

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.