

LEGISLATIVE DIGEST

[Administrative Code - Shared Space at 1429 Mendell Street Parklet]

Ordinance waiving specified requirements in the Administrative Code to allow a food service shared space located at 1429 Mendell Street to be considered as a curbside shared space, subject to certain requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Restaurants, bars, and other establishments may place outdoor seating on public sidewalks and streets under the Shared Spaces Program, regulated by Chapter 94A of the Administrative Code.

During the COVID-19 emergency, an existing business at 1429 Mendell Street (between Oakdale and Palou Streets) installed a food service parklet on the public right-of-way. This food service parklet is located on the vehicular portion of Mendell Street, which has been closed to vehicular traffic. Because the food service area is not located in the curbside lane, it does not qualify as a Curbside Shared Space. The food service area does not qualify for a Sidewalk Shared Space permit because it is not located on the sidewalk.

Amendments to Current Law

This ordinance would waive provisions of the Administrative Code to allow the parklet at 1429 Mendell Street to be considered a Curbside Shared Space that is a Fixed Commercial Parklet. Any provisions of those Administrative Code Sections that need not be waived for that purpose are not waived. The waiver is conditioned on the parklet's compliance with all regulations regarding public health and safety design features for Shared Spaces and that the parklet undertake physical modifications to become compliant with applicable laws and similarly situated Shared Spaces.

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