

BOARD of SUPERVISORS



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

MEMORANDUM

Date: October 28, 2020

To: Jeanine Nicholson, Chief, Fire Department
Jeffrey Tumlin, Executive Director, Municipal Transportation Agency
Alaric Degrafinried, Interim Director, Public Works
Rich Hillis, Director, Planning Department
Joaquin Torres, Director, Office of Economic and Workforce Development
Phil Ginsburg, General Manager, Recreation and Parks Department
Regina Dick-Endrizzi, Director, Small Business Commission
Maggie Weiland, Executive Director, Entertainment Commission
Tom DeCaigny, Director of Cultural Affairs, Arts Commission
Susan Pontious, Director of Public Art Program, Arts Commission

From: *ACC* Angela Calvillo, Clerk of the Board of Supervisors

Subject: Supporting Small Business Success with Shared Spaces (File No. 201140)

On October 6, 2020, the Board of Supervisors adopted Resolution No. 495-20, sponsored by Supervisor Gordon Mar (File No. 201140, Supporting Small Business Success with Shared Spaces); enacted on October 16, 2020.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 495-20 (File No. 201140)

If you have any questions or concerns, please contact the Office of the Clerk of the Board at (415) 554-5184 or by e-mail: board.of.supervisors@sfgov.org.

- c: Members of the Board of Supervisors, Supervisors Gordon Mar, Matt Haney, Shamann Walton, Hillary Ronen, Dean Preston, Sandra Lee Fewer
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
Andres Power, Mayor's Policy Director
Rebecca Peacock, Mayor's Office
J'Wel Vaughan, Office of Economic and Workforce Development
Anne Taupier, Office of Economic and Workforce Development
Lisa Pagan, Office of Economic and Workforce Development
Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency
Joel Ramos, Municipal Transportation Agency
Scott Sanchez, Planning Department
Corey Teague, Planning Department
Lisa Gibson, Planning Department
Devyani Jain, Planning Department
Adam Varat, Planning Department
AnMarie Rodgers, Planning Department
Dan Sider, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Laura Lynch, Planning Department
Crystal Stewart, Entertainment Commission
Sharon Page Ritchie, Arts Commission
Theresa Ludwig, Fire Department
David Steinberg, Public Works
Jeremy Spitz, Public Works
John Thomas, Public Works
Lena Liu, Public Works
Sarah Madland, Recreation and Parks Department
Dominica Donovan, Small Business Commission

1 [Supporting Small Business Success with Shared Spaces]

2

3 **Resolution supporting small businesses and the Shared Spaces Program through**
4 **speedy review and approval timelines, technical assistance, and high-quality customer**
5 **service; through equitable citywide participation in the program prioritizing**
6 **disadvantaged communities and support to non-English speaking business owners;**
7 **and through extension of Shared Spaces permits.**

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9 WHEREAS, The global pandemic, ignited by COVID-19, has led to an economic crisis
10 of an unprecedented magnitude; and

11 WHEREAS, The City of San Francisco and the State of California are under a State of
12 Emergency requiring a shelter in place that has severely impaired small businesses;

13 WHEREAS, According to the San Francisco City Controller and the Mayor’s Budget
14 Office, nearly 14,000 businesses that typically generate monthly revenues of \$3 billion a
15 month and employ 166,000 workers are fully or partially impacted; and

16 WHEREAS, The City is focused on responding to the COVID-19 pandemic, while also
17 actively and creatively planning for economic recovery; and

18 WHEREAS, Social distancing requirements will continue to apply at least until there is
19 a vaccine for COVID-19; and

20 WHEREAS, Given the risk of increasing COVID-19 cases in San Francisco, indoor
21 dining and other small business activities were paused indefinitely and now are going through
22 a phased reopening and partial loosening of restrictions based on local public health
23 indicators, leaving the use of public outdoor space as one of the few options left to save small
24 businesses from permanent closure; and

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1 WHEREAS, The Shared Spaces program launched on June 12, 2020, and allows
2 some local businesses to apply to temporarily use public spaces to operate outside in a safe,
3 socially distanced way; and

4 WHEREAS, The goal of the Shared Spaces program is to support neighborhoods by
5 providing additional public space to operate local business activities; and

6 WHEREAS, The Shared Spaces program is intended to have low barriers for
7 participation and no permit fees; and

8 WHEREAS, The Small Business Commission discussed a number of challenges and
9 barriers to participation in the Shared Spaces program at a specially scheduled meeting on
10 July 2, 2020; and

11 WHEREAS, That discussion identified more challenging than anticipated applications
12 for street closure; higher than anticipated costs related to street closure requirements,
13 including for additional staffing and physical barriers; administrative and cost challenges
14 related to requesting the use of platforms and wind barriers for outside dining; higher than
15 anticipated costs related to insurance requirements; that the Shared Spaces program did not
16 collaborate closely with neighborhoods more vulnerable to gentrification before launch; that
17 program guidance was not issued in languages other than English at the time of their release;
18 that participation in the Shared Spaces program has not been observed City-wide; that due to
19 unanticipated costs some businesses cannot afford to participate; that the Shared Spaces
20 program did not provide a pathway to operate arts and culture activities within approved
21 outdoor spaces; that designers, architects, artists, and activists have expressed interest in
22 donating their services to help small businesses participate in Shared Spaces but do not know
23 how to connect with them; and that fitness studios wishing to utilize park space must pay a fee
24 per class, unlike all other businesses; and

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1 WHEREAS, The Temporary Waiver of Permit Fees for Café Tables and Chairs and
2 display Merchandise in the Public Right-of-Way, and Uses Fees for Parklets (File No. 200786)
3 would authorize fee waivers of certain uses, conducive to the activation of Shared Spaces, to
4 expire on August 1, 2022 unless revised or extended by ordinance; and

5 WHEREAS, as of September 28, 2020, 1,695 applications for Shared Spaces sidewalk
6 and curbside permits had been submitted with 78% approved, and 46 applications for Shared
7 Spaces street openings had been submitted with 57% approved; now, therefore, be it

8 RESOLVED, That the Board of Supervisors urges the Mayor’s Office, Office of
9 Economic and Workforce Development, Municipal Transit Agency, Planning Department,
10 Entertainment Commission, Arts Commission, Fire Department, Public Works, and Recreation
11 and Parks Department to work together to ensure that equitable City-wide participation in the
12 Shared Spaces program is prioritized in the administration of the Shared Spaces program;
13 and, be it

14 FURTHER RESOLVED, That the Board of Supervisors urges City agencies to
15 adequately staff the Shared Spaces program to meet speedy review and approvals timelines,
16 provide technical assistance and high quality customer service, monitoring and enforcement
17 to ensure public health and safety; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors urges City agencies to ensure
19 that all Shared Spaces program applicants receive high quality and individualized customer
20 service assistance as they navigate the requirements of the program, with the goal of
21 shepherding every applicant through the program as quickly and efficiently as possible; and,
22 be it

23 FURTHER RESOLVED, That the Board of Supervisors urges the City to fully
24 implement the Shared Spaces Sustainability Strategy and Shared Spaces Equity Strategy
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1 developed by interagency staff and recommended by the Small Business Commission and
2 small business community leaders; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges the City to promote the
4 Shared Spaces program to all small businesses across the City neighborhoods, and in
5 languages other than English, to ensure an equitable opportunity to participate in the program;
6 to provide specialized assistance in navigating the program requirements and application to
7 non-English speaking monolingual business owners interested in the Shared Spaces
8 program; and to coordinate with local neighborhood organizations to provide Shared Spaces
9 mini-grants and loans, specifically targeted to disadvantaged communities, for the
10 construction of parklets and/or other needed supplies and resources, and list these
11 organizations on the Shared Spaces website under additional resources; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors urges the City to streamline
13 and remove barriers to Shared Spaces street closure applications through simplifying
14 prerequisites; approving applications, without delay, once these prerequisites are met;
15 tangibly supporting Shared Spaces street closures through providing insurance for street
16 closures, providing tables and chairs for merchants' customers use within those street
17 closures, providing required signage, providing metal barricades already owned by the City,
18 and providing delineator cones and poles; and evaluating existing Shared Spaces staffing
19 requirements for street closure entrances for long term sustainability, ensuring that the lack of
20 availability of site staff and ambassadors not preclude a Shared Spaces street closure from
21 moving forward; and, be it

22 FURTHER RESOLVED, That the City should connect designers, architects, planners,
23 artists, musicians, activists, and others interested in donating their services to beautify the
24 City, to businesses in need through sponsoring design and art contests, listing their offerings
25 on the Shared Spaces website, displaying their work on the web and in print; and, be it

1 FURTHER RESOLVED, A hearing regarding the Shared Spaces program should be
2 held to assess the implementation, metrics, benefits and impacts of the Shared Spaces
3 Program, to inform the timeline for the duration of the Shared Spaces Program, requesting
4 that OEWD, SFMTA, the Planning Department, the Entertainment Commission, Small
5 Business Commission, SFFD, Public Works and Recreation and Parks Department to report
6 on their prioritization and administration of equity goals through Shared Spaces.

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City and County of San Francisco

Tails Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 201140

Date Passed: October 06, 2020

Resolution supporting small businesses and the Shared Spaces Program through speedy review and approval timelines, technical assistance, and high-quality customer service; through equitable citywide participation in the program prioritizing disadvantaged communities and support to non-English speaking business owners; and through extension of Shared Spaces permits.

October 06, 2020 Board of Supervisors - ADOPTED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201140

I hereby certify that the foregoing Resolution was ADOPTED on 10/6/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

10/16/2020

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

10/16/2020

Date