



# SF Public Works

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## Public Improvements as Gifts

Public Works Code Article 15, Section 791

# Overview

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During the last decade, San Francisco has witnessed a significant increase in the planning for and installation of special streetscape treatments and other public realm amenities to improve the public right of way experience for pedestrians, bicyclists, transit and motor vehicles.

There are various avenues through which these public improvements come before the Department of Public Works for approval, including :

- City-sponsored projects
- Subdivision map requirements
- Plan Department and Commission conditions approval
- In-kind agreements to construct such amenities in lieu of impact fee payments

# What is PWC 791?

Consistent with the Better Street Policy of Administrative Code Sections 98.1 et seq., the Better Streets Plan (BSP), Neighborhood Streetscape Plan, and streetscape design standards, the Board of Supervisors finds that it is in the public interest to encourage property owners to voluntarily construct and install public improvements outside of the frontage of their property within the City's public right-of-way. This legislation provides a mechanism to accomplish this and simplify the existing permitting process.

## Section 791

- DPW has the discretion to accept or reject any or all of the offered improvements.

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- May accept and assume maintenance and liability gifted by non-City entities or private parties
- DPW may choose to accept some or all of the qualified public improvements
- Discretion to accept or reject any or all offered improvements for maintenance and liability purposes
- No other City department can oblige DPW to accept such improvements
- Will be accepted and permitted as established by Section 791



# Gift Acceptance

Authorizes DPW to administratively accept gifts on behalf of San Francisco

Gifts on behalf of San Francisco

- Within DPW's permitting and maintenance jurisdiction
- Even if public improvements exceed the acceptable administrative gift limit of \$10,000
- All gifts shall be processed as irrevocable offers of dedication to the City



# Ordinance No. 114-13

Effective July 28, 2013

- Provides incentive to create more public spaces
- Encourages property owners to construct or install improvements
- Starts conversation at early stage in project's development regarding accepting
- DPW would be factored into design review and approval decision



# Location

LOCATION

All public improvements subject to PWC Section 791 must be located within the public right of way **outside** of the immediate property frontage of the project sponsor/developer who constructs the improvements.

# Public Improvements

Physical improvements are intended to promote and provide :

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- Pedestrian and bike safety
- Increased sidewalk area for pedestrians
- Environmentally sound street design
- Aesthetic appeal of streets
- Street furniture and landscaping







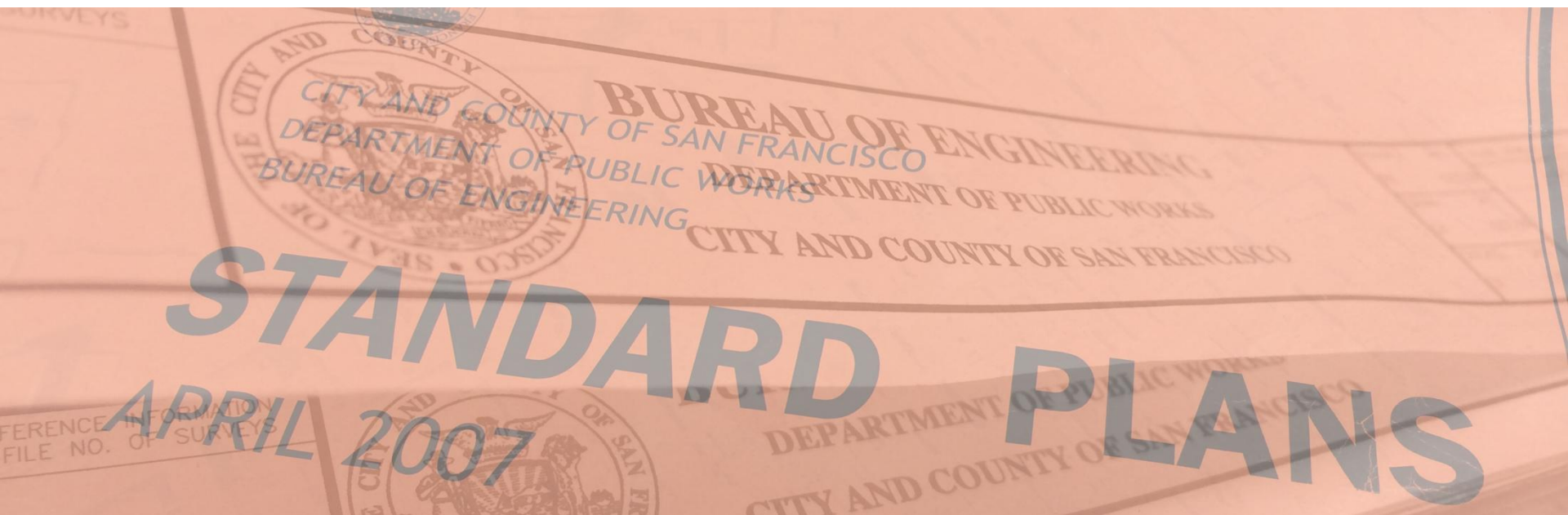
**\*Note : Section 791 applies only to public improvements within both DPW's permitting and maintenance jurisdiction.**  
Other improvements, such as lighting, are the responsibility of other City departments.

# The Approval

For those public improvements qualifying under Section 791 that DPW will accept as gifts and for DPW maintenance and liability purposes, the approval process shall be in accordance with **PWC Article 2.4** for accepted streets and **PWC Article 9** for unaccepted streets.

Therefore, the standard DPW permit for such qualifying improvements would be a street improvement permit.

# Standard Specifications



**For public improvements outside the project sponsor's fronting property and do not comply with DPW Standard Plan and Specifications, DPW may elect to not accept such improvements.**

- The project sponsor shall obtain a Major Encroachment permit and be responsible for the maintenance of and liability for such improvements.

*or*

- Each individual affected property owner will be issued separate DPW permits if they consent to installation of improvements in front of their property.

# Bulb-Outs



**A gift of Public improvements also may include a sidewalk bulb-out within an owner's immediate property frontage.**

- Under PWC Section 791, gifts may include additional portion of the sidewalk that extends beyond official sidewalk width
- Delineation to be made on all sidewalk width change maps to separate DPW and private property owner responsibilities

# Maintenance Costs



The gift of Public Improvements under PWC Section 791 shall be accompanied by a maintenance endowment.

- Minimum of 20% of the construction cost of the public improvements that DPW will accept for maintenance and liability
- The Director of DPW is authorized to reduce this amount to no less than 10% of the construction cost or increase the % in excess of 20% in his or her discretion
- DPW will need to segregate the maintenance endowment funds from other DPW funds in order have such funds available for the maintenance of the accepted improvements

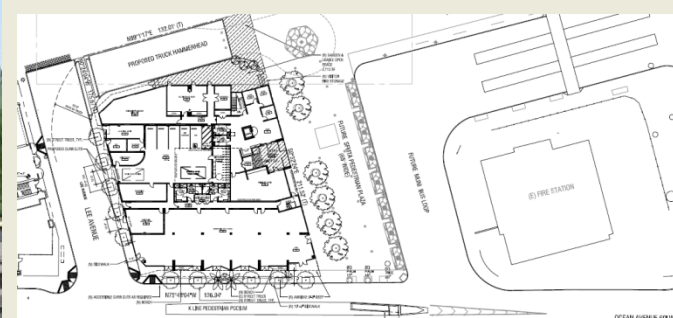
# Acceptance and Dedication



For those public improvements that DPW will accept as a gift under PWC Section 791, the Board of Supervisors delegated authority to the DPW Director to accept and dedicate the Public Improvements for public use and for City maintenance and liability.

# Current Projects with Public Improvements

Following pages include a variety of projects that include substantial public improvement components. Those under consideration that have or may qualify under PWC Section 791 are noted.



# 1100 Lee Avenue

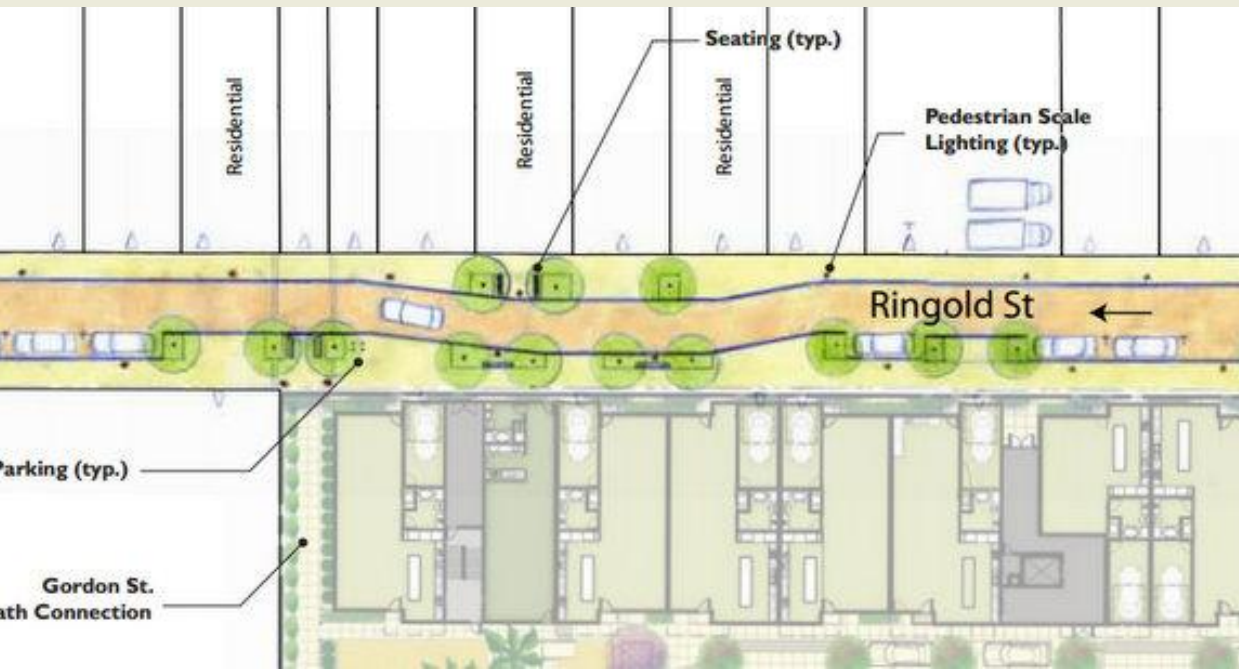
**Improvements :** Public Plaza open space within courtyard at the podium level and the rear yard.





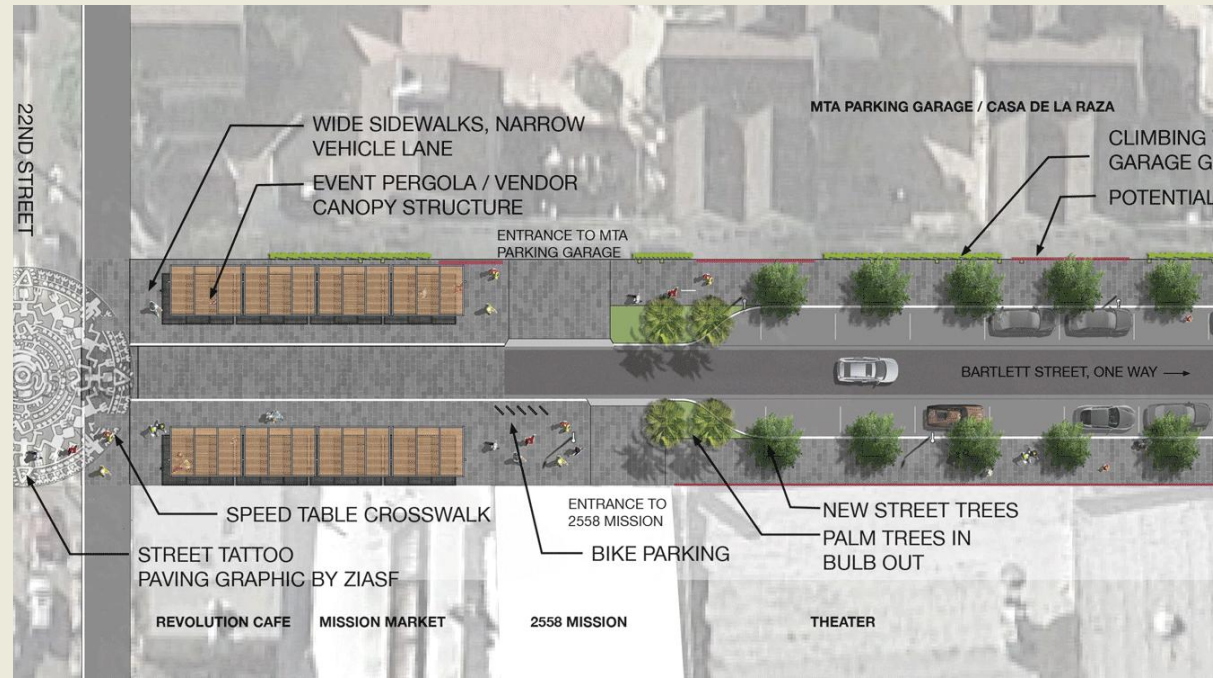
## 2001 Market Street *Processed under PWC Section 791*

**Improvements :** pedestrian refuge, 14' wide bulb-outs, special paving, raised crosswalks



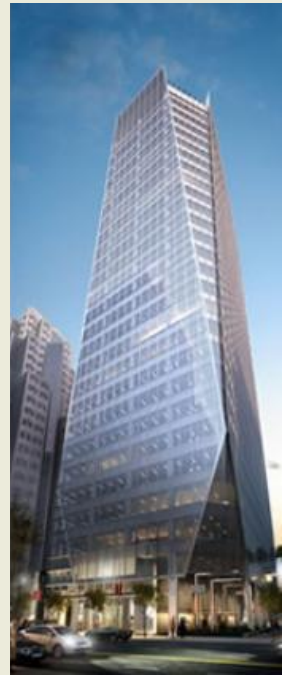
# Ringold Alley *Some elements under consideration for PWC Section 791*

**Improvements :** Landscaping, street lighting, seating, chicanes, repaving, path connections bike parking



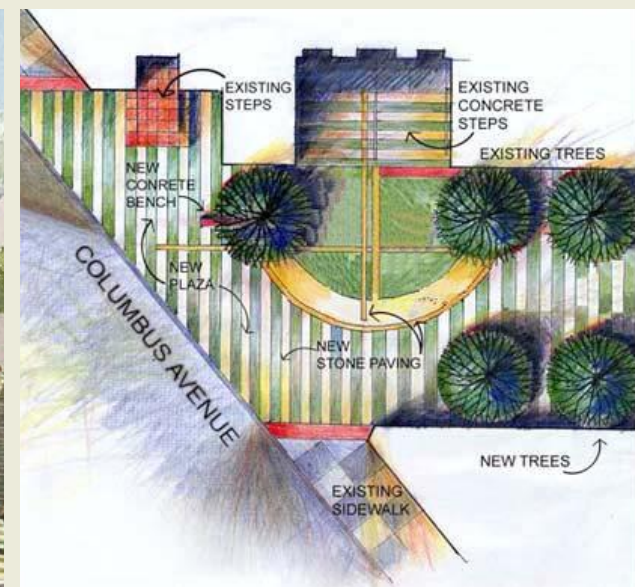
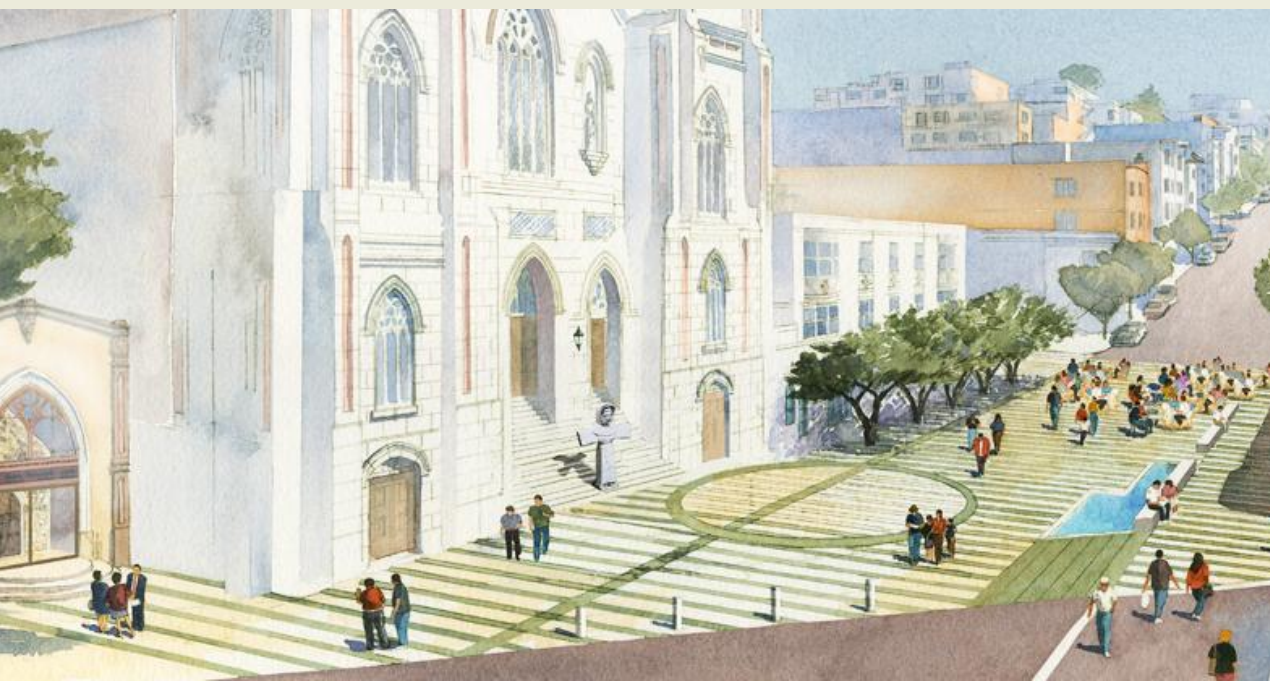
# Bartlett Street *Some elements under consideration for PWC Section 791*

**Improvements :** Landscaping, sidewalk widening, landscaping, bulb-outs, graphic paving, murals, canopy structure, bicycle parking, rain gardens



# 535 Mission Street

Improvements : pedestrian plaza, landscaping, special sidewalk surface



NORTH BEACH, SAN FRANCISCO, CA  
CONCEIVED BY LAWRENCE FERLINGHETTI  
DESIGNED BY DENNIS Q. SULLIVAN

# St. Francis Piazza

Improvements : Pedestrian plaza, landscaping, seating, stone paving