

**PROPOSED INITIATIVE ORDINANCE TO BE SUBMITTED BY FOUR OR MORE SUPERVISORS TO THE VOTERS AT THE NOVEMBER 4, 2014 ELECTION.**

[Under Charter Section 2.113(b), this measure must be submitted to the Board of Supervisors and filed with the Department of Elections no less than 45 days prior to deadline for submission of such initiatives to the Department of Elections set in Municipal Elections Code Section 300(b).]

[Initiative Ordinance — Park Code — Children's Playgrounds, Walking Trails, Athletic Fields]

Ordinance amending the Park Code to authorize renovation of children's playgrounds, walking trails and athletic fields where a certified environmental impact report documents at least doubling in anticipated usage.

NOTE: **Unchanged Code text and uncodified text** are in plain font.  
**Additions to Codes** are in *single-underline italics Times New Roman font*.  
**Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
**Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Park Code is hereby amended by adding Article 14 to read as follows:

ARTICLE 14: INCREASED USAGE OF CHILDREN'S PLAYGROUNDS, WALKING TRAILS, AND ATHLETIC

FIELDS ACT

SEC. 14.01. FINDINGS AND DECLARATIONS.

The People of the City and County of San Francisco (the "City") hereby declare their findings and purposes in enacting this Act to be as follows:

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(a) The City does not have sufficient playgrounds for children, public trails for walking and hiking, or fields for soccer, baseball, softball and other youth and adult athletics to satisfy the needs of its residents and visitors.

(b) Despite the overall shortage of children's playgrounds, public trails and athletic fields, some existing playgrounds, trails and fields are significantly underutilized, but could be improved so that their use is substantially increased throughout the year.

(c) Improvements to the City's children's playgrounds, walking trails and athletic fields which have been the subject of a certified Environmental Impact Report should be allowed if they would significantly increase the usage of these sites.

SEC. 14.02. INCREASING PLAYGROUND, TRAIL AND FIELD CAPACITY.

(a) In order to increase the usage of children's playgrounds, walking trails and athletic fields by members of the public, notwithstanding any restriction on lighting or requirement for natural grass, the City shall allow renovations to children's playgrounds, walking trails and athletic fields, including but not limited to the installation of artificial turf and/or nighttime lighting on athletic fields, where the renovation satisfies both of the following:

(1) The Recreation and Park Department has determined, and an Environmental Impact Report ("EIR") has documented, that the renovation will at least double the usage of the particular children's playground, walking trail or athletic fields by members of the public during a calendar year; and

(2) An Environmental Impact Report for the renovation of the particular children's playground, walking trail or athletic fields has been certified.

(b) The foregoing may be satisfied either before or after the effective date of this Article.

(c) Notwithstanding the foregoing, nothing in this Article shall require or be construed to require completion of an EIR to renovate a children's playground, walking trail or athletic fields, unless an EIR is otherwise required by law.

SEC. 14.03. LIBERAL CONSTRUCTION.

This Article is an exercise of the initiative power of the people of the City and County of San Francisco for the protection of the health, safety, and welfare of the people, and shall be liberally construed to effectuate its purposes.

SEC. 14.04. AMENDMENT.

This Article may be amended to further its purposes by an ordinance passed by a two-thirds vote of the Board of Supervisors and signed by the Mayor.

SEC. 14.05. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The People hereby declare that they would have passed this ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this ordinance would be subsequently declared invalid or unconstitutional.

Section 2. **Conflict with Other Measures.** This Initiative will be deemed to conflict with any other measure appearing on the same ballot relating to the same subject matter, including any measure relating to installing artificial turf or nighttime lighting on City athletic fields. In the event that this Initiative and any other such measure(s) are approved by the voters at the same election, and this Initiative receives a greater number of affirmative votes than any other such measure(s), this Initiative shall control in its entirety and the other measure(s) shall be rendered void and without any legal effect. If this Initiative is approved by a majority of the voters but does not receive a greater number of affirmative votes than any other such measure(s), this Initiative shall take effect to the extent permitted by law.

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SUBMITTED.

David Lee

Date: 6/17/14

**Member, Board of Supervisors**