



GENERAL PLAN REFERRAL

April 22, 2021

Case No.: 2021-003010PRJ
The Shared Spaces Program, Board of Supervisors File No 210284

Project Sponsor: Mayor London N. Breed

Co-Sponsors: Board of Supervisors Members Rafael Mandelman, Asha Safai, Matt Haney, and Catherine Stefani

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Recommended By: 
Rich Hillis, Director of Planning

Recommendation: Finding the project, on balance, is **in conformity** with the General Plan

Project Description

The Shared Spaces Program, originally adopted in 2020 as a temporary emergency program to enable businesses to transition commercial activities out-of doors, in such places as rights-of-way, to offset the impacts of COVID-19 and the related restrictions on the use of indoor space. Due to the widespread success of the Program, and adoption throughout the City’s neighborhoods, on Friday, March 12, Mayor Breed introduced legislation to transition Shared Spaces from an emergency response into a permanent program. The legislation (Board of Supervisors File 210284) was officially introduced on Tuesday, March 16.

The legislation builds upon and adapts various innovative pre-COVID programs, notably the City’s Parklet Program, which has been in operation since 2009. Under the legislation, the City would also continue to safely close streets to vehicular traffic for cultural, commercial, and/or community-focused neighborhood events. The permanent version of the program will carry forward the streamlined permitting process introduced during the emergency; encourage arts & culture; and better balance commercial activities with public space and transportation demands of the recovering economy. Revised design and operating regulations will not go into effect for pre-existing operators until January 1, 2022; giving pre-existing operators time to apply for the new permit and make any necessary changes. Once the legislation goes into effect, all new operators will need to apply under the new program. Fees for all operators, both pre-existing and new, will be deferred until June 2022.

Policy Goals and Outcomes for the Program Include:

1. **Simplify the City's toolbox** by consolidating the permit process, streamlining it for permittees and creating a single, one-stop permit portal.
2. **Prioritize equity and inclusion** by prioritizing City resources for communities most impacted by historical disparities with funding, materials and grants. Ensure that the needs of the disabled community are accommodated.
3. **Phase the implementation of the program with economic conditions** so that businesses have time to adapt to the new permit process.
4. **Encourage arts, culture and entertainment activities** by carrying forward the Just Add Music (JAM) permit and allow for arts and culture activities to be the primary use of the space, not just secondary.
5. **Implement the Transportation Element** of the General Plan, components of the San Francisco Better Streets Plan, and the City's Curb Management Strategy. Balance the needs of the curb by ensuring our Transit First and Vision Zero policies remain priorities, balance Shared Spaces occupancies with loading, short-term parking, micromobility needs, and other curbside functions; and encourage sharing of Shared Spaces amongst merchants on the same block.
6. **Maintain public access** by ensuring every Shared Space provides public access when not in commercial use and providing a seating opportunity during daytime hours, including business, operating hours.
7. **Efficient Permit Review and Approvals** with a clearly defined 30-day approvals timetable, aligning with Prop H requirements. This also allows for better design quality and therefore safety.
8. **Clear Public Input Procedures** will encourage collaboration between neighbors and merchants.
9. **Coordinated Enforcement** by a single agency with a 'Single Bill of Health,' which is easy for operators to understand and comply with.

Environmental Review

On April 19, 2021, the San Francisco Planning Department issued an addendum to the Better Streets Plan Final Mitigated Negative Declaration (FMND) that studied the environmental impacts of the legislation in accordance with California Environmental Quality Act (CEQA) Guidelines section 15164. Specifically, the addendum finds that the legislation would not result in new significant impacts that were not identified in the FMND, nor would they result in substantially more severe impacts than what were identified in the FMND. Additionally, the addendum finds that there have been no substantial changes with respect to the circumstances under which the FMND was issued, and no new information of substantial importance has emerged that would materially change the analyses or conclusions in the FMND. Therefore, no major revision of the FMND was required, and no additional environmental review was required beyond the FMND addendum.

General Plan Compliance and Basis for Recommendation

As described below, the legislation is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the Objectives and Policies of the General Plan.

Note: General Plan Objectives are shown in **BOLD UPPER CASE** font; Policies are in **Bold** font; staff comments are in *italic* font.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The Shared Spaces Program enhances and concentrates commercial activities in commercial districts by providing permit pathways for merchants to bring activities out-of-doors

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

The Shared Spaces Program explicitly seeks to retain, stabilize, and expand the business sector – particularly restaurants and retail uses. Streamlined permitting processes create a friendlier environment for new merchants to locate and invest in the City’s neighborhood commercial districts.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention, and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

The Shared Spaces Program focuses on neighborhood-serving retail, which employs people in varying skill levels. By providing additional space for businesses to offer their services, the legislation creates opportunities for employment at various levels. Those varied jobs may be filled by San Francisco residents.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

POLICY 4.1

Maintain and enhance a favorable business climate in the city.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

Streamlined permitting processes create a friendlier environment for new and existing merchants to locate and invest in the City's commercial areas. The Shared Spaces Program focuses on neighborhood-serving retail, which employs people in varying skill levels, providing employment opportunities for San Francisco residents.

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS

POLICY 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the City's commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

Policy 6.4:

Encourage the location of neighborhood shopping areas throughout the City so that essential retail goods and personal services are accessible to all residents

The Shared Spaces Program enhances the provision of neighborhood-serving goods and services in the City's commercial corridors. The vast majority of businesses in these neighborhood settings are smaller businesses that serve the neighborhood.

TRANSPORTATION ELEMENT

OBJECTIVE 1

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The Shared Spaces Program explicitly defers to the City's Transit First Policy, which prioritizes efficient public transit provision. Furthermore, the Program encourages local shopping and other essential trips by walking; by ensuring there are vibrant neighborhood commercial districts that can serve the needs of local residents.

OBJECTIVE 15

ENCOURAGE ALTERNATIVES TO THE AUTOMOBILE AND REDUCED TRAFFIC LEVELS ON RESIDENTIAL STREETS THAT SUFFER FROM EXCESSIVE TRAFFIC THROUGH THE MANAGEMENT OF TRANSPORTATION SYSTEMS AND FACILITIES.

Policy 15.1: Discourage excessive automobile traffic on residential streets by incorporating traffic-calming treatments.

The Program implements policy 15.1 of the Transportation element by expanding the pedestrian network and creating public space for community activity or gatherings. All these benefits are important to public health, safety, and civic life, whether the City is experiencing a pandemic or not, and are aligned with the General Plan's vision for San Francisco.

The Program also implements the Transportation Element's description of Living Streets. Pursuant to the Transportation Element, Living Streets "serve as both an open space resource for residents and visitors as well as a thoroughfare for local traffic. Physical improvements to Living Streets should include traffic-calming measures and consistent tree plantings to create a residential-oriented open space amenity that co-exists with limited vehicular traffic. Living Streets primarily serve pedestrians and bicyclists but should also accommodate local automobile traffic and parking. On Living Streets, pedestrians take precedent over automobile traffic; programming may include pedestrian enclaves."

Policy 15.2: Consider partial closure of certain residential streets to automobile traffic where the nature and level of automobile traffic impairs livability and safety, provided that there is an abundance of alternative routes such that the closure will not create undue congestion on parallel streets.

The Program implements policy 15.1 of the Transportation element by expanding the pedestrian network and creating public space for community activity or gatherings. All these benefits are important to public health, safety, and civic life, whether the City is experiencing a pandemic or not, and are aligned with the General Plan's vision for San Francisco.

The Program also implements the Transportation Element's description of Living Streets. Pursuant to the Transportation Element, Living Streets "serve as both an open space resource for residents and visitors as well as a thoroughfare for local traffic. Physical improvements to Living Streets should include traffic-calming measures and consistent tree plantings to create a residential-oriented open space amenity that co-exists with limited vehicular traffic. Living Streets primarily serve pedestrians and bicyclists but should also accommodate local automobile traffic and parking. On Living Streets, pedestrians take precedent over automobile traffic; programming may include pedestrian enclaves."

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.5

Establish and enforce a set of sidewalk zones that provides guidance for the location of all pedestrian and streetscape elements, maintains sufficient unobstructed width for passage of people, strollers and wheelchairs, consolidates raised elements in distinct areas to activate the pedestrian environment, and allows sufficient access to buildings, vehicles, and streetscape amenities.

In addition to the Transportation Element of the City's General Plan, the Shared Spaces Program implements components of the Better Streets Plan, by creating a vibrant streetscape environment comprised of appropriately placed furnishings and amenities. Program code and regulations align with and implement other City policies that require accessible passage for pedestrians through sidewalks.

The Program also implements the Transportation Element's description of Living Streets. Pursuant to the Transportation Element, Living Streets "serve as both an open space resource for residents and visitors as well as a thoroughfare for local traffic. Physical improvements to Living Streets should include traffic-calming measures and consistent tree plantings to create a residential-oriented open space amenity that co-exists with limited vehicular traffic. Living Streets primarily serve pedestrians and bicyclists but should also accommodate local automobile traffic and parking. On Living Streets, pedestrians take precedent over automobile traffic; programming may include pedestrian enclaves."

OBJECTIVE 24**IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.****Policy 24.3**

Install pedestrian-serving street furniture where appropriate.

Policy 24.5

Where consistent with transportation needs, transform streets and alleys into neighborhood-serving open spaces or "living streets" by adding pocket parks in sidewalks or medians, especially in neighborhoods deficient in open space.

In addition to the Transportation Element of the City's General Plan, the Shared Spaces Program implements components of the Better Streets Plan, by creating a vibrant streetscape environment comprised of appropriately placed furnishings and amenities. Amenities such as public seating, lighting, and plantings are all possible with Shared Spaces in the curbside ("Parklets") and on sidewalks. Where appropriate, streets and alleys may be closed to vehicles on a recurring basis to serve cultural, commercial, and/or community-based events; or as part-time plazas – thus complementing our traditional open space system.

The Program also implements the Transportation Element's description of Living Streets. Pursuant to the Transportation Element, Living Streets "serve as both an open space resource for residents and visitors as well as a thoroughfare for local traffic. Physical improvements to Living Streets should include traffic-calming measures and consistent tree plantings to create a residential-oriented open space amenity that co-exists with limited vehicular traffic. Living Streets primarily serve pedestrians and bicyclists but should also accommodate local automobile traffic and parking. On Living Streets, pedestrians take precedent over automobile traffic; programming may include pedestrian enclaves."

OBJECTIVE 25**DEVELOP A CITYWIDE PEDESTRIAN NETWORK.**

Policy 25.2

Utilizing the pedestrian street classification system, develop a citywide pedestrian network that includes streets devoted to or primarily oriented to pedestrian use.

The Shared Spaces Program focuses on commercial corridors, which also align with and implement the [Neighborhood Pedestrian Streets Plan Map of the City's Transportation Element \(Map 12\)](#) of the City's General Plan. The Program encourages essential trips by foot in these areas.

OBJECTIVE 26**CONSIDER THE SIDEWALK AREA AS AN IMPORTANT ELEMENT IN THE CITYWIDE OPEN SPACE SYSTEM.**

Policy 26.3

Encourage pedestrian serving uses on the sidewalk.

In addition to the Transportation Element of the City's General Plan, the Shared Spaces Program implements components of the Better Streets Plan, by creating a vibrant streetscape environment comprised of appropriately placed furnishings and amenities.

OBJECTIVE 34**RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.**

The Shared Spaces Program implements the City's [Curb Management Strategy \(February 2020\)](#), which establishes clear hierarchy of curbside lane uses, including parking and loading, based on surrounding land use patterns. This ensures that curb uses are balanced between all needs.

OBJECTIVE 35**MEET SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.**

POLICY 35.1

Provide convenient on-street parking specifically designed to meet the needs of shoppers dependent upon automobiles.

The Shared Spaces Program implements the City's [Curb Management Strategy \(February 2020\)](#), which establishes clear hierarchy of curbside lane uses, including parking and loading, based on surrounding land use patterns. This ensures that curb uses are balanced between all needs. The Program also allows for parking lanes to be used for commercial purposes, as well as returning those areas to parking after the expiration of the permit.

OBJECTIVE 40

ENFORCE A PARKING AND LOADING STRATEGY FOR FREIGHT DISTRIBUTION TO REDUCE CONGESTION AFFECTING OTHER VEHICULAR TRAFFIC AND ADVERSE IMPACTS ON PEDESTRIAN CIRCULATION.**POLICY 40.8**

Provide limited curbside loading spaces to meet the need for short-term courier deliveries/pickup.

The Shared Spaces Program implements the City's [Curb Management Strategy \(February 2020\)](#), which establishes clear hierarchy of curbside lane uses, including parking and loading, based on surrounding land use patterns. This ensures that curb uses are balanced between all needs. The Program also allows for parking lanes to be used for commercial purposes, as well as returning those areas to parking after the expiration of the permit.

URBAN DESIGN ELEMENT**OBJECTIVE 4****IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY****Principle 14**

Vehicle-free or pedestrian-priority spaces contribute to pedestrian comfort and the public life of the city.

POLICY 4.6

Emphasize the importance of local centers providing commercial and government services.

POLICY 4.7

Encourage and assist in voluntary programs for neighborhood improvement.

POLICY 4.13

Improve pedestrian areas by providing human scale and interest.

In addition to the Transportation Element of the City's General Plan, the Shared Spaces Program implements components of the Better Streets Plan, including vehicle-free and/or pedestrian-priority spaces. Where appropriate, streets and alleys may be closed to vehicles on a recurring basis to serve cultural, commercial, and/or community-based events; or as part-time plazas – thus complementing our traditional open space system.

The Shared Spaces Program enhances the provision of neighborhood-serving goods and services in the City's commercial corridors, emphasizing the importance of those districts.

The Shared Spaces Program supports neighborhood-led efforts – such as those organized by Community Benefit Districts, Business Improvement Districts, Merchants' and Neighborhood Associations, cultural or community institutions – to improve the vibrancy, cleanliness, and safety of neighborhoods.

COMMUNITY SAFETY ELEMENT**OBJECTIVE 4**

ASSURE THE SOUND, EQUITABLE AND EXPEDIENT RECONSTRUCTION OF SAN FRANCISCO FOLLOWING A MAJOR DISASTER.

POLICY 4.10

View recovery as a partnership with neighborhoods.

POLICY 4.11

Promote partnerships with non-governmental agencies, including public/private partnerships, to ensure support is ready to step in after a disaster.

The Shared Spaces was born out of profound economic destabilization induced by the COVID-19 pandemic. Its streamlined provisions encourage both recovery of our small business sector ensuing from the local health and economic crisis.

The Shared Spaces Program supports neighborhood-led efforts – such as those organized by Community Benefit Districts, Business Improvement Districts, Merchants’ and Neighborhood Associations, cultural or community institutions – to improve the vibrancy, cleanliness, and safety of neighborhoods.

ARTS ELEMENT

OBJECTIVE I-1

RECOGNIZE THE ARTS AS NECESSARY TO THE QUALITY OF LIFE FOR ALL SEGMENTS OF SAN FRANCISCO.

The codified Shared Spaces Program centers the importance of arts in public life and economic recovery by leveraging permitting paths for arts, culture, and entertainment activities in the public realm.

OBJECTIVE I-2

INCREASE THE CONTRIBUTION OF THE ARTS TO THE ECONOMY OF SAN FRANCISCO.

POLICY I-2.1

Encourage and promote opportunities for the arts and artists to contribute to the economic development of San Francisco.

The codified Shared Spaces Program centers the importance of arts in public life and economic recovery by leveraging permitting paths for arts, culture, and entertainment activities in the public realm.

POLICY I-2.2

Continue to support and increase the promotion of the arts and arts activities throughout the City for the benefit of visitors, tourists, and residents.

The codified Shared Spaces Program centers the importance of arts in public life and economic recovery by leveraging permitting paths for arts, culture, and entertainment activities in the public realm.

OBJECTIVE III-1

ENHANCE THE CONTRIBUTION OF ARTISTS TO THE CREATIVE LIFE AND VITALITY OF SAN FRANCISCO.

The codified Shared Spaces Program centers the importance of arts in public life and economic recovery by leveraging permitting paths for arts, culture, and entertainment activities in the public realm.

Planning Code Section 101 Findings

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The Program explicitly supports neighborhood-serving retail uses, aiding in their preservation and overall vitality of our neighborhood commercial corridors.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The Program would not have a negative effect on housing or neighborhood character, and supports economic diversity in neighborhoods. Indeed, the Program enhances neighborhood character by providing outdoor spaces for residents, visitors, and businesses.

3. That the City’s supply of affordable housing be preserved and enhanced;

The Program would not have an adverse effect on the City’s supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The Program include specific measures to ensure circulation and parking needs are met. The Program prioritizes our City’s Transit-First Policy in assessing appropriateness of permitted activities.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The Program supports the service sector; would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired for San Francisco County.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The Program would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The Program would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The Program would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Recommendation: Finding the project, on balance, is in conformity with the General Plan