

LEGISLATIVE DIGEST

[Administrative, Public Works Codes - Shared Spaces Program]

Ordinance amending the Administrative Code provisions related to the Shared Spaces Program to remove the Planning Department as a coordinating entity conducting design review, eliminate application requirements of documented community outreach and neighbor notice, and eliminate public accessibility and alternate public seating requirements; amending the Public Works Code to eliminate requirements of public notice of application; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Existing Law

A Shared Space is a space on City-owned property, and in some cases privately-owned open spaces, where the public can gather and participate in various commercial or non-commercial offerings and events. Currently, “Core City Agencies,” which include the Planning Department, the Department of Public Works, the Real Estate Division, and the Municipal Transportation Agency (“MTA”)—administer the Shared Spaces Program. The Planning Department functions as a coordinating agency to ensure that Shared Spaces applications are routed and processed appropriately. (Admin. Code § 94A.4.)

Commercial Parklets or “Curbside Shared Spaces” are encroachments placed in the curbside lane that are used principally for commercial activity during specified business hours. (Admin. Code § 94A.2.) Commercial Parklets must provide public seating that is accessible to persons who are not patrons of the business. (*Id.* §§ 94A.2; 94A.6.)

At the time of application, Shared Space applicants must document efforts at community notice and outreach. (Admin. Code § 94A.5; Public Works Code § 793.2.)

Amendments to Current Law

This ordinance would designate MTA as the coordinating entity for the Shared Spaces Program and remove the Planning Department’s role in administering the Program.

This ordinance would eliminate application requirements of documented community outreach and public notice.

This ordinance would also eliminate the requirement that commercial parklets provide alternate public seating that is not accessible to patrons of the business.

This ordinance requires that Shared Spaces remain open during the normal hours of the business's operation. It also provides that the Shared Space cannot be used for storage, except for the storage of certain items outside the normal hours of the business's operation.

Background Information

This ordinance contains findings documenting the public purpose and benefits of the Shared Space Program, requirements for accessibility and safety, and the need to continue refining and streamlining the Program to ensure it meets its intended purpose.

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