

LEGISLATIVE DIGEST

[Administrative, Public Works Codes - Places for People Program]

Ordinance amending the Administrative Code to establish a Places for People Program that coordinates the City’s authorization of public gatherings and activities on City-owned property, public rights-of-way, and associated privately owned space; provides a process for identifying private Stewards to create and activate the public space and be responsible for managing the events and other activities occurring there; and streamlines the process for reviewing proposals and issuing any required permits; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Existing Law

There is no existing law being amended. However, the proposed new Administrative Code Chapter 94A (the “Places for People Program”) is related to existing Chapter 94 (the “Plaza Program”) in that they both allow a permittee (known as a “Steward”) to create and manage a space on City-owned property where the public may gather and participate in various activities. The Plaza Program authorizes permanent occupation of the space and requires Board of Supervisors approval, while the Places for People Program authorizes temporary occupancy of the space on a trial basis with the potential of later being approved by the Board as permanent under the Plaza Program.

Amendments to Current Law

The proposed Administrative Code Chapter 94A establishes the Places for People Program and provides a streamlined process by which the City departments with jurisdiction (defined in the ordinance as “Core City Agencies”) can coordinate their review and approval of a proposal by a prospective Steward to create, activate, and manage a space where the public can gather on a City-owned lot, sidewalk, curbside, or roadway and participate in specified activities (a “People Place”). In cases where public funds are being offered for the implementation or operation of the People Place, there must be a competitive proposal process. A People Place Permit issued under the Program would be for a limited period of time: five years for a People Place on a City-owned lot and two years for a People Place on a public right-of-way, which may be extended or renewed.

The Core City Agencies participating in the coordinated review under the Program are: the Planning Department, Department of Public Works, Municipal Transportation Agency, Department of Real Estate, and Entertainment Commission. Each Agency retains its full authority under the Charter and applicable Codes to authorize the use, impose conditions on the permit, and enforce the Agency’s requirements. The Core City Agencies may, in their discretion, modify or revoke a People Place Permit at any time.

Sections 793 through 793.8 are being added to the Public Works Code to provide a process by which the Department of Public Works will approve a People Place on a portion of the public right-of-way that is within DPW's jurisdiction.

Background Information

San Francisco leads the nation with its innovation in good civic governance. Pavement to Parks, which was initiated over six years ago as a joint program of the Planning Department, Department of Public Works and Municipal Transportation Agency, is touted internationally for its community-based approach to creating and testing publicly-accessible, neighborhood-serving open spaces. In 2013, the San Francisco Mayor's Pedestrian Strategy recognized the importance of community-based public space projects as part of the toolkit for creating safe, walkable neighborhoods by including a goal to create twenty "parklets" and two "pedestrian plazas" per year.

Since the inauguration of Pavement to Parks, several other related projects such as Living Innovation Zones and the Market Street Prototyping Festival have emerged in San Francisco. These short-term projects may last between one week to two years, and are comprised of temporary or "reversible" installations and events that test community-generated concepts for public space. These projects and Pavement to Parks – together with other programs such as Sunday Streets, Play Streets, and Vision Zero "painted safety zones" – form a spectrum of innovative solutions for diversifying and optimizing the use of our streets to better serve the open-space and mobility needs of our citizens.

Though public demand for community-generated public open spaces continues to increase, the City's interagency review, permitting, technical and financial assistance services remain based on older models for managing our public spaces and rights-of-way. The interagency and often cross-jurisdictional nature of projects pose procedural complexities which form barriers to wide participation by community groups, while weak or inconsistent code bases limit the range of enforcement and quality-control responses available to City agencies. The Places for People Program is a comprehensive, interagency permitting framework that will streamline the community-based development of projects across San Francisco. The Program reflects national best practices, synthesizing the models of New York City, Los Angeles, Chicago, Philadelphia, and others.

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