

BOARD of SUPERVISORS



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MEMORANDUM

TO: John Rahaim, Director, Planning Department
Mohammed Nuru, Director, Public Works
Ed Reiskin, Executive Director, Municipal Transportation Agency
John Updike, Director, Real Estate Division
Jocelyn Kane, Executive Director, Entertainment Commission

FROM:  Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: August 11, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Wiener on August 2, 2016:

File No. 160893

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; streamlining 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.

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: alisa.somera@sfgov.org.

c: Scott Sanchez, Planning Department
Sarah Jones, Planning Department
AnMarie Rodgers, Planning Department

Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Jeanie Poling, Planning Department
Frank Lee, Public Works
Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Viktoriya Wise, Municipal Transportation Agency
Crystal Stewart, Entertainment Commission

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

2
3 **Ordinance amending the Administrative Code to establish a Places for People Program**
4 **that coordinates the City's authorization of public gatherings and activities on City-**
5 **owned property, public rights-of-way, and associated privately owned space; provides**
6 **a process for identifying private Stewards to create and activate the public space and**
7 **be responsible for managing the events and other activities occurring there;**
8 **streamlining the process for reviewing proposals and issuing any required permits;**
9 **amending the Public Works Code to establish a regulatory process for authorizing a**
10 **People Place on the public right-of-way; and affirming the Planning Department's**
11 **determination under the California Environmental Quality Act.**

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

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

20 Section 1. CEQA Finding. The Planning Department has determined that the actions
21 contemplated in this ordinance comply with the California Environmental Quality Act
22 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with
23 the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by
24 reference. The Board affirms this determination.
25

1 Section 2. The Administrative Code is hereby amended by adding Chapter 94A, to
2 read as follows:

3 **CHAPTER 94A: THE SAN FRANCISCO PLACES FOR PEOPLE PROGRAM**

4 **SEC. 94A.1. THE PLACES FOR PEOPLE PROGRAM; ESTABLISHMENT AND PURPOSE;**
5 **CORE AGENCY JURISDICTION.**

6 *(a) Establishment and Purpose. There is hereby created a San Francisco Places for*
7 *People Program for the City and County of San Francisco (“Program” or “Places for People*
8 *Program”). Under the Program, a public or private entity may obtain City approval to create a space*
9 *and provide activities, for a limited period of time, on City-owned property and in some cases nearby*
10 *privately-owned spaces where the public can gather and participate in commercial or non-commercial*
11 *offerings and events. This Chapter sets forth a streamlined process by which the Planning Department*
12 *(“Planning”), Department of Public Works (“DPW”), Municipal Transportation Agency (“MTA”),*
13 *Department of Real Estate (“Real Estate”), and Entertainment Commission (collectively, defined in*
14 *Section 94A.2 as the “Core City Agencies”), and their successor agency(ies) or department(s), if any,*
15 *can coordinate the review and approval of a request to occupy and activate such spaces and issue a*
16 *permit authorizing the use.*

17 *(b) Core City Agency Jurisdiction. Each Core City Agency shall retain its full authority*
18 *under the City Charter and applicable Codes to authorize the use, impose conditions on the permit, and*
19 *enforce the Agency’s requirements. The procedures by which DPW and MTA will review and approve a*
20 *permit issued pursuant to this Chapter 94A are set forth in Section 793 et seq. of the Public Works*
21 *Code (for DPW) and Division II of the Transportation Code (for MTA). The Department of Real*
22 *Estate’s procedures are set forth in Section 94A.8 of this Chapter. The Entertainment Commission’s*
23 *jurisdiction over “Limited Live Performance Locales” is set forth in Section 1060 of the Police Code.*

1 **SEC. 94A.2. DEFINITIONS.**

2 “Core City Agencies” are the City departments and agencies participating in the Places for
3 People Program: the Planning Department (“Planning”), Department of Public Works (“DPW”),
4 Municipal Transportation Agency (“MTA”), Department of Real Estate (“Real Estate”), and
5 Entertainment Commission.

6 “Integrated People Place” is a single project with activities occurring on a combination of
7 locations that are People Place Categories in close proximity to one another and operated by the same
8 Steward.

9 “People Place” is a publicly-accessible location approved under the Places for People
10 Program and located (a) on City-owned property, (b) on the sidewalk, and/or (c) in the curbside lane
11 or on all or any portion of the roadway between curbs where the public can gather and participate in
12 commercial or non-commercial offerings and events. Such offerings and events may include, but are
13 not limited to: cultural events, arts activities, and entertainment; food and drink; retail sales; and
14 general recreation. A People Place is managed, fully or partially, by a Steward under a People Place
15 Permit issued under the Program and may involve the temporary and reversible installation of
16 physical treatments and elements.

17 “People Place Categories” are: (a) “City Lot People Place,” which has activities occurring on
18 property owned by the City; (b) “Curbside People Place,” which has activities occurring in a portion
19 of the curbside lane of a roadway and displacing no more than 2 parking spaces; (c) “Roadway People
20 Place,” which has activities occurring in or on (1) any portion of the roadway that is not the curbside
21 lane, (2) the curbside lane and any additional portion of the roadway, or (3) the curbside lane and
22 displacing three or more parking spaces; and (d) “Sidewalk People Place,” which has activities
23 occurring on a portion of sidewalk.

1 “People Place Permit” is a permit issued under the Places for People Program through its
2 Core City Agencies that allows a Steward to create a People Place by temporarily occupying and
3 activating the location for a specified period of time.

4 “People Place Proposal” is a proposed concept for a People Place project submitted to the
5 Places for People Program prior to the submittal of an application for a People Place Permit, for the
6 purpose of initial evaluation and determination of suitability for development by the Program.

7 “Steward” is, for a City Lot, (a) any person or educational, recreational, or social agency, (b)
8 any bona fide fraternal, charitable, religious, benevolent, or other nonprofit organization which is
9 exempt from taxation under the Internal Revenue Code as a bona fide fraternal, charitable, religious,
10 benevolent, or nonprofit organization, or (c) a public agency with programs based in San Francisco.
11 For Curbside People Places, Roadway People Places, and Sidewalk People Places, a “Steward” may
12 be any person or entity and is not restricted to the organizations and entities described above.

13
14 **SEC. 94A.3. PLACES FOR PEOPLE PROGRAM FUNCTIONS.**

15 To achieve the purpose of the Places for People Program, the Core City Agencies will perform
16 the functions set forth below consistent with each Agency’s authority under the Charter and applicable
17 codes. The specific roles of each participating Core City Agency for each People Place Category are
18 set forth in Section 94A.4.

19 (a) Coordinate principles and practices in People Places designated under the Places for
20 People Program with other public agencies operating similar public realm initiatives and projects in the
21 City.

22 (b) Be responsible for development and administration of Program implementation, polices,
23 and strategies.

1 (c) Sustain strategic partnerships with stakeholders of People Places, including community
2 organizations, nonprofit organizations, and businesses, in supporting and enhancing People Places
3 Citywide.

4 (d) Endeavor to keep barriers to participation in the Program as low as possible, including
5 but not limited to keeping administrative and/or permit fees modest.

6 (e) Explore efforts to cross-subsidize approved People Places by leveraging the revenue
7 generated in People Places that exceeds the cost of managing and operating a People Place and
8 directing a portion of the excess funds to support other People Places that have a demonstrated funding
9 need.

10 (f) Seek Stewards for People Places through a Steward identification process that utilizes
11 existing City partnership efforts where possible and builds strong relationships with Stewards.

12 (g) Network communication and coordinate efforts of the various Stewards within the
13 Places for People Program.

14 (h) Identify opportunities to streamline permitting for active uses of People Places so that
15 barriers to event permitting are eliminated or minimized.

16 (i) Encourage People Place Stewards to maximize events and activities that are free to the
17 public.

18 (j) Collect People Place participation data and user feedback, and use established criteria
19 to evaluate Steward performance outcomes in various areas, including economic, type of activities, and
20 community engagement.

21 (k) Support development of long-term maintenance and activity partnerships for People
22 Places.

23 (l) Strive to ensure that People Places remain available to the public, while recognizing
24 that some small number of restricted access events in suitable locations may be helpful in supporting
25 People Place operations.

1 (m) Support the City's goal of continuing to be a national and international leader in public
2 realm innovation.

3
4 **SEC. 94A.4. INTERAGENCY COORDINATION.**

5 In coordinating their activities under the Places for People Program, the individual Core City
6 Agencies shall have the responsibilities set forth below.

7 (a) **Planning Department; Coordination of Program Activities.** Planning, after consulting
8 with the other Core City Agencies, will make an initial determination whether the concept of a People
9 Place Proposal is suitable for further development by the Places for People Program; approve, along
10 with other Core City Agencies, each People Place Permit application; and coordinate Program
11 activities. In performing these functions, Planning will:

12 (1) Receive a People Place Proposal submitted by a prospective Steward pursuant to
13 Section 94A.5 and review the Proposal for completeness, compliance with Program requirements, and
14 suitability for further development by the Places for People Program.

15 (2) If the People Place Proposal is found suitable for further development by the
16 Program, route the Proposal to all the other Core City Agencies with jurisdiction over the proposed
17 People Place for an initial evaluation.

18 (3) Accept, along with the other Core City Agencies, a proposed People Place into
19 the Program if, after completion of the review and evaluation required by Section 94A.5(b), each Core
20 City Agency with jurisdiction over the proposed People Place has determined that the Proposal is
21 suitable for further development.

22 (4) Review the application for completion and compliance with Program
23 requirements and direct the prospective Steward to file an application for a People Place Permit to the
24 appropriate agency pursuant to Section 94A.6.

1 (5) Approve a People Place Permit along with each Core City Agency with
2 jurisdiction over the People Place.

3 (6) At the request of a Core City Agency with jurisdiction over a proposed People
4 Place, develop with the prospective Steward a Stewardship Agreement pursuant to Section 94A.6.

5 (7) Support the monitoring of the Steward's compliance with any terms and
6 conditions in the People Place Permit and associated Stewardship Agreement and report any
7 noncompliance to the applicable Core City Agency or Agencies for enforcement.

8 (8) Coordinate Core City Agency outreach to prospective Stewards.

9 In performing the coordination role described in subsections (a)(1)-(8), Planning shall, if
10 necessary, obtain the recommendations of the other Core City Agencies, including, among others: the
11 City Engineer at DPW, the Director of Transportation or his or her designee, the Director of the Real
12 Estate Department, and/or the Executive Director of the Entertainment Commission.

13 (b) **Director of Real Estate; City Lot People Places.** The Director of Real Estate will
14 administer People Places that are solely on a City-owned lot, pursuant to Section 94A.8.

15 (c) **Entertainment Commission; People Places with Entertainment Activities.** The
16 Entertainment Commission will review and consider any application for a People Place Permit that
17 proposes an activity or activities fitting the description of a "Limited Live Performance Locale" in
18 Police Code, Section 1060(r) but excluding feature (5) that deals with the service of food and beverages
19 for consumption on the premises. The Commission may approve an application that satisfies all the
20 applicable requirements for creation of a "Limited Live Performance Locale" and authorize issuance of
21 a People Place Permit subject to the requirements stated in Police Code Section 1060.1.

22 (d) **Curbside People Places.**

23 (1) Planning will review the overall concept of the People Place Proposal, approve
24 the Steward's proposed program of offerings and events that will activate the People Place space, and
25 participate in the design review of all proposed physical treatments.

1 (2) Pursuant to the process set forth in Division II of the Transportation Code, MTA
2 will participate, as applicable, in design review of all physical treatments proposed by a Steward and,
3 at the MTA's discretion, implement any approved (A) restriping of travel and parking lanes, (B) ground
4 surface treatments to delineate rights-of-way temporarily converted for the project, (C) placement of
5 upright bollards and other traffic control devices, and (D) other reversible site improvements not
6 included within subsection (3) below that are needed for the project.

7 (3) DPW will, pursuant to the process set forth in Section 793 of the Public Works
8 Code, (A) participate in the design review of physical treatments proposed by a Steward, (B) install
9 reversible site improvements (planters, furnishings, etc.) associated with the project, and (C) provide
10 approval for the People Place Permit along with the other Core City Agencies.

11 (e) **Roadway People Places.**

12 (1) Planning will review the overall concept of the People Place Proposal, approve
13 the Steward's proposed program of offerings and events that will activate the People Place space, and
14 participate in the design review of all proposed physical treatments. Planning will also coordinate the
15 collection of baseline pedestrian, bicycle, and vehicular data at the relevant location(s) (A) pre-
16 occupancy, that is, before project implementation, (B) during short-term temporary street closures, and
17 (C) post-occupancy, that is, for at least six months after project implementation, or a longer time
18 period if warranted. Planning staff, inclusive of Environmental Planning, will consult with MTA staff as
19 necessary on collection methodology.

20 (2) MTA will carry out its role in evaluating the People Place Proposal pursuant to
21 the process set forth in Division II of the Transportation Code. The MTA is urged to consider the
22 following requirements in developing the Division II procedures:

23 (A) Conduct the circulation analysis necessary for evaluating a temporary
24 street closure (including full or partial width of street; full-time or part-time, over hours and days of
25 the week).

1 (B) Review and analyze, or oversee a contract for professional services to
2 review and analyze, transit and vehicular circulation data from (i) baseline pre-occupancy and/or (ii)
3 occupancy of short-term temporary trial(s), and issue a technical memorandum or “Preliminary
4 Circulation Assessment.” The technical memorandum will also state MTA’s position on approval of
5 the proposed temporary street closure.

6 (C) Participate in design review of physical treatments proposed by a
7 Steward.

8 (D) Review, consider, and authorize (when all requirements have been
9 satisfied) any changes to pedestrian and vehicular circulation associated with the People Place project.

10 (E) Implement any approved (i) restriping of travel and parking lanes, (ii)
11 ground surface treatments to delineate rights-of-way temporarily converted for the project, (iii)
12 placement of upright bollards and other traffic control devices, and (iv) other reversible site
13 improvements that are needed for the project.

14 (F) Review and analyze, or oversee a contract for professional services to
15 review and analyze, the pre-occupancy and post-occupancy transit and vehicular circulation data for
16 projects that have been implemented.

17 (3) DPW will, pursuant to the process set forth in Section 793 of the Public Works
18 Code, (A) participate in design review of physical treatments proposed by a Steward, (B) install
19 reversible site improvements (planters, furnishings, etc.) associated with the project, and (C) provide
20 approval for the People Place Permit along with the other Core City Agencies.

21 (f) **Sidewalk People Places.**

22 (1) Planning will review the overall concept of the People Place Proposal, approve
23 the Steward’s planned program of offerings and events that will activate the People Place space, and
24 participate in the design review of all proposed physical treatments.

1 (2) DPW will, pursuant to the process set forth in Section 793 of the Public Works
2 Code, (A) participate in design review of physical treatments proposed by a Steward and (B) provide
3 approval for the People Place Permit along with the other Core City Agencies.

4 (g) **Integrated People Places.** Where a single proposal involves activities occurring in more
5 than one People Place category, each Core City Agency shall:

6 (1) Participate in design review and proposal development for the People Place
7 project with respect to those proposed elements that are within such Agency's jurisdiction as is specified
8 in this Section 94A.4 for review of the individual People Place Categories; provided, however, that the
9 Director of one of the participating Core City Agencies may authorize another participating Core City
10 Agency to review the People Place Proposal and one or more of the design elements on its behalf.

11 (2) Implement the pertinent elements as specified in this Section 94A.4 for review of
12 the individual People Place Categories.

13
14 **SEC. 94A.5. PEOPLE PLACE PROPOSAL.**

15 (a) **Initiation of the Process.** A prospective Steward may submit a concept Proposal for a
16 People Place project to the Places for People Program. To be considered, the proposal must include
17 the following components:

18 (1) Documentation of community outreach and support.

19 (2) A list and frequency schedule for routine maintenance tasks.

20 (3) A prospective activities calendar describing the frequency and types of free
21 public programming.

22 (4) Specification of the number of restricted access events, if any, that will be held
23 annually. In no event may the number of restricted access events allowed exceed eight single-day
24 events per year. Scheduling of any approved restricted access events shall be spread throughout the
25

1 calendar year. Public access to the People Place shall not be restricted except for restricted access
2 events approved by the Places for People Program.

3 (5) A conceptual site plan depicting how the interior of the space will be configured,
4 including the introduction and placement of any temporary physical elements. If the space will be
5 configured to accommodate different types of programs, the Proposal should include a series of site
6 plans depicting proposed configurations.

7 (b) **Initial Review and Evaluation of the Proposal.** After submittal, the proposed People
8 Place project is reviewed by Planning to make an initial evaluation of the Proposal's suitability for
9 further development by the Program. If considered suitable for further development, Planning will
10 forward the Proposal to the Core City Agency or Agencies with jurisdiction over the proposed People
11 Place for review and approval. If approved by all the required Core City Agencies, the Proposal will be
12 accepted into the Program and further developed by the Core City Agencies as appropriate.

13 (c) **Public Funds; Solicitation and Evaluation of Proposals.**

14 (1) If public funds are being offered for the implementation or operation of a People
15 Place or Places, the People for Places Program shall issue an invitation for prospective Stewards to
16 submit a competitive People Place Proposal for the project. The Program may solicit Proposals (A) on
17 an ongoing basis (year-round), or (B) for set intervals on a recurring cycle (for example, for two weeks
18 at the end of each quarter), or (C) for a set interval on a one-time basis depending on the People Place
19 Category or other appropriate factors.

20 (2) All Proposals that are submitted in compliance with the requirements and within
21 the submission deadline shall be evaluated based upon criteria developed for the project by Planning
22 with the Core City Agency or Agencies with jurisdiction over the People Place Category. After
23 completion of the evaluation, the Places for People Program may in its discretion determine that none
24 of the Proposals submitted are acceptable.

1 **SEC. 94A.6. PEOPLE PLACE PERMIT – ISSUANCE, MODIFICATION, AND REVOCATION;**
2 **STEWARDSHIP AGREEMENT.**

3 **(a) Submission of Permit Application.** *After a People Place Proposal has been evaluated*
4 *by Planning and the Core City Agencies with jurisdiction over the People Place Category, and has*
5 *been determined suitable for acceptance into the Places for People Program pursuant to Section 94A.5,*
6 *the prospective Steward may submit an application for a People Place Permit to the Core City Agency*
7 *with jurisdiction over the People Place.*

8 **(b) People Place Permit – Conditions of Approval; Limited Duration.**

9 **(1) People Place Permit.** *A People Place Permit authorizes the Steward to create a*
10 *People Place by occupying and activating the location. For the Core City Agencies, a People Place*
11 *Permit shall substitute for a permit that would otherwise be required under other sections of the*
12 *Municipal Code.*

13 **(2) Conditions of Approval.** *The People Place Permit sets forth the permit terms,*
14 *conditions of approval, operational requirements, and duration of the People Place and is approved*
15 *jointly by Planning and all the Core City Agencies with jurisdiction over the People Place. In addition*
16 *to any conditions that a Core City Agency is authorized to impose on a People Place Permit pursuant*
17 *to the provisions of this Chapter 94A, a participating Core City Agency with jurisdiction over the*
18 *People Place shall impose any condition that it would have been required to impose on a permit*
19 *separately issued under the Code that regulates its activities, including but not limited to conditions*
20 *requiring liability insurance and indemnification.*

21 **(3) Limited Duration.** *The duration of a permit issued pursuant to this Chapter 94A*
22 *for a Curbside People Place, a Roadway People Place, or a Sidewalk People Place shall be no longer*
23 *than two years, after which it may be renewed or extended upon review and approval by the Core City*
24 *Agencies. The standard term of a City Lot People Place Permit shall be no longer than five years,*
25 *which may be extended by the Director of Real Estate pursuant to the provisions of Section 94A.8(d).*

1 (c) **Permit Cover Sheet.** The approval of the People Place Permit is memorialized by a
2 Permit Cover Sheet that is attached to the Permit. The Permit Cover Sheet must be signed by a person
3 designated by the Director of each participating Core City Agency as authorized to approve issuance of
4 the People Place Permit and sign the Permit Cover Sheet on the Agency's behalf.

5 (d) **Stewardship Agreement.** At the request of a Core City Agency or Agencies with
6 jurisdiction over the People Place Category, the Program and Steward will jointly develop a People
7 Place Stewardship Agreement. The Stewardship Agreement is attached to the People Place Permit and
8 outlines operational requirements and permit terms applicable to the People Place that are in addition
9 to those set forth in the People Place Permit. The provisions of a People Place Stewardship Agreement
10 are the equivalent of permit conditions and are enforceable through the associated People Place
11 Permit.

12 (e) **Coordination of Additional Permits Required from Other City Agencies.** Certain
13 activities may require additional approvals from another City agency, board, commission, or
14 department that is not a Core City Agency. In such cases, the Core City Agencies shall coordinate
15 regarding all other permits or approvals that may be necessary for or related to activities at the People
16 Place. If additional permits or approvals are required from other City agencies, boards, commissions,
17 or departments, they may be granted by the signature of an authorized representative of the entity on
18 the Permit Cover Sheet described in subsection (c) above.

19 (f) **Coordination of Additional Permits Required from Federal, State, or Other Counties.**
20 Certain activities in the public right-of-way may require additional review and approvals from Federal,
21 State, or other County agencies, boards, commissions, or departments. In such cases, the Core City
22 Agencies shall coordinate, to the extent feasible, regarding all other review or approvals that may be
23 necessary for or related to the activities at the People Place.

24 (g) **Modification of a People Place Permit; Withdrawal of Approval.**
25

1 (1) **Permit Modification.** People Place Permits on public space are revocable at
2 will. Therefore, each Core City Agency that has approved issuance of a People Place Permit may at any
3 time modify those portions of the permit that are within its jurisdiction, including any conditions. If a
4 Core City Agency makes a determination to modify the permit or any conditions that it has imposed, or
5 impose additional conditions, the Agency shall notify the other Core City Agencies.

6 Upon receipt of a request for modification, Planning will coordinate with the other Core
7 City Agency or Agencies who participated in the review and approval of the permit to determine if other
8 portions of the permit also need to be modified, or if the entire permit needs to be revoked pursuant to
9 subsection (h) below. A new People Place Permit is required to be issued if Planning, after consultation
10 with the participating Core City Agencies, determines that the proposed modifications are major. Minor
11 modifications to a People Place Permit may be made without the issuance of a new permit.

12 The Core City Agencies with jurisdiction over the People Place will notify the Steward
13 of any permit modifications or if revocation of the entire Permit pursuant to subsection (h) below is
14 required.

15 (2) **Withdrawal of Approval.** A Core City Agency may at any time withdraw its
16 approval of the People Place Permit. If a Core City Agency makes a determination to withdraw its
17 approval of the People Place Permit, the Agency shall notify the other Core City Agencies of its decision
18 to sever from the permit those portions that are within the Agency's jurisdiction. Upon receipt of a
19 request for severance, Planning shall consult with each of the other Core City Agencies that approved
20 issuance of the People Place Permit to determine if the remaining conditions of the permit need to be
21 modified or whether the severance requires revocation of the permit in its entirety. If the remaining
22 Core City Agencies determine that the severance results in a major modification of the permit, a new
23 People Place Permit is required to be issued.

24 The Core City Agency or Agencies with jurisdiction over the People Place will send the Steward
25 written notification of the severance and any resulting modification or revocation.

1 (h) **Permit Revocation.** A People Place Permit issued pursuant to this Chapter 94A may be
2 revoked at any time with the consent of all the Core City Agencies that approved issuance of the Permit.
3 The revocation process is initiated by a request for revocation from one or more of the participating
4 Core City Agencies to the other Core City Agencies. If all the participating Core City Agencies
5 authorize the revocation, the Agency or Agencies with jurisdiction over the People Place shall send the
6 Steward written notification of the revocation.

7
8 **SEC. 94A. 7. REGULATIONS AND OPERATIONAL REQUIREMENTS.**

9 (a) **Regulations.** The following Regulations apply to the specified People Places
10 Categories:

11 (1) **City Lot People Places.** The applicable regulations are those adopted by the
12 Director of Real Estate pursuant to Section 94A.8(g).

13 (2) **Curbside People Places.** The applicable regulations are set forth in Public
14 Works Code Section 793.3.

15 (3) **Roadway People Places.** The applicable regulations are set forth in Public
16 Works Code Section 793.3 and any regulations adopted by the MTA Board in Division II of the
17 Transportation Code.

18 (4) **Sidewalk People Places.** The applicable regulations are set forth in Public
19 Works Code Section 793.2.

20 (b) **Operational Requirements.** The operational requirements set forth below shall apply to
21 all People Places. However from time to time and as warranted by special circumstances, these
22 Operational Requirements may not be appropriate for a particular People Place or event taking place
23 on a City lot. In such cases, the Director of Real Estate may approve an exception to the requirements
24 pursuant to Section 94A.8 if the Director finds, in his or her sole discretion, that the public interest
25 would be served by the exception.

1 (1) **Public Accessibility.** Unless authorized as a restricted access event, all People
2 Places shall remain accessible to the public.

3 (2) **Peddling and Vending Merchandise.** No person shall bring, or cause to be
4 brought, for the purposes of sale or barter, or have for sale, or sell in exchange, or offer for sale or
5 exchange any goods, wares, or merchandise in the People Place unless the City and County of San
6 Francisco has issued any required permit or other authorization. Notwithstanding the above provision,
7 the sale or distribution of newspapers, periodicals, or other printed or otherwise expressive material is
8 allowed subject to the applicable requirements of the Public Works Code.

9 (3) **Performance of Labor.** No person, other than authorized City personnel, shall
10 perform any labor on or upon a City Lot People Place, including, but not limited to, taking up or
11 replacing soil, turf, ground, pavement, structures, trees, shrubs, plants, grass, flowers, or similar
12 activities without prior permission from (A) the Director of Real Estate for City Lot People Places, and
13 (B) the Director of Public Works for Sidewalk, Curbside, or Roadway People Places.

14 (4) **Camping Prohibited.** The provisions of Park Code Section 3.12 concerning
15 camping shall apply to all People Places. The Director of Real Estate shall administer those
16 provisions for City Lot People Places, and DPW shall administer them for Sidewalk, Curbside, or
17 Roadway People Places.

18 (5) **No Unpermitted Structures Allowed.** There shall be no stationing or erecting of
19 any structure on a People Place without prior permission from (A) the Director of Real Estate for City
20 Lot People Places, (B) the Director of Public Works for Sidewalk, Curbside, or Roadway People Place,
21 and/or the Director of Transportation for any People Place within the MTA's jurisdiction.

22 (6) **Smoking Prohibited.** Pursuant to Article 19I of the Health Code, smoking is
23 prohibited on any unenclosed area of property in the City and County of San Francisco that is under
24 the jurisdiction of any City department if the property is a park, square, garden, sport or playing field,
25 pier, or other property used for recreational purposes or as a farmers' market. Given the use of the

1 subject areas as an outdoor public People Place, this prohibition on smoking shall apply to all People
2 Places.

3 (7) Other Restrictions.

4 (A) No skateboarding, bicycle riding, or pets off leash is allowed without
5 prior permission from (i) the Director of Real Estate for City Lot People Places or (ii) the Director of
6 Public Works for Sidewalk, Curbside, or Roadway People Places.

7 (B) No littering, feeding of wildlife, or defacing of public property is allowed.

8 (C) No alcohol may be consumed without prior permission from all required
9 City and State authorities, as well as from (i) the Director of Real Estate for City Lot People Places or
10 (ii) the Director of Public Works for Sidewalk, Curbside, or Roadway People Places.

11 (D) General Advertising is prohibited.

12 (8) Good Neighbor Policies. Stewards of all People Place Categories shall manage
13 the People Place in accordance with the following good neighbor policies during the times of use set
14 forth in the People Place Permit :

15 (A) The safety and cleanliness of the People Place and its adjacent area shall
16 be maintained;

17 (B) Proper and adequate storage and disposal of debris and garbage shall be
18 provided;

19 (C) Noise and odors, unless otherwise permitted, shall be contained within
20 the immediate area of the People Place so as not to be a nuisance or annoyance to neighbors;

21 (D) Notices shall be prominently displayed during events that urge patrons to
22 leave the People Place premises and neighborhood in a quiet, peaceful, and orderly fashion and to not
23 litter or block driveways in the neighborhood. Such notices shall be removed after each event; and.

1 (E) The Steward or its employees or volunteers shall walk a 100-foot radius
2 from the People Place sometime within 30 minutes after programmed events and shall pick up and
3 dispose of any discarded trash left by patrons.

4 (9) Additional Operational Requirements. Additional operational requirements,
5 including hours of operation, tailored to a People Place in a specific location, shall be adopted as a
6 condition of approval and incorporated into the People Place Permit.

7
8 **SEC. 94A.8. SPECIAL PROCESS FOR PEOPLE PLACES ON CITY LOTS.**

9 All People Places that are solely on a City-owned lot shall be administered by the Director of Real
10 Estate, who will coordinate with and may request assistance from Planning.

11 (a) Proposal Submittal and Review.

12 (1) A Proposal for a City Lot Place shall be submitted to the People Place Program
13 for an initial review and evaluation by the Program coordinators at Planning and the Department of
14 Real Estate. After an initial review and evaluation, Planning may recommend the Proposal to the
15 Director of Real Estate for approval and administration.

16 (2) Upon acceptance of the Proposal by the Director of Real Estate and at the
17 Director's request, Program coordinators at Planning and the Department of Real Estate will work
18 with the Steward to refine the proposed design, activities program, and management plan.

19 (3) Upon final development of the proposed design, activities program, and
20 management plan, the Steward may submit to the Places for People Program an application for a City
21 Lot People Place Permit to the Director of Real Estate.

22 (b) Permit Application and Issuance; Public Notice. The Director of Real Estate may elect
23 to authorize the People Place under the provisions of Chapter 23 of this Code. If the Director elects to
24 authorize the People Place under the provisions of this Chapter 94A, the Director shall use the
25 following procedure:

1 (1) Upon submission of a permit application for a City Lot Place, the Director of
2 Real Estate shall post the People Place site with a Notice of Application for a period of 10 calendar
3 days. In addition, the Director shall post the Application for 10 calendar days on the websites of Real
4 Estate and the Places for People Program. The Director may take such other actions as the Director
5 deems advisable to notify the public about the Proposal.

6 (2) If there are entertainment-related activities proposed for the People Place that
7 fall within the purview of the Entertainment Commission, the public notice may include a notice of
8 public hearing by the Entertainment Commission.

9 (3) The Director of Real Estate shall accept written public comments on the
10 Proposal for at least 10 calendar days after the first day of the posting of notice of the Proposal and a
11 Permit shall not be issued before the end of the public comment period.

12 (4) The Director of Real Estate may, in his or her discretion, decide to hold a public
13 hearing concerning the Proposal and permit application. If a public hearing will be held, notice of the
14 hearing shall be given by posting a Notice of Public Hearing at the proposed People Place site for at
15 least 10 calendar days before the hearing is to be held. At the Director's discretion, the public hearing
16 notice may be combined with the Notice of Application.

17 (5) Upon approval of the permit application by the Director of Real Estate, at the
18 request of the Director Planning shall issue the City Lot People Place Permit.

19 (c) **Permit Conditions.** The conditions for operation, use, and maintenance of a City Lot
20 People Place shall be specified in either a City Lot People Place Permit or a Lease issued pursuant to
21 Chapter 23 of this Code. These conditions shall include, but are not limited to:

22 (1) design specifications for any temporary physical treatments being introduced at
23 the site;

24 (2) scope of permissible activities and uses; daily, weekly, and/or monthly time
25 periods authorized for such permissible activities and uses;

1 (3) the minimum number of programmed events by day, week, month, quarter, or
2 year;

3 (4) the permissible number of annual restricted access events, if any;

4 (5) Steward's liability for and indemnification of the City with respect to the People
5 Place and the Steward's required liability insurance, which is required for activities on publicly owned
6 space, all as approved by the City Risk Manager or any successor agency;

7 (6) an authorized signage program;

8 (7) the delineation of maintenance responsibilities between the City and the
9 Steward;

10 (8) the expiration date of the permit;

11 (9) remedies for violating the permit, including; revocation; and

12 (10) adherence to the Good Neighbor Policies set forth in Section 94A.7(b)(8).

13 (d) **Duration of Permit.** Should the Director of Real Estate elect to issue a City Lot People
14 Place Permit pursuant to this Chapter 94A instead of a Lease under Chapter 23 of this Code, the
15 standard term of a City Lot People Place Permit shall be no longer than five years. However, in special
16 circumstances or in cases where the Steward has installed significant improvements as part of the
17 Permit, the Director of Real Estate has the discretion to extend the term of the Permit beyond five
18 years.

19 (e) **Calendar of Events.** In addition to the requirements of Section 94A.8(c), the City Lot
20 People Place Permit shall require the Steward to submit a monthly calendar of activities and events to
21 the local District Police station, the Director of Real Estate, and the Places for People Program by
22 seven days prior to the start of each month.

23 (f) **Exceptions to Operational Requirements and Permit Conditions.**

24 (1) Good Neighbor Policies. Upon written request from a Steward, the Director of
25 Real Estate may grant non-material exceptions or other minor amendments to the Good Neighbor

1 Policies set forth in Section 94A.7(b)(8). Any exceptions granted by the Director shall be in writing and
2 retained in a file available for public review.

3 (2) **Permit Conditions.** Upon written request from a Steward, the Director of Real
4 Estate may grant non-material exceptions or other minor amendments to the conditions of a People
5 Place Permit as long as the Director, in consultation with the City Attorney's Office, determines that
6 such exceptions or amendments do not materially increase the City's costs or obligations, decrease the
7 benefit the City receives under the Steward's Permit for the People Place, and are reasonably within
8 the purposes of the Places for People Program. Any exceptions granted by the Director shall be in
9 writing and retained in a file available for public review. In addition, the Steward's request, the
10 Director's letter granting the exception(s), and any other relevant written communications shall be
11 posted on the websites of Real Estate and the Places for People Program.

12 (g) **Director's Regulations.** The Director of Real Estate may adopt such regulations
13 governing City Lot People Places as he or she deems necessary or appropriate for the proper
14 management and use of City Lot People Places. The Director may, in his or her discretion, post
15 signage with the Regulations on a City Lot People site.

17 **SEC. 94A.9. APPEAL OF PERMIT DECISIONS.**

18 (a) **Right of Appeal.** Any person may appeal the decision to grant or deny an application
19 for any People Place Permit, or to revoke or suspend an existing Permit, to the Board of Appeals
20 pursuant to the provisions of Charter Section 4.106 and Section 8 et seq. of the Business & Tax
21 Regulations Code; provided, however, that any portion of the People Place Permit that has been
22 approved by the MTA pursuant to its Charter authority may be heard and decided by the Board of
23 Appeals only upon authorization by the MTA Board of Directors. In the absence of such authorization,
24 those portions of the People Place Permit that fall within the MTA's Charter authority shall be severed
25 from the appeal and heard pursuant to the process that applies to appeals of MTA approvals. With

1 respect to an appeal to the Board of Appeals, it shall be filed in writing with the Clerk of the Board of
2 Appeals within 15 days of the date of issuance, denial, revocation, or suspension of the People Place
3 Permit.

4 (b) **Permit Renewal.** For purposes of an appeal to the Board of Appeals, the renewal of an
5 existing People Place Permit is considered to be a new permit and may be appealed in accordance with
6 the provisions of subsection (a) above.

7
8 **SEC. 94A.10. ENFORCEMENT OF REQUIREMENTS.**

9 (a) **Complaints from the Public.** The 311 Customer Relationship Management System is
10 designated to receive complaints from the public and to maintain an interagency complaint log. The
11 311 System shall route individual public complaints to the department(s) or agency(ies) with
12 jurisdiction in order for those departments or agencies to verify complaints regarding the People Place
13 Program or a particular People Place and take any necessary enforcement actions.

14 (b) **Enforcement of People Place Permit Requirements.**

15 (1) Each Core City Agency shall enforce the requirements of the People Place
16 Permit that are within its jurisdiction. Enforcement may be exercised either by (A) utilizing the
17 procedures of Section 94A.6 to modify conditions of the issued permit, or to withdraw its approval of
18 the permit by severance or revocation, or (B) using the enforcement provisions of the Code that
19 regulates its activities: the Public Works Code for DPW; the Transportation Code for the MTA; and the
20 Police Code for the Entertainment Commission. Enforcement by the Director of Real Estate is set forth
21 below in subsection (b)(2).

22 (2) The Director of Real Estate shall establish administrative procedures and
23 methods for verifying, addressing, and responding to any complaints concerning a City Lot People
24 Place. If the Director receives a verified complaint concerning violations of the terms and conditions of
25 a Steward's City Lot People Place Permit, the Director may conduct a public hearing on the Steward's

1 conduct. Based on the information presented at the hearing, the Director or his or her designee may
2 revoke, suspend, modify, or condition the People Place Permit or take any other action the Director
3 deems appropriate under the terms of the People Place Permit to address the Steward's conduct.

4 If any person occupies a City Lot People Place in violation of the applicable requirements and
5 regulations, the Director of Real Estate or his or her designee shall order the violator to either correct
6 the violation or vacate the People Place site. If the violation is not corrected as ordered, the violator
7 shall be subject to enforcement pursuant to the Police Code.

8
9 Section 3. The Public Works Code is hereby amended by adding Sections 793 through
10 793.8, to read as follows:

11 **SEC. 793. THE PLACES FOR PEOPLE PROGRAM – PEOPLE PLACES IN THE**
12 **PUBLIC RIGHT-OF-WAY.**

13 Places for People is a Program established in Chapter 94A of the Administrative Code. It
14 enables a public or private entity to obtain City approval to create a space and provide activities, for a
15 limited period of time, on City-owned property and in some cases nearby privately-owned spaces where
16 the public can gather and participate in commercial or non-commercial offerings and events. The
17 space created is a "People Place" that is managed by the permittee, defined as a "Steward."

18 The Places for People Program is a joint effort by the Planning Department, Department of
19 Public Works, the Municipal Transportation Agency, the Department of Real Estate, and the
20 Entertainment Commission (defined in Section 94A.2 of the Administrative Code as the "Core City
21 Agencies") to coordinate their review and approval of a People Place and streamline the permit
22 process. The Program responsibilities of the Core City Agencies in the coordination process are set
23 forth in Section 94A.4 of the Administrative Code.

1 **SEC. 793.1. PURPOSE AND SCOPE; DEFINITIONS.**

2 **(a) Purpose and Scope.** *The general procedure by which the Core City Agencies*
3 *participating in the Places for People Program coordinate their evaluation of a proposed People Place*
4 *concept proposal, review of an application for a People Place Permit, and approve and issue a People*
5 *Place Permit is set forth in Sections 94A.5 and 94A.6 of the Administrative Code. Sections 793.2*
6 *through 793.7 of this Code establish the procedure for DPW's review and approval of a People Place*
7 *in the public right-of-way. This procedure shall apply to any prospective "Curbside People Place,"*
8 *"Roadway People Place," and "Sidewalk People Place" in the Places for People Program.*

9 **(b) Definitions.** *As provided in Section 94A.2 of the Administrative Code:*

10 **"People Place"** *is a publicly-accessible location approved under the Places for People*
11 *Program and located (a) on City-owned property, (b) on the sidewalk, and/or (c) in the curbside lane*
12 *or on all or any portion of the roadway between curbs where the public can gather and participate in*
13 *commercial or non-commercial offerings and events. Such offerings and events may include, but are*
14 *not limited to: cultural events, arts activities, and entertainment; food and drink; retail sales; and*
15 *general recreation. A People Place is managed, fully or partially, by a Steward under a People Place*
16 *Permit issued under the Program and may involve the temporary and reversible installation of*
17 *physical treatments and elements.*

18 **"People Place Categories"** *are: (a) "City Lot People Place," which has activities occurring on*
19 *property owned by the City; (b) "Curbside People Place," which has activities occurring in a portion*
20 *of the curbside lane of a roadway and displacing no more than 2 parking spaces; (c) "Roadway People*
21 *Place," which has activities occurring in or on (1) any portion of the roadway that is not the curbside*
22 *lane, (2) the curbside lane and any additional portion of the roadway, or (3) the curbside lane and*
23 *displacing three or more parking spaces; and (d) "Sidewalk People Place," which has activities*
24 *occurring on a portion of sidewalk.*

1 **“People Place Permit”** is a permit issued under the Places for People Program through its
2 Core City Agencies that allows a Steward to create a People Place by temporarily occupying and
3 activating the location for a specified period of time.

4 **“Steward”** is, for Curbside People Places, Roadway People Places, and Sidewalk People
5 Places, any person or entity who has been issued a People Place Permit that authorizes the permittee,
6 acting as a Steward, to manage and activate a People Place under the Places for People Program.

7 **SEC. 793.2. PEOPLE PLACE PERMIT PROCESS.**

8 (a) Any concept proposal for a Curbside People Place, Roadway People Place, or Sidewalk
9 People Place that is submitted to the Places for People Program by a prospective Steward shall be
10 routed to DPW by the Program coordinator prior to acceptance of the proposed People Place concept
11 proposal for further development by the Program.

12 (b) Upon satisfactory development of the proposed concept by the prospective Steward with
13 the Core City Agencies, the Steward may prepare a permit application for a People Place in the Right-
14 of-Way and submit it to DPW for its review and approval.

15 (c) If DPW approves the application, the DPW staff designee shall sign the Permit Cover
16 Sheet and route the cover sheet to the other Core City Agencies for approval and signature, authorizing
17 issuance of the People Place Permit..

18 (d) Any modification of the People Place Permit conditions imposed on a Curbside People
19 Place, Roadway People Place, or Sidewalk People Place that is proposed by the Steward or another
20 Core City Agency shall be reviewed and approved by DPW.

21 **SEC. 793.3. Operational Requirements; Exceptions.**

22 (a) **Regulations.** All People Places in the public-right-of-way shall conform to the
23 Operational Requirements established in Administrative Code Section 94A.7(b): Operational
24 Requirements. The Director of Public Works may also adopt such additional regulations that he or she
25

1 deems appropriate and necessary for the proper management and use of the People Place in the Public
2 Right-of-Way.

3
4 **(b) Exceptions to Operational Requirements and Terms of the People Place Permit.**

5 **(1) Exceptions to Operational Requirements.** From time to time and due to special
6 circumstances, the Operational Requirements established in Administrative Code Section 94A.7(b) may
7 not be appropriate for a particular People Place Proposal or event. In such cases, the Director of
8 Public Works or designee may approve an exception to said requirements if he or she finds in his or her
9 sole discretion that the public interest would be served by granting the exception. The Director of
10 Public Works or designee shall issue such exceptions in writing and retain the granted exceptions in a
11 file available for public review.

12 **(2) Exceptions to Good Neighbor Policies.** After written request from a Steward,
13 the Director of Public Works is authorized to issue non-material exceptions or other minor
14 amendments to the Good Neighbor Policies outlined in Administrative Code Section 94A.7(b)(8). The
15 Director of Public Works shall issue such exceptions in writing, retain the granted exceptions in a file
16 available for public review, and shall post such correspondence on the Department's and Places for
17 People Program's website.

18 **(3) Exceptions to People Place Permit Terms.** After written request from a
19 Steward, the Director of Public Works is authorized to issue non-material exceptions or other minor
20 amendments to the terms of a People Place Permit as long as the Director of Public Works, in
21 consultation with the City Attorney's Office, determines that such exceptions or amendments do not
22 materially increase City's costs or obligations, decrease the benefit the City receives under the
23 Steward's Permit for the People Place, pose a safety concern, create negative impact to the public
24 right-of-way, and are reasonable within the purpose of the Places for People Program. The Director
25 shall issue such exceptions in writing, retain the granted exceptions in a file available for public

1 review, and shall post such correspondence on the Department's and Places for People Program's
2 website.

3 **SEC. 793.4. VIOLATION OF PERMIT CONDITIONS, OPERATIONAL**
4 **REQUIREMENTS, AND ADMINISTRATIVE REGULATIONS; ENFORCEMENT; PENALTIES.**

5 (a) If any person has occupied a People Place in the Public Right-of-Way in violation of the
6 requirements and regulations, the Director of Public Works or his designee or agent may take
7 necessary action to abate or correct the action in a timely manner per the provisions of this Code.

8 (b) The Director of Public Works will establish administrative procedures concerning
9 methods to process, verify, and respond to any complaints concerning a People Place documented by
10 and routed through 311 as outlined in Administrative Code Section 94A.10(a). If the Director of Public
11 Works receives and verifies through a site inspection by an appropriate City employee complaints
12 concerning violations of the terms and conditions of the Steward's People Place Permit, the Director of
13 Public Works may hold a public hearing on the Steward's conduct. Based on the information and
14 testimony presented at the hearing, the Director may terminate, suspend, modify, or recondition
15 aspects of the People Place Permit that are within the jurisdiction of the Department of Public Works,
16 take any other action the Director deems appropriate under the terms of the People Place Permit in
17 response to the Steward's conduct, or seek revocation of the jointly issued People Place Permit by the
18 Core City Agencies.

19 **SEC. 793.5. SIDEWALK PEOPLE PLACES; STEWARD PROPOSAL AND PERMIT**
20 **APPLICATION PROCESS; POSTING AND PUBLIC NOTICE.**

21 (a) Any steward wishing to establish a Sidewalk People Place may submit an initial
22 proposal to the Places for People Program pursuant to the provisions of Section 94A.5 of the
23 Administrative Code. Upon satisfactory development of the proposed design(s), activation program,
24 and management plan, the Steward may submit a formal Sidewalk People Place Permit Application
25 and associated fees to DPW.

1 **(b) Upon receipt of the Permit Application, the prospective Steward shall post the site(s)**
2 **with a Notice of Application provided by DPW for a period of 10 calendar days. The applicant shall**
3 **submit photographic evidence that the Notices of Application have been posted appropriately.**

4 **(c) The Director of Public Works shall also post the Application on the Department's**
5 **website and Places for People website for 10 calendar days.**

6 **(d) The public notice may include notice of public hearing by the Entertainment**
7 **Commission, if proposed activities fall within the purview of the Entertainment Commission as defined**
8 **in Administrative Code Section 94A.4(c).**

9 **(e) The Department shall accept written public comments on said Application(s) for 10**
10 **calendar days from the dates of the posted Notice of Application of said proposal(s) at the site and on**
11 **the websites.**

12 **(f) The Director of Public Works may wish to hold a public hearing concerning the**
13 **Application. The public hearing shall be noticed with a Notice of Public Hearing provided by Public**
14 **Works and posted by the applicant at the site(s) for a period of 10 calendar days prior to the scheduled**
15 **hearing. The Notice of Public Hearing Posting shall be removed by the applicant the day after the 10**
16 **calendar days. Unless otherwise outlined in this Section 793.5, the Notice of Public Hearing Posting**
17 **shall comply with Article 5.6 of the Public Works Code. The Director of Public Works or designee may**
18 **choose to apply additional conditions pertinent to DPW jurisdiction in the People Place Permit.**

19 **SEC. 793.6 CURBSIDE PEOPLE PLACES; STEWARD PROPOSAL AND PERMIT**
20 **APPLICATION PROCESS.**

21 **(a) Any steward wishing to establish a Curbside People Place may submit an initial**
22 **proposal to the Places for People Program pursuant to the provisions of Section 94A.5 of the**
23 **Administrative Code..**

1 **(b) Upon receipt of the Proposal, Places for People may work with the Steward to refine**
2 **the proposed design(s), activation program, and management plan. Comments shall be transmitted in**
3 **writing.**

4 **(c) Upon satisfactory development of the proposed design(s), activation program (if any),**
5 **and management plan, the Steward may submit a formal Sidewalk People Place Permit Application**
6 **and associated fees to DPW.**

7 **(d) Upon receipt of the Permit Application, the applicant shall post the site(s) with a Notice**
8 **of Application provided by DPW for a period of 10 calendar days. The applicant shall submit**
9 **photographic evidence that the Notices of Application have been posted appropriately.**

10 **(e) The Director of Public Works shall also post the Application on the Department's**
11 **website and Places for People website for 10 calendar days.**

12 **(f) The public notice may include notice of public hearing by the Entertainment**
13 **Commission, if proposed activities fall within the purview of the Entertainment Commission as defined**
14 **in Administrative Code Section 94A.4(c).**

15 **(g) The Department shall accept written public comments on said Application(s) for 10**
16 **calendar days after the first day of posting of said proposal(s) at the site, and shall not sign the Permit**
17 **before the public comment deadline.**

18 **(h) The Director of Public Works may wish to hold a public hearing concerning the**
19 **Application. The public hearing shall be noticed with a Notice of Public Hearing provided by DPW**
20 **and posted by the applicant at the site(s) for a period of 10 calendar days prior to the scheduled**
21 **hearing. The Notice of Public Hearing Posting shall be removed by the applicant the day after the 10**
22 **calendar days. Unless otherwise outlined in this code section, the Notice of Public Hearing Posting**
23 **shall comply with Article 5.6 of the Public Works Code. The Director of Public Works or designee may**
24 **choose to apply additional conditions within DPW's jurisdiction in the People Place Permit.**
25

1 (i) Additional Operating Requirements for Curbside People Places. In addition to the
2 Operational Requirements in Section 94A.7(b), Curbside People Places are publicly accessible open
3 spaces and shall not be utilized for private dining purposes, nor shall table service be provided within
4 the Curbside People Places.

5 **SEC 794.7. ROADWAY PEOPLE PLACES;. STEWARD PROPOSAL AND PERMIT**
6 **APPLICATION PROCESS.**

7 (a) Any steward wishing to establish a Roadway People Place may submit an initial
8 proposal to the Places for People Program pursuant to the provisions of Section 94A.5 of the
9 Administrative Code.

10 (b) Upon receipt and initial review of the Proposal, Places for People may work with the
11 Steward to refine the proposed design(s), activation program, and management plan. Comments shall
12 be transmitted in writing.

13 (c) Upon satisfactory development of the proposed design(s), activation program (if any),
14 and management plan, the Steward may submit a formal Roadway People Place Permit Application
15 and associated fees to DPW.

16 (d) Steward shall obtain required approval from SFMTA for any proposed modifications to
17 vehicular and pedestrian circulation.

18 (e) Upon receipt of the Permit Application, the applicant shall post the site(s) with a Notice
19 of Application provided by Public Works for a period of 10 calendar days. The applicant shall submit
20 photographic evidence that the Notices of Application have been posted appropriately.

21 (f) The Director of Public Works shall also post the Application on the Department's
22 website and Places for People website for 10 calendar days.

23 (g) The public notice shall also include notice of public hearing by the Municipal
24 Transportation Agency Board, in accordance with the process as defined in Transportation Code.
25 Division II, Article 200, Section 202: Notice of Public Hearing.

1 (h) The public notice may include notice of public hearing by the Entertainment
2 Commission, if proposed activities fall within the purview of the Entertainment Commission as defined
3 in Administrative Code Section 94A.4(c).

4 (i) The Department shall accept written public comments on said Application(s) for 10
5 calendar days after the first day of posting of said proposal(s) at the site, and shall not approve the
6 Permit before the public comment deadline.

7 (j) The Director of Public Works may wish to hold a public hearing concerning aspects of
8 the Application within the jurisdiction of DPW. The public hearing shall be noticed with a Notice of
9 Public Hearing posting at the site(s) for a period of 10 calendar days prior to the scheduled hearing.
10 The Notice of Public Hearing Posting shall be removed by the applicant the day after the 10 calendar
11 days. Unless otherwise outlined in this code section, the Notice of Public Hearing Posting shall comply
12 with Article 5.6 of the Public Works Code. The Director of Public Works or designee may choose to
13 apply additional conditions pertinent to Public Works jurisdiction in the People Place Permit.

14 (k) Additional Operating Requirements for Roadway People Places. In addition to the
15 Operational Requirements in Section 94A.7(b), Roadway People Places are publicly accessible open
16 spaces and shall not be utilized for private dining purposes, nor shall table service be provided within
17 the Roadside People Places in the course of day to day operations.

18 **SEC. 793.8. FINANCIAL RECORDS.**

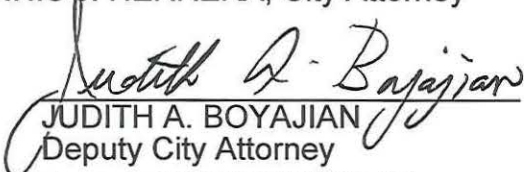
19 The Steward shall make its financial records related to the use of the People Place available to
20 the DPW Director for inspection upon written request of the Director.

21
22 Section 4. Effective Date. This ordinance shall become effective 30 days after
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
24
25

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3

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

6 By: 
7 JUDITH A. BOYAJIAN
8 Deputy City Attorney
9 n:\legana\as2016\1600634\01125127.docx

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