File No. 120322

Committee Item No. 3
Board Item No. 19

COMMITTEE/BOARD OF SUPERVISORS

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Committee CITY OPERATIONS AND NEIGHBORHOOD SERVICES Date 4/23/12

Board of Supervisors Meeting Date 5/1/12

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Completed by: Gail Johnson Date 4/19/12
Completed by: GJ Date 4/25/12

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

[Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 120322 and is incorporated herein by reference.

Section 2. San Francisco . San Francisco Public Works Code Section 724.1, subsection (b), setting a fee for temporary street space occupancy, is hereby waived on Sunday, May 13, 2012, between the hours of 7 a.m. and 9 p.m. In order to promote Small Business Week and permit sidewalk sales of merchandise the fee is waived in the following geographic areas of the City and County of San Francisco:

Haight Street between Webster Street and Scott Street.

Fillmore Street between Paige Street and Germania Street.

Steiner Street between Page Street and Waller Street.

Pierce Street between Page Street and Waller Street.

Section 3. San Francisco Public Works Code Section 724.1, subsection (b), setting a fee for temporary street space occupancy, is hereby waived on Saturday, May 19, 2012, between the hours of 7 a.m. and 9 p.m. In order to promote Small Business Week and permit sidewalk sales of merchandise the fee is waived in the following geographic areas of the City and County of San Francisco:

Haight Street between Central Avenue and Stanyan Street.

Polk Street between Filbert Street and Sutter Street.

Union Street between Van Ness Avenue and Larkin Street.

Green Street between Van Ness Avenue and Larkin Street.

Vallejo Street between Van Ness Avenue and Larkin Street.

Broadway Street between Van Ness Avenue and Larkin Street.

Pacific Street between Van Ness Avenue and Larkin Street.

Jackson Street between Van Ness Avenue and Larkin Street.

Washington Street between Van Ness Avenue and Larkin Street.

Clay Street between Van Ness Avenue and Larkin Street.

Sacramento Street between Van Ness Avenue and Larkin Street.

California Street between Van Ness Avenue and Larkin Street.

Pine Street between Van Ness Avenue and Larkin Street.

Bush Street between Van Ness Avenue and Larkin Street.

Castro Street between Market Street and 19th Street.

18th Street between Hartford Street and Diamond Street.

Market Street between Castro Street and Sanchez Street.

Church Street between Market Street and 15th Street.

24th Street between Diamond Street and Chattanooga Street.

Union Street between Steiner Street and Franklin Street.

Valencia Street between 14th Street and Cesar Chavez Street.

Irving Street between 2nd Avenue and 19th Avenue.

Judah Street between 2nd Avenue and 19th Avenue.

Kirkham Street between 2nd Avenue and 19th Avenue.

Lincoln Way between 2nd Avenue and 19th Avenue.

2nd Avenue between Lincoln Way and Kirkham Street.

3rd Avenue between Lincoln Way and Kirkham Street.

4th Avenue between Lincoln Way and Kirkham Street.

5th Avenue between Lincoln Way and Kirkham Street.

6th Avenue between Lincoln Way and Kirkham Street.

7th Avenue between Lincoln Way and Kirkham Street.

8th Avenue between Lincoln Way and Kirkham Street.

9th Avenue between Lincoln Way and Kirkham Street.

10th Avenue between Lincoln Way and Kirkham Street.

11th Avenue between Lincoln Way and Kirkham Street.

12th Avenue between Lincoln Way and Kirkham Street.

13th Avenue between Lincoln Way and Kirkham Street.

14th Avenue between Lincoln Way and Kirkham Street.

15th Avenue between Lincoln Way and Kirkham Street.

16th Avenue between Lincoln Way and Kirkham Street.

17th Avenue between Lincoln Way and Kirkham Street.

18th Avenue between Lincoln Way and Kirkham Street.

19th Avenue between Lincoln Way and Kirkham Street.

Fillmore Street between Post Street and Jackson Street.

Chenery Street between Thor Avenue and Natick Street.

Diamond Street between Bosworth St and Surrey Street.

Section 4. Effective Date. This ordinance shall become effective 30 days from the date of passage; provided, however, that the provisions of this ordinance shall be retroactive to May 1, 2012 should the effective date of the ordinance occur after said date.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Robert A. Bryan
Deputy City Attorney

FILE NO. 120322

LEGISLATIVE DIGEST

[Waiver of Temporary Street Space Occupancy Fee For Small Business Week Sidewalk Sales]

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

Existing Law

Currently, Public Works Code Section 724.1 subsection (b) requires a fee for a temporary street occupancy permit.

Amendments to Current Law

This legislation shall waive the permit fee for Sunday, May 13, 2012 between 7 a.m. and 9 p.m. within certain designated streets within San Francisco. This legislation shall waive the permit fee for Saturday, May 19, 2012 between 7 a.m. and 9 p.m. within certain designated streets within San Francisco. All other provisions of the Public Works Code Section 724 et seq. shall remain in full effect.

SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

April 19, 2012

Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall room 244
1 Carlton B. Goodlett Place
San Francisco, CA 94102-4694

Re: File No. 120322 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]

Small Business Commission Recommendation: **Approval**

Dear Ms. Calvillo:

On April 9, 2012 the Small Business Commission (SBC) voted 6-0 to recommend approval of File No. 120322.

The Commission strongly supports the annual fee waiver for sidewalk sales and events during Small Business Week and thanks the Board of Supervisors for supporting our diverse participating neighborhoods.

This is the eighth year the Small Business Commission, in coordination with Department of Public Works and the sponsorship of Supervisor Olague is requesting the approval from the Board of Supervisors in waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy. These sidewalk sales and events are meant to promote the commercial corridors, draw people to the neighborhoods and provide a much needed economic boost in this current economy.

Attached to this memo is a list of the ten participating neighborhoods and fee breakdown. The Commission notes that these are fees that would not normally be collected, therefore the cost impact to the City is negligible.

Sincerely,

Regina Dick-Endrizzi
Director, Office of Small Business

cc. Jason Elliott, Mayors Office
Supervisor Olague

SMALL BUSINESS COMMISSION
STEPHEN ADAMS, PRESIDENT
REGINA DICK-ENDRIZZI, DIRECTOR

CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

Participating 2012 Neighborhood/Merchant Associations - Total Fees waived is based on $57.62/block face, plus $6.00 permit charge.

Total Fee's Waived = $14,383.38

Sunday, May 13, 2011

- **Lower Haight Merchant and Neighbor Association- $1267.64 + $6.00 = $1273.64** (22 block face)
  - Haight Street between Webster Street and Scott Street.
  - Fillmore Street between Paige Street and Germania Street.
  - Steiner Street between Page Street and Waller Street.
  - Pierce Street between Page Street and Waller Street.

Saturday, May 19, 2011

- **Fillmore Merchants and Improvement Association- $1037.16+ $6.00 = $1043.16** (18 block face)
  - Fillmore Street between Post Street and Jackson Street

- **Glen Park Merchants Association- $633.82 + $6.00 = $639.82** (11 block face)
  - Chenery Street between Thor Avenue and Natick Street
  - Diamond Street between Bosworth St and Surrey Street

- **Haight Ashbury Merchants Association- $691.44 + $6.00 = $697.44** (12 block face)
  - Haight Street between Central Street and Stanyan Street

- **Inner Sunset Merchants Association- $3514.82 + $6.00 = $3520.82**(61 block face)
  - Irving Street between 6th Avenue and 19th Avenue
  - Judah Street between 5th Avenue and 19th Avenue
  - 9th Avenue between Lincoln Way and Kirkham Street

SMALL BUSINESS ASSISTANCE CENTER / SMALL BUSINESS COMMISSION
1 DR. CARLTON B. GOODLETT PLACE, ROOM 110, SAN FRANCISCO, CALIFORNIA 94102-4681
Small Business Assistance Center (415) 554-6134 / Small Business Commission (415) 554-6408

- **Merchants of Upper Market and Castro (MUMC)- $749.06 + $6.00 = $755.06** (13 block face)
  - Castro Street between Market Street and 19th Street
  - 18th Street between Hartford Street and Diamond Street
  - Market Street between Castro Street and Sanchez Street
  - Church Street between Market Street and 15th Street

- **Noe Valley Merchants Assocation- $691.44 + $6.00 = $697.44** (12 block face)
  - 24th Street between Diamond Street and Chattanooga Street.

- **Polk District Merchants Association- $4263.88 + $6.00 = $4269.88** (74 block face)
  - Polk Street between Filbert Street and Sutter Street
  - Union Street between Van Ness Avenue and Larkin Street
  - Green Street between Van Ness Avenue and Larkin Street
  - Vallejo Street between Van Ness Avenue and Larkin Street
  - Broadway Street between Van Ness Avenue and Larkin Street
  - Pacific Street between Van Ness Avenue and Larkin Street
  - Jackson Street between Van Ness Avenue and Larkin Street
  - Washington Street between Van Ness Avenue and Larkin Street
  - Clay Street between Van Ness Avenue and Larkin Street
  - Sacramento Street between Van Ness Avenue and Larkin Street
  - California Street between Van Ness Avenue and Larkin Street
  - Pine Street between Van Ness Avenue and Larkin Street
  - Bush Street between Van Ness Avenue and Larkin Street

- **Union Street Association- $806.68 + $6.00 = $812.68** (14 block face)
  - Union Street between Steiner Street and Franklin Street

- **Valencia Corridor Merchants Association- $1498.12 + $6.00 = $1504.12** (26 block face)
  - Valencia Street between 14th Street and Cesar Chavez Street,

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Planning Department
Environmental Review Officer

FROM: Gail Johnson, Assistant Clerk

DATE: April 23, 2012

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
City Operations and Neighborhood Services Committee

The Board of Supervisors City Operations and Neighborhood Services Committee has received the following, which is being referred to the Planning Department for determination as to whether the proposed ordinance will impact the environment.

Please provide your findings at your earliest convenience.

File: 120322

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

Please return this cover sheet with the Commission's response to **Gail Johnson, Clerk, City Operations and Neighborhood Services Committee.**

c: Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis
Monica Pereira, Environmental Analysis
Joy Navarrete, Environmental Analysis

****

RESPONSE FROM PLANNING DEPARTMENT - Date: April 24, 2012

____ **No Comment**

_✓_ **Recommendation Attached**

EXEMPT FROM CEQA per CEQA GUIDELINES Section 15273, RATES, FARES, TOLLS and CHARGES.

Nannie Turrell for
Bill Wycko, Environmental Review Officer