

1 [Potrero HOPE SF - Street Vacation for Various Streets]

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3 **Ordinance delegating authority to the Public Works Director to vacate certain streets**
 4 **and public service easements in the Potrero HOPE SF Project (“Project”) site, generally**
 5 **bounded by 26th, Wisconsin, 23rd, Missouri, 22nd, Texas, 25th, and Connecticut (south**
 6 **of 25th) Streets, and including portions of 22nd, 23rd, 25th, 26th, Arkansas,**
 7 **Connecticut, Dakota, Texas, Missouri, and Wisconsin Streets, Turner Terrace, and**
 8 **Watchman Way, to expedite implementation of the Project; authorizing the City to**
 9 **transfer its interest in the vacation area to the San Francisco Housing Authority or the**
 10 **Project sponsor; delegating to the Director of Property authority to grant, accept, and**
 11 **terminate easements to facilitate the street vacations; adopting a Public Works Order**
 12 **recommending the street and easement vacation process; waiving application of**
 13 **Administrative Code, Chapter 23, regarding real estate transactions to the extent**
 14 **inconsistent with this Ordinance; finding the street vacation areas are exempt surplus**
 15 **property under the California Surplus Land Act; authorizing official acts, as defined, in**
 16 **connection with this Ordinance; adopting findings under the California Environmental**
 17 **Quality Act; and making findings of consistency with the General Plan, and the eight**
 18 **priority policies of Planning Code, Section 101.1.**

19 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
 20 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 21 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 22 **Board amendment additions** are in double-underlined Arial font.
 23 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 24 **Asterisks (* * * *)** indicate the omission of unchanged Code
 25 subsections or parts of tables.

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

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1 Section 1. Background and General Findings.

2 (a) This ordinance addresses the vacation of certain public streets and public service
3 easements within the Potrero HOPE SF Project (“Project”) to facilitate and expedite
4 redevelopment of the Project site, including realignment and improvement of the public streets
5 and utilities, through the HOPE SF Program of the City and County of San Francisco (“City”).
6 The Project site is generally bounded by 26th, Wisconsin, 23rd, Missouri, 22nd, Texas, 25th,
7 and Connecticut (south of 25th) Streets, and includes portions of 22nd, 23rd, 25th, 26th,
8 Arkansas, Connecticut, Dakota, Missouri, Texas, and Wisconsin Streets, Turner Terrace, and
9 Watchman Way.

10 (b) The Housing Authority of the City and County of San Francisco (“SFHA”) owns the
11 Project site. The SFHA is providing various approvals and real estate transfers to facilitate the
12 Project. The Project includes the complete rebuilding of the existing SFHA Potrero Terrace
13 and Annex sites and the surrounding streets, and will consist of up to 1,700 residential units
14 (including more than 800 replacement and new affordable units and approximately 800
15 market-rate units), retail and community spaces, open space, new streets, utilities, and other
16 infrastructure.

17 (c) The Project is subject to a Development Agreement between the City, SFHA, and
18 Bridge-Potrero Community Associates LLC (“Developer”), recorded in the Official Records of
19 the City on March 3, 2017, as Document No. 2017-K416603-00 and approved by the Board of
20 Supervisors in Ordinance No. 15-17 (“Development Agreement”), on file with the Clerk of the
21 Board of Supervisors in File No. 161161. The Development Agreement includes the Potrero
22 HOPE Master Infrastructure Plan, which describes the scope and phases of the public
23 infrastructure to be constructed by the Developer.

24 (d) The Project is proceeding in multiple phases, beginning with the southernmost
25 portion of the Project site. A portion of the Project’s new infrastructure has been completed

1 and the remainder is to be developed in future phases. The buildings and streets within the
2 Project site, which are currently oriented at irregular angles, will be realigned into a grid-like
3 pattern.

4 (e) California Streets and Highways Code Sections 8300 et seq., San Francisco
5 Administrative Code Section 1.51, and San Francisco Public Works Code Section 787(a) set
6 forth the procedures that the City follows to vacate public streets and easements.

7 (f) The location and extent of the areas to be vacated for the Project encompass
8 streets and public service easements, including those in existence at the time of this
9 ordinance and those that may be created for temporary or interim access to facilitate the
10 Project (“Project Vacation Area”), and are generally described as:

- 11 (1) 25th Street from approximately 100 feet east of Wisconsin Street to Texas
12 Street;
- 13 (2) 23rd Street from Wisconsin Street to Missouri Street;
- 14 (3) Wisconsin Street from 23rd Street to just south of Connecticut Street;
- 15 (4) Connecticut Street from Wisconsin Street to 25th Street;
- 16 (5) Dakota Street from 23rd Street to the intersection of 25th and Texas Streets;
- 17 (6) Texas Street from its northern terminus to 25th Street;
- 18 (7) Missouri Street from 23rd Street to 22nd Street;
- 19 (8) Turner Terrace from Missouri Street to its southern terminus; and
- 20 (9) Watchman Way from Missouri Street to its southern terminus.

21 The Project Vacation Area is depicted in the Project Vacation Area Diagram
22 (“Diagram”) on file with the Clerk of the Board of Supervisors in File No. 251078 and
23 incorporated herein by reference. This Diagram also shows the streets previously completed
24 within the Phase 1 and 2 areas as part of the Project Vacation Area in order to address and
25 include unanticipated street or easement vacation adjustments that may be required as the

1 development proceeds, for example, for transitions along the edges or borders where public
2 infrastructure completed in separate phases must connect.

3 (g) The Project Vacation Area will be vacated in segments (each, an “Individual Street
4 Vacation”) that generally correspond to the demolition, construction, and final map phases of
5 the Project. Multiple segments may be grouped together and vacated as part of one Individual
6 Street Vacation action.

7 (h) The Diagram shows the area of intended future Individual Street Vacations outlined
8 in solid black lines, generally within Project Phases 3, 4, and 5. The Project Vacation Area
9 also includes the areas shown in the Diagram as Project Phases 1 and 2 for the reasons
10 described above in subsection (f). The infrastructure developed in Phases 1 and 2 has been
11 substantially completed and was accepted by the City, as specified in Ordinance Nos. 168-22
12 and 159-25, on file with the Clerk of the Board of Supervisors in File Nos. 220706 and
13 250656, respectively.

14 (i) In Public Works Order No. 212239, dated October 22, 2025, (“PW Order”), the
15 Public Works Director (“PW Director”) determined and the City Engineer certified that vacation
16 of the Project Vacation Area is required to facilitate the Developer’s public infrastructure
17 improvements within the Project site. Hereafter, the PW Director, City Engineer, and County
18 Surveyor are collectively referred to as the PW Director unless specified otherwise. Further,
19 the PW Director determined that the vacations must proceed in or adjacent to phases to
20 enable construction and delivery of the improvements.

21 (j) In addition, in the PW Order, the PW Director determined that such vacations would
22 have no adverse effect on public access because realigned replacement streets and utilities
23 will be transferred from SFHA and/or the Developer to the City once completed and after the
24 PW Director determines that they meet all applicable City codes, regulations, and standards,
25

1 and such improvements are ready for their intended use and subsequent Board of
2 Supervisors acceptance.

3 (k) In the PW Order, the PW Director also found that delegating authority to the PW
4 Director to vacate the Project Vacation Area would expedite processing of the subdivision
5 mapping and permitting of new public infrastructure. Accordingly, the PW Director
6 recommended that the Board of Supervisors delegate authority to the PW Director, in
7 consultation with affected City departments, to approve Individual Street Vacations, subject to
8 certain conditions. These findings rely on the following factors:

9 (1) The vacation of the Project Vacation Area is necessary to fulfill the
10 objectives of the Potrero HOPE SF Project, as set forth in the Development Agreement and
11 related approvals.

12 (2) Each street vacation will present unique issues based on the location of the
13 street segment, and the context of the phased development as a whole. Each street segment
14 to be vacated must be surveyed, mapped, and described with precision, and such details may
15 need to be adjusted over the course of the development. Other potential issues include
16 whether temporary or alternate street or utility access is required for residents living in
17 portions of the Project site that are not yet under construction; alternate access for re-routed
18 transit lines; emergency access for first responders; whether the street vacation and the real
19 property transfer should occur simultaneously or in a particular sequence; and coordinating
20 different stages of preparation, demolition, and construction work for different phases of the
21 Project.

22 (3) Because these unique issues will take substantial time and resources to
23 identify and resolve, it would be inefficient for City departments to prepare a single street
24 vacation ordinance and detailed supporting documentation for all potential street vacations
25 project-wide. It also is unlikely that such a global ordinance could encompass all necessary

1 details for future street vacations, as some issues will not emerge until a particular phase or
2 component of project development is underway. Such issues should be resolved in the most
3 expedient and cost-effective manner possible, and it is unlikely that all such issues can be
4 easily outlined in advance. The best resolution for a particular situation could prove
5 unavailable or infeasible if constrained by an authorizing project-wide street vacation
6 ordinance that did not anticipate the particular issue presented for a specific street vacation.
7 Based on prior experience with other large, multi-phase projects, Public Works has found that
8 all such street vacation issues are most effectively and efficiently addressed as they arise,
9 and at a future time when Public Works and other affected City departments can review the
10 street improvement plans and designs for each specific development phase or subphase and
11 determine the best, most efficient, and legally appropriate techniques to vacate streets and
12 public service easements.

13 (4) If the Board of Supervisors were to approve a project-wide vacation
14 ordinance without the delegation prescribed herein, future street vacations for this Project
15 might have to return to the Board of Supervisors for approval whenever the conditions of a
16 particular street vacation do not completely align with the conditions outlined in such
17 ordinance. This would be inefficient and would contravene the Board of Supervisors' intention
18 to facilitate and streamline street vacations for the entire Project.

19 (5) The delegation prescribed herein also reduces the City and Developer
20 resources that would be required if each street vacation were presented to the Board of
21 Supervisors individually over the course of the Project. With the Board of Supervisors'
22 delegation to the PW Director, only one packet of legislative materials and one set of Board of
23 Supervisors meetings and Board committee meetings will be required. The Project will
24 proceed more efficiently if vacations are approved administratively, rather than through
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1 separate, months-long legislative processes. Saving both time and financial resources will
2 facilitate more effective and efficient Project delivery.

3 (6) Because many of these streets and easements will remain in use until
4 specified times based on Project phasing, it is appropriate for the PW Director, in consultation
5 with other affected City departments, SFHA, and the Developer, to establish the specific
6 timing and conditions associated with each Individual Street Vacation.

7 (7) The public interest, convenience, and necessity requires that, where
8 appropriate, the City reserve from the Project Vacation Area, certain easements for the City
9 and, if necessary, for public utilities, which easements may be terminated if deemed
10 necessary or appropriate by affected City departments.

11 (8) Additionally, provisions for interim access for MUNI, emergency vehicles,
12 adjacent property owners, and similar access needs may be included for any Individual Street
13 Vacation or associated actions if deemed necessary or appropriate by affected City
14 departments.

15 (9) The City plans to transfer its interest in the Project Vacation Area to SFHA
16 or the Developer to facilitate the development of the Project as part of implementing the terms
17 of the Development Agreement. Pursuant to the Development Agreement, once the newly
18 realigned and improved streets are completed, SFHA or Developer will transfer the property
19 underlying the new streets back to the City.

20 (10) It would be most efficient to eliminate the need for future Board of
21 Supervisors actions related to vacating these streets and easements by delegating to the
22 Director of the Real Estate Division (“Director of Property”) the authority, upon the PW
23 Director’s determination that the Individual Street Vacation conditions set forth herein have
24 been met, to execute and record deeds conveying the real property underlying the Individual
25 Street Vacation area to the SFHA or its affiliate, or to Developer or its affiliate (“Street

1 Vacation Deeds”), and to grant, accept, terminate, and/or quitclaim public service easements
2 to facilitate the Individual Street Vacation and the Project.

3 (11) Based on the Project’s proposed and actual phasing, it is appropriate for
4 the PW Director, Director of Property, and other affected City departments to establish the
5 specific timing for the execution and recordation of the Street Vacation Deeds and any related
6 actions on public service easements, and other conditions associated with each Individual
7 Street Vacation.

8 (l) A copy of the PW Order, including the Diagram showing the location of the Project
9 Vacation Area and proposed Individual Street Vacations, is on file with the Clerk of the Board
10 of Supervisors in File No. 251078 and incorporated herein by reference.

11 (m) The Board of Supervisors adopts as its own the findings and recommendations of
12 the PW Director as set forth in PW Order No. 212239 concerning the Project Vacation Area,
13 Individual Street Vacations, and other actions in furtherance of the street vacation process,
14 and the Board of Supervisors hereby incorporates such recommendations and findings by
15 reference as though fully set forth herein.

16 (n) The Board of Supervisors finds that delegation of the Individual Street Vacation
17 actions to the PW Director would expedite processing of the subdivision mapping and
18 permitting of new public infrastructure, facilitate a timely construction schedule for the Project,
19 and efficiently put the public improvements into service.

20 (o) For the foregoing reasons, the Board of Supervisors finds it is in the public interest
21 to delegate authority to the PW Director, in consultation with other affected City departments,
22 to approve Individual Street Vacations, subject to certain conditions.

23 (p) The Director of Property, in a letter dated October 8, 2025, recommended that the
24 City delegate authority to the Director of Property to approve Street Vacation Deeds and take
25 related actions on easements for Individual Street Vacations within the Project Vacation Area

1 and to execute and record associated deeds and easements. A copy of this letter is on file
2 with the Clerk of the Board of Supervisors in File No. 251078 and incorporated herein by
3 reference.

4 (q) The property underlying the Project Vacation Area is owned in fee simple by the
5 City but it is “exempt surplus land,” as defined in California Government Code Section
6 55421(f)(1) (C), (D), and/or (E) because it is surplus land that:

7 (1) the City is exchanging for another property necessary for that governmental
8 agency’s use, specifically, the realigned and improved streets and utilities;

9 (2) the City is transferring to the SFHA or its affiliate, which is another local
10 agency; and/or

11 (3) is a former street, right-of-way, or easement, and is conveyed to an owner of
12 an adjacent property, which will be the SFHA, Developer, or their affiliate(s).

13
14 Section 2. Environmental and Land Use Findings.

15 (a) In a letter dated October 9, 2025, the Planning Department determined that
16 vacation of the Project Vacation Area, including the proposed Individual Street Vacations and
17 execution of the Street Vacation Deeds, and associated actions, comply with the California
18 Environmental Quality Act (CEQA). For purposes of this ordinance, the Board of Supervisors
19 adopts these findings as its own. A copy of this letter is on file with the Clerk of the Board of
20 Supervisors in File No. 251078 and incorporated herein by reference.

21 (b) In the same letter, the Planning Department determined that the vacation of the
22 Project Vacation Area, including the proposed Individual Street Vacations, quitclaim deeds,
23 and associated actions are, on balance, in conformity with the General Plan and eight priority
24 policies of Planning Code Section 101.1. For purposes of this ordinance, the Board of
25 Supervisors adopts these findings as its own.

1 (c) The Planning Department letter also acknowledged that the PW Director will obtain
2 separate Planning Department determinations for CEQA compliance and General Plan
3 conformity prior to approval of each Individual Street Vacation.

4
5 Section 3. Approval of Public Works Actions and Recommendations.

6 The Board of Supervisors has reviewed and approves PW Order No. 252239, including
7 the Director’s recommendations, as referenced in Section 1 of this ordinance, concerning the
8 vacation of the Project Vacation Area, including the proposed Individual Street Vacations,
9 Street Vacation Deeds, and other actions set forth in the PW Order.

10
11 Section 4. Delegation to PW Director to Approve Individual Street Vacations.

12 (a) Based on the recommendations from the PW Director, SFHA, and affected City
13 departments, the Board of Supervisors determines that it would be efficient and in furtherance
14 of the public interest to eliminate the need for future Board of Supervisors actions related to
15 vacation of the Project Vacation Area, and thereby expedite development of the Project and
16 facilitate putting the newly-constructed streets and utilities into public service efficiently. The
17 Board of Supervisors also finds that this efficiency will be achieved by delegating to the PW
18 Director the authority to effectuate the Individual Street Vacations.

19 (b) In regard to the proposed Individual Street Vacations within the Project Vacation
20 Area, the Board of Supervisors hereby delegates its authority under California Streets and
21 Highways Code Sections 8300 et seq., San Francisco Administrative Code Section 1.51, and
22 Public Works Code Section 787(a) to the PW Director, in consultation with affected City
23 departments, to approve Individual Street Vacations and take other actions as specified in the
24 PW Order that are necessary for or related to the Individual Street Vacations, provided the
25 conditions stated in subsection (c), below, have been met.

1 (c) Prior to approving any Individual Street Vacation, the PW Director shall make the
2 following determinations in a Public Works Order issued following a duly noticed hearing:

3 (1) The Individual Street Vacation will facilitate delivery of the Project;

4 (2) The timing and scope of the Individual Street Vacation is appropriate based
5 on the Project phasing, in consultation with the Mayor’s Office of Housing and Community
6 Development (“MOHCD”), and the Planning Department;

7 (3) The PW Director has incorporated into the Individual Street Vacation
8 approval any conditions the PW Director deems necessary and appropriate, based on
9 consultation with affected City departments, including but not limited to coordination with the
10 Director of Property regarding whether the City should retain public access easements or
11 similar rights from the Individual Street Vacation area;

12 (4) All conditions that would have been required for a Board of Supervisors-
13 approved street vacation have been met, including:

14 (A) Required findings under applicable provisions of the California
15 Streets and Highways Code;

16 (B) A SUR Map, including legal description describing the area of the
17 Individual Street Vacation, has been prepared and approved by the County Surveyor;

18 (C) Assessor’s Parcel Number(s) have been assigned or reserved for the
19 parcels affected by the Individual Street Vacation;

20 (D) The PW Director obtains the Planning Department’s General Plan
21 consistency and CEQA findings for the Individual Street Vacation and Street Vacation Deeds;

22 (E) The Developer has demonstrated a good faith effort to obtain
23 consent for the Individual Street Vacation from all property owners adjacent to the subject
24 street; and
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1 (F) The PW Director has caused to be recorded a copy of the Order of
2 Vacation in the Office of the Recorder of the City and County of San Francisco; and

3 (5) The PW Director has received letters of support or similar documentation of
4 concurrence from the SFHA and MOHCD.

5
6 Section 5. Exempt Surplus Land Pursuant to Surplus Land Act.

7 (a) The property underlying the Project Vacation Area is “exempt surplus land,” as
8 defined in California Government Code Section 55421(f)(1)(C), (D), and/or (E) because it is
9 surplus land that (1) the City is exchanging for another property necessary for the agency’s
10 use, (2) the City is transferring to another local agency, and/or (3) is a former street, right-of-
11 way, or easement, and is conveyed to an owner of an adjacent property.

12 (b) The Board of Supervisors finds, based on the reasons set forth in this ordinance,
13 that the property underlying the Project Vacation Area is surplus to the City’s needs and not
14 necessary for the City’s use, and further declares it to be “exempt surplus land” under
15 California Government Code Sections 54221(b)(1) and 54221(f)(1)(C), (D), and/or (E).

16
17 Section 6. Approval of Deeds to SFHA or Developer, Delegation to Director of
18 Property, and Waiver of Administrative Code Chapter 23.

19 (a) The Board of Supervisors hereby conditionally approves the Street Vacation Deeds
20 in a form substantially similar to the deed on file with the Clerk of the Board of Supervisors in
21 File No. 251078 and incorporated herein by reference.

22 (b) The Board of Supervisors hereby delegates to the Director of Property, in
23 consultation with the City Attorney’s Office, the authority to make nonmaterial changes in, and
24 to finalize, execute, and record, each Street Vacation Deed, subject to the following conditions
25 being met prior to execution:

1 (1) The PW Director has either approved the Individual Street Vacation or has
2 determined, in consultation with the Director of Property, that the Street Vacation Deed should
3 precede the Individual Street Vacation;

4 (2) The grantee (SFHA, Developer, or either's affiliate) has approved the Street
5 Vacation Deed; and

6 (3) The Street Vacation Deed incorporates a legal description approved by the
7 County Surveyor.

8 (c) The Street Vacation Deeds may include any reservation of public service
9 easement(s) that the Director of Property deems necessary or appropriate, in consultation
10 with the City Attorney's Office and PW Director, and that such reserved easement(s) will
11 include provisions on termination such that it will not require a subsequent public service
12 easement vacation action. The Director of Property, in consultation with the City Attorney's
13 Office, also shall exercise the discretion to determine if the easement rights shall be reserved
14 from the Street Vacation Deed or addressed in a separate easement agreement.

15 (d) The Director of Property, in consultation with the PW Director and other affected
16 City departments, is hereby authorized to establish the conditions or specifications for the
17 execution and recordation of Street Vacation Deeds from the City to the SFHA, including the
18 timing for such actions.

19 (e) The Board of Supervisors also delegates to the Director of Property, in consultation
20 with the City Attorney's Office, PW Director, and other affected City departments, the authority
21 to grant, accept, quitclaim, and terminate easements to facilitate the Individual Street
22 Vacations and the Project. This delegation to the Director of Property includes, but is not
23 limited to, authorization to make nonmaterial changes in, and to finalize and execute, the
24 deeds for easements reserved within any Individual Street Vacation area in accordance with
25 the terms set forth in this ordinance. The Board finds that the delegation set forth in this

1 ordinance regarding easements is in furtherance of any explicit or implicit authority granted to
2 the Director of Property in the Development Agreement for the Project.

3 (f) The Board of Supervisors approves the Street Vacation Deeds and delegation to
4 the Director of Property described in this Section 6 notwithstanding Administrative Code
5 Chapter 23. The Board hereby waives any contrary provisions of Administrative Code Chapter
6 23 relating to real estate transactions in order to implement the intent of this ordinance.

7
8 Section 7. Authorization for Implementation.

9 The Mayor, Clerk of the Board of Supervisors, Director of Property, County Surveyor,
10 and PW Director are hereby authorized and directed to take any and all actions which they or
11 the City Attorney may deem necessary or advisable to effectuate the purpose and intent of
12 this ordinance, including, but not limited to, confirmation of satisfaction of the conditions for
13 Individual Street Vacations, filing this ordinance and SUR Maps in the Official Records of the
14 City, and execution and delivery of any evidence of the same, which shall be conclusive as to
15 the satisfaction of the conditions upon signature by any such City official or the official's
16 designee, and completion and recordation of deeds.

17
18 Section 8. Clerk's Transmittal of Ordinance.

19 The Clerk of the Board of Supervisors is hereby directed to transmit to the PW Director
20 a certified copy of this ordinance so that the ordinance may be recorded together with any
21 other documents necessary to effectuate the ordinance.

22
23 Section 9. Effective Date.

24 This ordinance shall become effective 30 days after enactment. Enactment occurs
25 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not

1 sign the ordinance within 10 days of receiving it, or the Board of Supervisors overrides the
2 Mayor's veto of the ordinance.

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4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ JOHN D. MALAMUT
7 JOHN D. MALAMUT
8 Deputy City Attorney

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