obvious but still unexamined, undocumented, and unmitigated coastal zone environmental impacts.

City records and testimony has revealed the following *new material facts*:

1. The Mayor of San Francisco suddenly believes that “we can’t let process get in the way.”

Last week a grossly negligent edict was issued about environmental management policies (Exhibit 1). This project is a first-hand example of the results of insufficient process – an experiment with unclear data objectives that is threatening an endangered species and the city’s own sewage infrastructure, with no plan to review coastal zone environmental impacts, nor mitigate those impacts, nor pay for that mitigation, and despite the fact that:

2. the city claims suddenly to really, truly care about the snowy plover – verbally, anyway.

After rebuttal we first heard the appellees introduce a new factual allegation during testimony - their newly discovered concern with snowy plover protection (3:51). The fact that the phrase “snowy plover” appears exactly zero times in appellee briefs and exhibits is a curious and unexplained juxtaposition to this new concern – a defect shared with the original 78 page Application, and also (with the exception of disregarded public comment) the *thousands* of pages in the ordinance’s legislative record (Exhibit 2). *ZERO*. It is unclear what *specific administrative records* reflect any consideration of plover safety – none have been revealed in new public records requests (Exhibit 3). During city testimony CEQA is invoked as an excuse, as well as wind, as well as GGNRA oversight because the plovers aren’t technically on city land - but

not once is any factual information or data offered to support or explain how this new love for the plovers will actually be expressed. The closest we get is non-specific generalization about other unrelated projects. The Board should compel the introduction of snowy plover habitat review and mitigation documents into the Application, including an agreement with GGNRA describing actual data collection, risk evaluation, mitigation plans, and funding conclusions, because:

3. city employees now believe it is immaterial the GGNRA refused to pay for environmental mitigation, and the Board should administer the LCP with a blank checkbook in a cost-free jubilee.

I was shocked to learn the new fact that funding is suddenly “not in the purview of the LCP” (3:15:30) and that legal guidance includes providing instruction to omit factual information because “budget, funding do not come in to play in the Board’s consideration” (4:08:45). The LCP includes multiple references to “funds” and is based upon financial considerations and risks. Chapter 4, Article 4 of the Coastal Act is devoted to state reimbursement of certain LCP costs (of which the city is a grantee - if it is even bothering with protecting the taxpayer’s wallet?). It seems questionable to assert that funding is irrelevant to development decisions with these LCP and Coastal Act structures; the imposition of impact costs and mitigation fees under state law (e.g., California Government Code 66000 et seq.) and our country’s Supreme Court oral argument a few weeks ago on a significant impact fee case suggest a closer review.

Is there a realistic expectation that this development will be free? Of course not – because beyond the general nature of the LCP, the Coastal Act, and common sense, the city itself took the exact opposite approach that “cost matters” with the ballot proposition that appellees rely upon to justify the ignorance of state laws (Exhibit 4). And the evidence is clear that funding is not just a consideration for the beach project nearby, but for *this actual project* too. The sand report required by the original ordinance is filled with dollar signs everywhere referencing a “funding shortfall,” and it indicates that funding for environmental management is *insufficient*, in part because the GGNRA was refusing to participate (Exhibit 5, page 4). The lack of coordination is particularly troubling given that under Federal Law the GGNRA is *required* to preserve the beach in its natural setting and protect it from development and uses that would destroy the scenic beauty and natural character (Exhibit 6). It is even more troubling that the city refused to locate funds after it knew of this issue (Exhibit 7). But most troubling is the fundamental problem of instruction which undermines an appellant’s claim that no funding demonstrates no mitigation and planning, which demonstrates the lack of consideration for obviously material impacts to coastal zone environmental resources, because:

4. **Multiple city employees suddenly claim that the CEQA statutory regime precludes mandated review of coastal zone environmental issues, despite the plain language of state law.**

The “CEQA” division of the state’s Public Resources Code (“PRC”) has a singular relevant provision: PRC 21174 (Exhibit 8) is crystal-clear on its face regarding Coastal Act separation from and prioritization over CEQA. Multiple agencies and courts have confirmed repeatedly that “[t]o the extent of any inconsistency or conflict” the Coastal Act shall control (see e.g., Exhibit 9 discussing “parallel but independent environmental review *requirements*,” Exhibit 10 CEQA superseded by Coastal Act). So, it was troubling to hear the new claim that this relationship is confusing, with the conclusory and fundamentally incorrect CEQA characterization “that is **the** state law” that applies (4:03:40, emphasis added). The only thing confusing was hearing multiple references to CEQA from city employees when asked to discuss *substantive* review under the Coastal Act. In particular, Board President Lopez was rebuffed with “CEQA exemption” explanations instead of reference to a clear record demonstrating that *Coastal Act requirements* were met. And in a key moment of testimony - starting with the comment at 3:10:20 from Commissioner Swig directly underscoring this appeal - the answer we hear is that it “*did* go through environmental review” (3:14), supplemented by the indication that Planning is responsible “under CEQA” and “they conduct **the** environmental review under CEQA” (3:48:08, emphasis added). The responses imply that CEQA is all that matters, that the city has abandoned its Environmental Protection Element (Exhibit 11) under the General Plan requiring compliance, and that no one is home who understands the basic *requirements* of the Coastal Act. Particularly troubling is that multiple community members now cannot obtain a clear answer in public records requests asking the simple question whether various environmental issues were exempted from review (e.g., Exhibit 3; Exhibit 12). It should be an easy remedy for the Board to direct its inquiry into records demonstrating factual and scientific analysis of the adverse impacts to the coastal zone environment, and the mitigation plans. How else could an on-balance review even occur?

If there is any doubt as to how the “on balance” process should work under state law to compel review of coastal zone resources (and document the findings necessary to support such a review), one need simply review PRC Sections 30001, 30007.5, 30200(b), 30240, 30253, and 30270 while considering the core principle under the Coastal Act (Exhibit 13). These sections taken in unison provide clear compliance *requirements* and processes for reaching the balancing of objectives that may be in conflict. Would you follow a doctor’s advice to ingest experimental pills for months without first asking any questions to understand costs and side effects? Perhaps there is a fundamental misunderstanding of this compliance exercise given that:

5. state law was transmogrified with a mysterious and unidentified “chicken and egg” clause that empowers developers to subjugate endangered species to experimental data collection.

The “shall” language of PRC 30240 is self-evident – it is a requirement. Ditto with PRC 30253 (mandating that new development **shall** not contribute to erosion, and **shall** minimize vehicle miles traveled). Ditto with PRC 30270. Ditto with the analysis of the other policy objectives under Chapter 3 of the Coastal Act - all of which must be evaluated **FIRST** to then apply the PRC 30200 balancing act. Ditto with respect to Objective 12 of the LCP, which contains 28 “shall” references, including to the use of “best available science” and was added specifically to address adverse impacts (Exhibit 14). Policy 12.4 of the city’s Western Shoreline Plan - completely and mysteriously ignored by appellees in the list of objectives noted in the permit application - *requires*: “Public recreational access facilities (e.g., public parks, restroom facilities, parking, bicycle facilities, trails, and paths), public infrastructure (e.g., public roads, sidewalks, and public utilities), and coastal-dependent development **shall** be sited and designed in such a way as to limit potential impacts to coastal resources *over the structure’s lifetime*,” ditto with respect to the *requirement* in that same policy which states “The development **shall only** be allowed when it will not cause, expand, or accelerate instability of a bluff” (emphasis added). These mandatory phrases are obvious prerequisite requirements – not for only part of the development’s lifetime, but for ALL OF IT. And based on a design. But perhaps when the appellees listed multiple LCP objectives *with no supporting explanation or scientific data whatsoever* in item 6 of their findings they might have missed something . . . ? Instead of seeking to read an exception into the LCP that doesn’t even exist, just please do the work here of scientific documentation.

In light of the various provisions noted above, and the absence of any enabling provision in the LCP which allows ex post facto experimentation with endangered species, it was inappropriate to receive “chicken and egg” guidance (4:10:15), and it seems to be a new fact illustrating a confusion between requirements and objectives. Regulatory compliance is not a chicken and egg game for the snowy plover, nor the sand dunes. It was equally troubling to hear the assertion from the Planning Department that it is “not at all uncommon with cases that we see all the time” to issue retroactive permits (4:02:50) – purportedly because someone is not aware of what they are doing? - right before the legal guidance that this was a “unique” circumstance. So, which is it please – unique or common? The Board should issue a finding with this determination, and compelling the production of the policies and procedures demonstrating how, when, and even *whether* retroactive permits are issued for *coastal zone development* (as opposed to a homeowner handling non-material corrections), and ask the applicant to confirm in writing the exact number of instances where experimentation has

been allowed with endangered species while incomplete designs have been approved for part of the lifetime of a project. The alternative approach sets a troubling precedent where we can suddenly learn on any random day that:

6. **new unapproved development in the coastal zone project area was just erected without public disclosure.**

In addition to inviting the children into the discussion, and engaging in fearmongering that all joy will be lost if the Board simply proceeds with its LCP administration duties and compels regulatory compliance, Supervisor Engardio also introduced two new items of evidence into the city's records – his misunderstanding of applicable state law, and his complicity in erecting unpermitted development in the coastal zone (1:53:40). Beyond the joy already experienced by residents who inhale carcinogens whenever the highway is closed, folks are now evaluating their new frivolity being unable to locate a simple copy of any permit related to the new coastal zone construction in a highway median. Community members have no idea what will be built next in this experiment, particularly given new findings in the “dune report” that:

7. **the project is directly causing trampling of dunes.**

A notable new fact is unanswered public record requests asking for details about the mysterious “dune report” (Exhibit 15). That report seems to state that “[t]he recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed” - but I am unable to provide a direct citation because *there is no record of this report being included in the permit application*, public records, or appellee briefs. The public should see this report as part of the Application and comment period, in particular to consider the plain language in the LCP that “sand shall not be removed from stable dunes.” The critical question from Commissioner Lemberg at 3:27:10 still has not been answered. The new attempt by appellees to suddenly express the same love for the dunes that they have now magically found for the plover – and how specifically they plan to manage, mitigate, and pay for that expression of love – should be documented so that compliance with the requirements of Item 12 of the LCP can be ensured based on advance public disclosure. That documentation needs to be precise because the report finds that dune revegetation strategies “will require coordination between federal, state, and city partners. Coordination and identification of **funding** sources are key next steps.” Again – where is the money? How can you know the cost with no plan? Please follow the (absence of) money, because according to the appellee “we are working to **look** for funding” (3:25 emphasis added). In the meantime, a prerequisite step is to consider whether:

8. someone might be misleading the Board.

I said *might*. I don't know, and I have no concerns if a public servant makes an honest mistake, or seeks to fulfill employment duties pursuant to unclear policies, and in the course of that activity some errors are made which are subsequently just owned and corrected. I do however have grave concerns if I observe a public servant provide testimony under oath which might be materially misleading. So, I was surprised to suddenly learn SFMTA's viewpoint that no 311 complaints have been noted regarding parking or towing issues associated with the project (3:43:25). I respectfully ask the Board to revisit the important line of questioning undertaken by Commissioner Lemberg about traffic effects – this would provide an opportunity to simply clarify the previous statements and confirm SFMTA's data and understanding about community complaints. This seems an appropriate step given that new public record requests asking to confirm if the number of 311 complaints is indeed zero have been rebuffed due to the alleged complication in calculating and understanding this number (Exhibit 16). Could it be that SFMTA is concerned about compliance with the mandatory *requirement* of PRC 30253? Please examine that statute closely. Where *specifically* is the scientific emission and VMT data?

We continue to observe new, unclear and missing facts due to fundamental defects in this process: that multiple city employees are under the misimpression that CEQA governs Coastal Act processes; that statutory requirements to protect the environment and endangered species do not exist, and that the city's own justification for roadway alignment - based upon extensive public process, outreach, preferences, and surveys (3:58:20) - will later just be discarded once "we see if we can get the speed limit raised" (4:05:45). These defects should please be addressed based on new facts (and missing facts).

It's time to clarify the facts and ensure a clear administrative record reflecting compliance with the mandatory *requirements* of Objective 12 of the LCP and Sections 30200, 30240 and 30253 of the Coastal Act, among other provisions. This is a straightforward exercise. Or at least it should be. However, where legal guidance is that the LCP "doesn't have broad environmental objectives" (4:10:05) in contravention of common sense and the obvious foundational principles of 30001 of the Coastal Act, it begs a practical question for the Board to decide –is the city's LCP fundamentally defective? Or, would it be prudent to consider things further before a state regulator is asked whether or not the city has considered impacts to the coastal environment using an incomplete file with no review of VMT, emissions, dunes, snowy plover, noise, sand loss, etc... .? Facts matter, and they keep changing. It is unclear why a "pilot" experiment would ever be justified to a state regulator with an Application where the written record continues to evolve unpredictably while missing key facts.

Exhibit 1

To Save San Francisco, a Democrat Wants to Scrap Environmental Reviews

State Senator Scott Wiener hopes to spur redevelopment in the struggling downtown core by eliminating a major environmental hurdle.



By Heather Knight

Reporting from San Francisco

Feb. 16, 2024 Updated 10:48 a.m. ET

Not long ago, it would have sounded preposterous: a San Francisco Democrat asking to peel back California's treasured environmental protections in the heart of the city.

It would have been like painting the Golden Gate Bridge gray or cheering on the Los Angeles Dodgers. It just would not have flown.

But as California grows more desperate for housing and San Francisco struggles to revive its city core, State Senator Scott Wiener says one thing must go: environmental review.

Mr. Wiener on Friday will propose one of the broadest rollbacks of the once-vaunted California Environmental Quality Act by asking the state legislature to allow most projects in downtown San Francisco to bypass the law for the next decade.

Empty buildings could more easily be demolished to build theaters, museums or college campuses, Mr. Wiener said. Office towers could more readily be converted to a wide variety of housing. The withering mall on Market Street could more quickly become something else — like the soccer stadium that Mayor London Breed has envisioned.

“We know we need to make downtown viable,” Ms. Breed, a sponsor of the bill, said. “We can't let process get in the way.”

For decades, Democrats in the mold of Mr. Wiener and Ms. Breed were among the most ardent defenders of CEQA, a landmark law signed in 1970, months after the celebration of the first Earth Day. But in recent years, a growing number of Democrats have begrudged the environmental act as a barrier to the projects they want, from infill housing to solar farms. Gov. Gavin Newsom is among its critics, last year urging the legislature to revamp portions of the law so California could “build, build, build.”

When CEQA (pronounced “see-qua”) was enacted, it gave residents a new way to challenge government projects during a building boom that followed World War II, as freeways were cutting through pastures and neighborhoods and as rivers were being dammed.



San Francisco has suffered from retail vacancies since the pandemic, most notably at the San Francisco Centre on Market Street. Jim Wilson/The New York Times

The California Supreme Court broadened the law in 1972 and said it could apply to almost any project in the state. That opened the door for environmentalists to challenge suburban developments and polluting factories, but also gave anyone with a grievance the ability to slow or kill projects. CEQA can force layers of review, litigation costs and years of delay, enough to render construction infeasible.

The law is hardly all that stands in the way of San Francisco and its downtown prosperity — 35 percent of office space remains empty four years after the onset of the pandemic. But there are glaring examples of how the environmental act has been used to try to block projects including food pantries and testing sites for Covid-19.

“We’ve had bike lanes stopped by CEQA. It’s crazy,” said Jim Wunderman, chief executive of the Bay Area Council, a business-friendly public policy group.

In one high-profile case, a nonprofit that owns and operates affordable housing used the state law in 2022 to argue that a plan to build hundreds of apartments on an empty Nordstrom parking lot would gentrify a neighborhood in downtown San Francisco — a socioeconomic argument that has gained traction in recent years. The Board of Supervisors sided with the nonprofit and asked for more environmental review.

“In this beautiful concrete jungle of downtown San Francisco, should environmental review operate that way?” Mr. Wiener asked as he walked through the Financial District, which was dotted with retail vacancies and “For Rent” signs.

Mr. Wiener has already pushed changes through the State Legislature to ease regulations on development, particularly for housing. He wrote legislation in 2017 that accelerated construction of affordable housing in cities that were not keeping up with state-issued housing targets and pushed for some transit projects and certain infill housing developments to be exempted from CEQA. And state lawmakers for years have sped review for major downtown stadium projects, including the Chase Center in San Francisco and SoFi Stadium in Inglewood, Calif.

But exempting such a wide section — 150 blocks — of a city from environmental review would be a first.

Under Mr. Wiener’s proposal, San Francisco officials wouldn’t spend a year or more analyzing the environmental impacts of each redevelopment project, one by one, and average citizens wouldn’t have the right to sue to halt them.



Mr. Wiener has proposed various bills in the state legislature to accelerate construction. He believes infill is key to saving the environment. Jim Wilson/The New York Times

To Mr. Wiener, this is the definition of environmentalism in today's California, a state experiencing a lack of housing and growing homelessness in an era of climate change.

California environmentalism used to focus on preserving animal habitats, open space and beaches — and fighting developers at all cost. But Mr. Wiener argues that adding dense housing near jobs and public transit should be at the heart of the environmental movement. He and other Democrats have said that infill housing will cut down on hourslong car commutes and prevent additional sprawl.

A wholesale exemption for downtown San Francisco will undoubtedly face opposition at home and the State Capitol. Mr. Wiener's proposal to accelerate development near transit stops, overriding local zoning laws, died in the legislature several years ago after a tough fight. At the time, local governments and low-income Californians argued that Mr. Wiener's proposal would push existing renters to cheaper outskirts while benefiting developers and more affluent tenants.

A similar argument is likely this year. Paul Boden, executive director of the Western Regional Advocacy Project, which aims to eliminate homelessness and poverty, said the proposal seemed to be a giveaway to developers and could further push the poorest workers out of the city.

Some environmentalists may side with Mr. Wiener. Jake Mackenzie, a board member of the Greenbelt Alliance, said he would much prefer infill development over projects like California Forever, a plan by tech titans to build a new town on farmland about 60 miles northeast of San Francisco.

But others will very likely look askance at granting such a sweeping waiver of the state's landmark environmental law.

David Lewis, executive director of Save the Bay, said his group was one of the first backers of Mr. Wiener's proposals to stimulate housing construction near transit. But he added that Mr. Wiener's new plan sounded "pretty extreme."

He agreed with critics who say that environmentalists and other opponents of development have abused state laws. But he said that environmental review was important, observing that construction projects can create a lot of noise, pollute the air or cause traffic jams — and it would be important to know those harmful effects beforehand.

"People in government make smarter decisions when the public has more information, and that's what's at the heart of CEQA," he said. "Exempting major projects from analysis is not the answer."

Still, Mr. Wiener could find support from powerful labor allies, who have found themselves increasingly opposed to environmentalists in California. The bill being introduced Friday would waive environmental review for only projects that pay a prevailing wage, generally a rate negotiated by unions. It would still require environmental review for hotels and waterfront property, as well as for the demolition of any building that housed tenants within the past decade.

Mr. Wiener says that San Francisco is in dire need of a change. The California law gives local governments some leeway in how they apply CEQA, and San Francisco has long given more credence than other cities to development critics. A top state housing official denounced the city's roadblocks to housing construction as "egregious" last year.

Mr. Wiener said exempting almost all projects downtown for a decade was necessary because many of the potential solutions for reviving the area — like a new college campus, student dorms, theaters, museums or artificial intelligence or biotech hubs — could otherwise be stalled.

After a strong rebuke from the state, San Francisco eventually approved the Nordstrom parking lot project. But the developer, Lou Vasquez, said it no longer pencils out financially after so much delay.

"It remains a parking lot," he said. The Nordstrom no longer exists, either.

Heather Knight is a reporter in San Francisco, leading The Times's coverage of the Bay Area and Northern California. More about Heather Knight

Sign up for California Today The news and stories that matter to Californians (and anyone else interested in the state), delivered weekday mornings. [Get it sent to your inbox.](#)

Exhibit 2

[BOS Home](#) [Legislation](#) [Calendar](#) [Board of Supervisors](#) [People](#)



[Details](#) [Reports](#)

File #: 220875 **Version:** **Name:** Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions

Type: Ordinance **Status:** Passed

Introduced: 7/26/2022 **In control:** Clerk of the Board

On agenda: **Final action:** 12/22/2022

Enactment date: 12/22/2022 **Enactment #:** 258-22

Title: Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

Sponsors: [Gordon Mar](#), [Dean Preston](#), [Matt Dorsey](#), [Rafael Mandelman](#)

Attachments: 1. [Leg Ver1](#), 2. [Leg Dig Ver1](#), 3. [SFCTA Great Highway Concepts Evaluation Report 0721](#), 4. [SF Climate Action Plan 2021](#), 5. [Friends of Great Highway Ltr of Support 072522](#), 6. [Bicycle Coalition Ltr of Support 072522](#), 7. [Referral CEQA 090122](#), 8. [Referral Planning 090122](#), 9. [Referral FYI 090122](#), 10. [GPR 092822 Updated](#), 11. [CEQA Exemption Determation 093022](#), 12. [Public Comment 112222](#), 13. [Comm Pkt 112822](#), 14. [SFMTA/Rec and Park Presentation PPT 112822](#), 15. [Public Comment 112922](#), 16. [Leg Ver2](#), 17. [Leg Dig Ver2](#), 18. [Board Pkt 120622](#), 19. [Referral YC 120222](#), 20. [Public Comment 120522](#), 21. [Board Pkt 121322](#), 22. [Leg Final](#), 23. [YC Response 123022](#)

History (12)

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
12/30/2022	2	Youth Commission	RESPONSE RECEIVED		Action details	Meeting details	Not available
12/22/2022	2	Mayor	APPROVED		Action details	Meeting details	Not available
12/13/2022	2	Board of Supervisors	FINALLY PASSED	Pass	Action details	Meeting details	Video
12/6/2022	2	Board of Supervisors	AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE	Fail	Action details	Meeting details	Video
12/6/2022	2	Board of Supervisors	PASSED ON FIRST READING	Pass	Action details	Meeting details	Not available
12/2/2022	2	Clerk of the Board	REFERRED TO DEPARTMENT		Action details	Meeting details	Not available
11/28/2022	1	Land Use and Transportation Committee	DUPLICATED AS AMENDED		Action details	Meeting details	Video
11/28/2022	1	Land Use and Transportation Committee	AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE	Pass	Action details	Meeting details	Not available
11/28/2022	1	Land Use and Transportation Committee	REFERRED WITHOUT RECOMMENDATION AS AMENDED	Pass	Action details	Meeting details	Not available
9/28/2022	1	Planning Department	RESPONSE RECEIVED		Action details	Meeting details	Not available

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
9/1/2022	1	Clerk of the Board	REFERRED TO DEPARTMENT		Action details	Meeting details	Not available
7/26/2022	1	President	ASSIGNED UNDER 30 DAY RULE		Action details	Meeting details	Not available

Exhibit 3

Fwd: Immediate Disclosure Request - Public Record Request under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and...

From: [REDACTED]

To: [REDACTED]

Date: Friday, February 16, 2024 at 03:28 PM PST

Geoffrey,

I just received this from Ashley Summers.

Thanks,

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: "Summers, Ashley (REC)" <ashley.summers@sfgov.org>

Date: February 16, 2024 at 3:20:30 PM PST

To: [REDACTED]

Subject: RE: Immediate Disclosure Request - Public Record Request under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

We received your Immediate Disclosure public records request.

Although you labeled your request as an Immediate Disclosure Request, it is not "simple, routine, or otherwise readily answerable," as is required by San Francisco Administrative Code Section 67.25(a). For this reason, we are treating your Immediate Disclosure Request as a standard public records request, subject to the normally applicable response times.

Once the responsive records are released to you, a link will be provided to you to view them. This link is valid for 30 days.

The Recreation and Park Department's policy is to protect private information, including but not limited to addresses, phone numbers, and personal email addresses.

Sincerely,
Custodian of Records
Recreation and Park Department

Ashley Summers (she/her)
Commission Liaison
San Francisco Recreation and Park Commission
501 Stanyan Street
San Francisco, CA 94117
(415) 831-2750 | recrepark.commission@sfgov.org

<https://sfrecpark.org/411/Commission>

From: [REDACTED]
Sent: Thursday, February 15, 2024 12:46 PM
To: Summers, Ashley (REC) <ashley.summers@sfgov.org>; Westhoff, Alex (CPC) <alex.westhoff@sfgov.org>; Stokle, Brian (REC) <brian.stokle@sfgov.org>
Subject: Immediate Disclosure Request - Public Record Request under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [REDACTED]
To:
Ashley Summer - Ashley.Summers@sfgov.org
Alex Westhoff - Alex.Westhoff@sfgov.org
Brian Stokle - Brian.Stokle@sfgov.org

Date: February 15, 2024

Subject:
Immediate Disclosure Request - Public Record Request under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

I am submitting an immediate disclosure request for the following information noted in the "Requested Records" section below, which I believe is a simple, routine and otherwise readily answerable request. Your immediate response is not optional but is required by law. If you cannot immediately fulfill this request within 24 hours under the requirements of Sunshine Ordinance Sec 67.25(a) then please provide me via direct email reply with a full written legal justification as to why you cannot timely fulfill the request, with your email response copied to Supervisor.Records@sfcityatty.org to document any possible compliance violations.

You need to provide all responsive records in your department or agency's actual or constructive possession, including any employees or contractors. If you are unsure of your lawful responsibilities then you should confirm them with the applicable custodian of records for your department or agency.

Instructions:

1. Please reply directly to this email with your response and responsive documents. If any of this request is not clear or specific enough, you should not close the request. Please work with me in making my request effective to obtain identifiable public records and public information and ensure that the scope and nature of your

response is accurate and complete. If you believe that a particular numbered request below is neither simple, nor routine, nor an otherwise readily answerable request, you should indicate this belief clearly while replying fully and immediately to each of the other numbered items.

2. With each listed public record and public information request below, please provide **all** the public records and public information concerning that request.

3. If you are only replying with *partial* public record and public information fulfillment, please state so, with a description of the missing information and the reason for the omission, and specify all entities that may hold the rest of the public record and public information.

4. If you believe you have no responsive public record nor public information, please indicate clearly. If you believe you do not have possession of any public records and public information requested and believe the public records and public information are with another office or person, please state by full legal name any such person(s) or entity(s) that you believe may hold any of the public record(s) or public information, and assist me in directing those requests to the proper office or staff person, indicating to me that you have done so with sufficient information to identify your belief as to any other applicable records custodians

5. If you believe all or part of the public record(s) and public information can be withheld from public disclosure for any reason, please state the specific reason and include the applicable rule citation regarding the nature of the record.

6. If you believe the public records and public information are with another organization or person and not with the city, please state the reason you do not think you are required to acquire the public record(s) and public information.

7. If this IMMEDIATE DISCLOSURE REQUEST should be sent to any other city department or agency, please forward it in its entirety to that agency and either copy my email address directly or provide me with a copy of your correspondence forwarding this item to that agency.

8. *Do not process this request as a "nextrequest" item since I will regard that decision as a willful denial of this IMMEDIATE DISCLOSURE REQUEST due to the illegal requirements of registration, passwords, and other procedural complications of "nextrequest."*

Requested Records

Please provide the following:

- 1) Regarding Coastal Zone Permit application Record No.: 2022-007356CTZ with the Project Address of Upper Great Highway between Lincoln Way & Sloat Boulevard plus surrounding streets, any and all document(s) describing or memorializing any environmental review of, or adverse impacts to, snowy plovers or other endangered species in or near the Project Address, including any document(s) indicating, evaluating, alleging, discussing, or concluding that such review may or may not have been exempt

under a) any provisions of the State of California Public Resources Code, and
b) the San Francisco Local Coastal Program.

If I have not received the requested information by **5:00 pm Friday, February 16, 2024**, I will assume my Immediate Disclosure Request has been denied, and I may request in any legal or administrative proceeding or adjudication that your non-responsive handling will constitute an admission of incomplete records allowing me to establish presumptions of fact.

Thank you for your cooperation and assistance adhering to applicable law by answering this IMMEDIATE DISCLOSURE REQUEST prior to the deadline noted above.

Sincerely,



D4 San Francisco Resident

Exhibit 4



OFFICE OF THE CONTROLLER
CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield
Controller
Todd Rydstrom
Deputy Controller

Mr. John Arntz
Department of Elections
City Hall 1 Dr. Carlton B. Goodlett Place Room 48
San Francisco, CA 94102-4689

August 18, 2022

RE: Proposition I – Vehicles on JFK Drive in Golden Gate Park and the Great Highway

Dear Mr. Arntz,

The cost of the proposed ordinance, should it be approved by the voters, is dependent on decisions that the Mayor and Board of Supervisors make through the budget process, as an ordinance cannot bind future Mayors and Boards of Supervisors to provide funding for this or any other purpose. In my opinion, the cost of implementing the proposed measure, should future policymakers do so, is likely to be significant. If approved and funded, the ordinance would require changes to the City's current plans to address erosion and climate change impacts to the Great Highway. While lower-cost interim measures could likely be put in place to maintain the use of the roadway for vehicular traffic in the shorter-term, more significant investments would likely be required in the future as erosion occurs. The City is currently assessing a number of these project alternatives, with estimated costs ranging to as much as \$80 million in increased project costs over the coming 20 years.

The proposed ordinance would require private motor vehicle traffic portions of both John F. Kennedy Drive ("JFK Drive") in Golden Gate Park and the Great Highway along Ocean Beach during specified times and would prohibit the use of the Great Highway as open space for recreational purposes.

The Ocean Beach Climate Change Adaptation Project ("Project") is a multi-agency initiative led by the San Francisco Public Utilities Commission to implement a comprehensive shoreline management and protection plan to address sea level rise, remove shoreline armoring, improve public access and recreation, and construct a low-profile seawall to protect critical wastewater infrastructure. The City's current preferred Project to meet these goals, subject to additional review and approvals, requires the closure of a portion of the Great Highway to vehicular traffic.

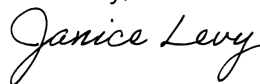
The proposed ordinance would likely require a different project approach, to permit the long-term use of the roadway for vehicular traffic. While several alternatives are currently under review, the most likely alternative requires construction of a conventional seawall along the South Ocean Beach shoreline. This alternative is estimated to cost approximately \$80 million more than the current preferred Project. This estimate is based on current planning assumptions and may change due to future policy and funding decisions by future Mayors and Boards of Supervisors.

The San Francisco Recreation and Park Department currently manages the Great Highway and maintains the multi-use recreational trail along the Upper Great Highway. The proposed ordinance

would require the Department of Public Works to manage the Great Highway. Depending on the implementation decisions made by the Department of Public Works, the cost to maintain the Great Highway may increase, however any increase would be determined by the Mayor and the Board of Supervisors through the normal budget process.

The proposed ordinance may require changes to future capital improvement projects planned for JFK Drive including access improvements, long term planning, and traffic engineering improvements which could result in moderate cost savings, starting at approximately \$400,000 in one-time costs. Additionally, the proposed ordinance would likely reduce the frequency of the Golden Gate Park Free Shuttle service from 7 days to 1 day per week, resulting in ongoing cost savings of approximately \$250,000 annually.

Sincerely,



FOR Ben Rosenfield
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Exhibit 5



Carla Short, Interim Director | Director's Office

carla.short@sfdpw.org | T. 628.271.3078 | 49 South Van Ness Ave. Suite 1600, San Francisco, CA 94103

Date: March 22, 2023

To: Angela Calvillo
Clerk of the Board of Supervisors

Through: Carla Short, Interim Public Works Director
DiJaida Durden, Deputy Director for Operations

From: Matthew T. Naclerio, Superintendent
Bureau of Building and Street Repair

Subject: Report on Sand Management Options for the Great Highway

Dear Ms. Calvillo and San Francisco Board of Supervisors:

On December 13, 2022, the Board of Supervisors approved an Ordinance establishing a pilot program that restricts private vehicles on the Great Highway from Lincoln Way and Sloat Boulevard during weekends and holidays program until December 31, 2025. The Ordinance also directed San Francisco Public Works to develop a Great Highway Sand Management Plan detailing how Public Works will manage and maintain this section of the Great Highway free of sand incursions, along with any required resource or policy changes. Attached is the Report on Sand Management Options for the Great Highway.

Should you have questions or require additional information, please contact Matt Naclerio at matthew.naclerio@sfdpw.org or at (415) 695-2090.

cc: London Breed, Mayor
Carmen Chu, City Administrator

Attachment: Report on Sand Management Options for the Great Highway



Carla Short, Interim Director | Director's Office

carla.short@sfdpw.org | T. 628.271.3078 | 49 South Van Ness Ave. Suite 1600, San Francisco, CA 94103

Report on Sand Management Options for the Great Highway

Background:

The Great Highway is under the jurisdiction of the Recreation and Park Department (Rec and Park). In 1992, Rec and Park entered into an agreement (Exhibit 1) with the Department of Public Works, now San Francisco Public Works, to address maintenance responsibilities for the Great Highway. This agreement assigned maintenance responsibilities to Public Works, Rec and Park, the San Francisco Public Utilities Commission (SFPUC) and Golden Gate National Recreational Area (GGNRA) along three roadway segments: Cliff House to Lincoln Way, Lincoln Way to Sloat Boulevard and Sloat Boulevard to Skyline Boulevard.

In accordance with the agreement, while Public Works is responsible for asphalt maintenance for all three segments of the roadway, the department is only responsible for sand removal on the Lincoln Way to Sloat Boulevard segment and along the seawall/promenade. Public Works does not have dedicated staff to perform this work and sand clearing is prioritized with other work responsibilities, including block paving, pothole repair and asphalt patching. Although sand clearing along the other roadway segments and maintenance of the sand dunes are not identified as a Public Works responsibility, Public Works has provided this extra service, when staffing and funding are available.

During the COVID-19 emergency, Rec and Park restricted private vehicles on the Great Highway from Lincoln Way to Sloat Boulevard, seven days a week, to allow for non-motorized vehicle recreational use (bicyclists, pedestrians, etc.). This resulted in private vehicles diverting to residential streets in the Sunset District and led the San Francisco Municipal Transportation Agency (SFMTA) to implement traffic regulations along Lincoln Way and the surrounding areas.

In mid-August 2021, Rec and Park modified the closures to be in effect only on holidays and on weekends (12 p.m. Fridays to 6 a.m. Mondays). On December 13, 2022, the Board of Supervisors approved a pilot program that extended the weekend closures until December 31, 2025. During this pilot, Rec and Park and SFMTA will study the transportation and recreational impacts of the closures and report their findings to the Board of Supervisors. In addition, Public Works was directed to develop a sand management plan for this segment of the Great Highway.

Discussion:

Work Performed by Public Works:

In general, the work performed by Public Works falls into the following three activities:

- remove the beach sand that accumulates on the Great Highway from Lincoln Way to Skyline Boulevard;
- remove the beach sand that accumulates on the promenade and stairs leading to Ocean Beach; and
- annually, in June, after the federally protected Western Snowy plover has vacated Ocean Beach, clear the sand away from the ocean side of the seawall and reduce the width and height of the sand dunes at key intersections.

The limits and frequency of these activities vary based on available funding and the amount of sand that accumulated on the roadway, promenade/seawall and dunes during the previous year.

The objective of the sand dune reshaping is to reduce the amount of sand that falls onto the street as the sand dunes build up over time, and thereby reduce the number of times the street is closed for sand removal. Due to funding shortfalls and the high demand for sand removal from the street, funding for this work has been reduced over time and sand migration onto the street from the dunes happens earlier and more frequently than in the past due to a shifting weather pattern. The importance of this annual sand clearing activity cannot be overstated because it is the only pre-emptive method available to reduce the amount of sand that falls onto the roadway and promenade. The windblown sand that occurs throughout the year cannot be anticipated or proactively addressed.

As previously mentioned, both the scope of work for the annual project and the regular street cleaning work are reduced each year to stay within the established budget. For example, although the Special Use Permit issued by the National Park Service specifies sand clearing at the seawall to create a 30-foot wide, funding has been insufficient to complete this work. To stay within the approved budget, the width of the excavation zone is reduced periodically in consultation with the National Park Service. In addition, when necessary, the amount of sand dune reduction work performed at key intersections also is reduced.

Last year, because additional funding for the annual project was secured late in the fiscal year, there was insufficient time to hire a contractor through the Job Order Contract process and the annual sand clearing was performed by Public Works staff. Public Works staff rented equipment – two dozers and two excavators – to perform the work. Based on the success of this work, staff recommends continuing performing the work in-house with rented equipment.

Funding:

Historically, the SFPUC funds the City's sand removal activities to reduce sand entering the catch basins and manhole-access covers that connect to the underground transport box and storage structures that run along the roadway and enter the Oceanside Sewer Treatment Plant. This work has the added benefit of allowing motor vehicles and bicyclists to travel safely along this important

north-south arterial. For improved area-wide traffic circulation, the SFMTA is also interested in minimizing the roadway closures due to sand intrusion.

For more than 10 years, funding for this work has remained fixed at about \$240,000 annually, with a 5% reduction (\$228,000) from 2016 through 2019, and has not kept pace with inflation and City-approved cost-of-living adjustments. In addition, years of below-average rainfall and increased wind forces have resulted in a greater amount of sand migrating onto the roadway and the rapid reestablishment of sand dunes. Because of these factors, Public Works has been unable to adequately address the sand management needs of the Great Highway to the full extent required. This has led to more frequent and prolonged street closures and fewer sand dunes being proactively reshaped to lessen sand intrusion onto the roadway.

Meeting with Great Highway Partners:

To address the ongoing funding shortfall and its impacts, Public Works convened meetings with its Great Highway partners in 2021 to discuss funding options and cost-saving measures, including whether maintenance responsibilities could be shared, reduced or discontinued. Public Works also investigated the potential for locating a sand-moving loader truck close to the Great Highway to reduce driving time and improve efficiencies. Because of the low speed that the loader drives on City streets, it currently takes about 40 minutes to drive from the Public Works Operations Yard in the Bayview to the Great Highway; reducing this drive time would result in more time to clear sand.

Representatives from Rec and Park, SFPUC, and GGNRA met on several occasions. While no other partner was able to assume maintenance responsibilities or share or store equipment, an additional \$175,000 was provided by SFPUC, and Rec and Park provided \$50,000 last fiscal year so the annual project could move forward. This fiscal year, SFPUC increased its funding to \$331,243; Rec and Park provided \$30,000; and Board of Supervisors, with the support of Mayor Breed, approved \$250,000 in separate funding for the sand-clearing activities. Total funding for this fiscal year is \$611,243. Staff has set aside \$250,000 for the annual project, which represents about half the estimated need. With less funding, staff will be required to reduce the width of the area cleared along the seawall, from the recommended 30 feet to 15 or 20 feet instead, and to reduce the dimensions of the proactive reshaping of the sand dunes. The reduction will result in sand spilling onto the roadway sooner. The remaining funds will be used to clear sand at an estimated annual rate of two days every two to three weeks.

Note that the GGNRA has rebuffed the City's request to provide any funding for sand management along the Great Highway, even though the sand that ends up on the roadway and promenade migrates from federal beach land.

Sand Management Strategies:

As mentioned previously, Public Works does not have dedicated staff to perform Great Highway sand-clearing activities. Work is balanced with other City roadway safety and repair priorities. Public Works staff currently clears sand about two days every two to three weeks, depending on

the time of year. Unfortunately, because there is no dedicated staff, this work is sometimes performed after hours and subject to overtime rates. To provide dependable sand management, funding for a dedicated crew is necessary and a desired frequency for sand clearing identified. The following scenarios vary the frequency of sand clearing from the roadway and promenade and provides funding for the annual dune reshaping and seawall clearing – an essential component of any sand management strategy.

Scenario 1 – Sand Clearing Two Days Every Two Weeks and Annual Project (15 days):

Estimate cost: ~\$845,000

Based on past experience, the minimum amount of time needed to clear sand from the Great Highway between Lincoln Way and Sloat Boulevard and open the Great Highway to vehicular traffic is approximately two consecutive days. The first scenario assumes a dedicated crew will be provided for two consecutive days every two weeks at a cost of about \$351,000, based on existing hourly rates. However, this scenario still could result in ongoing and sustained closures of the roadway, especially during the weeks when dedicated staff isn't available to perform sand clearing activities.

Table 1. Cost to Fund Sand Clearing of Roadway/Promenade Two Days Every Two Weeks

<u>Class</u>	<u>Title</u>	<u>Positions</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Hourly Rate with Overhead</u>	<u>Total</u>
7328	Operating Engineer	2	416	59.81	179.44	\$ 149,292.00
7355	Truck Driver	2	416	51.94	155.81	\$ 129,636.00
7502	Asphalt Worker/Laborer	1	416	41.30	123.90	\$ 51,542.40
7282	Street Repair Sup II	1	104	64.23	192.68	\$ 20,038.20
					TOTAL	\$ 350,508.60

In general, the roadway clearing operations would consist of the following:

- The first Operating Engineer picks up sand from the roadway and loads sand into a waiting dump truck of the first Truck Driver
- The first Truck Driver 1 drives to and unloads sand at areas where there is bank erosion (south of the Sloat Boulevard), where a second Operating Engineer in a loader truck is waiting
- The first Truck Driver unloads sand near the area of bank erosion
- The second Operating Engineer pushes the sand over the bank to reduce erosion
- During this time, the first Operating Engineer loads sand into the second dump truck, operated by a second Truck Driver
- The second Truck Driver 2 drives to the bank erosion location and unloads sand
- The first Truck Driver 1 returns to the first Operating Engineer to be reloaded
- Work continues as above for the workday
- Asphalt Worker/Laborer clears sand from benches, around trash receptacles, observation areas and access ramps, as well as provides traffic control as needed

- The second Truck Driver, meanwhile, operates a mechanical sweeper on the promenade, as needed, to clear sand, possibly one day every two weeks
- Minimum supervisory costs are also included

Funding also needs to be provided for the annual sand dune reshaping and seawall clearing project. Based on the current conditions of the sand dunes between Lincoln Way and Sloat Boulevard, and the importance of proactively reshaping the dunes to postpone the natural migration of sand into the roadway, this scenario proposes the annual project consist of 15 12-hour days. The cost for this work, including rental equipment, is about \$493,000, based on existing hourly rates.

Table 2. Cost to Fund Annual Dune Reshaping and Seawall Clearing 15 days (4 hours OT):

<u>Class</u>	<u>Title</u>	<u>Positions</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Hourly Rate with Overhead</u>	<u>Total</u>
7328	Operating Engineer	4	210	59.81	179.44	\$ 150,727.50
7355	Truck Driver	2	210	51.94	155.81	\$ 65,441.25
7502	Asphalt Worker/Laborer	2	210	41.30	123.90	\$ 52,038.00
7220	Asphalt Finisher Sup I	1	210	58.10	174.30	\$ 36,603.00
7282	Street Repair Sup II	1	40	64.23	192.68	\$ 7,707.00
					Sub-Total	\$ 312,516.75
					Equipment Rental	\$ 180,000.00
					TOTAL	\$ 492,516.75

The total cost to perform sand clearing two days a week every two weeks and the annual sand clearing for 15 days is detailed below.

Table 3. Cost for Scenario One

<u>Activity</u>	<u>Estimated Cost</u>
Sand Clearing - 2 days/wk every 2 weeks:	\$ 350,508.60
Annual Project (15 12-hour days):	\$ 492,516.75
Total	\$ 843,025.35

Scenario 2 – Sand Clearing Two Days per Week and Annual Project (15 days):

Estimated Cost: ~\$1.2M

Similar to Scenario 1, staff will clear sand from the Great Highway for two consecutive days using the same sand clearing operations detailed above. However, unlike the first scenario, which provided sand clearing every two weeks, this scenario will provide weekly sand clearing. This scenario is estimated to cost about \$700,000 based on existing hourly rates. While this scenario will reduce the number of roadway closures, periodic closures that may last several days are to be expected, especially during the days when dedicated staff isn't available to perform sand-clearing activities.

Table 4. Cost to Fund Sand Clearing of Roadway/Promenade Two Days per Week

<u>Class</u>	<u>Title</u>	<u>Positions</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Hourly Rate with Overhead</u>	<u>Total</u>
7328	Operating Engineer	2	832	59.81	179.44	\$ 298,584.00
7355	Truck Driver	2	832	51.94	155.81	\$ 259,272.00
7502	Asphalt Worker/Laborer	1	832	41.30	123.90	\$ 103,084.80
7282	Street Repair Sup II	1	208	64.23	192.68	\$ 40,076.40
					TOTAL	\$ 701,017.20

The annual sand-clearing activities under this scenario would be the same as Scenario 1 - 15 12-hour days. The cost for this work, including rental equipment, is about \$493,000, based on existing hourly rates.

Table 5. Cost to Fund Annual Dune Reshaping and Seawall Clearing 15 days (4 hours OT):

<u>Class</u>	<u>Title</u>	<u>Positions</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Hourly Rate with Overhead</u>	<u>Total</u>
7328	Operating Engineer	4	210	59.81	179.44	\$ 150,727.50
7355	Truck Driver	2	210	51.94	155.81	\$ 65,441.25
7502	Asphalt Worker/Laborer	2	210	41.30	123.90	\$ 52,038.00
7220	Asphalt Finisher Sup I	1	210	58.10	174.30	\$ 36,603.00
7282	Street Repair Sup II	1	40	64.23	192.68	\$ 7,707.00
					Sub-Total	\$ 312,516.75
					Equipment Rental	\$ 180,000.00
					TOTAL	\$ 492,516.75

The total cost to perform sand clearing two days a week and the annual sand clearing for 15 days is detailed below.

Table 6. Cost for Scenario Two

<u>Activity</u>	<u>Estimated Cost</u>
Sand Clearing - 2 days/wk every week:	\$ 701,017.20
Annual Project (15 12-hour days):	\$ 492,516.75
Total	\$ 1,193,533.95

***Scenario 3 - Daily (Monday through Friday) Sand Clearing and Annual Project (10 days):
Estimated Cost: ~\$1.7M***

To minimize closures of the Great Highway on a regular basis, the Board of Supervisors could consider funding a crew to provide daily (Monday through Friday) sand clearing. While the roadway would need to be closed during the sand clearing activities, providing a dedicated staff for daily sand clearing should result in significantly shorter closures and could be timed to avoid rush hour commute morning traffic.

Daily (Monday through Friday) sand clearing will cost an estimated ~\$1.32 million, based on current hourly rates. This funding will provide one Operating Engineer and two Truck Drivers every day (Monday-Friday) to clear sand from the roadway. One of the truck drivers also would function as a street sweeper to clear sand from the promenade and the roadway. The Asphalt Worker (Laborer) will clear sand from the promenade lookout and stairs and provide traffic control, when needed. Minimum supervisory costs are also included.

Table 7. Cost to Fund Daily Sand Clearing of Roadway/Promenade

<u>Class</u>	<u>Title</u>	<u>Positions</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Hourly Rate with Overhead</u>	<u>Total</u>
7328	Operating Engineer	1	2080	59.81	179.44	\$ 373,230.00
7355	Truck Driver	2	2080	51.94	155.81	\$ 648,180.00
7502	Asphalt Worker/Laborer	1	2080	41.30	123.90	\$ 257,712.00
7282	Street Repair Sup II	1	208	64.23	192.68	\$ 40,076.40
					TOTAL	\$ 1,319,198.40

Based on current conditions and the assumption that daily sand clearing will occur, staff believes the scope of work for the annual project can be reduced to 10 12-hour days. The cost for this work, including rental equipment, is about \$360,000, based on existing hourly rates.

Table 8. Cost to Fund Annual Dune Reshaping and Seawall Clearing 10 days (4 hours OT):

<u>Class</u>	<u>Title</u>	<u>Positions</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Hourly Rate with Overhead</u>	<u>Total</u>
7328	Operating Engineer	4	140	59.81	179.44	\$ 100,485.00
7355	Truck Driver	2	140	51.94	155.81	\$ 43,627.50
7502	Asphalt Worker/Laborer	2	140	41.30	123.90	\$ 34,692.00
7220	Asphalt Finisher Sup I	1	140	58.10	174.30	\$ 24,402.00
7282	Street Repair Sup II	1	28	64.23	192.68	\$ 5,394.90
						\$ 208,601.40
				Equipment Rental		\$ 150,000.00
					TOTAL	\$ 358,601.40

The total cost to perform daily sand clearing and the annual sand clearing for 10 days is detailed below.

Table 9. Cost for Scenario Three

<u>Activity</u>	<u>Estimated Cost</u>
Sand Clearing - Monday through Friday:	\$ 1,319,198.40
Annual Project (10 12-hour days):	\$ 358,601.40
Total	\$ 1,677,799.80

Conclusion:

Until recently, funding for sand clearing along the Great Highway, including the annual sand dune reshaping and seawall clearing project, has remained fixed and not kept pace with inflation and City-approved cost of living adjustments. In addition, years of below-average rainfall and increased wind forces have resulted in a greater amount of sand migrating onto the roadway. Over time, to stay within the approved budget allocations, Public Works has needed to reduce the scope of work for the sand removal activities along the Great Highway. This has led to more frequent and prolonged street closures and fewer sand dunes being reshaped.

Based on the increased funding provided this fiscal year, Public Works has been clearing sand from the roadway at an annual rate of two days every two to three weeks. Public Works does not have dedicated staff to perform this work and sand clearing is prioritized with other work responsibilities, including block paving, pothole repair and asphalt patching. Providing an ongoing funding source to provide a dedicated crew responsible for clearing sand from the Great Highway is the most reliable way to minimize impacts to multi-modal users of the roadway.

Three scenarios were provided for consideration, with costs ranging from \$845,000 to \$1.7 million. While none of the scenarios completely eliminate the need for street closures, providing a dedicated crew to perform daily clearing of the Great Highway (Monday through Friday) is the best option to minimize the frequency and duration of street closures.

Recommendation

Appoint a Task Force comprised of Public Works, Rec and Park, SFPUC and SFMTA to develop a formal Memorandum of Understanding (MOU) identifying the roles, responsibilities, and cost-sharing obligations of each department to support Sand Management Scenario 3. The MOU also should identify the lead agency to develop options and costs to stabilize the sand dunes. The objective of the sand dune stabilization strategy is to limit the migration of sand from the dunes to the street, so the need for the annual sand dune reshaping project is reduced over time.

In addition, Public Works recommends that the City's executive and legislative branches continue to press the GGNRA, as part of the National Park Service, to contribute funding for sand-management activities, since the sand blows from federal beach land onto the adjacent City property.

MTN/mn

Attachments:

Exhibit 1 – Great Highway – Jurisdiction and Management

City and County of San Francisco

Recreation and Park Department



GREAT HIGHWAY
From Cliff House to Skyline Boulevard
Jurisdiction and Maintenance

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	<u>Jurisdiction</u>	<u>Maintenance</u>
1. <u>Cliff House to Lincoln Way</u>		
a) Roadway	Rec/Park	DPW
b) West of roadway, including promenade, seawall, beach	GGNRA	GGNRA
2. <u>Lincoln Way to Sloat Blvd.</u> (see attached drawings)		
a) Roadway and median sand removal, plantings	Rec/Park	DPW
b) Seawall/promenade* sand removal, litter units, graffiti removal	Rec/Park	DPW
c) Eastside plantings, irrigation system, recreational trail	Rec/Park	Rec/Park
d) CCSF/GGNRA boundary is 50' west of westerly edge of new roadway		
° westerly dunes on CCSF property, including plantings and litter removal	Rec/Park	Rec/Park
° soft surface recreational trail rough grading of accumulated sand	Rec/Park	DPW
° paths to beach (including fence)		
- City property	Rec/Park	Rec/Park
- GGNRA property	GGNRA	GGNRA
° Dunes west of CCSF/GGNRA boundary, including plantings and litter	GGNRA	GGNRA
° Beach	GGNRA	GGNRA
e) Lighting fixtures	Rec/Park	PUC/DOE

3. Sloat Blvd. to Skyline Blvd.

a) Roadway and median

Rec/Park DPW

b) Parking areas, plantings, beach
access, west of roadway, restroom

GGNRA GGNRA

*Between approximately Noriega and Rivera Streets

00224/8/21/92

Exhibit 6

LII > U.S. Code > Title 16 > CHAPTER 1 > SUBCHAPTER LXXXVI > **§ 460bb**

Quick search by citation:

Title

Section

16 U.S. Code § 460bb - Establishment

U.S. Code Notes

In order to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreation Area (hereinafter referred to as the "recreation area") is hereby established. In the management of the recreation area, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this subchapter, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.

(Pub. L. 92-589, § 1, Oct. 27, 1972, 86 Stat. 1299.)

 **U.S. Code Toolbox**

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Exhibit 7

Forwarding the 7/5/23 email to me from Joel regarding him not being able to contribute to Great Highway Sand Management

From: [REDACTED]
To: [REDACTED]
Date: Friday, February 16, 2024 at 02:40 PM PST

Forwarding the 7/5/23 email to me from Joel regarding him not being able to contribute to sand management.

Begin forwarded message:

From: "Engardio, Joel (BOS)" <joel.engardio@sfgov.org>
Date: July 5, 2023 at 3:35:36 PM PDT
To: [REDACTED]
Cc: "Goldberg, Jonathan (BOS)" <jonathan.goldberg@sfgov.org>
Subject: Re: Five Questions About Great Highway Sand Management

Hi [REDACTED], thanks for your message. I was planning to write you today. Unfortunately, the mayor nor the board budget committee was willing to dedicate funds for sand removal. Negotiations over Prop C and funding childcare and food pantries took priority in a budget cycle that required cuts.

I wasn't able to personally contribute anything to sand removal because this was the first year that individual supervisors did not get funds to spend as they wish within their districts. In previous years, each supervisor was given up to \$1 million in funds to spend within their district. We didn't get anything this year.

The mayor and board budget committee expects that DPW will make sand removal happen as an essential activity within the department's baseline budget. DPW has a large budget and they will have to make sand removal work. The PUC also contributes about \$300,000 to sand removal so those dollars will help.

Jonathan can get back to you regarding answers to your other questions.

Joel

From: [REDACTED]
Sent: Wednesday, July 5, 2023 9:20 AM
To: Engardio, Joel (BOS) <joel.engardio@sfgov.org>; [REDACTED]
Cc: Goldberg, Jonathan (BOS) <jonathan.goldberg@sfgov.org>
Subject: Five Questions About Great Highway Sand Management

This message is from outside the City email system. Do not open links or

attachments from untrusted sources.

Hi, Joel,

Hope you and your loved ones had a good 4th of July. It didn't go so great out here on the closed Great Highway with nonstop fireworks being set off on the northbound lanes closer to homes, dried grasses and electrical wires. Fortunately, we didn't burn down. The debris from the fireworks prevented the northbound lanes from opening to the commuters at 6 AM this morning and they're still closed awaiting the City to come clean it up.

I'm hoping you and/or Jonathan can answer some questions about the sand removal situation on the Great Highway. Most importantly, **thank you again** for supporting Public Works' Sand Management Plan for the Great Highway, Option 3, and asking the Mayor to fund it.

First question: Did they get the money for that?

Second question: Public Works has between May 1 and June 30 to do the annual sand removal work when the Snowy Plovers are absent and they are allowed by the Federal Government to have equipment west of the pavement on the dunes and beach. **Why do they start June 15th and work only 2-1/2 weeks instead of starting on May 1st, since 2-1/2 weeks are not enough time to complete the job and do it right?**

Third question: Why, if Public Works closes the Highway to work between 8:15-8:30 AM through 6:30 PM Monday-Thursday to do this annual 2-1/2 weeks of work, do they not work until 6:30 PM on Fridays?

Fourth question: Sand is not cleared every day, not nearly as often as the lanes are closed. Only one dump truck and one loader sporadically remove sand from the Highway a few hours a day whichever days they happen to get there. **How is it that the Great Highway, which is used by so many constantly (100,000 vehicles per week M-F, plus by bicyclists and pedestrians 24/7), is not adequately funded by the City to be maintained, but somehow there is endless money available for projects, studies and pilots for roads and streets in the same neighborhood that are less traveled and less important?**

Fifth question: Regarding the Pilot Project studies on the Great Highway, why is there continuous counting of pedestrian and bicycle users on the Highway during all hours when it is closed to traffic, but there are no hoses stretched across the Avenues or the Lower Great Highway to simultaneously count the number of vehicles traveling throughout our neighborhood when they're banned from the Highway? What kind of biased studies are going on, especially since there haven't even been two weeks in all of 2023 when all 4 lanes of the Great Highway were simultaneously open to vehicles M-F, a condition necessary to comply with the Pilot Project?

Thank you in advance for any information you're able to provide.

Warmly,

[REDACTED] D4 Resident/Voter

Member of several community organizations

Exhibit 8

Search all cases and statutes...

JX

[Statutes, codes, and regulations](#) / [CALIFORNIA CODES](#) /
/ [Chapter 6 - LIMITATI...](#) / [Section 21174 - Publ...](#)



Cal. Pub. Resources Code § 21174

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Current through the 2023 Legislative Session.

Section 21174 - Public agency's power to enforce or administer law specifically permitted not limited or restricted

No provision of this division is a limitation or restriction on the power or authority of any public agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer, including, but not limited to, the powers and authority granted to the California Coastal Commission pursuant to Division 20 (commencing with Section 30000). To the extent of any inconsistency or conflict between the provisions of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000)) and the provisions of this division, the provisions of Division 20 (commencing with Section 30000) shall control.

Ca. Pub. Res. Code § 21174

[Previous Section](#)

[Next Section](#)

[Section 21175 - \[Repealed\]](#)

Exhibit 9

The Coastal Review Process Relationship to the NEPA and CEQA Processes

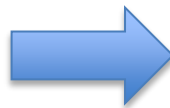
On-Demand Training Module



Information About this Module

- Focuses on the similarities and differences between the National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), and California Coastal Act requirements for permitting projects in the coastal zone
- Provides examples to illustrate specific considerations for permitting Caltrans projects under the Coastal Act

Link to



[Caltrans Coastal Program On Demand Module – Introduction to Project Delivery in the Coastal Zone](#)

[Fact Sheet – Coastal Permits: CDPs and Their Relationship to the NEPA and CEQA Process](#)

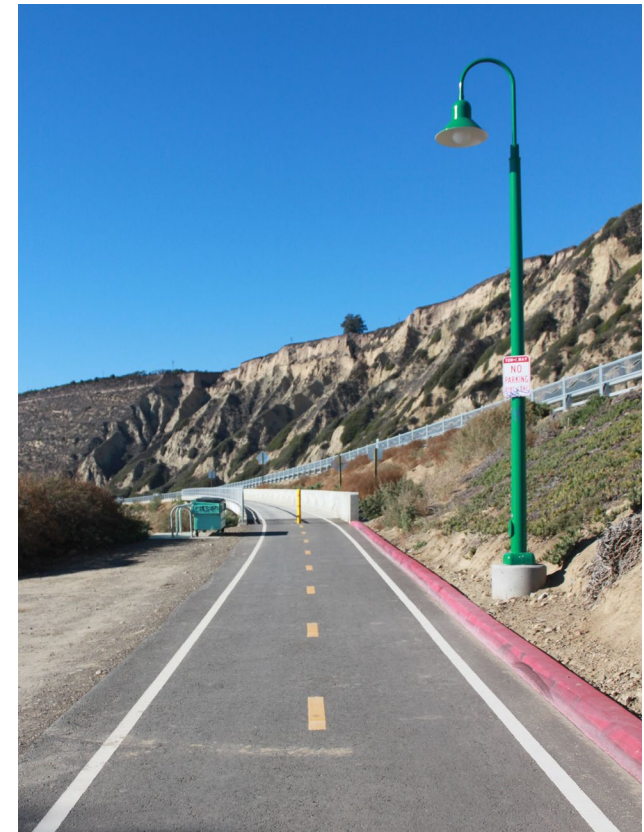


COASTAL REVIEW PROCESS



Overview of Coastal Review Process

- Caltrans projects in the coastal zone typically require a Coastal Development Permit (CDP) issued by the California Coastal Commission (Commission) or by a local agency with a Commission-certified local coastal program (LCP)
 - Project requirements can be intensive





Overview of Coastal Review Process

- Think of coastal permitting as a ***review process***, similar to NEPA and CEQA , instead of just a ***permit application***

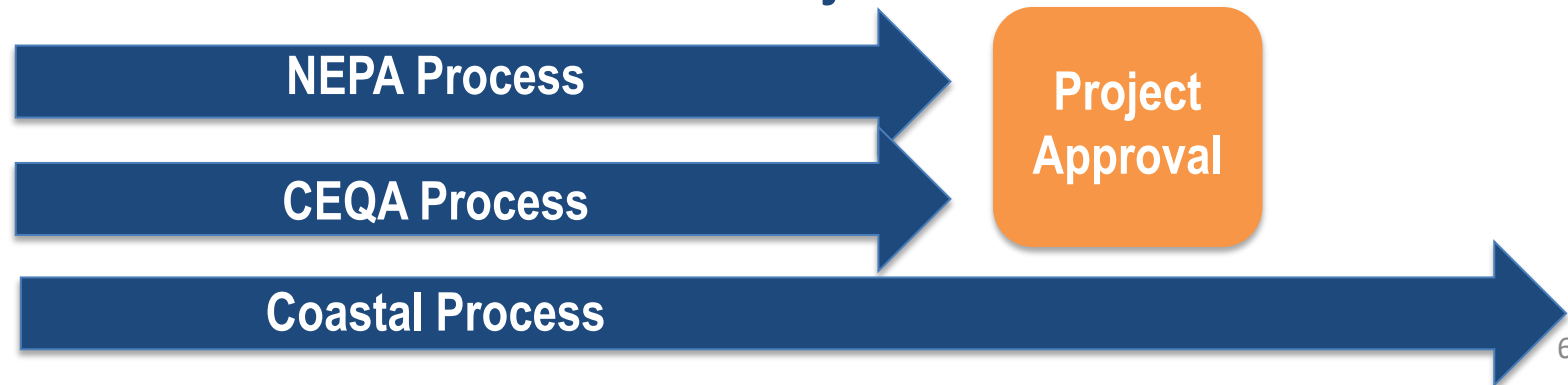




Coastal Permitting Process

- The coastal review process has **parallel but independent** environmental review requirements
 - Process must be completed under a set of state laws with different regulations and standards (*the California Coastal Act*)
 - Decisions made for a CDP are **entirely separate** from, and independent of, decisions made by Caltrans under NEPA and CEQA

Review Process for Coastal Projects



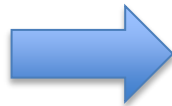


Coastal Review Process

- Completing NEPA and CEQA does not guarantee CDP approval
 - Identifying and addressing coastal policy considerations in your environmental documents can streamline future CDP approvals
- Coastal policies that should be considered in the preparation of your environmental document include, among others:
 - Protecting and enhancing public access opportunities
 - Protecting coastal views to and along the shoreline
 - Maintaining agricultural production



Link to




[Caltrans Forms and Templates - Annotated Outlines, Coastal Section](#)



SIMILARITIES AND DIFFERENCES BETWEEN NEPA, CEQA, AND COASTAL ACT REQUIREMENTS



Comparison of Processes

	NEPA	CEQA	California Coastal Act
<p>What laws guide the regulatory processes?</p> 	<p>Established a national policy to protect the environment and required an EIS be prepared for major federal actions having a significant affect on the environment</p>	<p>Required state and local agencies to identify significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible</p>	<p>Gave Coastal Commission jurisdiction over resources within the coastal zone</p> <p>Certified LCPs give local governments decision making ability within their jurisdictions</p>




Comparison of Processes

	NEPA	CEQA	California Coastal Act
<p>When do they apply?</p> 	<p>To any project on federal lands, with federal funding, or requiring federal approval</p>	<p>To any discretionary activity undertaken in the state of CA by a public agency, or a private activity that must receive discretionary approval from a governmental agency</p>	<p>To any action that meets the definition of development in the Coastal Zone</p> <p style="text-align: center;"> Link to  </p> <p style="text-align: center;"> <u>California Coastal Act Section 30106 – Definition of “Development”</u> </p>



Comparison of Processes

	NEPA	CEQA	California Coastal Act
<p>What does the law require?</p> 	<p>Preparation of an Environmental Document which informs the public and decision makers about a project's impact, feasible alternatives, and available mitigation</p>	<p>Preparation of an Environmental Document which informs the public and decision makers about a project's impact, feasible alternatives, and available mitigation</p>	<p>Requires a CDP for development in the coastal zone from the Coastal Commission or local agency</p> <p>The project must be found consistent with Coastal Act resource protection policies</p>



Comparison of Processes

	NEPA	CEQA	California Coastal Act
How are projects assessed and how is significance determined?	Procedurally focused and requires an EIS when the action as a whole has the potential to affect the quality of human life, and is based on context and intensity	Requires the identification and mitigation of each significant impact on the environment An EIR is required if the project may have a significant impact on any single environmental resource	Projects assessed according to Coastal Act Chapter 3 policy standards, the policy standards of the certified LCP, or both This analysis is independent of the NEPA and CEQA process Some impacts are strictly prohibited regardless of any determination of significance



Comparison of Processes

	NEPA	CEQA	California Coastal Act
<p>What is the appropriate baseline data to use?</p>	<p>Requires analysis of the no-build alternative</p>	<p>Baseline conditions are the conditions on the ground at the time the Notice of Preparation is circulated for an EIR, or when environmental analysis begins</p>	<p>What is on the ground at the time a permit application is submitted is a permitted activity, or was in place prior to the Coastal Act. The Commission may require additional background data, such as permit history or historical site information</p>





Comparison of Processes

	NEPA	CEQA	California Coastal Act
What technical information is needed?	Caltrans prepares technical studies and an Environmental Document based on the project's potential for impact	Caltrans prepares technical studies and an Environmental Document based on the project's potential for impact	Caltrans prepares a CDP application for submittal to the Coastal Commission or local agency The documentation to support the CDP application can necessitate preparation of technical studies and analysis in addition to what is required under NEPA and CEQA



Comparison of Processes

	NEPA	CEQA	California Coastal Act
<p>Who makes final decisions regarding project approval?</p> 	<p>Decisions to approve a project are made by the lead agency</p> <p>The lead agency then applies for permits needed to implement the project</p>	<p>Decisions to approve a project are made by the lead agency</p> <p>The lead agency then applies for permits needed to implement the project</p>	<p>The Coastal Commission or local agency makes the final decision on approval via the CDP process. If a project is found inconsistent with the Coastal Act or LCP, it could be denied, or recommended for approval with special conditions</p> <p>Either case could require re-design and have cost and schedule impacts</p>



Comparison of Processes

	NEPA	CEQA	California Coastal Act
What are the considerations regarding document preparation coordination?	<p>Begin coordination with the Coastal Commission or local agency during scoping to consider any coastal resource policy issues</p> <p>For more complicated projects, discuss your CDP application before your ED has been finalized the minimize the need for re-evaluation</p>	<p>Begin coordination with the Coastal Commission or local agency during scoping to consider any coastal resource policy issues</p> <p>For more complicated projects, discuss your CDP application before your ED has been finalized the minimize the need for re-evaluation</p>	<p>Technical studies that support the CDP application should be no more than 1 to 2 years old</p> <p>Older technical studies should be reviewed to determine if they require updating</p>



Comparison of Processes

	NEPA	CEQA	California Coastal Act
What mitigation is necessary?	Agencies are required to identify and include all relevant and reasonable mitigation measures that could improve the action	Mitigation measures which substantially reduce significant impacts are required to be identified	<p>Mitigation is determined on a case-by-case basis to make the project consistent with resource protection policies and standards</p> <p>Mitigation requirements are usually implemented through special conditions of the CDP, and mitigation required during the CDP process can be different than mitigation in the NEPA or CEQA document</p>



Comparison of Processes

	NEPA	CEQA	California Coastal Act
<p>How is public input provided?</p> 	<p>Provides for public participation through the Environmental Document review process, which includes public noticing, hearings, and related outreach efforts</p>	<p>Provides for public participation through the Environmental Document review process, which includes public noticing, hearings, and related outreach efforts</p>	<p>Requires notice to be provided to all neighboring properties located within a 100 foot radius, and to other interested parties</p> <p>Public is provided the opportunity to comment at a Coastal Commission hearing or in writing</p> <p>LCPs always require a mailed notice of hearing</p>



COASTAL RESOURCE PROJECT EXAMPLES



Comparison of Processes – Agricultural Impacts Example

The Coastal Act requires that prime agricultural land be maintained in agricultural production and prohibits the conversion of agricultural land to non-agricultural uses except in limited circumstances

For some projects, the Coastal Commission will request an Agricultural Viability Analysis, which can include:

- Information on historic ag uses
- Soil types and crop production capabilities
- Regional crop production statistics

Other additional studies, such as an economic analysis, may be required.





Comparison of Processes – Agricultural Impacts Example (cont'd)

Please take a moment to review

Mitigation measures for agricultural impacts recommended by the Coastal Commission have included:

- Requirements for the implementation of an Agricultural Preservation Program, which included:
 - Provisions for the establishment of agricultural conservation easements
 - Community garden programs
 - Adult education programs (including workshops regarding plant cultivation and cooking with fresh produce)
- The establishment of agricultural endowments for the development of grade-specific curriculum for grades 1-8 focusing on vegetable cultivation
- Changes in proposed transportation project design to avoid or minimize impacts to agricultural resources
- Post-construction soil remediation



Comparison of Processes – Shoreline Protective Structures Example

The Coastal Act acknowledges that shoreline protective structures like sea walls or revetments that are designed to combat erosion can also alter natural land forms and processes

The Coastal Act limits construction of shoreline protective structures to those needed to protect existing structures and public beaches

Coastal Commission staff may request information beyond what is typically provided in a NEPA/CEQA document:



- Geotechnical assessment
- Wave Run-Up studies
- Marine/sandy beach biological assessment
- Beach sand and recreation economic valuation analysis



Comparison of Processes – Shoreline Protective Structures Example

Please take a moment to review

Mitigation measures recommended by the Coastal Commission, often above and beyond those identified as part of CEQA, have included:

- Time limits for the authorization of a shoreline protective device, usually 5, 10 or 20 years
- Sunset clause for when shoreline protective device must be removed and requirement for a seawall or revetment Removal and Restoration Plan
- In-lieu mitigation fee for beach sand loss
- In-lieu mitigation fee for impacts to public recreation
- Mitigation for biological impacts
- Adaptive management program
- Shoreline protective structure repair and maintenance requirements
- Water quality protection measures



Next Steps and Best Practices

- The coastal permitting process has its own standards and requirements
- Considerations for coastal permit preparation should be conducted throughout the project delivery process
 - Begin at project initiation
 - Continue through construction and beyond
- Doing so can help avoid schedule delays and budget overruns





ADDITIONAL RESOURCES AND TOOLS



Resources and Tools

- [Caltrans Coastal Program On Demand Module #1](#) – Introduction to Project Delivery in the Coastal Zone
- [Fact Sheet](#) – Coastal Permits: CDPs and their Relationship to the NEPA and CEQA Process
- [Forms and Templates](#) - Annotated Outlines
- [Caltrans SER Volume 5](#) – Coastal Requirements
- [Caltrans Coastal Program On Demand Module #2](#) – Preparing a Complete Coastal Development Permit Application



Resources and Tools

- Coastal Commission Staff Reports
 - Agricultural Resources Mitigation Examples
 - [North Coast Corridor Notice of Impending Development](#)
 - Shoreline Protective Structures Mitigation Examples
 - [Surfer's Beach Revetment and Coastside Trail](#)

Exhibit 10



CEQA Developments

Coastal Act Trumps CEQA: CDP Challenger Must Administratively Appeal Local Entity's Approval To Coastal Commission Before Bringing Judicial Action

By Arthur F. Coon on February 19, 2019

In a published opinion filed February 13, 2019, the Fourth District Court of Appeal (Division 3) reaffirmed the need for a CEQA litigant challenging a coastal development permit to appeal to the Coastal Commission before suing. *Fudge v. City of Laguna Beach (Hany Dimitry; Real Party in Interest)* (2019) 32 Cal.App.5th 193. The Court refused plaintiff's invitation to make the simple complex, and followed published precedents requiring a plaintiff to exhaust the statutory administrative remedy of an appeal to the Commission to ripen a litigation challenge.

The point seems straight-forward. But lest one question the need for another published CEQA opinion on this topic – or for CEQA reform in general, I might add – I'll simply quote the Court's opening two paragraphs:

We venture once again into the brambled thicket of the California Environmental Quality Act – an area of the law largely governed by the unfortunate fact that complicated problems often require complicated solutions. This case is rendered more recondite by the involvement of the California Coastal Commission's rules and procedures, effectively overlaying the enigmatic with the abstruse. [¶] We resist the temptation to declare the dispute moot and walk away because this issue involves our environment and people's homes, and involves questions likely to re-occur. Environmental issues require light – either ours or someone else's – so we publish the opinion.

The Court was too kind and diplomatic. CEQA litigation has become such a plaintiff's sandbox that, perhaps, it is a good thing to reiterate basic exhaustion and mootness principles every decade (or

generation) so that litigants know its limits. While land use litigation can certainly be complex, the Court's thinly masked irritation with this particular litigation suggests a not-unjustified viewpoint that it was unnecessarily so here.

The "light" shed by the opinion here illuminates the interplay between CEQA and the California Coastal Act. After an initial Design Review Board denial of a demolition and replacement application, the City of Laguna Beach's City Council granted Hany Dimitry a coastal development permit (CDP) to demolish his outmoded and rickety 1930 house, located between the Pacific Coast Highway and the ocean; it didn't act on his request for permission to construct a new home. His neighbor, Mark Fudge, challenged this action, claiming that the residential relic had historical value and that Dimitry's proposed replacement home would block view corridors. Fudge mounted a two-front attack, suing the City and Dimitry in Superior Court to set aside the CDP and also appealing the approval to the California Coastal Commission. After the Commission accepted the appeal, finding it raised a substantial issue regarding compliance with the City's Local Coastal Program, the trial court dismissed the action as moot on Dimitry's demurrer. That unsurprising result was dictated by two published precedents holding that in these circumstances the court could grant no relief. See *Kaczorowski v. Mendocino County Bd. of Supervisors* (2001) 88 Cal.App.4th 564; *McAllister v. County of Monterey* (2007) 147 Cal.App.4th 253.

The undaunted Fudge appealed the dismissal of his court action to the Court of Appeal. He argued that his "de novo" appeal to the Commission under Public Resources Code § 30621 was not an adequate CEQA remedy because a 1937 Supreme Court precedent defined a "de novo" hearing as a trial "in the same manner" as the matter was originally heard, and Commission rules didn't afford that. The gist was that the City was required to comply with CEQA while the Commission had its own unique Coastal Act procedures for the de novo hearing. The argument ignored that the Commission's certified regulatory program was statutorily exempt from normal CEQA EIR requirements and procedures, and from the ordinary CEQA statute of limitations, under Public Resources Code § 21080.5. The Court snidely noted in a footnote "that Fudge's voluminous briefing never actually comes to grips with the "in lieu of" language in section 21080.5," characterizing this key omission as "a rather impressive mistake, demonstrating excellent research and considerable mental acuity, but a mistake, nonetheless." Indeed. Perhaps CEQA's thicket would have been less brambled here had Fudge not so assiduously attempted to obfuscate its rules.

In any event, Public Resources Code § 21080.5, which is part of CEQA, provides that when the Secretary of Resources certifies a state agency's regulatory program, such as occurred with the Coastal Commission in 1979, the environmental information required to be submitted under it in support of grants of entitlements for use or adoption of regulations may be submitted "in lieu of"

the otherwise required EIR. Moreover, *Kaczorowski* and *McAllister* squarely hold that when the Commission accepts an appeal of a CDP approval it decides whether the CDP complies with all relevant legal standards, and that only after that decision is made can an aggrieved party go to court to attack it.

After giving a brief primer on CEQA and the Coastal Act, the Court rejected Fudge's attack on the case law and the statutory scheme, which provides that local coastal entities' CDP decisions are heard de novo by the commission on appeal under the Coastal Act. The Coastal Act's permit system requires a CDP for any coastal zone development, in addition to any other required permits. But it initially delegates authority to local coastal entities that are tasked with implementing the Coastal Act's objectives by developing their own local coastal programs (LCPs) in consultation with the Commission. When such LCPs are certified as compliant with the Coastal Act, the local governments have responsibility for development within their portion of the coastal zone, subject to appeals to the Commission, which it *must* accept *unless* it finds the absence of a substantial issue with Coastal Act/LCP compliance. While there is obviously not an "exact fit" between CEQA as used in local agency hearings and the procedures in Commission appeals, the Legislature nonetheless provided for such inter-agency appeals, and Public Resources Code § 21174 – a provision of CEQA – expressly states that the Coastal Act takes precedence over CEQA in the event of any inconsistency. Per the Court, this legislative choice was rational as there is no reason to provide a CEQA plaintiff "two bites at the apple" – through an appeal to the Commission and simultaneous mandate action in Superior Court – and it would also undermine the Commission's ability to implement uniform coastal development policies.

In a critically important footnote, the Court observed that Public Resources Code § 30625's provision of an appeal of CDP decisions to the Commission affords an *administrative* remedy, and it could see no reason why the general doctrine of exhaustion of administrative remedies would not apply. (Citing *McAllister, supra*, 147 Cal.App.4th at 283-284.) That seems to me to be the biggest takeaway from this opinion – i.e., the local coastal entity's CDP decision is not final and the inter-agency appeal to the Coastal Commission is an administrative remedy that must be pursued to obtain a final decision that can then be challenged in court, whether the basis of the challenge is an alleged CEQA violation or something else.

Questions? Please contact ***Arthur F. Coon*** of Miller Starr Regalia. Miller Starr Regalia has had a well-established reputation as a leading real estate law firm for more than fifty years. For nearly all that time, the firm also has written *Miller & Starr, California Real Estate 4th*, a 12-volume treatise on

California real estate law. "The Book" is the most widely used and judicially recognized real estate treatise in California and is cited by practicing attorneys and courts throughout the state. The firm has expertise in all real property matters, including full-service litigation and dispute resolution services, transactions, acquisitions, dispositions, leasing, financing, common interest development, construction, management, eminent domain and inverse condemnation, title insurance, environmental law and land use. For more information, visit www.mslegal.com.

CEQA DEVELOPMENTS



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Exhibit 11

Environmental Protection **Element**

INTRODUCTION

The Environmental Protection Element addresses the impact of urbanization including the use of oil and gas resources and hazardous waste on the natural environment. In highly urban San Francisco environmental protection is not primarily a process of shielding untouched areas from the initial encroachment of a man-made environment. The scales already are and will continue to be balanced toward the side of development.

The challenge in San Francisco is to achieve a more sensitive balance, repairing damage already done, restoring some natural amenity to the city, and bringing about productive harmony between people and their environment. An important purpose, therefore, of an environmental protection element is to give natural environment amenities and values appropriate consideration in urban development along with economic and social considerations.

One of the lessons of the increasing environmental consciousness is that "environment" is not accurately compartmentalized as animals and trees versus people and cars. In an urban setting this is particularly true. All elements of the General Plan deal to a certain extent with protecting aspects of the total urban environment. In that sense the objectives and policies contained in this element must be read together with other objectives and policies throughout the General Plan. However, this element is mainly concerned with protecting what is not man-made in the environment, especially through protection of plant and animal life and through restoration of natural qualities of land, air and water by elimination of pollution. It also addresses conservation and management of energy in the residential, commercial and transportation sectors. Additionally the reduction of hazardous materials use in the residential, commercial and governmental sectors is encouraged in this element.

Deterioration of the environment as a consequence of population growth, urbanization, industrialization, improper disposal of hazardous materials, resource exploitation and technological developments has been a growing concern world-wide. Another influence has been a realization of the finite nature and rising costs of energy and other natural resources. On a national and state level, it has given rise to policies and controls dealing with air, water and noise pollution and other forms of degradation of the natural environment as well as regulation of energy production and hazardous waste. It was logical, therefore, that in giving direction to local general plans the California Legislature should have mandated preparation of two elements which address environmental protection issues, one for natural resource conservation and another for transportation noise. This Environmental Protection Element combines those two state-mandated elements, along with a comprehensive energy management plan. A hazardous waste section which responds to separate State planning requirements for county-level hazardous waste management and siting of facilities is also included in this element.

Conservation

INTRODUCTION

Conservation As Resource Management

Conservation, as a resource ethic, is based on the premise that resources are not commodities to be developed and consumed in whatever amount that users demand or can afford. Unrestricted development and use of resources may either exhaust or pollute the supply. Resources, consequently, should be managed in ways that will assure their availability for generations to come.

Sensible resource management does not exclude, by any means, the development and utilization of resources. Nevertheless, with the population of the nine-county Bay Region expected to grow to 6.6 million persons by the year 2005, increasingly greater demands will be placed on these resources. Programs are already in force to conserve and in some cases to improve the quality and supply of our resources. Some of the programs may need to be strengthened.

Scope of the Plan

As a very urban place, San Francisco is not as extensively involved as rural counties re in the conservation of natural resources. Of those resources which the State Legislature directed to be included in the Conservation Sections, the following are not found in San Francisco to any appreciable extent.

- Rivers
- Water with hydraulic force potential
- Minerals

These resources, consequently, are omitted from the plan. Natural resources that properly concern San Francisco are:

- Waters of the Bay and Ocean
- Fish and other marine animals
- The shoreline
- Air
- Fresh water for consumption and fire fighting
- Land
- Plants and animals of the city's land area and lakes

Finally, and of particular concern to San Francisco, are the special urban amenities which may combine both natural and man-made resources. For San Francisco, almost wholly developed, conservation of those man-made features of high quality and cultural value may be more important than the natural features of the environment that are of such importance to rural areas of the State. The Urban Design Element focuses on how these special qualities of San Francisco may be preserved.

Existing Regional Efforts

A number of official regional agencies operate to regulate the use of resources as related to San Francisco: the San Francisco Bay Conservation and Development Commission, the Bay Area Quality Management District, the California Regional Water Quality Control Board (San Francisco Bay Region), and the California Coastal Commission. San Francisco's participation in these regional efforts goes a long way toward achieving the goals of resource management. Accordingly, the Conservation Plan does not propose new policies to replace those already adopted at the regional level.

Relation To Other General Plan Elements

Conservation, in the broadest sense of the word, refers to the entire process of determining to what extent any of the city's resources - natural as well as man-made — should be protected or used. To limit the scope of the Conservation section of the Environmental Protection Element (as required by State planning law) seems arbitrary. It implies that conservation is not an issue in residence, transportation, urban design, recreation, or any other General Plan element and, furthermore, that conservation of the many worthwhile aspects of the urban environment is somehow of less importance.

Maintaining a proper balance between the preservation and the development of San Francisco's resources is an issue recognized in all the elements of the General Plan. The Urban Design Element, for example, indicates areas of the city where increased height and bulk of buildings would be permissible and areas where open space ought to be protected from any building. The City Planning Commission has adopted General Plan elements for Housing, Urban Design, Transportation, and Recreation and Open Space. To a varying extent, each of these plans deals with conservation.

OBJECTIVES & POLICIES

General

OBJECTIVE 1

ACHIEVE A PROPER BALANCE AMONG THE CONSERVATION, UTILIZATION, AND DEVELOPMENT OF SAN FRANCISCO'S NATURAL RESOURCES.

San Francisco enjoys an abundance of natural beauty. Surrounded on three sides by water and graced with parks, lakes, and vistas, San Francisco provides a magnificent urban environment with the potential to exist in harmony with its natural surroundings. While years of exhaustive use of the natural landscape have depleted and polluted some of the city's resources, San Francisco is fortunate in that it is not entirely developed and has some rather outstanding natural resources remaining. Those remaining resources should be protected from further encroachment and enhanced in order to achieve the necessary balance between the conservation of natural systems and the normal functioning of the city. This means ending pollution; protecting vegetation and wildlife; controlling shoreline uses; developing guides for the use and development of land, water, and air; and, where desirable, increasing the supply of natural resources.

POLICY 1.1

Conserve and protect the natural resources of San Francisco.

A major thrust of science and technology in the oncoming years must be that of making cities more livable places by offsetting the imbalance between the natural and man-made environments. Man and his technology must become a more interrelated part of nature and not an exploiter of the physical environment.

San Francisco must assure that its remaining natural resources are protected from misuse. The intricate relationships between living things and their natural and man-made surroundings should be recognized as primary in improving the quality of environment. The most important uses of existing resources should be those which provide maximum benefits for public use while preserving and protecting the natural character of the environment. Moreover, the supply and quality of resources should be considered as major determinants of the nature and extent of development that is dependent on them.

POLICY 1.2

Improve the quality of natural resources.

If the present trend toward environmental deterioration is to be curbed, all forms of pollution must be controlled and eventually eliminated. Those resources within the exclusive jurisdiction of the City should be guarded against contamination through local regulatory action. Where effective resource management against pollution requires regional action, San Francisco should support and comply with all anti-pollution standards of the region.

POLICY 1.3

Restore and replenish the supply of natural resources.

Undoing past mistakes must also be a major part of comprehensive environmental action. In this regard, San Francisco should undertake projects to acquire or create open space, cultivate more vegetation, replenish wildlife, and landscape man-made surroundings. Projects revitalizing the urban environment should be encouraged and receive top priority. With major efforts in this direction, the City will help reverse past trends toward the destruction of the natural qualities of the environment.

POLICY 1.4

Assure that all new development meets strict environmental quality standards and recognizes human needs.

In reviewing all proposed development for probable environmental impact, careful attention should be paid to upholding high environmental quality standards. Granted that growth provides new economic and social opportunities, uncontrolled growth can also seriously aggravate environmental deterioration. Development projects, therefore, should not disrupt natural or ecological balance, degrade the visual character of natural areas, or otherwise conflict with the objectives and policies of the General Plan.

OBJECTIVE 2

IMPLEMENT BROAD AND EFFECTIVE MANAGEMENT OF NATURAL RESOURCES.

The urban environment will deteriorate unless protected by well-defined and effectively managed public programs. Additionally, the solutions to present environmental problems are tied up in significant and widespread social change in consumer choices and life styles. The establishment, ultimately, of broad-based, more effective environmental action programs will require involvement of individual citizens, citizen groups, government agencies, and elected officials. Such involvement is essential in the identification of critical issues, development of specific goals and strategies, and the implementation of firm regulatory processes.

POLICY 2.1

Coordinate regional and local management of natural resources.

Historically, local government has been formed in response to local areas of need. Natural resources, however, often extend beyond the boundaries of municipalities, covering regions, inter-regions, and states. Thus, in the Bay Region, local government has become an ineffective instrument for the management of resources dispersed and interconnected throughout the region. With regard to the more

diffuse environmental problems such as air pollution and managing the Bay, Ocean, and Shorelines, San Francisco is ill-equipped to solve the problems alone.

San Francisco should cooperate with existing regional agencies in developing methods whereby cities can lend support to regional efforts to improve the environment. The regional concept, supported and strengthened by well-conceived local programs, is essential to enhancing both natural and man-made surroundings.

POLICY 2.2

Promote citizen action as a means of voluntarily conserving natural resources and improving environmental quality.

A comprehensive program of citizen participation can assure that public policy will serve the best interests of all elements of society. Moreover, programs conceived through extensive involvement of the communities to be served are generally more effective, for they reflect the desires of a multiplicity of people and thereby carry additional momentum. Since our physical environment is to be shared by all, a balance among all factors (human and economic) must be achieved.

POLICY 2.3

Provide environmental education programs to increase public understanding and appreciation of our natural surroundings.

If we are to preserve and enhance the quality of our surroundings, we must cherish their values. Environmental education programs promoting an understanding and appreciation of our natural systems serve to expand public awareness of environmental problems and man's place in the world.

Course instruction on the nature and problems of the environment should be continued and emphasized in the public schools, adult education centers, and colleges.

Bay, Ocean and Shorelines

OBJECTIVE 3

MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN, AND SHORELINE AREAS.

In the past, the Bay and its waterfront were extensively used for commercial purposes and for waste disposal. The Ocean side was largely free of this kind of activity. Although the utilitarian values of the water and shorelines are valid, expediency and short-term gain can lessen the value and attractiveness of these resources. There should be not only a balance between recreational and commercial uses but a balance between preservation and utilization of the Bay, Ocean, and Shorelines.

Protecting and enhancing the many values of these resources requires ending pollution of the Bay and Ocean, closely controlling commercial uses of the water and shorelines, preserving and adding to the recreational frontage along the water, and protecting and improving the existing recreational frontage.

POLICY 3.1

Cooperate with and otherwise support regulatory programs of existing regional, State, and Federal agencies dealing with the Bay, Ocean, and Shorelines.

Managing the resources of the Bay and Ocean and the abutting lands is under the regulation of a number of limited-purpose regional and State agencies. The region-wide scope of the problems calls for region-wide solutions.

San Francisco has representation on the multi-county agencies, and, consequently, its particular interests are considered along with those of the other constituent counties. When it is apparent, for example, that regionally operated facilities may be more costly to San Francisco than a local facility, common practice is to allow the local option so long as it meets regional performance standards. This policy of local option is essential to the spirit of regional cooperation. Conformity should not override good sense. With this important proviso, San Francisco should support and cooperate with regional, State, and Federal agencies in setting and achieving goals for the conservation of the resources of the Bay, Ocean, and Shorelines.

POLICY 3.2

Promote the use and development of shoreline areas consistent with the General Plan and the best interest of San Francisco.

Other portions of the General Plan set policy on how the city's shoreline areas should ultimately be developed. They are the Recreation and Open Space and Urban Design Elements and the Northeastern Waterfront, Western Shoreline, and South Bayshore Area Plans. For specific policies governing Hunters Point Shipyard, see the Hunters Point Shipyard Redevelopment Plan and its accompanying Design for Development document. The Bay Conservation and Development Commission (BCDC) and the California Coastal Commission also set policy on shoreline development. Within the framework set by these regional planning agencies, San Francisco should promote the use and development of its shoreline areas in accordance with those policies in the General Plan that serve the best interests of the citizens of the city.

POLICY 3.3

Implement plans to improve sewage treatment and halt pollution of the Bay and Ocean.

San Francisco's Master Plan for Waste Water Management is an orderly plan for upgrading the collection, treatment, and disposal of San Francisco's sewage. The City should proceed as rapidly as possible to finance and construct facilities required to end the discharge of untreated and insufficiently treated sewage into the Bay and Ocean.

Regulations controlling the discharge of industrial wastes into the sewers should be vigorously enforced as a further means of preventing the pollution of the waters of the Bay and Ocean.

POLICY 3.4

Encourage and assist privately operated programs to conserve the resources of the Bay, Ocean, and Shorelines.

Voluntary, private organizations concerned about conservation deserve special recognition. They help keep conservation issues in the public consciousness. More importantly, they perform a watchdog function essential to effective enforcement. The City should seek the participation of voluntary groups in monitoring activities that affect the water and shore areas.

POLICY 3.5

Protect sensitive economic and environmental resources in Northern California offshore coastal areas threatened by oil development.

The regional economy of Northern California, heavily dependent on tourism and commercial fishing, is threatened by offshore oil and natural gas development in the Outer Continental Shelf (OCS) ocean area. Of particular significance to San Francisco is proposed development in the area within the Pt. Reyes-Farallon Island Marine Sanctuary, an important local fishery resource.

The official City position supports continued protection of environmentally sensitive coastal areas that are important to local economic activities. It is imperative that the City make its position known by participating in State Coastal policy review to ensure that local concerns are taken into account by Federal decision-makers.

Air

OBJECTIVE 4

ASSURE THAT THE AMBIENT AIR OF SAN FRANCISCO AND THE BAY REGION IS CLEAN, PROVIDES MAXIMUM VISIBILITY, AND MEETS AIR QUALITY STANDARDS.

Air pollution is one of the major problems facing the cities of the San Francisco Bay Region. In San Francisco, the need for conserving the air resource and improving air quality is undeniable. While San Francisco benefits from having few large upwind industrial polluters and from certain topographical and climatic conditions, Federal and State air quality standards continue to be violated on a number of days in the city.

The local air supply extends beyond the physical boundaries of San Francisco, covering the entire Bay Region, and effective air resource management must include regionwide planning, monitoring, regulations, and enforcement. San Francisco, however, can take certain actions which supplement and strengthen the efforts of existing regional programs. Local initiatives should be keyed to the curtailment of pollution emissions from sources typically found in San Francisco. Ultimately, solutions to the air pollution problem must be interrelated with virtually all facets of urban existence — industry, transportation, employment, housing, open space, recreation — even the products we buy and consume.

POLICY 4.1

Support and comply with objectives, policies, and air quality standards of the Bay Area Air Quality Management District.

Regionwide monitoring of air quality and enforcement of air quality standards constitute the primary means of reducing harmful emissions. The conservation of San Francisco's air resource is dependent upon the continuation and strengthening of regional controls over air polluters. San Francisco should do all that is in its power to support the Bay Area Air Quality Management district in its following operations:

- Monitoring both stationary and mobile sources of air pollution within the region and enforcing District regulations for achieving air quality standards.
- Regulating new construction that may significantly impair ambient air quality.
- Maintaining alert, permit, and violations systems.
- Developing more effective controls and method of enforcement, as necessary.

POLICY 4.2

Encourage the development and use of urban mass transportation systems in accordance with the objectives and policies of the Transportation Element.

During the 1950's, 1960's, and 1970's, San Francisco's resident population decreased while employment within the city increased. The 1980's have seen an increase in population and continued employment growth. Consequently, the number of commuters traveling to and from San Francisco, usually by automobile, has risen, creating a serious threat to ambient air quality. Because of the highly centralized nature of San Francisco and the surrounding region, areawide rapid transit, integrated with convenient municipal transit systems, can be used effectively in reducing automobile emissions.

Urban mass transit systems should be encouraged, with the proper economic incentives, as the most sensible mode of urban travel. To this end, designation of express lanes for commuter buses on the Golden Gate Bridge and the San Francisco-Oakland Bay Bridge would help reduce motor vehicle emissions by encouraging greater use of public transit. Commuters should be encouraged to make the best use of mass transit services available to them. Swift, convenient transit service available during commute hours will provide a major incentive for rejecting the automobile as the primary mode of urban transportation.

Lastly, where feasible, diesel buses should be replaced with buses powered by electricity or other clean energy sources. Existing electric trolley bus lines should be retained wherever possible.

POLICY 4.3

Encourage greater use of mass transit in the downtown area and restrict the use of motor vehicles where such use would impair air quality.

San Francisco's downtown area is the major focus of the city and the region. Comprised of the financial-office district, a vast governmental administration center, and the stores, hotels and places of entertainment within the area, the downtown area provides the chief center of employment, shopping, and visitor accommodation in the entire Bay Region. Because traffic congestion is so prevalent, air quality often suffers.

Greater use of public transit to, from, and within the downtown area will reduce the amounts of pollutants emitted from motor vehicles. Furthering the objectives and policies of the Transportation Element of the General Plan, a "transit first" approach would reduce air pollution in the downtown area.

Zones have been identified in which concentrated efforts to control automobile use should be pursued in order to reduce air pollution and to improve the pedestrian environment. A few downtown streets should be designated as traffic-free zones, allowing for the free-flowing movement of pedestrians. Additionally, some other streets in the area should be restricted to pedestrian, transit, delivery vehicle, and emergency use. Vehicle-free and restricted zones should be landscaped, have widened sidewalks, and be oriented to pedestrian use.

Finally, an increase in the frequency of shuttle bus service within the downtown area would provide a reasonable and convenient alternative to the private motor vehicle as a method of travel in the central city, but only in areas that are not already served by public transit.

POLICY 4.4

Promote the development of nonpolluting industry and insist on compliance of existing industry with established industrial emission control regulations.

The City and County of San Francisco, in cooperation with the Chamber of Commerce, should actively encourage the development and expansion of industries which do not add to the air pollution problem. Those industries which are a major source of industrial air pollution should be identified and made to comply with all industrial emission control regulations. They should be equipped with effective air Quality Management devices.

POLICY 4.5

Exert leadership in the voluntary reduction of pollution emissions during air pollution alerts.

As provided in the Bay Area Air Quality Management District Alert Plan, air pollution alerts will be called throughout the Bay Region when meteorological forecasts for any twelve-hour period indicate that air contamination levels will reach or exceed alert standards. During alert periods, Bay Area residents are encouraged to follow a set of voluntary actions to diminish air pollution concentrations. San Francisco should exert leadership during alert periods and assist the Air Quality Management District in the following ways:

- Providing assistance in disseminating information on air conditions.
- Encouraging commuters and city residents to use mass transit systems instead of the automobile.
- Making the Police Department's helicopter available for spotting illegal burning in the city.
- Utilizing Police Department staff to issue citations for excessive automobile emissions.
- Utilizing Fire Department staff to detect illegal open burning and to refer violations to the Bay Area Air Quality Management District for enforcement.
- Urging volunteer organizations to monitor compliance with emission control regulations.
- Promoting the establishment of emergency centers for persons with respiratory ailments.

Fresh Water

OBJECTIVE 5

ASSURE A PERMANENT AND ADEQUATE SUPPLY OF FRESH WATER TO MEET THE PRESENT AND FUTURE NEEDS OF SAN FRANCISCO.

The City and County of San Francisco owns and operates one of the most extensive water and power systems in the world. At present, the supply of fresh water generated by the Hetch Hetchy/Water Department system is more than adequate. Current projections indicate that the present system will meet San Francisco's needs until the year 2020. Over the years, the consumption of fresh water in the city has risen substantially: over 100 percent between 1940 and 1971. This increase in water consumption is primarily due to commercial expansion and has occurred despite a decline in San Francisco's resident population since 1950.

Hetch Hetchy and the Water Department should continue their excellent planning program to assure that the water supply will adequately meet foreseeable consumption demands. To this end, the City should be prepared to undertake the necessary improvements and add to the Hetch Hetchy/Water Department system in order to guarantee the permanent supply. Furthermore, San Francisco should continually review its commitments for the sale of water to suburban areas in planning how to meet future demand.

POLICY 5.1

Maintain an adequate water distribution system within San Francisco.

Storage reservoirs and distribution lines within San Francisco should match the pattern of development in the city. Areas most intensively developed, having the greatest water demand, should be served by facilities having the greatest capacity.

POLICY 5.2

Exercise controls over development to correspond to the capabilities of the water supply and distribution system.

New development places additional demands on the water supply and distribution system. Nonresidential water users, representing approximately 45 percent of the consumption in the city, have been the principal cause of the increase in total city water consumption. Development that might place too great a strain on the system should be discouraged.

POLICY 5.3

Ensure water purity.

San Francisco's drinking water must meet State and Federal water quality standards. Ensuring water quality means continuing the present water purification process and monitoring storage facilities and transmission lines for threats to the water supply.

POLICY 5.4

Promote nonpolluting recreation uses of fresh water lakes and reservoirs.

A few of San Francisco's lakes serve as a valuable source of recreation. Boating and fishing are permitted at Lake Merced, and other recreational activities are enjoyed at Stow Lake and Spreckels Lake in Golden Gate Park and at Laguna Puerca in Pine Lake Park. San Francisco should encourage continued recreational uses of these lakes where such use does not mar the scenic beauty or water quality.

Fresh water reservoirs without scenic value should be covered, wherever feasible, to prevent evaporation and to provide additional area for recreation or other compatible uses.

POLICY 5.5

Improve and extend the Auxiliary Water Supply system of the Fire Department for more effective fire fighting.

The Fire Department maintains and operates the Auxiliary Water Supply System (AWSS), a water storage and distribution network that supplements the hydrants connected to the regular water distribution lines. The AWSS presently serves those areas of San Francisco most intensively developed. A recent public referendum authorized a bond issue to extend this system to the remainder of the city, and to modernize certain of its components. Recommendations to remedy system deficiencies should be implemented as soon as is feasible.

It is incumbent upon the City and County of San Francisco to undertake long-term planning for emergency preparedness. Planned expansions and improvements to the AWSS would improve the City's preparedness to meet potential fire disasters.

OBJECTIVE 6

CONSERVE AND PROTECT THE FRESH WATER RESOURCE.

The fresh water resource, like all natural resources, is finite and measurable. While San Francisco's water supply seems vast in relation to current demands, it should not be wasted. Supplementary sources should also be investigated.

POLICY 6.1

Maintain a leak detection program to prevent the waste of fresh water.

Reservoirs, storage tanks, cisterns, and pipelines can develop leaks and waste the fresh water resource. The continued operation of leak detection programs by the Water Department and Fire Department will help prevent unnecessary waste.

POLICY 6.2

Encourage and promote research on the necessity and feasibility of water reclamation.

Reclaiming water for public use from waste water may prove to be a necessary step in securing an adequate water supply in the future. Other communities, not as fortunate as San Francisco, are currently looking into water reclamation as a means of conserving fresh water and generating additional supply. San Francisco should investigate the future possibilities of water reclamation, especially for such purposes as fire fighting and industrial use.

Land

OBJECTIVE 7

ASSURE THAT THE LAND RESOURCES IN SAN FRANCISCO ARE USED IN WAYS THAT BOTH RESPECT AND PRESERVE THE NATURAL VALUES OF THE LAND AND SERVE THE BEST INTERESTS OF ALL THE CITY'S CITIZENS.

San Francisco's dramatic landforms and intimate alliance with the Bay and Ocean give the land a special value. Other elements of the General Plan recognize the value of this land resource in recommending how the city should develop to achieve an optimum utilization of the land. Just as important as development, however, is the protection of remaining open space to preserve the natural features of the land that form such a striking contrast with the city's compact urban development. In exercising land use controls over development and in preserving permanent open space, the land should be treated as a valuable resource to be carefully allocated in ways that enhance the quality of urban life.

POLICY 7.1

Preserve and add to public open space in accordance with the objectives and policies of the Recreation and Open Space Element.

Publicly owned open space is located principally in the western half of the city. While these valuable open spaces are preserved and enhanced, great effort should be made to acquire and make available more recreation area in the eastern half of the city. Acquisition and limited filling of tideland areas in the South Bayshore District, for example, would provide needed opportunities for more recreation. The Recreation and Open Space Element should guide the selection and improvement of land for recreation.

The usefulness of land for recreation, however, should not necessarily determine whether or not land areas ought to be preserved. Features of a scenic, geological, topographical, and ecological nature are also important criteria of their value as open space. These natural values of land should be respected.

POLICY 7.2

Protect land from changes that would make it unsafe or unsightly.

The excavation of land for off-site use of the removed material is subject to control by the City Planning Commission and the Department of Public Works. Quarrying or unnecessary excavation should be strongly discouraged because it defaces the landscape and can limit the usability of the land. Too much earth removal can also create a potentially dangerous slide condition.

POLICY 7.3

Require that filling of land adhere to the highest standards of soils engineering consistent with the proposed use.

San Francisco has had a good deal of experience with filling marshlands and shallow areas of the Bay. It is recognized that future Bay filling will be limited and subject to City and Regional policies regarding appropriateness. When appropriate purposes for filled land are approved, the highest engineering standards should be followed to ensure safety consistent with the use to which the filled land is to be put. Landfill operations need to recognize potential problems of the mud layer on the Bay bottom, the quality of any previously deposited fill, and the loads to be placed on the fill.

POLICY 7.4

Assure the correction of landslide and shore erosion conditions where it is in the public interest to do so.

The existing erosion and slide areas along the Ocean shore are within the Golden Gate National Recreation Area. It should be decided first whether all of these problems should be corrected or whether some should be left to the forces of nature. The erosion of Ocean Beach should be corrected through a program of dune stabilization, where feasible. In cases where dune stabilization is not possible, structural measures may need to be utilized. Any stabilization and restoration of these damaged areas, to increase their recreational value, should be undertaken as part of the Federal administration of this recreation area.

Elsewhere in the city, corrective steps should be taken at City expense or through special assessment to solve slide and erosion problems.

POLICY 7.5

Prohibit construction, as a general rule, on land subject to slide or erosion.

To minimize the hazard to life and property in areas subject to slide or erosion, building should be prohibited. Likewise utilities should not be installed in these areas because of the possibility of disruption.

Flora & Fauna

OBJECTIVE 8

ENSURE THE PROTECTION OF PLANT AND ANIMAL LIFE IN THE CITY.

A totally manufactured environment without plants and animals would be sterile. That bit of nature which still remains in San Francisco is a precious asset. The ecological balance of wildlife and plant communities should be protected against further encroachments.

POLICY 8.1

Cooperate with and otherwise support the California Department of Fish and Game and its animal protection programs.

The California Department of Fish and Game has overall authority to protect animals in San Francisco. The Municipal Code reinforces this control in protecting animals in public areas. The City should foster greater public awareness of these laws.

POLICY 8.2**Protect the habitats of known plant and animal species that require a relatively natural environment.**

Golden Gate Park, a product of years of planning and design, provides to a certain extent the natural environment needed by wildlife and plant communities. The natural areas of Golden Gate Park should remain as they are, and any move to convert them into areas for more active recreation should be discouraged.

Other parks and undeveloped areas in San Francisco remain relatively undisturbed and provide a variety of environments for flora and fauna: beaches, sand dunes, wooded areas, open fields, grassy hills, and lakes. All these areas should be protected. The Presidio, not subject to local jurisdiction, should, nevertheless, be urged to protect animal and plant habitats within its boundaries.

POLICY 8.3**Protect rare and endangered species.**

A number of native plant and animal species are designated as rare or endangered. Interested individuals and groups, together with knowledgeable public agencies such as the Recreation and Park Department and the California Academy of Sciences, should identify the rare and endangered flora and fauna that merit special protection. Cooperatively they should devise ways to assure the fullest possible protection of these species.

Transportation Noise

Introduction

People who can clearly recollect the sights and sounds of San Francisco during the 1930's and 1940's remember how noisy the streets were then. Numerous cable cars and streetcar lines operated throughout the city. Market Street, with four sets of streetcar tracks, was extraordinarily noisy. The streetcars then were not the quieter types that came into use later. Automobiles, although much less numerous, were noisier than today's models. Then, of course, the bustling waterfront activity and vessels in the Bay further contributed to the sounds of the city.

Despite these noisy transportation systems, ambient or background noise levels over most of the city then were lower than now. Over the years, however, motor traffic - automobiles, trucks, and buses - has risen dramatically. Aircraft flights have multiplied. Today, in some parts of the city, background noise levels are so high that for many people, quiet can only be found inside a building with the windows shut.

We are learning that not only does noise annoy, it can endanger our physical and even mental health. Because of this potential health hazard, some people are becoming convinced that we are as much entitled to a quiet environment as to unpolluted air and water and pure food.

Purpose

Ground transportation noises from trucks, buses, motorcycles, and poorly muffled automobiles predominate over other types of noises as the most persistent cause for complaint. This is why Section 6530(g) of the California Government Code, added in 1972, requires all cities and counties to include a transportation noise element in their general plans.

This Transportation Noise Element is designed to comply with that law. The plan, furthermore, is based on an analysis of present noise levels and 1995 projected noise levels and on the following basic assumptions:

- Surface transportation facilities constitute a major contributor to today's noise levels.
- People do react adversely to excessive noise when it interferes with sleep and other activities.
- People want and are entitled to a quiet environment.
- The technological means are available for reducing transportation noise levels.

OBJECTIVES & POLICIES

The Transportation Noise Plan is directed toward achieving an environment in which noise levels will not interfere with the health and welfare of people in their everyday activities. Much of the adverse effect of transportation noise can be reduced through sound land use planning and transportation planning. How those elements of the general planning process are implemented is crucial to achieving the goal of a quieter environment. However, in a fully developed city, such as San Francisco, where the land use and circulation patterns are by and large fixed, the ability to reduce the noise impact through a proper relationship of land use and transportation facility locations is

limited. In San Francisco, major attention must be given to three main aspects of the problem: the source of the noise, the path it travels, and the receiver of the noise. In general, techniques should be designed to quiet the noise at the source, to block the path over which it is transmitted, and to shield or remove the receiver from the noise.

OBJECTIVE 9

REDUCE TRANSPORTATION-RELATED NOISE.

Much can be done to reduce noise at the source. Technological means are available for reducing vehicular noise emissions well below present levels.

POLICY 9.1

Enforce noise emission standards for vehicles.

The noise emission standards of the State Vehicle Code are enforced by the California Highway Patrol on the freeways, and by the local police on the city streets. The Noise Abatement Unit of the Police Department is responsible for identifying vehicles that violate the noise emission standards and for securing the correction of the problem. This work should be continued and expanded.

POLICY 9.2

Impose traffic restrictions to reduce transportation noise.

Transportation noise levels vary according to the predominance of vehicle type, traffic volume, and traffic speed. Curtailing any of these variables ordinarily produces a drop in noise level. In addition to setting the speed limit, the City has the authority to restrict traffic on city streets, and it has done so on a number of streets. In addition, certain movement restraints can be applied to slow down traffic or divert it to other streets. These measures should be employed where appropriate to reduce noise.

POLICY 9.3

Limit City purchases of vehicles to models with the lowest noise emissions and adequately maintain City-owned vehicles and travel surfaces.

The City owns and operates over a thousand vehicles in addition to its large fleet of automobiles. Street noise performance specifications for City vehicles (transit; trucks; specialized vehicles, such as street sweepers, brush chippers, etc.) should be included in the purchasing procedures of the City so that the City will obtain the quietest available models.

With proper maintenance, the City's inventory of vehicles can be kept in good working order, thereby reducing the noise they generate. Proper emphasis must also be placed on smooth street surfaces and on smooth rails for the streetcars and cable cars. Trackbeds for the rail vehicles also require special attention as do the various underground elements of the cable car traction system.

POLICY 9.4

Regulate use of emergency sirens.

Police Vehicles, fire engines, and ambulances, in their function as emergency vehicles, are entitled to the use of emergency warning sirens. Under State law, sirens must produce a sound level of at least 90 decibels at 100 feet. Many persons find these sirens - especially the warbling type - annoying. The warbling siren should be replaced by conventional sirens and measures should be taken to assure that the use of all sirens is restricted to assuring the emergency vehicle the right-of-way only in genuine emergencies.

POLICY 9.5

Retain and expand the electric trolley network.

Electric trolley buses are quiet, economical, and relatively pollution-free in their use. These benefits outweigh the adverse environmental impact of power generation or fossil fuel utilization. Electric trolleys should be retained where feasible and consideration should be given to electrifying selected existing diesel bus routes.

POLICY 9.6

Discourage changes in streets which will result in greater traffic noise in noise-sensitive areas.

Widening streets for additional traffic lanes or converting streets to one-way direction can induce higher traffic volume and faster speeds. Other techniques such as towaway lanes and traffic light synchronization also facilitate heavier traffic flows. Such changes should not be undertaken on residential streets if they will produce an excessive rise in the noise level of those streets.

OBJECTIVE 10

MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS.

The process of blocking excessive noise from our ears could involve extensive capital investment if undertaken on a systematic, citywide scale. Selective efforts, however, especially for new construction, are both desirable and justified.

POLICY 10.1

Promote site planning, building orientation and design, and interior layout that will lessen noise intrusion.

Because sound levels drop as distance from the source increases, building setbacks can play an important role in reducing noise for the building occupants. (Of course, if provision of the setback eliminates livable rear yard space, the value of the setback must be weighed against the loss of the rear yard.) Buildings sited with their narrower dimensions facing the noise source and sited to shield or be shielded by other buildings also help reduce noise intrusion. Although walls with no windows or small windows cut down on noise from exterior sources, in most cases it would not be feasible or desirable to eliminate wall openings. However, interior layout can achieve similar results by locating rooms whose use require more quiet, such as bedrooms, away from the street noise. In its role of reviewing project plans and informally offering professional advice on site development, the Department of City Planning can suggest ways to help protect the occupants from outside noise, consistent with the nature of the project and size and shape of the building site.

POLICY 10.2

Promote the incorporation of noise insulation materials in new construction.

State-imposed noise insulation standards apply to all new residential structures except detached single-family dwellings. Protection against exterior noise and noise within a building is also important in many nonresidential structures. Builders should be encouraged to take into account prevailing noise levels and to include noise insulation materials as needed to provide adequate insulation.

POLICY 10.3

Construct physical barriers to reduce noise transmission from heavy traffic carriers.

If designed properly, physical barriers such as walls and berms along transportation routes can in some instances effectively cut down on the noise that reaches the areas beyond. There are opportunities for a certain amount of barrier construction, especially along limited access thoroughfares and transit rights-of-way (such as BART), but it is unlikely that such barriers can be erected along existing arterial streets in the city. Barriers are least effective for those hillside areas above the noise source. Where feasible, appropriate noise barriers should be constructed.

OBJECTIVE 11

PROMOTE LAND USES THAT ARE COMPATIBLE WITH VARIOUS TRANSPORTATION NOISE LEVELS.

Because transportation noise is going to remain a problem for many years to come, attention must be given to the activities close to the noise. In general, the most noise-sensitive activities or land uses should ideally be the farthest removed from the noisy transportation facilities. Conversely, those activities that are not seriously affected by high outside noise levels can be located near these facilities.







[MAP 1 – Background Noise Levels \(2009\)](#)

POLICY 11.1

Discourage new uses in areas in which the noise level exceeds the noise compatibility guidelines for that use.

LAND USE COMPATIBILITY CHART FOR COMMUNITY NOISE

LAND USE CATEGORY	Sound Levels and Land Use Consequences <small>(see explanation below)</small>						
	L _{eq} Value in Decibels						
	55	60	65	70	75	80	85
RESIDENTIAL All Dwellings, Group Quarters							
TRANSIENT LODGING Hotels, Motels							
SCHOOL CLASSROOMS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES, ETC.							
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES, MUSIC SHELLS							
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS							
PLAYGROUNDS, PARKS							
GOLF COURSES, RIDING STABLES, WATER-BASED RECREATION AREAS, CEMETERIES							
OFFICE BUILDINGS Personal, Business, and Professional Services							
COMMERCIAL Retail, Movie Theatres, Restaurants							
COMMERCIAL Wholesale and Some Retail, Industrial/Manufacturing, Transportation, Communications and Utilities							
MANUFACTURING Noise-Sensitive COMMUNICATIONS Noise-Sensitive							

-  Satisfactory, with no special noise insulation requirements.
-  New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.
-  New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
-  New construction or development should generally not be undertaken.

Land Use Compatibility Chart for Community Noise

New development should be examined to determine whether background and/or thoroughfare noise level of the site is consistent with the guidelines for the proposed use. If the noise levels for the development site, as shown on Map 1 (which should be revised periodically to keep them current), exceed the sound level guidelines established for that use, as shown in the accompanying land use compatibility chart, then either needed noise insulation features should be incorporated in the design or else the construction or development should not be undertaken. Since the sound levels shown on the maps are estimates based on both traffic data and on a sample of sound level readings, actual sound levels for the site, determined by accepted measurement techniques, may be substituted for them.

POLICY 11.2

Consider the relocation to more appropriate areas of those land uses which need more quiet and cannot be effectively insulated from noise in their present location, as well as those land uses which are noisy and are presently in noise-sensitive areas.

Many commercial and industrial activities do not need to be in a quiet area, because interior noise levels typically are already high and tend to override noise from exterior sources. On the other hand, some uses require quiet locations and cannot be effectively insulated from noise. When feasible and desirable to do so, such activities should be encouraged to relocate to quieter areas. Conversely, there may on occasion be opportunities to relocate noisy uses to areas where the noise they generate will be less disturbing to their neighbors.

POLICY 11.3

Locate new noise-generating development so that the noise impact is reduced.

Developments which will bring appreciable traffic into or through noise-sensitive areas should be discouraged, if there are appropriate alternative locations where the noise impact would be less. For those activities — such as a hospital — that need a quiet environment, yet themselves generate considerable traffic, the proper location presents a dilemma. In those cases, the new development should locate where this traffic will not present a problem and, if necessary, incorporate the proper noise insulation.

The feasibility of making noise-reducing changes to existing transportation facilities remains an obstacle to any large-scale transformation. New thoroughfares and new Municipal Railway facilities, however, offer opportunities to overcome objectionable noise aspects. Ideally, new transportation facilities should be located in areas or along routes of least noise-sensitive land uses. Where it is infeasible or undesirable to do so, special noise-suppressing design features should be incorporated into the facilities in order to make them acceptable neighbors.

Energy

Introduction

Events of the past decade have brought the issue of energy fully into public view. Ever-increasing energy prices, combined with constraints in the development of conventional energy supplies, have forced the public to question and debate the energy future they would like to see. The debate has centered on public and governmental participation in pricing and energy supply issues.

San Francisco, through its regulatory and planning activities, directly influences how, and to what extent, energy is used in the city. Local regulations governing the design, construction and use of buildings affect operational energy needs. Transportation policy decisions directly affect petroleum-based fuel requirements. Daily decisions on these and other issues should occur within a locally approved policy framework, since they will help determine San Francisco's energy future for decades to come.

Increasing the efficiency of energy use is predicated on matching needs with resources. Moreover, the local setting is an important aspect of this process and should be taken into consideration when developing a citywide energy policy. In tackling its energy problems, San Francisco has two natural assets: mild climate and compact urban form. The city's temperate climate effectively eliminates the need for mechanical air conditioning, with the exception of commercial buildings that are sometimes overheated by interior lighting. San Francisco's density reduces the energy requirements for transportation and increases the economic feasibility of co-generation, district heating and integrated energy systems.

The Energy section of the Environmental Protection Element provides the City and County of San Francisco with a comprehensive and pragmatic energy management program that can promote a productive collaboration between municipal government and local residents. This document should guide both public and private decisions affecting the use of energy. San Francisco's Energy Policy was designed with four goals in mind: (1) increasing the efficiency with which energy is used locally; (2) diversifying the present balance of resource supplies to meet local energy needs; (3) fostering the economic development of energy management services and renewable energy systems; and (4) encouraging the active participation of members of the community to carry out this program. Seven objectives are set forth to achieve these goals. The first four objectives address energy management opportunities in the government, residential, commercial and transportation sectors. The fifth encourages renewable resource use. The remaining two objectives focus on the complex and interrelated roles of municipal government, PG&E, and State and Federal governments in energy management and financing activities.

Each objective is accompanied by policies and arguments to clarify the objective's intent.

Goals

The objectives and policies contained in the Energy Policy are based on the premise that energy management programs for San Francisco should be designed to protect and enhance the economic and environmental well being of City residents. This is to be accomplished through:

More Efficient Use of Energy

Conservation is best understood as a productive enterprise designed to increase the energy efficiency of public and private activities within the City. Substantial energy savings can be produced without requiring either major changes in lifestyle or economic dislocation. Increasing the efficiency of energy use will benefit the local economy by reducing the flow of dollars exported outside the region for fuel needs.

Measured in terms of economic payback, quantity of supply and prevention of environmental disruption, energy conservation becomes a preferred strategy when compared to the increased use of conventional fuels or the development of new fuel sources. It will provide San Francisco residents with the cheapest, most accessible and least disruptive energy supply alternative.

Balance of Energy Supplies to Meet Local Needs

Pacific Gas and Electric Company supplies electricity and natural gas to San Francisco. Hydro, oil and natural gas comprise the primary energy sources used to generate electricity, with lesser amounts coming from geothermal and nuclear fuels. Most natural gas is shipped either from Canada or the Southwest, with the balance coming from California producers. The Hetch Hetchy system provides electricity for City and County municipal operations.

PG&E will be shifting to an increased deployment of renewable, alternate energy resources such as solar, geothermal, co-generation and wind. This energy policy envisions and encourages a similar energy future for San Francisco. It is consistent with the assessment of the California Energy Commission that renewable energy resources will provide State residents with the greatest long term monetary, social and environmental benefits. The Commission believes local public policy should be directed toward the accelerated development of these resources through both private and municipal actions.

Although these energy alternatives will not displace conventional fuels in the near future, their development will provide San Francisco residents with a more varied resource mix that will be less susceptible to supply and price uncertainties.

Economic Development

A citywide energy program has significant job development implications. Reducing utility expenditures will redirect money currently going to energy suppliers outside the region back into the local economy. This bolsters local jobs and can help foster economic development. Increased reliance on conservation and renewable energy technologies will expand local job opportunities, since these industries tend to be labor-intensive in nature.

Job training programs should recognize employment opportunities arising from implementation of local energy programs. Certain energy service enterprises should be located in neighborhood commercial areas, while other energy related manufacturing firms require industrial sites. These needs can be addressed within the City's land use policies.

Responsible Community Participation

An effective local energy management program is contingent upon responsible participation from all members of the community. This requires the formation of a partnership between the private and public sectors to coordinate their efforts in finding acceptable solutions to energy problems facing San Francisco. Solutions based on proven and economical methods are the most reliable way of transforming San Francisco into an energy efficient urban community.

Municipal

OBJECTIVE 12

ESTABLISH THE CITY AND COUNTY OF SAN FRANCISCO AS A MODEL FOR ENERGY MANAGEMENT.

Municipal government accounts for a small, but growing fraction of San Francisco's total energy use. In 1979, the combined Governmental sector (Federal, state and local) used 3% of the natural gas, and 20% of the electricity supplied to the City. The municipal energy budget in 1980 amounted to \$21 million. Electricity demand is expected to increase significantly in the future as municipal wastewater treatment and electrified transit programs are implemented.

Electricity is supplied to municipal facilities through Hetch Hetchy, the City-owned hydro electric facility. Natural gas is supplied by Pacific Gas and Electric Company. Adequate hydro capacity is available to meet projected municipal electrical demand. In this context, electrification of the municipal transit system provides a two fold benefit. It reduces oil dependency while increasing overall reliance on a renewable energy resource, i.e., water.

The City and County should set a positive example for the rest of San Francisco in the management of energy resources. First and foremost, local government should develop a strong internal energy conservation program to learn first hand what management techniques are available to the community. Reducing energy use will reduce operational expenditures, while providing additional city revenues through the sale of conserved energy to private customers.

There are excellent opportunities for saving energy within municipal government. Many energy management measures can be incorporated into routine maintenance and operating procedures at virtually no cost. Other measures require a minor investment, while providing a financial return within one or two years. Still others offer longer term monetary and energy savings to San Francisco, while requiring extensive financial investment. A program of budgetary incentives should be developed to encourage City agencies to save energy. Comprehensive municipal energy management requires the participation of all departments and the political and financial support of the Mayor and the Board of Supervisors.

POLICY 12.1

Incorporate energy management practices into building, facility, and fleet maintenance and operations.

The City has already begun taking the first step in municipal energy conservation by increasing the energy efficiency of existing facilities. A primary conservation technique involves building energy audits that identify potential energy saving practices and capital investment options. Reductions in electricity use offer the greatest potential, since municipal buildings consume energy primarily for heating, ventilating, air conditioning (HVAC) and lighting needs. Much of this potential could be realized through changes in operational and maintenance procedures. Energy monitoring reports, issued on a regular monthly basis, provide a means for comparing actual and budgeted energy use.

The City and County of San Francisco owns and operates a sizable vehicle fleet. Management practices involving the operation and maintenance of these vehicles provide a method for reducing unnecessary fuel usage. A scheduling system for vehicle maintenance would, for instance, insure that energy conservation actions are taken on a planned basis. Gasoline, diesel, and electricity consumption would be affected. Education is critical to an effective fleet energy management program since personal driving habits greatly influence overall energy requirements.

POLICY 12.2

Integrate energy cost reduction measures into the budget process.

Once measures have been taken to improve maintenance and operations, additional energy cost savings can be obtained from retrofit investments and the acquisition of new assets. Energy criteria should be considered in purchase decisions to allow the City to identify and evaluate cost reduction investment opportunities.

Payback is a reliable measure for appraising municipal investments opportunities in energy conservation and renewable technologies. Payback provides an indication of the length of time required to recover an initial investment in an energy saving measure based on the dollar value of the energy savings resulting from that investment. It can help answer such questions as whether the City should replace its incandescent street lights with fluorescent or low sodium lights.

Life cycle cost analysis is a useful method for assessing municipal decisions on the purchase of capital equipment. The cost-effectiveness of the item is evaluated by combining the initial cost of the asset with all of the related energy costs associated with using the asset over its expected life. In many cases, a higher priced item might be a better investment if its operational costs for energy use are relatively low over time. Life cycle cost analysis should replace the current municipal bid process, which emphasizes initial costs to the exclusion of life time operational costs in purchasing decisions.

POLICY 12.3

Investigate and implement techniques to reduce municipal energy requirements.

When low cost energy management practices have been incorporated into operations and maintenance procedures, emphasis should be placed on capital investments that would reduce municipal energy demand still further. State of the art energy technologies, such as solar water heating systems, should be considered for use in municipal demonstration projects. The Steinhart Aquarium in Golden Gate Park is a successful example of a solar retrofit demonstration project. Co-generation systems might provide an attractive investment for facilities such as schools and hospitals that have large space heating needs. Governmental buildings with constant hot water but seasonal space heating requirements could be likely candidates for separate boiler systems. Such applications increase the efficiency of energy use while providing opportunities to inform and educate the public.

In new City and County facilities, redevelopment projects, and extensive rehabilitation or modernization work, building design should be encouraged that will minimize overall energy requirements. Recently completed State and Federal facilities in Northern California consume substantially less energy than is currently allowed under the State's Title 24 energy conservation standards. District heating and other "total energy" systems can provide economical alternatives to less efficient decentralized energy systems. Demonstration projects of this type would set an example to the private sector on feasible methods to reduce energy budgets for major new projects.

POLICY 12.4

Encourage investment in capital projects that will increase municipal energy production in an environmentally responsible manner.

The City's Hetch Hetchy system currently provides ample electricity to meet all municipal needs. Excess power is sold to other government agencies and private customers, providing revenues to the City and County. Recent studies have indicated that Hetch Hetchy's electrical capacity could be increased through investments in a variety of projects, including small hydro development throughout the system. Such expansion should be undertaken in conjunction with careful consideration of the environmental consequences to the surrounding region.

The City and County has several additional opportunities to increase municipal energy production capability in an environmentally responsible manner. These include participation in a solid waste to energy plant to produce electricity, treatment of sewerage for possible production of methane gas, and involvement in community waste recycling efforts. These projects would alleviate current waste problems while producing fuels that might prove useful in governmental demonstration projects.

POLICY 12.5

Include energy emergency preparedness plans in municipal operations.

The City and County of San Francisco should be prepared for possible fuel shortages or disruptions in energy supplies due to political or economic events in addition to emergency situations resulting from natural disasters such as earthquakes. These situations could have a severe impact on important municipal services normally supplied to the public. Energy contingency plans are essential to minimize impacts on the health, safety, and general welfare of the public. Such plans should be coordinated with State emergency preparedness efforts.

San Francisco's energy emergency preparedness plan should emphasize management systems such as fuel rationing, delineation of essential and non essential services and restricted vehicle operations that would ensure the continued provision of essential public services. In addition, community preparedness and financial management strategies should be examined to reduce local economic dislocations from sudden energy scarcity and price increases.

Residential

OBJECTIVE 13

ENHANCE THE ENERGY EFFICIENCY OF HOUSING IN SAN FRANCISCO.

San Francisco's residents have seen their utility bills rise well beyond the rate of inflation. Higher utility costs only exacerbate the fact that the city is one of the most expensive housing markets in the nation. The Federal government has reduced its funding commitments to energy conservation. The State's role in residential energy conservation, though important, has also been limited by budget cutbacks. As a result, city government must provide leadership in working with the private sector and PG&E to stabilize energy costs.

The residential sector consumes nearly one fourth of the electricity and approximately two-thirds of the natural gas used in San Francisco. San Franciscans use considerable less electricity than average PG&E residential customers, although they consume close to the average amount of natural gas. Natural gas is used primarily for space and water heating, while electricity is used for lighting and appliances. Older housing typical of San Francisco is poorly insulated and requires more heating, and generally contains fewer appliances. Natural gas usage represents the largest energy savings potential in the residential sector, through the implementation of cost-effective weatherization measures and more efficient operation of space and water heating systems.

Actions taken to increase the efficient use of energy may raise initial housing costs for private owners in some cases. These actions will, however, promote affordable housing in the long run by reducing annual utility expenses. San Francisco residents can save substantial sums of money and energy by undertaking an aggressive energy management program that includes community education and promotion, regulation, creative financing, and some capital investment. Special emphasis should be devoted to programs that benefit the city's renter and elderly residents, since this portion of the population pays a higher proportion of their income on energy bills.

POLICY 13.1

Improve the energy efficiency of existing homes and apartment buildings.

The vast majority of the City's homes and apartment buildings were built prior to the adoption of California's building energy standards. Economical remedial energy measures are currently available that can produce significant energy and monetary savings to residents of these structures. These measures include, but are not limited to, increased levels of ceiling insulation, weatherstripping and caulking of windows and exterior doors, low flow showerheads, thermostat setbacks, water heater blankets and electric ignition devices for appliances. Implementation of these measures on a citywide level would reduce projected expenditures for energy by millions of dollars, and at a relatively low cost to the city's residents.

A special problem exists in attempts to upgrade the energy efficiency of San Francisco's apartment buildings. Tenants pay utility bills, either directly when billed by PG&E, or indirectly when landlords pass through utility costs in rents. As a result, landlords have little incentive to install energy management measures. Likewise, tenants are reluctant to make capital improvements to their apartments for a number of reasons: many tenants move relatively frequently, making justification of capital improvements difficult; tenants perceive building improvements as a landlord responsibility; and, in master metered buildings, tenants who reduce their energy consumption often are not rewarded by lower utility charges and/or rent reductions.

Local weatherization activities should emphasize a combination of educational and governmental enforcement measures. Utility and community organizations are good resources for educating homeowners, tenants, and landlords about energy cost reduction opportunities, including financial and technical assistance programs. Master metering should be strongly discouraged, and conversion to individual metering encouraged when shown to be cost-effective. Municipal building and housing codes should be examined for ways to include economical energy efficiency standards in existing residential structures. These efforts are necessary to protect the affordability of housing in San Francisco.

POLICY 13.2

Strengthen enforcement of the state's residential energy conservation building standards.

California has adopted energy standards for new residential buildings and buildings undergoing extensive remodeling (Title 24). Homes and apartments constructed according to these standards are expected to consume approximately 40% less energy than comparable older units.

The State has left enforcement of Title 24 energy standards to local government, without providing financial assistance for staff support. As a result, local government enforcement is uneven at best. It is important that San Francisco have an inspection staff that is knowledgeable about State energy standards for this region. In addition, there must be sufficient personnel to properly review plans and undertake site inspections to insure compliance with Title 24.

POLICY 13.3

Expand the environmental review process to encourage the use of additional measures to save energy in new housing.

Designers of new housing should address the site as the first step in production of energy efficient housing. The primary energy needs of residential structures in San Francisco are space and water heating. Whenever practical, housing sites should be oriented to provide maximum exposure of living areas to sunlight and daylight. This will significantly reduce space heating and lighting needs.

Building technologies currently on the market make it economically feasible to produce energy efficient housing beyond the State adopted standards. These technology options include solar water heating systems, operational skylights for natural daylighting and ventilation, and co-generation and waste heat recovery systems in mixed use projects. Specific guidelines should be made available to assist developers in assessing specific technologies for new development projects.

POLICY 13.4

Encourage the use of energy conserving appliances and lighting systems.

Over two-thirds of San Francisco's residential electrical demand is devoted to the operation of refrigerators, household appliances and lighting systems. State and Federal legislation has set minimum efficiency standards for major new appliances and requires labels that reveal anticipated lifetime operational costs. Labeling, combined with educational programs, should make consumers more aware of the energy requirements of major household appliances such as refrigerators, stoves and heaters.

The use of fluorescent lighting systems for service areas, in combination with light dimmers for living areas, is a proven way to reduce electricity use while providing adequate lighting comfort.

POLICY 13.5

Emphasize energy conservation in local government housing assistance programs.

City housing agencies should take the lead in adopting energy conservation criteria into their housing programs. Reducing energy expenditures is an important part of providing affordable housing. Energy audit and weatherization work should be coordinated with the city's rehabilitation loan programs. Energy efficiency should be stressed in new subsidized units.

Redevelopment areas should be targeted as demonstration sites for the purpose of constructing energy efficient housing. Sites should be analyzed for their energy production potential. Housing construction within redevelopment areas should achieve lower energy budgets than currently allowed under State Title 24 energy standards, in order to set an example for other areas of the city.

POLICY 13.6

Advocate real estate association participation in residential energy management program efforts.

Homeowners and investors increasingly seek information on utility bills prior to purchasing property. The general public relies on the opinion and expertise of the real estate industry on housing matters. As such, San Francisco's realtors should become actively involved in marketing energy management strategies to both home and apartment building owners. By educating clients on energy efficiency improvements that will reduce operating energy costs, the real estate industry would provide a valuable service in helping to upgrade San Francisco's housing, without the need for additional government regulations.

Commercial

OBJECTIVE 14

PROMOTE EFFECTIVE ENERGY MANAGEMENT PRACTICES TO MAINTAIN THE ECONOMIC VITALITY OF COMMERCE AND INDUSTRY.

The commercial sector is the fastest growing energy use sector in San Francisco. Commercial buildings consume over half of the electricity and over a quarter of the natural gas supplied to the city. Within this sector, electrical demand has been growing at a rate double the growth of total city demand. The current boom in new office construction will further increase commercial energy use. Energy conservation in commercial buildings, therefore, represents an important citywide objective.

In the commercial and industrial sectors, electricity is used for lighting, air conditioning, office equipment and welding operations, while natural gas is used for space and water heating, food storage/ preparation and metal fabrication. The greatest energy savings can be made through better management of lighting and better design and management of heating, ventilation and air conditioning (HVAC) systems. An effective conservation program will save businesses and industry substantial amounts of money that can be reinvested in the local economy. In the absence of efficiency improvements, energy expenditures by commercial and industrial users would be expected to triple in a decade.

An effective commercial and industrial energy management program will require the participation of architects and design engineers, and representatives of organizations, such as the Building Owners and Managers Association, the Chamber of Commerce, and PG&E.

POLICY 14.1

Increase the energy efficiency of existing commercial and industrial buildings through cost-effective energy management measures.

The vast majority of commercial and industrial buildings were constructed when energy costs were of little concern to architects and engineers. The costs associated with doing business in San Francisco have risen partially as a result of energy expenditures that have increased dramatically over the past decade. Many of the barriers to multifamily residential energy conservation apply to commercial structures as well. There is a diversity of building types and equipment in use, thus requiring specialized analysis for each structure. Many commercial businesses are tenants in master-metered buildings and are only indirectly held accountable for energy use through operating cost clauses in their leases.

There is a strong need for private business leadership in promoting energy efficiency in existing buildings. Key strategies to reduce operating energy loads involve proper maintenance and operation of mechanical systems. Lighting levels can be adjusted and incandescent lighting replaced with fluorescent, mercury and sodium alternatives. Computerized energy management systems can be an economical measure for large energy users. Commercial and industrial energy conservation is limited only by the innovation and imagination of building architects and engineers.

POLICY 14.2

Insure adequate local enforcement of California's non-residential building standards.

The California Energy Commission has adopted and periodically reviews energy design standards for all new non-residential buildings (Title 24). The standards require that all new buildings be designed to use significantly less energy than buildings built prior to the passage of the new requirements.

The City is charged with the enforcement of the State building standards. Enforcement of the standards is a responsibility of the City's Bureau of Building Inspection (BBI). Conformance with the State's energy efficiency standards should be a priority in the City's building permit review process. This will require adequate training of building code inspectors on the energy components of the building standards.

POLICY 14.3

Expand the environmental review process to encourage the use of additional measures to save energy in new commercial buildings.

California Title 24 Standards do not reflect the state of the art in building efficiency design. There are a number of design features which have been used successfully in some San Francisco highrise buildings to further reduce energy consumption, e.g. the use of natural ventilation to reduce air conditioning demand. Detailed case studies should be undertaken to evaluate the performance of such features. This information should be shared with parties involved in building design and EIR preparation.

The environmental impact report (EIR) process is designed to review the potential environmental impacts associated with major new development projects. This process provides an opportunity for dialogue among the City, developer and public on a range of issues, including energy. Commercial case studies and energy research efforts should be undertaken to determine cost-effective energy conservation strategies, e.g. single metering, integrated energy systems, flextime to reduce peak transit use, that should be integrated into EIR procedures.

POLICY 14.4

Promote commercial office building design appropriate for local climate conditions.

The climate of San Francisco is dominated by the sea breezes characteristic of maritime climates. Because of the steady stream of marine air, there are few heat and cold extremes. Temperatures exceed 90 degrees F. on an average of once a year, and drop below freezing on an average of less than once a year.

Commercial building design should reflect San Francisco's climate. Buildings designed to take advantage of nearly year long westerly winds will be able to maximize natural ventilation opportunities. Heating, ventilation and air conditioning (HVAC) systems should be designed with these climatic conditions in mind. These actions would reduce both operating costs and energy demand.

POLICY 14.5

Encourage use of integrated energy systems.

Integrated energy systems are a promising method for increasing the efficiency with which energy is used in commercial and mixed use projects. This concept encompasses a variety of systems. District heating and cooling systems deliver hot water or steam to buildings from a central location. San Francisco has three district heating systems serving the Civic Center and downtown areas, two of which are owned by PG&E. These systems are presently underused, despite considerable activity in new commercial office construction downtown. A feasibility study on providing steam service to new projects within or adjacent to the present steam distribution area should be undertaken. The present system could be operated more efficiently at lower unit cost with additional customers.

Other integrated energy technologies, such as co-generation and waste heat systems, use one fuel source to provide two or more end needs, thereby reducing overall energy requirements. Such systems might present a feasible and economically attractive energy supply option for new commercial office, mixed use and industrial projects. Initial studies should be undertaken to assess the potential application of these technologies on new development projects.

Transportation

OBJECTIVE 15

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

Transportation activities consume more than a fifth of San Francisco's total energy. Personal auto use accounts for more than half of total transportation energy use locally, and more than half of this total is for work commuting. The most obvious way to reduce this level of fuel consumption is to reduce personal auto use for both work and non work travel. Where people still must rely on autos, it is necessary to make more efficient use of them, by increasing both passenger loads and fuel economy.

Providing efficient transportation services in metropolitan areas is a complex problem. The best way to reduce transportation energy use is to increase the overall efficiency of transportation systems. Policies should be developed which take advantage of densities and location to reduce the need to travel and increase access to transit. Significant energy savings could result from construction of mixed use development projects that integrate employment with residential and shopping uses.

The benefits of reduced transportation energy use are clear. It will save money for both San Francisco's residents and business community while conserving critical fuel resources. This will, in turn, reduce the city's vulnerability to oil supply interruptions, with the added environmental benefit of lessening pollution and congestion.

POLICY 15.1

Increase the use of transportation alternatives to the automobile.

Transit remains one of the more energy efficient methods of accommodating personal transportation needs, particularly the daily commute to and from work. The City of San Francisco is fortunate to have an extensive transit system that is used and supported by local residents. As such, its continuance and expansion should be encouraged.

The system, however, is not without its problems. Local revenue sources are declining in proportion to the rising costs of maintaining existing service levels. The growth of commercial office development downtown, while increasing the local tax base, also imposes pressure to expand the existing service network in order to avoid both increased congestion and a reduction in transit service levels. A financing partnership should be established to maintain and enhance the city's energy efficient transportation network. Financing mechanisms should be pursued to allocate the costs associated with increased transit service demand. In addition, a variety of transportation alternatives, including the provision of bicycle, jitney, and pedestrian facilities, should be carried out through both public and private transportation energy management programs.

POLICY 15.2

Provide incentives to increase the energy efficiency of automobile travel.

Increasing the energy efficiency of automobile travel should be a major local transportation energy policy. Incentives should be instituted to increase the number of passengers per vehicle for local travel. Preferential parking for carpools and van pools, restrictions on the availability of long term parking for single occupant vehicles, and continuance of state tax credits for employers who implement carpool and vanpool programs, are some of the ways to encourage energy efficient high occupancy auto travel. In addition, the city can promote use of fuel efficient vehicles through implementation of preferential parking policies for smaller autos, and reducing the size of off-street parking spaces.

POLICY 15.3**Encourage an urban design pattern that will minimize travel requirements among working, shopping, recreation, school and childcare areas.**

An energy efficient transportation system is highly dependent on local land use policies. San Francisco's high density, compact form lends itself to the use of various transportation alternatives in order to satisfy the daily needs of local residents. Recent developments, however, could seriously alter this balance. New housing has not kept pace with the growth in local employment, imposing pressure on existing housing and encouraging housing growth outside the city. Commercial neighborhood districts are under intense development pressure, forcing certain neighborhood services to move outside the area. These trends increase distances, and thus energy requirements, for personal travel.

The city should implement programs that reinforce facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities.

Neighborhood commercial policies should promote the continued presence of diverse local service establishments.

Aligning housing production with job growth, encouraging local businesses, reducing employee need to travel, and centering growth around transit corridors would enhance the city's existing urban character, while minimizing the need for personal transportation beyond these mixed-use neighborhoods.

POLICY 15.4**Promote more efficient commercial freight delivery.**

Better designed and more adequate space for freight loading in major high rise commercial buildings will increase the energy efficiency of the transportation system by minimizing traffic congestion. San Francisco should aggressively enforce recently enacted off-street freight loading and service vehicle space requirements. The City should also examine the feasibility of establishing satellite freight centers to reduce truck movement into the downtown.

POLICY 15.5**Encourage consideration of energy use issues when making transportation investment decisions.**

The development of new transportation facilities can either increase total energy demand or encourage greater energy conservation. The funding of highway and transit projects is complex and involves the agreement of many government agencies. San Francisco should work with other local governments and regional agencies to ensure that future transportation plan development is consistent with its transportation and energy policies, both of which emphasize energy conservation.

POLICY 15.6**Promote alternative work arrangements which will contribute to more efficient transportation use.**

Currently, the work trip is the largest single component of personal transportation needs, responsible for peak service loads and overcrowding of the existing transportation system. Energy savings could be achieved through more efficient utilization of the existing transit system. Alternate work arrangements, such as flex-time or staggered work hours, have the potential for increasing the efficiency of the existing transportation system while reducing the need for system expansion.

Alternate Energy

OBJECTIVE 16**PROMOTE THE USE OF RENEWABLE ENERGY SOURCES.**

Renewable energy is a term applied to energy sources which do not rely on finite reserves of fossil or nuclear fuels. These sources are directly or indirectly due to the sun, with the exception of tidal energy, and include such forms as solar, wind, biomass, and hydro. Renewable energy sources are non-depletable; hence, their use reduces dependence on conventional fossil fuels, particularly from foreign sources. They are relatively benign to the natural environment. In addition, renewable energy sources tend to be labor intensive, encouraging the growth of local enterprises and jobs. For these reasons, their use should be actively encouraged.

All City agencies should give greater consideration to the potential use of renewable energy systems. Land use and regulatory codes should integrate renewable energy concerns. Solar access issues should be identified and local approaches developed to facilitate the use of various systems for space and water heating needs. Local government codes have, directly or indirectly, encouraged greater

energy use and discouraged investments in renewable energy technologies. Changes in land use policies and regulatory codes can significantly increase local reliance on renewable energy resources. These programs include expediting permit applications, consumer protection, information services, and special programs for low-income residents and small commercial businesses. Local government should be committed to undertaking this re-examination in order that it might better reflect a position of leadership in support of renewable energy sources.

POLICY 16.1

Develop land use policies that will encourage the use of renewable energy sources.

Steps should be taken to protect areas offering high solar energy collection potential, such as south facing slopes, from being shaded. Solar access strategies will differ according to existing and proposed height and bulk regulations. South wall and rooftop solar access may be achievable in low density residential districts. Rooftop access should be possible in medium to high density residential, commercial and mixed use districts. If new development impairs the performance of existing systems, compensatory or mitigation measures should be taken.

POLICY 16.2

Remove obstacles to energy conservation and renewable energy systems in zoning and building codes.

A detailed analysis of zoning and building codes should be performed, particularly in terms of problems encountered by persons who have installed or tried to install systems. The National Association of Building Officials has anticipated many such problems and has developed a Uniform Solar Code to facilitate installation of solar equipment. The California Energy Commission has developed model solar access and wind legislation. These codes should be reviewed for possible adoption in San Francisco. In addition, constraints in existing local codes and permit procedures should be analyzed and modified, if the modifications do not conflict with basic health and safety concerns.

POLICY 16.3

Develop information resources to assist in the use of renewable energy.

Providing reliable information is an important activity in the marketing of renewable energy. Such information can motivate individuals to install energy conservation measures and renewable energy technologies. However, a key part of a successful information service program involves developing materials best suited to individual needs.

Local information services should not duplicate work proceeding at other government and utility levels but, instead, focus on local concerns: system performance in San Francisco, applicable planning and building codes, solar orientation, system sizing and access criteria, consumer protection programs, and technical assistance on solar and wind audits. A local renewable resource information service should keep citizens informed of technology developments, while acting as a clearing house on land use and code requirements. Monitoring existing solar installations is necessary to develop reliable information on expected performance. Such information is essential to those making decisions involving the local use of renewable resources.

Intergovernmental

OBJECTIVE 17

SUPPORT FEDERAL, STATE AND PG&E ENERGY PROGRAMS THAT ARE EQUITABLE, AND ENCOURAGE CONSERVATION AND RENEWABLE ENERGY USE.

Local energy programs should be tied closely to existing Federal and State laws. The complexity of energy supply and distribution systems, in addition to social equity and economic considerations, require coordination of government and utility energy plans. Local energy management efforts should be designed to inform and support local residents and businesses in using available Federal, State and utility energy assistance programs.

To carry out this objective, San Francisco should monitor energy legislation at all government levels and maintain an open dialogue with public and private agencies which have energy planning programs underway.

POLICY 17.1

Support continuation of state and federal tax incentives and credits for conservation and renewable energy technologies.

Conservation and renewable technologies are, for the most part, economical methods to reduce utility operating costs. Their widespread use, however, is dependent on the decisions of individuals and business firms to invest in these technologies. The initial costs associated with conservation and renewable energy systems dissuade individuals from investing in these technologies, regardless of potential long term benefits in reduced operating expenses. Federal, State and utility financing programs are necessary to reduce, or defer the initial costs of investing in conservation or renewable energy resources, in order to make the investment option attractive to the individual. Tax credits, depreciation allowances, and low interest loans are but a few examples of financing incentives currently in place which, when combined with high energy bills, are convincing utility customers to invest in conservation and renewable energy.

Financing incentives for small business and apartment building owners are of particular importance. Small businesses typically lack the capital to invest in energy technologies that would reduce long term operating costs. Many small businesses are tenants and thus are not responsible for making structural improvements and/or changes to the buildings they occupy. Owners of apartment buildings face a different disincentive. Generally, these owners either do not pay their tenants' utility bills, or pass on the operating costs to tenants as part of rents. Investments will occur only if building owners are offered financial incentives, e.g. tax credits, to offset investment income.

POLICY 17.2

Promote state energy building standards that are cost-effective and take into account San Francisco's climate and density patterns.

The California Energy Commission has recently revised its energy standards for new building construction. The new standards are intended to reduce energy costs by relying on increased ceiling and wall insulation, thermostat controls, fluorescent lighting, double and triple paned windows, passive solar design and solar water heating systems. Although these energy standards will increase initial building costs, they will, in the long run, provide an economic benefit to consumers by reducing operating costs during the life of the building.

Local governments have the opportunity to review energy standards for their region and propose alternatives that can be demonstrated to be both cost effective and save as much, or more energy, than the state standards. San Francisco has a topography, density and climate pattern that is unique in the state. It is in the city's interest to review the state energy building standards to determine their cost-effectiveness for this area, as well as the ease of implementation.

POLICY 17.3

Encourage PG&E involvement in energy management programs for residential, commercial and industrial users.

PG&E is actively involved in customer-related energy conservation activities. Examples of existing programs include residential energy audits and information referrals, low-interest loans, award and promotion programs for energy efficient building design, street light conversion, and commercial and residential load management programs.

Load management offers great potential for holding down the cost of electricity. It is a strategy to influence consumers' use of electricity by time-differentiated pricing - charging rates that reflect the cost of supplying a level of demand by either time of day or season. In the PG&E service territory, afternoons are a time of daily "peak" electricity demand, while summer afternoons represent a period of system "peak" demand.

San Francisco is experiencing a rapid increase in commercial office development activity. This activity is expected to increase significantly both the daily and seasonal "peak" electrical requirements of the local service area, since commercial office energy use is primarily for air conditioning, lighting and office equipment. Expansion of utility load management programs into the downtown office district could relieve "peaking" requirements by shifting electricity loads to times when base load generation could be more effectively used. Commercial customers could lower their operating costs, while reducing the need for PG&E to purchase expensive oil and natural gas.

Evidence to date suggests a positive correlation between financial responsibility for energy use and reduced levels of energy consumption. Commercial and residential tenants who do not directly pay their utility bills will generally consume larger amounts of energy than those held directly accountable. Commercial and residential master metering practices should be examined and alternatives encouraged which place direct responsibilities on tenants for energy use.

Financing

OBJECTIVE 18

DEVELOP FINANCING OPPORTUNITIES TO IMPLEMENT LOCAL ENERGY PROGRAMS

One of the major energy issues facing San Francisco is the unequal consequences escalating prices have on different segments of the community. Three of the groups most seriously affected by price increases are lower and fixed income renter populations, energy-intensive small neighborhood businesses such as restaurants and corner grocery stores, and certain industries that require large quantities of heat for manufacturing.

While the implementation of low cost and no cost conservation measures are a first step to reduce energy bills, over the long term, investments in conservation measures and renewable energy will be needed. Fixed income renter populations often use large amounts of gas for space heating, and large amounts of electricity to operate relatively inefficient older appliances. Over the long run, weatherization, more efficient HVAC systems, and the use of solar systems to provide hot water will help alleviate increasing utility costs for fixed income renters. Without such improvements, the city's efforts to stabilize rent costs and protect the affordability of housing will be compromised.

Access to loans or other financing options to install these measures is critical. The City should investigate possibilities for acquiring funding to assist or subsidize residential and private business improvements if other sources of financing are not available. This effort should be targeted to fixed and lower income populations, energy-intensive small businesses such as restaurants and corner grocery stores, and local energy intensive industries.

POLICY 18.1

Promote government and private financing partnerships to carry out local energy programs.

Creative use of State and Federal financial assistance programs should be explored. A local revolving fund, through the issuance of revenue bonds, might be established to undertake local energy conservation programs. Tax-exempt leasing and lease-purchase arrangements offer another promising method to implement energy conservation and renewable resource strategies.

A local non-profit energy corporation could provide a means to channel financing resources to local conservation programs. Local governments can assist in the formation of special assessment districts to undertake energy projects. Such a district could be applied to certain industrial and neighborhood areas for the production, sale and use of alternate energy systems.

Government and utility involvement is particularly appropriate in hardship and low income situations. San Francisco's utility user tax (5% of PG&E billings) may provide a funding source for an energy conservation loan program geared to low-income residents. The City should encourage PG&E to aggressively market its zero interest loan (ZIP) program to San Francisco's low-income and elderly residents.

POLICY 18.2

Encourage private financial institutions to offer energy loan programs responsive to local market needs.

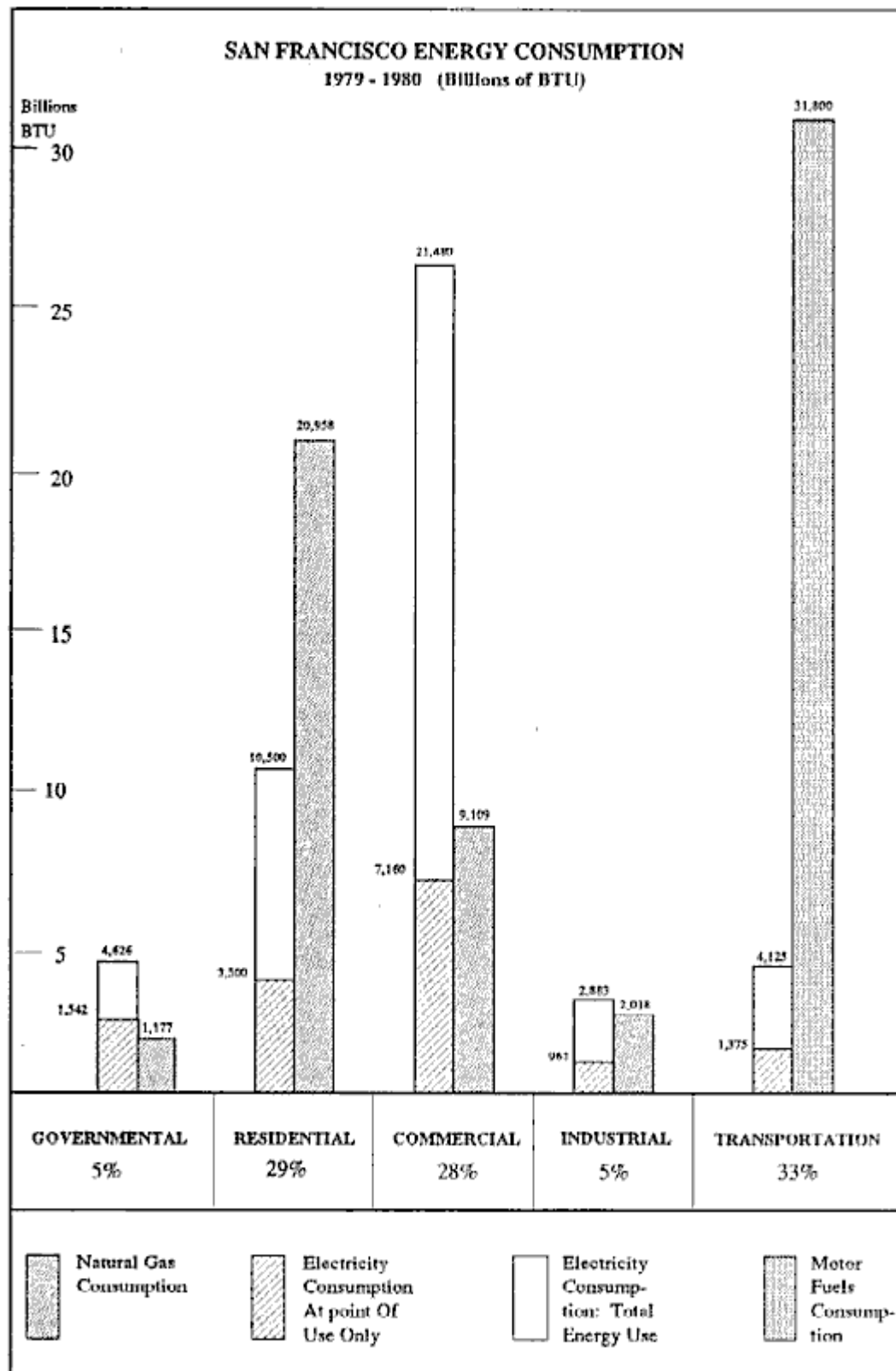
Local lending institutions are important sources for financing commercial and residential conservation. A pioneering program involving solar "T-bills", which are earmarked for solar system financing, has been successfully developed in San Francisco. San Francisco lenders have also taken the lead in supporting State legislation to create a secondary market for solar loans. Continued innovation and more aggressive participation by additional lenders is needed to service and promote a growing energy investment market.

POLICY 18.3

Establish a self-supporting system for funding municipal energy cost reduction investments.

The City should explore the feasibility of establishing a revolving loan fund, using Hetch Hetchy revenues, to undertake municipal electrical conservation programs. All electricity conserved from these investments not only will reduce expenditures for electricity, but will also generate additional revenues to Hetch Hetchy, since conserved electricity can be sold at rates two to three times higher than the rate charged to City departments. These additional revenues can be used to finance future energy-saving investments in natural gas, which will, in turn, further reduce budgetary expenditures and generate additional net revenue.

USE PATTERNS BY SECTOR - 1980



Use Patterns by Sector - 1980

Glossary of Energy Terms

British Thermal Unit: (BTU) The amount of heat needed to raise one pound of water (approximately 8.3 gallons) one degree Fahrenheit. Both electricity (kilowatts) and natural gas (therms) can be converted to BTUs. BBTU is a billion BTU.

Co-generation: Any of several processes which use either power generation reject heat to satisfy process heat requirements, or process waste heat for steam generation of electricity.

Cost-effective: Determination that a financial investment today in a given technology or program will produce an adequate financial return in reduced costs.

District Heating: A system which provides residential and commercial space heating for a neighborhood or large complex of buildings from a central heat source. District heating, which exists in San Francisco, could also provide opportunities for co generation.

Energy Audit: The measurement of energy flow within a structure for the purpose of measuring energy waste and potential savings. Subsequent recommendations usually include operational improvements and retrofitting.

Energy efficiency: The degree to which energetic input yields a desired output (e.g. work or space heating).

High Pressure Sodium Vapor: A high efficiency light-emitting electric bulb; more efficient than standard mercury vapor street lights.

Kilowatt Hour: The basic unit of electrical energy, equal to one kilowatt of power supplied to or taken from an electrical circuit for one hour (1000 watts). One kilowatt hour is equal to 3,412 BTU.

Master Metering: A single utility company electric or gas meter which serves on structure or building with multiple tenants. Tenants typically are not directly billed for master metered services.

Natural Gas: A natural hydrocarbon gas composed typically of methane, ethane, butane and propane. It comes from terrestrial wells with or without accompanying crude oil and is generally much higher in heat content than manufactured gas.

Non renewable energy resources: Energy resources that rely on oil, gas, coal and/or nuclear sources.

Payback: In this document, the time it takes to recover a financial investment in energy conservation or solar technology through reduced payments for energy use.

Renewable energy technologies: Technologies using energy resources that are sustainable over time or that have slow rates of depletion such as solar, wind, biomass, solid waste, geothermal, co generation and hydropower.

Residential Conservation Service: (R.C.S.) A Federal mandate that utility companies provide energy audits for residential customers.

Retrofit: Upgrading of an existing systems through subsequent addition of new components. In terms of energy conservation, addition of materials or devices to an existing building to achieve energy conservation (for example, insulation).

Solar access: Access which prevents solar energy collection (heat absorbing) areas from being blocked or shadowed from direct sun exposure.

Therm: A unit of measurement for natural gas, equivalent to 100,000 BTUs.

Waste conversion: Recovery of energy as an adjunct to waste disposal. It may involve pyrolysis (heating to produce gas or oil); hydrogenation (chemical reduction of materials to produce oil); or fermentation ("digestion") of activated sewerage sludge to produce methane.

Weatherization: A set of measures such as insulation, caulking, and weatherstripping, which reduce heat loss (infiltration) in buildings.

Hazardous Waste

This section was added by Resolution 13941 adopted on 8/17/1995

Mandates for Hazardous Waste Planning

The Tanner Act enacted by the State in 1986 requires California counties to prepare Hazardous Waste Management Plans or have the State supersede local government in terms of the siting authority for treatment, storage and disposal facilities. A detailed Plan, responding to state hazardous waste mandates was developed by the Office of San Francisco's Chief Administrative Officer in conjunction with a citizens advisory group. The detailed Plan including many management and educational programs was approved by the Board of Supervisors in 1992 and by the State Environmental Protection Agency in 1995. This section of the Environmental Protection Element condenses and summarizes the more detailed document with emphasis on land use issues for purposes of the General Plan.

In general, hazardous waste responsibilities are divided among federal, state and local levels of government. Local government takes the lead for land use decisions related to hazardous waste facilities and for emergency response programs. State government oversees "cradle to grave" management of hazardous waste including all transport activities. This usually involves manifests which are forms indicating types and amounts of hazardous waste being transported on State highways and where such waste is being taken. The State has delegated much of its enforcement and inspection function for facilities and those entities using hazardous materials and generating hazardous waste to the local Departments of Public Health. The federal government has taken the lead in regulating and in some cases funding the cleanup of past contamination which all levels of government now seek to prevent.

Characteristics of Hazardous Waste in San Francisco

San Francisco County is a moderate generator of hazardous wastes in California. The management of hazardous wastes in San Francisco presents some unique challenges. There is a diversity of hazardous waste sources and types. There are a large number of businesses which are very small quantity generators. San Francisco is characterized by high-intensity land use, and limited land area which makes siting of a hazardous waste facility difficult.

Waste is generated by public agencies, the private sector, and individuals in the City and County. The principal waste types in San Francisco are oil, paint and solvents. The hazardous waste management system is operated by private industry to collect, handle, transport, treat, store and dispose of hazardous waste generated in San Francisco County and extends far beyond the County's own

boundaries for off-site disposal. The City and County of San Francisco under the Chief Administrative Officer, Solid Waste Management Program administers the local hazardous waste management process. Authorization of the siting of hazardous waste facilities is a responsibility of the Planning Department and Commission. This section contains guidance for such siting decisions.

A transfer and storage facility (TSF) where San Francisco residents can drop off hazardous waste from their homes free of charge is run by the Sanitary Fill Company under contract with the City. In the future this facility may evolve to serve additional business users and to treat some of the wastes in order to facilitate reuse or recycling. The existing facility is at the San Francisco Solid Waste Transfer and Recycling Center on Tunnel Avenue on the City's southern border. The San Francisco Department of Public Health has a major role in enforcement and monitoring of that facility.

The City's ability to use an out of county landfill site at Altamont in Alameda County for solid waste is dependent on the proper management of hazardous waste and avoidance of its presence within solid waste loads taken to the landfill site. The City's contract with Altamont requires it to have a program to keep hazardous waste out of the landfill. The City is responsible for substantial penalties if hazardous waste is found within materials brought to the landfill site.

The Hazardous Materials Citizens Advisory Committee appointed by the Board of Supervisors advises the San Francisco Health Department on numerous practices encompassed by the hazardous waste management plan including the storage and reuse of hazardous material and the implementation of many state and local regulations.

Goal

The major goal of hazardous waste planning is to minimize or eliminate harm to public health and the environment from hazardous wastes and prevent hazardous waste being disposed into land or water or emitted into the air. The County's detailed plan emphasized in order of priority: source reduction, including chemical elimination as well as substitution; recycling and reuse; treatment (on-site and off-site) and as a last resort, disposal (off-site). In recycling and reuse, the minimization of air emissions is especially important. The County Plan also provided the basis for siting of hazardous waste facilities still required after serious efforts to achieve source reduction.

Source Reduction

OBJECTIVE 19

PROMOTE SOURCE REDUCTION THROUGH REDUCED USE OF HAZARDOUS MATERIALS AND GENERATION OF HAZARDOUS WASTE.

FIGURE 1.

HAZARDOUS MATERIALS WASTE REDUCTION & WASTE MANAGEMENT HIERARCHY

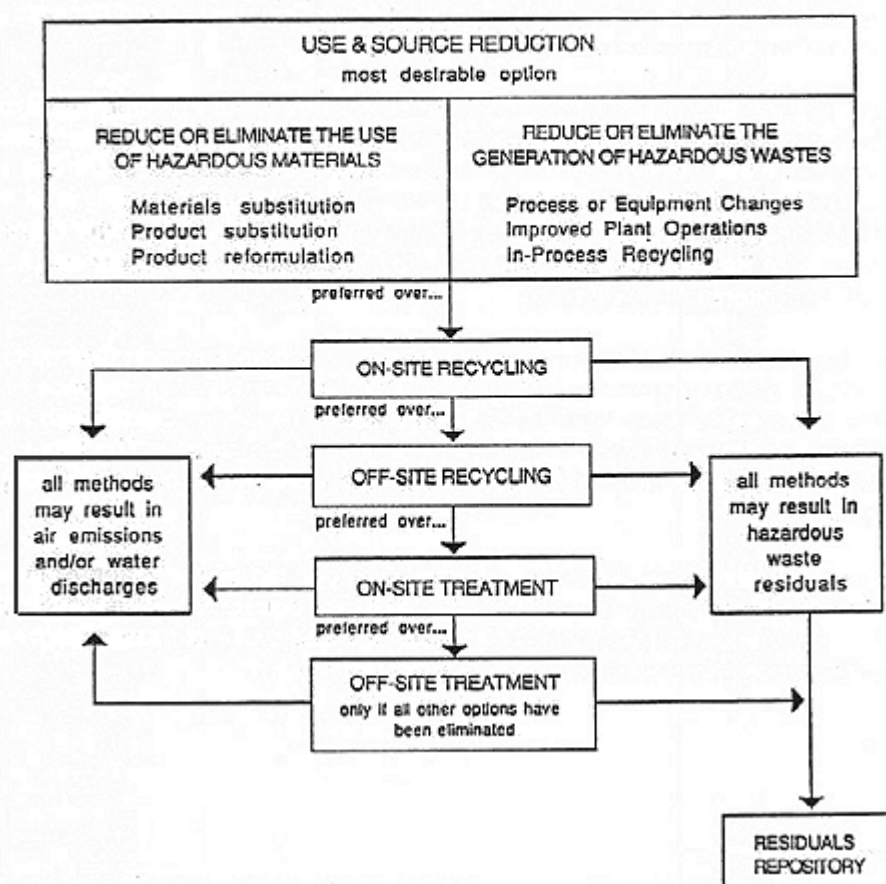


Figure 1. Hazardous Materials Waste Reduction & Waste Management Hierarchy

In terms of environmental protection, the emphasis needs to shift from the disposal of hazardous wastes to their prevention by not using hazardous materials in the first place. In addition to protecting the environment, source reduction helps conserve chemical resources. It allows for significant financial savings due to the elimination or reduction of costs associated with management, transportation, treatment and disposal of hazardous waste. Also eliminated are risks of human exposure and environmental release, and liability which are exacerbated by San Francisco's high population density. The need for expansion of treatment and disposal facilities is reduced.

Because of the importance and value of source reduction, it is at the top of the waste reduction hierarchy. Barriers to source reduction include: institutional inertia, overemphasis on disposal and need for assistance by the public on understanding the availability of non-hazardous substitute products. Source reduction is also essential in strengthening the position of the County in negotiating potential intercounty agreements for provision of off-site waste management.

POLICY 19.1

Identify reduction opportunities through waste reduction audits.

A waste reduction audit examines existing production and hazardous materials use practices within a plant or business and provides a roadmap for developing a source reduction and waste reduction strategy. Waste reduction audits should be performed for all firms using hazardous materials. Specific recommendations of such audits can include: housekeeping changes such as waste segregation and modification of cleaning and rinsing procedures; modification of technical processes or equipment to produce the same product but reduce the waste stream; substitution of raw materials or of the manufactured products used in facility operations; and external reduction opportunities such as a waste exchange. Audits could be a service and/or requirement for users of the hazardous waste facility or for firms generating hazardous waste.

POLICY 19.2

Support public education related to lowered use or substitution of hazardous chemicals and on the proper management of hazardous waste.

San Francisco's residents, businesses, work force and public officials should be educated on source reduction including chemical elimination as well as substitution and on the safe handling of hazardous waste generated in their homes, workplaces, recreational facilities and public buildings.

Policy 19.3

Encourage City agencies to act as role models by establishing a Waste Minimization Program.

A City government top management interdepartmental program should commit to implementation of waste minimization efforts. A Waste Minimization Pilot Program for City Departments can assist with strategies for choosing alternatives to hazardous materials, reducing waste quantities and recycling. This should include review of the purchase of hazardous products for safer substitutes.

Adequate Facilities

OBJECTIVE 20

ENCOURAGE DEVELOPMENT OF FACILITIES NEEDED TO RECYCLE, TREAT, STORE, TRANSFER AND DISPOSE OF HAZARDOUS WASTE.

Recycling and reuse are the next preferred approaches over source reduction. Even after serious attention to source reduction, there will still be a quantity of hazardous materials requiring appropriate facilities for recycling, or storage and transfer out of San Francisco. Over time these quantities should diminish. The City will need to evaluate expansion options for the existing facility, whether to pursue curbside removal of used oil and whether a collection at a number of decentralized locations is appropriate. In considering these options, the potential for recycling and reuse should be strongly emphasized, after all possible efforts at hazardous chemical elimination or substitution have been pursued.

Through its solid waste management contractor, the Sanitary Fill Company, the City operates a centralized household hazardous waste collection facility at Beatty and Tunnel Avenues. The existing hazardous waste collection, storage and transfer facility is part of a much larger complex which includes recycling and refuse collection and transfer. The analysis of long term trends in source reduction, as well as the use of this hazardous waste facility and its pilot program for commercial very small quantity generators is crucial to the evaluation of potential new facilities and services.

POLICY 20.1

Ensure that siting and permitting authorization for proposed off-site facilities or facilities expansion adequately protects the public health and provides for effective hazardous waste management and economic efficiency.

An off-site facility involves the transfer of hazardous waste from the site where it was generated to another location where it may be stored, treated, transferred again. In some cases, disposal may be involved. After extensive review of State criteria for location of hazardous waste transfer, storage or treatment facilities, the County Hazardous Waste Management Plan directed that such facilities should only be located in San Francisco's Heavy Industrial (M-2) districts. However, not all parts of the heavy industrial district which rings major portions of the shoreline in the southeastern part of the City are equally suitable. Such attributes as federal ownership, potential landslide hazards, liquefaction and/or subsidence hazards as shown on Map -- reduce suitability for locations of a transfer, storage or treatment facility (TSF). Other State and local criteria and considerations are summarized in the tables on the following pages.

A disposal site for waste remaining after recycling or treatment is not possible within San Francisco because of the State's extensive land requirements (50-300 acres plus a 2000 foot buffer from residences). San Francisco therefore will need to continue exporting these residual wastes out of the county.

The need for the siting of any additional hazardous waste facilities should be assessed against the State siting criteria and local considerations as developed in the County Hazardous Waste Management Plan and summarized here. State law also requires the appointment of a local advisory committee to advise the City on terms and conditions by which a new facility or a proposed expansion may be acceptable to the community.

POLICY 20.2

Support San Francisco's participation in regional agreements on a fair share allocation for future facilities.

In November, 1990 the Board of Supervisors adopted a resolution endorsing San Francisco's participation in a regional Hazardous Waste Management Facility Allocation Committee. This committee convened by the Association of Bay Area Governments is intended to refine the fair share concept, limiting the number, types and size of hazardous waste facilities based on regional needs of the nine Bay Area counties. No one county in the region would be the recipient of all the needed facilities.

This concept is important because San Francisco clearly cannot manage its hazardous waste in isolation from other counties as it does not have areas meeting State criteria for disposal facilities. As of 1992, San Francisco exported all its manifested hazardous waste to 16 or more other counties. San Francisco is reliant on out of county disposal facilities. Only transfer, storage and treatment facilities can be located in San Francisco.

Map Showing Potential Sites in Heavy Industrial Districts

HAZARDOUS WASTE TRANSFER AND STORAGE FACILITY (TSF) SITING CRITERIA¹

The TSF **should** be:

- close to the waste generators (75% of waste generators who send waste off-site are located in the southeast area of San Francisco), and
- near major transportation routes (major highways are easily accessed from the southeast area of the City).

The TSF **may be** sited conditionally provided there is a risk assessment, engineered design features, and/or buffer zone:

- in areas of potential flooding because of reservoir failure
- in areas with unstable soils
- in areas subject to subsidence (ground collapses) or liquefaction (ground changes from granular material to a fluid state)
- in areas subject to tsunamis (tidal waves)
- in areas with high groundwater · in areas with permeable strata and soils
- in an air quality "non-attainment" area
- near residences
- near immobile populations (e.g., schools, hospitals)
- in recreational areas (e.g., Golden Gate National Recreation Area, but only for low volume transfer and storage of wastes generated there), and on State or Federal lands

The TSF **may not** be sited:

- on military land (e.g., Hunters Point Naval Shipyard);
- in wetland areas (areas determined by the Army Corps of Engineers and the California Department of Fish and Game); and
- in critical habitat areas; there is no precise mapping of the existence
- of sensitive species in the southeast section of San Francisco; field analysis may be required if and when facilities are proposed.

¹ County Hazardous Waste Management Plans are required to utilize criteria listed in California Department of Health Services, Toxics Substances Control Division, Guidelines for preparation of Hazardous Waste Management Plans, June, 1987.

LOCAL CONSIDERATIONS FOR HAZARDOUS WASTE FACILITIES

- Identification of waste reduction techniques which can be employed by users of the facility and what modification to the scope of the project such waste reduction efforts require.
- Landscaping around the facility to enhance esthetics and reduce noise.
- Limitation of hours of truck arrival or departure related to peak traffic periods.
- Designation of special transportation routes for highly hazardous materials or waste that are to be handled by a facility.
- Education of the users of the facility by the project sponsor on waste reduction, waste handling, and transportation techniques.
- Assistance by the project sponsor in establishing milk runs (to pick up hazardous wastes) where it is economically feasible.

Policy 20.3

Preserve the existing treatment and storage facilities at the site they currently occupy, if feasible.

The only remaining hazardous waste treatment facility in San Francisco at China Basin provides service for ship waste, oil and tank bottom wastes. The recovered oil is sent to a re-refiner and the treated water is transported by truck to the local waste water treatment facility after appropriate testing. Without this treatment facility, sizable quantities of facility of locally generated oil waste would have to be transported and managed outside of San Francisco. This facility also is an important component of San Francisco's regional fair share of hazardous waste facilities.

Protection of Health and Environment

OBJECTIVE 21

CONTROL ILLEGAL DISPOSAL AND ELIMINATE LAND DISPOSAL OF UNTREATED WASTE

Lack of awareness and lack of convenient low-cost disposal options are probably the two major causes of illegal disposal of hazardous waste on City streets and sidewalks, vacant lots, private property and into the sewer system. Hazardous waste presents environmental problems when disposed of in streets or sewers, or when combined with solid waste for disposal in municipal waste land fills. The improper disposal of hazardous waste can result in exposure and health risk to sewer and solid waste collection employees and the public. The combined effect over time of many small volumes of illegally disposed of hazardous waste can contaminate soil and groundwater.

POLICY 21.1

Prevent illegal disposal.

A major continuing approach to preventing illegal disposal is the Waste Acceptance Control Program which samples solid waste collected in San Francisco by the local garbage haulers. This program is directed to preventing hazardous waste from being delivered to the landfill. It consists of methods for identifying and removing any prohibited wastes which are delivered to the transfer station. When a prohibited waste is found, the Sanitary Fill facility is equipped to safely hold it on a temporary basis until the customer is contacted and is required to reclaim the waste. The most common problem materials are paint and oils.

POLICY 21.2

Strengthen enforcement efforts.

There should be a balance of education and enforcement to ensure that the latter is used when, and only when, necessary. Enforcement programs need to be coordinated with the identification of hazardous waste management and disposal options. Generators of hazardous waste who fail to respond to Department of Public Health notices are referred to the City Attorney's Office and District Attorney's Office for legal action. Management information system capability is critical to cross check, anticipate and evaluate illegal disposal problems.

OBJECTIVE 22

ENSURE EMERGENCY RESPONSE CAPABILITY.

Local, state and federal laws require emergency response planning and training of hazardous waste materials users. Each business must develop its own emergency response plan. Within local government, the San Francisco Fire Department has a Hazardous Materials Emergency Response Team that is on call 24 hours a day. There are four fire fighters on duty at any one time on this ERT team. The ERT works closely with and receives technical assistance from the San Francisco Department of Health. It is the only such team in San Francisco. Better equipment and improved information on hazardous materials locations based on disclosure provisions of the San Francisco hazardous materials ordinance should be provided to this important unit.

POLICY 22.1**Ensure proper emergency response preparation.**

Improved on-the-scene data access is needed to help emergency response teams in their analysis of the hazards at sites of emergencies. The latest existing hazardous materials inventory, as required under the storage ordinance, should be computerized and made available to responding emergency authorities. The Fire Department needs improved equipment and additional equipment to use at emergencies for evaluating the risk to fire fighters and the public and for stabilizing the materials involved.

POLICY 22.2**Coordinate and strengthen interagency response efforts.**

Implementation of the emergency provisions of the local storage ordinance should be integrated with the requirements of state and federal laws. The Fire Department should continue to work in close coordination with the Department of Public Health, the City Office of Emergency Services and the Police Department. The Fire Department utilizes San Francisco Health Department industrial hygienists when the substance(s) and its properties and potential health effects are unknown. Actual clean up of spills and similar contamination are generally conducted by a contractor under Health Department supervision.

Amendment by Resolution 13941 on 8/17/1995.

Amendment by Resolution 16900 on 12/2/2004.

Amendments by Board of Supervisors Ordinance 0010-23 on 1/31/2023.

San Francisco Planning Department
sfplanning.org

Questions or comments on the General Plan? Please email us at pic@sfgov.org.



San Francisco
Planning

Exhibit 12

Fw: IMMEDIATE DISCLOSURE REQUEST – PUBLIC RECORD REQUEST under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

From: [REDACTED]

To: [REDACTED]

Date: Friday, February 16, 2024 at 04:22 PM PST

----- Forwarded Message -----

From: Summers, Ashley (REC) <ashley.summers@sfgov.org>

To: [REDACTED]

Sent: Friday, February 16, 2024 at 03:20:52 PM PST

Subject: RE: IMMEDIATE DISCLOSURE REQUEST – PUBLIC RECORD REQUEST under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

We received your Immediate Disclosure public records request.

Although you labeled your request as an Immediate Disclosure Request, it is not "simple, routine, or otherwise readily answerable," as is required by San Francisco Administrative Code Section 67.25(a). For this reason, we are treating your Immediate Disclosure Request as a standard public records request, subject to the normally applicable response times.

Once the responsive records are released to you, a link will be provided to you to view them. This link is valid for 30 days.

The Recreation and Park Department's policy is to protect private information, including but not limited to addresses, phone numbers, and personal email addresses.

Sincerely,

Custodian of Records

Recreation and Park Department

Ashley Summers (she/her)

Commission Liaison

San Francisco Recreation and Park Commission

501 Stanyan Street

San Francisco, CA 94117

(415) 831-2750 | recpark.commission@sfgov.org

<https://sfrecpark.org/411/Commission>

From: [REDACTED]

Sent: Thursday, February 15, 2024 4:12 PM

To: Summers, Ashley (REC) <ashley.summers@sfgov.org>; Westhoff, Alex (CPC) <alex.westhoff@sfgov.org>; Stokle, Brian (REC) <brian.stokle@sfgov.org>

Subject: IMMEDIATE DISCLOSURE REQUEST – PUBLIC RECORD REQUEST under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: ashley.summers@sfgov.org, alex.westhoff@sfgov.org, and brian.stokle@sfgov.org

February 15, 2024

Immediate Disclosure Request - Public Record Request under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

I am submitting an immediate disclosure request for the following information noted in the “Requested Records” section below, which I believe is a simple, routine and otherwise readily answerable request. Your immediate response is not optional but is required by law. If you cannot immediately fulfill this request within 24 hours under the requirements of Sunshine Ordinance Sec 67.25(a) then please provide me via direct email reply with a full written legal justification as to why you cannot timely fulfill the request, with your email response copied to Supervisor.Records@sfcityattys.org to document any possible compliance violations.

You need to provide all responsive records in your department or agency's actual or constructive possession, including any employees or contractors. If you are unsure of your lawful responsibilities then you should confirm them with the applicable custodian of records for your department or agency.

Instructions:

1. Please reply directly to this email with your response and responsive documents. If any of this request is not clear or specific enough, you should not close the request. Please work with me in making my request effective to obtain identifiable public records and public information and ensure that the scope and nature of your response is accurate and complete. If you believe that a particular numbered request below is neither simple, nor routine, nor an otherwise readily answerable request, you should indicate this belief clearly while replying fully and immediately to each of the other numbered items.
2. With each listed public record and public information request below, please provide **all** the public records and public information concerning that request.
3. If you are only replying with *partial* public record and public information fulfillment, please state so, with a description of the missing information and the reason for the omission, and specify all entities that

may hold the rest of the public record and public information.

4. If you believe you have no responsive public record nor public information, please indicate clearly. If you believe you do not have possession of any public records and public information requested and believe the public records and public information are with another office or person, please state by full legal name any such person(s) or entity(s) that you believe may hold any of the public record(s) or public information, and assist me in directing those requests to the proper office or staff person, indicating to me that you have done so with sufficient information to identify your belief as to any other applicable records custodians.

5. If you believe all or part of the public record(s) and public information can be withheld from public disclosure for any reason, please state the specific reason and include the applicable rule citation regarding the nature of the record.

6. If you believe the public records and public information are with another organization or person and not with the city, please state the reason you do not think you are required to acquire the public record(s) and public information.

7. If this IMMEDIATE DISCLOSURE REQUEST should be sent to any other city department or agency, please forward it in its entirety to that agency and either copy my email address directly or provide me with a copy of your correspondence forwarding this item to that agency.

8. *Do not process this request as a "nextrequest" item since I will regard that decision as a willful denial of this IMMEDIATE DISCLOSURE REQUEST due to the illegal requirements of registration, passwords, and other procedural complications of "nextrequest."*

Requested Records

Please provide the following:

1) Regarding Coastal Zone Permit application Record No.: 2022-007356CTZ with the Project Address of Upper Great Highway between Lincoln Way & Sloat Boulevard plus surrounding streets, any and all document(s) describing or memorializing any environmental review of, or adverse impacts to, coastal zone resources in or near the Project Address, including any document(s) indicating, evaluating, alleging, discussing, or concluding that such review may or may not have been exempt under a) any provisions of the State of California Public Resources Code, and b) the San Francisco Local Coastal Program.

If I have not received the requested information by **5:00 pm Friday, February 16, 2024**, I will assume my Immediate Disclosure Request has been denied, and I may request in any legal or administrative proceeding or adjudication that your non-responsive handling will constitute an admission of incomplete records allowing me to establish presumptions of fact.

Thank you for your cooperation and assistance adhering to applicable law by answering this IMMEDIATE DISCLOSURE REQUEST prior to the deadline noted above.

Sincerely,



San Francisco Resident

Exhibit 13

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Cal. Pub. Resources Code § 30001

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Current through the 2023 Legislative Session.

Section 30001 - Protection of coastal zone

The Legislature hereby finds and declares:

- (a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.
- (b) That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.
- (c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.
- (d) That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-

Empty search bar

Amended by Stats. 1979, Ch. 1090.

Previous Section

[Section 30000 - Title of act](#)

Next Section

[Section 30001.2 - Location of electrical generating facilities, refineries and coastal-dependent developments in coastal zone](#)

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Cal. Pub. Resources Code § 30007.5

Current through the 2023 Legislative Session.

Section 30007.5 - Conflicts between policies of division

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.

Ca. Pub. Res. Code § 30007.5

Added by Stats. 1976, Ch. 1330.

Previous Section
[Section 30007 - Local governments not exempt from](#)

Next Section
[Section 30008 - Constitutes California s](#)

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Cal. Pub. Resources Code § 30200

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Current through the 2023 Legislative Session.

Section 30200 - Generally

(a) Consistent with the coastal zone values cited in Section 30001 and the basic goals set forth in Section 30001.5, and except as may be otherwise specifically provided in this division, the policies of this chapter shall constitute the standards by which the adequacy of local coastal programs, as provided in Chapter 6 (commencing with Section 30500), and the permissibility of proposed developments subject to the provisions of this division are determined. All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone shall consider the effect of such actions on coastal zone resources in order to assure that these policies are achieved.

(b) Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts

Amended by Stats. 1982, Ch. 43, Sec. 8. Effective February 17, 1982.

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Cal. Pub. Resources Code § 30240

Current through the 2023 Legislative Session.

Section 30240 - Environmentally sensitive habitat areas protected;
development adjacent to areas

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Ca. Pub. Res. Code § 30240

Amended by Stats. 1991, Ch. 285, Sec. 4.

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Cal. Pub. Resources Code § 30253

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Current through the 2023 Legislative Session.

Section 30253 - Duties of new development

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Ca. Pub. Res. Code § 30253

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Cal. Pub. Resources Code § 30270

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Current through the 2023 Legislative Session.

Section 30270 - Consideration of the effects of sea level rise

The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.

Ca. Pub. Res. Code § 30270

Added by Stats 2021 ch 236 (SB 1),s 2, eff. 1/1/2022.

Exhibit 14

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



Th9a

Prepared April 20, 2018 for the May 10, 2018 Hearing

To: Commissioners and Interested Persons

From: Jeannine Manna, District Manager
Stephanie Rexing, District Supervisor
Patrick Foster, Coastal Planner

Subject: San Francisco LCP Amendment Number LCP-2-SNF-18-0028-1 (Western Shoreline Area Plan)

SUMMARY OF STAFF RECOMMENDATION

The City and County of San Francisco (“the City”) proposes to amend its Local Coastal Program (LCP) Land Use Plan (LUP), also referred to as the Western Shoreline Area Plan, by adding new policies related to coastal hazards. The proposed amendment primarily addresses erosion, flooding, and sea level rise along the Ocean Beach shoreline in San Francisco’s coastal zone and transforms some of the broad visions on these points developed through the Ocean Beach Master Plan planning process¹ into a set of LCP policies that provide direction at a similarly broad level of detail. The proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City’s overall intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to the review of development proposed in potentially hazardous areas. As a whole, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

The proposed amendment is the outcome of an LCP Local Assistance Grant Award received by the City from the Commission and the State Ocean Protection Council in November 2014, and

¹ The Ocean Beach Master Plan (SPUR, 2012) is a collaborative document that represents the cooperation and involvement of the City/County of San Francisco and a host of federal, state, and local agencies, as well as community stakeholders in an 18-month planning process. The Plan presents recommendations for the management and protection of San Francisco’s Ocean Beach, addressing seven focus areas related to land use in San Francisco’s coastal zone: ecology, utility infrastructure, coastal dynamics, image and character, program and activities, access and connectivity, and management and stewardship.

the proposed policy language has been developed in close coordination with Commission staff, local stakeholders and the public. It is also the City's first attempt at an LCP amendment since the LCP was originally certified in 1986. Given that the original LCP lacks specificity on a range of coastal issues, including issues that have become more pronounced in over three decades since certification, Commission staff have discussed the need for a full LCP update with the City, including one that could transform the conclusions and recommendations of the full Ocean Beach Master Plan into LCP policies. To be clear, however, this amendment is not that update. Rather, it should be considered a first step, and one that is focused on at least providing a baseline of LCP policy language designed to address some of the most pressing issues facing the San Francisco shoreline, which will ultimately lead to the City's long-term goal of a more comprehensive LCP update to respond to changes in circumstances and understandings since original LCP preparation and adoption in the 1980s.

Staff believes that the proposed amendment can be found consistent with the coastal resource policies of Chapter 3 of the Coastal Act, and that it reflects the recommendations of the Commission's 2015 Sea Level Rise Policy Guidance. Indeed, some of the proposed policies codify Coastal Act language directly, including permitting requirements related to armoring and new development in the coastal zone. For example, the proposed text explicitly recognizes the threat posed by coastal hazards and the need to identify appropriate siting out of harm's way, while ensuring that armoring is avoided wherever feasible and that it be accompanied by appropriate mitigation when required to protect existing structures in danger from erosion. Also in line with the Coastal Act's mandate to protect coastal resources, and in light of the fact that the San Francisco shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, the amendment discourages new development in areas subject to an increased risk of coastal hazards by limiting new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require new or expanded shoreline armoring, and will not contribute to bluff instability.

In short, the proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. No changes to the existing LUP or IP policies and procedures are proposed, so existing policies pertaining to other issues (e.g., coastal access, public recreation, transportation, land use, and habitat protection) remain entirely intact. The proposed text strengthens the LCP, is the result of a healthy collaboration between City and Commission staff, and staff recommends that the Commission approve the amendment as submitted. The motion and resolution are found on page 4 below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on March 30, 2018. It amends the LUP only, and thus the 90-day action deadline is June 30, 2018 (pursuant to Coastal Act Sections 30512 and 30514(b)). Therefore, unless the Commission extends the action deadline (it may be extended by up to one year per Coastal Act Section 30517), the Commission has until June 30, 2018 to take a final action on this LCP amendment.

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APPENDICES

Appendix A – Substantive File Documents

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EXHIBITS

Exhibit 1 – City of San Francisco’s Proposed LCP Amendment

I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, approve the proposed LCP Land Use Plan (LUP) amendment as submitted. This amendment applies to the LUP only, so the Commission needs to make only a single motion in order to act on this recommendation. Thus, staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP amendment as submitted and adoption of the following resolution and findings. The motion passes only upon an affirmative vote of the majority of the appointed Commissioners.

Motion: *I move that the Commission certify Land Use Plan Amendment LCP-2-SNF-18-0028-1 as submitted by the City and County of San Francisco, and I recommend a yes vote.*

Resolution: *The Commission hereby certifies Land Use Plan Amendment LCP-2-SNF-18-0028-1 as submitted by the City and County of San Francisco and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.*

II. FINDINGS AND DECLARATIONS

A. BACKGROUND

The City and County of San Francisco prepared its Local Coastal Program (LCP), comprised of the Western Shoreline Area Plan and implementing policies of the City's Planning Code, in the early 1980s, and the City's LCP was originally certified by the Coastal Commission on March 14, 1986. There have been no amendments since that time, and thus this current amendment is the City's first attempt at modifying the LCP since it was certified over three decades ago.

In light of issues related to coastal hazards, including as informed by Commission CDP decisions in the late 2000s, the City began to explore options for a planning framework to address erosion and coastal access along the shoreline through the Ocean Beach Task Force and the Ocean Beach Vision Council, culminating in 2012 with the completion of the Ocean Beach Master Plan, prepared by the San Francisco Planning and Urban Research Association (SPUR), an urban planning nonprofit organization. The Ocean Beach Master Plan represents the cooperation and involvement of the City and the Coastal Commission, among other federal, state, and local agencies, as well as community stakeholders in an 18-month planning process addressing seven focus areas: ecology, utility infrastructure, coastal dynamics, image and character, program and activities, access and connectivity, and management and stewardship. In November of 2014, the City was awarded a LCP Local Assistance Grant Award from the Commission to amend its LCP in accordance with the Coastal Act to both better address and account for erosion and sea level rise, as well as to convert the vision presented in the Ocean Beach Master Plan into actionable LCP policies.

The proposed LCP amendment would lay the foundation for implementation of some of the recommendations of the Ocean Beach Master Plan, including those related to the stated goals of addressing sea level rise, protecting infrastructure, restoring coastal ecosystems and improving public access. Specifically, the proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City's broad intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to the review of development proposed in potentially hazardous areas. Overall, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

Work conducted by the City under the LCP Assistance Grant included a public and agency involvement strategy consisting of regular meetings with an Interagency Advisory Committee, the Ocean Beach Community Advisory Committee, and the general public, to solicit input and address questions or concerns. Existing data and analyses on coastal vulnerability and the potential impacts of sea level rise to the City's coastal zone were integrated to provide a baseline understanding of current and future risk to inform development of LCP policies. Coastal Commission staff worked closely with City staff and stakeholders throughout the grant term,

participating in the public and interagency meetings, as well as individual meetings with City staff, to ensure that LCP policy language reflects the objectives of the Coastal Act and recommendations in the Commission’s Sea Level Rise Policy Guidance. The proposed policies are also best designed to fit the unique landscape of development in San Francisco’s coastal zone where the immediate shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, and thus presents a different set of challenges and objectives than those faced by other local governments, where much, if not most of the shoreline is fronted by private development and houses.

In addition, another unique fact set here is that the City’s LCP has been untouched since it was originally certified in the 1980s. Given that the original LCP lacks specificity on a range of coastal issues, including issues that have become more pronounced in over three decades since certification, Commission staff have discussed the need for a full LCP update with the City, including one that could transform the conclusions and recommendations of the full Ocean Beach Master Plan into LCP policies. To be clear, however, this amendment is not that update. Rather, it should be considered a first step, and one that is focused on at least providing a baseline of LCP policy language designed to address some of the most pressing issues facing the San Francisco shoreline, which will ultimately lead to the City’s long-term goal of a more comprehensive LCP update to respond to changes in circumstances and understandings since original LCP preparation and adoption in the 1980s.

B. DESCRIPTION OF PROPOSED LCP AMENDMENT

The proposed amendment will add a “Coastal Hazards” section to the existing LUP, comprised of an objective and policies that seek to address hazards unique to the coastal zone, including erosion, coastal flooding, and sea level rise. The amendment would transform some of the broad visions on these points developed through the Ocean Beach Master Plan planning process into a set of LCP policies that also provide direction at a similarly broad level of detail. The proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City’s overall intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to review of development proposed in potentially hazardous areas. As a whole, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

The proposed amendment’s overarching objective, which each of the six proposed policies is designed to implement, states:

Objective 12. Preserve, enhance, and restore the Ocean Beach shoreline while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards.

Subsequently, each of the proposed policies is directed towards that broader vision. Specifically, LCP Policy 12.1 outlines specific managed retreat adaptation measures that the City will pursue in response to impacts from shoreline erosion and sea level rise between Sloat and Skyline Boulevards, including incremental removal of shoreline protection devices and other beach obstructions, relocation of public beach parking and restrooms to areas that will not require shoreline protective devices to ensure the safety of those structures, eventual closure of the Great Highway in the area, importation of sand for beach/dune restoration, extension of the coastal trail to Fort Funston and Lake Merced through construction of a multi-use pathway along the shoreline, and consideration of shoreline armoring to prevent damage to wastewater and stormwater infrastructure only when no feasible less environmentally damaging alternatives exist and subject to Coastal Act criteria in other proposed policies.

LCP Policy 12.2 provides an overarching framework for the City as they develop future adaptation measures for the entire shoreline. This policy directs the City to develop sea level rise adaptation measures using the best available science, including preparation of sea level rise vulnerability assessments, hazard maps, and related adaptation plans. The policy requires that such vulnerability assessments and maps be based on sea level rise projections for worst-case mid-century and worst case end-of-century sea level rise in combination with a 100-year storm event, and includes a scenario that does not rely on existing shoreline protection devices. According to this policy, adaptation plans must be designed to minimize coastal resource impacts and prioritize measures that preserve, enhance or restore sandy beach areas (e.g., nourishment, dune restoration, and managed retreat) over new or expanded shoreline armoring. Such plans must also consider a wide range of non-armoring alternatives, as well as the recommendations contained in the Ocean Beach Master Plan.

To further promote soft shoreline protection measures and maintain a sandy beach, LCP Policy 12.3 requires the City to pursue the development and implementation of a long-term beach nourishment program to preserve Ocean Beach as a public recreational resource and protect existing public infrastructure. The City is actively nourishing south Ocean Beach currently through the provisions of CDP 2-15-1357, and is exploring additional options and opportunities, specifically related to use of dredge spoils from the main Golden Gate Bridge channel dredging operations, that could significantly expand such efforts in the future.

Recognizing that sea level rise and erosion are expected to worsen over time, proposed LCP Policy 12.4 describes requirements to ensure that the Ocean Beach shoreline is developed in a responsible manner, including limiting new public development in the immediate shoreline area to that which is required to serve public recreational access and/or public trust needs only if certain criteria are met. The policy also requires that new development and substantial improvements to existing development be sited and designed to minimize risks to life and property, ensure stability and structural integrity, not contribute to geologic instability, and not require protective devices that would alter the natural bluff and shoreline landforms.

The proposed amendment also addresses the potential impacts of proposed shoreline armoring with a policy specifically entitled “Limit Shoreline Protective Devices” that provides stringent requirements for when such armoring may and may not be allowed. Specifically, LCP Policy 12.5 requires shoreline protection devices be avoided, allowing for them only where less

environmentally damaging alternatives are not feasible and where necessary to protect existing structures from a substantial risk of loss or major damage due to erosion. In addition, according to this proposed policy, new or expanded shoreline protection devices are discouraged to solely protect parking, restrooms, or other pedestrian or bicycle facilities. Further, LCP Policy 12.6 outlines measures to minimize impacts of otherwise allowable shoreline armoring, including a requirement that coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources, and the potential for removal or relocation based on changed conditions. In addition, the policy requires that such protective devices be designed and constructed to avoid, minimize and mitigate impacts to sand supply, sensitive habitat areas, the area's scenic qualities, and coastal access.

Thus, some of the proposed policies codify Coastal Act language directly, including permitting requirements related to armoring and new development in the coastal zone. For example, the proposed text explicitly recognizes the threat posed by coastal hazards and the need to identify appropriate siting out of harm's way, while ensuring that armoring is avoided wherever feasible and that it be accompanied by appropriate mitigation when required to protect existing structures in danger from erosion. Also in line with the Coastal Act's mandate to protect coastal resources, and in light of the fact that San Francisco's immediate shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, the proposed policies discourage new development in areas subject to an increased risk of coastal hazards by limiting new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require a new or expanded shoreline armoring, and will not contribute to bluff instability.

In short, the proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. No changes to the existing LUP or IP policies and procedures are proposed, so existing policies pertaining to other issues (e.g., coastal access, public recreation, transportation, land use, and habitat protection) remain entirely intact. The proposed text is thereby designed to strengthen the LCP, and should be understood in that context.

Please see **Exhibit 1** for full text of the policies proposed for addition to the LCP through this amendment.

C. CONSISTENCY ANALYSIS

Standard of Review

The proposed amendment affects only the LUP component of the San Francisco LCP. Pursuant to Coastal Act Section 30512.2, the standard of review for LUP amendments is that they must conform with the Chapter 3 policies of the Coastal Act. Applicable Coastal Act policies include:

Section 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall

be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253. *New development shall do all of the following:*

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. ...

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212(a)(1)(2) *(in relevant part). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby...*

Section 30213 *(in relevant part). Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

The Coastal Act recognizes that development along the California shoreline can be affected by a wide variety of coastal hazards, ranging from strong storms and wave uprush to erosion, landslides and liquefaction. Therefore, the Act places a strong emphasis on minimizing risks associated with such hazards, and ensuring stability for development over time in such a way as to avoid adverse impacts to natural processes and coastal resources. The latter concept is particularly important at the shoreline and bluff interface where shoreline-altering development is often undertaken to protect private and public development, oftentimes with significant coastal resource consequences. Such shoreline altering development can lead to coastal resource impacts of many types, including adverse effects on sand supply and ecology, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site. Thus, the Coastal Act prohibits most shoreline protective devices with new development, and only allows armoring in limited circumstances, subject to impact avoidance and mitigation.

Coastal Act Section 30235 acknowledges that certain types of development (such as seawalls, revetments, retaining walls, groins and other such structural or “hard” methods designed to forestall erosion) can alter natural shoreline processes. Accordingly, along with coastal-dependent uses, Section 30235 authorizes such construction if “required to protect existing structures or public beaches in danger from erosion.” More specifically, Coastal Act Section 30235 requires approval of shoreline protective devices when specified criteria are met. Namely, when 1) they are necessary, 2) to protect existing structures or coastal-dependent uses, 3) in danger of erosion, 4) are designed to eliminate or mitigate adverse impacts to sand supply, 5) mitigate for other coastal resource impacts, and 6) are the least environmentally damaging feasible alternative. Therefore, in cases where shoreline protection can be approved, the coastal permit authorization must preserve public beach access, sand supply, coastal ecosystems, natural landforms, and other coastal resource values.

Relatedly, Coastal Act Section 30253 requires that risks be minimized, long-term stability and structural integrity be provided, and that new development be sited, designed, and built in such a way as to not require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. Thus, new development must be sited and designed in such a way as to avoid shoreline armoring over its lifetime that would substantially alter these key natural shoreline landforms while also ensuring that the public will not be exposed to hazardous structures or be held responsible for any future stability issues that may affect the development.

The Coastal Act’s access and recreation policies provide significant direction regarding not only protecting public recreational access, but also ensuring that access is provided and maximized. Specifically, Coastal Act Section 30210 requires that maximum public access and recreational opportunities be provided. This direction to maximize access and recreational opportunities represents a different threshold than to simply provide or protect such access, and is fundamentally different from other like provisions in this respect. In other words, it is not enough to simply provide access to and along the coast, and not enough to simply protect such access; rather such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects, and provides fundamental direction with respect to significant public recreational areas along the California coast that raise public access issues, such as at Ocean Beach.

Beyond the fundamental mandate that public recreational access opportunities be maximized for all in the coastal zone, the Coastal Act provides a series of mechanisms designed to meet that objective and to ensure public access under appropriate time, manner, and place considerations. For example, Section 30211 prohibits development from interfering with the public's right of access to the sea when acquired by legislative authorization or by use. In approving new development, Section 30212(a) requires new development to provide access from the nearest public roadway to the shoreline and along the coast, except in certain limited exceptions, such as when there is existing adequate access nearby. Section 30212.5 identifies that public facilities are to be appropriately distributed throughout an area so as to help mitigate against overcrowding and overuse at any single location. Importantly, Section 30213 requires that lower-cost visitor and recreational access facilities be protected, encouraged, and provided, while giving a stated preference to development that provides public recreational access opportunities. Coastal Act Section 30220 requires that areas that provide water-oriented recreational activities, such as the offshore areas in this case, be protected, while Section 30221 states that oceanfront land suitable for recreational use shall be protected for recreational use and development. Similarly, Section 30223 protects upland areas necessary to support coastal recreational uses. All of these policies are implicated by the proposed coastal hazards policies in one form or another in this case.

Finally, the Coastal Act's various other policies protecting coastal resources such as water quality, sensitive habitat, and visual character are also affected by the proposed coastal hazard policies, especially when considering development (such as armoring) with the potential to affect such resources in potentially hazardous areas. Thus, as a whole, Chapter 3 of the Coastal Act requires that the proposed LUP amendment provide for initial siting and design of development out of harm's way, along with direction on what to do when existing development is endangered by erosion and how best to protect all of the significant coastal resources implicated by coastal hazards along San Francisco's shoreline at Ocean Beach. In short, the proposed LUP text must effectively translate these Coastal Act requirements in a way that addresses the range of coastal hazard issues present in San Francisco's coastal zone.

Coastal Act Consistency Analysis

The City's current 1986 LCP covers coastal access, public recreation, transportation, land use, and habitat protection within the coastal zone. However, the current LCP does not explicitly address coastal hazards or sea level rise at a policy level. The primary intent of the proposed LCP text is to provide a coastal hazards framework given coastal hazards are already impacting public access, recreation, and habitat resources along the San Francisco shoreline. Such hazards are also currently endangering critical public infrastructure and public recreational facilities, while existing shoreline armoring is leading to its own resource impacts, especially in the south Ocean Beach area.

In recent years, erosion of South Ocean Beach damaged the Great Highway and resulted in the loss of public beach parking and related public facilities, and now threatens to damage critical wastewater system infrastructure. Going forward, sea level rise and the increased frequency and severity of coastal storms anticipated due to global climate change is expected to continue to exacerbate these effects, demonstrating a need to approach the management of coastal hazards in a more proactive way. The proposed amendment is designed to help address such hazards by providing measures to begin to implement some of the recommended adaptation methods

identified in the collaborative Ocean Beach Master Plan for south of Sloat Boulevard, which focus on avoiding armoring in favor of nature-based solutions that will enhance public access, recreation, and scenic and visual qualities while still providing protection to important infrastructure. Further, the amendment outlines a framework for the development of future adaptation strategies based on best available science, includes requirements for evaluating and planning future development proposed in hazard areas, and addresses the impacts of new and existing shoreline protective devices for the City's coastal zone.

The large majority of San Francisco's western shoreline is publicly owned. Approximately 85 percent of the 1,771 acres which comprise the coastal zone area are owned and operated either by the City (Golden Gate Park, San Francisco Zoo, and Lake Merced), or the Federal Government (Golden Gate National Recreation Area, which includes all of Ocean Beach itself). The remaining land is privately owned, though this also includes the Olympic Club, which remains an area of deferred certification not subject to the LCP. Thus, San Francisco's LCP does not apply to either the Olympic Club or to areas managed by the National Park Service as part of the Golden Gate National Recreation Area, both of which are directly subject to Commission oversight (through CDP processes for the former, and through federal consistency processes for the latter). Due to San Francisco's unique shoreline configuration, there are no private property owners along the immediate shoreline, and although such inland private properties may indirectly benefit from the existing O'Shaughnessy, Taraval, and Noriega seawalls currently fronting the Great Highway, the City owns and maintains those facilities for public purposes. In addition, the City determined that no buildings are exposed to current coastal flood risk and only seven buildings (including public facilities) are predicted to experience temporary flooding through 2050 based on a high-end estimate of 24 inches of sea level rise by that time. Therefore, the proposed coastal hazard and sea level rise adaptation policies are not expected to affect private development in the City's coastal zone unless and until existing public infrastructure is abandoned or redeveloped to the extent that shoreline armoring is no longer necessary.

Although shoreline protective devices may offer protection to existing structures from ocean waves and storms, the devices can have negative impacts on recreational beach uses, scenic resources, natural landforms, and the supply of sand to shoreline areas, as well as the character of the City's coastal zone. The proposed amendment allows San Francisco's LCP to explicitly acknowledge these issues for the first time, and makes clear that the use of shoreline-altering protective devices must be avoided wherever feasible, while including appropriate mitigations when armoring is necessary and allowable. The LCP amendment also sets up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of armoring in favor of nature-based adaptation strategies including managed retreat and soft shoreline protection. The amendment further ensures impacts of shoreline protective devices are minimized by including a requirement that coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources, and the potential for removal or relocation based on changed conditions.

As described above, Coastal Act Section 30235 limits the circumstances when armoring must be approved. The proposed LUP policies carry out the requirements of 30235. In particular,

proposed Policy 12.5 states: “Shoreline protection devices such as rock revetments and seawalls shall be permitted only where necessary to protect existing critical infrastructure and existing development from a substantial risk of loss or major damage due to erosion and only where less environmentally damaging alternatives such as beach nourishment, dune restoration and managed retreat are determined to be infeasible.” Policy 12.6, in turn, ensures that any permitted protective devices are designed to avoid, minimize, and mitigate their impacts.

Accordingly, as with Section 30235, shoreline armoring will only be allowed under the LCP when necessary to protect certain existing structures at risk of erosion, where there are no feasible less damaging alternatives, and when impacts are avoided (and where unavoidable they are minimized and mitigated for). San Francisco’s coastal zone has a unique development pattern, and its approach to addressing hazards is also unique. In fact, there is very limited private development in the vulnerable area of San Francisco’s coastal zone (which was largely built out prior to the Coastal Act), and a distinct lack of any residential development in danger from current or reasonably foreseeable future erosion. Thus, the development that is or could become in danger from shoreline hazards in the future is all public infrastructure, such as the Great Highway which extends along the entire beach and which was originally built over a century ago, well before the Coastal Act. The Great Highway has been explicitly recognized by the Commission as a pre-Coastal Act structure that qualifies for consideration of shoreline armoring under the Coastal Act (see, for example, CDP 2-15-1357), and has been deemed in the past to meet the first test for when a shoreline armoring can be allowed consistent with Section 30235. As indicated, the Great Highway runs the length of Ocean Beach, and decisions relative to hazards and armoring will all be understood in that context, as well as in light of prior City commitments and requirements.²

² For example, in the South Ocean Beach area where significant public wastewater treatment infrastructure is in place, decisions must be understood in the context of CDP 2-15-1357 approved by the Commission in 2015. Specifically, in that CDP the Commission approved Phase I of a two-phased project to implement temporary coastal protection measures and a management strategy for the area south of Sloat Boulevard with the simultaneous goal of protecting critical public infrastructure and the coastal environment. Phase I involved temporary authorization of some revetment areas and sand bag structures, as well annual sand relocation from accreting areas of North Ocean Beach to the erosion hotspots identified at South Ocean Beach south of Sloat, and the placement of stacked sandbags on an as-needed basis. Phase I was designed as an interim project to be implemented while the Phase II long-term solution is developed for submittal and Coastal Commission action. The long-term solution envisions narrowing and ultimately abandoning the Great Highway south of Sloat, removing temporary armoring, and ultimately managing shoreline retreat in this area differently, all as called out in the Ocean Beach Master Plan. CDP 2-15-1357 requires the San Francisco Public Utilities Commission (PUC) to develop their preferred long term plan for Coastal Commission consideration consistent with the deadlines established in the California Coastal Protection Network and the City and County of San Francisco Settlement Agreement, and no later than the end of 2021 when authorization of the temporary measures expires, and to permit and implement the plan thereafter. The PUC’s preliminarily identified preferred approach would involve the removal of existing revetments and other shoreline protection measures that are currently in place, the restoration of the bluffs and beach, and the phased construction of a low-profile shoreline protection device landward of the current bluff face and adjacent to the Lake Merced Tunnel (SPUR/ESA PWA, April 24, 2015). However, the PUC is in the midst of an alternatives analysis and assessment that includes a variety of options, including relocation of affected infrastructure inland, and their plans may change moving forward. The main point, though, is that the adaptation discussion and project for South Ocean Beach is in process under those CDP provisions, all of which dovetails with the City’s proposed LCP on these points.

The second factor unique to San Francisco is that even though such development may qualify for protection under Section 30235, the City has gone further to set up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of existing armoring in favor of nature-based adaptation strategies for managed retreat and soft shoreline protection. Finally, the amendment includes a robust framework for requiring mitigation, not only for sand supply impacts, but also for other impacts to public access caused by shoreline protection. These factors, together, properly address the provisions of Section 30235, particularly given the development context in San Francisco.

Likewise, the proposed policies ensure consistency with Coastal Act Section 30253 by prohibiting new development that would require shoreline armoring for protection and requiring new development to ensure structural stability without the use of shoreline armoring that alters natural landforms. Furthermore, new development is discouraged in areas that would be exposed to an increased risk of coastal hazards through policies that limit new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require a new or expanded shoreline protective device, and will not contribute to bluff instability. Finally, in developing policies that implement some of the primary goals and approaches outlined in the Ocean Beach Master Plan, the proposed LCP will set up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of armoring in favor of nature-based adaptation strategies. In combination with this phased approach, the proposed LCP commits the City to develop sea level rise vulnerability assessments, adaptation plans, sea level rise hazard maps, and a long term beach nourishment program, thereby ensuring that Ocean Beach and the recreational opportunities it affords will be preserved over short-, medium-, and long-term horizons.

Overall, the proposed amendment adds adaptation policies to the LUP, recognizes the unique pattern of development and hazards in the City's coastal zone, and provides a framework for implementation in both the short and long term. The proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. For these reasons, the proposed LUP amendment conforms with the policies of Chapter 3 of the Coastal Act. While not the standard of review, certification of this amendment will additionally satisfy requirements of grants awarded to the City by the Coastal Commission and State Ocean Protection Council, and will help San Francisco's LCP implement the recommendations within the Coastal Commission's 2015 Sea Level Rise Policy Guidance.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City and County of San Francisco determined that adoption of this LCP amendment is exempt from environmental review under CEQA pursuant to Public Resources Section 21080.9. Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP as amended conforms with CEQA provisions. This report has discussed the relevant coastal resource issues with the proposed amendment and concludes that the amendment would not result in an intensification of land uses, or have adverse impacts on coastal resources. The proposed LCP amendment promotes consideration of a variety of adaption measures and solutions to avoid and minimize hazards, as well as to minimize impacts of shoreline armoring. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Ocean Beach Master Plan (SPUR, 2012)
- Sea Level Rise Adopted Policy Guidance (CCC, 2015)
- Sea Level Rise Existing Data and Analyses Technical Memorandum (ESA, 2016)

APPENDIX B – STAFF CONTACT WITH AGENCIES AND GROUPS

- City and County of San Francisco Planning Department
- City and County of San Francisco Public Utilities Commission
- Surfrider Foundation, San Francisco Chapter
- San Francisco Bay Area Planning and Urban Research Association (SPUR)
- San Francisco Recreation and Parks Department
- San Francisco Zoo
- San Francisco Municipal Transportation Agency
- San Francisco County Transportation Agency
- San Francisco Public Works
- Sierra Club San Francisco Bay Chapter
- United States National Park Service - Golden Gate National Recreation Area (GGNRA)

Exhibit 15

Fwd: Record Request: Coastal Permit: 2022-007356CTZ

From: [REDACTED]

To: [REDACTED]

Date: Friday, February 16, 2024 at 04:36 PM PST

FYI

Sent from my iPad

Begin forwarded message:

From: "Son, Chanbory (CPC)" <chanbory.son@sfgov.org>
Date: February 16, 2024 at 4:33:57 PM PST
Cc: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>, "Records, Supervisor (CAT)" <Supervisor.records@sfcityatt.org>
Subject: Record Request: Coastal Permit: 2022-007356CTZ

Hello,

We are in receipt of your Immediate Disclosure Request. Pursuant to SF Administrative Code Section 67.25(a), we have determined that this is not a simple, routine or otherwise readily answerable request. Therefore, we will be processing it as a standard request and strive toward providing you with a complete response within 10 days of receipt. Finally, if we are unable to collect the information due to the voluminous nature or multiple agencies involved, we may be forced to invoke an extension, not to exceed 14 days (pursuant to SF Administrative Code Section 67.25(b) and CA Government Code Section 7922.535(a).

For this reason, we are treating your Immediate Disclosure Request as a standard public records request, subject to the normally applicable 10-day response time, with a possible extension. Accordingly, we will be in touch with you regarding the request by no later than **February 26, 2024**.

Thank you,
Chan Son, Executive Secretary
Record Request
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7346 | www.sflanning.org
[San Francisco Property Information Map](#)

Requested Records

Please immediately provide the following:

1) Regarding Coastal Zone Permit application Record No.: 2022-007356CTZ with the Project Address of Upper Great Highway between Lincoln Way & Sloat Boulevard plus surrounding streets, any and all document(s) indicating publication for the noted permit application of the public notice for the administrative record of the final report titled "Growing Resilience – Recommendations for Dune Management at Ocean Beach" which was published by the San Francisco Estuary Institute at

https://www.sfei.org/sites/default/files/biblio_files/Growing%20Resilience%20-%20Recommendations%20for%20Dune%20Management%20at%20North%20Ocean%20Beach.pdf

2) With regard to the language on page 21 of the final report noted above that "[t]he recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed," the document(s) reflecting the earliest chronological version of any draft or final report provided to you that originally contained such exact language, and a complete copy of any email transmitted to you containing such document(s).

3) With regard to the language on page 21 of the final report noted above that "[t]he recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed," the document(s) reflecting the earliest chronological version of any draft or final report provided to you that originally contained similar language or findings, and a complete copy of any email transmitted to you containing such document(s).

4) With regard to the language on page 21 of the final report noted above that "[t]he recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed," a copy of any emails transmitted to you (directly or via cc) or from you discussing such language or any similar finding.

Exhibit 16

RE: IMMEDIATE DISCLOSURE REQUEST – PUBLIC RECORD REQUEST under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and...

From: Celaya, Caroline (caroline.celaya@sfmta.com)

To: [REDACTED]

Date: Friday, February 16, 2024 at 05:01 PM PST

Geoffrey Moore:

I am confirming that we received your Public Records Request and we assigned it as PRR#24-1020. In your request, you asked for the following:

1)

Any and all document(s) listing, logging, defining, or describing the total number of 311 system complaints, calls, or inquiries that were received from February 1, 2020 through December

31, 2023 which request towing of a vehicle, indicate illegal parking of a vehicle, or express any complaint or concern about any environmental, road safety, physical safety, traffic, or parking issue associated with the section of the Lower Great Highway between Lincoln Avenue and Kirkham Street.

2) Any and all document(s) dated from February 1, 2020 through December 31, 2023 which indicate that a 311 complaint has been received which include a request for towing of a vehicle, indicate illegal parking of a vehicle, or express any complaint or concern about any environmental, road safety, physical safety, traffic, or parking issue associated with the section of the Lower Great Highway between Lincoln Avenue and Kirkham Street.

3) Any and all document(s) dated from February 1, 2020 through December 31, which describe the policy, procedure, process, or mechanical steps which were or are applicable to the exchange of 311 complaint information between the San Francisco Municipal Transportation Authority and the City Administrator.

4) Any and all document(s) dated from February 1, 2020 through December 31, which describe the policy, procedure, process, or mechanical steps which were or are applicable to the management of towing, parking, safety, or environmental complaints received from the 311 system or the City Administrator, and applicable to or associated with the section of the Lower Great Highway between Lincoln Avenue and Kirkham Street, including but not limited to any policy, procedure, process or mechanical step which describes the provision of information from the San Francisco Municipal Transportation Authority to the City Administrator with respect to the resolution of any such matters that had been received.

If I misunderstood your request, please let me know immediately.

The purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Admin. Code § 67.25(a).

Thus, the requester's designation of a request as an immediate disclosure request does not automatically make it so. Rather, a department may adhere to the time deadlines governing

standard requests – an initial 10-day period for response, plus a possible extension of up to 14 additional days – if the extensive or demanding nature of the request would impose an undue burden on the department to respond immediately.

Our department will identify and compile the requested information. The Sunshine Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests. Therefore, I will contact you as soon as the responsive documents are ready and will do so on or before February 26, 2024, as permitted by San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).

Note that I am placing this request in Next Request for **tracking purposes only**. **We will provide our response to you via email as that is your stated preference.**

Sincerely,

Caroline Celaya

Manager, Public Records Requests

San Francisco Municipal Transportation Agency

1 South Van Ness Avenue, 7th floor

San Francisco, CA 94103

From: [REDACTED]

Sent: Thursday, February 15, 2024 3:23 PM

To: Celaya, Caroline <Caroline.Celaya@sfmta.com>

Subject: Fw: IMMEDIATE DISCLOSURE REQUEST – PUBLIC RECORD REQUEST under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

EXT

Immediate Disclosure Request - Public Record Request under San Francisco Sunshine Ordinance (SF Admin. Code, §§67 et seq.) and the California Public Records Act (Gov. Code, §§ 6250 et seq.)

February 15, 2024

To: caroline.celaya@sfmta.com

I am submitting an immediate disclosure request for the following information noted in the “Requested Records” section below, which I believe is a simple, routine and otherwise readily answerable request.

Your immediate response is not optional but is required by law. If you cannot immediately fulfill this request within 24 hours under the requirements of Sunshine Ordinance Sec 67.25(a) then please provide



BOARD OF APPEALS

Date Filed: February 20, 2024

City & County of San Francisco

REHEARING REQUEST FOR APPEAL NO. 23-065

Charles Perkins, Appellant(s) seeks a rehearing of **Appeal No. 23-065** which was decided on **February 7, 2024**. This request for rehearing will be considered by the Board of Appeals on Wednesday, **March 13, 2024**, at 5:00 p.m. in Room 416 of San Francisco City Hall. The parties are encouraged to attend in-person but may also attend **via the Zoom video platform**.

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the **response** to the written request for rehearing must be submitted by the opposing party and/or Department no later than **10 days from the date of filing, on or before 4:30 p.m. on March 1, 2024** and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. The brief shall be double-spaced with a minimum 12-point font size. An electronic copy should be e-mailed to: boardofappeals@sfgov.org julie.rosenberg@sfgov.org corey.teague@sfgov.org and cperkinssf@yahoo.com

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from each side will be allowed. Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.

Based on the evidence and testimony submitted, the Board will make a decision to either grant or deny your request. Four votes are necessary to grant a rehearing. If your request is denied, a rehearing will not be scheduled and the decision of the Board will become final. If your request is granted, a rehearing will be scheduled, the original decision of the Board will be set aside, and after the rehearing, a second decision will be made. Only one request for rehearing and one rehearing are permitted under the Rules of the Board.

Requestor

Signature: Via Email

Print Name: Charles Perkins, Appellant

Rehearing Request of Appellant Charles Perkins on Appeal No.: 23-065 Challenging After-The-Fact Issuance of Coastal Zone Permit For Upper Great Highway Closure (Record No.: 2022-007356CTZ (Motion No. 21437))

Appellant Charles Perkins hereby requests rehearing of the Board of Appeals' February 7, 2024, decision to affirm the granting of an after-the-fact Coastal Zone Permit (CZP) to the Recreation and Parks Department (RPD) for a significant project involving the Upper Great Highway (UGH). (Rules of Bd. of App., rule 9.) Many aptly stated bases for rehearing are set forth in the rehearing requests of fellow appellants SPEAK and Geoffrey Moore, which I hereby incorporate by reference and adopt as my own. Additionally, I highlight a few points below.

The City Attorney correctly advised the Board that the standard of review it should apply was *de novo*, which means the Board should independently evaluate and make its own determination on whether, *under the law*, a CZP should be granted, with no deference to the Planning Commission's determination. (See *Bartolome v. Sessions* (9th Cir. 2018) 904 F.3d 803, 812 [“[d]e novo review means that the [reviewing body] does not defer to the . . . ruling [below] but freely considers the matter anew, as if no decision had been rendered below”].) Under the law, the Board had to deny the permit if it was not consistent “with the requirements and objects of the San Francisco Local Coastal Program” (LCP). (SF Plan. Code, § 330.5.1(b).) Similarly, a permit can be granted only where if the Board makes findings that the permitted project does conform to those requirements and objectives. (*Id.*, § 330.5.2.)

After my opportunity to speak ended, the City Attorney, commencing around SFGOVTV Counter 4:08:17, advised the Board that the LCP:

Include[s] broad objectives, and I think that's sort of what the Board needs to consider, because the objectives which are part of the Local Coastal Program in some ways include—I mean, it's a policy, right? And so it references things like pedestrian use, but it also references parking. It also references the highway. And so it is a determination that the Planning Commission had to make based on policy objectives that are not always in harmony with each other.

This was not accurate. “A specific provision relating to a particular subject will govern in respect to that subject, as against a general provision, although the latter, standing alone, would be broad enough to

include the subject to which the more particular provision relates.” (*Rose v. State of California* (1942) 19 Cal.2d 713, 723–724.) Here, the Western Shoreline Area Plan (WSAP; accessible here: https://generalplan.sfplanning.org/Western_Shoreline.htm), which comprises a major part of the City’s LCP, specifically addresses the UGH and makes crystal clear that the CZP had to be denied. Objective 2 is labeled “The Great Highway” and Policy 2.1 states in full:

POLICY 2.1

Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

As a matter of law, this UGH-specific provision requires that the UGH remain open as a four-lane highway to pleasure traffic and there could not be any balancing. In ascertaining the legal effect of words, if the language is clear and unambiguous, the inquiry ends and there is no need for further analysis. (See *People v. Dyer* (2002) 95 Cal.App.4th 448, 453.) The language must simply be applied as written. (See *Chambers v. Miller* (2006) 140 Cal.App.4th 821, 825.) Yet the City Attorney advised the Board that it was free to, in essence, ignore the clear-as-day requirement that the UGH be maintained as a four-lane highway for automobile traffic based on other considerations. This was error.

Other provisions of Objective 2, i.e., the objective that specifically addresses the UGH, echo that it must remain open for cars. Policy 2.4 addresses methods for pedestrians to safely cross the UGH because there are cars on it to access the beach, calling for a pedestrian bridge “over [the] vehicular underpass,” or at minimum, improved crossings with signals, walkways, lighting and landscaping. Policy 2.5 calls for increased parking positioned such “that the Great Highway need not be crossed,” obviously due to the fact that it handles automobile traffic. Policies 2.7-2.9 similarly call for improved and safer ways for pedestrians to cross the UGH to access the beach. Conversely, not a single provision of Objective 2, “The Great Highway,” allows for the systematic closure of the UGH to any extent, let alone almost three

sevenths of each week. Such closure *undermines* the LCP and because it is not consistent “with the requirements and objects of the [LCP],” a CZP has to be denied. (SF Plan. Code, § 330.5.1(b).)

During the same advisement in which the City Attorney erroneously told the Board, in essence, that it could ignore directly on point provisions of the LCP and instead, offset those based on other policy considerations, she also stated:

There is one reference in the Local Coastal Plan [sic.] with respect to the Great Highway and the ecosystem. And what it says is design parking to afford maximum protection to the Dune ecosystem. So it doesn't have broad environmental objectives, right?

This was error, and frankly, the definitive statement that the LCP does not have broad environmental objectives is somewhat shocking. The paramount controlling law is the California Coastal Act (Pub. Res. Code, § 30000 et seq.), and it is on this that the LCP is based. After naming the Act, the very first thing the California Legislature did was codify its environmental findings driving the Coastal Act. Public Resources Code section 30000.1 states:

The Legislature hereby finds and declares:

- (a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.
- (b) That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.
- (c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.
- (d) That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.

Thus, the City Attorney's statement that the LCP “doesn't have broad environmental objectives, right?” was patently false. Also misleading was her suggestion that the LCP is not particularly concerned with the sensitive dune ecosystem other than in connection with the location of parking. The City Attorney acknowledged that Objective 2, titled “The Great Highway,” states that parking should be designed “to

afford maximum protection to the dune ecosystem” (Policy 2.5), but discounted this as a command that UGH uses account for dune protection. But the WSAP is replete with mandates that the dunes be protected. (See Policies 6.2, 12.1(d), 12.2(3), 12.4 [Implementation Measure], 12.5, all accessible here: https://generalplan.sfplanning.org/Western_Shoreline.htm.)

Both in my brief on appeal and during oral argument, I addressed at length the additional abuse the dunes endure when the UGH is closed to cars, which nobody disputed. Again, Objective 2, “The Great Highway,” mandates that the UGH remain open as a four-lane highway for cars (Policy 2.1) and recognizes the importance of “maximum protection to the dune ecosystem” (Policy 2.5), and there is no need to look beyond this specific objective, which makes clear that the CZP has to be denied. But if more is needed, despite what the City Attorney advised the Board, the LCP hammers home the imperative command that projects not detrimentally impact the dunes, which a closed UGH does.¹

The City Attorney wrongly seemed to equate CEQA and the Coastal Act in advising: “Mr. Teague mentioned the environmental piece [and if] you look at the Board of Supervisors record, it did go to the Planning Commission for a CEQA exemption,” and then stating that the LCP “doesn’t have broad environmental objectives, right?” CEQA has nothing to do with the issues here. It is true that Rec and Parks (RPD) went to the Planning Commission *and secured a CEQA exemption, such that no environmental review of the UGH closure was required under that law*. But that does not mean that in evaluating whether a CZP should issue, impact on the environment is not the paramount consideration. The truth is, as demonstrated in my brief on appeal, the closed UGH has massive and detrimental environmental impact, in terms of added vehicle miles traveled and release of additional carbon emissions right on the doorsteps of local residents, dune destruction, and safety in the area, among

¹ The City Attorneys directions to the Board were conflicting. As to the dunes, she seemed to instruct that the Board limit its evaluation to Objective 2 of the WSAP, which addresses the UGH specifically. But for other purposes, she instructed the Board to look beyond Objective 2.

other things. For good reason RPD, champion of the UGH closure, wanted to avoid an environmental impact report at all costs. But securing a CEQA exemption doesn't mean that environmental impact is not a concern when it comes to issuing a CZP. (Pub. Resources Code, § 21174 [nothing in CEQA "is a limitation or restriction on the power or authority of any public agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer, *including, but not limited to, the powers and authority granted to the California Coastal Commission [and to] the extent of any inconsistency or conflict between the provisions of the California Coastal Act of 1976 [and CEQA], the provisions of [the Coastal Act shall control]*", emphasis added.]

Taking a "shoot first and ask questions later" approach, RPD commenced the UGH closure project without securing a CZP, and then asked for forgiveness much later. The City Attorney wrongly advised the Board that this was a "chicken and egg" situation. That was error. The Supervisors authorized a pilot project. That did not mean that RPD had to commence the project without securing a CZP. The UGH at any time could have been reopened to drivers seven days per week, while RPD attempted to secure all that was *legally required* of it. The suggestion that it is okay for a City to spend millions of tax dollars on an illegal project and then try to cure the illegalities later is a bit shocking. This is not the case of a naïve homeowner who erects an unpermitted fence and, after the City takes action, seeks to cure by securing the necessary permit. This is the City of San Francisco. In law, there is a doctrine called the "exclusionary rule," under which evidence obtained in an illegal search generally cannot be used against a defendant. The rule is designed primarily to dissuade law enforcement officers from acting illegally. Here, it was not "chicken and egg" as stated by the City Attorney and a CZP could have been sought in advance. What if it was denied? The project never would have launched. The City must be dissuaded from this sort of blatant disregard of the legal requirements and should not have been able to use all of the investment, happy kids' faces, etc. as bases for granting a retroactive permit for the illegal project.

Finally, the witnesses for the City made all sorts of unsupported factual statements on the record that appellants had no fair opportunity to rebut, such suggesting that concerns over emergency response times were accounted for because they had worked with the fire department to allow for emergency vehicles to apparently have keys to the locked UGH gates (without ever disputing that having locked gate, whether by virtue of an emergency vehicle having to stop and unlock it or detour out of its way, necessarily delays emergency response times).² As another example, in addressing the damage to the dunes caused by the closed UGH, the City’s witnesses made reference to an in-progress report being prepared by the San Francisco Estuary Institute, with strong suggestion that this report would reflect that the UGH closure was acceptable. I have gained access to that report (which apparently issued December 2023), which affirms exactly what I said in my brief: “The recent closures of the Great Highway to car traffic (started in 2020 during the COVID-19 pandemic) have led to less constrained use by pedestrians, and increased trampling of dune vegetation has been observed.”³ (See page 19, here: https://www.sfei.org/sites/default/files/biblio_files/Growing%20Resilience%20-%20Recommendations%20for%20Dune%20Management%20at%20North%20Ocean%20Beach.pdf.) A CZP cannot issue in the face of this report, which confirms that the UGH closure causes harm to the sensitive dune ecosystem.

For these reasons, rehearing should be granted.

² To the extent the Board credited the suggestion that delayed emergency response times caused by the closed UGH are a nonfactor, I note that active emergency responders overwhelmingly despise the many street closures in San Francisco that they now must account for, and which delay their responses. They are reluctant to oppose City projects like this on the record, however, for fear of negative budgetary or other repercussions. That is why it is so common to see *retired* police officers, fire fighters, etc. become spokespersons challenging City projects.

³ The report throughout describes the importance of dune vegetation and the detrimental impact on people trampling on it.

BRIEF SUBMITTED BY PARK AND REC



London N. Breed, Mayor
Philip A. Ginsburg, General Manager

Date: March 1, 2024
To: San Francisco Board of Appeals
49 South Van Ness, Suite 1475 (14th Floor)
San Francisco, CA 94103

cc: Eileen Boken – Sunset Parkside Education and Action Committee (SPEAK) (Appellant)
Geoffrey Moore (Appellant)
Charles Perkins (Appellant)
Corey Teague (Planning Department)
Alex Westhoff (Planning Department)
Sarah Madland (San Francisco Recreation and Park Department)
Yael Golan (San Francisco Recreation and Park Department)
Chava Kroneberg (San Francisco Municipal Transportation Agency)

From: Brian Stokle, Planner, San Francisco Recreation and Park Department

Re: Rehearing Requests for: Appeal No. 23-062, Appeal No. 23-064, and Appeal No. 23-065 regarding Coastal Zoning Permit for the Great Highway Pilot Project: Record No: 2022-007356CTZ (Motion No. 21437), decided on February 7, 2024, by the San Francisco Board of Appeals.

Introduction

This Letter is in response to the Rehearing Requests for appeals challenging the Coastal Zone Permit (CZP, Record No. 2022-007356CTZ) approved by the San Francisco Planning Commission on November 9, 2023, for the Great Highway Pilot Project and associated traffic calming measures. A response letter by the Planning Department will provide information regarding the Planning Commission's approval of the permit, procedural issues, environmental review, and Local Coastal Program (LCP) policies, while this brief will focus on the claims regarding new material facts pertaining to the Recreation and Park Department's (RPD) project, namely the log bench and San Francisco Estuary Institute (SFEI) Dune Study.

Log Bench

In response to appellants' reference to the new log bench at Noriega Street, RPD's response is that the bench is not relevant to the CZP issued by the Planning Department, as it is a separate project with independent utility. Consequently, it is not new evidence and does not meet the threshold for a rehearing.

The log bench referenced was installed in the 12-foot-wide median of the Upper Great Highway on January 26, 2024. The bench is available for seating during standard RPD park hours (5am-midnight), 7-days a week, regardless of the use of the Upper Great Highway as a vehicular roadway or as a promenade and is not associated with the Great Highway Pilot Project that is the subject of the appealed CZP. The bench is accessible from the Noriega Street crosswalk and is similar to other roadway seating within the RPD park system like on Mansell Street in John McLaren Park, as well as the Octavia Boulevard seating which is situated in an 8-foot wide median. [See Exhibit A]

SFEI Dune Study

In response to appellants' reference to the San Francisco Estuary Institute (SFEI) report titled *Growing Resilience: Recommendations for Dune Management at North Ocean Beach* [SFEI Dune Study] as new evidence pertaining to the CZP for the Great Highway Pilot, RPD responds that the study was already publicly available prior to the February 7, 2024, appeal hearing, and that the dunes are outside of the physical boundaries of the project site covered by the Coastal Permit. In addition, the Great Highway Pilot received a review by the Planning Department, which issued a statutory

exemption for the project covered by the permit. Consequently, the report is not relevant to the coastal permit under review and does not meet the threshold for a Board of Appeals rehearing.

The SFEI Dune Study was published on December 15, 2023, and has been publicly available on SFEI's website at <https://www.sfei.org/projects/sunset-natural-resilience-project> since that date. Consequently, the SFEI Dune study was publicly available prior to the time appellant briefs were due to the Board of Appeals (BOA) on January 18, 2024, as well as prior to the Board of Appeals hearing on February 7, 2023.

RPD also referenced the SFEI Dune Study, a part of the Sunset Resilience Project funded by a Coastal Conservancy grant, in its Project Sponsor Brief of its Coastal Zone Permit application submitted to the Planning Department on October 27, 2023. The study was also referenced in RPD's response brief that was shared with appellants on February 1, 2024, prior to the February 7th hearing, and was referenced in RPD's presentation at the BOA hearing.

Due to the report being available well before the submission deadline of appellant briefs, and the project's site not including the dunes, the SFEI dune study does not constitute new material facts that were unknown at the time of appeal hearing.

Conclusion

In conclusion, the Recreation and Park department opposes a rehearing of the Coastal Zone Permit appeals for the Great Highway Pilot, as the request does not present any evidence of new material facts that were not available at the time of the Board of Appeals hearing, nor any manifest injustice. The Recreation and Park Department respectfully requests that the Board of Appeals deny the rehearing requests.

Sincerely,

Brian Stokle

Planner

Capital and Planning Division

Exhibits



Figure 1: Seating at a Mansell Street bus stop in John McLaren Park



Figure 2: Octavia Boulevard seating in the median

PUBLIC COMMENT

Mejia, Xiomara (BOA)

From: Lori BWasscz <hello@livablesf.com>
Sent: Thursday, February 8, 2024 12:47 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Lori BWasscz**
My email address is **lmwasacz@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

The consequences of the pilot program and the procedural oversight are manifold:

Environmental Impact on Native Species: The increased pedestrian and cyclist traffic threatens the habitat of the Snowy Plover, a sensitive and endangered species, due to the lack of an initial environmental assessment.

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Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Lori BWasscz



Mejia, Xiomara (BOA)

From: Richard Goodwin <hello@livablesf.com>
Sent: Thursday, February 8, 2024 12:57 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Richard Goodwin**
My email address is **rgoodwin3000@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

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Sincerely,
Richard Goodwin



Mejia, Xiomara (BOA)

From: sherman d'silva <hello@livablesf.com>
Sent: Thursday, February 8, 2024 1:01 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **sherman d'silva**
My email address is **srdsilva@hotmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
sherman d'silva



Mejia, Xiomara (BOA)

From: Max Wasacz <hello@livablesf.com>
Sent: Thursday, February 8, 2024 1:22 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Max Wasacz**
My email address is **maxwasacz@mac.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Max Wasacz



Mejia, Xiomara (BOA)

From: Loretta Wasacz <hello@livablesf.com>
Sent: Thursday, February 8, 2024 1:23 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Loretta Wasacz**
My email address is **lwasacz@sbcglobal.net**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Loretta Wasacz



Mejia, Xiomara (BOA)

From: Rosalie Gift <hello@livablesf.com>
Sent: Thursday, February 8, 2024 6:07 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Rosalie Gift**
My email address is **rosiegift591@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Rosalie Gift



Mejia, Xiomara (BOA)

From: Zach Georgopoulos <hello@livablesf.com>
Sent: Thursday, February 8, 2024 7:39 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Zach Georgopoulos**
My email address is **zachgeo@mindspring.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Zach Georgopoulos



Mejia, Xiomara (BOA)

From: David Smee <hello@livablesf.com>
Sent: Thursday, February 8, 2024 8:06 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **David Smee**
My email address is **dsmee@shanti.org**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

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Sincerely,
David Smee



Mejia, Xiomara (BOA)

From: Daragh Powers <hello@livablesf.com>
Sent: Thursday, February 8, 2024 8:20 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Daragh Powers**
My email address is **nipowerssf@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

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Sincerely,
Daragh Powers



Mejia, Xiomara (BOA)

From: Enrico Dell'Osso <hello@livablesf.com>
Sent: Thursday, February 8, 2024 10:29 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Enrico Dell'Osso**
My email address is **chworks@att.net**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

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Sincerely,
Enrico Dell'Osso



Mejia, Xiomara (BOA)

From: Judith Capellino <hello@livablesf.com>
Sent: Thursday, February 8, 2024 10:30 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Judith Capellino**
My email address is **judithcapellino@yahoo.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Judith Capellino



Mejia, Xiomara (BOA)

From: Kiley Rundle <kileyrundle@gmail.com>
Sent: Thursday, February 8, 2024 3:04 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commissioners,

I am writing to ask that you please uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Kiley Rundle

Mejia, Xiomara (BOA)

From: Braden Edwards <hello@livablesf.com>
Sent: Thursday, February 8, 2024 11:00 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Braden Edwards**
My email address is **BRADENEDWARDS@GMAIL.COM**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

The consequences of the pilot program and the procedural oversight are manifold:

Environmental Impact on Native Species: The increased pedestrian and cyclist traffic threatens the habitat of the Snowy Plover, a sensitive and endangered species, due to the lack of an initial environmental assessment.

Emergency Response Delays: The closure significantly delays emergency responders, compromising public safety by hindering access to critical areas along the coast.

Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Braden Edwards



Mejia, Xiomara (BOA)

From: Curtis Gardner <hello@livablesf.com>
Sent: Thursday, February 8, 2024 11:08 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Curtis Gardner**
My email address is **cgardner@jspllc.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Curtis Gardner



Mejia, Xiomara (BOA)

From: alex sadovnikov <hello@livablesf.com>
Sent: Thursday, February 8, 2024 11:39 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **alex sadovnikov**
My email address is **sadovnikov@comcast.net**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

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Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

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Sincerely,
alex sadovnikov



Mejia, Xiomara (BOA)

From: Alana O'Brien <hello@livablesf.com>
Sent: Thursday, February 8, 2024 11:56 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Alana O'Brien**
My email address is **alanasf@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

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Sincerely,
Alana O'Brien



Mejia, Xiomara (BOA)

From: Dave Roorda <hello@livablesf.com>
Sent: Thursday, February 8, 2024 1:56 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Dave Roorda**
My email address is **wdogs@comcast.net**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Dave Roorda



Mejia, Xiomara (BOA)

From: Lesley Pierce <lesleyapierce@gmail.com>
Sent: Thursday, February 8, 2024 3:18 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Mejia, Xiomara (BOA)

From: Lesley Pierce <lesleyapierce@gmail.com>
Sent: Thursday, February 8, 2024 3:18 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

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In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Mejia, Xiomara (BOA)

From: bill bisesto <hello@livablesf.com>
Sent: Thursday, February 8, 2024 2:45 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **bill bisesto**

My email address is **bbisesto@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
bill bisesto



Mejia, Xiomara (BOA)

From: Josephine Murphy <hello@livablesf.com>
Sent: Thursday, February 8, 2024 2:55 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Josephine Murphy**
My email address is **jomurphysf@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Josephine Murphy



Mejia, Xiomara (BOA)

From: Sage Wright <noreply@adv.actionnetwork.org>
Sent: Thursday, February 8, 2024 6:12 PM
To: BoardofAppeals (PAB)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064, 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Honorable San Francisco Board of Appeals,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and are vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Sage Wright
sagekw@gmail.com

San francisco, California 94122

Mejia, Xiomara (BOA)

From: Sabine Angulo <noble.angulo@gmail.com>
Sent: Thursday, February 8, 2024 8:41 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Anthony Angulo

"Kindness is the language which the deaf can hear and the blind can see."

~Mark Twain

Mejia, Xiomara (BOA)

From: Jonas Mueller <jonaswueller@gmail.com>
Sent: Friday, February 9, 2024 12:16 AM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS); rclyde@sfbike.org; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS)
Subject: Save the Great Highway Park!!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commissioners,

My name is Jonas Mueller and I am a resident of Noe Valley.

Please uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and please reject the appeals against it.

The Great Highway Park has been my favorite park in San Francisco since I first moved to the city in 2021. I love biking there every weekend and seeing so many parents, children, couples, seniors, and pets enjoying the space. The park brings so much joy to residents from all over the city and to visitors as well. Every time I post online videos or pictures of me biking on the Great Highway Park, I get an overwhelming response from people who find it fascinating that San Francisco has such a unique and beautiful space for people to explore and gather - "Only in SF!" they say. The Great Highway Park is a unique gem in our city.

Additionally, I personally wouldn't visit any of the Outer Sunset businesses if it weren't for the Great Highway Park. Devil's Teeth, Riptide, Java Beach Cafe, Hook Fish, Celia's By The Beach, and many other businesses near The Great Highway Park would suffer from losing not only my business, but the business of many others who frequent those spots **only** because they are along the park. Community events and gatherings like Great Hauntway would also be lost. This park is a unique place of refuge, community, laughter, and play for many people in our city. PLEASE SAVE THE GREAT HIGHWAY PARK!!

This permit is in alignment with the pilot approved by the Board of Supervisors and Mayor Breed in December 2022. This permit is also in alignment with San Francisco's Local Coastal Plan, the Ocean Beach Master Plan, Vision Zero plan and the Climate Action Plan.

The Great Highway pilot project improves safety and connectivity for people traveling with sustainable forms of transportation. The pilot project also enhances recreational use of the Ocean Beach shoreline and provides safe space for the entire community to recreate and get around. It is crucial to maintain this pilot so city agencies can collect data to help determine the long-term future of the Great Highway.

Again, please uphold the Coastal Zone Permit for the Upper Great Highway and reject the appeals. Thank you.

Best,
Jonas

Mejia, Xiomara (BOA)

From: Chetan <mcheta@gmail.com>
Sent: Friday, February 9, 2024 7:06 AM
To: MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; Rachel Clyde, SF Bicycle Coalition; BoardofAppeals (PAB); Stokle, Brian (REC); ChanStaff (BOS); EngardioStaff (BOS)
Subject: issue the Coastal Zone Permit for the Upper Great Highway pilot project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Commissioners,

My name is Chetan Maha and I am a resident of Mission district.

Please uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and please reject the appeals against it.

The closing of great highway for cars has been extremely valuable for me to bicycle in peace without the need for being afraid of speeding cars. This place brings the community together.

This permit is in alignment with the pilot approved by the Board of Supervisors and Mayor Breed in December 2022. This permit is also in alignment with San Francisco's [Local Coastal Plan](#), the [Ocean Beach Master Plan](#), [Vision Zero plan](#) and the [Climate Action Plan](#).

The Great Highway pilot project improves safety and connectivity for people traveling with sustainable forms of transportation. The pilot project also enhances recreational use of the Ocean Beach shoreline and provides safe space for the entire community to recreate and get around. It is crucial to maintain this pilot so city agencies can collect data to help determine the long-term future of the Great Highway.

Again, please uphold the Coastal Zone Permit for the Upper Great Highway and reject the appeals. Thank you.

Chetan

Mejia, Xiomara (BOA)

From: Marie Acheritogaray <hello@livablesf.com>
Sent: Friday, February 9, 2024 9:21 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Marie Acheritogaray**
My email address is **marie_pierrette@yahoo.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

The consequences of the pilot program and the procedural oversight are manifold:

Environmental Impact on Native Species: The increased pedestrian and cyclist traffic threatens the habitat of the Snowy Plover, a sensitive and endangered species, due to the lack of an initial environmental assessment.

Emergency Response Delays: The closure significantly delays emergency responders, compromising public safety by hindering access to critical areas along the coast.

Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Marie Acheritogaray



Mejia, Xiomara (BOA)

From: Jim Moore <jimmoore875@gmail.com>
Sent: Friday, February 9, 2024 1:45 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS); rclyde@sfbike.org; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS)
Subject: Upper Great Highway Pilot Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Commissioners,

My name is Jim Moore and I am a resident of Cow Hollow in SF.

Please uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and please reject the appeals against it.

My family and I ride bicycles on the Great Highway on most weekends. It has been one of the safest and most enjoyable experiences we have had in the City. On the whole, SF is not a safe bicycle city and we need safe places like the (closed to vehicle traffic) Great Highway to ride.

This permit is in alignment with the pilot approved by the Board of Supervisors and Mayor Breed in December 2022. This permit is also in alignment with San Francisco's [Local Coastal Plan](#), the [Ocean Beach Master Plan](#), [Vision Zero plan](#) and the [Climate Action Plan](#).

The Great Highway pilot project improves safety and connectivity for people traveling with sustainable forms of transportation. The pilot project also enhances recreational use of the Ocean Beach shoreline and provides safe space for the entire community to recreate and get around. It is crucial to maintain this pilot so city agencies can collect data to help determine the long-term future of the Great Highway.

Again, please uphold the Coastal Zone Permit for the Upper Great Highway and reject the appeals. Thank you,
Jim Moore

Mejia, Xiomara (BOA)

From: Mary Guttmann <hello@livablesf.com>
Sent: Friday, February 9, 2024 2:39 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Mary Guttmann**
My email address is **maryguttman@sbcglobal.net**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

The consequences of the pilot program and the procedural oversight are manifold:

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Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Mary Guttmann



Mejia, Xiomara (BOA)

From: Kelsey Schur <Kelsey.Schur@gmail.com>
Sent: Friday, February 9, 2024 3:37 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Kelsey Schur
94116 resident

Mejia, Xiomara (BOA)

From: KenH H <hello@livablesf.com>
Sent: Friday, February 9, 2024 4:41 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **KenH H**
My email address is **intel678@hotmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

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Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
KenH H



Mejia, Xiomara (BOA)

From: Paul Petterson <hello@livablesf.com>
Sent: Friday, February 9, 2024 8:37 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Paul Petterson**

My email address is **captainsquid56@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

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I have to use more gas to go around the detours to get to the Richmond district, that is not reducing my carbon foot print. It hurts businesses in the Richmond and outer Sunset district because of traffic issues it is easier for people to go shopping or out to eat in Daly City.

Sincerely,
Paul Petterson



Mejia, Xiomara (BOA)

From: Hilary Skehan <hello@livablesf.com>
Sent: Friday, February 9, 2024 8:54 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Hilary Skehan**
My email address is **hilaryskehan@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Hilary Skehan



Mejia, Xiomara (BOA)

From: Maura Lewis <hello@livablesf.com>
Sent: Friday, February 9, 2024 10:25 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Maura Lewis**

My email address is **maura.a@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

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Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Maura Lewis



Mejia, Xiomara (BOA)

From: Eric Small <ericjaysmall@gmail.com>
Sent: Saturday, February 10, 2024 6:15 AM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064, 23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Eric Small and family
1683 32nd Avenue
San Francisco

Sent from my iPhone

Mejia, Xiomara (BOA)

From: Allison Kozak <hello@livablesf.com>
Sent: Saturday, February 10, 2024 4:49 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Allison Kozak**
My email address is **voter@axmk.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Allison Kozak



Mejia, Xiomara (BOA)

From: Merrill Bronstein <hello@livablesf.com>
Sent: Sunday, February 11, 2024 9:09 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Merrill Bronstein**
My email address is **budbronstein@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Merrill Bronstein



Mejia, Xiomara (BOA)

From: Richars Webb <hello@livablesf.com>
Sent: Sunday, February 11, 2024 12:02 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Richars Webb**
My email address is **webblocke@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Richars Webb



Mejia, Xiomara (BOA)

From: Carolyn Power Perlstein <hello@livablesf.com>
Sent: Sunday, February 11, 2024 6:59 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Carolyn Power Perlstein**
My email address is **carolynpow@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Carolyn Power Perlstein



Mejia, Xiomara (BOA)

From: Michele Skootsky <mskootsky56@gmail.com>
Sent: Sunday, February 11, 2024 7:29 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Mejia, Xiomara (BOA)

From: Ed Dobranski <hello@livablesf.com>
Sent: Monday, February 12, 2024 4:17 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Ed Dobranski**
My email address is **ejdobranski@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

The consequences of the pilot program and the procedural oversight are manifold:

Environmental Impact on Native Species: The increased pedestrian and cyclist traffic threatens the habitat of the Snowy Plover, a sensitive and endangered species, due to the lack of an initial environmental assessment.

Emergency Response Delays: The closure significantly delays emergency responders, compromising public safety by hindering access to critical areas along the coast.

Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Ed Dobranski



Mejia, Xiomara (BOA)

From: Deborah Lardie <hello@livablesf.com>
Sent: Monday, February 12, 2024 7:50 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Deborah Lardie**
My email address is **dlardie@dlardie.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Deborah Lardie



Mejia, Xiomara (BOA)

From: Mark Cervantes <hello@livablesf.com>
Sent: Tuesday, February 13, 2024 6:26 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Mark Cervantes**
My email address is **mcervantes5734@sbcglobal.net**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Sincerely,
Mark Cervantes



Mejia, Xiomara (BOA)

From: Lee Anne Weldon <leeanneweldon@gmail.com>
Sent: Tuesday, February 13, 2024 1:22 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS);
info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov;
ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064,
23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my family's access to and enjoyment of the shoreline. City agencies need to prioritize safe spaces for kids, seniors, and the entire community to gather and specifically to use the Ocean Beach shoreline for recreation. Great Highway Park and other projects like it are the best things to come out of the Covid pandemic, and the disheartening efforts to slowly dismantle this progress does not go unnoticed.

As a longtime resident of District 1, I expect my elected officials to work WITH the residents of this city in our quest to make San Francisco great for multi-generation families.

Thank you,
Lee Anne Weldon
834 27th Avenue
SF CA

Mejia, Xiomara (BOA)

From: Maria Spustek Rodgers <hello@livablesf.com>
Sent: Wednesday, February 14, 2024 2:12 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Maria Spustek Rodgers**
My email address is **Maria.Rodgers.001@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

PLEASE... SUPPORT THOSE OF US WHO VOTE, WHO CARE FOR YOUNG CHILDREN AND THE ELDERLY, AND WHO NEED OUR CARS TO TRAVERSE THE CITY. THANK YOU.

Sincerely,
Maria Spustek Rodgers



Mejia, Xiomara (BOA)

From: RODNEY SEGAL <hello@livablesf.com>
Sent: Wednesday, February 14, 2024 2:37 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **RODNEY SEGAL**
My email address is **rod78351@YAHOO.COM**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
RODNEY SEGAL



Mejia, Xiomara (BOA)

From: Michael Strain <hello@livablesf.com>
Sent: Thursday, February 15, 2024 9:18 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); info@openthegreathighway.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Michael Strain**
My email address is **michaelpstrain+fast@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Michael Strain



Mejia, Xiomara (BOA)

From: Pamela Kimball <hello@livablesf.com>
Sent: Monday, February 19, 2024 1:22 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); openthegreathighway@gmail.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Pamela Kimball**
My email address is **kimball.pd@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

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Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Closure also makes it more difficult, expensive and time-consuming for we who live in the area to go about our necessary activities to function in our lives.

Sincerely,
Pamela Kimball



Mejia, Xiomara (BOA)

From: Patricia Kimball <hello@livablesf.com>
Sent: Monday, February 19, 2024 2:50 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); openthegreathighway@gmail.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Patricia Kimball**
My email address is **patricia.kimball@gmail.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

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WHILE YOU'RE AT IT: DUMP ALL PARK CLOSURES [& the hideous obstructions that pose as "art"] & "SAFE" [sic] STREETS" & parking spaces taken up by bicycle rental spaces. The City has allowed the Bicycle Coalition and those in the City committed to eliminating vehicular traffic is a huge slap in the face to elderly residents & others who do not ride bicycles. These actions have made transportation and mobility across the park extremely difficult and have created terrible bottlenecks. Also, "safe" streets are actually dangerous, as they push drivers into oncoming traffic. It's hard enough driving with bicycles in one's blind spot all the time. This was all foisted upon the citizenry with only a false representation of "discussion". Many of us are outraged at this breach of the public trust.

Sincerely,
Patricia Kimball



Mejia, Xiomara (BOA)

From: Daniel Fleck <DanielFleck@outlook.com>
Sent: Monday, February 19, 2024 5:11 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS); info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064, 23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Daniel Fleck

Mejia, Xiomara (BOA)

From: Justin Fung <jxfan882@gmail.com>
Sent: Sunday, February 18, 2024 9:20 PM
To: BoardofAppeals (PAB)
Subject: Board of Appeals Meeting of 2/7/2024 Regarding Discussion of the Great Highway

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I'm writing this email to express my thoughts of **disappointment** of how the Board of Appeals meeting was conducted on 2/7/2024 in regards to Item 5 which concerns The Great Highway.

There were a few things that I found appalling during that whole process.

1. The Board of Appeals demonstrated the fact that they were unqualified to make decisions on comprehensive plans/proposals involving planning, land use and transportation in addition to having no competent grasp of the issue at hand.

It was clear that none of you knew what you folks were talking about. It is also clear that many of you were living under a rock on a process that has been **three years in the making and still counting** because **this process is not over, and is still ongoing**. It is also clear that none of you ride Muni or other public transit nor have even been to this space in order to have a proper understanding of the specific context at hand. This makes you all **not** qualified to pass judgment or a decision outcome on this matter.

2. The Board of Appeals did an abysmal job vetting and scrutinizing the three appellants on their case and the validity and intentions of their appeals.

During the appellant's testimonies, none of the board members vetted the appellant's intentions and whether they were because of concerns about the coastline or the environment. In my view I do **not** believe the appellants care about protecting the coastline or the environment. They simply are gaslighting and pursuing this **misguided appeal** because here in San Francisco & California we have an **overly lenient appeals** process that gets **abused for too many erroneous reasons**. Their testimonies also did **not** provide any outside substantiation or sources that corroborate their claims.

3. The Board of Appeals and their numerous lies about The Great Highway Pilot going unchecked, and not fact based.

By far my frustrations were the many falsehoods and lies that were thrown by board members that were simply not true. One of those lies and the biggest of them all was the notion that city agencies involved were trying to "rush the process" and that this was being "hurried up." This is false. The reality is that this process started roughly back in 2021. **This entire process is three years in the making and still ongoing**. Many city departments involved have been carefully monitoring its process and its pilot (**Great Highway pilot officially commenced in December of 2022 via a 9-2 decision approval from the San Francisco Board of Supervisors lasting until late December 2025**) from then to its present. This by no means is a rush job as many **city staff present at the meeting were trying to communicate to you all** that this was and is still an ongoing process. To me a multi year process that started three years ago and is still ongoing is **not** what I would call a "rush job."

The last lie especially from the appellants we need to debunk is this notion that The Great Highway needs to be "reopened." The fact of the matter is that The Great Highway already reopened back in **August of 2021**. It still remains open to motor traffic during the weekdays more so than for people to enjoy on the weekends which is a fair almost down the center compromise.

4. Finally the despicable, appalling & unjustified hostile treatment of city staff, especially those directed to the Rec & Parks Dept staff from commissioner Rick Swig.

I don't go to commissioner meetings much. But in my entire life of living here in San Francisco never have I witnessed such **appalling** behavior to city staff from members of an appointed City Board, and specifically from commissioner **Rick Swig**. Commissioner Swig's behavior towards city staff was downright **appalling** and in my opinion **warrants a removal** of him from that Board. The way commissioner Swig treated city staff, especially those from Rec & Parks was **disgusting and egregious**. And no, commissioner Swig is **wrong** to accuse city staff and their presentation as a "sales pitch" which it was **definitely not** to begin with.

Conclusional Thoughts

While I was satisfied to see that the Board of Appeals made the correct decision to deny the egregious appeal and uphold the permit for The Great Highway, overall I was still furious at how this board conducted itself during this whole process. Please **do better** next time because that meeting was quite appalling and infuriating in every way.

Also I would appreciate in the future that these meetings **start earlier** if possible whenever there are items that will bound to have a lot of public comment. The **5PM start time is way too late** of a start time. I would appreciate it if meetings can **start no later than 2PM** for agendas that will have a lot of public comment.

Thanks,

Justin
Native San Francisco Resident

Mejia, Xiomara (BOA)

From: johnmemo <johnmemo@yahoo.com>
Sent: Tuesday, February 20, 2024 4:36 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS); info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064, 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Mejia, Xiomara (BOA)

From: Michelle Lee <hello@livablesf.com>
Sent: Saturday, February 24, 2024 11:16 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); openthegreathighway@gmail.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Michelle Lee**

My email address is **m13901738800@yahoo.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

The consequences of the pilot program and the procedural oversight are manifold:

Environmental Impact on Native Species: The increased pedestrian and cyclist traffic threatens the habitat of the Snowy Plover, a sensitive and endangered species, due to the lack of an initial environmental assessment.

Emergency Response Delays: The closure significantly delays emergency responders, compromising public safety by hindering access to critical areas along the coast.

Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Michelle Lee



Mejia, Xiomara (BOA)

From: Judith Tornese <hello@livablesf.com>
Sent: Sunday, February 25, 2024 8:35 PM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); openthegreathighway@gmail.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Judith Tornese**
My email address is **jmtornese@aol.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

People use the Great Highway to commute to work & for general traffic needs, rather than driving through neighborhoods. Why are we allowing bicycles to take over our major routes for vehicle traffic in San Francisco?

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

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Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Judith Tornese



Mejia, Xiomara (BOA)

From: Kim Russo <hello@livablesf.com>
Sent: Monday, February 26, 2024 10:14 AM
To: BoardofAppeals (PAB); EngardioStaff (BOS); MelgarStaff (BOS);
NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS); openthegreathighway@gmail.com
Subject: I Support Appeals: 23-062, 23-064 and 23-065

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is **Kim Russo**

My email address is **Ckar101@yahoo.com**

I urge you to overturn the Planning Commission's decision to issue the Coastal Zone Permit for the Upper Great Highway pilot project and to support the appeals 23-062, 23-064, 23-065.

This request stems not only from concerns over the impacts of the pilot program on urban mobility and public safety but also from significant procedural oversights in its implementation. SF Rec & Parks has bypassed critical steps required for such a considerable change, notably, the failure to conduct an environmental review before obtaining the necessary "Coastal Zone" permit.

This lapse in following established regulatory processes raises serious questions about the permit's validity and, by extension, the legality of the pilot program itself. The omission of an environmental review overlooks potential impacts on native species, such as the Snowy Plover, and disregards the broader ecological and community implications of closing the Upper Great Highway to vehicular traffic.

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Increased Traffic and Accidents: The redirection of thousands of cars to surrounding neighborhoods creates congestion and has led to a noticeable rise in traffic accidents, affecting the safety and well-being of residents and commuters alike.

Elevated Air Pollution Levels: With vehicles rerouted closer to residential areas, air pollution levels have spiked, posing health risks to the community, particularly vulnerable groups such as children, older adults, and pre-existing conditions.

Longer Commutes: For those who rely on the Great Highway for efficient travel, the partial weekly closures have resulted in significantly more prolonged and congested commutes, disrupting daily life and productivity.

Given the oversight of not conducting an environmental review and the resulting impacts, I strongly urge you to support the appeals. Ensuring compliance with regulatory processes is essential for any project's legitimacy and effectiveness. A more inclusive approach considering recreational and transportation needs can help the Great Highway meet our community's diverse requirements. This balance is crucial for safeguarding the environment, ensuring public safety, and enhancing the quality of life in San Francisco, all while respecting legal and procedural standards.

Sincerely,
Kim Russo



Mejia, Xiomara (BOA)

From: Olivia Puerta <olivia.puerta@gmail.com>
Sent: Thursday, February 29, 2024 11:09 PM
To: Stokle, Brian (REC); BoardofAppeals (PAB); EngardioStaff (BOS); info@greathighwaypark.com; MelgarStaff (BOS); NorthCentralCoast@coastal.ca.gov; ChanStaff (BOS)
Subject: Keep the Great Highway Park weekend compromise. Reject appeals 23-062, 23-064, 23-065

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Dear Commissioners,

I am writing to ask that you uphold the Planning Commission's unanimous determination to issue the Coastal Zone Permit for the Upper Great Highway pilot project and that you reject appeals 23-062, 23-064, 23-065.

As one of the thousands of San Franciscans who visit Great Highway Park every weekend to walk, roll, jog, bike, and simply enjoy the Pacific Ocean, the pilot program is crucial for my access to and enjoyment of the shoreline. This permit simply maintains the existing compromise approved by the Board of Supervisors and Mayor Breed in 2022 and furthers the objectives of the Coastal Act and San Francisco's Local Coastal Plan by enhancing recreational use of the Ocean Beach shoreline and providing safe space for kids, seniors, and the entire community to benefit from the coast. Maintaining this pilot allows City agencies to collect data and perform community engagement to help determine the long-term future of the Great Highway.

In addition, the permit authorizes important traffic calming in the Outer Sunset. This has greatly improved the safety of the neighborhood and is vital to my safety when I walk and bike to Ocean Beach and nearby businesses.

Thank you,

Mejia, Xiomara (BOA)

From: Laura Ehlert <laura.e.ehlert@gmail.com>
Sent: Wednesday, March 6, 2024 2:35 PM
To: BoardofAppeals (PAB)
Cc: laura.e.ehlert@gmail.com
Subject: STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Appeals:

I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons:

- Recreation & Park for the first time during the hearing revealed the existence of a **written report from the San Francisco Estuary Institute**. The report ties dune erosion due to trampling to the closure of the Upper Great Highway.

-This critical report was suppressed by Rec & Park which never put it on its web site or announced it, and therefore the appellants did not have access to it. This is new information!

- **Deputy City Attorney Jennifer Huber** should have been neutral.

-Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal.

-This is an **extraordinary case and unfair**.

-In addition to these new facts, please consider that working people cannot commute to work easily, our children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

Sent from my iPad.

Sincerely,
Laura Ehlert
San Francisco resident
550 Battery Street

Mejia, Xiomara (BOA)

From: Kathy Hirzel <xxkrhxx@hotmail.com>
Sent: Wednesday, March 6, 2024 4:18 PM
To: BoardofAppeals (PAB)
Subject: STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Appeals:

I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons:

1) The **newly-installed hardwood bench in the median strip of the Upper Great Highway is dangerous**. This installation is a **new fact** revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing. **Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen** obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.

2) Recreation & Park for the first time during the hearing revealed the existence of a **written report from the San Francisco Estuary Institute**. The report ties dune erosion due to trampling to the closure of the Upper Great Highway. This critical report was suppressed by Rec & Park which never put it on its web site or announced it, and therefore the appellants did not have access to it. This is new information!

3) **Deputy City Attorney Jennifer Huber** should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an **extraordinary case and unfair**.

Besides all of the new facts, please reconsider that working people cannot commute to work easily, our children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Sincerely, Kathy Hirzel

On Tue, Nov 14, 2023 at 12:27 PM Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org> wrote:

Eric,

Connecting you with Lucas Lux who is a co-leader of the Great Highway/Parkway activation efforts. I want to move forward with the first log bench which will be placed on the median (btw the north bound and south bound lanes) just south of Noriega. Let's have our team pick the right log (will need both length and width) and cut the bench and deliver it.

Lucas if you have desired specs let Eric know or you both can arrange to take a look out there on your own.

We will start with this one, and assuming the pilot goes well, we can all talk about adding a few more at other safe and appropriate spots in the months to come.

Thank you both.

Philip A. Ginsburg
General Manager
San Francisco Recreation and Parks

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-2701 (office)
phil.ginsburg@sfgov.org

Visit us at sfrecpark.org
Like us on Facebook

From: [Ginsburg, Phil \(REC\)](#)
To: [Andersen, Eric \(REC\)](#)
Subject: Re: Log Bench
Date: Wednesday, November 15, 2023 9:56:06 AM
Attachments: image001.png
image001.png

no. we have covered this 20 times. that space is planned for some public art.

Phil Ginsburg
(sent from my iPhone)

On Nov 15, 2023, at 9:52 AM, Andersen, Eric (REC) <eric.andersen@sfgov.org> wrote:

Sorry for the confusion – **yes** we can do this.
I wanted to see if you have any appetite to consider putting the bench on the landscape east of the highway, so it's not in the actual highway median.
I think it would make it more usable throughout the week and avoid the potential pitfalls of installing it in the highway median. We could work on identifying an appropriate location with the stakeholders.
Eric

Eric Andersen
Superintendent of Parks and Open Space

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-6818 | eric.andersen@sfgov.org



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Follow us on [Twitter](#)
Watch us on [sfRecParkTV](#)
Sign up for our [e-News](#)

From: Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org>
Sent: Tuesday, November 14, 2023 5:03 PM
To: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Subject: Re: Log Bench

From: [Olgeirson, Nick \(REC\)](#)
To: [Andersen, Eric \(REC\)](#)
Cc: [Bogetz, Shauna \(REC\)](#)
Subject: Re: Log Bench/Gt hwy
Date: Tuesday, December 12, 2023 6:57:11 AM

Hi Eric,

OK, great! Thanks, Nick

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Sent: Tuesday, December 12, 2023 6:54 AM
To: Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>
Cc: Bogetz, Shauna (REC) <shauna.bogetz@sfgov.org>
Subject: Re: Log Bench/Gt hwy

Hi Nick,

Phil has directed that we move forward and he is aware of the safety concerns. He has discussed with mta and pw.

Eric

Sent from my iPhone

On Dec 12, 2023, at 6:44 AM, Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org> wrote:

Good morning Eric,

Shauna and I met with Lucas regarding this request some time ago. She and I explored options/aspects to see if this was something we could do but I believe Shauna ran into safety issues or concerns when she spoke with Public Works. They were concerned that the bench would attract usage when the highway was closed, as well as when it was open. I believe MTA had similar concerns.

Shauna, is this something we would be able to get permission to do at this point?

Nick

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Sent: Monday, December 11, 2023 4:40 PM
To: Guerra, Hale (REC) <hale.guerra@sfgov.org>; Hickey, Martin (REC) <martin.hickey@sfgov.org>; Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>; Cornell, Kelly (REC) <kelly.cornell@sfgov.org>
Subject: FW: Log Bench/Gt hwy

Mejia, Xiomara (BOA)

From: Stephen Gorski <sjgorskilaw@gmail.com>
Sent: Wednesday, March 6, 2024 6:05 PM
To: BoardofAppeals (PAB)
Cc: Stephen Gorski
Subject: STRONGLY SUPPORTING Rehearing of Appeals: 23-062,23-064, 23-064 Upper Great Highway "Pilot Project"
Attachments: rich text with attachments (RTFD).rtfd; rich text with attachments (RTFD).rtfd; rich text with attachments (RTFD).rtfd; rich text with attachments (RTFD).rtfd
Follow Up Flag: Follow up
Flag Status: Flagged

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: boardofappeals@sfgov.org

Subject: STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project.

Hearing Date: Wednesday, **March 13, 2024, 5:00 pm, Room 416 at City Hall,**

To the Board of Appeals:

I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons:

1) The **newly-installed hardwood bench in the median strip of the Upper Great Highways is dangerous**. This installation is a **new fact** revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing. **Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen** obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.

2) Recreation & Park for the first time during the hearing revealed the existence of a **written report from the San Francisco Estuary Institute**. The report ties dune erosion due to trampling to the closure of the Upper Great Highway. This critical report was suppressed

by Rec & Park which never put it on its web site or announced it, and therefore the appellants did not have access to it. This is new information!

3) **Deputy City Attorney Jennifer Huber** should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an **extraordinary case and unfair**.

Besides all of the new facts, please reconsider that working people cannot commute to work easily, our children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Sincerely,
Stephen J. Gorski, 47+yr Sunset Resident

Sent from my iPad

Mejia, Xiomara (BOA)

From: Judi Gorski <judigorski@gmail.com>
Sent: Thursday, March 7, 2024 7:10 AM
To: BoardofAppeals (PAB); Judi - gmail Gorski
Subject: Public Comment for the Permanent Record in Strong Support of the Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project. [Hearing Date: 3/13/24, 5:00 pm, City Hall Rm 416]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From:
Judi Gorski, SF Resident living across the street from the Great Highway
judigorski@gmail.com

To:
Board of Appeals boardofappeals@sfgov.org

Date: March 7, 2024

Public Comment in STRONG SUPPORT of the re-hearing of Appeals 23-062, 23-064, 23-065 of the granting of a retroactive Coastal Zone Permit for the Upper Great Highway "pilot" project.

Hearing Date: Wednesday, **March 13, 2024, 5:00 pm, City Hall, Rm 416**

Dear Board of Appeals Commissioners,

Because the home I own and where I have lived for more than 40 years is located across the street from the Great Highway, I received an invitation from your office requesting my public comments regarding the Upper Great Highway Pilot Project. I watched the entire Hearing and commented both in writing and orally. The closure of it since April 2020 has negatively affected my family, many neighbors and me. I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project for the following reasons:

1) The **newly-installed hardwood bench in the median strip of the Upper Great Highways is dangerous**. This installation is a **new fact** revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing. **Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen** obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.

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3) **Deputy City Attorney Jennifer Huber** should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an **extraordinary case and unfair**.

Besides all of the new facts, please reconsider that working people cannot commute to work easily, our children and elderly are in danger as traffic is re-routed to nearby streets with intersections at every corner, and we are in big trouble if there is an emergency. The City's efforts to mitigate the traffic they divert off the highway when they close it have been unsuccessful and continue to force us into harm's way.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Please acknowledge your receipt of this email. Thank you.

Respectfully submitted,

Judi Gorski
SF Resident living across the street from the Great Highway

On Tue, Nov 14, 2023 at 12:27 PM Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org> wrote:

Eric,

Connecting you with Lucas Lux who is a co-leader of the Great Highway/Parkway activation efforts. I want to move forward with the first log bench which will be placed on the median (btw the north bound and south bound lanes) just south of Noriega. Let's have our team pick the right log (will need both length and width) and cut the bench and deliver it.

Lucas if you have desired specs let Eric know or you both can arrange to take a look out there on your own.

We will start with this one, and assuming the pilot goes well, we can all talk about adding a few more at other safe and appropriate spots in the months to come.

Thank you both.

Philip A. Ginsburg
General Manager
San Francisco Recreation and Parks

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-2701 (office)
phil.ginsburg@sfgov.org

Visit us at sfrecpark.org
Like us on Facebook

From: [Olgeirson, Nick \(REC\)](#)
To: [Andersen, Eric \(REC\)](#)
Cc: [Bogetz, Shauna \(REC\)](#)
Subject: Re: Log Bench/Gt hwy
Date: Tuesday, December 12, 2023 6:57:11 AM

Hi Eric,

OK, great! Thanks, Nick

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Sent: Tuesday, December 12, 2023 6:54 AM
To: Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>
Cc: Bogetz, Shauna (REC) <shauna.bogetz@sfgov.org>
Subject: Re: Log Bench/Gt hwy

Hi Nick,

Phil has directed that we move forward and he is aware of the safety concerns. He has discussed with mta and pw.

Eric

Sent from my iPhone

On Dec 12, 2023, at 6:44 AM, Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org> wrote:

Good morning Eric,

Shauna and I met with Lucas regarding this request some time ago. She and I explored options/aspects to see if this was something we could do but I believe Shauna ran into safety issues or concerns when she spoke with Public Works. They were concerned that the bench would attract usage when the highway was closed, as well as when it was open. I believe MTA had similar concerns.

Shauna, is this something we would be able to get permission to do at this point?

Nick

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Sent: Monday, December 11, 2023 4:40 PM
To: Guerra, Hale (REC) <hale.guerra@sfgov.org>; Hickey, Martin (REC) <martin.hickey@sfgov.org>; Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>; Cornell, Kelly (REC) <kelly.cornell@sfgov.org>
Subject: FW: Log Bench/Gt hwy

Mejia, Xiomara (BOA)

From: Mike Regan <myoldgoat@yahoo.com>
Sent: Thursday, March 7, 2024 7:46 AM
To: BoardofAppeals (PAB)
Subject: Public Comment STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project
Attachments: 3.jpg; 2.jpg; 1.jpg

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons:

1) The newly-installed hardwood bench in the median strip of the Upper Great Highway is dangerous. This installation is a new fact revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing.

Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.

2) Recreation & Park for the first time during the hearing revealed the existence of a written report from the San Francisco Estuary Institute. The report ties dune erosion due to trampling to the closure of the Upper Great Highway. This critical report was suppressed by Rec & Park which never put it on its web site or announced it, and therefore the appellants did not have access to it. This is new information!

3) Deputy City Attorney Jennifer Huber should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an extraordinary case and unfair. Besides all of the new facts, please reconsider that working people cannot commute to work easily, our children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency. For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

The city has its eye on the coast for increasing density and building. I believe this is the start of an attempt to build on the Great Highway by developers.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Sincerely,

Mike Regan

On Tue, Nov 14, 2023 at 12:27 PM Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org> wrote:

Eric,

Connecting you with Lucas Lux who is a co-leader of the Great Highway/Parkway activation efforts. I want to move forward with the first log bench which will be placed on the median (btw the north bound and south bound lanes) just south of Noriega. Let's have our team pick the right log (will need both length and width) and cut the bench and deliver it.

Lucas if you have desired specs let Eric know or you both can arrange to take a look out there on your own.

We will start with this one, and assuming the pilot goes well, we can all talk about adding a few more at other safe and appropriate spots in the months to come.

Thank you both.

Philip A. Ginsburg
General Manager
San Francisco Recreation and Parks

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-2701 (office)
phil.ginsburg@sfgov.org

Date: Wednesday, November 15, 2023 9:56:06 AM
Attachments: image001.png
image001.png

no. we have covered this 20 times. that space is planned for some public art.

Phil Ginsburg
(sent from my iPhone)

On Nov 15, 2023, at 9:52 AM, Andersen, Eric (REC) <eric.andersen@sfgov.org> wrote:

Sorry for the confusion – **yes** we can do this.
I wanted to see if you have **any** appetite to consider putting **the bench** on the landscape east of the highway, so it's not in the actual highway median.
I think it would make it more usable throughout the week and **avoid** the potential pitfalls of installing it in the highway median. We could work on identifying an appropriate location with the stakeholders.
Eric

Eric Andersen
Superintendent of Parks and Open Space

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-6818 | eric.andersen@sfgov.org



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Follow us on [Twitter](#)
Watch us on [sfRecParkTV](#)
Sign up for our [e-News](#)

From: Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org>
Sent: Tuesday, November 14, 2023 5:03 PM
To: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Subject: Re: Log Bench

Subject: Re: Log Bench/Gt hwy
Date: Tuesday, December 12, 2023 6:57:11 AM

Hi Eric,

OK, great! Thanks, Nick

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Sent: Tuesday, December 12, 2023 6:54 AM
To: Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>
Cc: Bogetz, Shauna (REC) <shauna.bogetz@sfgov.org>
Subject: Re: Log Bench/Gt hwy

Hi Nick,
Phil has directed that we move forward and he is aware of the safety concerns. He has discussed with mta and pw.
Eric

Sent from my iPhone

On Dec 12, 2023, at 6:44 AM, Olgeirson, Nick (REC)
<nick.olgeirson@sfgov.org> wrote:

Good morning Eric,

Shauna and I met with Lucas regarding this request some time ago. She and I explored options/aspects to see if this was something we could do but I believe Shauna ran into safety issues or concerns when she spoke with Public Works. They were concerned that the bench would attract usage when the highway was closed, as well as when it was open. I believe MTA had similar concerns.

Shauna, is this something we would be able to get permission to do at this point?

Nick

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Sent: Monday, December 11, 2023 4:40 PM
To: Guerra, Hale (REC) <hale.guerra@sfgov.org>; Hickey, Martin (REC) <martin.hickey@sfgov.org>; Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>; Cornell, Kelly (REC) <kelly.cornell@sfgov.org>

Mejia, Xiomara (BOA)

From: Tony Villa <tvobsf@gmail.com>
Sent: Thursday, March 7, 2024 10:30 AM
To: BoardofAppeals (PAB)
Subject: STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project.
Attachments: Eric Andersen 12-12-23 Phil is aware of safety concerns.jpg; Phil Ginsburg 11-14-23 I want to move forward with first bench.jpg; Phil Ginsburg 11-15-23 no we cannot put bench in different location.jpg

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Subject: STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project.

Hearing Date: Wednesday, **March 13, 2024, 5:00 pm, Room 416 at City Hall,**

To the Board of Appeals:

I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons:

1) The **newly-installed hardwood bench in the median strip of the Upper Great Highways is dangerous.** This installation is a **new fact** revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing. **Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen** obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.

2) Recreation & Park for the first time during the hearing revealed the existence of a **written report from the San Francisco Estuary Institute.** The report ties dune erosion due to trampling to the closure of the Upper Great Highway. This critical report was suppressed by Rec & Park which never put it on its web site or announced it, and therefore the appellants did not have access to it. This is new information!

3) **Deputy City Attorney Jennifer Huber** should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an **extraordinary case and unfair.**

Besides all of the new facts, please reconsider that working people cannot commute to work easily, our

children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Sincerely,
Tony Villa D4

Subject: Re: Log Bench/Gt hwy
Date: Tuesday, December 12, 2023 6:57:11 AM

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To: Guerra, Hale (REC) <hale.guerra@sfgov.org>; Hickey, Martin (REC) <martin.hickey@sfgov.org>; Olgeirson, Nick (REC) <nick.olgeirson@sfgov.org>; Cornell, Kelly (REC) <kelly.cornell@sfgov.org>

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Thank you both.

Philip A. Ginsburg
General Manager
San Francisco Recreation and Parks

San Francisco Recreation and Park Department | City & County of San Francisco
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(415) 831-2701 (office)
phil.ginsburg@sfgov.org

Date: Wednesday, November 15, 2023 9:56:06 AM
Attachments: jmaqe001.png
jmaqe001.png

no. we have covered this 20 times. that space is planned for some public art.

Phil Ginsburg
(sent from my iPhone)

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I think it would make it more **usable** throughout the week and **avoid the potential pitfalls** of installing it in the **highway median**. We could work on **identifying an appropriate location with the stakeholders**.
Eric

Eric Andersen
Superintendent of Parks and Open Space

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-6818 | eric.andersen@sfgov.org



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Follow us on [Twitter](#)
Watch us on [sfRecParkTV](#)
Sign up for our [e-News](#)

From: Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org>
Sent: Tuesday, November 14, 2023 5:03 PM
To: Andersen, Eric (REC) <eric.andersen@sfgov.org>
Subject: Re: Log Bench

Mejia, Xiomara (BOA)

From: Kat <meemom@gmail.com>
Sent: Thursday, March 7, 2024 6:18 PM
To: BoardofAppeals (PAB)
Subject: Supporting rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway Pilot project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am **STRONGLY** urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons:

1) The newly-installed hardwood bench in the median strip of the Upper Great Highway is dangerous. This installation is a new fact revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing.

Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.

2) Recreation & Park for the first time during the hearing revealed the existence of a written report from the San Francisco Estuary Institute. The report ties dune erosion due to trampling to the closure of the Upper Great Highway. This critical report was suppressed by Rec & Park which never put it on its web site or announced it, and therefore the appellants did not have access to it. This is new information!

3) Deputy City Attorney Jennifer Huber should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an extraordinary case and unfair. Besides all of the new facts, please reconsider that working people cannot commute to work easily, our children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency. For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

The city has its eye on the coast for increasing density and building. I believe this is the start of an attempt to build on the Great Highway by developers.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Sincerely,

Kathy Regan

Mejia, Xiomara (BOA)

From: Katherine Hirzel <khirzel@impactvid.com>
Sent: Thursday, March 7, 2024 3:55 PM
To: BoardofAppeals (PAB)
Subject: 23-062, 23-064, 23-065 STRONGLY SUPPORTING Rehearing of Appeals Upper Great Highway "Pilot" Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Appeals:

Please grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

Rec & Park ignores our Coastal laws. The Planning Department is either ignoring or does not understand the California Coastal Commission and the Certified Local Coastal Program (LCP). If Planning would follow our wonderful laws to protect our coastline, none of us would have to spend any time on this. For many years, the Coastal Act has protected our California Coast and allowed all people to enjoy it. Now, this great legislation is in jeopardy. Planning is weakening our Coastal laws everyday so eventually the path will be cleared for Miami Beach-Style Luxury Towers that overlook the Pacific Ocean. Please make Planning follow the laws that protect the Ocean Beach dunes, and allow all people to have access to the coastline...especially the elderly and disable that drive the Great Highway. It's not too late to stop this misguided, out-of-control Planning Department and give them an opportunity to study the LCP and apply it for the benefit of all San Franciscans.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

Sincerely,
Katherine

Mejia, Xiomara (BOA)

From: Info@BetterHousingPolicies.org
Sent: Thursday, March 7, 2024 1:00 PM
To: BoardofAppeals (PAB)
Cc: Betterhousingpolicies Info
Subject: Public Comment for Rehearing Request-Upper Great Highway "Pilot" Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Appeals:

As an organization that advocates for more housing and serves the needs of immigrants, families and working people on their quality of life and housing of all price points, we are **STRONGLY** urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project, because of new facts and information that could have changed the outcome - facts including items added to the Upper Great Highway without permit and environment findings.

More importantly, please reconsider that working people cannot commute to work easily, our children are less safe in streets that are not built for traffic; and we are in big trouble in evacuation in case of a natural disaster.

Sincerely,

BetterHousingPolicies.org

info@BetterHousingPolicies.org

https://url.avanan.click/v2/___https://BetterHousingPolicies.org___.YXAzOnNmZHQyOmE6bzowYWI1NDk3ZDQ2MjAwZTAwNTE1NjhjODI1NTFjYWZhODo2OjI1MTM6OTZkMDU3MGY4Y2Q0MjI1ZTYyYzFmYTlhOWNIM2I3MGMyNDM1ZWNhNTdmYzU0ZGlyNjY1ZGizNTE1MDZlOWVmYjpwOIQ

Mejia, Xiomara (BOA)

From: Christina Shih <christinashih94121@gmail.com>
Sent: Thursday, March 7, 2024 12:22 PM
To: BoardofAppeals (PAB)
Subject: Public Comment STRONGLY SUPPORTING Rehearing of Appeals 23-062, 23-064, 23-065 Upper Great Highway "Pilot" Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I agree with the letter below PLUS what it noted that green house gas emissions have increased fivefold between 2020 and 2021 according to the UC Riverside study. The authors' postulated this was caused by closure of the Great Highway. https://url.avanan.click/v2/___https://www.sfchronicle.com/bayarea/article/sf-air-quality-17633562.php___YXAzOnNmZHQyOmE6bzpmMDk4NjgxOGIzMjc2NTU4MTlyNDYzYjZjMGZhMGY2YTo2OmM3Yzg6MTQxNjYON2RmYjA2YWxMjIwZWZlZmFhNzY1MjYzMmFjMTYwNWVmZGJiMTUyNmYzMjk2NzA4NTkxZmFmZjE4MzpwOIQ

Suppressing studies showing the damage closure of the GH has caused, trampling over legitimate concerns like Ginsberg does, etc is how the closure of the Great Highway is being forced on the neighborhood without regard for the residents most affected.

To the Board of Appeals:

I am STRONGLY urging the Board of Appeals to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project. These are some of the reasons

- 1) The newly-installed hardwood bench in the median strip of the Upper Great Highway is dangerous. This installation is a new fact revealed by Supervisor Engardio as part of the Recreation & Park testimony during the February 7, 2024 hearing. Other new facts that must be considered are contained in the below/attached emails from Recreation and Parks General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen obtained on March 5, 2024 as a response to a public records request. The emails show that Ginsburg wants to install more of these dangerous benches in the Coastal Zone and that he considers the "pilot" program just phase 1. These benches were not included in Rec & Park's application for a Coastal Zone Permit. The response also produced an email from the Department of Public Works raising safety concerns with installing a bench on the median strip.
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- 3) Deputy City Attorney Jennifer Huber should have been neutral. Instead, she improperly advocated a particular outcome of the appeal, which was to deny the appeal. This is an extraordinary case and unfair. Besides all of the new facts, please reconsider that working people cannot commute to work easily, our children are in danger as traffic is re-routed to slower streets, and we are in big trouble if there is an emergency.

For all of these reasons, I urge you to grant a rehearing of the appeals of the Coastal Zone Permit for the Upper Great Highway "pilot" project.

See below/attached emails from Rec & Park General Manager Phil Ginsburg and Superintendent of Parks and Open Space Eric Andersen.

Sincerely,

Phil Ginsburg 11-14-23 I want to move forward with first bench.jpg Phil Ginsburg 11-15-23 no we cannot put bench in different location.jpg Eric Andersen 12-12-23 Phil is aware of safety concerns.jpg