

## LEGISLATIVE DIGEST

[Public Works Code - Minor Sidewalk Encroachments at the Mission Rock, Pier 70, and Potrero Power Station Projects]

**Ordinance amending the Public Works Code to designate the Port of San Francisco, instead of the Department of Public Works, as responsible for permitting tables, seating, and other minor encroachments on the public sidewalks at the Mission Rock, Pier 70, and Potrero Power Station projects; and affirming the Planning Department’s determination under the California Environmental Quality Act, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.**

### Existing Law

The Public Works Code prohibits people from placing items in public sidewalks without prior approval from the Department of Public Works (“Public Works”). Pursuant to the Public Works Code, Public Works issues encroachment permits for café tables and chairs, merchandise displays, and other minor encroachments. Public Works is responsible for enforcement to ensure compliance with these provisions of the Public Works Code.

The Port of San Francisco (“Port”) is responsible for certain property along San Francisco’s waterfront pursuant to state law. Port is responsible for, among other things, managing leases and licenses to third parties for their use of Port property. Currently, a person wishing to place encroachments, like a café table, on a public sidewalk within Port property would be required to obtain separate approvals from Public Works and from Port.

### Amendments to Current Law

This ordinance would amend the Public Works Code to create an exception from Public Works encroachment permits for certain minor encroachments on public sidewalks within three new developments on Port property: Mission Rock, Pier 70, and Potrero Power Station. Port would have exclusive responsibility for regulating specified types of encroachments, including café tables and chairs, merchandise displays, seating, and planters. Public Works and Port would be required to develop procedures to ensure proper coordination for the different aspects of the sidewalk within their respective jurisdictions.

### Background Information

Mission Rock, Pier 70, and Potrero Power Station are large, multi-phase developments that will include new housing, commercial space, open space, and public infrastructure on Port property along San San Francisco’s eastern waterfront. The projects are being constructed by private developers pursuant to development agreements with the City and the Port.

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