

1 [Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]

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3 **Ordinance transferring jurisdiction of certain unimproved real property located at 341**
4 **Corbett Avenue (Block No. 2659, Lot No. 059) between 19th Street and Danvers Street**
5 **from the Mayor's Office of Housing to the Department of Public Works.**

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

8 Section 1. Findings. The Board of Supervisors of the City and County of San
9 Francisco (the "Board") hereby finds and declares:

10 A. In November 2002, the Board enacted the Surplus City Property Ordinance,
11 Ordinance No. 227-02, which added Chapter 23A to the San Francisco Administrative Code
12 to establish a procedure for the identification and sale of surplus City property to assist in the
13 provision of housing for the homeless.

14 B. On May 18, 2004, the Board finally passed Ordinance 96-04 declaring certain
15 City-owned property to be surplus, and transferring jurisdiction of such surplus property,
16 including certain property located at 341 Corbett Avenue (Block 2659, Lot 059) (the "Corbett
17 Property"), located between 19th Street and Danvers Street, to the Mayor's Office of Housing
18 in accordance with the Surplus City Property Ordinance.

19 C. The Corbett Property is zoned "P" (Public) in the City's Zoning Map. On June 8,
20 2006, the Planning Commission adopted Resolution No. 17259, a copy of which is on file with
21 the Clerk of the Board of Supervisors in File No. 111105, which is hereby declared to be a
22 part of this Ordinance as if set forth fully herein, which recommends an amendment to the
23 Zoning Map to change the zoning of the Corbett Property from "P" to "RH-2". No such
24 amendment to the Zoning Map was made.

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1 D. The Corbett Property is sloped and heavily vegetated with numerous mature
2 trees, making development for housing physically challenging. The Corbett Property does
3 provide an opportunity for community gardening given its location and soil conditions.

4 E. The Department of Public Works manages and implements a robust program to
5 facilitate the interim use of properties such as the Corbett Property for community gardening.
6 The Mayor's Office of Housing does not operate a similar program.

7 Section 2. Transfer of Jurisdiction. The Board has determined that the best use of the
8 Corbett Property is to retain its current physical state, with the addition of a community
9 garden, to be enjoyed by all neighborhood residents, consistent with past uses. The
10 Department of Public Works is best positioned to provide the appropriate permits to facilitate
11 neighborhood-based gardening efforts. Accordingly, the Board hereby transfers the Corbett
12 Property to the Department of Public Works without payment, to be used and maintained in its
13 as-is condition but with community garden uses under appropriate permit. If the Department
14 of Public Works determines that the Corbett Property is not needed for community garden
15 purposes, then the Department of Public Works shall transfer the Corbett Property back to the
16 Mayor's Office of Housing and the Director of Property shall record such jurisdictional transfer
17 in the City's real estate records without additional action by the Board, provided that the
18 Director of Property shall notify the Board of Supervisors that the Corbett Property has been
19 transferred back to the Mayor's Office of Housing. This Ordinance shall supersede and revoke
20 the prior direction of the Board, under Ordinance No. 96-04, to dispose and/or develop the
21 Corbett Property under San Francisco Administrative Code Chapter 23A.

22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By: _____
25 Charles Sullivan, Deputy City Attorney