

1 [Administrative and Public Works Codes - Shared Spaces Program]

2
3 **Ordinance amending the Administrative Code to extend the grace period for an**
4 **additional 120 days for permit applicants to operate under pandemic shared spaces**
5 **permits, including any Just-Add-Music approvals related to these spaces, and convert**
6 **the shared space use into a post-pandemic permit, and modify the consent procedures**
7 **for fronting tenants and property owners; amending the Public Works Code to address**
8 **abandonment of structures as part of shared spaces enforcement; and affirming the**
9 **Planning Department’s determination under the California Environmental Quality Act.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

18 Section 1. Environment Findings. The Planning Department has determined that the
19 actions contemplated in this ordinance comply with the California Environmental Quality Act
20 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with
21 the Clerk of the Board of Supervisors in File No. 230124 and is incorporated herein by
22 reference. The Board affirms this determination.

23 Section 2. The Administrative Code is hereby amended by revising Sections 94A.4,
24 and 94A.5, to read as follows:

1 **SEC. 94A.4. INTERAGENCY COORDINATION.**

2 In coordinating their activities under the Program, the Core City Agencies shall have
3 the responsibilities set forth below.

4 (a) **Planning Department; General Coordination of Program Activities.** After a
5 prospective Permittee submits an application for a Shared Space, Planning will ensure review
6 and approval of the application. Specifically, Planning will:

7 (1) ~~Receive a People Place Proposal submitted by a prospective Steward pursuant to~~
8 ~~Section 94A.5 and review the Proposal for completeness and compliance with Program requirements.~~

9 ~~———(2) If the People Place Proposal is determined to be complete and in compliance with~~
10 ~~Program requirements,~~

11 Ensure that the application is routed to all Core City Agencies with jurisdiction over
12 the proposed Shared Space for review and provide wholistic coordination of the program,
13 taking into account land use, transportation, public space, and urban design considerations.

14 * * * *

15 **SEC. 94A.5. SHARED SPACE PERMIT – APPLICATION, ISSUANCE,**
16 **MODIFICATION, AND REVOCATION.**

17 (a) **General Application Requirements.** A prospective Permittee may submit an
18 application for a Shared Spaces Permit consistent with the requirements of this Section
19 94A.5. After Planning has reviewed the application for completeness and compliance with
20 Program requirements, Planning will circulate the application to the Core City Agencies with
21 jurisdiction over the proposed Shared Space. Each proposed Shared Space application must
22 include the following components:

23 * * * *

1 (3) Documentation showing that all property owners of any building fronting a
2 proposed Sidewalk or Curbside Shared Space or the property owners' agents have been
3 notified by the prospective Permittee of the intent to submit an application for a Shared Space.

4 (A) **Sidewalk Shared Spaces.** If the prospective Permittee is not the
5 ground-floor tenant of the building fronting the sidewalk area proposed to be used as a
6 Sidewalk Shared Space, and/or the Permittee proposes to use sidewalk space other than the
7 sidewalk fronting Permittee's location, then documentary proof of consent from any ground-
8 floor tenant(s) fronting the areas proposed to be used as the Shared Space is also required.
9 In the event there is no ground-floor tenant of a building fronting the areas proposed to be
10 used as a Shared Space, then documentary proof of consent from the fronting property owner
11 or their agent is required.

12 (B) **Curbside Shared Spaces.** If the prospective Permittee is not the
13 ground-floor tenant of the building fronting the parking space proposed to be used as a
14 Curbside Shared Space, and/or if half or more of a marked parking space or any portion of an
15 unmarked parking space proposed to be used for a Curbside Shared Space would be outside
16 of Permittee's ground-floor frontage, then the prospective Permittee shall provide
17 documentary proof of consent from any ground-floor tenant(s) fronting the areas proposed to
18 be used as the Shared Space is also required. In the event there is no ground-floor tenant of a
19 building fronting the areas proposed to be used as a Shared Space, then documentary proof
20 of consent or from the fronting property owner or their agent is required after making a
21 good faith effort to obtain such consent. For purposes of this subsection, a good faith effort
22 shall be considered three documented written attempts to seek consent from ground-floor
23 tenant(s) or the fronting property owner or the owner's agent over a minimum period of six
24 weeks. If a prospective Permittee fails to obtain consent after a good faith effort, then this
25 requirement is waived. The street address location for the Curbside Shared Space need not

1 be the same street address as a ground-floor tenant(s) or the fronting property owner if the
2 fronting property has multiple street addresses whose occupants access a common entrance.

3 * * * *

4 ~~After a People Place Proposal has been reviewed and evaluated by Planning and the Core City~~
5 ~~Agencies with jurisdiction over the People Place Category, determined suitable for further~~
6 ~~development, and accepted into the Places for People Program pursuant to Section 94A.5(b), the~~
7 ~~prospective Steward may submit an application for a People Place Permit. After Planning has reviewed~~
8 ~~the application for completeness and compliance with Program requirements, Planning will direct the~~
9 ~~prospective Steward to submit the application to the Core City Agency with primary jurisdiction over~~
10 ~~the People Place.~~

11 * * * *

12
13 Section 3. The Administrative Code is hereby amended by revising Section 94A.12, to
14 read as follows:

15 **SEC. 94A.12. TRANSITION OF EXISTING SHARED SPACES AND PARKLETS.**

16 **(a) Conversion of Permits Issued During the COVID-19 Pandemic.**

17 **(1) Extension of pandemic Shared Spaces Program and Permits.** Subject
18 to the wind down provisions of the Mayor’s February 25, 2020 Proclamation Declaring the
19 Existence of a Local Emergency and the 18th, and 27th Supplement_s to that Proclamation, the
20 Core City Agencies shall operate the Shared Spaces program, and any temporary program
21 allowing entertainment or the use of amplified music in outdoors (referred to as Just-Add-Music or
22 JAM), authorized by the aforementioned Supplements to the Mayor’s Proclamation until March 31,
23 2023, unless the Shared Spaces program authorized by the Mayor’s Proclamation terminates
24 sooner. Any occupancy permitted as a Shared Space under that authority may continue
25

1 pursuant to the terms of the applicable permit (each a “pandemic Shared Spaces Permit”),
2 subject to the revocation provisions of this Chapter 94A.

3 (2) At any time prior to the expiration of the pandemic Shared Spaces Permit,
4 the Shared Spaces permittee may apply to convert their pandemic Shared Spaces Permit into
5 a new Shared Spaces Permit as provided herein. Conversion of a pandemic Shared Spaces
6 Permit shall follow the process set forth in this Section 94A.12, and any pandemic Shared
7 Spaces Permit that is converted to a new Shared Spaces Permit under this Chapter 94A must
8 comply with all of the terms of this Chapter 94A, including any approvals for the closure of the
9 curbside or roadway. The pandemic Shared Spaces permit shall be converted upon the
10 issuance of a new Shared Spaces Permit consistent with the requirements of Chapter 94A. In
11 the event of a conflict between this Chapter 94A and the terms of a pandemic Shared Spaces
12 Permit, the terms of this Chapter 94A shall prevail.

13 (3) Upon the expiration of any pandemic Shared Spaces Permit, the permittee
14 shall remove all structures and restore the public right-of-way to the Public Works Director’s
15 satisfaction. In the event the Mayor’s authorization of the Shared Spaces program expires
16 before the Shared Spaces permittee has converted the pandemic Shared Spaces Permit into
17 a new Shared Spaces Permit authorized by the terms of this Chapter 94A, if the proposed
18 Permittee has submitted a complete application for a new Shared Spaces Permit prior to the
19 earlier of 60 days after the expiration of the Mayor’s emergency authorization of the Shared
20 Spaces program or ~~July 1, 2022~~ March 31, 2023, the Permittee shall be permitted to continue
21 occupying the potential Shared Space for up to 180 days after expiration of the Mayor’s
22 Proclamation, including any Supplements thereto, pending a final determination by the Core City
23 Agencies on the proposed conversion of the pandemic Shared Spaces Permit into a new
24 Shared Spaces Permit authorized by the terms of this Chapter 94A, provided that the
25 Permittee diligently pursues such determination. If the Shared Spaces permit is not so

1 converted, then the permittee shall remove all structures and restore the public right-of-way to
2 the Public Works Director's satisfaction.

3 * * * *

4
5 Section 4. The Public Works Code is hereby amended by revising Section 793.4, to
6 read as follows:

7 **SEC. 793.4. VIOLATION OF PERMIT CONDITIONS, OPERATIONAL**
8 **REQUIREMENTS, OR ADMINISTRATIVE REGULATIONS; ENFORCEMENT ACTIONS**
9 **AND PENALTIES.**

10 (a) **Enforcement Actions; Penalties.** If any person has occupied a Shared Space
11 in violation of any Permit conditions, operating requirements, or regulations applicable to the
12 Shared Space, the Director of Public Works may take any action authorized by this Code that
13 is considered necessary to abate or correct the violation. The Director is expressly authorized
14 to:

15 (1) Modify the Shared Space Permit, withdraw the Director's approval of the
16 Permit, or request revocation of the Permit by the Core City Agencies pursuant to Section
17 94A.5(g) of the Administrative Code;

18 (2) Issue a criminal citation pursuant to the provisions of Section 792(e)(1)(A) of
19 this Code that is applicable to Street Plazas;

20 (3) Issue an administrative citation and assess the administrative penalties
21 authorized by Section 792(e)(1)(B) of this Code for Street Plazas; ~~provided, however, until~~
22 ~~April 1, 2023, the issuance of administrative fines or penalties shall be limited to: enforcing~~
23 ~~access requirements necessary for emergency responder personnel, and people with~~
24 ~~disabilities, including but not limited to unobstructed access to the sidewalk, maintenance of~~
25 ~~an accessible route with diverters, accessible tables, the provision of an appropriate platform~~

1 threshold and, when provided, ramps that meet accessibility requirements; ensuring visibility
2 (daylighting) at intersections identified in the Vision Zero High Injury Network; and requiring
3 removal of abandoned structures. Beginning on April 1, 2023, this limit shall expire by
4 operation of law and administrative fines and penalties may be issued to ensure compliance
5 with the Program in all respects.

6 (4) Call upon other City officials to assist in the enforcement of this Article 15,
7 including but not limited to the Chief of Police and the City Attorney;

8 (5) Seize, remove, or demolish any structures or furniture placed in public
9 sidewalk or roadway areas. The Director, in the Director's discretion, also may issue a written
10 determination that the structures or furniture are abandoned for purposes of the Department's
11 anticipated seizure, removal, or demolition. For purposes of this Subsection 793.4(a)(5),
12 "abandoned" means that 30 business days after the date of Public Works issuance of a Notice
13 of Violation, the permittee or party responsible for the structures or furniture has taken no
14 affirmative step(s) to bring the structures or furniture into compliance with this Sections 793 et
15 seq. Affirmative steps would include, but are not limited to, the following: (i) a written
16 agreement with the Director that includes specific actions and timelines to bring the structures
17 or furniture into compliance with Sections 793 et seq., (ii) the abatement of one or more
18 violations identified in the Notice of Violation that demonstrate to the Director that the
19 responsible party intends to bring the structures or furniture into compliance with Sections 793
20 et seq. or remove the structure and return the right-of-way to a condition acceptable to the
21 Director, or (iii) other demonstrable actions that satisfy the Director that the responsible party
22 will resolve the Notice of Violation.

23 (A) If a permit to place the structure or furniture has been rescinded or
24 expired, before any such structure or furniture is seized, the Permittee shall be notified and
25 given 10 business days to remove the structure or furniture. If the Permittee does not remedy

1 the underlying violation leading to the rescission of the permit and/or apply for a Shared
2 Space Permit within the time prescribed, the City may seize, remove, or demolish the
3 structure or furniture.

4 (B) Seized furniture shall be retained by the City and may be recovered
5 by the responsible party for a period of at least 30 business days following seizure. As a
6 condition of recovering any furniture seized pursuant to this Section or receiving a subsequent
7 Shared Spaces Permit, the Permittee shall pay an impound fee covering the actual cost to the
8 City of transporting and storing such furniture, unless the seizure is deemed improper
9 following a hearing under this subsection (a)(5).

10 (C) If the Director determines that it is practicable to do so, Public Works
11 shall retain any seized structures. As a condition of recovering any structure seized pursuant
12 to this Section or receiving a subsequent Shared Spaces Permit, the Permittee shall pay an
13 impound fee covering the actual cost to the City of transporting and storing such structure,
14 unless the seizure is deemed improper following a hearing under this subsection (a)(5).

15 (D) If the Director determines that it is not practicable to do so, Public
16 Works may demolish any unpermitted structure placed in the right-of-way. Where a Permittee
17 is responsible for an unpermitted structure that requires demolition, the Permittee shall not be
18 eligible for a subsequent Shared Spaces Permit until the Permittee has paid the fee covering
19 the actual costs to the City of demolishing and disposing of the structure(s). Such recoverable
20 costs may include those incurred by Public Works and any other City department, including
21 the City Attorney's Office, for time and materials spent enforcing the requirements of the
22 permit.

23 (E) Notwithstanding any other provision of this Section 793.4, if the
24 Director determines that any structure or furniture is placed in public sidewalk or roadway
25 areas in such a place or manner as to pose an immediate and serious danger to persons or

1 property, the City may seize such structure and furniture without prior notice to the Permittee if
2 it is impractical to remedy the danger by moving the structure or furniture to another point on
3 the sidewalk or public right-of-way.

4 (F) Following any seizure, the Permittee shall be notified promptly of
5 such seizure and shall have the right to request an informal hearing before a designated City
6 official to determine whether the seizure was proper. The Permittee must request the hearing
7 within 10 days of receiving notice of the seizure. Any furniture seized pursuant to this Section
8 shall be retained by the City and may be recovered as provided herein.

9 Failure to provide any notice to a Permittee pursuant to this section shall not give
10 rise to any claims or cause of action against the City; and

11 (6) Take any other enforcement action authorized by this Code that is applicable
12 to occupancy of the public right-of-way. If there are outstanding Departmental costs after
13 completion of the Department enforcement specified in Sections 793.4 et seq., the Director is
14 authorized to work with the community facilities district or similar taxing entity whose
15 jurisdictional boundaries include the location subject to the enforcement action to identify
16 potential reimbursement sources for such costs.

17 (b) Rules and Regulations; Director's Orders. The Director may adopt such orders,
18 rules, policies, procedures, regulations, rules, or standards as the Director considers
19 appropriate in order to:

20 (1) process, verify, and respond to complaints from the public concerning a
21 Curbside or Sidewalk Shared Space that is routed from the 311 Customer Relationship
22 Management System, as described in Administrative Code Section 94A.9(a);

23 (2) abate a violation of the terms and conditions of a Sidewalk or Curbside Shared
24 Space Permit or other requirements of Administrative Code Chapter 94A that are within the
25 jurisdiction of the Director; and

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 3/20/2023)

[Administrative and Public Works Codes - Shared Spaces Program]

Ordinance amending the Administrative Code to extend the grace period for an additional 120 days for permit applicants to operate under pandemic shared spaces permits, including any Just-Add-Music approvals related to these spaces, and convert the shared space use into a post-pandemic permit, and modify the consent procedures for fronting tenants and property owners; amending the Public Works Code to address abandonment of structures as part of shared spaces enforcement; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Existing Law

This ordinance is a duplicate of recently enacted Ordinance No. 026-23. The legislative digest for Ordinance No. 026-23 stated that the: ““Shared Spaces” program, initially implemented in 2020 as part of the City’s emergency response to the COVID-19 pandemic, was a temporary program authorizing the use of the right of way for retail, dining, and other purposes. In 2021, the Board of Supervisors codified the program in Administrative Code Chapter 94A. Under Chapter 94A, permittees under the temporary program must apply to the permanent program no later than 60 days after the emergency proclamation expires or March 31, 2023, whichever is sooner.” Ordinance No. 026-23 amended the Administrative Code to extend the grace period for current permittees to operate under the pandemic shared spaces program, including approvals for Just-Add-Music or JAM, for an additional 120 days and allowed more time for the shared space permittees to obtain a post-pandemic shared spaces permit.

Amendments to Current Law

The duplicate ordinance would modify and simplify the procedures for a permittee to obtain consent from fronting tenants or property owners when the shared space is at a location other than in front of the permittee’s premises. The duplicate legislation also would establish procedures for Public Works to address abandoned curbside shared spaces.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: January 5, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230025
Administrative Code - Shared Spaces Program

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan Planning Code, Section 101.1 Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

CEQA clearance under Addendum #2 to San Francisco Better Streets Plan Project Mitigated Negative Declaration, April 18, 2021 Planning Department Case No. 2021-003010ENV (addendum to Case No. 2007.1238E)

1/26/2023

A handwritten signature in black ink, appearing to read "Erica Major".



City and County
of San Francisco

Shared Spaces

共用空間 Espacios compartidos

FILE NO. 230025

Land Use & Transportation Committee | Monday February 06, 2023



1. Current Program Statistics
2. Goals & Outcomes of Proposed Ordinance
3. Education & Outreach Update
4. Resources & Grants

Where are Shared Spaces?

共用空間在哪裡？

¿Dónde están los Shared Spaces?

ROADWAY 'SHARED STREETS'

道路「共用街道」
HOJA DE RUTA 'CALLES COMPARTIDAS'

CURBSIDE LANE 'PARKLETS'

路邊巷道「路邊微公園」
CARRIL DE ESTACIONAMIENTO
'PARKLETS'

SIDEWALK

人行道
ACERA

ON-PARCEL 'OPEN LOTS'

地塊上「開放場地」
EN PARCELA
'LOTES ABIERTOS'

Who sponsors Shared Spaces?

共用空間在哪裡，如何使用？
¿Dónde están los Shared Spaces y cómo se pueden utilizar?

NON-COMMERCIAL SHARED SPACES

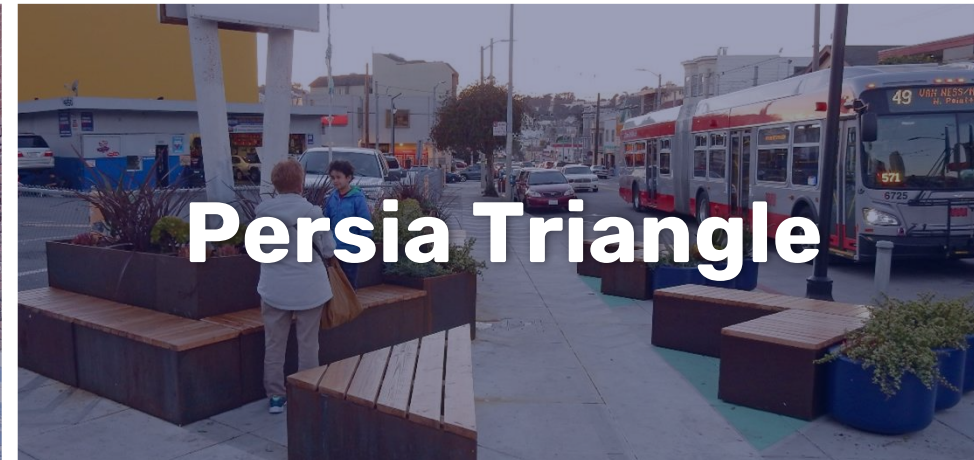
非商業共用空間 Espacios compartidos no comerciales

COMMERCIAL SHARED SPACES

商業共用空間 Espacios compartidos comerciales

Sidewalk

人行道
Acera



Curbside Lane

路邊巷道
Carril de estacionamiento



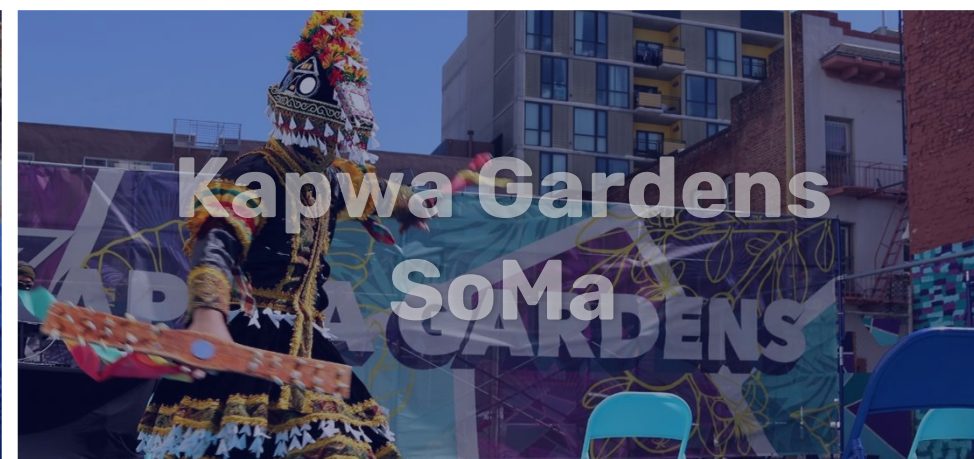
Roadway

道路
Hoja de ruta



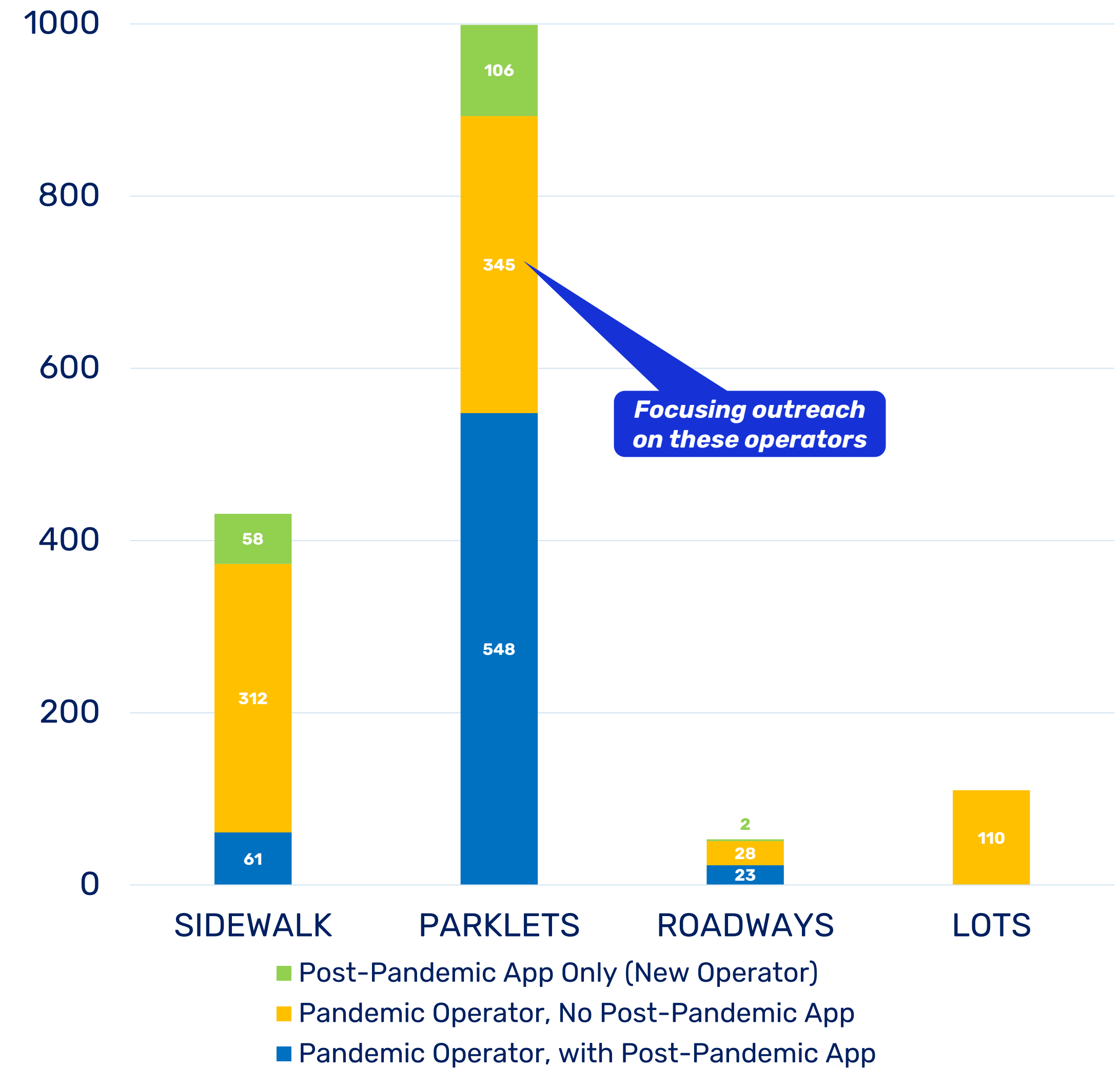
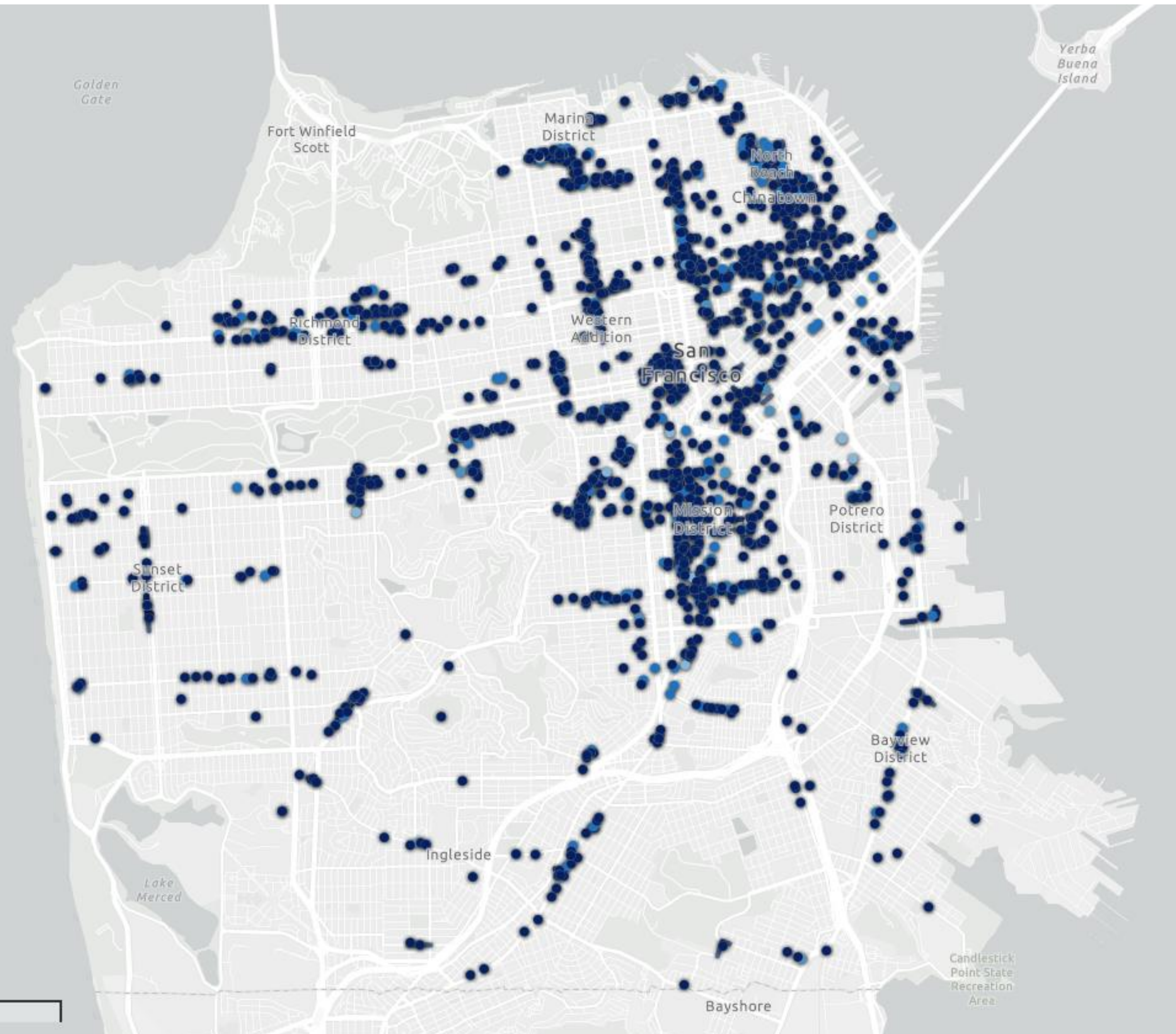
On Parcels

地塊上
En parcelas



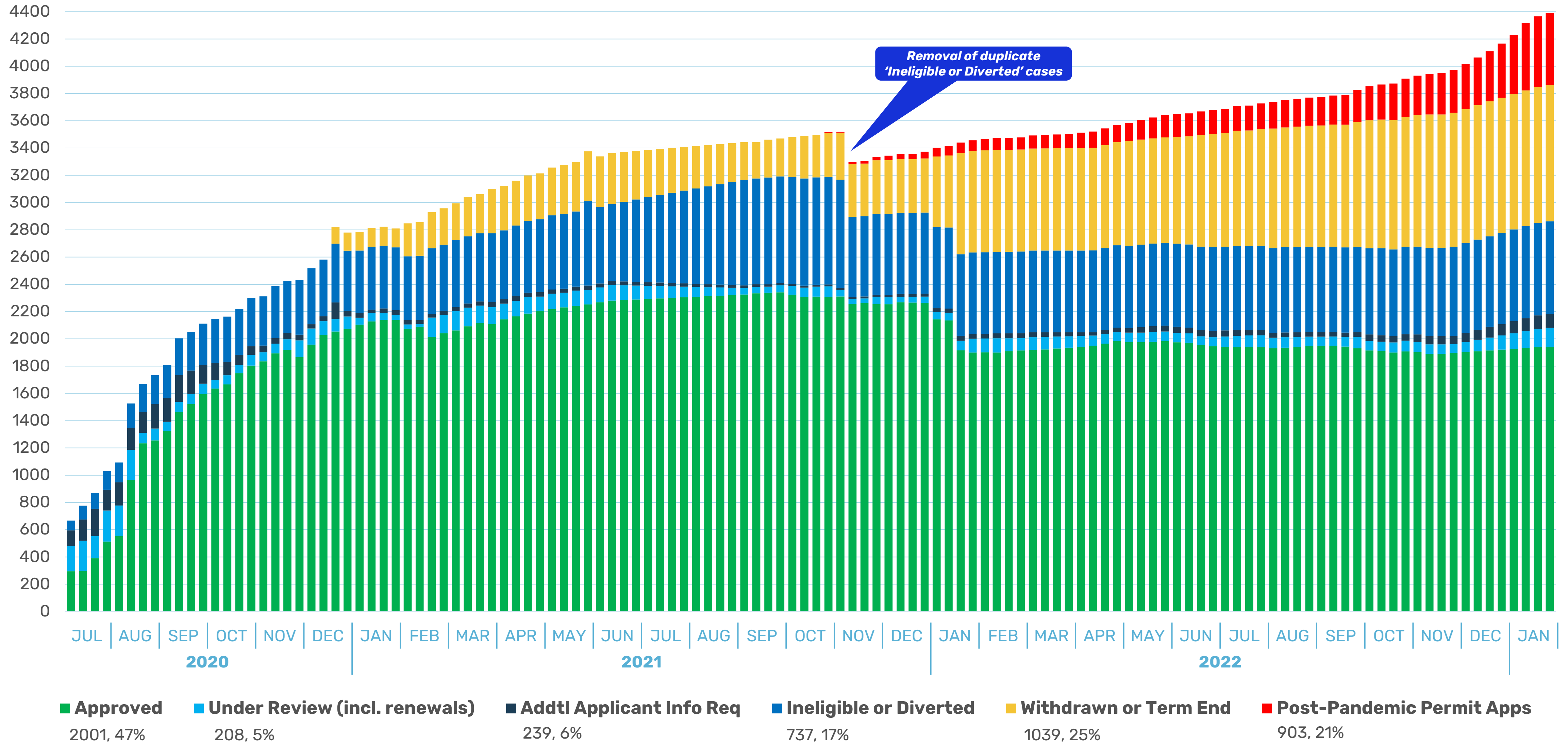
Shared Spaces Applications Received

PROGRAM STATS



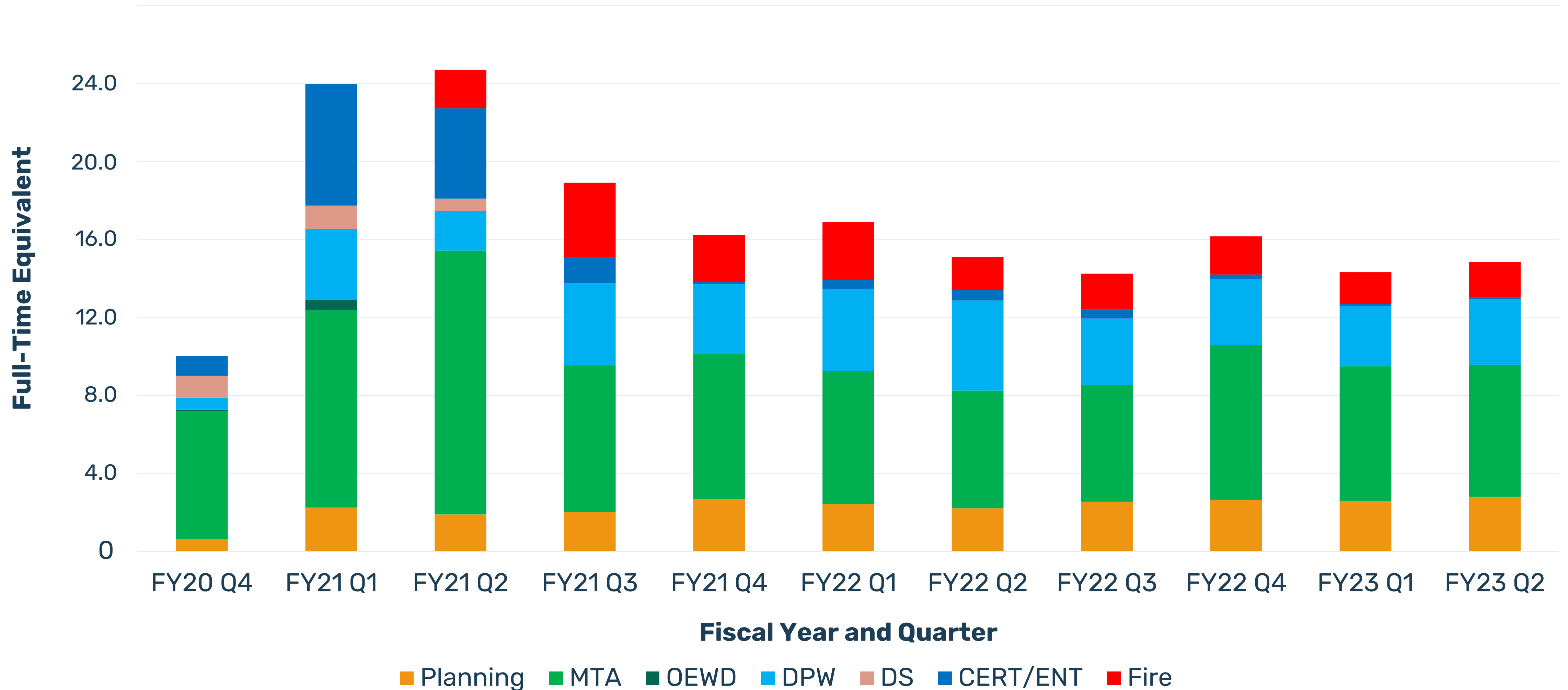
Program Growth by Week

PROGRAM STATS

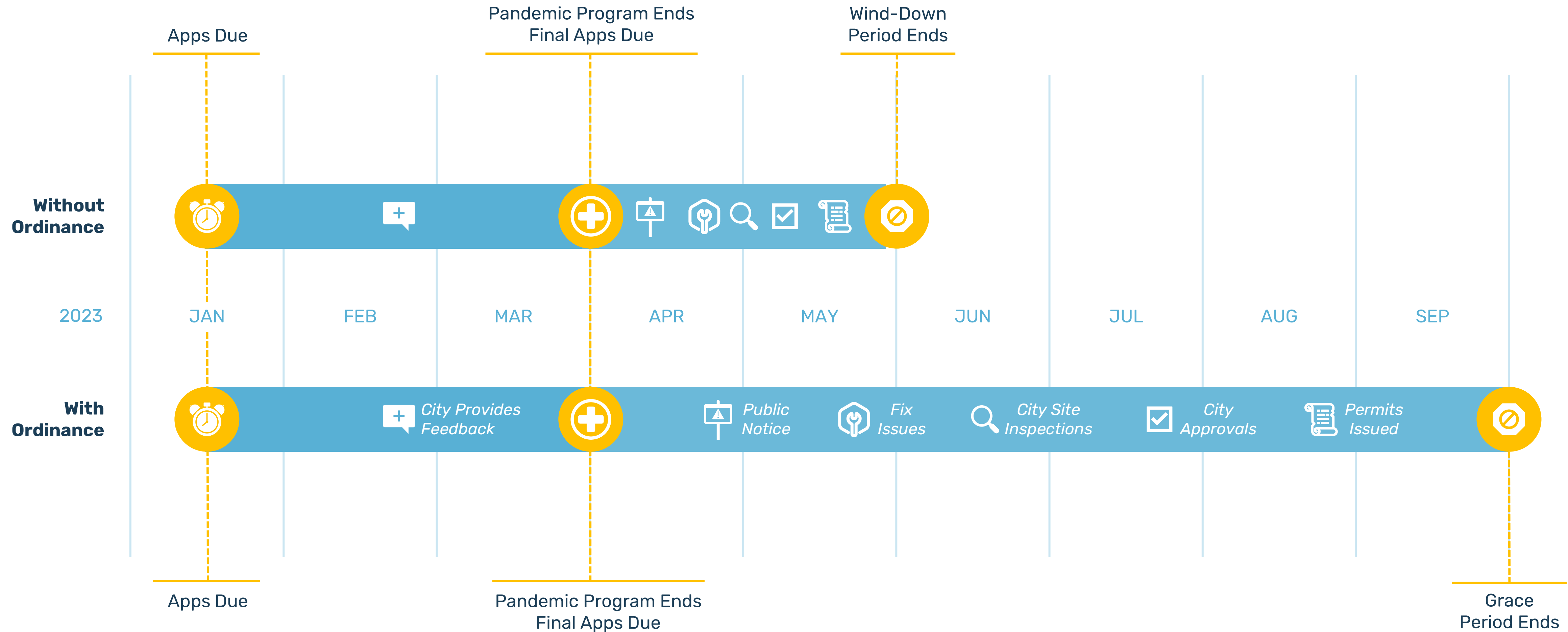


* Note that some sites require multiple approvals from different departments. Each approval review is counted above.

Interagency Staff Time



What does the January 2023 Ordinance Do?



Permit Administration Timeline for Parklets

Applications for post-pandemic permits **due by January 15 2023**

Once application and site plan are approved, the Shared Spaces Team will

- Conduct a **preliminary inspection** of site
- Post a **10-Day Public Notice** at the site.

After sponsor notifies DPW that construction and/or remodel is complete, within **15 days DPW will schedule a final site visit** to verify that the Shared Space is compliant.



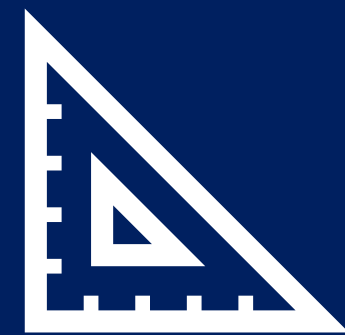
Equity Grants: Round 2.2 Applications Open!



Tables & Chairs



Enclosures & Planters



Design & Other Services

Use los fondos para materiales como mobiliario o barreras de tránsito móviles. Los artículos como barreras y muebles se le pueden reembolsar o comprar para usted.

使用補助金購買可移動的傢俱或交通隔離物等材料。您可以獲得購買隔離物和傢俱等物品的補償，或者享有代購服務。

Grants & Resources

	SF Shines Design Services	Shared Spaces Compliance	Shared Spaces Arts & Culture and Technical Assistance
Eligible Sites	Brick & Mortar	SS Sidewalks & Parklets only	SS Roadway SS Lots / Parcels
Applications Accepted	April 1, 2022 – (no close date)	September 1, 2022 – February 28, 2023	2022-2023
Grant Type	Services (Design)	Cash Reimbursement (materials & labor)	Services (Design, Operations, & Activation)
Weblink	sf.gov/sf-shines	sf.gov/shared-spaces-equity	

Public Education

Since August 2022, the Program has been in neighborhoods holding:

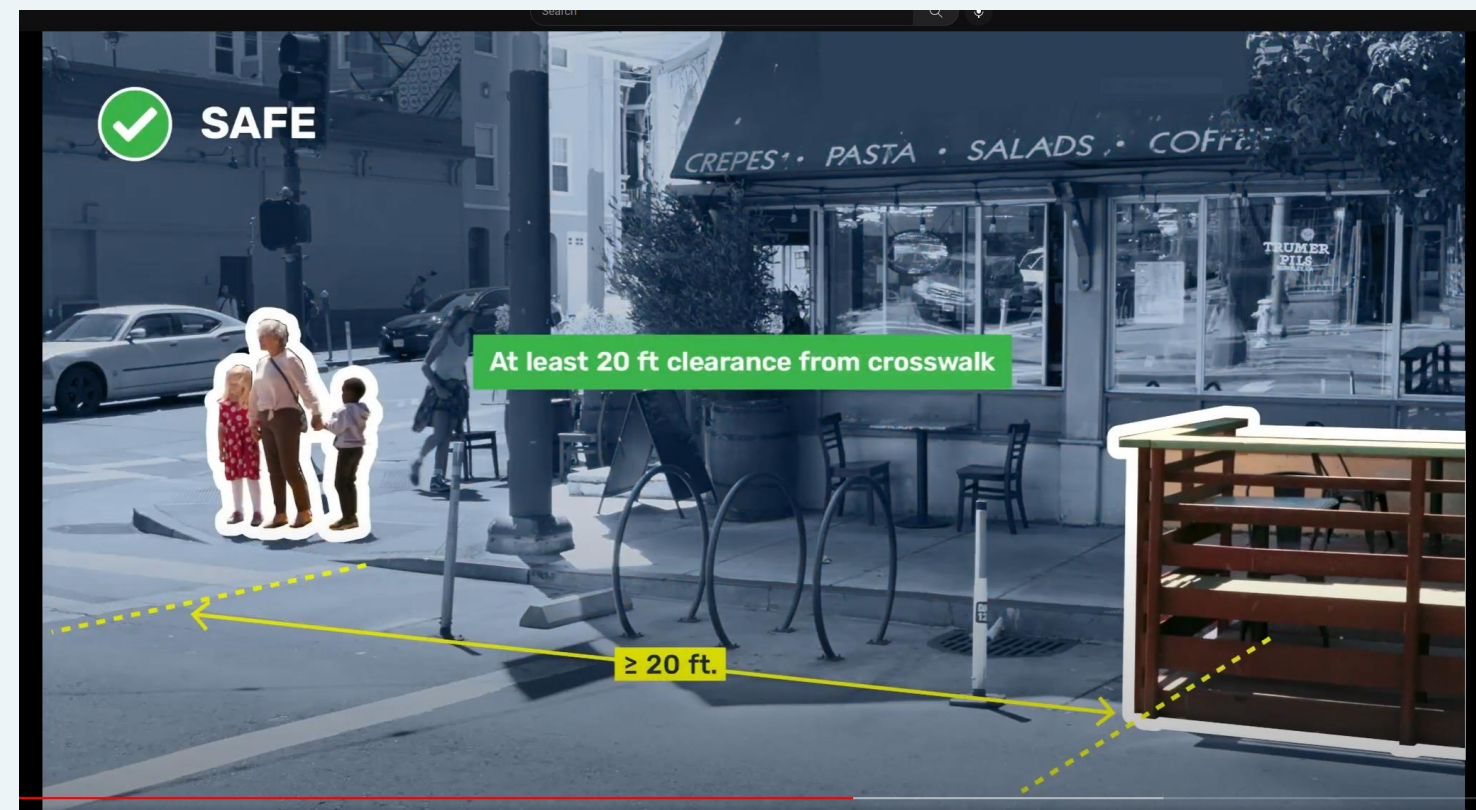
- Corridor Walks and Town Halls with Merchants
- Application & Site Plan Workshops
- Parklet Design Trainings
- Office Hours

The Program is conducting the following outreach to operators who have not yet submitted an application:

- 1:1 Application support sessions
- Digital Needs and Intentions Survey
- Phone Banking

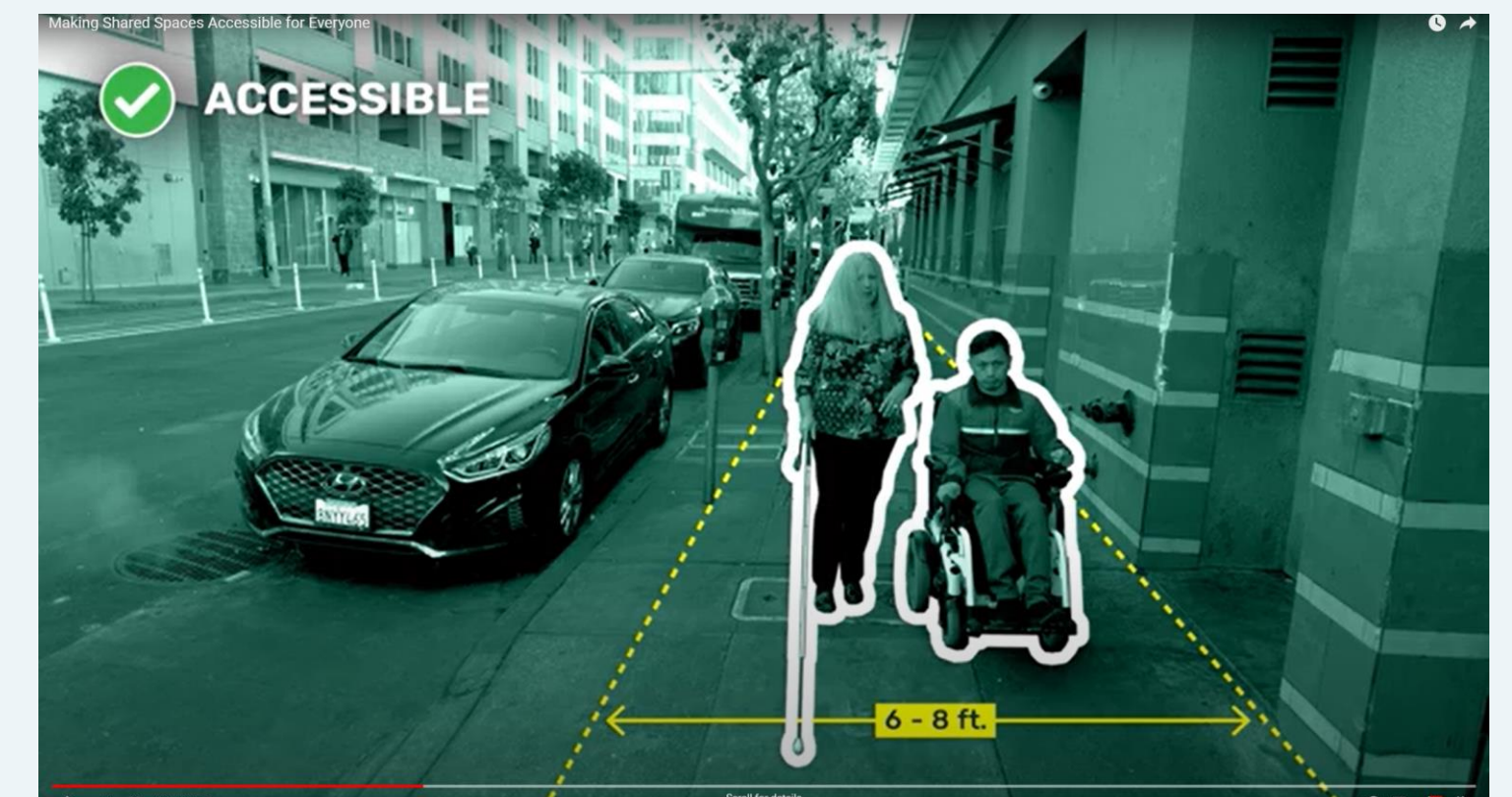


New Public Service Announcements



“Intersection Safety and Visibility at Shared Spaces”

“Emergency Response at Shared Spaces”



“Making Shared Spaces Accessible for Everyone”

THANK YOU!

Questions?

Robin Abad Ocubillo

Shared Spaces Program Director

Monica Munowitch

Deputy Director (MTA)

Gregory Slocum

Permits Manager (DPW)

Michael Lennon

Enforcement (DPW)

Ken Cofflin

San Francisco Fire Marshall

謝謝您！

問題

¡GRACIAS!

Preguntas



[Twitter.com/SharedSpacesSF](https://twitter.com/SharedSpacesSF)



[Instagram.com/SharedSpacesSF](https://www.instagram.com/SharedSpacesSF)



[Facebook.com/SharedSpacesSF/](https://www.facebook.com/SharedSpacesSF/)



[SF.gov/Shared-Spaces](https://sf.gov/Shared-Spaces)



SharedSpaces@sfgov.org

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1 Dr. Carlton B. Goodlett Place, Room 244
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TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Youth Commission
FROM: Angela Calvillo, Clerk of the Board
DATE: January 24, 2023
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 230025

Ordinance amending the Administrative Code to extend the grace period for an additional 120 days for permit applicants to operate under pandemic shared spaces permits, including any Just-Add-Music approvals related to these spaces, and convert the shared space use into a post-pandemic permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to Erica Major, Assistant Clerk, Land Use and Transportation Committee at Erica.Major@sfgov.org.

RESPONSE FROM YOUTH COMMISSION Date: _____

- No Comment
Recommendation Attached

Chairperson, Youth Commission

BOARD of SUPERVISORS



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MEMORANDUM

TO: Carla Short, Interim Director, Public Works

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: January 17, 2023

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Breed on January 10, 2023.

File No. 230025

Ordinance amending the Administrative Code to extend the grace period for an additional 120 days for permit applicants to operate under pandemic shared spaces permits, including any Just-Add-Music approvals related to these spaces, and convert the shared space use into a post-pandemic permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: Erica.Major@sfgov.org.

cc: David Steinberg, Public Works
Ian Schneider, Public Works
John Thomas, Public Works
Lena Liu, Public Works

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1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: January 5, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230025
Administrative Code - Shared Spaces Program

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan Planning Code, Section 101.1 Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

President, District 3
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Tel. No. 554-7450
Fax No. 554-7454
TDD/TTY No. 544-6546

Aaron Peskin

PRESIDENTIAL ACTION

Date: 1/12/23

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 230025 Mayor
(Primary Sponsor)

Title. Administrative Code - Shared Spaces Program

Transferring (Board Rule No 3.3)

File No. _____
(Primary Sponsor)

Title. _____

From: _____ Committee

To: _____ Committee

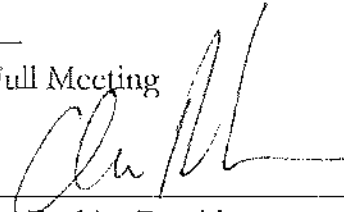
Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor: _____ Replacing Supervisor: _____

For: _____ Meeting
(Date) (Committee)

Start Time: _____ End Time: _____

Temporary Assignment: Partial Full Meeting



Aaron Peskin, President
Board of Supervisors



MYRNA MELGAR

DATE: January 26th, 2023
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee
RE: Land Use and Transportation Committee
COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on Tuesday, February 7th, 2023 as a Committee Report:

▪ **230025** Administrative Code - Shared Spaces Program

This matter will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, February 6th, 2023

A handwritten signature in blue ink, appearing to read "Myrna Melgar".

From: [Major, Erica \(BOS\)](#)
To: [Starr, Aaron \(CPC\)](#); [Calvillo, Angela \(BOS\)](#); [YANG, AUSTIN \(CAT\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Abad, Robin \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Paulino, Tom \(MYR\)](#); [MALAMUT, JOHN \(CAT\)](#); [Power, Andres \(MYR\)](#); [Hillis, Rich \(CPC\)](#)
Subject: RE: Proposed Pandemic Parklet Permit Extension Ordinance
Date: Thursday, January 5, 2023 11:52:33 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Thanks Aaron, we will note it in the file.

ERICA MAJOR

Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**Disclosures:** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

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**From:** Starr, Aaron (CPC) <aaron.starr@sfgov.org>

**Sent:** Thursday, January 5, 2023 11:04 AM

**To:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>

**Cc:** Major, Erica (BOS) <erica.major@sfgov.org>; Abad, Robin (CPC) <robin.abad@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Paulino, Tom (MYR) <tom.paulino@sfgov.org>; MALAMUT, JOHN (CAT) <John.Malamut@sfcityatty.org>; Power, Andres

(MYR) <andres.power@sfgov.org>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>

**Subject:** Proposed Pandemic Parklet Permit Extension Ordinance

Dear Ms. Calvillo and Mr. Yang,

Mayor Breed has worked with our department and other affected City agencies on the legislation to extend the grace period for pandemic parklet permits and Just-Add-Music permits under Administrative Code Chapter 94A from 60 days to 180 days. We are aware of Board of Supervisors Rule 3.23 and do not feel that this minor change in existing law affects planning or land use matters in any significant way; therefore, the Planning Department is advising the Clerk and the Board now that we do not find it necessary to provide comment on this ordinance.

Please contact me should you have any questions.

Sincerely,

**Aaron Starr, Manager of Legislative Affairs**

**Legislative Affairs**

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: +1628-652-7533 | [sfplanning.org](http://sfplanning.org)

[San Francisco Property Information Map](#)

