

1 [Street Encroachment at the following locations: a) on the north side of Beach Street  
2 between Powell and Mason Streets, b) on the north side of Beach Street between  
3 Mason and Taylor Streets, c) on the north side of Beach Street between Jones and  
4 Leavenworth Streets, d) on the north side of Beach Street between Leavenworth and  
5 Hyde Streets, e) on the north side of Beach Street at Larkin Street, f) on the west side  
6 of Taylor Street between Jefferson and Beach Streets, g) on the west side of Taylor  
7 Street between Beach and North Point Streets, h) on the west side of Taylor Street  
8 between North Point and Bay Streets, i) on the east side of Leavenworth Street  
9 between Jefferson and Beach Streets, and j) on the east side of Hyde Street between  
10 Beach and North Point Streets]

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12 **Resolution granting revocable permission to Fisherman’s Wharf Community Benefit**  
13 **District to occupy a portion of the public right-of-way to install and maintain a way-**  
14 **finding sign (a total of 10 signs) at the following locations: a) on the north side of**  
15 **Beach Street between Powell and Mason Streets, b) on the north side of Beach Street**  
16 **between Mason and Taylor Streets, c) on the north side of Beach Street between Jones**  
17 **and Leavenworth Streets, d) on the north side of Beach Street between Leavenworth**  
18 **and Hyde Streets, e) on the north side of Beach Street at Larkin Street, f) on the west**  
19 **side of Taylor Street between Jefferson and Beach Streets, g) on the west side of**  
20 **Taylor Street between Beach and North Point Streets, h) on the west side of Taylor**  
21 **Street between North Point and Bay Streets, i) on the east side of Leavenworth Street**  
22 **between Jefferson and Beach Streets, and j) on the east side of Hyde Street between**  
23 **Beach and North Point Streets conditioned upon the payment of an annual assessment**  
24 **fee, and making environmental findings and findings of consistency with the General**  
25 **Plan and the priority policies of Planning Code Section 101.1.**

1           WHEREAS, Pursuant to Public Works Code Section 786, Karen Bell, Executive  
2 Director of Fisherman’s Wharf Community Benefit, requested permission to occupy a portion  
3 of the public right-of-way to install and maintain 10 way-finding signs. The encroachment and  
4 related improvements are shown on plans filed with the Department of Public Works. Copies  
5 of such plans are on file in the office of the Clerk of the Board of Supervisors in File  
6 No. \_\_\_\_\_; and,

7           WHEREAS, The Interdepartmental Staff Committee on Traffic and Transportation  
8 (ISCOTT), at its meeting of September 27, 2007, recommended the proposed encroachment  
9 for approval; and,

10           WHEREAS, The Planning Department by letter dated April 21, 2008, found the  
11 proposal, on balance, to be in conformity with the General Plan. The department also  
12 determined that the project is Categorically Exempt from Environmental Review under Class  
13 5[b] – minor alterations in land use limitations – of the State Environmental Review  
14 Guidelines. This letter also includes a determination relating to the encroachment pursuant to  
15 the California Environmental Quality Act (California Public Resources Code sections 21000 et  
16 seq.). A copy of said letter is on file with the Clerk of the Board of Supervisors in File  
17 No. \_\_\_\_\_, and is incorporated herein by reference; and,

18           WHEREAS, After a duly noticed public hearing on June 11, 2008, the Department of  
19 Public Works recommended approval of the proposed encroachment; and,

20           WHEREAS, The permit and associated street encroachment agreement, which are  
21 incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in  
22 File No. \_\_\_\_\_, shall not become effective until:

23           (a) The Permittee executes and acknowledges the permit and delivers said permit to  
24 the City’s Controller,

1 (b) Permittee delivers to the City Controller a policy of insurance provided for in said  
2 agreement and the Controller shall have had approved the same as complying with the  
3 requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said  
4 insurance policy, the certificate of an insurance company certifying to the existence of such a  
5 policy; and,

6 (c) The Department of Public Works records the permit and associated agreement in  
7 the office of the County Recorder; and,

8 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a  
9 result of this permit, shall make the following arrangements:

10 (a) To provide for the support and protection of facilities belonging to the Department  
11 of Public Works, San Francisco Water Department, the San Francisco Fire Department and  
12 other City Departments, and public utility companies;

13 (b) To provide access to such facilities to allow said entities to construct, reconstruct,  
14 maintain, operate, or repair such facilities; and,

15 (c) To remove or relocate such facilities if installation of the encroachment requires  
16 said removal or relocation and to make all necessary arrangements with the owners of such  
17 facilities, including payment for all their costs, should said removal or relocation be required;  
18 and,

19 WHEREAS, The Permittee shall procure the necessary permits from the Central Permit  
20 Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping,  
21 Department of Public Works, and pay the necessary permit fees and inspection fees before  
22 starting work; and,

23 WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-  
24 way occupancy assessment pursuant to Public Works Code Section 786 and,

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1           WHEREAS, No structure shall be erected or constructed within said street right-of-way  
2 except as specifically permitted herein; and,

3           WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the  
4 encroachments and no cost or obligation of any kind shall accrue to the City and County of  
5 San Francisco by reason of this permission granted; now, therefore be it

6           RESOLVED, That pursuant to Public Works Code Section 786, the Board of  
7 Supervisors hereby grants revocable permission to Fisherman’s Wharf Community Benefit  
8 District, to occupy a portion of the public right-of-way to install and maintain ten (10) way-  
9 finding signs at various locations in the Fisherman’s Wharf area, conditioned upon the  
10 payment of an annual occupancy assessment fee and other conditions set forth herein; and,  
11 be it

12           FURTHER RESOLVED, That the Board adopts as its own the findings of consistency  
13 with the General Plan and Planning Code Section 101.1 as set forth in the Planning  
14 Department letter dated April 21, 2008, and affirms the environmental determination contained  
15 in said letter.

17 APPROVED:

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20 Edward D. Reiskin  
21 Director of Public Works  
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