

TEXT OF PROPOSED INITIATIVE ORDINANCE

PROPOSITION E

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

THE CENTRAL FREEWAY REPLACEMENT PROJECT ACT OF 1998

SECTION 1. Title

This Ordinance shall be known and may be cited as the Central Freeway Replacement Project Act of 1998.

SECTION 2. Summary of Effect

The City and County of San Francisco has authorized the California Department of Transportation ("Caltrans") to retrofit and widen the existing lower deck of the Central Freeway to provide a four-lane single deck structure from Mission Street to Oak and Fell Streets. This Ordinance will withdraw that authorization and provide Caltrans with approval by the City and County of San Francisco to replace the Central Freeway with an elevated freeway along the current route from Mission Street to Market Street, which will continue as a street-level, high traffic volume boulevard on Octavia Street and the adjacent freeway right-of-way for the four blocks from Market Street to Fell Street. This project alternative will allow traffic to disperse north and west more quickly and efficiently, thereby addressing traffic congestion problems not addressed in the currently-approved project alternative.

SECTION 3. Findings and Declarations

The people of the City and County of San Francisco hereby find and declare all of the following:

(a) Since the closure of the Central Freeway in 1989 as a result of the Loma Prieta Earthquake, there has been a dramatic negative effect on San Francisco neighborhood residents and businesses due to traffic disruptions.

(b) The closure of the Central Freeway has caused the South of Market and Civic Center neighborhoods to suffer from excess traffic congestion and pollution.

(c) Many businesses have suffered as a result of the traffic congestion, lack of clear and convenient access, and loss of on-street parking resulting from the closure of the Central Freeway and changes to the function and volumes of traffic in the vicinity of the Central Freeway.

(d) California state law provides that Caltrans may proceed with the repair or replacement of the Central Freeway once an alternative is approved by the City and County of San Francisco.

(e) The project adopted in this Ordinance is significantly less expensive, will require a shorter construction period to complete, and is more seismically and structurally sound than the project adopted in the Central Freeway Replacement Project Act of 1997 (Proposition

H in 1997).

(f) It is vital to the welfare of all of the people of the City and County of San Francisco that the repair or replacement of the Central Freeway shall result in a project that does not result in significant negative impacts as may be evaluated and certified under an environmental review or environmental assessment.

(g) The replacement or repair of the Central Freeway must be done in a timely manner, with the negative impacts of construction, costs and traffic disruption held to a minimum throughout the replacement or repair process.

(h) This Ordinance offers the best proposal for relieving the traffic and pollution problems caused by the closure of the Central Freeway, restoring the higher quality of life and environment enjoyed by San Francisco residents and businesses prior to the 1989 Loma Prieta Earthquake, and implementing a project alternative that most fairly and adequately addresses the concerns of construction delays, costs, seismic safety, and overall quality of the environment for all San Francisco residents and businesses.

(i) The project adopted in the Central Freeway Replacement Project Act of 1997 (Proposition H in 1997) fails to resolve surface street traffic congestion because it fails to provide access to the area north of Fell Street that was previously provided by the Franklin and Gough Street ramps, resulting in the extensive and permanent removal of desirable on-street parking, and unacceptable levels of surface street traffic congestion.

(j) The project adopted in this Ordinance is consistent with the Purpose and Intent declared in the Central Freeway Replacement Project Act of 1997 (the purpose and intent of which are restated in their entirety in this Ordinance at §4 (a)-(e), below) while achieving the additional purpose and intent of the Central Freeway Replacement Project Act of 1998 (set forth in §4 (f)-(k) below).

(k) The project adopted in this Ordinance is the unanimously preferred alternative of the Citizens' Advisory Task Force for the Central Freeway, an official group of approximately 30 individuals from all affected neighborhoods appointed by the Board of Supervisors to examine these issues through a three year public review process. The Citizens' Advisory Task Force project alternative adopted by this Ordinance was endorsed by the Planning Commission and the San Francisco Board of Supervisors in 1995.

SECTION 4. Purpose and Intent of The Central Freeway Replacement Project Act of 1998

The people of the City and County of San Francisco hereby declare their purpose and intent in enacting the measure to be as follows:

(a) To reopen the Central Freeway to eliminate the traffic congestion and pollution caused by its closure.

(b) To allow San Francisco neighborhood residents the ability to enjoy the quality of life they experienced prior to the Loma Prieta Earthquake of 1989.

(c) To allow San Francisco businesses and merchants the opportunity to serve the public without disruption.

(d) To give direction to Caltrans as to the alternative that has been approved by the City and County of San Francisco so that Caltrans may proceed with the repair of the Central Freeway.

(e) To place into law an ordinance approving the most reasonable and practical alternative for the Central Freeway Project.

(f) To ensure mobility in all directions for persons using the Central Freeway, including access to the area north of Fell Street formerly provided by the Gough Street and Franklin Street ramps, by the efficient use of freeway rights-of-way and surface streets.

(g) To adopt a Central Freeway Replacement Project that will be significantly less expensive, and that will not adversely affect funding for other transportation projects of equal or greater importance to all San Francisco residents, visitors, and businesses.

(h) To adopt a project alternative that can be built more quickly with fewer disruptions, and that is more structurally and seismically sound than, the currently approved project alternative.

(i) To adopt a project alternative addressing potentially significant environmental impacts that could otherwise delay or postpone indefinitely the implementation of the Project.

(j) To adopt a project alternative accommodating the flow of traffic and providing a smooth transition from local streets to arterials, and from those arterials to the freeway.

(k) To adopt a project alternative offering the additional benefit of reclaiming a substantial amount of land located beneath the Central Freeway for more affordable housing and neighborhood-serving commercial uses that will in turn provide jobs and new tax revenue.

SECTION 5. Repeal of the Central Freeway Replacement Project Act of 1997 and Board of Supervisors Resolution No.1073-97; Reinstatement of Board of Supervisors Resolution No.541-92:

(a) The Central Freeway Replacement Project Act of 1997, which was approved by the voters as Proposition H in November 1997, adopting a single deck retrofit and replacement of the Central Freeway from Mission Street to Fell Street is hereby repealed (a copy of the text of the Central Freeway Replacement Project Act of 1997 is attached hereto as Exhibit "A").

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(b) Resolution No. 1073-97, approved by the Board of Supervisors on November 18, 1997 (approving Caltrans Alternative 1B for restoring the Central Freeway and urging Caltrans to proceed with construction) is hereby repealed (a copy of Resolution No. 1073-97 is attached hereto as Exhibit "B").

(c) Resolution No. 541-92, approved by the Board of Supervisors on July 6, 1992 (declaring it to be the policy of the City and County of San Francisco not to build any new above-ground ramps north of Fell Street to replace the demolished sections of the Central Freeway, requesting an expeditious resolution of funding for surface-level transportation improvements, creating a task force to plan land use and transportation needs for the Hayes Valley and Western Addition Neighborhoods, requesting that Caltrans undertake a feasibility study to upgrade the South Van Ness interchange, and to consider the San Francisco Tomorrow Plan), which was repealed by The Central Freeway Replacement Project Act of 1997 (Proposition H in 1997), is hereby reinstated (a copy of Resolution No. 541-92 is attached hereto as Exhibit "C").

SECTION 6. The Central Freeway Replacement Project Act of 1998

(a) The people of the City and County of San Francisco hereby approve the Central Freeway Replacement Project alternative as described in this section.

(b) The existing lower deck of the Central Freeway from Mission Street to Market Street shall be replaced with a new four lane (2-way), single-deck, elevated structure conforming to the most current seismic standards in effect; the existing lower deck of the Central Freeway from Market Street to its terminus at Fell Street shall be replaced by a street-level, high traffic volume boulevard on Octavia Street and the adjacent freeway right-of-way for the four blocks from Market Street to Fell Street. This project alternative will allow traffic to disperse north and west more quickly and efficiently, thereby addressing traffic congestion problems not addressed in the currently approved project alternative.

(c) The portion of the Central Freeway that will be rebuilt shall be fully within the existing public rights-of-way owned by Caltrans and as necessary the Department of Public Works of the City and County of San Francisco.

(d) The combined rights-of-way of Octavia Street and the Central Freeway between Market Street and the northern edge of Fell Street shall be designed as a surface boulevard with provisions to distribute traffic to and from Oak, Fell, Franklin and Gough Streets.

(e) The surface boulevard shall contain a central four-lane, two-way traffic segment, with no provision for on-street parking and with a landscaped median that is wide enough to accommodate left-turn pockets, and shall be flanked on each side by a landscaped median, a narrow-

er residential street with on-street parking, and a landscaped sidewalk.

(f) The surface boulevard shall accommodate safe pedestrian crossings and signalized intersections synchronized to ensure safe and efficient traffic and transit flow.

(g) The remaining portions of the original Caltrans right-of-way not used by the boulevard, its medians, sidewalks and flanking streets shall be subject to a process in which publicly-owned land may be sold and/or converted to other land uses, public and private, with consideration given to the need for housing, particularly affordable housing, as stated in the Neighborhood Development Goals contained in the Hayes Valley Development Guidelines endorsed by the City Planning Commission in September, 1993.

(h) The replacement of the Central Freeway structure shall proceed as quickly as possible, shall be scheduled to minimize disruptions to the flow of traffic, and shall include temporary traffic lanes and surface street traffic mitigation measures to accommodate traffic flow in the safest and most direct manner using the available rights-of-ways wherever possible to assist in the dispersion to the City street grid system and decentralization of freeway traffic during the construction period.

SECTION 7. Severability

If any provision of the Act or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of the initiative which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this initiative are severable.

May 13, 1998

Exhibit A: The Central Freeway Replacement Project Act of 1997 See Section 5(a) of the initiative.

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

CENTRAL FREEWAY REPLACEMENT PROJECT ACT OF 1997

SECTION 1. Title

This Ordinance shall be known and may be cited as the San Francisco Central Freeway Replacement Project Act of 1997.

SECTION 2. Findings and Declarations

The people of the City of the City and County of San Francisco hereby find and declare all of the following:

(a) Since the closure of the Central Freeway in 1989 as a result of the devastating Loma Prieta Earthquake, there has been a dramatic negative effect upon neighborhood residents and businesses in San Francisco.

(b) Closure of the Central Freeway has caused South of Market and Civic Center neighborhoods to choke in traffic and pollution created by alternative surface road routes.

(c) Many merchants and businesses have suffered a tremendous loss of business or had to close because of the shut down of the Central Freeway.

(d) California state law provides that the California Department of Transportation may proceed with the repair or replacement of the Central Freeway once an alternative is approved by the City and County of San Francisco.

(e) The Central Freeway Replacement Project alternative provided for by this Ordinance is the best way to relieve the traffic and pollution caused by the closure of the Central Freeway and to permit merchants and businesses in the City to serve the needs of the citizens of San Francisco.

(f) The Central Freeway Replacement Project alternative provided for by this Ordinance is the most reasonable and practical alternative for repairing the Central Freeway.

SECTION 3. Purpose and Intent

The people of the City and County of San Francisco hereby declare their purpose and intent in enacting the measure to be as follows:

(a) To reopen the Central Freeway to eliminate the traffic congestion and pollution caused by its closure.

(b) To allow neighborhood residents the ability to enjoy the quality of life they experienced prior to the Loma Prieta Earthquake of 1989.

(c) To allow businesses and merchants the opportunity to serve the public without disruption.

(d) To give direction to the California Department of Transportation as to the alternative that has been approved by the City and County of San Francisco so that the Department of Transportation may proceed with the repair of the Central Freeway.

(e) To place into law an ordinance which approves the most reasonable and practical alternative for the Central Freeway Replacement Project.

SECTION 4. Repeal of Resolution No. 541-92
Resolution No. 541-92, approved by the Board of Supervisors of the City and County of San Francisco, is hereby repealed.

SECTION 5. Central Freeway Replacement Project

(a) The people of the City and County of San Francisco hereby approve the Central Freeway Replacement Project alternative as described in this section.

(b) The existing lower deck of the Central Freeway shall be retrofitted and widened, providing a four lane single deck structure from Mission Street to Oak and Fell Streets.

(c) The portion of the Central Freeway structure from the intersection of Page and Octavia Streets to the Fell Street ramp shall be replaced rather than retrofitted. A new on-ramp from Oak Street to Market Street shall be built to replace the demolished Oak Street on-ramp.

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(d) The City and County of San Francisco shall work together with the California Department of Transportation to develop a plan to resolve the lack of northern accessibility to the Central Freeway that was previously provided by the Franklin/Gough Street ramps. The plan shall be completed by July 1, 1998.

(e) The existing Central Freeway shall remain open and shall only be closed temporarily for the shortest duration possible for construction purposes only.

SECTION 6. Severability

If any provision of this Act or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this initiative which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this initiative are severable.

Exhibit B: San Francisco Board of Supervisors Resolution No. 1073-97 See Section 5(b) of the initiative.

[Central Freeway Approval]

APPROVING CALTRANS ALTERNATIVE 18 FOR RESTORING THE CENTRAL FREEWAY, AND URGING CALTRANS TO PROCEED WITH CONSTRUCTION.

WHEREAS, Section 401.1 of the California Streets and Highways Code (SB181 - Kopp, 1990) provides that Caltrans may proceed with replacement of portions of the Central Freeway damaged by the Loma Prieta earthquake upon City and County of San Francisco approval of a restoration alternative; and

WHEREAS, On November 4, 1997 the citizens of the City and County of San Francisco endorsed alternative 1 B by passing Proposition H; and

WHEREAS, Alternative 1 B was developed by Caltrans and restores the Central Freeway to its pre-Loma Prieta Earthquake functionality; and

WHEREAS, Alternative 1 B creates a four-lane single-deck structure extending from Mission Street to Oak and Fell Streets and replaces the ramp at Oak Street; and

WHEREAS, The San Francisco Transportation Authority studied alternatives for replacing the Central Freeway and ranked Alternative 1 B as most efficient in moving traffic, safest for pedestrians and bicyclists, and least intrusive to public transit of all the alternatives; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses the will of the people of San Francisco, as expressed in Proposition H, approved by the voters on November 4, 1997, and approves Caltrans Alternative 1 B for replacement of the Central Freeway; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby endorses, approves and includes in this Resolution the following lan-

guage from Section 5 of Proposition H:

"(a) The [people] Board of Supervisors of the City and County of San Francisco hereby approves the Central Freeway Replacement Project alternative as described in [this section] Proposition H."

"(b) The existing lower deck of the Central Freeway shall be retrofitted and widened, providing a four lane single deck structure from Mission Street to Oak and Fell Streets."

"(c) The portion of the Central Freeway structure from the intersection of Page and Octavia Streets to the Fell Street ramp shall be replaced rather than retrofitted. A new on-ramp from Oak Street to Market Street shall be built to replace the demolished Oak Street on-ramp."

"(d) The City and County of San Francisco shall work together with the California Department of Transportation to develop a plan to resolve the lack of northern accessibility to the Central Freeway that was previously provided by the Franklin/Gough Street ramps. The plan shall be completed by July 1, 1998."

"(e) The existing Central Freeway shall remain open and shall only be closed temporarily for the shortest duration possible for construction purposes only."

FURTHER RESOLVED, That Caltrans is requested to immediately develop an implementation plan including a schedule and list of critical steps for restoring the Central Freeway as designated in Alternative 1 B.

Exhibit C: San Francisco Board of Supervisors Resolution No. 541-92 See Section 5(c) of the initiative.

(CENTRAL FREEWAY)

DECLARING IT TO BE THE POLICY OF THE CITY AND COUNTY OF SAN FRANCISCO NOT TO BUILD ANY NEW ABOVE-GROUND RAMPS TO REPLACE THE DEMOLISHED SECTIONS OF THE CENTRAL FREEWAY; REQUESTING AN EXPEDITIOUS RESOLUTION OF FUNDING FOR SURFACE-LEVEL TRANSPORTATION IMPROVEMENTS; CREATING A TASK FORCE TO PLAN LAND USE AND TRANSPORTATION NEEDS FOR THE HAYES VALLEY AND WESTERN ADDITION NEIGHBORHOODS; REQUESTING THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO UNDERTAKE A FEASIBILITY STUDY TO UPGRADE THE SOUTH VAN NESS INTERCHANGE, AND TO CONSIDER THE SAN FRANCISCO TOMORROW PLAN.

WHEREAS, Board of Supervisors Resolution No. 796-90 urges the California Department of Transportation (Caltrans) to demolish the damaged portion of the Central Freeway viaduct of Highway 101 and Board of Supervisors Resolution No. 382-92 urges the removal of the demolished Central Freeway from the State Highway system; and

WHEREAS, The demolition of the Central

Freeway has contributed to the revitalization of the Western Addition and Hayes Valley neighborhoods, and has made approximately six city blocks available that previously lay underneath the freeway; and

WHEREAS, Senate Bill 181 (Kopp) mandates that Caltrans, in consultation with the City and County of San Francisco, shall identify reasonable and practical alternatives to repairing or replacing the damaged portions of Route 101 and shall hold at least two public meeting in the development of the alternatives; and

WHEREAS, The first public meeting was held on May 5, 1992 at the John Swett Elementary School and was attended by over 400 people; and

WHEREAS, Of the three plans submitted by the Department of City Planning and Caltrans, and the alternate plans submitted by San Francisco Tomorrow, a majority of those in attendance expressed support for the no new ramps" alternative; and

WHEREAS, SB181 mandates that the selected alternative must be approved by a resolution of the City and County; now, therefore, be it

RESOLVED, That the Board of Supervisors, of the City and County of San Francisco does declare it to be the policy of the City and County not to build any new above-ground ramps north of Fell Street to replace the demolished sections of the Central Freeway; and be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco requests the Mayor, Caltrans and the U.S. Department of Transportation to arrive at an expeditious resolution of funding better surface-level traffic and transit improvements on the Highway 101 corridor; and be it

FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to immediately convene a task force to plan for the land use and transportation improvements for the Hayes Valley and Western Addition neighborhoods, in consultation with the residents and merchants of those areas and the development community. The membership of the task force shall include 11 community members who are residents of the Hayes Valley and Western Addition neighborhoods, who shall be appointed by the Board of Supervisors. The Mayor is urged to appoint inter-departmental representatives to advise this task force; and be it

FURTHER RESOLVED, That improvements to traffic flow along the U.S. 101/Van Ness corridor can be improved through upgrades to the South Van Ness interchange and the City and County of San Francisco requests the Caltrans to undertake a feasibility study of such interchange improvements in that area, and to consider, among other alternatives for traffic improvements that may be considered, the San Francisco Tomorrow Plan which appears in Board File No. 171-92-3.