

An aerial photograph of a coastal city, likely San Diego, showing a multi-lane highway (Upper Great Highway) running parallel to the ocean. The city buildings and greenery are visible in the background, and the ocean waves are breaking in the foreground. The text is overlaid on this image.

Rehearing Request: Coastal Zone Permit Closing Upper Great Highway

Standard of Review per
Board of Appeals Rule 9 (b):

“Except in extraordinary cases...the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen....[that]could have affected the outcome...”

Rehearing Request: Coastal Zone Permit Closing Upper Great Highway

New Material Facts

- New Hardwood Log Seating on Median Strip
- SF Estuary Institute Written Report Ties Dune Erosion due to Trampling to Closure of Upper Great Highway

Extraordinary Case

- Deputy City Attorney Exceeded Scope, Advocated Outcome- Denial of Appeal

Brand New March 5, 2024 Material Facts

- Rec & Park Public Records Request Response

New Seating on Highway Median





GROWING RESILIENCE

Recommendations for Dune Management at North Ocean Beach

PART OF THE SUNSET NATURAL RESILIENCE PROJECT

SFEI San Francisco
Estuary Institute



“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.” [p. 21]

Rehearing Request: Deputy City Attorney Advocates

- **“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.”**
- **“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.”**
- **“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?”**

March 5th Public Records Response

- **No Coastal Zone Permit** for Newly-Installed Seating
- No notification to DPW
- **DPW: Seating in median strip raises safety concerns** when traffic is flowing
- Rec & Park GM **Phil Ginsburg** was notified of safety concerns but moved forward with “first bench” anyway
- **Friends of Great Highway Park proposed new seating, not Rec & Park** as part of bench program

Email from Rachel Gordon, Policy, Comms Director, SF Rec & Park

From: Gordon, Rachel (DPW) <Rachel.Gordon@sfdpw.org>

Sent: Tuesday, January 30, 2024 9:51 PM

To: Madland, Sarah (REC) <sarah.madland@sfgov.org>

Subject: Log seating at Noriega

Hi Sarah –

Here's is a photo of the bench. See below.

As mentioned, we typically do not support the placement of benches on roadway medians due to safety concerns with traffic flowing on either side when the road is open to motorized vehicles. Drivers aren't used to seeing folks lingering on medians and we should be mindful of distractions. This would not be an issue on the days the road is closed to motorized vehicles.

Our road maintenance staff also asks that if the bench were to remain, Rec and Park assumes responsibility for sand removal maintenance needs around the bench. The presence of the bench will impact our normal sand maintenance operation, requiring a little more time to work around it.

While we often support community-enhancing elements in the right of way, we do not think this is the best location to add a bench. However, given that this is your property — if I understood you correctly — it seems that the call on the bench's fate is yours to make. I'm happy to discuss further.

Rachel

Email exchange: Phil Ginsburg and Eric Andersen, SF Rec & Park

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

Email from Eric Andersen, SF Rec & Park

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

Email from Phil Ginsburg, GM Rec & Park

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

New Seating on Highway Median

