

File No. 160893

Committee Item No. 6

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date October 24, 2016

Board of Supervisors Meeting

Date \_\_\_\_\_

### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | Memorandum of Understanding (MOU)            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
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| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 - Ethics Commission                 |
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| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/> | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/> | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

### OTHER

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination</u>       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Notice of Public Hearing</u> |
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Completed by: Alisa Somera Date October 20, 2016

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Administrative, Public Works, Police Codes - Places for People Program; Permit Fee]

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 and their**  
5 **associated temporary physical improvements on City-owned property, the public right-**  
6 **of-way, and associated privately-owned space in connection with certain public space**  
7 **improvements; provides a process for identifying private Stewards to create and**  
8 **activate the public space and be responsible for managing the events and other**  
9 **activities occurring there; streamlines the process for reviewing proposals and issuing**  
10 **any required permits; and establishes a People Place Permit Fee; amending the Public**  
11 **Works Code to establish a regulatory process for authorizing a People Place on the**  
12 **public right-of-way; amending the Police Code definition of a Limited Live Performance**  
13 **Locale to include People Places; and affirming the Planning Department's**  
14 **determination under the California Environmental Quality Act.**

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

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

23 Section 1. Environmental Finding. The Planning Department has determined that the  
24 actions contemplated in this ordinance comply with the California Environmental Quality Act  
25 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with

1 the Clerk of the Board of Supervisors in File No. 160893 and is incorporated herein by  
2 reference. The Board affirms this determination.

3  
4 Section 2. General Findings.

5 (a) San Francisco leads the nation in innovations in good civic governance.  
6 Pavement to Parks, initiated in 2009 as a joint program of the Planning Department,  
7 Department of Public Works, Municipal Transportation Agency, and Mayor's Office of  
8 Greening, is touted internationally for its community-based approach to creating and testing  
9 publicly-accessible, neighborhood-serving open spaces.

10 (b) In 2013, the Mayor's Pedestrian Strategy recognized the importance of  
11 community-based public space projects as part of the toolkit for creating safe, walkable  
12 neighborhoods by including a goal to create twenty "parklets" and two "pedestrian plazas" per  
13 year.

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

22 (d) Though public demand for community-generated public open spaces continues  
23 to increase, the City's interagency review, permitting, technical, and financial assistance  
24 services remain based on older models for managing our public spaces and rights-of-way.  
25 The interagency and often cross-jurisdictional nature of projects poses procedural

1 complexities that form barriers to wide participation by community groups; while weak or  
2 inconsistent code bases limit the range of enforcement and quality-control responses  
3 available to City agencies.

4 (e) This ordinance creates "Places for People" – a comprehensive, interagency  
5 permitting framework that will streamline the community-based development of non-  
6 permanent projects and public activation events across San Francisco. The framework  
7 reflects national best practices, synthesizing the models of New York City, Los Angeles,  
8 Chicago, Philadelphia, and other cities.

9 (f) The intent of this ordinance is to provide a framework for the consideration,  
10 implementation, testing, and stewardship of non-permanent public spaces prior to those  
11 spaces being contemplated for adoption as permanent improvements through other City  
12 programs, such as the San Francisco Plaza Program established by Administrative Code  
13 Chapter 94.

14 (g) The broad goals of this ordinance are to:

15 (1) Lower procedural and resource barriers to increase public participation in  
16 the People for Places Program;

17 (2) Facilitate greater equity in geographic distribution of projects under the  
18 Program in all neighborhoods, especially those neighborhoods that have fewer resources;

19 (3) Enable more activation that is frequent, diverse, and free to the public;

20 (4) Streamline interagency permitting and agency review processes by  
21 establishing a clear and transparent sequence of review, approval, and adjudication of  
22 appeals by the pertinent City agencies;

23 (5) Create self-financing opportunities to better support long-term  
24 stewardship of community-sponsored Places; and,

25 (6) Define clear parameters for operations, permit terms, and enforcement.

- 1 (h) Projects will generally meet the following criteria:
- 2 (1) be located on public property;
- 3 (2) be initiated by a locally-based entity and stewarded in partnership with
- 4 the City;
- 5 (3) be accessible to the public;
- 6 (4) provide additional public amenities;
- 7 (5) be activated with regular, free public programming;
- 8 (6) prohibit for-profit activities or revenue generation, unless the revenue
- 9 goes directly into management and maintenance of the site,
- 10 (7) be temporary or reversible, allowing the site to return to pre-installation
- 11 conditions;
- 12 (8) for some projects, receive baseline physical treatments or improvements
- 13 implemented by the City; and
- 14 (9) be authorized for an initial period of a maximum of 24 months, with the
- 15 option to extend or renew the authorization through established public process.
- 16

17 Section 3. The Administrative Code is hereby amended by adding Chapter 94A, "The

18 San Francisco Places for People Program," consisting of Sections 94A.1 through 94A.11, to

19 read as follows:

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

21

22 **SEC. 94A.1. THE PLACES FOR PEOPLE PROGRAM; ESTABLISHMENT AND PURPOSE;**

23 **CORE AGENCY JURISDICTION.**

24 **(a) Establishment and Purpose. There is hereby created a San Francisco Places for**

25 **People Program ("Program" or "Places for People Program"). A People Place is intended to be a**

1 temporary space on City-owned property, and in some cases also on nearby privately-owned spaces,  
2 where the public can gather and participate in various commercial or non-commercial offerings and  
3 events. Under the Program, a public or private entity may obtain City approval to create a People  
4 Place by occupying the location with reversible physical treatments or improvements and/or activating  
5 the location with programming.

6 This Chapter 94A sets forth a streamlined process by which the Planning Department,  
7 Department of Public Works, Municipal Transportation Agency, Department of Real Estate, and  
8 Entertainment Commission (collectively, defined in Section 94A.2 as the "Core City Agencies"), and  
9 their successor agencies or departments, if any, will coordinate the review and approval of a request to  
10 occupy and activate such spaces and issue a permit to authorize the use.

11 (b) **Core City Agency Jurisdiction Retained.** Each Core City Agency shall retain its full  
12 authority under the City Charter and applicable Codes to authorize the use, impose conditions on the  
13 "People Place Permit," and enforce the Agency's requirements. The procedures by which the  
14 Department of Public Works and Municipal Transportation Agency will review and approve a permit  
15 issued pursuant to this Chapter 94A are set forth in Sections 793 et seq. of the Public Works Code (for  
16 DPW) and Article 1200, Division II of the Transportation Code (for MTA). The Department of Real  
17 Estate's procedures are set forth in Section 94A.8 of this Chapter. The Entertainment Commission's  
18 jurisdiction over "Limited Live Performance Locales" is set forth in Section 1060 of the Police Code.

19  
20 **SEC. 94A.2. DEFINITIONS.**

21 For purposes of this Chapter 94A, the following definitions shall apply:

22 "Core City Agencies" are the City departments and agencies participating in the Places for  
23 People Program: the Planning Department ("Planning"), Department of Public Works ("DPW"),  
24 Municipal Transportation Agency ("MTA"), Department of Real Estate ("Real Estate"), and  
25 Entertainment Commission.

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

9           **"People Place Categories"** are: (a) "City Lot People Place," which has activities occurring on  
10 property owned by the City; (b) "Curbside People Place," which has activities occurring in a portion  
11 of the curbside lane of a roadway; (c) "Roadway People Place," which has activities occurring in or  
12 on any portion of the roadway, except for activities occurring only in the curbside lane; (d) "Sidewalk  
13 People Place," which has activities occurring on a portion of sidewalk; and (d) "Integrated People  
14 Place," which is a single project with activities occurring on a combination of locations that are  
15 People Place Categories in close proximity to one another and operated by the same Steward.

16           **"People Place Permit"** is a permit issued under the Places for People Program through its  
17 Core City Agencies that allows a Steward to create a People Place by temporarily occupying and  
18 activating the location for a specified period of time.

19           **"People Place Proposal"** is a proposed concept for a People Place project submitted to the  
20 Places for People Program by a prospective Steward prior to the submittal of an application for a  
21 People Place Permit, for the purpose of initial evaluation and determination of suitability for further  
22 development by the Core City Agencies.

23           **"Steward"** is, for a City Lot, (a) any person or educational, recreational, or social agency, (b)  
24 any bona fide fraternal, charitable, religious, benevolent, or other nonprofit organization which is  
25 exempt from taxation under the Internal Revenue Code as a bona fide fraternal, charitable, religious,

1 benevolent, or nonprofit organization, or (c) a public agency with programs based in San Francisco.  
2 For Curbside People Places, Roadway People Places, and Sidewalk People Places, a "Steward" may  
3 be any person or entity and is not restricted to the organizations and entities described above.

4 **SEC. 94A.3. PLACES FOR PEOPLE PROGRAM FUNCTIONS.**

5 To achieve the purpose of the Places for People Program, the Core City Agencies shall perform  
6 the functions set forth below consistent with each Agency's authority under the Charter and other  
7 applicable City law. The specific roles of each participating Core City Agency for each People Place  
8 Category are set forth in Section 94A.4.

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

12 (b) Be responsible for development and administration of Program implementation,  
13 policies, and strategies.

14 (c) Sustain strategic partnerships with stakeholders of People Places, including community  
15 organizations, nonprofit organizations, and businesses, in supporting and enhancing People Places  
16 Citywide.

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

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

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



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

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

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

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

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

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

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

17  
18 **SEC. 94A.4. INTERAGENCY COORDINATION.**

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

21           (a) **Planning Department; General Coordination of Program Activities.** After a  
22 prospective Steward submits a People Place Proposal to the Program pursuant to Section 94A.5,  
23 Planning will coordinate review and approval of the proposed People Place project. Specifically,  
24 Planning will:

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

4           (2) If determined to be suitable for further development by the Program, route the  
5 People Place Proposal to all Core City Agencies with jurisdiction over the proposed People Place for  
6 an initial evaluation of the desirability of the Proposal.

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

11           (4) Review an application for a People Place Permit for completion and compliance  
12 with Program requirements prior to its submittal and, if found in compliance, direct the prospective  
13 Steward to file the People Place Permit application with the appropriate Core City Agency pursuant to  
14 Section 94A.6.

15           (5) Approve the People Place Permit in conjunction with approvals by each Core  
16 City Agency with jurisdiction over the People Place.

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

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

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

23           In performing the coordination role described in subsections (a)(1)-(8), Planning shall, if  
24 necessary, obtain the recommendations of staff of the other Core City Agencies, including, among  
25

1 others: the City Engineer at DPW, the Director of Transportation or his or her designee, the Director of  
2 the Real Estate Department, and/or the Executive Director of the Entertainment Commission.

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

5 (c) Entertainment Commission; People Places with Entertainment Activities. The  
6 Entertainment Commission will review and consider any application for a People Place Permit that  
7 proposes an activity or activities fitting the description of a Limited Live Performance Locale in Police  
8 Code, Section 1060(r) but, as applied to a People Place, allows the service of food and beverages for  
9 consumption on the premises. The Commission may approve an application that satisfies all the  
10 applicable requirements for creation of a Limited Live Performance Locale and authorize issuance of a  
11 People Place Permit subject to the requirements stated in Police Code Section 1060.

12 (d) Curbside People Places.

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

16 (2) MTA will participate, as applicable, in design review of all physical treatments  
17 or improvements proposed by a Steward and, at the MTA's discretion, implement any approved (A)  
18 restriping of travel and parking lanes, (B) ground surface treatments to delineate rights-of-way  
19 temporarily converted for the project, (C) placement of upright bollards and other traffic control  
20 devices, and (D) other reversible site improvements not included within subsection (d)(3) below that  
21 are needed for the project. MTA will carry out its role pursuant to the process set forth in Article 1200,  
22 Division II of the Transportation Code, including making the determination of any necessary street  
23 closure.

24 (3) DPW will, pursuant to the process set forth in Sections 793 et seq. of the Public  
25 Works Code, (A) participate in the design review of physical treatments or improvements proposed by a

1 Steward, (B) install reversible site improvements (planters, furnishings, etc.) associated with the  
2 project, and (C) provide approval for the People Place Permit along with the other Core City Agencies.

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

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

12 (2) MTA will carry out its role in evaluating the People Place Proposal pursuant to  
13 the process set forth in Article 1200, Division II of the Transportation Code, including making the  
14 determination of any necessary street closure. The MTA is urged to consider the following  
15 requirements in developing the Article 1200, Division II procedures:

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

19 (B) Review and analyze, or oversee a contract for professional services to  
20 review and analyze, transit and vehicular circulation data from (i) baseline pre-occupancy and/or (ii)  
21 occupancy of short-term temporary trial(s), and issue a technical memorandum or "Preliminary  
22 Circulation Assessment." The technical memorandum would also state MTA's conclusion as to  
23 approval of the proposed temporary street closure.

24 (C) Develop procedures for participation in design review of physical  
25 treatments or improvements proposed by a Steward.

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

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

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

10 (3) If the MTA approves a temporary street closure pursuant to the process set forth  
11 in Article 1200, Division II of the Transportation Code, DPW will, pursuant to the process set forth in  
12 Section 793 et seq. of the Public Works Code, (A) participate in design review of physical treatments or  
13 improvements proposed by a Steward, (B) install reversible site improvements (planters, furnishings,  
14 etc.) associated with the project, and (C) provide approval for the People Place Permit along with the  
15 other Core City Agencies.

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

17 (1) Planning will review the overall concept of the People Place Proposal, approve  
18 the Steward's planned program of offerings and events that will activate the People Place space, and  
19 participate in the design review of all proposed physical treatments or improvements.

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

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

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

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

8  
9 **SEC. 94A.5. PEOPLE PLACE PROPOSAL.**

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

13                   (1) Documentation of community outreach and support.

14                   (2) Documentary proof that all fronting property owners have been notified by the  
15 prospective Steward of the intent to submit a People Place Proposal. If the prospective Steward is not  
16 the fronting ground-floor tenant, then documentary proof of notification to the fronting ground-floor  
17 tenant(s) is also required.

18                   (3) A list and frequency schedule for routine maintenance tasks.

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

21                   (5) The number of restricted access events, if any, that will be held annually. In no  
22 event may the number of restricted access events allowed exceed eight single-day events per year.  
23 Scheduling of any approved restricted access events shall not be concentrated during a particular time  
24 or times a year but be spread throughout the calendar year. Public access to the People Place shall not  
25 be restricted except for restricted access events approved by the Places for People Program.

1                   (6) Photographs of existing conditions on the site.

2                   (7) A conceptual site plan depicting how the space will be configured, including the  
3 introduction and placement of any temporary physical elements.

4                   (A) City Lot People Places. If the space will be configured to  
5 accommodate different types of programs, the Proposal must include a series of site plans depicting  
6 proposed configurations.

7                   (B) Curbside People Places. If the Steward is proposing multiple  
8 Curbside People Places that will be operated together under the same exact terms and time(s) of a  
9 single Curbside People Place Permit, the proposal must include a series of site plans depicting the  
10 proposed extent of each installation.

11                   (C) Integrated People Places. If the space will be configured to  
12 accommodate different types of programs, the Proposal must include a series of site plans depicting  
13 proposed configurations.

14                   (D) Roadway People Places. If the space will be configured to  
15 accommodate different types of programs, the Proposal must include a series of site plans depicting  
16 proposed configurations.

17                   (E) Sidewalk People Places. If the Steward is proposing multiple Sidewalk  
18 People Places that will be operated together under the same exact terms and time(s) of a single  
19 Sidewalk People Place Permit, the proposal should include a series of site plans depicting the proposed  
20 extent of each installation.

21                   (b) Initial Review and Evaluation of the Proposal. After submittal, the proposed People  
22 Place Proposal will be reviewed by Planning for completeness. If deemed complete, Planning will  
23 forward the Proposal to the Core City Agency or Agencies with jurisdiction over the proposed People  
24 Place for an initial evaluation of the Proposal's suitability for further development by the Program. If  
25

1 approved by all the required Core City Agencies, the Proposal will be accepted into the Program and  
2 further developed by the Core City Agencies as appropriate.

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

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

10 (2) All Proposals that are submitted in compliance with the requirements and within  
11 the submission deadline shall be evaluated by Planning and the Core City Agency or Agencies with  
12 jurisdiction over the People Place Category. After completion of the evaluation, Planning and the Core  
13 City Agency or Agencies may in their discretion determine that none of the Proposals submitted are  
14 acceptable.

15  
16 **SEC. 94A.6. PEOPLE PLACE PERMIT – ISSUANCE, MODIFICATION, AND REVOCATION;**  
17 **STEWARDSHIP AGREEMENT.**

18 (a) **Submission of Permit Application.** After a People Place Proposal has been reviewed  
19 and evaluated by Planning and the Core City Agencies with jurisdiction over the People Place  
20 Category, determined suitable for further development, and accepted into the Places for People  
21 Program pursuant to Section 94A.5(b), the prospective Steward may submit an application for a People  
22 Place Permit. After Planning has reviewed the application for completeness and compliance with  
23 Program requirements, Planning will direct the prospective Steward to submit the application to the  
24 Core City Agency with primary jurisdiction over the People Place.



1           **(b) Permit Application Requirements.** The permit application requirements for specific  
2 People Place Categories are set forth as follows:

3           (1) for City Lot People Places, in Section 94A.8 of this Chapter 94A;

4           (2) for Sidewalk People Places, in Public Works Code Section 793 et seq.;

5           (3) for Curbside People Places, in Public Works Code Section 793 et seq. and  
6 Article 1200, Division II of the Transportation Code.

7           (4) for Roadway People Places, in Public Works Code Section 793 et seq. and  
8 Article 1200, Division II of the Transportation Code.

9           **(c) People Place Permit – Issuance; Conditions of Approval; Limited Duration.**

10           (1) Issuance. Issuance of a People Place Permit authorizes the Steward to create a  
11 People Place by occupying the location with reversible physical treatments or improvements and/or  
12 activating the location with programming. For the Core City Agencies, a People Place Permit shall  
13 incorporate the requirements of and substitute for a permit that would otherwise be required under  
14 other sections of the Municipal Code. Copies of approved and issued People Place Permits for People  
15 Places on City-Owned Lots shall be maintained by Real Estate. Copies of approved and issued People  
16 Place Permits for People Places in the public right-of-way shall be maintained by DPW.

17           (2) Conditions of Approval; Liability Insurance and Indemnity Provisions. The  
18 People Place Permit sets forth the permit terms, conditions of approval, operational requirements, and  
19 duration of the People Place and is approved by Planning and all the Core City Agencies with  
20 jurisdiction over the People Place. In addition to any conditions that a Core City Agency is authorized  
21 to impose on a People Place Permit pursuant to the provisions of this Chapter 94A, a participating  
22 Core City Agency with jurisdiction over the People Place shall impose any condition that it would have  
23 been required to impose on a permit separately issued under the Code that regulates its activities;  
24 provided, however, that DPW, with the approval of the City's Risk Manager, is authorized to modify  
25 standard liability insurance and indemnification requirements for People Place projects. For People

1 Place projects developed in whole or in part, or installed in whole or in part, by a City Agency, DPW,  
2 with the approval of the City's Risk Manager, may limit the Steward's required liability insurance and  
3 indemnification requirements to the non-physical aspects of the People Place.

4 (3) **Limited Duration.** A People Place Permit is intended to be temporary and has a  
5 limited duration. The standard term for a Curbside People Place, a Roadway People Place, or a  
6 Sidewalk People Place Permit shall be for no longer than two years, after which it may be renewed or  
7 extended upon review and approval by the Core City Agencies with jurisdiction over the People Place.  
8 The standard term of a City Lot People Place Permit shall be no longer than five years, which may be  
9 extended by the Director of Real Estate pursuant to the provisions of Section 94A.8(d).

10 (d) **Permit Cover Sheet.** The approval of the People Place Permit shall be memorialized  
11 by a Permit Cover Sheet that is attached to the Permit. The Permit Cover Sheet must be signed by a  
12 person designated by the Director of each participating Core City Agency as authorized to approve  
13 issuance of the People Place Permit and sign the Permit Cover Sheet on the Agency's behalf.

14 (e) **Stewardship Agreement.** At the request of a Core City Agency with jurisdiction over the  
15 People Place Category, the Program and Steward will jointly develop a People Place Stewardship  
16 Agreement for approval by all the Core City Agencies with jurisdiction over the People Place. The  
17 Stewardship Agreement will impose conditions and operational requirements on the People Place that  
18 are in addition to those set forth in the People Place Permit. A copy of the Stewardship Agreement,  
19 approved by the applicable Core City Agencies, shall be attached to the People Place Permit, and its  
20 provisions shall be considered permit requirements equivalent to those set forth in the People Place  
21 Permit and enforceable pursuant to Section 94A.10.

22 (f) **Coordination of Additional Permits Required from Other City Agencies.** Certain  
23 activities may require additional permits or approvals from another City agency, board, commission,  
24 or department that is not a Core City Agency. In such cases, the Core City Agencies shall coordinate  
25 regarding all other permits or approvals that may be necessary for or related to activities at the People

1 Place. If additional permits or approvals are required from other City agencies, boards, commissions,  
2 or departments, they may be granted by the signature of an authorized representative of the entity on  
3 the Permit Cover Sheet described in subsection (d) above.

4 **(g) Coordination of Additional Permits Required from Other Governmental Authorities.**

5 Certain activities in the public right-of-way may require additional review and approvals from Federal  
6 or State authorities, or other County agencies, boards, commissions, or departments. In such cases, the  
7 Core City Agencies shall coordinate, to the extent feasible, regarding all other review or approvals that  
8 may be necessary for or related to the activities at the People Place.

9 **(h) Modification of a People Place Permit; Withdrawal of Approval.**

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

16 Upon receipt of a request for modification, all the Core City Agencies that participated in the  
17 review and approval of the People Place Permit shall determine if other portions of the Permit also  
18 need to be modified, or if the entire People Place Permit needs to be revoked pursuant to subsection (i )  
19 below. A new People Place Permit is required to be issued if Planning and the other participating Core  
20 City Agencies determine that the proposed modifications are major. Minor modifications to a People  
21 Place Permit may be made without the issuance of a new Permit. The Core City Agencies with  
22 jurisdiction over the People Place will notify the Steward of any permit modifications or if revocation of  
23 the entire Permit pursuant to subsection (i) below is required.

24 **(2) Withdrawal of Approval.** A Core City Agency may at any time withdraw its  
25 approval of the People Place Permit. If a Core City Agency makes a determination to withdraw its

1 approval of the People Place Permit, the Agency shall notify the other Core City Agencies of its decision  
2 to sever from the permit those portions that are within the Agency's jurisdiction. Upon receipt of a  
3 request for severance, Planning and the other Core City Agencies that approved issuance of the People  
4 Place Permit shall determine if the remaining conditions of the permit need to be modified or whether  
5 the severance requires revocation of the permit in its entirety. If the remaining Core City Agencies  
6 determine that the severance results in a major modification of the permit, a new People Place Permit  
7 must be issued.

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

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

16  
17 **SEC. 94A.7. OPERATIONAL REQUIREMENTS.**

18 (a) **Applicability of Requirements.** The Operational Requirements set forth in subsection  
19 (b) below shall apply to all People Places except as follows:

20 (1) The applicability of the Operational Requirements to a People Place within the  
21 jurisdiction of the MTA requires the MTA's approval.

22 (2) One or more of the Operational Requirements may not be warranted or  
23 appropriate for a particular People Place or event occurring at a People Place, due to special  
24 circumstances. In such situations, the Director of Real Estate (for a City Lot People Place) or the  
25 Director of Public Works (for a People Place on a portion of the public right-of-way within the

1 jurisdiction of DPW) may grant a non-material exception or other minor amendment to the Good  
2 Neighbor Policies set forth in subsection (b)(8) or to waive or modify one or more of the other  
3 Operational Requirements if the Director finds, in his or her sole discretion, that the Requirement is not  
4 warranted or appropriate for a particular People Place or event and that the public interest would be  
5 served by granting the waiver or exception. Additional regulations for a City Lot People Place may be  
6 adopted by the Director of Real Estate pursuant to the Director's authority under Section 94A.8(g);  
7 additional regulations for a People Place on the public right-of-way may be adopted by the Director of  
8 Public Works pursuant to the Director's authority under Section 793.3(a) of the Public Works Code.

9 (b) **Operational Requirements.**

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

12 (2) **Peddling and Vending Merchandise.** No person shall bring, or cause to be  
13 brought, for the purposes of sale or barter, or have for sale, or sell in exchange, or offer for sale or  
14 exchange any goods, wares, or merchandise in the People Place unless the City has issued any  
15 required permit or other authorization. Notwithstanding the previous sentence, the sale or distribution  
16 of newspapers, periodicals, or other printed or otherwise expressive material is allowed subject to the  
17 applicable requirements of the Public Works Code.

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

24 (4) **Camping Prohibited.** The provisions of Park Code Section 3.12 concerning  
25 camping shall apply to all People Places. The Director of Real Estate shall administer those provisions

1 for City Lot People Places, and DPW shall administer them for Sidewalk, Curbside, or Roadway  
2 People Places.

3 (5) **No Unpermitted Structures Allowed.** There shall be no stationing or erecting of  
4 any structure on a People Place without prior permission from (A) the Director of Real Estate for City  
5 Lot People Places, (B) the Director of Public Works for Sidewalk, Curbside, or Roadway People  
6 Places, and/or (C) Director of Transportation for any People Place within the MTA's jurisdiction. Such  
7 permission shall be specified in the People Place Permit.

8 (6) **Smoking Prohibited.** Pursuant to Article 19I of the Health Code, smoking is  
9 prohibited on any unenclosed area of property in the City that is under the jurisdiction of any City  
10 department if the property is a park, square, garden, sport or playing field, pier, or other property used  
11 for recreational purposes or as a farmers' market. Given the use of the subject areas as an outdoor  
12 public People Place, this prohibition on smoking shall apply to all People Places.

13 (7) **Other Restrictions.**

14 (A) No skateboarding, bicycle riding, or pets off leash is allowed without  
15 prior permission from (i) the Director of Real Estate for City Lot People Places or (ii) the Director of  
16 Public Works for Sidewalk, Curbside, or Roadway People Places. Such permission shall be specified in  
17 the People Place Permit.

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

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

22 (D) General Advertising, as defined in Article 6 of the Planning Code, is  
23 prohibited.

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

4                   (A) The safety and cleanliness of the People Place and its adjacent area shall  
5 be maintained:

6                   (B) Proper and adequate storage and disposal of debris and garbage shall be  
7 provided:

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

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

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

16                   (9) Additional Operational Requirements.

17                   (A) Because People Places are intended to be publically accessible open  
18 spaces, private dining and table service shall not be permitted in Sidewalk People Places, Curbside  
19 People Places, or Roadway People Places in the course of day-to-day operations.

20                   (B) Regulations or operational requirements required by the MTA pursuant  
21 to Article 1200, Division II of the Transportation Code shall be imposed as a condition of approval of a  
22 People Place Permit.

23                   (C) Additional operational requirements tailored to a People Place in  
24 specific locations, including but not limited to hours of operation, may be imposed as a condition of  
25 approval of a People Place Permit.

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

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

4 **(a) Proposal Submittal and Review.**

5 (1) A concept Proposal for a City Lot People Place shall be submitted to the People  
6 Place Program for an initial review and evaluation by the Program coordinators at Planning and Real  
7 Estate. After an initial review and evaluation, the Program coordinators at Planning and Real Estate  
8 may recommend the Proposal to the Director of Real Estate for acceptance and administration.

9 (2) Upon acceptance of the Proposal by the Director of Real Estate and at the  
10 Director's request, Program coordinators at Planning and Real Estate shall work with the prospective  
11 Steward to refine the proposed design, activities program, and management plan for the proposed  
12 People Place.

13 (3) Upon final development of the proposed design, activities program, and  
14 management plan, the prospective Steward may submit an application for a City Lot People Place  
15 Permit to the Director of Real Estate.

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

20 (1) An application for a City Lot People Places Permit shall include the following:

21 (A) Documentation of community outreach and support.

22 (B) A list of and frequency schedule for routine maintenance tasks.

23 (C) A prospective activities calendar describing the frequency and types of  
24 free public programming.



1                    (D) The number of restricted access events, if any, that will be held annually.

2 In no event may the number of restricted access events allowed exceed eight single-day events per year.  
3 Scheduling of any approved restricted access events shall not be concentrated during a particular time  
4 or times a year but be spread throughout the calendar year. Public access to the People Place shall not  
5 be restricted except for approved restricted access events.

6                    (E) Photographs of existing conditions on the site.

7                    (F) A conceptual site plan depicting how the space will be configured,  
8 including the introduction and placement of any temporary physical elements. If the space will be  
9 configured to accommodate different types of programs, the Proposal shall include a series of site  
10 plans depicting proposed configurations.

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

16                    (3) If there are entertainment-related activities proposed for the City Lot People  
17 Place that fall within the purview of the Entertainment Commission, the public notice may include a  
18 notice of public hearing by the Entertainment Commission.

19                    (4) The Director of Real Estate shall accept written public comments on the  
20 Proposal for at least 10 calendar days after the first day of the posting of notice of the Proposal, and a  
21 City Lot People Place Permit shall not be issued before the end of the public comment period.

22                    (5) The Director of Real Estate may, in his or her discretion, hold a public hearing  
23 concerning the Proposal and application for a People Place Permit. If a public hearing is held, notice  
24 of the hearing shall be given by posting a Notice of Public Hearing at the proposed People Place site  
25

1 for at least 10 calendar days before the hearing. At the Director's discretion, the public hearing notice  
2 may be combined with the Notice of Application.

3 (6) After approval of the Permit application by the Director of Real Estate, and at  
4 the request of the Director, Planning shall issue the City Lot People Place Permit.

5 (c) Permit Conditions; Grant of Exceptions.

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

9 (A) design specifications for any temporary physical treatments or  
10 improvements being introduced at the site;

11 (B) scope of permissible activities and uses; daily, weekly, and/or monthly  
12 time periods authorized for such permissible activities and uses;

13 (C) the minimum number of programmed events by day, week, month,  
14 quarter, or year;

15 (D) the permissible number of annual restricted access events, if any;

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

19 (F) an authorized signage program;

20 (G) the delineation of maintenance responsibilities between the City and the  
21 Steward;

22 (H) the expiration date of the People Place Permit;

23 (I) remedies for violating the permit, including but not limited to revocation;

24 and

25 (J) adherence to the Good Neighbor Policies in Section 94A.7(b)(8).

1                    (2) **Exceptions; Public Notice.** Upon written request from a Steward, the Director of  
2 Real Estate may grant a non-material exception or other minor amendment to the conditions imposed  
3 on a City Lot People Place Permit if the Director determines that the exception or minor amendment is  
4 reasonably within the purposes of the Places for People Program and, in consultation with the City  
5 Attorney's Office, further determines that such exception or amendment does not materially increase  
6 the City's costs or obligations or decrease the benefit the City receives under the Steward's City Lot  
7 People Place Permit.

8                    Any exceptions or minor amendments of the Permit conditions that the Director has granted  
9 pursuant to this subsection (c)(2) shall be in writing and retained in a file available for public review.  
10 In addition, at the Steward's request, the Director's letter granting the exception(s) and/or minor  
11 amendments, and any other written communications relevant to the Director's determination shall be  
12 posted on the websites of Real Estate and the Places for People Program.

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) **Grant of Exceptions to Standard Operational Requirements.**

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

1 Policies in Section 94A.7(d)(8) if the Director finds, in his or her sole discretion, that one or more  
2 aspects of a Good Neighbor Policy are unwarranted or not appropriate for a particular City Lot People  
3 Place or event due to special circumstances and that the public interest would be served by granting an  
4 exception.

5 (2) **Other Operational Requirements.** Upon written request from a Steward, the  
6 Director of Real Estate is authorized to waive or modify one or more of the other Operational  
7 Requirements in Section 94A.7 if the Director finds, in his or her sole discretion, that the Requirement is  
8 unwarranted or not appropriate for a particular City Lot People Place or event due to special  
9 circumstances and that the public interest would be served by granting an exception.

10 (3) **Public Record.** Any exceptions, minor amendments, or waivers granted by the  
11 Director pursuant to this subsection (f) shall be in writing and retained in a file available for public  
12 review.

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

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

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

1 from the appeal and heard pursuant to the process that applies to appeals of MTA approvals. With  
2 respect to an appeal to the Board of Appeals, it shall be filed in writing with the Clerk of the Board of  
3 Appeals within 15 days of the date of issuance, denial, revocation, or suspension of the People Place  
4 Permit.

5 (b) **Permit Renewal.** For purposes of an appeal to the Board of Appeals, the renewal of an  
6 existing People Place Permit is considered to be a new permit and may be appealed in accordance with  
7 the provisions of subsection (a) above. Pursuant to Section 8(i)(5) of the Business and Tax Regulations  
8 Code, any activities on the site would be suspended during the pendency of the appeal; however, the  
9 Core City Agency or Agencies with jurisdiction over the site may, in their discretion, authorize any  
10 authorized physical treatments or improvements to the site to remain pending a decision by the Board  
11 of Appeals.

12  
13 **SEC. 94A.10. ENFORCEMENT OF REQUIREMENTS.**

14 (a) **Complaints from the Public.** The 311 Customer Relationship Management System is  
15 designated to receive complaints from the public and to maintain an interagency complaint log. The  
16 311 System shall route individual public complaints to the department(s) or agency(ies) with  
17 jurisdiction in order for those departments or agencies to verify complaints regarding the People Place  
18 Program or a particular People Place and take any necessary enforcement actions.

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

20 (1) Each Core City Agency shall enforce the requirements of the People Place  
21 Permit that are within its jurisdiction. Enforcement may be exercised either by (A) using the procedures  
22 of Section 94A.6 to modify conditions of the issued permit, or to withdraw approval of the permit by  
23 severance or revocation. or (B) using the enforcement provisions of the Code that regulates its  
24 activities: the Public Works Code for DPW; the Transportation Code for the MTA; and the Police Code  
25

1 for the Entertainment Commission. Enforcement by the Director of Real Estate is set forth in subsection  
2 (b)(2) below.

3 (2) The Director of Real Estate shall establish administrative procedures and  
4 methods for verifying, addressing, and responding to any complaints concerning a City Lot People  
5 Place. If the Director receives a verified complaint concerning violations of the terms and conditions of  
6 a Steward's City Lot People Place Permit, the Director may conduct a public hearing on the Steward's  
7 conduct. Based on the information presented at the hearing, the Director or his or her designee may  
8 revoke, suspend, modify, or condition the People Place Permit or take any other action the Director  
9 deems appropriate under the terms of the People Place Permit to address the Steward's conduct.

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

14  
15 **SEC. 94A.11. FEES.**

16 (a) People Place Permit Fee. Pursuant to Section 94A.6(c)(1), a People Place Permit  
17 substitutes for a permit that would otherwise be required by the Municipal Code. The fee for a People  
18 Place Permit in the public right-of-way shall be one-half the fee that DPW is authorized by Article 2.1  
19 of the Public Works Code to charge for a permit granting permission to occupy a portion of the public  
20 right-of-way that is equivalent in scope to the People Place Permit. This fee shall be paid to DPW  
21 pursuant to Section 793.2(b) of the Public Works Code.

22 (b) Other Fees. Nothing in this Section 94A.11 or in Chapter 94A is intended to preclude a  
23 Core City Agency, or other City department or agency, from charging the fees authorized to be charged  
24 for any additional permits required or for services performed in implementing the People Place  
25 Proposal; provided, however, that due to the public-use nature of the improvements, no ongoing

1 occupancy assessment fee shall be charged. Any other fee charged by a Core City Agency, or other City  
2 department or agency, in connection with a People Place Permit shall be one-half the fee that the  
3 agency or department is authorized to charge for such permit.

4 (c) **Condition of Approval.** Payment of all fees due shall be a condition of any permit,  
5 license, or other approval to establish and/or operate a People Place.

6  
7 Section 3. The Public Works Code is hereby amended by adding Sections 793 through  
8 793.6, to read as follows:

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

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

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

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

24 (a) **Purpose and Scope.** The general procedure by which the Core City Agencies  
25 participating in the Places for People Program coordinate their evaluation of a proposed People Place

1 concept proposal, review of an application for a People Place Permit, and approve and issue a People  
2 Place Permit is set forth in Sections 94A.5 and 94A.6 of the Administrative Code. Sections 793.2  
3 through 793.6 of this Code establish the procedure for DPW's review and approval of a People Place  
4 in the public right-of-way. This procedure shall apply to any prospective "Curbside People Place,"  
5 "Roadway People Place," and "Sidewalk People Place" in the Places for People Program.

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

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

15 "**People Place Categories**" are: (a) "City Lot People Place," which has activities occurring on  
16 property owned by the City; (b) "Curbside People Place," which has activities occurring in a portion  
17 of the curbside lane of a roadway; (c) "Roadway People Place," which has activities occurring in or  
18 on any portion of the roadway, except for activities occurring only in the curbside lane; (d) "Sidewalk  
19 People Place," which has activities occurring on a portion of sidewalk, and (d) "Integrated People  
20 Place," which is a single project with activities occurring on a combination of locations that are  
21 People Place categories in close proximity to one another and operated by the same Steward.

22 "**People Place Permit**" is a permit issued under the Places for People Program through its  
23 Core City Agencies that allows a Steward to create a People Place by temporarily occupying and  
24 activating the location for a specified period of time.



1 "Steward" is, for Curbside People Places, Roadway People Places, and Sidewalk People  
2 Places, any person or entity who has been issued a People Place Permit that authorizes the permittee,  
3 acting as a Steward, to manage and activate a People Place under the Places for People Program.

4 For purposes of Sections 793.2 through 793.6, a Sidewalk People Place, a Roadway People  
5 Place, and a Curbside People Place shall be referred to collectively as People Places in the Public  
6 Right-of-Way.

7 **SEC. 793.2. PERMIT APPROVAL PROCESS APPLICABLE TO ALL PEOPLE PLACES**  
8 **IN THE PUBLIC RIGHT-OF-WAY; .**

9 (a) **Initiation of the Process.** Any prospective Steward wishing to establish a People Place  
10 in the Public Right-of-Way may initiate the process by submitting a concept proposal to the Places for  
11 People Program pursuant to Section 94A.5 of the Administrative Code ("People Place Proposal"). If  
12 the People Place Proposal is accepted into the Program, the Core City Agencies shall work with  
13 prospective Steward to develop the concept proposal, after which the prospective Steward may submit  
14 an application for a People Place Permit to the People Place Program pursuant to the process set forth  
15 in Administrative Code Section 94A.6. The application shall include the components specified in  
16 Administrative Code Section 94A.6(a). The Planning Department will review the People Place Permit  
17 application for completeness and compliance with Program requirements, and if found compliant will  
18 direct the prospective Steward to submit the application to DPW.

19 (b) **DPW Application Review Procedure; Payment of Permit Fee.** The prospective Steward  
20 may submit the application for a People Place Permit to DPW for its review and approval. The permit  
21 fee required by Administrative Code Section 94A.11 at the time of submittal.

22 (c) **Public Notice and Opportunity to Comment.** Upon submission of the People Place  
23 Permit application, the prospective Steward shall post the site(s) with one or more Notices of  
24 Application provided by DPW for a period of 10 calendar days. The Notice(s) shall be posted in a  
25 location acceptable to the Department. The prospective Steward shall submit to the Department

1 photographic evidence that the Notice(s) were posted appropriately. The prospective Steward shall  
2 remove the Notice of Application the day after expiration of the 10-day notice period. The Department  
3 shall accept written public comments on the Notice of Application for 10 calendar days from the first  
4 day the Notice was posted at the site(s).

5 For Roadway and Curbside People Places, the public notice shall also include notice of any  
6 public hearing by the Municipal Transportation Agency Board, in accordance with the process set forth  
7 in Transportation Code, Division II, Article 200, Section 202: Notice of Public Hearing. The Notice  
8 may include notice of public hearing by the Entertainment Commission if proposed activities fall within  
9 the purview of the Entertainment Commission described in Administrative Code Section 94A.4(c).

10 (d) **Public Hearing.** The Director of Public Works may wish to hold a public hearing  
11 concerning the People Place Permit application. If the Director determines that a public hearing will  
12 be held, the prospective Steward shall post on the site(s) a Notice of Public Hearing provided by DPW  
13 for a period of 10 calendar days prior to the date of the scheduled hearing. The Notice of Public  
14 Hearing posting shall be removed by the applicant the day after the expiration of the 10-day period.  
15 Unless otherwise outlined in this Section 793.2, the Notice of Public Hearing posting shall comply with  
16 Article 5.6 of the Public Works Code.

17 (e) **Permit Issuance and Conditions of Approval; Grant of Exceptions.**

18 (1) After approval by DPW of the Permit for a People Place in the Public Right-of-  
19 Way, a People Place Permit is issued by the Program that substitutes for a permit that would otherwise  
20 be required by the Public Works Code. The conditions of approval required or authorized by  
21 Administrative Code Section 94A.6(c) or other applicable sections of Administrative Code Chapter 94A  
22 shall be imposed on the People Place Permit and enforced pursuant to Administrative Code Section  
23 94A.10. The Director of Public Works or designee may choose to apply additional conditions on the  
24 People Place Permit that are pertinent to DPW jurisdiction.

1           (2) Upon written request from a Steward, the Director of Public Works may grant a  
2 non-material or other minor amendment to the conditions imposed on a People Place in the Public  
3 Right-of-Way if the Director determines that the exception or minor amendment is reasonably within  
4 the purposes of the Places for People Program and, in consultation with the City Attorney's Office,  
5 further determines that such exception or amendment does not materially increase the City's costs or  
6 obligations or decrease the benefit the City receives under the Steward's People Place Permit.

7           Any exceptions or minor amendments of the Permit conditions that the Director has granted  
8 pursuant to this subsection (e)(2) shall be in writing and retained in a file available for public review.  
9 In addition, the Steward's request, the Director's letter granting the exception(s) and/or minor  
10 amendments, and any other written communications relevant to the Director's determination shall be  
11 posted on the websites of Real Estate and the Places for People Program.

12           **SEC. 793.3. OPERATIONAL REQUIREMENTS; EXCEPTIONS.**

13           (a) Requirements. Except as specified in subsection (b) below, all People Places in the  
14 Public-Right-of-Way shall conform to the Operational Requirements set forth in Administrative Code  
15 Section 94A.7. The Director of Public Works may also adopt such additional regulations as he or she  
16 deems appropriate and necessary for the proper management and use of a People Place in the Public  
17 Right-of-Way.

18           (b) Grant of Exceptions to Standard Operational Requirements.

19           (1) Good Neighbor Policies. Upon written request from a Steward, the Director of  
20 Public Works may grant a non-material exception or other minor amendment to the Good Neighbor  
21 Policies set forth in Administrative Code Section 94A.7(b)(8) if the Director finds, in his or her sole  
22 discretion, that a Good Neighbor Policy is unwarranted or not appropriate for a particular People  
23 Place or event on the public right-of-way under the jurisdiction of DPW due to unique circumstances  
24 and that the public interest would best be served by granting an exception. The Director of Public  
25 Works 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 (2) Other Operational Requirements. Upon written request from a Steward, the  
4 Director of Public Works is authorized to waive or modify one or more of the other Operational  
5 Requirements established in Administrative Code Section 94A.7 if the Director finds, in his or her sole  
6 discretion, that is unwarranted or not appropriate for a particular People Place or event on the public  
7 right-of-way under the jurisdiction of DPW.

8 (3) Public Record. Any exceptions, minor amendments, or waivers granted by the  
9 Director pursuant to this subsection (b) shall be in writing and retained in a file available for public  
10 review.

11 SEC. 793.4. GRANT OF EXCEPTIONS TO PERMIT TERMS. Upon written request from a  
12 Steward, the Director of Public Works may grant a non-material exception or other minor amendment  
13 to the conditions imposed on a permit for a People Place in the Public Right-of-Way if the Director  
14 determines that the exception or minor amendment is reasonably within the purposes of the Places for  
15 People Program and, in consultation with the City Attorney's Office, further determines that such  
16 exception or amendment does not materially increase the City's costs or obligations or decrease the  
17 benefit the City receives under the Steward's People Place Permit.

18 Any exceptions or minor amendments of the Permit conditions that the Director has granted  
19 pursuant to this Section shall be in writing and retained in a file available for public review. In  
20 addition, the Steward's request, the Director's letter granting the exception(s) and/or minor  
21 amendments, and any other written communications relevant to the Director's determination shall be  
22 posted on the websites of Real Estate and the Places for People Program.

23 SEC. 793.5. VIOLATION OF PERMIT CONDITIONS, OPERATIONAL  
24 REQUIREMENTS, OR ADMINISTRATIVE REGULATIONS; ENFORCEMENT ACTIONS AND  
25 PENALTIES.

1           (a) **Enforcement Actions; Penalties.** If any person has occupied a People Place in the  
2 Public Right-of-Way in violation of any Permit conditions, operating requirements, and regulations  
3 applicable to the People Place, the Director of Public Works, or a designee or agent acting on the  
4 Director's behalf, may take any action authorized by this Code that is considered necessary to abate or  
5 correct the violation. The Director is expressly authorized to:

6           (1) Modify the People Place Permit, withdraw the Director's approval of the Permit,  
7 or request revocation of the Permit by the Core City Agencies pursuant to Section 94A.6(i) of this  
8 Chapter;

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

11           (3) Issue an administrative citation and assess the administrative penalties  
12 authorized by Section 792(e)(1)(B) of this Code for Street Plazas;

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

15           (5) Take any other enforcement action authorized by this Code that is applicable to  
16 occupancy of the public right-of-way.

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

19           (1) process, verify, and respond to complaints from the public concerning a People  
20 Place in the Public Right-of-Way that is routed from the 311 Customer Relationship Managements  
21 System, as described in Administrative Code Section 94A.10(a);

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

1                   (3) identify specific violations that would be subject to the criminal citation penalty  
2 authorized in subsection (a)(2) above.

3                   (c) Public Hearing. In taking any of the above actions, the Director of Public Works may  
4 hold a public hearing on the Steward's conduct. If a public hearing is held, the Director shall follow  
5 the notice and hearing procedures for Street Encroachment Permits set forth in Section 786 et seq. of  
6 this Code.

7                   **SEC. 793.6. FINANCIAL RECORDS.** The Steward shall make its financial records related  
8 to the use of the People Place available to the DPW Director for inspection upon written request of the  
9 Director.

10  
11                   Section 4. The Police Code is hereby amended by revising Sections 1060 and  
12 1060.3.1, to read as follows:

13                   **SEC. 1060. DEFINITIONS.**

14                   For the purposes of this Article, unless otherwise provided in this Article, the following  
15 words and phrases shall mean and include:

16                   \* \* \* \*

17                   (r) "Limited Live Performance Locale." A locale with all the following features:

18                   (1) The presentation of Live Performances is a secondary purpose of the  
19 locale rather than its primary purpose.

20                   (2) The locale is indoors, or consists of an outdoor plaza, courtyard, or  
21 similar space, enclosed by surrounding buildings, with or without open means of public  
22 ingress and egress, with an area in which Live Performances are presented that is no greater  
23 than 200 square feet. For purposes of this ~~S~~subsection (r)(2), "outdoor plaza, courtyard, or  
24 similar space" also shall include (A) any Plaza, as defined in Administrative Code Chapter 94,  
25

1 regardless of the square footage of the Live Performance area and (B) a People Place as defined  
2 in Administrative Code Chapter 94A regardless of the square footage of the Live Performance Area.

3 (3) Live Performances presented at the locale conclude by 10 p.m., except  
4 as otherwise provided in Section 1060.38.1.

5 (4) The locale is not a private residence.

6 (5) Patrons or members are admitted to the locale, which serves food,  
7 beverages, or food and beverages, including but not limited to alcoholic beverages, for  
8 consumption on the premises; provided, however, that this subsection (r)(5) shall not apply to a  
9 People Place pursuant to Administrative Section 94A.4(c).

10 \* \* \* \*

11 **SEC. 1060.3.1. APPLICATION FORM FOR LIMITED LIVE PERFORMANCE**  
12 **PERMIT.**

13 An application for a Limited Live Performance Permit shall specify the following and be  
14 signed under penalty of perjury:

15 (a) The name and street address of the Business for which the permit is sought;  
16 however, if the application relates to (1) a Plaza as defined ~~identified~~ in Administrative Code  
17 Chapter 94 or (2) a People Place as defined in Administrative Code Chapter 94A, the application  
18 shall instead include the name and location of the Plaza or People Place and the name and  
19 street address of the Steward or permittee of the Plaza or People Place.

20 \* \* \* \*

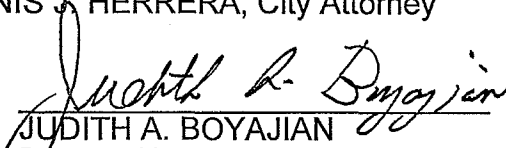
21  
22 Section 5. Scope of the Ordinance. In enacting this ordinance, the Board of  
23 Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections,  
24 articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the  
25 Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board

1 amendment additions, and Board amendment deletions in accordance with the "Note" that  
2 appears under the official title of the ordinance. Notwithstanding the previous sentence, the  
3 Board intends to relocate existing Planning Code Sections 602.25 and 602.26 within the  
4 alphabetical sequence of Section 602, as indicated in the sequencing within Section 602 in  
5 this ordinance.

6  
7 Section 6. Effective Date. This ordinance shall become effective 30 days after  
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
10 of Supervisors overrides the Mayor's veto of the ordinance.

11  
12 APPROVED AS TO FORM:  
13 DENNIS J. HERRERA, City Attorney

14 By:

  
15 JUDITH A. BOYAJIAN  
16 Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**

(10/04/2016, Substituted)

[Administrative, Public Works, Police Codes - Places for People Program; Permit Fees]

**Ordinance amending the Administrative Code to establish a Places for People Program that coordinates the City's authorization of public gatherings and activities and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; 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; streamlines the process for reviewing proposals and issuing any required permits; and establishes a People Place Permit Fee; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the California Environmental Quality Act.**

Existing Law

There is no existing law being amended in the Administrative Code. However, the proposed new 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 prior to those spaces being contemplated for adoption as permanent improvements through other City programs such as the Plaza Program.

Article 15.1 of the Police Code contains the regulations and permit requirements for "Entertainment" activities. Section 1060 contains definitions and Section 1060.3.1 sets forth the requirements for applying for a Limited Live Performance Permit.

Amendments to Current Law

Administrative Code Chapter 94A establishes the Places for People Program and provides a streamlined process by which the pertinent City departments (defined as "Core City Agencies") can coordinate their review and approval of a concept 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"). If public funds are being offered for the implementation or operation of the People Place, there must be a competitive 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 Program's coordinated review are: the Planning Department, Department of Public Works ("DPW"), Municipal Transportation Agency ("MTA"), Department of Real Estate, and Entertainment Commission. Planning has a general coordination role; the Director of Real Estate administers People Places solely on a City-owned lot; the Entertainment Commission participates in the review and approval of proposed People Places within the Police Code's definition of a "Limited Live Performance Locale"; and DPW and MTA participate in the review and approval of People Places within the public right-of-way that are within these agencies' respective jurisdiction. 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, withdraw their approval of, 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 for DPW's approval of a People Place on a portion of the public right-of-way within DPW's jurisdiction. The process set forth in Article 1200 of Division II of the Transportation Code will apply to the MTA's participation. The requirements in Police Code Section 1060 et seq., which are amended to include a People Place under the Places for People Program, govern the Entertainment Commission's review of a People Place meeting the description of a Limited Live Performance Locale.

The People Place Permit issued under the Program substitutes for any permit that the Municipal Code would otherwise require. For a People Place in the public right-of-way, the permit fee is one-half the fee that the Public Works Code authorizes DPW to charge for a permit granting permission to occupy a portion of the public right-of-way that is equivalent in scope to the People Place Permit. City departments and agencies are also authorized to charge one-half the authorized fee for additional permits that may be required or for services performed in implementing the People Place Proposal. Due to the public-use nature of the improvements, however, no ongoing occupancy assessment fee shall be charged.

The broad goals of legislation are to:

- (1) Lower process and resource barriers to increase public participation in the Program;
- (2) Facilitate greater equity (geographic distribution) of Projects in all neighborhoods, especially those that have fewer resources;
- (3) Enable more activation that is frequent, diverse, and free to the public;
- (4) Streamline interagency permitting and agency review processes by establishing a clear and transparent sequence of review, approval and adjudication of appeals by the pertinent City agencies;
- (5) Create self-financing opportunities to better support long-term stewardship of community-sponsored Places; and,
- (6) Define clear parameters for operations, permit terms, and enforcement.

### Background Information

San Francisco leads the nation with its innovation in good civic governance. Pavement to Parks, initiated over six years ago as a joint program of the Planning Department, DPW and MTA, 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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BOARD of SUPERVISORS



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

August 11, 2016

File No. 160893

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Jones:

On August 2, 2016, Supervisor Wiener introduced the following proposed legislation:

**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.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy Navarrete 9/8/2016



San Francisco Bicycle Coalition  
1720 Market Street  
San Francisco CA 94102

T 415.431.BIKE  
F 415.431.2468

[sfbike.org](http://sfbike.org)

PROMOTING THE BICYCLE FOR EVERYDAY TRANSPORTATION

October 14, 2016

**Re: Places for People Program - SUPPORT**

To Board of Supervisors Land Use and Transportation Committee:

On behalf of the San Francisco Bicycle Coalition and our 10,000-plus members, I'm writing in strong support of the legislation to establish the Places for People Program.

We were deeply involved and had strongly advocated for the establishment of the City's first parklet program, which ultimately became Pavement to Parks. We're proud of the progress that has been made thus far in pushing our city to rethink how public right-of-way can be used.

Our members have consistently prioritized car-free space through programming like Sunday Streets as a means to better biking in San Francisco. We know that creating more inclusive, people-friendly streets through programming lays the groundwork for everything from establishing community to advocating for more people-friendly streets through infrastructure and redesign. We also acknowledge that many of these major street redesigns necessitate a slow and thoughtful public planning process while our members continually push the City to deliver more and to do it faster.

As more streets are being redesigned, there is a need to balance the "mega projects" like Better Market Street with smaller projects to test, pilot and be flexible with how our streets are used and how space is allocated. Places for People would increase those opportunities while also streamlining the process so that the program is affordable and accessible to all. This program can only be successful if the ideas are truly community-generated and local residents are stewards to each of the projects from idea to implementation.

The current process is cumbersome and hard to navigate. We applaud the work of the Planning Department to simplify the process while increasing the interagency coordination, and thus we hope the Land Use and Transportation Committee will recommend this legislation for approval by the full Board of Supervisors.

Sincerely,

A handwritten signature in black ink, appearing to be the name "Janice Li". The signature is stylized and cursive.

Janice Li  
Advocacy Director  
San Francisco Bicycle Coalition

BOARD of SUPERVISORS



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

## NOTICE OF PUBLIC HEARING


### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Monday, October 24, 2016
- Time:** 1:30 p.m.
- Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** **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 and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; 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; streamlines the process for reviewing proposals and issuing any required permits; and establishes a People Place Permit Fee; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the California Environmental Quality Act.

If the legislation passes, a People Place Permit Fee would be charged to a Steward upon issuance of a People Place Permit in the public right-of-way and shall be one-half of the fees that would be authorized for permits otherwise required, and are codified in Public Works Code, Article 2.1. This fee shall be paid to Public Works in accordance with Public Works Code, Section 793.2(b). A City Agency or Department may also charge additional fees for permits required, or services performed, to implement the People Place Proposal submitted by a Steward, but shall be one-half the fee that the Agency or Department is authorized to charge.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 21, 2016.

  
Angela Calvillo  
Clerk of the Board

DATED: October 11, 2016  
POSTED/PUBLISHED: October 14 and 20, 2016

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Alisa Somera  
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)  
1 DR CARLTON B GOODLETT PL #244  
SAN FRANCISCO, CA 94102

**COPY OF NOTICE**

Notice Type: GPN GOVT PUBLIC NOTICE  
Ad Description AS - 10.24.16 Land Use - 160893 Fee Ad

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

10/14/2016 , 10/20/2016

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

EXM# 2935838

**NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO  
LAND USE AND TRANSPORTATION COMMITTEE  
MONDAY, OCTOBER 24, 2016 - 1:30 PM  
LEGISLATIVE CHAMBER, ROOM 250, CITY HALL  
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA**

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **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 and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; 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; streamlines the process for reviewing proposals and issuing any required permits; and establishes a People Place Permit Fee; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the California Environmental Quality Act. If the legislation passes, a People Place Permit Fee would be charged to a Steward upon issuance of a People Place Permit in the public right-of-way and shall be one-half of the fees that would be authorized for permits otherwise required, and are codified in Public Works Code, Article 2.1. This fee shall be paid to Public Works in accordance with Public Works Code, Section 793.2(b). A City Agency or Department may also charge

additional fees for permits required, or services performed, to implement the People Place Proposal submitted by a Steward, but shall be one-half the fee that the Agency or Department is authorized to charge, in accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 21, 2016. - Angela Calvillo, Clerk of the Board



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BOARD of SUPERVISORS



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

August 11, 2016

File No. 160893

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Jones:

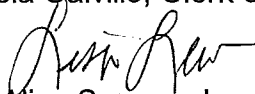
On August 2, 2016, Supervisor Wiener introduced the following proposed legislation:

**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.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning


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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

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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](mailto: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

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2016 OCT -4 PM 5:00

Time stamp  
of meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.  
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ 160893 ]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative**

**Sponsor(s):**

Supervisor Wiener

**Subject:**

Administrative, Public Works, Police Codes - Places for People Program; Permit Fee

**The text is listed below or attached:**

Ordinance amending the Administrative Code to establish a Places for People Program that coordinates the City's authorization of public gatherings and activities and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; 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; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the Environmental Quality Act.

Signature Sponsoring Supervisor:

*Scott Vene*

For Clerk's Use Only:



# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

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- 1. For reference to Committee.  
An ordinance, resolution, motion, or charter amendment.
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Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative**

**Sponsor(s):**

Supervisor Wiener

**Subject:**

Administrative, Public Works Codes - Places for People Program

**The text is listed below or attached:**

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.

Signature of Sponsoring Supervisor:

*Scott Wenzel*

---

For Clerk's Use Only:

