

LEGISLATIVE DIGEST

[Master Major Encroachment Permit - Hunters View HOPE SF Phase 1]

Ordinance granting revocable permission to HV Community Association, Inc., to occupy and maintain the irrigation system (other than street trees), sidewalks, curbs and ramps for ADA-compliant passenger loading, and a portion of a retaining wall footing, with all such encroachments located generally along portions of Fairfax Avenue, Acacia Avenue, Ironwood Way, Catalina Street, and Middle Point Road fronting Hunters View Phase 1, 1101 Fairfax Avenue, (Assessor's Parcel Block No. 4624, Lot Nos. 23 through 32); waiving the annual public right-of-way occupancy assessment fee under Public Works Code, Section 786.7, for all phases of the Hunters View project; adopting environmental findings under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Existing Law

Public Works Code Sections 786 et seq. establish the regulatory framework for street (major) encroachments. The Public Works Code provides for various types of encroachment permits, one of which is a master major encroachment permit that is allowed for multi-phase or large-scale development projects and provides certain flexibility not available for conventional major encroachment permits. Public Works Code Section 786.7 establishes an annual public right-of-way occupancy assessment fee and identifies certain projects that are eligible for waiver of this fee.

Amendments to Current Law

This ordinance would approve a master major encroachment for Phase 1 of the Hunters View HOPE SF development project. The encroachments include an irrigation system (other than street trees); sidewalks along portions of Fairfax Avenue, Acacia Avenue, Ironwood Way, Catalina Street, and Middle Point Road; curbs/ramps for ADA passenger loading; and a portion of retaining wall footing in Acacia Avenue. The legislation also would waive the annual public right-of-way occupancy assessment fee for all phases of the Hunters View HOPE SF project. The basis for the fee waiver is that the encroachments provide a public benefit and the project involves a Disposition and Development Agreement ("DDA") with the Housing Authority of the City and County of San Francisco, which is similar to the fee waiver already authorized under Public Works Code Section 786.7(f)(3) for projects that have a DDA with either the City or the Successor Agency to the San Francisco Redevelopment Agency.

Background Information

This legislation would help facilitate the development of the Hunters View HOPE SF project, a public housing transformation collaborative effort aimed at disrupting intergenerational poverty, reducing social isolation, and creating vibrant mixed-income communities without mass displacement of current residents.

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