

## LEGISLATIVE DIGEST

[5M Project - Accepting the Phase 1 and Phase 2 Public Infrastructure]

**Ordinance accepting irrevocable offers of public infrastructure and real property associated (“Public Infrastructure”) with the 5M Project, a mixed use development located generally between Mission, Fifth, and Howard Streets, including the improvements described and depicted in Public Works Permit Nos. 18IE-0725 (“Phase 1”) and 18IE-0726 (“Phase 2”) and subsequent Instructional Bulletins; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the Phase 1 and Phase 2 Public Infrastructure to public use; designating said Public Infrastructure for street and roadway purposes; accepting the Phase 1 and Phase 2 Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; establishing official public right-of-way widths; amending Ordinance No. 1061 entitled “Regulating the Width of Sidewalks” to establish official sidewalk width on the abovementioned street areas; authorizing official acts, as defined herein, in connection with this ordinance; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1**

### Existing Law

The City enacted Ordinance No. 206-15 on December 2, 2015, which approved the Development Agreement for the 5M mixed-use development located generally between Mission, Fifth and Howard Streets, including office, residential, retail, cultural, educational, open space, parking, and related uses. Pursuant to the Development Agreement, the project developer is required to construct specified public infrastructure and dedicate said infrastructure to the City. Upon dedication, the City would initiate the local and State law procedures to establish the areas as open public right-of-way, accept the areas for City maintenance and liability purposes, subject to certain limitations, and take related actions. In addition, Board of Supervisors’ Ordinance No. 1061 established the official sidewalk widths throughout San Francisco. Ordinance No. 1061 is uncodified, but can be located in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910, which is on file with the Clerk of the Board of Supervisors.

### Amendments to Current Law

This legislation would accept offers of dedication for public infrastructure and real property required as part of the 5M project; declare said right-of-way open to the public; dedicate the infrastructure to public use and designate it for street and roadway purposes; accept the infrastructure for maintenance and liability purposes, subject to limitations. The ordinance also

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would establish official right-of-way as shown on Map A-17-221; establish official sidewalk widths as shown on Drawing Q-20-1141; and amend Board of Supervisors Ordinance No. 1061. This ordinance would make certain findings related to the legislation, including environmental findings and findings that the legislation is consistent with the approved project, the General Plan, and the priority policy findings of the Planning Code Section 101.1.

Background Information

This legislation would help facilitate the development of the 5M project.

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