

From: [Somera, Alisa \(BOS\)](#)
To: [Major, Erica \(BOS\)](#)
Subject: FW: Item # 17 - FILE NO. 211301 - Permit Review, and Limits on Fines for Shared Spaces Violations
Date: Tuesday, March 15, 2022 3:52:21 PM

For File 211301

Alisa Somera

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**From:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Sent:** Tuesday, March 15, 2022 3:35 PM  
**To:** BOS-Supervisors <[bos-supervisors@sfgov.org](mailto:bos-supervisors@sfgov.org)>  
**Cc:** Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>; Mchugh, Eileen (BOS) <[eileen.e.mchugh@sfgov.org](mailto:eileen.e.mchugh@sfgov.org)>; Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Ng, Wilson (BOS) <[wilson.l.ng@sfgov.org](mailto:wilson.l.ng@sfgov.org)>; Laxamana, Junko (BOS) <[junko.laxamana@sfgov.org](mailto:junko.laxamana@sfgov.org)>  
**Subject:** FW: Item # 17 - FILE NO. 211301 - Permit Review, and Limits on Fines for Shared Spaces Violations

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**From:** zrants <[zrants@gmail.com](mailto:zrants@gmail.com)>  
**Sent:** Monday, March 14, 2022 2:11 PM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>

**Cc:** Chan, Connie (BOS) <[connie.chan@sfgov.org](mailto:connie.chan@sfgov.org)>; Stefani, Catherine (BOS) <[catherine.stefani@sfgov.org](mailto:catherine.stefani@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Mar, Gordon (BOS) <[gordon.mar@sfgov.org](mailto:gordon.mar@sfgov.org)>; Preston, Dean (BOS) <[dean.preston@sfgov.org](mailto:dean.preston@sfgov.org)>; Haney, Matt (BOS) <[matt.haney@sfgov.org](mailto:matt.haney@sfgov.org)>; MelgarStaff (BOS) <[melgarstaff@sfgov.org](mailto:melgarstaff@sfgov.org)>; MandelmanStaff, [BOS] <[mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)>; Ronen, Hillary <[hillary.ronen@sfgov.org](mailto:hillary.ronen@sfgov.org)>; Walton, Shamann (BOS) <[shamann.walton@sfgov.org](mailto:shamann.walton@sfgov.org)>; Safai, Ahsha (BOS) <[ahsha.safai@sfgov.org](mailto:ahsha.safai@sfgov.org)>

**Subject:** re: Item # 17 - FILE NO. 211301 - Permit Review, and Limits on Fines for Shared Spaces Violations

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March 14, 2022

Supervisors:

re: Item # 17 - FILE NO. [211301](#) - Permit Review, and Limits on Fines for Shared Spaces Violations

Please explain to the public why there is no public notice requirement written into the new Shared Spaces ordinance that states:

"On 2/28/22, the ordinance was amended in the Land Use and Transportation Committee tourge departments to review permit applications within 30 days, and to allow for the use of administrative fines to enforce accessibility and life safety requirements for people with disabilities or emergency responder personnel, ensure visibility (daylighting) at intersections identified in the Vision Zero High-Injury Network, and require removal of any abandoned structures. The ordinance was also amended to move the furthest wind down date for permits issued under the Mayor's emergency proclamation from July 1, 2022, to March 31, 2023, subject to earlier termination pursuant to the emergency proclamations authorizing the temporary program."

So far we see no clear path for citizens to be noticed during the shared space application process in the legislation proposed. We are somewhat alarmed by a new structure on our street that appeared without notice in our neighborhood. There are no visible permits on the street and there is no explanation of what we may anticipate happening at this site. See photo below.

One of our neighbors took it upon himself to investigate and was told that the proper permits were obtained the project is gong to proceed as planned. Copy of emails from our neighbors as they investigated the construction on the street, show a level of concerns that aren't being taken into account by this process:

“ There was a guy from DPW taking photos of the new parklet being built on Alabama at Mariposa. I asked him if permits were required and he answered, “yes”. He told me that “they” had applied and were granted the permit. I asked if they were finite and he said they had to re-apply every year but had no expiration date. ...it is fully permitted. They originally applied for 40 feet and for some reason settled on 14...I just discovered that Front is planning to build stadium seating in their parklet. Why I have yet to find out, but it seems to be a lofty goal in my opinion. Will they have live music? Or some other type of entertainment like their coffee roaster explaining how he over roasts his coffee. Stay tuned...”

It is all very well and good for you to feel obligated to help struggling businesses but not at the expense of the neighbors. This is a PDR/residential neighborhood. We have a number of “legitimate theaters” in the area that are also struggling to survive who pay rents and old long time leases and have built reputations for being good community oriented entertainment spaces. How does the city plan to protect them from “unfair competition” if new sites include music or outside entrainment that conflicts with the operation of our established venues?

We are also concerned about the possibility of late night alcoholic sales on the street in take-out containers as this could also morph into disruptive behavior. This new parklette brings the total within a two block area to three in our immediate vicinity. Most have moved their operations inside at this point so the exterior buildings are not being used. Some are just taking up space and looking ugly on the streets.

We wish to associate ourselves with some of the comments presented by Telegraph Hill Dwellers referring to harmony in the neighborhood:

“In the long term, for shared spaces to be sustainable, they need to adapt so that they exist in harmony with the surrounding environment and local culture...any live music played outdoors must be kept at a volume low enough to allow people who live in mixed-use areas to sustain a sane, healthy existence.”

We sincerely hope that our concerns will be taken into account if and when the ordinance re: shared spaces is passed. Give us notice and give us a path to handle problems that may come up with parklettes.

Sincerely,

Mari Eliza, President, East Mission Improvement Association

This is the construction outside project that we see that concerns us:

